Development Code

Ordinance No. 1026

Adopted 11/4/2009

DEVELOPMENT CODE
OF THE
CITY OF REXBURG, IDAHO

ORDINANCE No. 1026

AN ORDINANCE REPEALING ORDINANCE NO. 926, OF THE CITY OF REXBURG, IDAHO; ENACTING A DEVELOPMENT CODE FOR THE CITY OF REXBURG, DIVIDING THE CITY INTO DISTRICTS IN ACCORDANCE WITH THE REVISED COMPREHENSIVE PLAN; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES, SIZE OF BUILDINGS AND OTHER STRUCTURES AND OBJECTS, IMPLEMENTING DESIGN STANDARDS IN THE DISTRICTS, REGULATING THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED BY STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, COMMERCE, INDUSTRY, RESIDENCE AND OTHER PURPOSES; PROVIDING FOR VIOLATION OF THE PROVISIONS OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

Section I. Ordinance No. 926 of the City of Rexburg, Idaho, is hereby repealed.

Section II. The Development Code of the City of Rexburg, Idaho, is hereby enacted as follows:

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CHAPTER 1: TITLE, AUTHORITY, PURPOSE, INTENT

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1.1 Title

This Ordinance shall be known and entitled as "The City of Rexburg Development Code" and may be so cited and pleaded.

1.2 Authority

This Ordinance is adopted pursuant to authority granted by Title 67, Chapter 65 of the Idaho Code, and Article 12, Section 2 of the Idaho Constitution, as amended.

1.3 Purpose

A. Purpose. The purpose of this Ordinance shall be to promote the health, safety, and welfare of the residents of the City of Rexburg as follows:

1. To protect property rights and enhance property values.
2. To provide for the protection and enhancement of the local economy.
3. To ensure that important environmental features are protected and enhanced.
4. To encourage the protection of prime agricultural lands for the production of food.
5. To avoid undue concentration of population and overcrowding of land.
6. To ensure that development is commensurate with the physical characteristics of the land.
7. To protect life and property in areas subject to natural hazards and disasters.
8. To protect recreation resources.
9. To avoid undue water and air pollution.
10. To secure safety from fire and provide adequate open spaces for light and air.
11. To implement the comprehensive plan.

1.4 Intent

It is the intent of the governing body of the City of Rexburg that this Ordinance be interpreted and construed to further the purposes of this Ordinance and the objectives and characteristics of the zoning districts.

1.5 Applicability

The provisions of this Ordinance are applicable not only to private persons, agencies and organizations but also to all public agencies and organizations to the full extent that they may be enforceable.

1.6 Previous Ordinances and Maps

The existing ordinances covering the zoning of the property within the limits of the City of Rexburg together with all maps which are part of such ordinances are hereby superseded. Any illegal or unauthorized use of land, buildings or structures shall remain illegal and unauthorized unless specifically authorized under this Ordinance.

1.7 Severability

If any portion of this Ordinance or its application to specific circumstances shall be held invalid by a court of competent jurisdiction, the remainder of this Ordinance and its application to other circumstances shall be unaffected.

1.8 Relationship to other laws

If State or federal law or regulations or other City ordinances impose additional or duplicative standards on development or buildings regulated by this Ordinance, the more restrictive standard shall apply.

1.9 Violation and Penalties

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a complaint with the Zoning Administrator. The Administrator or his agent shall record such complaint, investigate the same, and take such action or cause such action to be taken as provided by this Ordinance. The City Attorney may, in addition to taking whatever criminal action is deemed necessary, take steps to civilly enjoin any violation of this Ordinance. Any violation of the provisions of this Ordinance or any failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues beyond notice shall be considered a separate violation. Any person convicted of violating the provisions of this Ordinance shall be punishable by imprisonment for a term not to exceed thirty (30) days, a fine not to exceed three hundred dollars ($300), or by both such fine and imprisonment.

1.10 Development Review Committee and Design Review Board

1.10.1 Purpose of the Development Review Committee and Design Review Board.

A. Purpose. The Development Review Committee and the Design Review Board are established to coordinate, expedite and assure fair and equitable implementation of this title.

The objective, to be implemented through their procedures and deliberations, shall be to encourage development quality that will enhance both the natural and built environments, with consideration to present and future property values, and to carry out the purposes of this title. All bodies authorized under this chapter may call upon any City staff or other persons with technical expertise, and may testify before any board, commission or other body upon the subjects for which they have responsibility.

1. **Development Review Committee.** The Development Review Committee is established to evaluate all proposals subject to the provisions of this title. The Development Review Committee is the body charged with reviewing items relating to public health and safety.

    a. The Development Review Committee shall act as an advisory body to the Planning Director for site plans when no variance or deviation is requested; and

    b. The Development Review Committee shall act as an advisory body to the City Council for larger and more complex proposals including conditional use permits, planned unit developments, all site plans involving variances or deviations, divisions of land, zone map amendments, annexations and other actions as requested by staff or the City Council .

2. **Design Review Board.** The Design Review Board is established to review design standards, landscaping and site plans when requested by either the Community Development Director or a designee or by the applicant. The applicant may request that the Design Review Board meet and overrule the findings of the Community Development Director or a designee.

   a. ORGANIZATION
      I. The Design Review Committee is made up of three (3) pools of individuals from:
         i. The Planning and Zoning Commission (pool of all members)
         ii. The City Council and Mayor (pool of all members)
         iii. Professional Group (group of ten)
      II. Three (3) members of the committee should be present for project design review. The Planning and Zoning Assistant shall attempt to build a three member committee by calling one member from each pool. If the attempt is not successful, then the group may consist of three members of any combination of the pools. If at the time of the meeting some or all of the members of the committee do not show, then two of the remaining members and/or City of Rexburg Staff may act as the committee.
      III. The Community Development Director shall recommend potential members from the private sector for inclusion into the Professional Group to the Mayor. The Mayor shall make the final decision on the body.
   b. MEETINGS
      I. The Community Development Director or a designee will review all plans and applications for compliance to the Design Standards as set forth in the City of Rexburg Development Code.
      II. If the Community Development Director or a designee performing the design review feels that input is required from the Design Review Committee, he/she can request that the Design Review Committee meet and discuss the proposal.
      III. If at any time the person submitting the plans does not agree with the review performed by the Community Development Director or a designee, he/she may request a hearing by the Design Review Committee.
   c. AUTHORITY
      I. The Planning and Zoning Commission delegates the authority required to make a best effort design review to the Community Development Director or a designee. It is the intent that the Community Development Director or a designee reviews the submitted plans for compliance to the ideals and spirit of the design review requirements of the Rexburg Development Code.
      II. The Planning and Zoning Commission at any time may request that a Design Review Committee be called together for certain project review or as a re-review on a project completed by the Community Development Director or a designee.

B. Development Review Committee Procedures Established (City and EMS Staff). To implement this purpose, certain procedures shall be adopted to include, but not be limited to, a regularly scheduled weekly or biweekly meeting attended by representatives of each of the City departments charged with development review. Each department shall have the ability and authority to require the Development Review Committee to make a recommendation of denial when in their view the project cannot meet the requirements and review criteria of this title and acceptable conditions do not exist to cure the identified failings of the project. Written meeting reviews, in the form of staff reports or summary reviews, shall be made setting forth the Development Review Committee's recommendation to the Planning Director or City Commission and reasons for requiring such conditions as may be deemed necessary by the Development Review Committee. Each of the Development Review Committee Members will input their reviews and comments into the City Permitting System following the project review meeting. These records shall be preserved as part of the official file for each development proposal.

Lastly, the Development Review Committee shall generally follow "Robert's Rules of Order" and may prepare and adopt supplemental procedural rules that will assure the accomplishment of the stated purpose and promote

the efficiency and effectiveness of the developmental review process.

The Development Review Committee shall at a minimum be composed of the following personnel: City Engineer or designee, Fire Marshal or designee, the Public Works Director, the Water/Sewer Superintendent or designee, the Planning Director or designee and the Building Official or designee.

1. **Including Members of the Committee.** When necessary, other members of the committee may be included at the Planning Director's or other Development Review Committee Members request.

2. **Soliciting input.** When applicable, the Development Review Committee may solicit the input of non-City agencies and persons including, but not limited to, the County Subdivision Review Officer or Designee, the County Sanitarian or designee, the County Road Superintendent or designee, and state or federal agencies, with other individuals to be included as necessary.

C. Design Review Board Procedures Established. To implement this purpose, certain procedures shall be adopted to include, but not be limited to, meetings attended by members of the Design Review Board. Written meeting reviews setting forth decisions and findings shall be made. These records shall be preserved as part of the official proceedings for each developmental proposal.

Lastly, the Design Review Board shall generally follow "Robert's Rules of Order" and may prepare and adopt supplemental procedural rules, upon the approval of the City Council, that will assure the accomplishment of the stated purpose and promote the efficiency and effectiveness of the design review process.

1.11 General Procedures, Notice and Timing

A. Informal Advice and Direction. A person or organization considering any construction, building or site alteration, rezoning or other development activity, may approach the Development Review Committee or Design Review Board for informal advice and direction. Such discussion shall be treated as advisory by both parties and shall record only the fact that contact had been made. An informal review by the Development Review Committee and/or Design Review Board may be requested by submitting a completed application form provided by the Planning Director along with any schematic development plans or written narrative at least one week prior to the next regularly Development Review Committee and/or Design Review Board meeting.

The initial informal review by an applicant or owner for a specific parcel shall be conducted without a fee.
A fee, set in accordance with the fee resolution adopted by the City Council, shall be charged for a second or subsequent informal review requested by the same applicant and/or owner for the same real property as a prior informal review. No application is required for informal review or advice by the Development Review Committee staff.

B. Formal Application. An application for Development Review Committee, Design Review Board and/or consideration of a development proposal must be submitted utilizing a form available from the Planning Director. Material to be submitted with the application shall include the elements set forth within the requirements for the type of proposal to be considered, i.e., sketch plan, site plan, conditional use permit, certificate of appropriateness, planned unit development, divisions of land, etc. as outlined in this title. It is recommended that the applicant discuss the application informally with the Development Review Committee prior to formal submission to help expedite the process. Depending upon the size of the proposed project, its location and type, the applicant may be directed to one or more agencies of the City for processing.

C. Public Notice. Public notice for any proposal before the Development Review Committee or Design Review Board that requires such notice shall be provided in accordance with Rexburg Municipal Code.

D. Development Review Committee or Design Review Board Action. By no later than 30 working days from the date of the first regularly scheduled Development Review Committee and/or Design Review Board meeting, at which the applicants' proposal was initially reviewed, the Development Review Committee, or Design Review Board shall take action to recommend approval, approval with conditions, table pending submission of revised or additional materials or recommend denial of the applicant's proposal, unless the applicant grants a written extension to the review period.

CHAPTER 2: DEFINITIONS

2.1 Definitions for this Ordinance

2.1 Definitions for this Ordinance

For the purpose of this Ordinance, the following word or phrases shall have the meaning respectively ascribed to them herein.

Abandonment: To cease or discontinue a use or activity without intent to resume but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving a facility, or during periods of vacation or seasonal closure. Such interruptions shall not exceed 12 months in duration unless otherwise provided for in this Ordinance.

Accessory Structure: A non-occupied subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and ornamental to that of the principal structure.

Accessory Use: A use incidental to, and on the same parcel as, a principal use.

Agriculture: For purposes of interpreting this ordinance for lands designated as agriculture in use, the following conditions apply: All such lots shall be for agricultural purposes as the primary use of the land parcel. To determine primary use, the use of land parcel shall be clearly for tilling of soil, horticulture, floriculture, forestry, viticulture, raising crops, raising livestock, farming, dairying, and animal husbandry, including uses customarily accessory and incidental thereto, but excluding slaughter houses and commercial feed lots. Land shall not be defined as exclusively agricultural in use when determined to be a land development program where subdivision of land is evident for suburban residential development lifestyle and purposes.

Amusement Arcades: A building or part of a building in which five or more pinball machines, video games, or other similar player-oriented amusement devices are maintained.

Automobile Wrecking Yards: See junk yard.

Bed and Breakfast Inn: A structure containing multiple guest rooms where lodging, with or without meals, is provided on a daily rate basis, and a manager maintains a residential presence on site.

Block: The space along one side of a street between the two nearest intersecting streets, or between an intersecting street and a right-of-way, waterway, or other similar barrier, whichever is lesser.

Boarding House: A building that is the primary residence of the owner in which rooms are provided on a weekly or monthly basis for compensation, by the owner, to three or more but less than twenty persons not related by blood, marriage, or adoption to the owner.

Buffer Area: A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

Building Code: The various codes of the City which regulate construction and require building permits, electrical permits, mechanical permits, plumbing permits, and other permits to do work regulated by Title 15 of the City Code pertaining to building and building regulation. These include the latest adopted version of the International Building Code, the International Residential Code, the International Mechanical Code, the International Energy Conservation Code, the Uniform Plumbing Code and the National Electrical Code.

Building Line: The line, parallel to the street, that passes through the point of the principal building nearest the front lot line. The building line measured from the drip line of the building.

Campground: An area or tract of land on which accommodations for temporary occupancy are located or may be located, including cabins, tents, and major recreational vehicles or equipment, and which is used primarily for recreational purposes and retains an open air or natural character.

Car Wash: An area of land and/or a structure with a machine or hand-operated facility used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Child Care Facility: See Daycare Centers.

City Engineer: An Idaho Registered Professional Engineer designated by the City to represent the City's engineering interests.

City Impact Area: That unincorporated area contiguous to the Rexburg City Limits officially adopted as the "Area of Impact."

Commission: The Rexburg City Planning and Zoning Commission hereinafter referred to as Commission.

Common Area: That area which is held in common ownership by owners of land within the platted area.

Comprehensive Plan: The comprehensive plan for the City of Rexburg, or parts thereof, projecting future growth and development and for the general location and coordination of street and highways, schools and recreation areas, public building sites and other facilities, which shall have been duly adopted. This plan shall comply with the Idaho Code as adopted or amended.

Condominium: An estate consisting of an individual interest in real property, associated with an undivided interest, held in common with others, in a Common Area of real property.

Conditional Approval: An affirmative action by the Commission indicating the approval is given subject to certain specified stipulations.

Conditional Use Permit: A special use permit as provided for by Idaho Section 67-6512 in which a use that, owing to some special characteristics such as traffic or noise generation, parking needs, access, building size, lighting, consistency with developed uses in the area, or other characteristics of operation, is permitted in certain districts subject to approval by the Planning and Zoning Commission or the City Council, subject to terms and conditions, depending upon the particular use.

Convenience Store: Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross square floor area of less than 5,000 square feet.

Council: The Rexburg City Council hereinafter referred to as the Council.

County Commission: The Madison County Board of Commissioners.

County Engineer: An Idaho Registered Professional Engineer or consulting Engineering firm designated by the County Commissions to represent the County's engineering interests.

Daycare Centers: A building or structure where care, protection, and supervision are provided on a regular schedule, at least three times a week. For up to five (5) children, this is allowed in a Home Based Business, six (6) to eleven (11) children are allowed by Conditional Use Permit, and any number greater than eleven (11) children shall comply with applicable zoning designations.

Dedication: The setting apart of land or interest in land for use by the public. Land becomes dedicated when accepted as a public dedication either by ordinance, resolution, or entry in the official minutes of the City or by the recording of a plat showing such dedication.

Density: The number of dwelling units per acre, excluding required public rights-of-way from acreage determination.

Development: A land use consisting of two or more principal buildings, together with any and all associated improvements.

Development Master Plan: A plan for the development of a large, unusual or complicated land area, the platting of which is expected in progressive stages. The plan may be designed by a subdivider, planner, or engineer and shall be subject to approval of the Commission. The plan does not fulfill the requirements of the preliminary platting process of the Subdivision Ordinance.

Dormitory: A building used as a group living quarters. Such group living quarters are generally associated with a college, university, boarding school, orphanage, convent, monastery, farm labor camp, or other similar use. For determining density, the total number of residents will be divided by six for each dwelling unit counted. Dormitory housing with over twenty residents must be sprinkled as per the building code.

Dwelling: A building or portion thereof that provides living facilities for one or more families.

Dwelling, Multi-family: A detached residential building containing three or more dwelling units, including what is commonly known as an apartment building.

Dwelling Unit: One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

Easement: A grant by the owner of a parcel of land for use by the public, corporations, or persons for a specified use purpose.

Elderly Housing: A building or group of buildings occupied by persons 55 years or older or couples where either of the partners are 55 years or older. This does not include a housing in which the elderly may occupy the units seasonally or convalescent or nursing facilities.

Engineer: Any person who is registered and certified in the State of Idaho to engage in the practice of professional engineering.

Engineering Plans: Plans, profiles, cross-sections, and other required details for the construction of improvements, prepared by a registered professional engineer in accordance with the approved preliminary plat and in compliance with existing standards of design and construction.

Family: A group of one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit, provided that at least one of the following situations exist: A) At least one of the group is related to all of the other members of the group within the third degree of kinship; B) The group is divisible into two subgroups, each composed of at least one person who is related to all other members of the subgroup within the third degree of kinship; or C) All such persons are handicapped persons as defined by the Idaho Code Section 67-6531 or in Title VII of the Civil Rights Act of 1968, as amended by the Fair Housing Act Amendments of 1988, or any subsequent amendments to the foregoing regulations.

Final Plat Approval: Approval of the requested action as evidenced by appropriate certifications on the plat; such approval constitutes authorization to record a plat.

Flood Plain: Those areas designated as Zone A or AE as shown on the current Flood Insurance Rate Map (FIRM) as prepared by National Flood Insurance Program.

a. "Flood of one hundred year frequency" shall mean a flood magnitude which has a one percent (1%) chance of being equaled or exceeded in any given year.

b. "Flood" shall mean the temporary inundation of land by overflow from a river, stream, lake, or other body of standing water.

c. "Channel" shall mean a natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.

Floor Area, Gross: The sum of the areas of all floors of a building, including any area used for human occupancy in the basements and attics, as measured from the exterior faces of the walls.

Frontage: The length of any one property line of a premise, which property line abuts a legally accessible street right-of- way. For purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered front yards, and yards shall be provided as indicated under yards in this definition section.

Grade: The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building.

Grandfathered Use: Any use of a building, structure or land which does not conform to the zoning regulations where it is located, but is determined to have existed legally at the point in time that it came into existence. This usually occurs when such a use conformed to zoning regulations when it was established, but became non-conforming due to a zoning change or annexation. This term does not apply to basic health and safety criteria which a structure may need to meet to be current with existing occupancy standards.

A grandfathered use will cease and cannot be re-established after the use has been discontinued for a continuous period of 1 year or in the event that the owner intended to abandon the non-conforming use, even if the elapsed time is less than stated above.

A grandfathered right also may be lost by a significant upgrade or change in use of a facility.

If you lose a grandfather right it cannot be re-established under the City of Rexburg Development Code. In such a case, the property may only be used for the purposes specified in the Development Code. The non-conforming use must either discontinue or be moved to a property which has the correct zone.

Group Home for the Handicapped: A dwelling shared by eight or less handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment. See Idaho Code 65-6731.

Health Department: Refers to District 7 Health Department, which is a State Agency administered at the County level, responsible for certain reviews and approvals.

Health/Recreation Facility: An indoor facility including uses such as game courts, exercise equipment, locker rooms, Jacuzzi, and/or sauna & pro shop.

Height: The average vertical distance from the grade to the top of the building walls, and does not include gables or dormers. Dormers and gables are encouraged in order to create more architectural interest to a building.

Home Occupation: An accessory use of a dwelling unit or the accessory building for gainful employment which is clearly incidental and subordinate to the use of the dwelling unit as a residence.

Hospital: An institution providing health service primarily for human in-patient medical or surgical care for sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices that are an integral part of the facilities.

Hotel: A facility offering transient lodging accommodations on a daily rate to the general public. Additional services, such as restaurants, meeting rooms, and recreational facilities may be provided.

Household Pet: Small animals including fish or fowl permitted in the house or yard and kept for company or pleasure, such as dogs, cats, rabbits, canaries, parrots, parakeets, or goldfish. Under no circumstance shall more than 5 mammals or reptiles be allowed at one time, except that direct offspring shall be allowed for up to 3 months.

Irrigation Facilities: Includes canals, laterals, ditches, conduits, gates, wells, pumps, and allied equipment necessary for the supply, delivery and drainage of irrigation water.

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime, rock, or clay, as well as most

conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

Industry, Heavy: A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Junk: Old, dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, bed and bedding, rags, motor vehicles and parts thereof.

Junkyard: An open area where waste, used or secondhand materials are bought, sold, exchanged, stored, processed, or handled. Materials shall include but not be limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. An automobile wrecking yard is also considered a junkyard.

Kennel, Private: Any building, buildings or land designed or arranged for the care of dogs and cats belonging to the owner of the principal user, kept for the purposes of show, hunting, or as pets.

Laundry, Self-Service: A business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises.

Landscaping: The area within the boundaries of a given lot/project that consists of planting materials, including but not limited to living trees, shrubs, ground covers, grass, flowers, decorative rock, bark, mulch, and other similar materials. Large cobbles or river rock are not considered “decorative rock”.

Lot: A piece or parcel of land separated from other pieces or parcels as shown on a recorded subdivision plat or by metes and bounds description for purposes of sale, lease, or separate use.

a. “Corner Lot” A lot with Frontage on two (2) or more intersecting streets where the interior angle of intersection does not exceed one hundred thirty-five (135) degrees. Corner lots have two front yards and two side yards but no rear yard.

b. “Interior Lot” A lot having but one (1) frontage abutting on a street.

c. “Double Frontage Lot” A lot abutting two parallel or approximately parallel streets.

Lot Area: The total horizontal area within the lot lines of a lot.

Lot Coverage. The area of a site covered by buildings or roofed areas and impervious surfaces.

Lot Depth: The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

Lot, Flag: Lots or parcels that the City has approved with less frontage on a public street than is normally required, with no less than 22 feet of accessible frontage, generally intended to make deeper property accessible.

Lot Line: The boundary line of a lot.

Lot Line, Front: The property line separating the front of the lot from the public right of way.

Lot Line, Rear: The lot line opposite the front property line. Where the side property lines of a lot meet in a point, the rear property line shall be assumed to be a line not less than ten (10) feet long, lying within the lot and parallel to the front property line. In the event that the front property line is a curved line, then the rear property line shall be assumed to be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front property line at its midpoint.

Lot Line, Side: Any lot line not a front or rear lot line.

Lot of Record: A lot that is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Madison County, Idaho, or any parcel of land, whether or not part of a subdivision, that has been officially recorded by a size that met the minimum dimensions for lots in the district in which it was located at the time of recording or was recorded prior to the effective date of zoning in the area where the lot is located.

Lot, Substandard: A lot or parcel of land that has less than the minimum area or width as established by the zone in which it is located. Such a lot shall have been of record as a legally created lot on the effective date of this ordinance.

Lot, Through: A lot that has a pair of opposite lot lines along two substantially parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

Lot Width: The horizontal distance between side lot lines measured at the required front setback line. The width of a lot shall be:

a. If the side property lines are parallel, the shortest distance between these side lines.

b. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the zone I which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

c. For rural acreage developments, the distance between the side lot lines, measured at the street frontage.

Manufactured Home: A single-family unit fabricated in one or more sections at a location other than the home site by assembly line or similar production techniques or by other construction methods typical of off-site manufacturing process. Every section shall bear a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards, June 15,1976 (42 U.S.C. Sec. 5401). A manufactured home may be designed to be towed on its own chassis or be delivered to the site by other means. Manufactured homes placed on any lot (except in an approved Mobile Home Subdivision) must be a minimum of 24 feet in width, be placed on a Rexburg Building Department approved foundation, have a minimum 3/12 pitch roof, have a minimum of 12" eaves and must not be sided with vertical ribbed metal panels.

Manufactured Housing Park: A parcel of land under single ownership that has been planned and improved for the placement of manufactured homes.

Mobile Home: A structure transportable in one (1) or more sections which is eight (8) feet or more in width and is thirty-two (32) feet or more in length and which is built on a permanent chassis and designed to be used as a year-round residential dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, heating, air conditioning and electrical systems.

Mobile Home Subdivision: A subdivision designed and intended for residential use where residence is in mobile homes exclusively.

Motel: A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for travelers and having automobile parking conveniently located on the premises.

Neighborhood Plan: A plan to guide the platting of remaining vacant parcel in a new or partially built up neighborhood so as to make reasonable use of all land, correlate street patterns, and achieve the best possible land use relationships.

Nonconforming Building: Any building which does not meet the limitations of building size or location on a lot for the district in which the building is located and was built prior to the effective date of this ordinance.

Nonconforming Lot: An existing lot, the area, width, size, or other characteristic of which, fails to meet the requirements of the district in which it is located and which was conforming prior to the effective date of this ordinance.

Nonconforming Use: A use not conforming to the provisions of this Ordinance but which was lawfully existing at the time of adoption of this Ordinance.

Nursery: A building or portion of building or residence providing pre-school curriculum and education to more than twelve children.

Office: A building or portion of building wherein services are performed involving predominantly administrative, professional, or clerical operations.

Open Space Land: Any developed or predominately undeveloped land which has been set aside for the following:

a. Park and recreation purposes;

b. Conservation of land and other natural resources;

c. Historic or scenic purposes.

Outdoor storage: The keeping, in an unroofed area, of any goods, junk material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

Owner: The person or persons, corporation, or legal entity holding title by deed to land or holding title as vendees under land contract, or holding any other ownership interest.

Parcel: A continuous quantity of land in the possession of or owned by or recorded as the property of the same person or persons.

Parking Space: A dedicated or delineated area other than a street or alley that is permanently set aside, reserved and maintained in accordance with the Rexburg City Development Code for the parking of one motor vehicle.

Pedestrian Enhancement Zone (PEZ): A zone created near the BYU-I campus that allows less parking and higher density for residential units. The PEZ zone consists of PEZ 1 which may allow parking to be reduced with a Conditional Use Permit (CUP) to a minimum of 10% of the required parking and PEZ 2 parking may be allowed to be reduced to 60% as a minimum with a CUP. Dwelling Unit Density for HDR, MDR, MU1 and MU2 zones within the PEZ are regulated by the University, the Building Code and any requirements imposed as part of the CUP.

Pedestrian Way: A public right-of-way dedicated as a walkway through a block from street to street and/or providing access to a school, park, recreation area, or shopping center.

Planned Residential Development: A Planned Unit Development that excludes all uses other than residential.

Planned Unit Development: Residential, commercial and/or industrial use, or combination thereof, planned for a tract of land to be developed as a unit under single ownership or control. PUD is developed for the purpose of selling, leasing, or renting lots or estates, whether fronting on private or dedicated streets and may include two or more principal buildings as governed by the Development Code.

Plat: A map of a subdivision

a. "Preliminary Plat" - A preliminary map, including supporting data, indicting a proposed subdivision development, prepared in accordance with this ordinance and the Idaho Code.

b. "Final Plat" - A map of all or part of a subdivision providing conformance to an approved preliminary plat, prepared by a surveyor in accordance with this ordinance and the Idaho Code.

c. "Recorded Plat" - A final plat bearing all of the certificates of approval required in this ordinance and duly recorded in the Madison County Recorder's Office.

Pharmacy: A service business which dispenses, under the supervision of a pharmacist licensed by the State of Idaho, prescriptive and non-prescriptive medicines and drugs, orthopedic appliances, or medical supplies for the treatment of human illness, disease, or injury, excluding the sale of goods or commodities for general hygiene, diet, cosmetic, or other general health purposes.

Plant Nursery: Any land used to raise trees, shrubs, flowers, and other plants for sale or transplanting.

Principal Building: A structure or, where the context so indicates, a group of structures in which the principal use of the lot is conducted.

Principal Use: The main use of the land or structures as distinguished from a secondary or accessory use.

Private Road: A road within a subdivision plat that is not dedicated to the public and not a part of a public highway system.

Public Land Survey Corner: Any land survey corner actually established and monumental in an original survey or resurvey used as a basis of legal description for issuing a patent for the land to private person from the United States government.

Record of Survey: A map prepared in accordance with the requirements of Title 55 Chapter 19 of the Idaho State Statutes, as amended.

Recreational Vehicle: Recreational vehicles may include but are not limited to motor homes, converted buses, camping and travel trailers, light-duty trailers and transporters, horse and cattle trailers, rafts, boats and their trailers.

Recycling Center or Plant: A facility which is not a junkyard and in which recoverable resources, such as newspapers, glassware, and metal cans are collected, stored, flattened, crushed, or bundled within a completely enclosed building.

Reserve Strip: A strip of land between a dedicated street or partial street and adjacent property; in either case, reserved or held in public ownership for future street extension or widening.

Right-of-Way: A parcel of land dedicated or reserved for use as a public way which normally includes streets, sidewalks, utilities or other service functions.

Sanitary Restriction: The requirement that no building or shelter which will require a water supply facility or a sewage disposal facility for people using the premises where such building or shelter is located shall be erected until written approval is first obtained from the state Division of Environmental Quality by its administrator or his delegate approving plans and specifications either for public water and/or sewage facilities, or individual parcel water and/or sewage facilities.

Satellite Dish Antenna: A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such devices shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbital based uses. A ground-mounted dish shall be regulated as an accessory building.

School: A facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools, and high schools.

Self-Service Storage Facility: A building or group of buildings consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractor supplies.

Service Station: Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

Self-Service Station: An establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by persons other than the service station attendant and may include facilities available for the sale of other retail products.

Setback: The minimum horizontal distance between a property line of a lot and the nearest drip line of the eaves of the building, including any projection thereof, excluding uncovered steps. Uncovered steps or a deck may not extend into the front setback more than one-third of the required setback.

Shopping Centers: A grouping of three or more retail businesses or service uses on a single site of two or more acres with common parking facilities.

Site Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

Single-family Attached Dwellings: Two (2) or more dwelling Units which may share a common wall. These structures are also considered to be townhouses.

Standard Drawings and Specifications: Standard Drawings and Specifications are defined as the State of Idaho Public Works Standards as adopted by the City of Rexburg.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if its ceiling is over six feet above the average level of the finished ground surface adjoining the exterior walls of such story, or if it is used for business or dwelling purposes.

Street: A public or private thoroughfare used, or intended to be used for passage or travel by motor vehicles. Driveways are not included. Streets are further classified by the functions they perform.

a. "Residential access streets or local streets" have the sole purpose of providing frontage for service and access to private lots. These streets carry only traffic having either destination or origin on the street itself. The elimination of through traffic and the geometric design of the street are means to promote safety and to create a desirable residential neighborhood.

b. "Residential collectors" are streets that conduct and distribute traffic between other residential streets of lower order and higher order streets or major activity centers. This is the highest order of a street appropriate to a residential neighborhood and residential frontage along it should be prohibited or severely restricted.

c. "Arterials" are roads conveying traffic from between major activity centers within the community and traffic through the City. Efficient movement is the primary function of arterial roads. Private and front access should be controlled and limited to high volume generators of vehicle trips.

d. "Frontage Street". A minor street parallel and adjacent to an arterial route and intercepts local streets and controls access to an arterial route.

e. "Cul-de-sac Street". A short local street having one end permanently terminated in a vehicular turnaround.

f. "Rural Residential Street". A minor street that serves a rural residential subdivision that does not require curb and gutter.

g. "Alley". A public service way used to provide secondary vehicular access to properties otherwise abutting upon a street.

Subdivider: An individual, firm, corporation, partnership, association, syndication, trust, or other legal entity having sufficient proprietary rights in the property to represent the owner, that submits the required subdivision application and initiates proceeding for the subdivision of land in accordance with applicable regulations.

Subdivision: The division of any lot, tract, or parcel of land into three (3) or more parts, for the purposes of transfer of ownership or development and the dedication of a public street and the addition to.

Surveyor: Any person who is registered and certified in the State of Idaho to engage in the practice of land surveying.

Temporary Use: A prospective use, intended for a limited duration, generally less than a year, to be located in a zoning district not permitting such use and not continuing such use or building.

Tower: A structure situated that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

Truck Terminal: Land buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Usable Lot Area: That portion of a lot usable for or adaptable to the normal uses made of the property, excluding any areas which may be covered by water, excessively steep, or included in certain types of easements.

Utilities: Installation or facilities, underground or overhead, furnished for use by the public, including but not limited to electricity, gas, steam, communications, water, television, drainage, irrigation, sewage disposal, or flood control, whether owned and operated by any person, firm, corporation, municipal department, or board duly authorized by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments, or boards, as applicable herein.

Variance: A modification of the requirements of this Ordinance for lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provisions affecting the size or shape of a structure, the placement of the structure upon lots, or the size of the lot. A variance does not include a change of land use. See Idaho Section 67-6516.

Vicinity Map: A small scale map showing the location of a tract of land in relation to a larger area.

Warehousing and Distribution: A use engaged in storage, wholesale, and distribution of manufactured products, supplies and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

Yard: Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings, or such uses as provided by this Development Code. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the drip line of the main building.

Yard, Front: A yard extending along the full width of a front lot line between side lot lines and from the front lot line to the front building line in depth.

Yard, Rear: A yard extending the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear-yard depth shall be measured at right angles to the rear line of the lot.

Yard, Side: A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard. Side yard width shall be measured at right angles to the side lines of the lot.

Zone: A portion of the territory of the City, exclusive of streets, alley, and other public ways, within which certain uses of land, premises, and buildings are not permitted and with which certain yards and open spaces are required and certain heights are established for buildings.

CHAPTER 3: ZONING DISTRICTS

3.1 Establishment of Zones
3.2 Determination of District Boundaries
3.3 Lots Divided by District Boundaries
3.4 Low Density Residential 1 (LDR1)
3.5 Low Density Residential 2 (LDR2)
3.6 Low Density Residential 3 (LDR3)
3.7 Medium Density Residential 1 (MDR1)
3.8 Medium Density Residential 2 (MDR2)
3.9 High Density Residential 1 (HDR1)
3.10 High Density Residential 2 (HDR2)
3.11 Rural Residential 1 (RR1)
3.12 Rural Residential 1 (RR2)
3.13 Mixed Use 1 (MU1)
3.14 Mixed Use 2 (MU2)
3.15 Neighborhood Business District (NBD)
3.16 General Business District (GBD)
3.17 Central Business District (CBD)
3.18 Community Business Center (CBC) Zone
3.19 Regional Business Center (RBC) Zone
3.20 Light Industrial District (LI)
3.21 Heavy Industrial District (HI)
3.22 Sexually-Oriented Business Overlay (SOB)
3.23 Professional Office Zone (PO)
3.24 Technology and Office Zone (TOZ)
3.25 Public Facilities Zone (PF)
3.26 Open Space Zone (OS)
3.27 University District (UD)
3.28 Transitional Agricultural 1 (TAG1)
3.29 Transitional Agricultural 2 (TAG2)
3.30 Residential Business District (RBD)
3.31 Project Redevelopment Option (PRO)

3.1 Establishment of Zones

The boundaries and zoning classifications of districts are shown on the map entitled “Rexburg Zoning Map” which map and all information shown thereon may from time to time be modified, and are by reference thereto made a part of this Ordinance.

The City may be divided into the following zoning districts, the boundaries and extent of which shall be shown on official Rexburg Zoning Map by the City of Rexburg Staff:

Residential Zones

(a) Low Density Residential 1 (LDR1)
(b) Low Density Residential 2 (LDR2)
(c) Low Density Residential 3 (LDR3)
(d) Medium Density Residential 1 (MDR1)
(e) Medium Density Residential 2 (MDR2)
(f) High Density Residential 1 (HDR1)
(g) High Density Residential 2 (HDR2)
(h) Rural Residential 1 (RR1)
(i) Rural Residential 2 (RR2)

Mixed Use Zones

(j) Mixed Use 1(MU1)
(k) Mixed Use 2(MU2)

Commercial District Zones

(l) Neighborhood Business District (NBD)
(m) General Business District (GBD)
(n) Central Business District (CBD)

Highway Business District Zones

(o) Local Business Center (LBC)
(p) Community Business Center (CBC)
(q) Regional Business Center (RBC)
(r) Light Industrial District (LI)
(s) Heavy Industrial District (HI)

Other Zones

(t) Sexually-Oriented Business Overlay Zone (SOB)
(u) Professional Office Zone (POZ)
(v) Technology and Office Zone (TOZ)
(w) Airport District (AP)
(x) Public Facilities Zone (PF)
(y) Open Space Overlay (OS)
(z) University District (UD)
(aa) Transitional Agricultural 1 (TAG1)
(bb) Transitional Agricultural 2 (TAG2)
(cc) Residential Business District (RBD)
(dd) Project Redevelopment Option (PRO)

3.2 Determination of District Boundaries

Unless otherwise defined on the Rexburg Zoning Map, district boundaries are the quarter lines or center lines of ten (10) acre blocks; platted lot lines; property lines; the center lines of streets, alleys, or railroad right-of-way (or such lines extended); Government survey lines; municipal limit lines; or the center lines of streams.

3.3 Lots Divided by District Boundaries

If a parcel or lot is divided by district boundaries, the requirements of the most restrictive district shall apply to the property.

RESIDENTIAL ZONES

3.4 Low Density Residential 1 (LDR1)

3.4.010. Purposes and Objectives
3.4.020. Permitted Uses
3.4.030. Lot Area
3.4.040. Lot Width
3.4.045. Lot Depth
3.4.050. Lot Frontage
3.4.060. Prior Created Lots
3.4.070. Lot Configuration and Density
3.4.080. Yard Requirements
3.4.090. Setbacks and Rights-of-Way Exceptions
3.4.100. Building Height
3.4.110. Distance Between Buildings
3.4.120. Permissible Lot Coverage
3.4.130. Parking, Loading and Access
3.4.140. Project Plan Approval
3.4.150. Fencing and Screening
3.4.160. Other Requirements

3.4.010. Purposes and Objectives

The LDR1 zone is established to protect stable neighborhoods of detached single-family dwellings on larger lots. The limited conditional uses allowed in this district shall be compatible with an atmosphere of large, landscaped lawns, low building heights, ample setbacks and side yards, predominantly off street parking, low traffic volumes, and low nuisance potentials.

3.4.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the LDR1 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 LDR1 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the LDR1 zone:

SIC Code	Use
1111	Single-family Dwelling - detached
1292	Disabled Persons Residential Facility

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the LDR1 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the LDR1 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
4700	Communications in accordance other applicable communications ordinances
4814	Electricity Regulating Substations
4939	Other Utility and Public Facilities
6812 & 6813	Schools
6513	Hospitals
6911	Churches, Synagogues, and Temples
7411	Golf Courses
7423	Athletic Fields
7424	Recreation Centers
7610	Parks, Playgrounds, and Skate Parks

Home Occupations regulated as per the Rexburg Development Code Section 4.10.B

3.4.030. Lot Area
The minimum area of any lot or parcel of land in the LDR1 zone is twelve thousand (12,000) sq. ft.

3.4.040. Lot Width
Each lot or parcel of land in the LDR1 zone, except corner lots, shall have a width of not less than 80 ft.

3.4.045. Lot Depth
No Restrictions

3.4.050. Lot Frontage
Each lot or parcel of land in the LDR1 zone shall abut a public street for a minimum distance of thirty-five (35) feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Community Development Director or Designee.

3.4.060. Prior Created Lots
Lots or parcels of land which were legally and lawfully created prior to the application of the zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

3.4.070. Lot Configuration and Density
Not more than one (1) single-family dwelling may be placed on a lot or parcel of land in the LDR1 zone.

3.4.080. Yard Requirements
The following minimum yard requirements shall apply in the LDR1 zone:

A. Front/Rear Yard. Each lot or parcel in the LDR1 zone shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. The minimum depth of a rear yard shall be twenty-five (25) feet.

B. Side Yard. Each lot or parcel of land in the LDR1 zone shall have a side yard of at least seven and a half (7-1/2) feet or six (6) inches of setback for every foot of building height, whichever is greater.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any

applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.4.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.4.100. Building Height

No lot or parcel of land in the LDR1 zone shall have a building or structure which exceeds a maximum height of thirty (30) feet, measured at the top of building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

3.4.110. Distance Between Buildings

The distance between any accessory buildings and a dwelling shall not be less than six (6) feet.

3.4.120. Permissible Lot Coverage

A. Building Coverage. In an LDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70) percent of the area of the lot or parcel of land.

B. Landscaping. At least thirty (30) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard, fifty (50) percent of a rear yard, and one hundred (100) percent of one (1) side yard.

3.4.130. Parking, Loading, and Access

A. Purpose of Parking Regulations. To protect and enhance property value, to retain the open character of a residential zone, and to protect health and safety by regulating the parking of vehicles within residential neighborhoods of the City, the following standards shall apply in all LDR1 zones:

1. No person shall park or allow the parking of any recreational vehicle in the clear sight triangles required by Section 3.4.090 of this Ordinance. In a residential zone, no person shall park or allow the parking of any recreational vehicle in any front yard which faces a public street for more than four (4) consecutive days and a cumulative of thirty (30) days in a calendar year.

2. No person shall park or allow the parking of any automobile, van, pickup truck, trailer, motorcycle or other motor vehicle in any front yard located in a residential zone except in a designated driveway.

3. The storage of commercial vehicles with a gross weight exceeding eight thousand (8,000) pounds, and construction equipment including, but not limited to, bulldozers, graders, and cement mixers, shall not be permitted upon private property in any residential zone except for a period not to exceed one (1) year in which a building is being constructed thereon. Unoccupied mobile homes and manufactured homes shall not be stored upon private property in any residential zones.

4. No person shall park any commercial vehicle having a gross weight exceeding eight thousand (8,000) pounds, whether attended or unattended, upon the streets in any residential district within the City for a period in excess of two (2) hours except for the purpose of loading and unloading passengers, materials or merchandise; for any purpose incident to any lawful construction project located within the immediate vicinity of such parked vehicles; or for any purpose incident to a lawful commercial operation located in any residential district within the immediate vicinity of such parked vehicles.

5. No person shall park any inoperable vehicle, boat or trailer upon any street for a period of time longer than four (4) consecutive days. Any such inoperable vehicle, boat or trailer moved from a parking spot and re-parked on the same street block-face within twenty-four (24) hours from the time of said removal shall be deemed to have been continuously parked for the purposes of this section.

3.4.140. Project Plan Approval

All projects constructed within the LDR1 zone must submit, prior to beginning construction, a site plan for review and approval by the City of Rexburg Staff. All structures must comply with The Current Building Code of The City of Rexburg, ID.

3.4.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal feet.

B. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.4.160. Other Requirements

A. Signs. Unless otherwise prohibited by law, signs of the type and description listed below, but no others, may be placed and maintained in the LDR1 zone.

1. Signs or name plates not exceeding two (2) square feet in area and displaying only the name and address of

the occupant.

2. Two (2) temporary signs with a maximum area of six (6) square feet each, pertaining to the sale, lease, or rent of the particular building, property, or premises upon which displayed, and no other.

3. Signs or monuments identifying points of interest or sites of historic significance. The site, size, and design of said signs or monuments shall be specifically approved by the City Planning and Zoning Commission.

4. The assigned address of any City residence must be posted on the structure within 10 feet of the entrance door facing street side. Said numbers must be readable from the street as determined by City Emergency Services.

3.5 Low Density Residential 2 (LDR2)

3.5.010. Purposes and Objectives
3.5.020. Permitted Uses
3.5.030. Lot Area
3.5.040. Lot Width
3.5.045. Lot Depth
3.5.050. Lot Frontage
3.5.060. Prior Created Lots
3.5.070. Lot Configuration Density
3.5.080. Yard Requirements
3.5.090. Setbacks and Rights-of-Way Exceptions
3.5.100. Building Height
3.5.110. Distance Between Buildings
3.5.120. Permissible Lot Coverage
3.5.130. Parking, Loading and Access
3.5.140. Project Plan Approval
3.5.150. Fencing and Screening
3.5.160. Other Requirements

3.5.010. Purpose and Objectives

The LDR2 zone is established to protect stable neighborhoods of detached single-family dwellings on smaller lots. The conditional uses allowed in this district shall be compatible with single-family homes on landscaped lawns, low building heights, predominantly off-street parking, low traffic volumes, and low nuisance potential. Two-family dwelling units are conditional uses within this zone, not to exceed more than one structure per lot (except detached garages and other outbuildings).

3.5.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the LDR2 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 LDR2 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the LDR2 zone:

SIC Code	Use
1111	Single-family dwelling- detached
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the LDR2 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the LDR2 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1112	Twin Homes and Duplexes
1241	Assisted and Residential Care Facility
1291	Residential Facility for Elderly Persons
4700	Communications in accordance other applicable communications ordinances
4814	Electricity Regulating Substations
4939	Other Utility and Public Facilities
6242	Cemeteries
6513	Hospitals
6811	Nursery Schools
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7111	Libraries
7411	Golf Course
7412	Golf Course w/ Country Club
7413	Tennis Courts
7414	Ice Skating
7423	Athletic Fields
7424	Recreation Centers
7432	Pools
7610	Parks and Playgrounds Skate Parks

Home Occupations regulated as per the Rexburg Development Code Section 4.10.B

3.5.030. Lot Area

The minimum area of any lot or parcel of land in the LDR2 zone is eight thousand (8,000) sq. ft. A duplex requires a minimum 10,000 sq. ft. lot after it has been approved with a Conditional Use Permit (CUP). A twin home requires two 5,000 sq. ft. lots after it has been approved with a CUP.

3.5.040. Lot Width

The minimum lot width in the LDR2 zone is sixty (60) feet. A twin home minimum lot width is forty (80) feet (combined for both lots).

3.5.045. Lot Depth

The minimum lot depth in the LDR2 zone is sixty (60) feet.

3.5.050. Lot Frontage

Each lot or parcel of land in the LDR2 zone shall abut a public street for a minimum distance of twenty-two (22) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Community Development Director or Designee.

3.5.060. Prior Created Lots

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

3.5.070. Lot Configuration and Density

One (1) single-family dwelling may be placed on a lot or parcel of land in the LDR2 zone as a matter of right. A duplex or twin homes will be permitted in the LDR2 zones with a conditional use permit.

3.5.080. Yard Requirements

The following minimum yard requirements shall apply in the LDR2 zone:

A. Front/Rear Yard. Each lot or parcel in the LDR2 zone shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. The minimum depth of a rear yard shall be twenty (20) feet.

B. Side Yard. Each lot or parcel of land in the LDR2 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.5.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.5.100. Building Height

No lot or parcel of land in the LDR2 zone shall have a building or structure which exceeds a maximum height of thirty (30) feet, measured at the top of building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

3.5.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.5.120. Permissible Lot Coverage

A. Building Coverage. In an LDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70) percent of the area of the lot or parcel of land.

B. Landscaping. At least thirty (30) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard, fifty (50) percent of a rear yard, and one hundred (100) percent of one (1) side yard.

3.5.130. Parking, Loading and Access

A. Purpose of Parking Regulations. To protect and enhance property value, to retain the open character of a residential zone, and to protect health and safety by regulating the parking of vehicles within residential neighborhoods of the City, the following standards shall apply in all LDR2 zones:

1. No person shall park or allow the parking of any recreational vehicle in the clear sight triangles required by Section 3.5.090 of this Ordinance. In a residential zone, no person shall park or allow the parking of any recreational vehicle in any front yard which faces a public street for more than four (4) consecutive days and a cumulative of thirty (30) days in a calendar year.

2. No person shall park or allow the parking of any automobile, van, pickup truck, trailer, motorcycle or other motor vehicle in any front yard located in a residential zone except in a designated driveway.

3. The storage of commercial vehicles with a gross weight exceeding eight thousand (8,000) pounds, and construction equipment including but not limited to bulldozers, graders, and cement mixers, shall not be permitted upon private property in any residential zone except for a period not to exceed one (1) year in which a building is being constructed thereon. Unoccupied mobile homes and manufactured homes shall not be stored upon private property in any residential zones.

4. No person shall park any commercial vehicle having a gross weight exceeding eight thousand (8,000) pounds, whether attended or unattended, upon the streets in any residential district within the City for a period in excess of two (2) hours except for the purpose of loading and unloading passengers, materials or merchandise; for any purpose incident to any lawful construction project located within the immediate vicinity of such parked vehicles; or for any purpose incident to a lawful commercial operation located in any residential district within the immediate vicinity of such parked vehicles.

5. No person shall park any inoperable vehicle, boat or trailer upon any street for a period of time longer than four (4) consecutive days. Any such inoperable vehicle, boat or trailer moved from a parking spot and re-parked on the same street block-face within twenty-four (24) hours from the time of said removal shall be deemed to have been continuously parked for the purposes of this section.

3.5.140. Project Plan Approval

All projects constructed within the LDR2 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID.

3.5.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot.

B. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.5.160. Other Requirements

A. Signs. Unless otherwise prohibited by law, signs of the type and description listed below, but no others, may be placed and maintained in the LDR2 zone.

1. Signs or name plates not exceeding two (2) square feet in area and displaying only the name and address of the occupant.
2. Two (2) temporary signs with a maximum area of six (6) square feet each, pertaining to the sale, lease, or rent of the particular building, property, or premises upon which displayed, and no other.
3. Signs or monuments identifying points of interest or sites of historic significance. The site, size, and design of said signs or monuments shall be specifically approved by the City Planning and Zoning Commission.
4. The assigned address of any City residence must be posted on the structure within 10 feet of the entrance door facing street side. Said numbers must be readable from the street as determined by City Emergency Services.

3.6 Low Density Residential 3 (LDR3)

3.6.010. Purposes and Objectives
3.6.020. Permitted Uses
3.6.030. Lot Area
3.6.040. Lot Width
3.6.045. Lot Depth
3.6.050. Lot Frontage
3.6.060. Prior Created Lots
3.6.070. Lot Configuration and Density
3.6.080. Yard Requirements
3.6.090. Setbacks and Rights-of-Way Exceptions
3.6.100. Building Height
3.6.110. Distance Between Buildings
3.6.120. Permissible Lot Coverage
3.6.130. Parking, Loading and Access
3.6.140. Project Plan Approval
3.6.150. Fencing and Screening
3.6.160. Other Requirements

3.6.010. Purposes and Objectives

The LDR3 zone is established to protect stable neighborhoods of detached single-family dwellings on smaller lots. The conditional uses allowed in this district shall be compatible with single-family homes on landscaped lawns, low building heights, predominantly off-street parking, low traffic volumes, and low nuisance potential. Two-family dwelling units are conditional uses within this zone, not to exceed more than one structure per lot (except detached garages and other outbuildings). The maximum density permitted in this district is eight (8) dwelling units per acre.

3.6.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the LDR3 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 LDR3 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the LDR3 zone:

SIC Code	Use
1111	Single-family dwelling- detached
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the LDR3 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the LDR3 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1112	Twin homes and duplexes
1241	Assisted and Residential Care Facility
1291	Residential Facility for Elderly Persons
4700	Communications in accordance other applicable communications ordinances
4814	Electricity Regulating Substations
4939	Other Utility and Public Facilities
6242	Cemeteries
6513	Hospitals
6811	Nursery Schools
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7111	Libraries
7411	Golf Course
7412	Golf Course w/ Country Club
7413	Tennis Courts
7414	Ice Skating
7423	Athletic Fields
7424	Recreation Centers
7432	Pools
7610	Parks and Playgrounds Skate Parks

3.6.030. Lot Area

The minimum lot area on any parcel of land in the LDR3 zone is six thousand (6,000) sq. ft. A Duplex requires a minimum 8,000 sq. ft. lot after it has been approved with a Conditional Use Permit (CUP). . A Twin Home requires two 4,000 sq. ft. lots after it has been approved with a CUP.

3.6.040. Lot Width

Each lot or parcel of land in the LDR3 zone, except corner lots, shall have a width of not less than sixty (60) feet. A twin home minimum width is forty (80) feet (combined for both lots)

3.6.045. Lot Depth

Each lot or parcel of land in the LDR3 zone, except corner lots, shall have a depth of not less than sixty (60) feet.

3.6.050. Lot Frontage

Each lot or parcel of land in the LDR3 zone shall abut a public street for a minimum distance of twenty-two (22) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Community Development Director or Designee.

3.6.060. Prior Created Lots

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

3.6.070. Lot Configuration and Density

One (1) single-family dwelling may be placed on a lot or parcel of land in the LDR3 zone as a matter of right. Two-family dwellings will be permitted in the LDR3 zones with a conditional use permit.

3.6.080. Yard Requirements

The following minimum yard requirements shall apply in the LDR3 zone:

A. Front/Rear Yard. Each lot or parcel in the LDR3 zone shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. The minimum depth of a rear yard shall be twenty (20) feet.

B. Side Yard. Each lot or parcel of land in the LDR3 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the latest Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.6.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.6.100. Building Height

No lot or parcel of land in the LDR3 zone shall have a building or structure which exceeds a maximum height of thirty (30) feet, measured at the top of the building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

3.6.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.6.120. Permissible Lot Coverage

A. Building Coverage. In an LDR3 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70) percent of the area of the lot or parcel of land.

B. Landscaping. At least twenty (20) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard, fifty (50) percent of a rear yard, and one hundred (100) percent of one (1) side yard.

3.6.130. Parking, Loading and Access

A. Purpose of Parking Regulations. To protect and enhance property value, to retain the open character of a residential zone, and to protect health and safety by regulating the parking of vehicles within residential neighborhoods of the City, the following standards shall apply in all LDR3 zones:

1. No person shall park or allow the parking of any recreational vehicle in the clear sight triangles required by Section 3.4.090 of this Ordinance. In a residential zone, no person shall park or allow the parking of any recreational vehicle in any front yard which faces a public street for more than four (4) consecutive days and a cumulative of thirty (30) days in a calendar year.

2. No person shall park or allow the parking of any automobile, van, pickup truck, trailer, motorcycle or other motor vehicle in any front yard located in a residential zone except in a designated driveway.

3. The storage of commercial vehicles with a gross weight exceeding eight thousand (8,000) pounds, and construction equipment including, but not limited to, bulldozers, graders, and cement mixers, shall not be permitted upon private property in any residential zone except for a period not to exceed one (1) year in which a building is being constructed thereon. Unoccupied mobile homes and manufactured homes shall not be stored upon private property in any residential zones.

4. No person shall park any commercial vehicle having a gross weight exceeding eight thousand (8,000) pounds, whether attended or unattended, upon the streets in any residential district within the City for a period in excess of two (2) hours except for the purpose of loading and unloading passengers, materials or merchandise; for any purpose incident to any lawful construction project located within the immediate vicinity of such parked vehicle; or for any purpose incident to a lawful commercial operation located in any residential district within the immediate vicinity of such parked vehicle.

5. No person shall park any inoperable vehicle, boat or trailer upon any street for a period of time longer than four (4) consecutive days. Any such inoperable vehicle, boat or trailer moved from a parking spot and re-parked on the same street block-face within twenty-four (24) hours from the time of said removal shall be deemed to have been continuously parked for the purposes of this section.

3.6.140. Project Plan Approval

All projects constructed within the LDR3 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID

3.6.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot

B. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the

public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.6.160. Other Requirements

A. Signs. Unless otherwise prohibited by law, signs of the type and description listed below, but no others, may be placed and maintained in the LDR3 zone.

5. Signs or name plates not exceeding two (2) square feet in area and displaying only the name and address of the occupant.
6. Two (2) temporary signs with a maximum area of six (6) square feet each, pertaining to the sale, lease, or rent of the particular building, property, or premises upon which displayed, and no other.
7. Signs or monuments identifying points of interest or sites of historic significance. The site, size, and design of said signs or monuments shall be specifically approved by the City Planning and Zoning Commission.
8. The assigned address of any City residence must be posted on the structure within 10feet of the entrance door facing street side. Said numbers must be readable from the street as determined by City Emergency Services.

3.7 Medium Density Residential 1 (MDR1)

3.7.010. Purposes and Objectives
3.7.020. Permitted Uses
3.7.030. Lot Area
3.7.040. Lot Width
3.7.045. Lot Depth
3.7.050. Lot Frontage
3.7.060. Prior Created Lots
3.7.070. Lot Configuration and Density
3.7.080. Yard Requirements
3.7.090. Setbacks and Rights-of-Way Exceptions
3.7.100. Building Height
3.7.110. Distance Between Buildings
3.7.120. Permissible Lot Coverage
3.7.130. Parking, Loading and Access
3.7.140. Project Plan Approval
3.7.150. Fencing and Screening
3.7.160. Design Standards
3.7.170. Other Requirements

3.7.010. Purposes and Objectives

The MDR1 zone is established to protect stable neighborhoods of detached single-family dwellings on smaller lots and multi-family housing. Restoration or rehabilitation of older homes in this district shall be encouraged. Conditional uses shall be compatible with an atmosphere of low building heights, low traffic volumes, ample off-street parking, and low nuisance potentials at a higher density than LDR zones. New buildings may range from single-family homes up to six units per building with 5 and 6 unit dwellings requiring conditional use permits. The maximum density permitted in this district is sixteen (16) dwelling units per acre.

3.7.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the MDR1 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 MDR1 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the MDR1 zone:

SIC Code	Use
1111	Single-family dwelling- detached
1112	Single-family dwelling - attached
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.
	Two-family Dwelling
	Three-family Dwelling
	Four-family Dwelling
6811	Nursery Schools
6811	Day Care Centers

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the MDR1 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the MDR1 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1241	Assisted and Residential Care Facility
1291	Residential Facility for Elderly Persons
	Boarding House
	Mobile Home Courts and Subdivisions
	Five and Six Dwellings per building
	Dormitory Housing, Fraternity, Sorority (with up to six (6) dwelling units per building)
4700	Communications in accordance other applicable communications ordinances
4814	Electricity Regulating Substations
4939	Other Utility and Public Facilities
	Separate Parking Lots
6242	Cemeteries
6513	Hospitals
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7111	Libraries
7411	Golf Course
7412	Golf Course w/ Country Club
7413	Tennis Courts
7414	Ice Skating
7423	Athletic Fields
7424	Recreation Centers
7432	Pools
7610	Parks and Playgrounds Skate Parks

3.7.030. Lot Area

The minimum lot area of any parcel of land in the MDR1 zone is four thousand, five hundred (4,500) sq. ft. for an individual unit, six thousand (6000) sq. ft. for a duplex or twin home Under no circumstance will the density of sixteen (16) Units per acre be exceeded.

3.7.040. Lot Width

The minimum lot width in the MDR1 zone is sixty (60) feet.

3.7.045. Lot Depth

The minimum lot depth in the MDR1 zone is sixty (60) feet.

3.7.050. Lot Frontage

Each lot or parcel of land in the MDR1 zone shall abut a public street for a minimum distance of thirty (30) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Community Development Director or Designee.

3.7.060. Prior Created Lots

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

3.7.070. Lot Configuration and Density

One (1), two (2), three (3), and four (4) family dwellings may be placed on a lot or parcel of land in the MDR 1 Zone as a matter of right. Five (5) and six (6) family dwellings are allowed with a conditional use permit. However all developments shall not exceed a density of sixteen (16) units per acre, and shall comply with the minimum lot sizes as required in Section 3.7.030 Lot Area.

3.7.080. Yard Requirements

The following minimum yard requirements shall apply in the MDR1 zone:

A. Front/Rear Yard. Each lot or parcel in the MDR1 zone shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. The Planning and Zoning Commission may allow a reduction of the front yard setback to fifteen (15) feet if all parking spaces are located behind the building. The minimum depth of a rear yard shall be twenty (20) feet.

When a single family home is converted to a triplex or greater, or is converted to dormitory (non-family) housing, no parking spaces are permitted within the required front yard. However, an existing driveway (no greater than 20-feet in width, and no greater than 22-feet in depth) and two car garage, when combined, may provide up to four parking spaces per building. If no garage is present then all parking spaces must be located outside of the front yard setback. All other parking areas that may be located within the front yard shall be removed and restored to landscaping prior to the occupancy of the building. Driveway aisle widths shall be no wider than the City's minimum aisle width for two-way access when accessing rear or side yard parking lots.

B. Side Yard. Each lot or parcel of land in the MDR1 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater. However, a setback of ten (10) feet shall be allowed within side yards that abut other MDR zones, HDR zones, commercial zones, or mixed-use zones, regardless of building height.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the latest adopted edition of the Building Code of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.7.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.7.100. Building Height

No lot or parcel of land in the MDR1 zone shall have a building or structure which exceeds a maximum height of thirty (30) feet, measured at the top of building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot. Gables and dormers are not included in height calculations unless their addition raises the overall peak height.

3.7.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.7.120. Permissible Lot Coverage

A. Building Coverage. In an MDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70) percent of the area of the lot or parcel of land.

B. Landscaping. At least thirty (30) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard, and one hundred (100) percent of one (1) side yard.

3.7.130. Parking, Loading and Access

Reserved

3.7.140. Project Plan Approval.

All projects constructed within the MDR1 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID.

3.7.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot

Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.7.160. Design Standards

A. Purpose. The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all of the following types of buildings, and shall be applied during Site Plan Review described in Section 6.11:

1. Multi-family dwelling.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.

1. Building Form. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred and sixty (160) feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall occur at a minimum of every forty (40) feet, and on each floor shall contain at least two of the following features:

a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four (4) feet;

b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; **and/or**

c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

2. Eyes on the Street. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of forty (40) percent of front (i.e., street-facing) elevations, and a minimum of twenty (20) percent of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. Trim, shutters, and other feature that are part of the items making up the requirement shall be included in the measurement. The standard applies to each full and partial building story.

3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations, as appropriate for the proposed building type and style (features may vary on rear/side/front elevations):

a. Dormers
b. Gables
c. Recessed entries
d. Covered porch entries
e. Cupolas or towers
f. Pillars or posts
g. Off-sets in building face or roof (minimum sixteen (16) inches)
h. Bay windows, box windows and window trim (minimum four (4) inches wide)
i. Balconies
j. Decorative patterns on exterior finish
k. Decorative cornices and roof lines
l. Changes in exterior texture or color.
m. An alternative feature providing visual relief, similar to previous options

3.7.170. Other Requirements

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.8 Medium Density Residential 2 (MDR2)

3.8.010. Purposes and Objectives
3.8.020. Permitted Uses
3.8.030. Lot Area
3.8.040. Lot Width
3.8.045. Lot Depth
3.8.050. Lot Frontage
3.8.060. Prior Created Lots
3.8.070. Lot Configuration and Density
3.8.080. Yard Requirements
3.8.090. Setbacks and Rights-of-Way Exceptions
3.8.100. Building Height
3.8.110. Distance Between Buildings
3.8.120. Permissible Lot Coverage
3.8.130. Parking, Loading and Access
3.8.140. Project Plan Approval
3.8.150. Fencing and Requirements
3.8.160. Design Standards
3.8.170. Other Requirements

3.8.010. Purposes and Objectives

The MDR2 zone is established to protect stable neighborhoods of detached single-family dwellings on smaller lots and to act as a buffer between single-family dwellings and non-single-family zones. Restoration or rehabilitation of older homes in this district shall be encouraged. Up to twenty-four (20) units per acre shall be allowed with an atmosphere consistent with low building heights, low traffic volumes, ample off-street parking, and low nuisance potentials than higher density zoning. Structures within this zone shall have no more than 10 (10) dwelling units in any one structure, with maximum lot coverage of no more than eighty (80) percent. Setbacks and minimum lot size requirements in MDR2 shall be the same as in MDR1.

3.8.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the MDR2 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 MDR2 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the MDR2 zone:

SIC Code	Use
1111	Single-family dwelling- detached
1112	Single-family dwelling - attached
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.
1123	Two-family Dwelling
	Three-family Dwelling
	Four-family Dwelling
6811	Nursery Schools
6811	Day Care Centers
	Limited Home Occupations

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the MDR2 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the MDR2 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1241	Assisted and Residential Care Facility
1291	Residential Facility for Elderly Persons
	Boarding House
	Mobile Home Courts and Subdivisions
	Five (5) and up to ten (10) dwelling units per building.
	Dormitory Housing, Fraternity, Sorority (with up to ten (10) dwelling units per building)
4700	Communications in accordance other applicable communications ordinances
4814	Electricity Regulating Substations
4939	Other Utility and Public Facilities
	Separate Parking Lots
6242	Cemeteries
6513	Hospitals
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7111	Libraries
7411	Golf Course
7412	Golf Course w/ Country Club
7413	Tennis Courts
7414	Ice Skating
7423	Athletic Fields
7424	Recreation Centers
7432	Pools
7610	Parks and Playgrounds Skate Parks

Home Occupations regulated as per the Rexburg Development Code Section 4.10.B

3.8.030. Lot Area

The minimum lot area of any parcel of land in the MDR2 zone is four thousand, five hundred (4,500) square feet for an individual unit, six thousand (6000) sq. ft. for a duplex or twin home. Under no circumstance will the density of twenty-four (24) Units per acre be exceeded.

3.8.040. Lot Width

The minimum lot width in the MDR2 zone is sixty (60) ft.

3.8.045. Lot Depth

The minimum lot depth in the MDR2 zone is seventy (70) feet.

3.8.050. Lot Frontage

Each lot or parcel of land in the MDR 2 zone shall abut a public street for a minimum distance of thirty (30) feet, on

a line parallel to the center line of the street or along the circumference of a cul-de-sac approved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Community Development Director or Designee.

3.8.060. Prior Created Lots

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

3.8.070. Lot Configuration and Density

One (1), two (2), three (3), and four (4) family dwelling units may be placed on a lot or parcel of land in the MDR 2 zone as a matter of right. Five (5) and six (6) family dwellings are allowed with a conditional use permit. However, no development shall exceed a density of twenty (20) units per acre, and shall comply with the minimum lot sizes as required in Section 3.8.030 Lot Area.

3.8.080. Yard Requirements

The following minimum yard requirements shall apply in the MDR2 zone:

A. Front/Rear Yard. Each lot or parcel in the MDR2 zone shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty feet (20). The Planning and Zoning Commission may allow a reduction of the front yard setback to fifteen (15) feet if all parking spaces are located behind the building. The minimum depth of a rear yard shall be twenty (20) feet.

When a single family home is converted to a triplex or greater, or is converted to dormitory (non-family) housing, no parking spaces are permitted within the required front yard. However, an existing driveway (no greater than 20-feet in width, and no greater than 22-feet in depth) and two car garage, when combined, may provide up to four parking spaces per building. If no garage is present then all parking spaces must be located outside of the front yard setback. All other parking areas that may be located within the front yard shall be removed and restored to landscaping prior to the occupancy of the building. Driveway aisle widths shall be no wider than the City's minimum aisle width for two-way access when accessing rear or side yard parking lots.

B. Side Yard. Each lot or parcel of land in the MDR2 zone shall have a side yard of not less than six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater. However, a setback of ten (10) feet shall be allowed within side yards that abut other MDR zones, HDR zones, commercial zones, or mixed-use zones, regardless of building height.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred twenty-square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the latest and most current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.8.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.8.100. Building Height

No lot or parcel of land in the MDR2 zone shall have a building or structure which exceeds a maximum height of thirty (30) feet, measured at the top of building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot. Gables and dormers are not included in the height calculation unless their addition raises the overall peak height of the building.

3.8.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.8.120. Permissible Lot Coverage

A. Building Coverage. In an MDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80) percent of the area of the lot or parcel of land.

B. Landscaping. At least fifty (20) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard, fifty (50) percent of a rear yard, and one hundred (100) percent of one (1) side yard.

3.8.130. Parking, Loading and Access

3.8.140. Project Plan Approval

All projects constructed within the MDR2 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with the most current Building Code of The City of Rexburg, ID.

3.8.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot.

B. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6)

feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.8.160. Design Standards

A. Purpose. The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all of the following types of buildings, and shall be applied during Site Plan Review described in Section 6.11:

1. Multi-family dwelling.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.

1. Building Form. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred and sixty (160) feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall occur at a minimum of every forty (40) feet, and on each floor shall contain at least two of the following features:

a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four (4) feet;

b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; **and/or**

c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

2. Eyes on the Street. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of forty (40) percent of front (i.e., street-facing) elevations, and a minimum of twenty (20) percent of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. Trim, shutters, and other features that are part of the items making up the requirement shall be included in the measurement. The standard applies to each full and partial building story.

3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations, as appropriate for the proposed building type and style (features may vary on rear/side/front elevations):

a. Dormers
b. Gables
c. Recessed entries
d. Covered porch entries
e. Cupolas or towers
f. Pillars or posts
g. Off-sets in building face or roof (minimum sixteen (16) inches)
h. Bay windows, box windows and window trim (minimum of 4 inches wide)
i. Balconies
j. Decorative patterns on exterior finish
k. Decorative cornices and roof lines
l. Changes in exterior texture or color.

m. An alternative feature providing visual relief, similar to previous options

3.8.170. Other Requirements

Commercial Lighting Standards are applicable as described in, Supplementary Regulations.

3.9 High Density Residential 1 (HDR1)

3.9.010. Purposes and Objectives
3.9.020. Permitted Uses
3.9.030. Lot Area
3.9.040. Lot Width
3.9.045. Lot Depth
3.9.050. Lot Frontage
3.9.060. Prior Created Lots
3.9.070. Lot Configuration and Density
3.9.080. Yard Requirements
3.9.090. Setbacks and Rights-of-Ways
3.9.100. Building Height
3.9.110. Distance Between Buildings
3.9.120. Permissible Lot Coverage
3.9.130. Parking, Loading and Access
3.9.140. Project Plan Approval
3.9.150. Fencing and Screening
3.9.160. Design Standards
3.9.170. Other Requirements

3.9.010. Purposes and Objectives

The HDR1 zone is established to provide higher density residential housing areas served by collector and arterial streets. The zone shall be characterized by dwellings for three and more families, dormitory housing, ample off-street parking, higher traffic volumes, proximity to BYU-Idaho and other traffic generators and low nuisance potential. Thirty (30) dwelling units per acre is the maximum density permitted in HDR1.

3.9.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the HDR1 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four digit number in which all digits are whole numbers.

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 HDR1 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the HDR1 zone:

SIC Code	Use
1291	Residential Facility for Elderly Persons
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.
	Up to a 48 units per building and developments up to 100 units.
6811	Nursery Schools
6811	Day Care Centers
	Bed and Breakfast
1241	Assisted and Residential Care Facility
	Boarding House
	Mobile Home Courts and Subdivisions
	Dormitory Housing, Fraternity, Sorority

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the HDR1 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the HDR1 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1111	Single-family dwelling- detached
1112	Single-family dwelling - attached
	Buildings containing over 48 units. and developments containing over 100 units.
4700	Communications in accordance other applicable communications ordinances
4814	Electricity Regulating Substations
4939	Other Utility and Public Facilities
	Separate Parking Lots
6242	Cemeteries
6513	Hospitals
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7111	Libraries
7411	Golf Course
7412	Golf Course w/ Country Club
7413	Tennis Courts
7414	Ice Skating
7423	Athletic Fields
7424	Recreation Centers
7432	Pools
7610	Parks and Playgrounds Skate Parks
	Automobile Parking Lots and Garages
	Other Utility Facilities

Home Occupations regulated as per the Rexburg Development Code Section 4.10.B

3.9.030. Lot Area
The minimum lot area on any parcel of land in the HDR1 zone is six thousand (6,000) sq. ft., seven thousand, five hundred (7500) sq. ft. for a triplex and nine thousand (9000) sq. ft. for a fourplex. Under no circumstance will the density of thirty (30) Units per acre be exceeded.

3.9.040. Lot Width
The minimum lot width in the HDR1 zone is sixty (60) feet.

3.9.045. Lot Depth
The minimum lot depth in the HDR1 zone is sixty (60) feet.

3.9.050. Lot Frontage
The minimum frontage required on and HRD1 parcel is sixty (60) feet.

3.9.060. Prior Created Lots

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

3.9.070. Lot Configuration and Density

Buildings housing more than twenty-four (48) dwelling units are allowed with a conditional use permit. Dwelling unit density shall not exceed thirty (30) units per acre, and shall comply with the lot area requirements of Section 3.9.030. Pedestrian Emphasis Zone density is regulated by the University, the Building Code and any requirements imposed as part of the CUP required.

3.9.080. Yard Requirements

The following minimum yard requirements shall apply in the HDR1 zone:

A. Front/Rear Yard. Each lot or parcel in the HDR1 zone shall have a minimum front yard of at least ten (10) feet. Buildings that are thirty (30) feet and lower measured at the top of horizontal wall, may follow the following rules for the front yard setbacks: Each lot or parcel shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. Parking lot front yard setbacks are twenty (20) feet. The Planning and Zoning Commission may allow a reduction of the front yard setback to fifteen (15) feet if all parking spaces are located behind the building. The minimum depth of a rear yard shall be twenty (20) feet.

When a single family home is converted to a triplex or greater, or is converted to dormitory (non-family) housing, no parking spaces are permitted within the required front yard. However, an existing driveway (no greater than 20-feet in width, and no greater than 22-feet in depth) and garage, when combined, may provide up to four parking spaces per building. If no garage is present then all parking spaces must be located outside of the front yard setback. All other parking areas that may be located within the front yard shall be removed and restored to landscaping prior to the occupancy of the building. Driveway aisle widths shall be no wider than the City's minimum aisle width for two-way access when accessing rear or side yard parking lots.

B. Side Yard. Each lot or parcel of land in the HDR1 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater. However, a setback of ten (10) feet shall be allowed within side yards that abut other HDR zones, MDR zones, commercial zones, or mixed-use zones, regardless of building height.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the current Building Code of the City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.9.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2) feet.

5. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.9.100. Building Height

No lot or parcel of land in the HDR1 zone shall have a building or structure which exceeds a maximum height of fifty-five (55) feet, measured at the top of building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot. Buildings or portions of buildings within fifty (50) feet of a residential zone other than HDR1, HDR2, and mixed use zones shall be limited to a height of thirty-five (35) feet.

3.9.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.9.120. Permissible Lot Coverage

A. Building Coverage. In an HDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80) percent of the area of the lot or parcel of land.

B. Landscaping. At least twenty (20) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard and one hundred (100) percent of one (1) side yard.

3.9.130. Parking, Loading and Access

3.9.140. Project Plan Approval

All projects constructed within the HDR1 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID.

3.9.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot

B. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the

public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission. A fence of at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential or commercial zone.

3.9.160. Design Standards

A. Purpose. The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all of the following types of buildings, and shall be applied during Site Plan Review described in Section 6.11:

1. Multi-family dwelling.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.

1. Building Form. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred and sixty (160) feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall occur at a minimum of every forty (40) feet, and on each floor shall contain at least two of the following features:

a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four (4) feet;

b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; **and/or**

c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

2. Eyes on the Street. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of forty (40) percent of front (i.e., street-facing) elevations, and a minimum of twenty (20) percent of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. Trim, shutters, and other features that are part of the items making up the requirement shall be included in the measurement. The standard applies to each full and partial building story.

3. Detailed Design. All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations, as appropriate for the proposed building type and style (features may vary on rear/side/front elevations):

a. Dormers
b. Gables
c. Recessed entries
d. Covered porch entries
e. Cupolas or towers
f. Pillars or posts
g. Off-sets in building face or roof (minimum sixteen (16) inches)
h. Bay windows, box windows and window trim (minimum four (4) inches wide)
i. Balconies
j. Decorative patterns on exterior finish

k. Decorative cornices and roof lines
l. Changes in exterior texture or color.
m. An alternative feature providing visual relief, similar to previous options

3.9.170. Other Requirements

Commercial Lighting Standards are applicable as described in Chapter 4.13, Supplementary Regulations.

3.10 High Density Residential 2 (HDR2)

3.10.010. Purposes and Objectives
3.10.020. Permitted Uses
3.10.030. Lot Area
3.10.040. Lot Width
3.10.045. Lot Depth
3.10.050. Lot Frontage
3.10.060. Prior Created Lots
3.10.070. Lot Configuration and Density
3.10.080. Yard Requirements
3.10.090. Setbacks and Rights-of-Way Exceptions
3.10.100. Building Height
3.10.110. Distance Between Buildings
3.10.120. Permissible Lot Coverage
3.10.130. Parking, Loading and Access
3.10.140. Project Plan Approval
3.10.150. Fencing and Screening
3.10.160. Design Standards
3.10.170. Other Requirements

3.10.010. Purposes and Objectives

The HDR2 Zone is established for multiple family housing units which fill housing needs for families at affordable rates. Construction will be done in larger tracts of ground and owned in common as larger apartment complexes and not sold as individual units. Maximum density is based upon bedroom capacities, as follows:

- 1 bedroom units - 1.5 parking stalls per unit. Maximum units per net acre - 42 units
- 2 bedroom units - 2 parking stalls per unit. Maximum units per net acre - 38 units
- 3 bedroom units - 2 parking stalls per unit. Maximum units per net acre - 34 units

HDR2 can be put in any high density housing areas designated in the Comprehensive Plan and will be done as a zone change and determined by P&Z and City Council public hearings.

3.10.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the HDR2 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 HDR2 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the HDR2 zone:

SIC Code	Use
	Up to forty eight (48) dwelling units per building.
1291	Residential Facility for Elderly Persons
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.
6811	Nursery Schools
6811	Day Care Centers
	Bed and Breakfast
1241	Assisted and Residential Care Facility

Boarding House
Mobile Home Courts and Subdivisions
Dormitory Housing, Fraternity, Sorority

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the HDR2 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the HDR2 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1111	Single-family dwelling- detached
1112	Single-family dwelling - attached
	Buildings containing over forty eight (48) dwelling units and developments containing over 100 dwelling units.
4700	Communications in accordance other applicable communications ordinances
4814	Electricity regulating substations
4939	Other Utility and Public Facilities
	Separate Parking Lots
6242	Cemeteries
6513	Hospitals
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7111	Libraries
7411	Golf Course
7412	Golf Course w/ country club
7413	Tennis Courts
7414	Ice Skating
7423	Athletic Fields
7424	Recreation Centers
7432	Pools
7610	Parks and playgrounds skate parks
	Automobile parking lots and garages
	Other Utility Facilities

Home Occupations regulated as per the Rexburg Development Code Section 4.10.A

3.10.030. Lot Area
Minimum acreage per development is one half (1/2) acre.

3.10.040. Lot Width
The minimum lot width in the HDR2 zone is two hundred (200) ft.

3.10.045. Lot Depth
The minimum lot depth in the HDR2 zone is sixty (60) feet.

3.10.050. Lot Frontage

Each lot or parcel of land in the HDR2 zone shall abut a public street for a distance of thirty (30) feet on a line parallel to the center line of the street along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.10.060. Prior Created Lots

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

3.10.070. Lot Configuration and Density

Buildings housing more than twenty-four (24) dwellings are allowed with a conditional use permit. Thirty-four (34) units per acre are allowed by right and up to forty-two (42) units per acre are allowed with a conditional use permit and as described in the Purposes and Objectives section of this zone. Pedestrian Emphasis Zone density is regulated by the University, the Building Code and any requirements imposed as part of the CUP required.

3.10.080. Yard Requirements

The following minimum yard requirements shall apply in the HDR2 zone:

A. Front/Rear Yard. Each lot or parcel in the HDR2 zone shall have a minimum front yard of at least ten (10) feet. Buildings that are thirty (30) feet and lower measured at the top of horizontal wall, may follow the following rules for the front yard setbacks: Each lot or parcel shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. Parking lot front yard setbacks are twenty (20) feet. The Planning and Zoning Commission may allow a reduction of the front yard setback to fifteen (15) feet if all parking spaces are located behind the building. The minimum depth of a rear yard shall be twenty (20) feet.

When a single family home is converted to a triplex or greater, or is converted to dormitory (non-family) housing, no parking spaces are permitted within the required front yard. However, an existing driveway (no greater than 20-feet in width, and no greater than 22-feet in depth) and garage, when combined, may provide up to four parking spaces per building. If no garage is present then all parking spaces must be located outside of the front yard setback. All other parking areas that may be located within the front yard shall be removed and restored to landscaping prior to the occupancy of the building. Driveway aisle widths shall be no wider than the City's minimum aisle width for two-way access when accessing rear or side yard parking lots.

B. Side Yard. Each lot or parcel of land in the HDR2 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater. However, a setback of ten (10) feet shall be allowed within side yards that abut other HDR zones, MDR zones, commercial zones, or mixed-use zones, regardless of building height.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall

be located at least fifteen (15) feet from the alley.

3.10.090. Setbacks and Rights-of-Way Exceptions

A. Expectations. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2) feet.

5. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Expectation. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.10.100. Building Height

No lot or parcel of land in the HDR2 zone shall have a building or structure which exceeds a maximum height of fifty-five (55) feet, measured at the top of building's horizontal wall. Buildings or portions of buildings within fifty (50) feet of a residential zone other than HDR1 and HDR2 shall be limited to thirty-five (35) feet in. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

3.10.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.10.120. Permissible Lot Coverage

A. Building Coverage. In an HDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80) percent of the area of the lot or parcel of land.

B. Landscaping. At least twenty (20) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard and one hundred (100) percent of one (1) side yard.

3.10.130. Parking, Loading and Access

3.10.140. Project Plan Approval

All projects constructed within the HDR2 zone must submit City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID.

3.10.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Buffers. Where a lot in the HDR1 or HDR2 zone adjoins a lot in the LDR1, LDR2, LDR3, MDR1, or MDR2

zone, or an unincorporated lot designated as single-family in the Comprehensive Plan, a seven (7) foot wide landscaped buffer shall be provided on said property line. The buffer shall be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot. The trees shall be planted at thirty (30) foot intervals. When a public street is located between the front lot line of the HDR1 or HDR2 zone and any single-family zone, a landscaped buffer seven (7) feet wide shall be constructed and maintained on the front lot line. The buffer shall be planted with one (1) shade tree and five (5) low shrubs per thirty (30) lineal foot The landscaping shall be planned and maintained so as not to violate section 3.10.090.

C. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.10.160. Design Standards

A. Purpose. The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all of the following types of buildings, and shall be applied during Site Plan Review described in Section 6.11:

1. Multi-family dwelling.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.

1. **Building Form.** The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred and sixty (160) feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall occur at a minimum of every forty (40) feet, and on each floor shall contain at least two of the following features:

   a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four (4) feet;

   b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; **and/or**

   c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

2. **Eyes on the Street.** All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of forty (40) percent of front (i.e., street-facing) elevations, and a minimum of twenty (20) percent of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. Trim, shutters, and other features that are part of the items making up the requirement shall be included in the measurement. The standard applies to each full and partial building story.

3. **Detailed Design.** All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

a. Dormers
b. Gables
c. Recessed entries
d. Covered porch entries
e. Cupolas or towers
f. Pillars or posts
g. Off-sets in building face or roof (minimum sixteen (16) inches)
h. Bay windows, box windows and window trim (minimum four (4) inches wide)
i. Balconies
j. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
k. Decorative cornices and roof lines (e.g., for flat roofs)
l. Changes in exterior texture or color.
m. An alternative feature providing visual relief, similar to previous options

3.10.170. Other Requirements

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.11 Rural Residential 1 (RR1)

3.11.010. Purposes and Objectives
3.11.020. Permitted Uses
3.11.030. Lot Area
3.11.040. Lot Width
3.11.045. Lot Depth
3.11.050. Lot Frontage
3.11.060. Prior Created Lots
3.11.070. Lot Configuration and Density
3.11.080. Yard Requirements
3.11.090. Setbacks and Rights-of-Way Exceptions
3.11.100. Building Height
3.11.110. Distance Between Buildings
3.11.120. Permissible Lot Coverage
3.11.130. Parking, Loading and Access
3.11.140. Project Plan Approval
3.11.150. Fencing and Screening
3.11.160. Other Requirements

3.11.010. Purpose and Objectives

The RR1 zone is established to protect stable neighborhoods of detached family dwellings on lots of one acre or more up to five (5) acres. Land in this zone is required to be relatively flat with a maximum slope of 3%. The minimum lot width shall be 150 feet; the minimum front yard shall be sixty (60) feet from the property line or ninety (90) feet from the center line of the road, whichever is greater; the minimum rear yard shall be thirty (30) feet from the property line; and the minimum side yard shall be six inches for every foot of building height with a ten (10) foot minimum. No structure shall be erected to a height greater than thirty (30) feet to eave height, measured from natural grade at the building site. There can be only one single-family dwelling per lot. Household pets are allowed, no more than two domestic livestock for each acre shall be allowed. Installation of curb and gutter or a drainage facility approved in advance by the Planning and Zoning Commission shall be required. The maximum lot coverage by buildings, including the dwelling, shall be fifty (50) percent.

3.11.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the RR1 zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 RR1 zone, subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the RR1 zone:

SIC Code	Use
1111	Single-family dwelling- detached
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.
	Gardening for personal use
	Customary household pets
	Agriculture
	Right of Way

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the RR1 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the RR2 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
1241	Assisted and Residential Care Facility
1291	Residential Facility for Elderly Persons
4700	Communications in accordance other applicable communications ordinances
4814	Electricity regulating substations
4939	Other Utility and Public Facilities
6242	Cemeteries
6811	Nursery Schools
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7413	Tennis Courts
7414	Ice Skating
7432	Pools
7610	Parks and Playgrounds Skate Parks

3.11.030. Lot Area
The minimum area of any lot or parcel of land in the RR1 zone is one (1) acre or more up to five (5) acres.

3.11.040. Lot Width
The minimum lot width in the RR1 zone is one hundred and fifty (150) feet.

3.11.045. Lot Depth
The minimum lot depth in the RR1 zone is one hundred (150) feet.

3.11.050. Lot Frontage
Each lot or parcel of land in the RR1zone shall abut a public street for a distance of thirty (30) feet on a line parallel to the center line of the street along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.11.060. Prior Created Lots
Lots or parcels of land which were legally and lawfully created prior to the application of the zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

3.11.070. Lot Configuration and Density
One (1) single-family dwelling may be placed on a lot or parcel of land in the RR1 zone as a matter of right. Two-family dwellings are not allowed.

3.11.080. Yard Requirements
The following minimum yard requirements shall apply in the RR1 zone:

A. Front/Rear Yard. Each lot or parcel in the RR1 zone shall have a minimum front yard of at least sixty (60)

feet from the front property line or ninety (90) feet from the centerline of the road, whichever is greater. The minimum depth of a rear yard shall be twenty (30) feet.

B. Side Yard. Each lot or parcel of land in the RR1 zone shall have a side yard of not less than ten (10) feet or six (6) inches of setback for every foot of building height, whichever is greater.

C. **Accessory Building Setbacks.** Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred twenty-square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the latest current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Accessory building shall not be placed in the front yard.

6. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.11.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and all other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.11.100. Building Height

No lot or parcel of land in the RR1 zone shall have a building or structure which exceeds a maximum height of thirty (30) feet, measured at the top of building's horizontal wall.

3.11.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

3.11.120. Permissible Lot Coverage

A. Building Coverage. In an RR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than fifty (50) percent of the lot or parcel of land.

3.11.130. Parking, Loading and Access

A. Requirements. The Madison County Commission together with the Rexburg City Council shall designate certain roads and Streets located within the area of city Impact as Direct Access Restricted Road. No lot or parcel of ground adjoining such designated roads or streets shall have direct access to such road without the prior approval of the Rexburg Planning and Zoning Commission. Access to and from said lots or parcels shall be by roads, streets or frontage roads which have been approved by the Rexburg Planning and Zoning Commission. Said lots or parcels shall comply with the following requirements:

1. Such lots shall reverse frontage on the designated direct accesses restricted road.

2. Such lots shall be buffered from the direct access restricted road by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural sound proofing.

3. The minimum lot depth shall be two hundred (200) feet except where the use of berms, vegetation and structures can be demonstrated to constitute an effective buffer for a dwelling on a lot less than two hundred (200) feet in depth.

4. Whenever practical existing roadside trees shall be saved and used in the arterial buffer.

5. Site plans, subdivision requirements, annexation and development agreement shall include provision for installation and continued maintenance of all buffers and compliance with all city and county ordinances applicable within the area of city impact.

3.11.140. Project Plan Approval

All projects constructed within the RR1 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID.

3.11.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.11.160. Other Requirements

Refer to Chapter 4 of this Code: Supplementary Regulations.

3.12 Rural Residential (RR2)

3.12.010. Purposes and Objectives
3.12.020. Permitted Uses
3.12.030. Lot Area
3.12.040. Lot Width
3.12.045. Lot Depth
3.12.050. Lot Frontage
3.12.060. Prior Created Lots
3.12.070. Lot Configuration and Density
3.12.080. Yard Requirements
3.12.090. Setbacks and Rights-of-Way Exceptions
3.12.100. Building Height
3.12.110. Distance Between Buildings
3.12.120. Permissible Lot Coverage
3.12.130. Parking, Loading and Access
3.12.140. Project Plan Approval
3.12.150. Fencing and Screening
3.12.160. Other Requirements

3.12.010. Purpose and Objectives

The RR2 Zone is established to provide rural residential zoning for the development and protection of country neighborhoods. Land in this zone is required to be relatively flat with a maximum slope of 3%. The minimum development size for RR2 Zoning is on half (1/2) acre. This zoning may be applied in areas where traffic flow is limited primarily to local area residents and where the expansion of transportation to areas adjacent to the zone is not anticipated. The zone shall be characterized by single-family dwellings on lots of a minimum of 1/2 acre, ample off-street parking and reflecting a rural isolated atmosphere.

An accessory apartment is allowed with a Conditional Use Permit. Neighborhoods with RR2 zoning conform to the city typical road section for RR2 neighborhoods. Application of RR2 Zoning must be consistent with topography where storm water runoff and erosion are not a problem. The City of Rexburg right of way width is a minimum of sixty-eight (68) feet or as dictated by current road right-of-way policy. Two (2) dwelling units per net acre is the maximum density permitted in RR2.

The RR2 zone is established to protect stable neighborhoods of detached single-family dwellings on half (1/2) acre lots. The conditional uses allowed in this district shall be compatible with single-family homes on landscaped lawns, low building heights, predominantly off-street parking, low traffic volumes, and low nuisance potential.

3.12.020. Permitted Uses

G. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the RR2 zone.

H. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

I. Uses. All such categories listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the RR2 zone, subject to the limitations set forth herein.

J. Permitted Principal Uses. The following principal uses and structures, and no others, shall be permitted in the RR2 zone:

SIC Code	Use
1111	Single-family dwelling- detached
	Accessory Building
1292	Disabled Persons Residential facility
	Manufactured housing units 24 feet or wider on a permanent foundation.
	Limited Home Occupations

Gardening for personal use
Customary household pets
Agriculture
Right of Way

K. Permitted Accessory Uses. Accessory uses and structures are permitted in the RR2 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:

1. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

2. Swimming pools.

3. Vegetable and flower gardens and noncommercial orchards.

4. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

5. 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.

L. Conditional Uses. The following uses and structures are permitted in the RR2 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
	Accessory Apartment
1241	Assisted and Residential Care Facility
1291	Residential Facility for Elderly Persons
4700	Communications in accordance other applicable communications ordinances
4814	Electricity regulating substations
4939	Other Utility and Public Facilities
6242	Cemeteries
6811	Nursery Schools
6812 & 6813	Schools
6911	Churches, Synagogues, Temples
7413	Tennis Courts
7414	Ice Skating
7432	Pools
7610	Parks and Playgrounds Skate Parks

3.12.030. Lot Area
The minimum area of any lot or parcel of land in the RR2 zone is 21,780 sq. ft.

3.12.040. Lot Width
The minimum lot width in the RR2 zone is one hundred and twenty (120) feet.

3.12.045. Lot Depth
The minimum lot depth in the RR2 zone is one hundred and forty (140) feet.

3.12.050. Lot Frontage
Each lot or parcel of land in the RR2 zone shall abut a public street for a minimum distance of thirty (30) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.12.060. Prior Created Lots

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

3.12.070. Lot Configuration and Density

One (1) single-family dwelling may be placed on a lot or parcel of land in the RR2 zone as a matter of right.

3.12.080. Yard Requirements

The following minimum yard requirements shall apply in the RR2 zone:

A. Front/Rear Yard. Each lot or parcel in the RR2 zone shall have a minimum front yard of at least twenty-five (25) feet. The minimum depth of a rear yard shall be twenty (20) feet.

B. Side Yard. Each lot or parcel of land in the RR2 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater.

C. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

7. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred twenty-square feet shall meet the same side yard requirements as principal buildings.

8. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

9. Comply with the latest current Building Code of The City of Rexburg, ID.

10. Only be used for those accessory uses allowed in the respective zone.

11. Accessory building shall not be placed in the front yard.

12. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.12.090. Setbacks and Rights-of-Way Exceptions

A. Exceptions. The following structures may be erected on or projected into any required setback or right-of-way:

1. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

2. Landscape elements including trees, shrubs, agricultural crops and other plants.

3. Necessary appurtenances for utility service.

4. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are forty (40) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

B. Additional Exception. When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

3.12.100. Building Height

No lot or parcel of land in the RR2 zone shall have a building or structure which exceeds a maximum height of twenty-five (25) feet, measured at the top of building's horizontal wall. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

3.12.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet. The distance between buildings containing dwelling on the same lot shall not be less than ten (10) feet or as per the Building Code, whichever is greater.

3.12.120. Permissible Lot Coverage

A. Building Coverage. In an RR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70) percent of the area of the lot or parcel of land.

B. Landscaping. At least thirty (30) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard, fifty (50) percent of a rear yard, and one hundred (100) percent of one (1) side yard.

3.12.130. Parking, Loading and Access

A. Requirements. The Madison County Commission together with the Rexburg City Council shall designate certain roads and Streets located within the area of city Impact as Direct Access Restricted Road. No lot or parcel of ground adjoining such designated roads or streets shall have direct access to such road without the prior approval of the Rexburg Planning and Zoning Commission. Access to and from said lots or parcels shall be by roads, streets or frontage roads which have been approved by the Rexburg Planning and Zoning Commission. Said lots or parcels shall comply with the following requirements:

1. Such lots shall reverse frontage on the designated direct accesses restricted road.

2. Such lots shall be buffered from the direct access restricted road by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural sound proofing.

3. The minimum lot depth shall be two hundred (200) feet except where the use of berms, vegetation and structures can be demonstrated to constitute an effective buffer for a dwelling on a lot less than two hundred (200) feet in depth.

4. Whenever practical existing roadside trees shall be saved and used in the arterial buffer.

5. Site plans, subdivision requirements, annexation and development agreement shall include provision for installation and continued maintenance of all buffers and compliance with all city and county ordinances applicable within the area of city impact.

3.12.140. Project Plan Approval

All projects constructed within the RR2 zone must submit, prior to beginning construction, a site plan for review and approval by City of Rexburg Staff. All structures must comply with Building Department requirements.

3.12.150. Fencing and Screening

Screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

A. Parking Areas. An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot

B. Fences. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other

fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission.

3.12.160. Other Requirements

Refer to Chapter 4 of this Code: Supplementary Regulations.

MIXED USE ZONES

3.13 Mixed Use 1 (MU1)

3.13.010. Purpose and Objectives
3.13.020. Permitted Uses
3.13.030. Minimum Mixed Use Percentages
3.13.040. Lot Area
3.13.050. Lot Width
3.13.060. Lot Depth
3.13.070. Lot Frontage
3.13.080. Prior Created Lots
3.13.090. Lot Configuration and Density
3.13.100. Yard Requirement
3.13.110. Projections into Yards
3.13.120. Building Height
3.13.130. Distance Between Buildings
3.13.140. Permissible Lot Coverage
3.13.150. Parking, Loading and Access
3.13.160. Design Standards
3.13.170. Other Development Standard
3.13.180. Reversion of Zoning
3.13.190. Lighting Standards

3.13.010. Purpose and Objectives

It is the purpose and intent of the low intensity mixed use ("MU1") district to provide areas in which a variety of housing types may exist among neighborhood-serving commercial and institutional uses. The MU1 zone shall differ from the MU2 zone by allowing less residential dwelling unit density and by having a more residential style rather than a commercial style. The MU1 zone is intended and therefore shall only be applied to areas that are designated Neighborhood Commercial/Mixed Use on the City's Comprehensive Plan map.

3.13.020. Permitted Uses

A. Categories. Those uses or categories as listed herein, and no others, are permitted in the MU1 zone except as otherwise stated.

B. Numbered Listings. All uses listed 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 or two digits are zeros. All such categories or classes listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the MU1 zone subject to the limitations set forth herein.

C. Permitted Principal Uses. In the low intensity mixed use (MU1) zone, residential, commercial, and institutional uses may occupy the same building and lot. The permitted uses as defined below are required to be used in a combination of residential and commercial. Each building or project must have a minimum of 30% residential or commercial. The following principal uses and structures, and no others, are permitted in the MU1 zone:

SIC Code	Use
-----	Multiple Family Dwelling (non-dormitory) - up to 16-units per acre
1220	Membership lodging
1250	Religious quarters

1291	Residential facility for elderly persons
1292	Residential facility for persons with a disability
4600	Automobile parking (this does not include impound yards or long term storage of autos, trucks, boats, vacation trailers, etc.)
4811	Electric transmission right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4853	Refuse disposal company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (predominantly covered pipes or boxes)
4923	Travel Agencies
5320	Mail and Phone order houses
5330	Variety stores
5340	Merchandise vending machine operators
5350	Direct selling organization
5390	Retail trade - general merchandise
5400	Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
5440	Candy, Nut, and Confectionery
5460	Bakeries and Doughnut Shops
5490	Miscellaneous retail food establishments
5600	Apparel and accessories
5810	Eating places (restaurants)
5910	Drug and proprietary stores
5940	Books, stationery, art, and hobby supplies
5950	Sporting goods, bicycles, and toys
5970	Jewelry
5990	Miscellaneous retail stores (includes florists, cigars, newspapers and magazines, photo supplies, pet stores, and other similar retail stores)
5991	Florists
6100	Banks, insurance, and real estate (office only)
6200	Personal services - including photography, beauty and barber services, clothing repair, etc.
6220	Photographic Services
6230	Beauty and Barber Shops
6297	Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)
6300	Business services (office and retail sales only, except 6370, 6380, 6394 and 6397)
6500	Professional Services (except 6515 Behavior, drug and alcohol treatment; office only)
6710	Executive, legislative, and judicial functions
6720	Protective functions and related activities
6730	Postal services
6800	Educational services
6911	Churches, synagogues, temples, and missions
6919	Other religions activities
7100	Cultural activities
7111	Libraries
7398	Video Rental Shops
-----	Police Protection and Related Activities, Branch (Office only)

D. Permitted Accessory Uses. Accessory uses and structures may be permitted in the MU1 zone, provided they are incidental to, and do not substantially alter, the character of the permitted use or structure. Such permitted

accessory uses and structures include, but are not limited to, the following:

a. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the MU1 zone.

b. 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, but in no case for a period to exceed one (1) year unless approved by the Building Official.

E. Conditional Uses. The following uses and structures may be permitted in the MU1 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof, and must be consistent with the Purpose and Objectives of the MU1 zone. The conditional uses as defined below are required to be used in combination of residential and commercial. Each building or project must have a minimum of 30% residential or commercial and may have as little as 0% residential or commercial with a Conditional Use Permit (CUP).

SIC Code	Use
-----	Multiple Family Dwelling (non-dormitory)- between 17 and 20 units per acre if part of a mixed use building (see Lot Configuration and Density section below)
-----	Dormitory Housing
5230	Paint, Glass, and Wall Paper
5251	Hardware
5256	Swimming Pool Supplies
5310	Shopping Centers (if Center is more than 3 acres but less than 5 acres)
5410	Grocery Stores (if Center is more than 3 acres but less than 5 acres)
5420	Meats and Fish
5910	Drug and Proprietary Stores
5430	Fruits and Vegetables
5450	Dairy Products
6100	Finance, Insurance and Real Estate Services
6220	Photographic Services
6254	Shoe Repair, Hat Cleaning
-----	Miscellaneous Retail Trade
-----	Police Protection and Related Activities, Branch (Office only).
-----	Day Care Centers
-----	Dancing Schools

3.13.030. Minimum Mixed Use Percentages

All MU1 projects shall have a residential/commercial mix so that neither the residential or commercial portions of the project shall be less than 30% of the whole. This minimum mix shall be maintained in perpetuity and will be monitored by the Community Development Compliance Officer.

3.13.040. Lot Area

The minimum area of any lot or parcel of land in the MU1 zone is eight thousand (8,000) sq. ft.

3.13.050. Lot Width

The minimum lot width in the MU1 zone is one hundred (100) feet.

3.13.060. Lot Depth

The minimum lot depth in the MU1 zone is one hundred (100) feet.

3.13.070. Lot Frontage

Each lot or parcel of land in the MU1 zone shall abut a public street for a minimum distance of twenty-four (24) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.13.080. Prior Created Lots

Lots or parcels of land which were legally and lawfully created prior to the application of the zone shall be subject to review by the Planning and Zoning Commission and the Rexburg City Council and may be denied a building permit for reason of nonconformance with the parcel requirements of this Chapter.

3.13.090. Lot Configuration and Density

Housing unit density of up to 16 units per acre is permitted.

3.13.100. Yard Requirement

The following minimum yard requirements shall apply in the MU1 zone:

A. Front Yard. The following are the minimum depth of front yards:

a. Minimum 25 feet or,
b. 20 feet for areas of parking lots, if a seven (7) foot landscape strip is located between street curb and sidewalk.
c. 15 feet only for principal buildings, if a seven (7) foot landscape strip is located between the street curb and the sidewalk. Parking and maneuvering areas are not included in this reduction, nor are accessory buildings.
d. 25 Maximum setback, with the following provisions:
    i. Campus development: Interior building constructed as part of a campus development may be set back from the property line more than 20 feet if at least 50 percent of the public street frontage on each block face within the development contains buildings within the maximum setback of 20 feet. Interior buildings set back farther than 20 feet may not be constructed unless and until this 50 percent requirement has been satisfied.
    ii. Corner lots have two front yards along public or private roads.

B. Rear Yard. The following are the minimum depth of rear yards:

a. Twenty (20) feet when adjacent to an area designated as residential on the Comprehensive Plan Map. Of that required yard, the ten (10) feet adjacent to the residentially designated area must be landscaped and include trees and shrubs.
b. Five (5) feet when adjacent to any area of land that is designated for a non-residential land use on the Comprehensive Plan. For the purposes of administering this section, "Neighborhood Commercial/Mixed-Use" designation on the Comprehensive Plan shall not be considered a residential zone.

C. Side Yard. The side yard setback is zero (0) except as described by the following:

a. Minimum side yard when adjacent to a residential zone or area designated for residential use on the City's comprehensive plan map shall be at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater.
b. Minimum side yard of at least ten (10) feet shall be required when an abutting property with an existing building that has windows facing to that side.

D. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements.

3. Comply with the current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Maintain architecturally similar material and colors with main building.

6. Accessory building shall not be placed in the front yard.

7. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.13.110. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard, except for a required driveway:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, turf, and other plant materials.

3. Necessary appurtenances for utility service.

B. Permitted Projections with Conditions. The structures listed below may project into a minimum front yard no more than four (4) feet and into a minimum side yard not more than two (2) feet, except that a required driveway shall remain unobstructed from the ground up a height of twelve (12) feet:

1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

2. 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.

3. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding thirty (30) inches in height.

4. 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.

3.13.120. Building Height

Permitted Heights.

a. The allowed height is 45 feet, for all buildings. Building height for all uses shall be measured from adjacent grade level to the top of the highest horizontal wall top plate. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height,
b. Stealth telecommunication towers are permitted to a height of 75 feet. The Planning and Zoning Commission shall review the design of all proposed stealth telecommunication towers through the conditional use permit process, and provide a recommendation to the City Council. Any proposed tower shall also be subject to the City's telecommunications tower ordinance which will require certain setbacks and excluded areas.
c. Non-stealth telecommunication towers are permitted to a height of 60 feet. The Planning and Zoning Commission shall review the design of all proposed telecommunication towers through the conditional use permit process, and provide a recommendation to the City Council. Any proposed tower shall also be subject to the City's telecommunications tower ordinance which will require certain residential setbacks and excluded areas.

3.13.130. Distance Between Buildings

No requirement except as regulated by the provisions of the latest edition of the Building Code of The City of Rexburg as adopted by the action of the Municipal Council of said City.

3.13.140. Permissible Lot Coverage

A. Lot Coverage. Maximum Lot Coverage is 90%. Lot coverage includes all buildings and structures including areas of hard surface such as sidewalks and driveways. No requirement except as may be dictated by the necessary provision of off-street parking and other applicable requirements.

B. Landscaping. Areas not included in lot coverage calculation shall be maintained in landscaping.

3.13.150. Parking, Loading and Access

Each lot or parcel in the MU1 zone shall have, on the same lot or parcel, automobile parking sufficient to meet the requirements as set forth in Rexburg City Code unless otherwise specified below. The following parking guidelines shall apply to the MU1 zone:

A. Parking Lot Construction

a. All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street. Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk. Parking spaces and maneuvering areas shall not be provided within a required front yard.

B. Townhouses

a. Townhouses in the MU1 zone shall have two off-street parking spaces per unit.

C. Mixed-Use Buildings and Projects

a. The total parking requirement shall be the sum of the individual requirements for all uses. A joint use parking agreement, if executed according to the standards set forth in section D below, would allow a reduction in the total requirement for a mixed-use building or project.

D. Joint Use Parking Facilities

a. Joint use parking facilities are encouraged within 500 feet of residentially zoned property, excluding other MU districts. Uses may provide more than the maximum number of parking spaces if the additional spaces are provided as part of a joint use parking facility. However, if the joint use parking facility is a surface parking lot, the total number of spaces in the surface lot shall not exceed the sum of the maximum spaces allowed for all individual uses sharing the facility. This limit shall not apply to a multilevel parking garage that is used as a joint use facility. Joint use of required parking spaces may occur where two or more uses on the same site or on separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the City as part of a building permit application or site plan review:
    i. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
    ii. The location and number of parking spaces that are being shared;
    iii. An analysis showing that the peak parking demands for the different uses occur at different times, and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking times; and,
    iv. A legal instrument such as an easement or deed restriction that guarantees access to the joint parking for all uses.

E. Underground Parking Structures

Underground parking structures are encouraged and must meet the requirements set forth in Chapter 5.

3.13.160. Design Standards MU1 zones must follow the requirements of Section 4.13 Commercial Design Standards

3.13.170. Other Development Standards

a. **Signs.** All signs erected in the MU1 zone shall be in conformance with the sign provisions of the Rexburg City Sign Code, except for the following: Sign requirements shall apply to the MU1 district, with the following exceptions:
    i. Pole signs are not allowed;
    ii. Permitted detached signs shall be monument style and shall be limited to six feet in height.

B. Outdoor Storage or Display

a. Outdoor storage or display requires a Conditional Use Permit (CUP).

A. Entrances

a. In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principal building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a parking lot; however, secondary

entrances from parking lots are permitted. Interior buildings constructed as part of a campus development are exempt from these requirements.

C. Landscaping. All landscaping in the MU1 zone shall be consistent with landscaping requirements of the Development Code.

D. Trash Storage. See Rexburg City Code. No trash containment device shall be placed in such a location as to be visible from the public right of way unless in preparation for pickup, and under no circumstance for any period greater than 24 hours prior to and subsequent to the regularly scheduled pickup for trash.

B. Walls, Fences, and Gates

a. In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private street or walkways that are publicly accessible through a public use easement, or along publicly accessible open spaces shall not extend beyond the building façades; i.e., these fences shall not be located in the area between building façades and the property line.
b. Fences not exceeding thirty-six (36) inches in height, however, may extend beyond the building facade of attached or detached one- and two-family residential dwellings in mixed-use zoning districts.
c. A vinyl fence of at least six (6) feet in height shall be erected along all property lines which lie adjacent to a residential zone, except front yards, where the height of the fence shall not exceed thirty-six (36) inches. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the Planning and Zoning Commission shall give considerable weight to the wishes of the parties involved. A signed agreement must be submitted to the Planning and Zoning Commission or its designee, indicating the desires of the property owners. In the case where there no agreement can be reached, preference will be given to the vinyl fence.

3.13.180. Reversion of Zoning

After a rezone to the MU1 Zone, an applicant has 24 months to start construction. If unsuccessful, zoning will revert to the zone existing before application for the MU1 zone. Applicant can request and extension to the Planning and Zoning Commission by requesting to meet at a scheduled P&Z meeting.

3.13.190. Lighting Standards

Residential and Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations. Factors such as location of housing (onsite and offsite) and commercial land uses shall direct what standards are applicable.

3.14 Mixed Use 2 (MU2)

3.14.010. Purpose and Objectives
3.14.020. Permitted Uses
3.14.030. Minimum Mixed Use Percentages
3.14.040. Lot Area
3.14.050. Lot Width
3.14.060. Lot Depth
3.14.070. Lot Frontage
3.14.080. Prior Created Lots
3.14.090. Lot Configuration and Density
3.14.100. Yard Requirement
3.14.110. Projections into Yards
3.14.120. Building Height
3.14.130. Distance Between Buildings
3.14.140. Permissible Lot Coverage
3.14.150. Parking, Loading and Access
3.14.160. Design Standards
3.14.170. Other Development Standards
3.14.180. Reversion of Zoning
3.14.190. Lighting Standards

3.14.010. Purpose and Objectives

It is the purpose and intent of the moderate intensity mixed use ("MU2") district to provide areas in which a variety of housing types may exist among neighborhood-serving commercial and institutional uses. The MU2 zone shall differ from the MU1 zone by allowing higher residential dwelling unit density and by having a more commercial style rather than a residential style. The MU2 zone is intended and therefore shall only be applied to areas that are designated Neighborhood Commercial/Mixed Use on the City's Comprehensive Plan map. For land that is zoned MU2, and is located within the Pedestrian Emphasis Zone (PEZ): less parking and higher density for residential units are allowed as per the definition of the Pedestrian Emphasis Zone found in Chapter 2.

3.14.020. Permitted Uses

A. Categories. Those uses or categories as listed herein, and no others, are permitted in the MU2 zone except as otherwise stated.

B. Numbered Listings. All uses listed 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 or two digits are zeros. All such categories or classes listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the MU1 zone subject to the limitations set forth herein.

C. Permitted Principal Uses. In the moderate intensity mixed-use (MU2) zone, residential, commercial, and institutional uses may occupy the same building and lot. The permitted uses as defined below are required to be used in combination of residential and commercial. Each building or project must have a minimum of 10% residential or commercial. Each building or project may have as little as 0% residential or commercial with a Conditional Use Permit (CUP). MU-2 is not allowed as a zone in any property facing Main Street Between the 2nd West and 2nd East. The following principal uses and structures, and no others, are permitted in the MU2 zone:

SIC Code	Use
-----	Multiple Family Dwellings, Apartments, Boarding and Dormitory Housing - up to 30-units per acre
1220	Membership lodging
1250	Religious quarters
1291	Residential facility for elderly persons
1292	Residential facility for persons with a disability
1300	Residential hotels

1500	Transient lodgings
4210	Bus transportation (except 4214)
4290	Motor vehicle transportation
4600	Automobile parking (this does not include impound yards or long term storage of autos, trucks, boats, vacation trailers, etc.)
4811	Electric transmission right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4853	Refuse disposal company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (predominantly covered pipes or boxes)
4923	Travel Agencies
5311	Department stores (includes major and junior chain department stores)
5312	Discount department stores
5313	Surplus stores (inside only)
5320	Mail and Phone order houses
5330	Variety stores
5340	Merchandise vending machine operators
5350	Direct selling organization
5390	Retail trade - general merchandise
5400	Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
5460	Bakeries and Doughnut Shops
5490	Miscellaneous retail food establishments
5600	Apparel and accessories
5700	Furniture, home furnishings, and equipment (no combined warehousing)
5810	Eating places (restaurants)
5910	Drug and proprietary stores
5940	Books, stationery, art, and hobby supplies
5950	Sporting goods, bicycles, and toys
5969	Garden supplies (entirely within a building only)
5970	Jewelry
5984	Ice dealers (automated machines or pick-up stations only)
5990	Miscellaneous retail stores (includes florists, cigars, newspapers and magazines, photo supplies, pet stores, and other similar retail stores)
5991	Florists
6100	Banks, insurance, and real estate (office only)
6200	Personal services - including photography, beauty and barber services, clothing repair, etc.
6220	Photographic Services
6230	Beauty and Barber Shops
6241	Funeral parlor (mortuary)
6243	Crematory
6251	Pressing, Alteration and Garment Repair (no on-site dry cleaning)
6297	Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)
6300	Business services (office and retail sales only, except 6370, 6380, 6394 and 6397)
6420	Electrical appliance repair and service (no outside storage)
6494	Reupholstering and furniture repair
6496	Locksmiths and key shops
6497	Gunsmiths
6500	Professional Services (except 6515 Behavior, drug and alcohol treatment; office only)
6710	Executive, legislative, and judicial functions
6720	Protective functions and related activities

6730	Postal services
6800	Educational services
6911	Churches, synagogues, temples, and missions
6912	Religious reading rooms
6919	Other religions activities
7100	Cultural activities
7111	Libraries
7399	Video Rental Shops
-----	Police Protection and Related Activities, Branch (Office only)

D. Permitted Accessory Uses. Accessory uses and structures may be permitted in the MU2 zone, provided they are incidental to, and do not substantially alter, the character of the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

a. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the MU2 zone.

b. 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, but in no case for a period to exceed one (1) year, unless approved by the Building Official.

E. Conditional Uses. The following uses and structures may be permitted in the MU2 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof, and must be consistent with the Purpose and Objectives of the MU2 zone. The conditional uses as defined below are required to be used in combination of residential and commercial. Each building or project must have a minimum of 10% residential or commercial and may have as little as 0% residential or commercial with a Conditional Use Permit (CUP). When MU2 is allowed in an area designated on the Preferred Land Use Map as Downtown Commercial Mixed Use, the residential density may be increased to 40 units per acre if approved with a Conditional Use Permit.

SIC Code	Use
5220	Heating and plumbing equipment (no outside storage)
5230	Paint, Glass, and Wall Paper
5240	Electrical supplies
5251	Hardware
5255	Building maintenance
5256	Swimming Pool Supplies
5310	Shopping Centers (if Center is more than 5 acres but less than 10 acres) Containing only uses that are listed herein.
5410	Grocery Stores (if Center is more than 5 acres but less than 10 acres) Containing only land uses listed herein.
5420	Meats and Fish
5430	Fruits and Vegetables
5440	Candy, Nut, and Confectionery
5450	Dairy Products
5910	Drug and Proprietary Stores
6254	Shoe Repair, Hat Cleaning
6299	Reception Center
6379	Household goods, warehousing and storage
6600	Contract construction services (offices and retail only)
-----	Day Care Centers
-----	Dancing Schools

3.14.030. Minimum Mixed Use Percentages

All MU2 projects shall have a residential/commercial mix so that neither the residential or commercial portions of the project shall be less than 10% of the whole or as little as 0% with a Conditional Use Permit (CUP). This minimum mix shall be maintained in perpetuity and will be monitored by the Community Development Compliance Officer.

3.14.040. Lot Area
The minimum area of any lot or parcel of land in the MU2 zone is twelve thousand (12,000) sq. ft.

3.14.050. Lot Width
The minimum lot width in the MU2 zone is sixty (60) feet.

3.14.060. Lot Depth
The minimum lot depth in the MU2 zone is sixty (60) feet.

3.14.070. Lot Frontage
Each lot or parcel of land in the MU2 zone shall abut a public street for a minimum distance of twenty-four (24) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.14.080. Prior Created Lots
Lots or parcels of land which were legally and lawfully created prior to the application of the zone shall be subject to review by the Planning and Zoning Commission and the Rexburg City Council and may be denied a building permit for reason of nonconformance with the parcel requirements of this Chapter.

3.14.090. Lot Configuration and Density
Housing unit density of up to thirty (30) units per acre is permitted. Housing unit density of up to forty (40) units per acre is permitted with a Conditional Use Permit (CUP).

For land that is located within "Area #1" of the PEZ district (see map on page 239), the dwelling unit density shall be allowed to be increased as per Planning and Zoning Commission findings during the required Conditional Use Permit (CUP).

3.14.100. Yard Requirement
The following minimum yard requirements shall apply in the MU2 zone:

A. Front Yard. The minimum front yard setback shall be zero (0) feet (When applying the PEZ Overlay, front yards may be required to be wider). The maximum front yard setback shall be ten (10) feet. No part of any building shall overhang the public right-of-way and no drainage shall be diverted into said public right-of-way. (See Section 3.17.140 (D), Rexburg City Code for canopy and marquee requirements.) Parking spaces, drive aisles, and all maneuvering areas shall not be located within the first ten (10) feet of a front yard. This area shall be used for landscaping that will adequately screen parking areas from adjacent right-of-way.

B. Rear Yard. No requirement. When a building is adjacent to a residential zone or use the building shall match the rear yard requirements of the adjacent residential zone or use.

C. Side Yard. There shall be no side yard requirements. When a building is adjacent to a residential zone or use the building shall match the side yard requirements of the adjacent residential zone or use.

D. Accessory Buildings. Accessory buildings must meet all fire separation requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet require a building permit.

2. Comply with all lot coverage requirements and may not be in the front yard.

3. Comply with the current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Maintain architecturally similar material and colors with main building.

3.14.110. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard, except for a required driveway:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, turf, and other plant materials.

3. Necessary appurtenances for utility service.

B. Permitted Projections with Conditions. The structures listed below may project into a minimum front yard no more than four (4) feet and into a minimum side yard not more than two (2) feet, except that a required driveway shall remain unobstructed from the ground up a height of twelve (12) feet:

1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

2. 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.

3. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding thirty (30) inches in height.

4. 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.

3.14.120. Building Height

Permitted Heights

a. The allowed height is 55 feet, for all buildings. Building height for all uses shall be measured from adjacent grade level to the top of the highest horizontal wall top plate. An unroofed and unenclosed rooftop terrace, and the enclosed stairwell or elevator providing access to the terrace, shall not be included in the measurement of total building height,
b. Stealth telecommunication towers are permitted to a height of 75 feet. The Planning and Zoning Commission shall review the design of all proposed stealth telecommunication towers through the conditional use permit process, and provide a recommendation to the City Council. Any proposed tower shall also be subject to the City's telecommunications tower ordinance which will require certain setbacks and excluded areas.
c. Non-stealth telecommunication towers are permitted to a height of 60 feet. The Planning and Zoning Commission shall review the design of all proposed telecommunication towers through the conditional use permit process, and provide a recommendation to the City Council. Any proposed tower shall also be subject to the City's telecommunications tower ordinance which will require certain residential setbacks and excluded areas.

3.14.130. Distance Between Buildings

No requirement except as regulated by the provisions of the latest edition of the Building Code of The City of Rexburg as adopted by the action of the Municipal Council of said City.

3.14.140. Permissible Lot Coverage

A. Lot Coverage. Maximum Lot Coverage is 90%. Lot coverage includes all buildings and structures including areas of hard surface such as sidewalks and driveways. No requirement except as may be dictated by the necessary provision of off-street parking and other applicable requirements.

B. Landscaping. Areas not included in lot coverage calculation shall be maintained in landscaping.

3.14.150. Parking, Loading and Access

Each lot or parcel in the MU2 zone shall have, on the same lot or parcel, automobile parking sufficient to meet the requirements as set forth in Chapter 5 unless otherwise specified below. The following parking guidelines shall

apply to the MU2 zone:

A. Parking Lot Construction

a. All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street. Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk. Parking spaces and maneuvering areas shall not be provided within a required front yard.

B. Townhouses

a. Townhouses in the MU2 zone shall have two off-street parking spaces per unit.

C. Mixed-Use Buildings and Projects

a. The total parking requirement shall be the sum of the individual requirements for all uses. A joint use parking agreement, if executed according to the standards set forth in section d below would allow a reduction in the total requirement for a mixed-use building or project.

D. Joint Use Parking

a. Joint use parking facilities are encouraged. Joint use of required parking spaces may occur where two or more uses on the same site or on separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required parking spaces is allowed if the following documentation is submitted in writing to the City as part of a building permit application or site plan review:
   i. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
   ii. The location and number of parking spaces that are being shared;
   iii. An analysis showing that the peak parking demands for the different uses occur at different times, and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking times; and,
   iv. A legal instrument such as an easement or deed restriction that guarantees access to the joint parking for all uses.

E. Underground Parking Structures

Underground Parking Structures are encouraged and must meet the requirements set forth in Chapter 5.

3.14.160. Design Standards MU2 zones must follow the requirements of Section 4.13 Commercial Design Standards

3.14.170. Other Development Standards

A. Signs. All signs erected in the MU1 zone shall be in conformance with the sign provisions of the Rexburg City Sign Code, except for the following:

a. Sign requirements shall apply to the MU2 district, with the following exceptions:
   i. Pole signs are not allowed;
   ii. Permitted detached signs shall be monument style and shall be limited to six feet in height.

B. Outdoor Storage or Display

a. Outdoor storage or display requires a Conditional Use Permit (CUP).

C. Entrances

a. In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principal building must have its main entrance from a public sidewalk or plaza, or from a private sidewalk or plaza that is publicly accessible through a public use easement. The main entrance shall not be from a parking lot; however, secondary entrances from parking lots are permitted. Interior buildings constructed as part of a campus development are exempt from these requirements.

C. Landscaping. All landscaping in the MU2 zone shall be consistent with landscaping requirements of the Development Code.

D. Trash Storage. See Rexburg City Code. No trash containment device shall be placed in such a location as to

be visible from the public right of way unless in preparation for pickup, and under no circumstance for any period greater than 24 hours prior to and subsequent to the regularly scheduled pickup for trash.

E. Walls, Fences, and Gates

a. In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private street or walkways that are publicly accessible through a public use easement, or along publicly accessible open spaces shall not extend beyond the building façades; i.e., these fences shall not be located in the area between building façades and the property line.

b. Fences not exceeding thirty-six (36) inches in height, however, may extend beyond the building facade of attached or detached one- and two-family residential dwellings in mixed-use zoning districts.

c. A vinyl fence of at least six (6) feet in height shall be erected along all property lines which lie adjacent to a residential zone, except front yards, where the height of the fence shall not exceed thirty-six (36) inches. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the Planning and Zoning Commission shall give considerable weight to the wishes of the parties involved. A signed agreement must be submitted to the Planning and Zoning Commission or its designee, indicating the desires of the property owners. In the case where there no agreement can be reached, preference will be given to the vinyl fence.

3.14.180. Reversion of Zoning

After a rezone to the MU2 Zone, an applicant has 24 months to start construction. If unsuccessful, zoning will revert to the zone existing before application for the MU2 zone. Applicant can request and extension to the Planning and Zoning Commission by requesting to meet at a scheduled P&Z meeting.

3.14.190. Lighting Standards

Residential and Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations. Factors such as location of housing (onsite and offsite) and commercial land uses shall direct what standards are applicable

COMMERCIAL ZONES

3.15 Neighborhood Business District (NBD)

3.15.010. Purpose and Objectives
3.15.020. Permitted Uses
3.15.025. Single Ownership and Control
3.15.030. Lot Area
3.15.040. Lot Width
3.15.050. Lot Frontage
3.15.060. Prior Created Lots
3.15.070. Area of Zone
3.15.080. Yard Requirement
3.15.090. Projections into Yards
3.15.100. Building Height
3.15.110. Distance Between Buildings
3.15.120. Permissible Lot Coverage
3.15.130. Parking, Loading and Access
3.15.140. Project Plan Approval
3.15.150. Other Requirements
3.15.160. Architectural Design Standards
3.15.170. Design Standards
3.15.180. Commercial Lighting Standards

3.15.010. Purpose and Objectives

The NBD zone is established to provide an area in which the primary use of the land is for commercial and service uses to serve the daily convenience needs of the surrounding residential neighborhood. The zone is intended to be located on the fringe of neighborhood areas, along a collector or arterial street and to be integrated into the residential structure of a neighborhood in a manner that will create a minimum of detriment, hazard, or inconvenience to surrounding residential development.

Each NBD zone will be small, containing from one (1) to two (2) acres, and will be located within convenient walking distance from the edge of the surrounding residential area it is designed to serve. In general, the NBD zones will be located from one-half (½) mile from each other, or from another zone in which the daily commercial needs of a neighborhood or residential area will be served.

It is intended that the NBD zone shall be characterized by a harmonious grouping of commercial stores and shops which will be architecturally designed for, and will function as, an integrated unit. Hours of operation should be regulated to provide compatibility. Clean, well-lighted parking lots and attractive, well-maintained shops with appropriate landscaping will also be characteristic of this zone.

Lighting will be of a relatively low intensity and low profile with adequate shielding to protect the surrounding residential areas. The architectural design and character will be compatible with that of the surrounding residential environment. Uses permitted in the NBD zone will be those which will create no detriment to the surrounding residential areas, and will generally serve only the daily convenience needs of the residential neighborhood.

Dwellings, industries, recreational uses, or other heavy commercial uses which tend to thwart and discourage the use of the land within this zone for its primary purpose have been excluded. Typical uses allowed by right in this zone are grocery stores, restaurants, drug stores, miscellaneous retail such as book stores and florists, bakeries, dry cleaning, laundries and garment alterations/repairs, video rental, post offices, and barber or beauty shops. A broader range of uses is permitted pursuant to the issuance of a conditional use permit.

3.15.020. Permitted Uses

A. Categories. Those uses or categories as listed herein, and no others, are permitted in the NBD zone.

B. Numbered Listings. All uses listed 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 or two digits are zeros. All such categories or classes listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the NBD zone subject to the limitations set forth herein.

C. Permitted Principal Uses. The following principal uses and structures (maximum 20,000 square feet GFA per building), and no others, are permitted in the NBD zone:

SIC Code	Use
5410	Grocery Stores, Convenience (not Supermarket)
5460	Bakeries and Doughnut Shops
5910	Books, Stationery, Art and Hobby Supplies
5991	Florists
6230	Beauty and Barber Shops
6251	Pressing, Alteration and Garment Repair
6730	Postal Services
7398	Video Rental Shops

D. Permitted Accessory Uses. Accessory uses and structures are permitted in the NBD zone, provided they are incidental to, and do not substantially alter, the character of the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the NBD zone.

2. 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.

E. Conditional Uses. The following uses and structures are permitted in the NBD zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
5230	Paint, Glass and Wall Paper
5251	Hardware
5256	Swimming Pool Supplies
5310	Shopping Centers (if center is more than 5 acres but less than 10 acres)
5330	Variety Stores, Limited Price (not department stores)
5410	Grocery Stores (if center is more than 5 acres but less than 10 acres)
5420	Meats and Fish
5430	Fruits and Vegetables
5440	Candy, Nut, and Confectionery
5450	Dairy Products
5490	Retail Trade item Food (except 5493 and 5497)
5999	Miscellaneous Retail Trade
6100	Finance, Insurance and Real Estate Services
6210	Laundry and Dry Cleaning (includes Self-service Laundries)
6220	Photographic Services
6254	Shoe Repair, Hat Cleaning
6290	Miscellaneous Personal Services
6722	Police Protection and Related Activities, Branch (office only)
6815	Day Care Centers
6835	Dancing Schools

F. Maximum Office Usage. The total gross floor area for office uses permitted in any NBD zone shall not exceed fifty (50) percent of the total floor area in any project plan submitted for Planning and Zoning Commission approval.

3.15.025. Single Ownership and Control

Land within a given NBD zone shall be in single ownership or single control in order to provide for integrated development. 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 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 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 NBD zone.

3.15.030. Lot Area

The minimum area of any lot or parcel of land in the NBD zone shall be one (1) acre; however, smaller lots or parcels may be created as part of an approved and recorded Record of Survey. The maximum area of a lot or parcel of land in the NBD zone shall be five (5) acres. Said land must be under single ownership or single control for integrated development.

3.15.040. Lot Width

Each lot or parcel of land in the NBD zone shall have an average width of not less than two hundred (200) 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.

3.15.050. Lot Frontage

Each lot or parcel of land in the NBD zone shall abut a public arterial or collector street for a minimum distance of two hundred (200) feet, on a line parallel to the centerline of the street, or along the circumference of a cul-de-sac improved to the City standards; 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 as specified in Section 3.15.025, Rexburg City Code. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.15.060. 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.

3.15.070. Area of Zone

Each single NBD (Neighborhood Business District) zone shall contain a minimum of one (1) acre up to a maximum of ten (10) acres. Any shopping center greater than five (5) acres shall require a Conditional Use Permit. The NBD 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 development which has not been designed and constructed as an integrated shopping center. The NBD zone shall be predominately established on the fringe of established residential areas.

3.15.080. Yard Requirement

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

A. Front Yard. Each lot or parcel in the NBD zone shall have a front yard of not less than ten (10) feet. Said front yard shall not be used for vehicular parking and shall be appropriately landscaped.

B. Side Yard. Except as provided in Sub-sections (3), (4), and (5) of the Rexburg City Code, each lot or parcel of land in the NBD zone shall have a side yard of at least ten (10) feet when located adjacent to a residential zone. There shall be no requirement 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:

1. The accessory building is located more than ten (10) feet from any main residential building on an adjacent property.

2. The accessory building has no openings on the side which is contiguous to the property line, and the wall of

said building adjacent to the property line has a two (2) hour fire retardant rating.

3. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

D. Rear Yard. When adjacent to an existing or planned residential zone the minimum rear yard setback shall match the adjacent residential zone.

3.15.090. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard, except for a required driveway:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, turf, and other plant materials.

3. Necessary appurtenances for utility service.

B. Permitted Projections with Conditions. The structures listed below may project into a minimum front yard no more than four (4) feet and into a minimum side yard not more than two (2) feet, except that a required driveway shall remain unobstructed from the ground up:

1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

2. Fireplace structures and bays, pro-vided they are not wider than eight (8) feet and are generally parallel to the wall of which they are a part.

3. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. 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.

3.15.100. Building Height

A. Permitted Heights. No lot or parcel of land in the NBD zone shall have a building or structure which exceeds a height of three (3) stories with a maximum of thirty-five (35) feet, measured at the top of building's horizontal wall. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

B. Four Story Buildings. A four (4) story building or structure, not to exceed forty-five (45) feet in height, may be allowed by obtaining a Conditional Use Permit from the Planning and Zoning Commission, provided that the horizontal setback of the proposed structure from the nearest residential zone boundary is equal to or exceeds twice the building's height, as measured from the average grade of the front yard to the highest point of the roof.

3.15.110. Distance Between Buildings

The minimum distance between any accessory building and a main building on a lot in the NBD 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.

3.15.120. Permissible Lot Coverage

In an NBD zone, all buildings and structures (including impervious surfaces, e.g. driveways) shall not cover an area of more than seventy (70) percent of the lot or parcel of land upon which they are placed.

3.15.130. Parking, Loading, and Access

Each lot or parcel in the NBD zone shall have, on the same lot or parcel, automobile parking sufficient to meet the requirements for retail commercial establishments as set forth in Rexburg City Code.

All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street. Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk. Parking spaces shall not be provided within a required front yard or side yard adjacent to a public street.

3.15.140. Project Plan Approval

All Project plans for projects in the NBD 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 and specifications for review by all City Departments and Permitting Authorities.

3.15.150. Other Requirements

A. Signs. All signs erected in the NBD zone shall be in conformance with the sign provisions of the Rexburg City Sign Code, and shall be in general compliance with the typical signing program approved by the Planning and Zoning Commission under the provisions of section 3.15.140, Rexburg City Code.

B. Uses Within Buildings. All uses established in the NBD zone shall be conducted entirely within a fully-enclosed building except the pumping of gasoline and similar uses deemed by the Planning and Zoning Commission to be customarily and appropriately conducted in the open.

C. Landscaping. A minimum of ten (10) percent landscaping is required.

D. Trash Storage. See Section 4.13.

E. Walls and Fences.

1. 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 NBD zone.

2. 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.

F. Transitional Development Standards. Where a lot or parcel in any business, commercial, manufacturing, or industrial zone borders a residential zone, the buffering standards set forth in Rexburg City Code shall apply.

G. Hours of Operation. In the NBD zone, no permitted or conditionally permitted use shall be open for business or accept deliveries after 11:00 P.M. or before 6:00 A.M., unless otherwise approved by the Planning and Zoning Commission as part of a duly authorized conditional use permit.

3.15.160. Architectural Design Standards

Architectural design requirements are found in Chapter 4.13 Supplementary Regulations under Commercial Design Standards. Neighborhood Commercial developments are also subject to the following design standards:

3.15.170. Design Standards

A. Purpose. The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all of the following types of buildings, and shall be applied during Site Plan Review described in Section 6.11:

1. Multi-family dwelling.

2. Public and institutional buildings.

3. Neighborhood commercial and mixed use buildings.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.

1. **Building Form.** The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred and sixty (160) feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:

   a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four (4) feet;

   b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; **and/or**

   c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

2. **Eyes on the Street.** All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 60 percent of front (i.e., street-facing) elevations, and a minimum of thirty (30) percent of side and rear building elevations, as applicable, shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. Trim, shutters, and other features that are part of the items making up the requirement shall be included in the measurement. The standard applies to each full and partial building story.

3. **Detailed Design.** All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least three (3) of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

   n. Dormers
   o. Gables
   p. Recessed entries
   q. Covered porch entries
   r. Cupolas or towers
   s. Pillars or posts
   t. Off-sets in building face or roof (minimum sixteen (16) inches)
   u. Window trim (minimum four (4) inches wide)
   v. Bay windows
   w. Balconies
   x. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
   y. Decorative cornices and roof lines (e.g., for flat roofs)
   z. An alternative feature providing visual relief, similar to previous options

3.15.180. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.16 General Business District (GBD)

3.16.010. Purpose and Objectives
3.16.020. Permitted Uses
3.16.030. Lot Area
3.16.035. Commercial and Residential Area Requirements in Mixed Residential / Commercial Use Structures
3.16.040. Lot Width
3.16.050. Lot Frontage
3.16.060. Prior Created Lots
3.16.070. Area of Zone
3.16.080. Yard Requirements
3.16.090. Projections into Yards
3.16.100. Building Height
3.16.110. Distance Between Buildings
3.16.120. Permissible Lot Coverage
3.16.130. Parking, Loading, and Access
3.16.140. Project Plan Approval
3.16.150. Other Requirements
3.16.160. Architectural Design Standards
3.16.170. Commercial Lighting Standards

3.16.010. Purpose and Objectives.

The GBD Zone is established to provide a district primarily for the accommodation of commercial uses and commercial areas which have been established in locations away from the central core of the City and which are not within the shopping centers of integrated design. Though this zone will be applied to areas which have developed as "strip commercial" developments along major streets and highways, it shall not be used to promote or establish areas in which such development can be promulgated or encouraged in violation of good planning principals. The GBD zone is to provide for the location and grouping of compatible retail enterprises having the common characteristics of dispensing commodities, providing professional services or providing personal services to the individual, but which do not involve more than incidental or limited assembly, fabrication or storage of commodities.

The GBD zoning district is appropriately applied in the following circumstances: On the periphery of the CBD zone where retail uses are appropriate yet the distance to community parking facilities indicates a need for onsite parking. At dispersed commercial centers where the grouping of retail and office uses is appropriate to serve community or regional needs.

The GBD zone should be applied to vacant land areas for new construction only in the event that integrated shopping center development is not practical and/or desirable because of difficult size, shape, topography, or similar problems related to land otherwise deemed to be appropriate for commercial development. The location of the GBD zone should be close to freeways or major arterials to provide convenient access for major traffic volumes without hazard and without traversing through a residential area. The GBD zone shall not be applied to the internal areas of residential neighborhoods. Although the GBD zone may be applied to existing commercial areas which have a variety of characteristics, the provisions contained herein should be used to encourage greater integrity and aesthetic improvements as these areas are redeveloped, expanded, and improved. Integrated and coordinated landscaping, parking, ingress, and signing and building design should be encouraged and regulated through the use of project plan approval procedures. New construction should be in harmony with the characteristics of the surrounding developed commercial and residential areas. The uses characteristic of this zone will be a wide range of retail stores, shops, services, and offices. This zone may be applied to areas which have existing offices, heavy commercial and institutional uses. It is the intent that the GBD zone contains a mixture of compatible uses.

3.16.020. Permitted Uses.

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the GBD zone.

B. Numbered Listings. All uses contained herein are listed by number as designated in the Standard Industrial Classification Manual, 1987 Edition. Specific uses are identified by a four (4) digit number in which all digits are whole numbers.

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 GBD zone subject to the limitations set forth herein.

D. Permitted Principal Uses. The following principal uses and structures, and no others, are permitted n the GBD zone:

SIC Code	Use
2742	Commercial printing only related to retail sales of printed products
4923	Travel Agencies
5230	Paint, glass, and wall paper
5240	Electrical supplies
5251	Hardware
5320	Mail and Phone order houses
5330	Variety stores
5390	Retail trade - general merchandise
5400	Food stores
5490	Miscellaneous retail food establishments
5520	Automobile accessories (except tire recapping and vulcanizing)
5600	Apparel and accessories
5700	Furniture, home furnishings, and equipment (no combined ware-housing)
5810	Eating places (restaurants)
5910	Drug and proprietary stores
5931	Antiques (indoor display only)
5940	Books, stationery, art, and hobby supplies
5450	Sporting goods, bicycles, and toys
5969	Garden supplies (entirely within a building only)
5970	Jewelry
5984	Ice dealers (automated machines or pick-up stations only)
5990	Miscellaneous retail stores (includes florists, cigars, newspapers, magazines, photo supplies, pet stores, and other similar retail stores)
6100	Banks, insurance, and real estate (office only)
6200	Personal services - includes photography, beauty and barber services, clothing repair, shoe repair, etc. (except 6240 and 6299 wedding chapels and reception centers only)
6297	Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)
6360	Employment Services
6493	Watch, clock, jewelry repair, etc.
6497	Gunsmiths
6500	Professional Services
6730	Postal services
6800	Educational services
7398	Video Rental Shops

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the GBD zone provided they are incidental to, and do not substantially alter, the character of the permitted principal use or structure. Such permitted uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the GBD zone.

2. Storage of materials used for construction of buildings, including the 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 are permitted in the GBD zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
	Residential facility for Elderly persons (not including assisted living which should be located in a residential area)
1512	Motels (highway frontage only)
4292	Ambulance service
4600	Parking lot (surplus parking only)
4834	Water storage as part of a utility system (covered including water storage stand pipes)
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
5511	New and used car sales
5512	Motor vehicles, automobiles (used only)/retail trade
5530	Service stations
5594	Motorcycles, motor scooters, parts, accessories, and supplies
5920	Liquor, package
5936	Thrift store and general second hand merchandise (indoor display and storage only; use of outdoor collection boxes is prohibited)
5983	Bottled gas
6210	Laundry and Dry Cleaning (includes Self-service Laundries)
6299	Personal services (wedding chapels, reception centers only)
6340	Dwelling and building services (not units)
6397	Vehicle rental
6411	Automobile repair
	Manufacture and installation of auto-mobile seat covers and auto tops
6416-17	Auto washing and polishing
6418	Auto glass repair
6419	Automobile services, except repair and wash (motor clinics)
6420	Electrical appliance repair
6494	Furniture repair
6498	Saw, knife, and tool sharpening
6499	Miscellaneous small item repair
6722	Police protection and related activities, branch (office only)
6940	Social, fraternal, and youth organizations and services
7212	Motion picture theaters
7391	Coin-operated amusement or video centers
7392	Miniature golf
7394	Electric go-kart tracks (indoor only)
7396	Dance halls, ballroom
7397	Billiard and pool halls
7414	Ice skating
7415	Roller skating and skate Boarding
7417	Bowling alleys
8222	Animal hospital services (small animal out- patient clinic only)

3.16.030. Lot Area.
There shall be no minimum lot area requirements in the GBD zone except as may be dictated by off-street parking requirements, adequate circulation, and property site utilization.

3.16.040. Lot Width.
No requirement.

3.16.050. Lot Frontage.
Each lot or parcel of land in the GBD zone shall have frontage on a public street for a minimum distance of thirty-five (35) feet.

3.16.060. 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 reasons of nonconformance to the parcel requirements of this Chapter.

3.16.070. Area of Zone.
Each single GBD zone zoning district shall contain a minimum of two (2) acres except those existing, previously developed commercial facilities and areas to which the GBD zone is applied.

3.16.080. Yard Requirements.

The following maximum yard requirements shall apply in the GBD zone:

A. Front Yard. Each lot or parcel of land in the GBD zone shall have a front yard of not less than ten (10) feet, except that in areas developed prior to the establishment of this zone, the front yard shall be equal to the average of existing front yards on all parcels of property along the block face in which a building or structure is to be located.

B. Side Yard. Except as provided in subsections (3), (4) (5) and (6) of this section, each lot or parcel of land in the GBD zone shall have a side yard of at least ten (10) feet or match the setbacks of the adjacent residential zone or use whichever is greater. 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:

1. An accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a fire rated wall as required by the Building Code.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

D. Rear Yard. There shall be no rear yard requirements except as may be dictated by provisions of the Building Code, unless adjacent to a residential zones or use, in which case the rear yard setback shall match the setback requirement of the adjacent residential zone.

E. Rear Yard. Accessory Building. An accessory building shall be setback a minimum of ten (10) feet from any residential zone or use.

3.16.090. Projections into Yards.

A. Permitted projections. The following structures may be erected on, or project into, any required yard, except into a required driveway:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscaping elements including trees, shrubs, and other plants.

3. 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, except that required driveways shall remain unobstructed from the ground upward.

1. Eaves, belt courses, sills, buttresses, or other similar architectural features.

2. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

3. 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.

3.16.100. Building Height.

In the GBD zone, the height of every building or structure hereinafter designed, erected, or structurally altered or enlarged shall be regulated by conformance to the requirements of the most recent edition of the Building Code as adopted by action of the Municipal Council. However, the maximum building height shall be forty-five (45) feet, measured at the top of building's horizontal wall. After the effective date of this Chapter, all new structures

exceeding two (2) stories in height shall be served with elevators or escalators in addition to the stairways otherwise required by law.

3.16.110. Distance Between Buildings.
As required by the Building Code.

3.16.120. Permissible Lot Coverage.
No requirements except as may be dictated by yard requirements, landscape requirements, and compliance with off-street parking provisions.

3.16.130. Parking, Loading, and Access.
Each lot or parcel in the GBD zone shall have automobile parking sufficient to meet the requirements as set forth in Chapter Rexburg City Code.

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 shall not be located within a required front yard adjacent to a public street.

3.16.140. Project Plan Approval.
All Project plans for projects in the GBD 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 and specifications for review by all City Departments and Permitting Authorities.

3.16.150. Other Requirements.
A. Signs. All signs erected in the GBD zone shall be in conformance with the sign provisions of Rexburg City Code.

B. Uses Within Buildings. All uses established in the GBD 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, plant nurseries, etc.

C. Landscaping. A minimum of ten (10) percent of the site shall be landscaped.

D. Trash Storage. See Section 4.13.

E. Walls and Fences.

1. No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a required front yard in a GBD zone.

2. 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.

F. Remodeling in Existing GBD Zones. If the remodeling of a building in the GBD zone causes the exterior of the building to be enlarged, the landscaping requirements of Section 3.16.150(C) shall apply, with the following limitations:

1. The requirements of Section 3.16.150(C) shall not fully apply where those requirements would conflict with parking requirements, be incompatible with the design of existing buildings or impair ingress or egress to existing buildings or parking areas.

3.16.160. Architectural Design Standards

Architectural design requirements found in Section 4.13 Supplementary Regulations under Commercial Design Standards shall apply.

3.16.170 Commercial Lighting Standards.

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.17 Central Business District (CBD)

3.17.010. Purpose and Objectives
3.17.020. Permitted Uses
3.17.030. Lot Area
3.17.040. Lot Width
3.17.050. Lot Frontage
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3.17.010. Purpose and Objectives

The CBD is established to recognize the historic central retail and service center of the City. Front setbacks are not common and lot coverage may approach or be one hundred percent. On-street parking serves many of the businesses. Office and residential uses are encouraged on the upper floors of the downtown buildings..

The CBD zone is intended to be located only in the central core area of the City and to be expanded out from that central area in an orderly and progressive manner as the demand for additional commercial land is generated. The CBD zone is to be characterized by wide, clean, well-lighted streets, ample pedestrian ways, and vehicular parking lots for the convenience and safety of the public.

Attractive, inviting, and well-maintained shops, stores, offices, and other buildings are also characteristic of this zone. Signing of shops and business establishments should be simple and attractive with signs mounted flat against the building to reduce the sign clutter and enhance the aesthetics of the downtown area. The uses characteristic of this zone are retail stores, banks, office buildings, theaters, hotels, and a wide variety of specialty shops and retail outlets. Conversely, uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from the zone. This zone will tend to encourage an architectural theme which will strengthen the continuity of the downtown area and give it a "character" with which the citizens of Rexburg can identify.

3.17.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the CBD 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 categories of such uses permitted within the zone are identified by a four (4) digit number in which the last one (1) or two (2) digits are zeroes.

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 CBD zone, subject to the limitations set forth.

D. Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the CBD zone:

SIC Code	Use

	Two-family dwelling above the ground floor (attached to commercial or other nonresidential use)
	Multiple Family Dwelling above the ground floor
	Apartments above the ground floor (low rise attached to commercial or other nonresidential use as a mixed-use project as set forth in Rexburg City Code)
	Apartments above the ground floor (high rise attached to commercial or other nonresidential use; as a mixed-use project as set forth in Rexburg City Code)
1220	Membership lodging
1250	Religious quarters
1291	Residential facility for elderly persons above the ground floor
1292	Residential facility for persons with a disability above the ground floor
1300	Residential hotels with units above ground floor
1500	Transient lodgings
4210	Bus transportation (except 4214)
4290	Motor vehicle transportation
4600	Automobile parking (this does not include long term storage of autos, trucks, boats, vacation trailers, etc., which is prohibited)
4811	Electric transmission right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4853	Refuse disposal company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (predominantly covered pipes or boxes)
4923	Travel Agencies
5220	Heating and plumbing equipment (no outside storage)
5230	Paint, glass, and wallpaper
5240	Electrical supplies
5251	Hardware
5255	Building maintenance
5256	Swimming pool supplies
5311	Department stores (includes major and junior chain department stores)
5312	Discount department stores
5313	Surplus stores (inside only)
5320	Mail and Phone order houses
5330	Variety stores
5340	Merchandise vending machine operators
5350	Direct selling organization
5390	Retail trade - general merchandise
5400	Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
5490	Miscellaneous retail food establishments
5600	Apparel and accessories
5700	Furniture, home furnishings, and equipment (no combined warehousing)
5810	Eating places (restaurants)
5910	Drug and proprietary stores
5940	Books, stationery, art, and hobby supplies
5950	Sporting goods, bicycles, and toys
5969	Garden supplies (entirely within a building only)
5970	Jewelry
5984	Ice dealers (automated machines or pick-up stations only)
5990	Miscellaneous retail stores (includes florists, cigars, newspapers and magazines, photo supplies, pet stores, and other similar retail stores)

6100	Banks, insurance, and real estate (office only)
6200	Personal services - including photography, beauty and barber services, clothing repair, etc. (except 6240 and 6299 wedding chapel and reception centers only)
6241	Funeral parlor (mortuary)
6243	Crematory
6297	Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)
6300	Business services (office and retail sales only, except 6370, 6380, 6394 and 6397)
6420	Electrical appliance repair and service (no outside storage)
6494	Reupholstering and furniture repair
6496	Locksmiths and key shops
6497	Gunsmiths
6500	Professional Services (except 6515 Behavior, drug and alcohol treatment; office only)
6600	Contract construction services (offices and retail only)
6710	Executive, legislative, and judicial functions
6720	Protective functions and related activities
6730	Postal services
6800	Educational services
6911	Churches, synagogues, temples, and missions
6912	Religious reading rooms
6919	Other religions activities
7100	Cultural activities
7111	Libraries
7400	Video Rental Shops

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the CBD 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:

1. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the CBD zone.
2. Storage of materials used for construction of a building, including the 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 are permitted in the CBD zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
1211	Dormitory or Boarding House (maximum of six (6) persons per unit attached to commercial or other nonresidential use as a mixed-use project as set forth in Section 3.17.160, Rexburg City Code, and with all units above the ground floor)
4392	Heliport (with pads only, no maintenance)
4700	Communications
4814	Electricity regulating substations
4815	Electric utility company office
4818	Small Generation
4819	Other electric utility, NEC
4823	Natural or manufactured gas storage; distribution points
4825	Gas company office
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
5313	Surplus stores
5594	Motorcycles, motor scooters, parts, accessories, and supplies
5920	Liquor, package
5930	Antiques and second-hand merchandise (indoor only) (except 5935, 5938, 5939)
5983	Bottled gas
6210	Laundry and Dry Cleaning (includes Self-service Laundries)
6299	Personal services (wedding chapels and receptions centers only)
6340	Dwelling and building services (not dwelling units)

6381	Auction Houses
6394	Equipment rental (only within a building)
6399	Miscellaneous business services
6498	Saw, knife, and tool sharpening
6499	Miscellaneous small item repair
6515	Behavior, drug & alcohol treatment
6722	Police protection and related activities, branch (office only)
6900	Miscellaneous service organizations
7210	Entertainment and assembly including legitimate theater
7212	Motion picture theaters (indoor)
7230	Public assembly
7391	Coin-operated amusements
7392	Miniature golf
7396	Dance halls, ballroom
7397	Billiards and pool halls
7414	Ice skating
7415	Roller skating and skate boarding
7417	Bowling alleys
-----	Bed and Breakfast Inns and Vacation Rentals
-----	Drop-in Day Care- Daycare business that is less than 50% contractual (traditional) daycare, with the majority of the business to be "drop-in" child care
-----	Parking garages- if over ten (10) parking spaces and garage comprises the majority of the overall structure
	Call Centers (when additional parking is provided)

3.17.030. Lot Area

The minimum area of any lot or parcel of land in the CBD zone shall be five thousand (5,000) square feet. Residential dwelling density shall not exceed forty (40) dwelling units per acre.

3.17.040. Lot Width

Each lot or parcel of land in the CBD zone shall have an average width of not less than fifty (50) feet.

3.17.050. Lot Frontage

Each lot or parcel of land in the CBD zone shall abut on a public street for a minimum distance of fifty (50) feet on a line parallel to the center of said street.

3.17.060. 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 lot requirements of this Chapter.

3.17.070. Area of Zone.

No requirement except that the CBD zone shall be expanded contiguously from the CBD zoning established in the center core area of the City. Said expansion shall be accomplished in an orderly manner.

3.17.080. Yard Requirements

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

A. Front Yard. The minimum front yard setback shall be zero (0) feet. The maximum front yard setback shall be ten (10) feet. No part of any building shall overhang the public right-of-way and no drainage shall be diverted into said public right-of-way. (See Section 3.17.150 (5), Rexburg City Code for canopy and marquee requirements.) Parking spaces, drive aisles, and all maneuvering areas shall not be located within the first ten (10) feet of a front yard. This area shall be used for landscaping that will adequately screen parking areas from adjacent right-of-way.

B. Side Yard. Except as provided in Sub-sections (4) and (5) of this section, there shall be no side yard requirements. When a building is adjacent to a residential zone or use the building shall match the side yard requirements of the adjacent residential zone or use.

C. Rear Yard. No requirement. When a building is adjacent to a residential zone or use the building shall match the rear yard requirements of the adjacent residential zone or use.

3.17.090. Building Height

Buildings within 50 feet of a residential zone shall be limited to 35 feet in height, measured at the top of building's horizontal wall, or maximum height of the affected residential zone. However, all other buildings and portions of buildings within the CBD shall not exceed 45-feet in height (except, one additional story or ten feet in height shall be allowed extra when the building contains a floor of residential units that are not located on first floor, or street level).

3.17.100. Distance Between Buildings

No requirement except as regulated by the provisions of the latest edition of the Building Code of The City of Rexburg as adopted by the action of the Municipal Council of said City.

3.17.110. Permissible Lot Coverage

No requirement except as may be dictated by the necessary provision of off-street parking and other applicable requirements.

3.17.120. Parking, Loading, and Access

Each Lot or parcel in the CBD zone shall provide automobile parking sufficient to meet the requirements as set forth in Rexburg City Code.

3.17.130. Project Plan Approval

All Project plans for projects in the CBC 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 and specifications for review by all City Departments and Permitting Authorities.

3.17.140. Other Requirements

A. Signs. All signs erected in the CBD zone shall be mounted flat against the face of a building, marquee, or canopy and shall be in conformance with the sign provisions of Rexburg City Code. All signs shall be approved by the Planning and Zoning Commission prior to the issuance of a sign permit.

B. Uses Within Buildings. All uses established in the CBD 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, and other uses which are allowed by the Planning and Zoning Commission to be conducted in the open through the granting of a conditional use permit. Uses customarily deemed to be conducted in the open may include, but would not be limited to, ice skating, miniature golf, etc.

C. Landscaping. A minimum of ten (10) percent landscaping shall be provided for all parking lots and shall be useable for snow storage. In addition, parking areas shall be adequately screened from adjacent rights-of-way.

D. Canopies and Marquees. Canopies and/or marquees may be extended over public sidewalks in the CBD zone only after a conditional use permit has been granted by the Planning and Zoning Commission for their erection, and after a revocable license has been issued by the Rexburg City Mayor in accordance with the procedures outlined herein.

Said marquees or canopies may be supported by columns or stanchions which are attached to the ground within the public right-of-way and do not extend beyond the street curb line. Canopies and marquees erected in the CBD zone must comply with all of the following conditions:

1. A conditional use permit must first be granted by the Planning and Zoning Commission following an application submitted to the Planning and Zoning Commission. Procedure for granting a conditional use permit for this purpose shall be in accordance with Rexburg City Code.

2. A license shall be obtained from the Mayor permitting such construction. Conditions deemed appropriate by said Mayor may be imposed upon the granting of a license.

3. The licensee shall agree to save and hold harmless the City on any and all damage to any property or person arising from the construction and maintenance of such canopies or marquees. Licensee shall assume and pay all costs of installation, maintenance, and removal of said canopy or marquee.

4. The licensee shall agree to pay damages and hold the City harmless from any claim that may arise through the licensee's use of public property for this purpose.

5. Said license may be revoked after ninety (90) days of written notice to the licensee, at which time all improvements must be removed from the public right-of-way at the full expense of said licensee. The City right-of-way shall be restored by the licensee at his own expense to a condition equivalent or better than that existing in the remainder of the block face, and to a condition satisfactory and acceptable to the Mayor.

6. Before a license shall be issued by the Mayor, the design of the canopy or marquee and the materials used in the construction of said canopy or marquee shall first be reviewed by the Planning and Zoning Commission in the process of granting a conditional use permit. The Planning and Zoning Commission shall not grant a conditional use permit for any construction of such canopies or marquees unless the following is fully demonstrated to their satisfaction:

   (a) The canopy or marquee is harmonious in design and appearance with the building upon which it is being located, and with the general architectural and visual theme of the CBD zone.

   (b) The canopy or marquee will be constructed of materials contained on the materials list for the CBD zone approved by resolution of the City Council.

   (c) The canopy or marquee will tend to improve the visual environment of the City, will not be harmful to any existing tree or landscaping element, will increase downtown property values, and will promote the objectives and characteristics of the Central Business District zone as set forth herein.

   (d) The location of supporting columns or stanchions will not obstruct pedestrian traffic on the sidewalk, and will not materially affect existing landscaping or street furniture installations in the public right-of-way.

7. In the event that no public landscaping exists in the area adjacent to said canopy or marquee, the Planning and Zoning Commission shall require the provision of a landscaped and planted area no less than four (4) feet in width and no greater than six (6) feet in width to be planted with materials as part of the granting of a conditional use permit. This planting shall be provided at least the full width of the canopy or marquee installation.

8. All canopy or marquee installations will be in full conformance with the provisions of the latest edition of the Building Code as adopted by Rexburg City.

9. The provisions of this Section are not intended to any way nullify or repeal any portions of the Building Code provisions.

10. Canopies or marquees shall remain open and unencumbered on three (3) sides except for required supporting columns, stanchions, or architectural features approved by the Planning and Zoning Commission.

11. In no event shall any portion of the public right-of-way be used for commercial storage, display, or other private use.

12. The construction of any canopy or marquee under the provisions of this Section shall in no way deprive the public of use of the public right-of-way.

E. Trash Storage. Trash receptacles 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 City of Rexburg Staff prior to installation. Materials used for screening should be consistent with the predominant material found in the exterior construction of the building used by the business served, however, as a minimum, a vinyl fence will be allowed.

F. Walls and Fences.

1. No wall, fence, or opaque hedge or screening material higher than three (3) feet shall be maintained within a required front yard, or an area which would tend to inhibit a safe sight distance of traffic traveling upon a public street, or entering into the public street from a private driveway or alley.

2. 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 nonresidential use or mixed use in the CBD zone borders a residential zone, the standards set forth in Rexburg City Code, shall apply. All residential development projects in the CBD zone shall comply with the standards set forth in the, Rexburg City Code.

H. Sidewalk Cafes. A sidewalk café shall be permitted if the following requirements are met:

1. An applicant submits scaled plans demonstrating that the café will conform to the following development standards:

   a. At least six (6) feet of clear, unobstructed sidewalk width will remain available for pedestrian use. A six-foot clearance shall be required between any portion of the café area and any sidewalk obstructions such as tree wells, street signs, utility poles, newspaper racks, benches, kiosks, drinking fountains and landscaped areas.

   b. Tables, chairs and other furnishings associated with the café will be located directly adjacent to the building and ground floor space in which food or drink is prepared.

   c. A five (5) foot setback will be maintained from the dining area to a property or lease boundary and from the intersection of the public sidewalk with a driveway, alley, street or another public sidewalk.

   d. If the sidewalk café is limited to one row of tables and chairs parallel to the building, no barriers will be erected to impede access. If a sidewalk café is designed to have more than one such row of tables and chairs, a non-sight obscuring removable barrier not more than three (3) feet high enclosing the tables and chairs shall be constructed. Barrier gates shall not swing into the required unobstructed sidewalk area required in subsection (a) above.

   e. Awnings associated with the café will be installed in accordance with the Building Code. Umbrellas shall not extend into the required unobstructed sidewalk area required in subsection (a) above.

   f. Signs associated with the café will be installed in accordance with Rexburg City Code.

   g. Adequate facilities for the storage of trash and tobacco waste products generated by the café will be provided at a convenient location.

2. An agreement between the applicant and the City is executed and recorded that includes the following provisions:

   a. No alcohol will be consumed on the sidewalk.

   b. All tables and chairs, any barrier, and other sidewalk obstructions associated with the sidewalk café will be removed during the time period between one-half (½) hour after close of business to one-half (½) hour before opening of the business.

   c. Insurance will be continuously maintained to adequately co-insure Rexburg City against any liability associated with the sidewalk café, as reasonably determined by the City. The insurance certificate shall name the City as an "additional insured." Cancellation of such insurance shall require at least thirty (30) days prior notice to the City.

d. Rexburg City, its officers, agents and employees, will be held harmless from any claims, causes of action, injuries, losses, damages, expenses, fees and costs, including attorneys' fees, associated or arising from the operation of the café.

e. The café owner and operator will be responsible for repair of any damage done to the public sidewalk due to the installation or removal of furnishings, barriers or other features of the sidewalk café.

f. Hours of café use will be limited to not earlier than 7:00 A.M. and not later than 11:00 P.M. and will not exceed the operating hours of the associated eating or drinking establishment.

g. Within the sidewalk café the use of sound reproduction equipment will be prohibited and live acoustic music and musical instruments will be allowed, providing sound levels are controlled so as to not disturb other businesses and are kept within legal decibel levels per City noise regulations.

h. Will maintain the sidewalk café and surroundings will be maintained in a neat and clean condition at all times.

i. The Café owner and operator will remove café improvements if necessary for sidewalk repair or replacement, utility maintenance, or upon failure to comply with the terms of the agreement.

3.17.150. Residential Standards

The following standards shall apply to all residential development in the CBD zone. Said standards shall replace and/or supplement other provisions of this zone as applied to residential land uses. In case of conflicting provisions, the most restrictive shall apply to residential uses. Mixed-use projects, where the ground floor use is non-residential (i.e., retail shops on the main floor with apartments over the top), shall be built to the commercial development standards above. Parking shall be calculated for each use individually, based on its own standard.

A. Lot Area Per Dwelling. The minimum lot areas required in this zone are as follows: 8,500 square feet for the first three (3) units, additional units shall not exceed 40 units per acre.

B. Yard Requirements.

1. Front Yard. Each residential lot or parcel in the CBD zone shall have a front yard of at least twenty (20) feet.

2. Side Yards.

a. General. Except as provided in Subsections (3), (4), and (5) of the Rexburg City Code, each residential lot or parcel of land in the CBD zone shall have a side yard of at least ten (10) feet on each side. Buildings exceeding twenty-eight (28) feet shall have side yards of ten (10) feet per side plus an additional one (1) foot of setback for each two feet of building height over twenty (28) feet, to a maximum setback of fifteen (15) feet.

b. Driveway. When used for access to a garage, carport, or parking area having less than five (5) parking spaces, a side yard shall be wide enough to accommodate an unobstructed twelve (12) foot paved driveway for one-way traffic, or a sixteen (16) foot unobstructed paved driveway for two-way traffic.

c. Accessory Building. An accessory building may be located on a side property line subject to compliance with all of the following conditions:

(1) The accessory building must be located at least fifteen (15) feet or more to the rear of the front setback line, and is at least twenty (20) feet from the closest part of any main building.

(2) The accessory building must have facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected. An accessory building which is more than ten (10) feet to the rear of a main building, but which does not conform to all of the above conditions, shall have a side yard of at least five (5) feet.

(3) All other accessory buildings shall maintain the same side yard as a main building.

3. Rear Yard.

a. General. The rear yard shall be twenty-five (25) percent of the lot depth, but need not exceed twenty (20) feet.

b. Accessory Building. An accessory building may be located on the rear property line when said building meets all of the following:

(1) Provides facilities to retain all roof drainage within the property on which said accessory building is located.

(2) An accessory building which is at least ten (10) feet behind the main building but does not meet the above requirements shall be located not less than five (5) feet from the property line.

C. Projections into Yards.

1. The following structures may be erected on or project into any required yard:

a. Fences and walks in conformance with the Rexburg City Code and other City codes and ordinances.

b. Landscape elements including trees, shrubs, agricultural crops, and other plants.

c. Necessary appurtenances for utility service.

2. 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.

a. Belt courses, sills, buttresses, or other similar architectural features.

b. Bays, provided they are not wider than eight (8) feet and are generally parallel to the wall of which they are a part.

c. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty- four (24) inches in height.

D. Building Height. The height of a building or structure, including parking structures, shall be regulated by the requirements of the most recent edition of the Building Code adopted by Rexburg City; except that buildings or portions of buildings within fifty (50) feet of a residential zone shall be limited to thirty-five (35) feet in height, measured at the top of building's horizontal wall, or the maximum height of the affected residential zone. However, all other buildings within the CBD shall not exceed forty-five (45) feet in height, measured at the top of building's horizontal wall.

E. Distance Between Buildings. The minimum distance between any accessory building and a main building on a residential lot in the CBD 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.

F. Parking, Loading, and Access. Each dwelling unit in the CBD zone shall have automobile parking sufficient to comply with the requirements of Rexburg City Code. Required parking for residential uses shall be provided on the subject lot or parcel when possible. When not possible, required parking may be provided on a separate lot or parcel in the vicinity after the approval of a conditional use permit.

G. Landscaping. A minimum of ten (10) percent of the site shall be landscaped. Mixed-use projects shall provide a minimum of twenty (20) percent landscaping with at least one-half of this space used for active

recreation including: playgrounds, picnic areas, sports fields or other areas as approved by the Planning and Zoning Commission.

G. Fencing Standards. The term "fence" shall include any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line. Fences six feet or less in height shall not require a building permit. Fences over six feet in height must obtain a building permit from the Building Inspection Division. Any fence, wall, screen, hedge or other material serving as a fence, shall not create a sight distance hazard to vehicular or pedestrian traffic as determined by the Rexburg City traffic engineer.

The following standards shall apply in all residential projects in the CBD zone:

1. Front Yard. Solid walls, fences, hedges or screening materials which are sight obscuring may be built to a maximum of three (3) feet in any required front yard perimeter.

2. Side Yard. Solid, sight obscuring fences or walls may be built to a maximum of three (3) feet but may slope upward to connect with a higher rear yard fence. The sloped length may not exceed one section or a maximum of ten (10) feet.

3. Rear Yard. Walls and fences in a rear yard may exceed six (6) feet provided that a building permit is first obtained from the Building Inspection Division prior to construction.

4. Entryways. Entry treatments to private driveways or subdivision development entrances may not exceed six (6) feet at the highest point, except lamps on pillars. Pillars shall be allowed to extend up to eighteen inches above the allowable height of a fence provided that the pillars shall have a minimum spacing of no less than six feet, measured face to face.

5. Grade Differences. Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.

6. Retaining Walls. Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

7. Privacy Walls. Privacy walls which project into a required front yard will be subject to staff review.

8. Double Frontage Lots. A fence or wall may be erected in the rear yard of a double frontage lot subject to staff review.

9. Exceptions. The provisions of this Section shall not apply to certain other fences such as tennis court backstops or patio enclosures as approved by the Zoning Administrator, if it is determined that such do not create a hazard or violation of other sections of the Rexburg City Code or other City ordinances. All other exceptions must obtain Planning and Zoning Commission approval.

3.17.160. Architectural Design Standards

A. Introduction. Developments in the Central Business District should implement projects with an overall community design in mind and in conformance with the downtown blueprint hereby adopted. The need exists for Design Standards to be in place to ensure developments are coordinated into the overall community presentation and to preserve the integrity of the existing business district and the downtown as the “center” of the community.

B. Background and Justification. The basis for all development within our Community is set forth in the Development Code, Subdivision Regulations, and the Comprehensive Plan. The Development Code for the City of Rexburg states that the purpose of the Ordinance is to promote the general welfare by establishing and regulating zoning districts.

The purpose of these standards is to augment the existing criteria contained in the CBD Zone and those

contained in the Development Code and Subdivision Ordinance, with more specific interpretations that apply to the design commercial developments in the Central Business District. These standards require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts.

1. **Guiding Downtown principles.** The City of Rexburg values the historical sense of place that the downtown has provided for over a hundred years. Recent studies have identified several guiding principles that will guide the continuation of the downtown core over the next hundred years. These principles are as follows:

   a. Downtown is a Pedestrian-Priority Area.

   b. Downtown is the Civic, social and cultural Center of Rexburg and Madison County.

   c. Downtown is highly attractive to visitors.

   d. Downtown is the Heart of "America's Family Community."

   e. Downtown is a Mixed Use Center which includes Retail, Office, Residential, Entertainment, Culture and Educational facilities.

   f. Downtown is Highly connected to the City, Region and to BYU-Idaho.

   g. Downtown is guided by public-Private Partnerships, Including Agencies.

   h. Circulation System Manages "Through" & "To" Traffic Strategically.

   i. Downtown Way-finding & Parking Systems are User Friendly.

   j. Downtown Hosts a Central Plaza for Community Events & Activities.

   k. Downtown is a great Place to Work, Visit, Shop, Learn & Live.

2. **Downtown Development Framework.** The Development Framework that has been identified and within which the community will pursue a revitalization blueprint is as follows:

   a. Define and Focus Development on Target Markets.

   b. Emphasize Mixed-Use Development with Ground Floor Retail.

   c. Infuse Residential Units Downtown.

   d. Build a Sound Parking System for Employees, Customers, Visitors & Residents.

   e. Build a Pedestrian & Cycling Pathway Network Linking Key Downtown Nodes.

   f. Undertake Infill, Adaptive Re-Use & Historic Preservation. Implement Urban Renewal Program.

   g. Install Small Business Amenities & services to Draw this Market.

   h. Design the Place of Downtown for America's Families.

   i. Connect to Community & Region with Wayfinding, Gateways, Parking, Amenities & Marketing.

   j. Recruit Social Retailers to Reconnect with Major Regional Markets.

   k. Emphasize Rexburg's Rich Heritage in Marketing.

3.17.170. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

HIGHWAY BUSINESS ZONES

3.18 Community Business Center (CBC) Zone

3.18.010. Purpose and Objectives
3.18.020. Permitted Uses
3.18.025. Single Ownership and Control
3.18.030. Lot Area
3.18.040. Lot Width
3.18.050. Lot Frontage
3.18.060. Prior Created Lots
3.18.070. Area of Zone
3.18.080. Yard Requirements
3.18.090. Projections into Yards
3.18.100. Building Height
3.18.110. Distance Between Buildings
3.18.120. Permissible Lot Coverage
3.18.130. Parking, Loading and Access
3.18.140. Project Plan Approval
3.18.150. Other Requirements
3.18.160. Commercial Lighting Standards

3.18.010. Purpose and Objectives

The Community Business Center Zone is established to provide an area in which a general shopping center facility can be established to satisfy the specialty shopping needs of a community or a group of neighborhoods. Each community shopping center will range in area from five (5) to twenty (20) acres, depending upon the area served and the range of specialty shops and services provided.

It is intended that the CBC zone will be characterized by specialty shops situated in an attractively designed shopping center complex surrounded by appropriate landscaping.

The CBC zone will be located adjacent to major thoroughfares or collector streets which will provide immediate access for automobile traffic without passing through residential areas. Uses permitted in the CBC zone will be characterized by a junior department store and a supermarket as anchors, and by a wide range of restaurants, specialty shops and hard goods or soft goods stores.

3.18.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the CBC 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-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four-digit number in which the last one or two digits are zeros.

C. Uses. All such classes listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the CBC 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 CBC zone:

SIC Code	Use
2700	Printing, Publishing (Including Newspapers)
3210 & 3220	Flat Glass, Glassware
3252	Farm Equipment----------
3260	Pottery & Related Products
3510	Laboratory & Research Instruments

3520	Instruments for Measuring
3550	Optical Instruments and Lenses
4121 & 4123	Bus Passenger Terminals
4600	Automobile Parking Lots, Garages
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4841	Sewage pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4844	Sewage pumping stations
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4923	Travel Agencies
5121	Drugs, and Druggist Supplies
5130	Dry Goods and Apparel
5160	Electrical Goods
5170	Hardware, Plumbing, Heating & Supplies
5183	Professional Equipment & Supplies
5210	Lumber Yards and Building Materials
5220	Heating & Plumbing Equipment
5230	Paint, glass, and wallpaper
5240	Electrical supplies
5251	Hardware
5256	Swimming pool supplies
5311	Junior department stores
5312	Discount department stores
5320	Mail and Phone order houses
5330	Variety stores
5390	Retail trade - general merchandise
5399	General Merchandise (Department Variety, etc.)
5400	Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
5431	Seasonal Food Sales (Street or Roadside Stands)
5490	Miscellaneous retail food establishments
5510	Motor Vehicles
5511	New & Used Motor Vehicle
5520	Automobiles accessories (except tire recapping and vulcanizing)
5600	Apparel and accessories
5700	Furniture, home furnishings, and equipment (no combined warehousing)
5810	Eating places (restaurants)
5910	Drug and proprietary stores
5940	Books, stationary, art, and hobby supplies
5950	Sporting goods, bicycles and toys
5969	Garden supplies (entirely within a building only)
5970	Jewelry
5984	Ice dealer (automated machines or pick-up stations only
5990	Miscellaneous retail stores (includes florists, cigars, newspapers and magazines, photo supplies, pet stores, and other similar retail stores)
6100	Banks, insurance, and real estate (offices only)
6200	Personal services - including photography, beauty and barber services, clothing repair, etc. (except 6240 and 6299 wedding chapels and reception centers only)
6211-6213, 6215	Laundry Services
6214	Laundry & Dry Cleaning, Self-Service
6220	Photographic Studios
6230	Beauty and Barber Shops
6240	Funeral and Crematory Services
6250	Laundry Pick-up, Shoe Repair, Alteration
6297	Athletic clubs, body building studios, spas, aerobic centers, (no gymnasiums)

6320	Credit and Collection Services
6330	Duplicating, mailing, stenographic and office services
6360	Employment services
6391	Research and Testing Services
6392	Consulting Services
6394	Equipment Rental and Leasing
6397	Auto and Truck Rental Services
6411	Automobile Repair Services
6412	Automobile Wash Services
6491	Electrical Repair Services
6492	Radio and Television Repair
6493	Watch, clock, jewelry repairs, etc.
6496	Reupholstering and Furniture
6497	Gunsmith
6511	Physicians' offices and services
6512	Dental offices and services
6513	Hospitals
6514	Medical Laboratory Services
6515	Medical Laboratory Services
6520	Legal services
6530	Engineer, architectural and planning services
6590	Miscellaneous professional services
6591	Out-Patient Medical Services
6591	Engineering and Architectural Services
6592	Educational & Scientific Research Services
6593	Accounting and Bookkeeping Services
6611	Building Contractor Offices
6621	Plumbing, Heating, Air Conditioning
6622	Painting, Wall Papering, Decorating
6623	Electrical Services
6624	Masonry, Stonework, and Plastering
6624	Roofing and Sheet-Metal Services
6625	Carpentering, Wood Flooring Installation
6627	Concrete Services
6710	Executive, legislative and judicial functions
6720	Protective functions and related activities
6721	Police protection
6730	Postal services
6811	Nursery School, Daycare Centers
6812 & 6813	Schools
6815	Day Care Centers
6830	Special Training and Schooling
6832	Vocational Schools
6833	Business Schools
6833	Barber and Beauty School
6834	Art and Music Schools
6835	Dancing Schools
6836	Driving Schools
6837	Correspondence Schools
6920	Welfare and Charitable Services
6991	Business Associations
6992	Professional Membership
6993	Labor Organizations
6994	Civil, Social, and Fraternal
7111	Libraries
7112	Museums
7113	Art Galleries
7212	Motion Picture Theatres
7212	Drive-in Movies
7231 & 7214	Auditoriums, Performing Theaters
7311	Fairgrounds
7312	Amusement Parks
7391	Arcades
7392	Miniature Golf
7392	Golf Driving Ranges

7398	Video Rental Shops
7413	Tennis Courts
7414	Ice Skating
7415	Roller Skating
7417	Bowling
	Skiing and Tobogganing
7423	Athletic Fields
7424	Recreation Centers
7425	Athletic Clubs and Gymnasiums
7432	Swimming Pools
	Campgrounds and Travel
7491	Vehicle Courts
7616	Parks (Including Playgrounds)
8110 & 8140	Farming, Fibers, Grains, Fruits, Vegetables
8221	Small Animal Veterinarian Services (Totally Enclosed)
8291	Horticulture Services
	Plant Nurseries
	Call Centers

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the CBC zone provided they are incidental to, and do not substantially alter, the character of the permitted principal use or structure. Such permitted uses and structures include, but are not limited to, the following:

1. Accessory building such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the CBC zone.

2. 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.

F. Conditional Uses. The following uses and structures are permitted in the CBC zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
1512	Motels and motor hotels
3430	Electrical Machinery, Equipment Supplies
3500	Professional, Scientific, Optical Goods
4100	Railroads, Including Terminals and Yards
4214	Bus Garaging, Equipment Maintenance
4221	Motor Freight Terminals
4222	Motor Freight Garaging and Maintenance
4710	Telephone Exchange Stations, Microwave Towers.
4732	Radio and TV Transmitting Stations and Towers
4750	Radio, Television Broadcasting Station
	Other Communication Facilities
	Electric Generation Plants, Utility
4814	Electricity regulating substations
4818	Small generation
4823	Natural or manufactured gas storage; distribution points
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)
4872	Debris basin (A dam and basin for intercepting debris)
4874	Spreading grounds (Area for percolating water into underground)
5121	Farm Products, Grain
	All Other Wholesale
	Shopping Centers, Including Malls
	Other Personal Services
	Other Business Services
5530	Gasoline service stations
6210	Laundry and Dry Cleaning (includes Self-service Laundries)
6299	Personal services (wedding chapels and reception centers only)

6340	Dwelling and building services (not dwelling units)
6373	Refrigerated Warehousing
6374	Food Lockers
6379	Household Goods Warehousing and Storage
6381	Auction houses
6397	Vehicle rental, with the following limitations: (a) That the vehicle rental be limited to passenger cars only. (b) That the storage of vehicles on site not exceed the parking allocated for the leasable floor space of the business. (c) That there is no on-site servicing of the vehicle fleet, including mechanical wash facilities.
6416	Auto washing, polishing, detailing
6417	Auto washing, self-service
6420	Electrical appliance repair
6494	Furniture repair
6498	Saw, knife, and tool sharpening
6499	Miscellaneous small item repair
6611	Building Contractor Storage Yards
6722	Police protection and related activities, branch (Office only)
6911	Churches, Synagogues, Temples
7212	Motion picture theaters
7221 & 7222	Stadiums, Arenas, and Field Houses
7391	Coin-operated amusement or video centers
7392	Miniature golf
7394	Go-Cart Tracks, Four-Wheeler Tracks
7396	Dance halls - ballrooms
7397	Billiard and pool halls
	Radio Controlled Airplanes
7414	Ice skating
7415	Roller skating and Skate Boarding
7416	Riding Stables
7417	Bowling alleys
	Skate Park
	Kennels
8810	Single-family Dwelling
8051	Nursing Home

3.18.030. Lot Area

The minimum area if any lot or parcel of land in the CBC zone shall be five (5) acres; however, smaller lots or parcels may be created as part of an approved and recorded Record of Survey, as specified in City Code. Said land shall be in single ownership or single control for integrated development.

3.18.040. Lot Width

Each lot or parcel of land in the CBC zone shall have an average width of not less than five hundred (500) feet; however, narrower lots or parcels may be created as part of an approved and recorded Record of Survey, as specified in Section 3.17.025, Rexburg City Code.

3.18.050. Lot Frontage

Each lot or parcel of land in the CBC 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 of an approved and recorded Record of Survey, which conforms to provisions as specified in Section 3.17.025, Rexburg City Code. A portion of said frontage may be along the circumference of a cul-de-sac improved to City standards; however, the primary access for a community shopping center shall not be provided from a cul-de-sac street.

3.18.060 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.

3.18.070. Area of Zone

Each single CBC (Shopping Center) zone shall contain a minimum of five (5) acres and a maximum of twenty (20)

acres. The CBC 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 development which has not been designed and constructed as an integrated community shopping center.

3.18.080. Yard Requirements

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

A. Front Yard. Each lot or parcel in the CBC zone shall have a front yard of no less than ten (10) feet. Said front yard shall not be used for vehicular parking and shall be appropriately landscaped.

B. Side Yard. Except as provided in Sub-sections (3), (4), and (5) of the Rexburg City Code, each lot or parcel of land in the CBC zone shall have a side yard of at least ten (10) feet when located adjacent to a residential zone. There shall be no requirement 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:

1. The accessory building is located more than ten (10) feet from any main residential building on an adjacent property.

2. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.

3. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

D. Rear Yard. No requirement.

E. Storage Units. In this zone, all storage units are required to be built internally to a lot. During the "Conditional Use Permit" proceedings, the applicant shall show how the storage units are being buffered from any street rights-of-way and neighboring properties. For example, the most desirous buffering would be commercial buildings. Areas of landscaping greater in distance than the required yard setbacks should be included. These landscaped areas would need large nursery stock shrubs and trees to act as buffering. The landscaping and use of landscaping must be approved by the Planning and Zoning Commission.

3.18.090. Projections into Yards

A. Permitted Projections. The following structures may be erected on or project into any required yard, except required driveways:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements, including trees, shrubs, turf, and other plant material.

3. 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 required driveways shall remain unobstructed from the ground up.

1. Belt course, sills, buttresses, or other similar architectural features.

2. 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.

3. Door stoops, fire escapes, and planter boxes of masonry planters not exceeding twenty four (24) inches in height.

4. 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.

3.18.100. Building Height

No lot or parcel of land in the CBC zone shall have a building or structure which exceeds a height of sixty-five (65) feet, measured at the top of building's horizontal wall. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

3.18.110. Distance Between Buildings

As required by the Building Code.

3.18.120. Permissible Lot Coverage

A. Building Coverage. In a CBC zone in which a majority of the perimeter is contiguous to residential zones, all buildings and structures shall not cover an area of more than seventy (70) percent of the lot or parcel of land upon which they are placed.

On any CBC zone in which a majority of the perimeter is surrounded by residential zones, all buildings and structures shall not cover an area of land more than fifty (50) percent of the lot or parcel of land upon which they are placed. An additional coverage of up to fifteen (15) percent may be permitted at the discretion of the Planning and Zoning Commission that an increase in coverage will be compensated by increased amenities and improved design.

B. Landscaping. In addition to required landscaping, all unpaved areas shall be landscaped.

3.18.130. Parking, Loading and Access

Each lot or parcel in the CBC zone shall have on the same lot or parcel automobile parking sufficient to meet the requirements as set forth in Rexburg City Code.

All parking spaces shall be paved with asphalt 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 yard adjacent to a public street without a minimum 10' wide landscape buffer.

Loading spaces shall be provided as required by the Planning and Zoning Commission.

3.17.140. Project Plan Approval

All Project plans for projects in the CBC 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 and specifications for review by all City Departments and Permitting Authorities.

3.18.150. Other Requirements

A. Signs. All signs erected in the CBC zone shall be in conformance with the sign provision of this Title, and shall be in general compliance with the typical sign program approved by the Planning and Zoning Commission under the provisions of the Rexburg City Code.

B. Uses Within Buildings. All uses established in the CBC 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, equipment rental, ice skating, miniature golf, etc.

C. Landscaping. A minimum of ten (10) percent of the site shall be landscaped. .

D. 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 City of Rexburg Staff prior to installation. Materials used for screening should be consistent with the predominant material found in the exterior construction of the building used by the business served. However, as a minimum, a vinyl fence will be allowed.

E. Walls and Fences.

1. No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a required front yard in a CBC zone.

2. 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, the vinyl fence will be required.

F. 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.

3.18.160. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

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:

SIC Code	Use
1512	Motels and automobile travel courts
1513	Tourist courts
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)

4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4923	Travel Agencies
5230	Paint, glass and wallpaper
5240	Electrical supplies
5251	Hardware
5255	Building maintenance
5256	Swimming pool supplies
5311	Department stores (includes major and junior chain department stores)
5312	Discount department stores
5320	Mail and Phone order houses
5330	Variety stores
5340	Merchandise vending machine operators
5390	Retail trade - general merchandise
5400	Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy, bakeries, etc.)
5490	Miscellaneous retail food establishment
5511	Motor vehicles, automobiles - new car sales and used car sales which will be permitted only as an accessory use to new car sales
5515	Motor vehicles, trucks and buses - new vehicle sales and used vehicles sales permitted only as an accessory use to new truck and bus sales.
5520	Automobile accessories (except tire recapping and vulcanizing)
5530	Gasoline service stations
5600	Apparel and accessories
5700	Furniture, home furnishings, and equipment (no combined ware-housing)
5810	Eating places (restaurants)
5910	Drug and proprietary stores
5940	Books, stationery, art and hobby supplies
5950	Sporting goods, bicycles, and toys
5969	Garden supplies (entirely within a building only)
5970	Jewelry
5984	Ice dealers (automated machines or pick-up stations only)
5990	Miscellaneous retail stores (includes florists, cigars, newspapers and magazines, photo supplies, pet stores, and other similar retail stores)
6100	Banks, insurance and real estate (office only)
6200	Personal services - including photography, beauty and barber services, clothing repair, etc. (except 6240 and 6299 wedding chapels and recreation centers only)
6297	Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)
6330	Duplicating, mailing, stenographic and office services
6360	Employment services
6493	Watch, clock, jewelry repair, etc.
6496	Locksmiths and key shops
6497	Gunsmiths
6511	Physicians offices and services
6512	Dental offices and services
6520	Legal services
6530	Engineering, architectural, and planning services
6550	Data processing services
6590	Professional services
6710	Executive, legislative, and judicial functions
6720	Protective functions and related activities
6730	Postal services
6815	Day Care Center
6833	Beauty Schools
6835	Dance studios and schools
7111	Libraries
7398	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:

1. 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.

2. 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 are permitted in the RBC zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
1511	Hotels
4700	Communications
4814	Electricity regulating substations
4818	Small Generation
4823	Natural or manufactured gas storage; distribution points
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)
4872	Debris basin (A dam and basin for intercepting debris)
4874	Spreading grounds (Area for percolating water into underground)
5313	Surplus store
5594	Motorcycles, motor scooter parts, accessories, supplies
5920	Liquor, package
5931	Antiques (no outside display)
5983	Bottled gas
6210	Laundry and Dry Cleaning (includes Self-service Laundries)
6241	Funeral parlors
6299	Personal services (wedding chapel and reception centers only)
6340	Dwelling and building services (not dwelling units)
6381	Auction houses
6394	Equipment rental (indoor only)
6397	Vehicle rental (passenger auto-mobiles only)
6399	Miscellaneous business services
6416-7	Auto washing and polishing
6420	Electrical appliance repair
6494	Furniture repair
6498	Saw, knife, and tool sharpening
6499	Miscellaneous small item repair
6722	Police Protection and related activities, branch (Office only)
7212	Motion Picture Theaters
7391	Coin-operated amusements or video center
7392	Miniature golf
7396	Dance Halls, Ballroom
7397	Billiard and pool halls
7414	Ice Skating
7415	Roller Skating and Skate Boarding
7417	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. 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. Except as provided in Subsection (3), (4), and (5) of Rexburg City Code 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:

1. The accessory building is located more than ten (10) feet from any main residential building on an adjacent property.

2. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.

3. The accessory building has facilities for the discharge of all drainage onto the lot or parcel on which it is erected.

D. Rear Yard. No requirement.

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:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements, including trees, shrubs, and other plants.

3. 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.

1. Belt courses, sills, buttresses, or other similar architectural features.

2. 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.

3. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. 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.

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.

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 as required by the Planning and Zoning Commission.

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 and specifications for review by all City Departments and Permitting Authorities.

3.19.150. Other Requirements

A. **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:

1. Sign copy shall be limited to the name, logo and address of the development.

2. 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.

3. 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.

4. Sign size shall be limited to one hundred (100) square feet.

5. Sign height shall be limited to twenty (20) feet.

6. No more than two such signs shall be permitted.

7. 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.

B. **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.

C. **Landscaping.** A minimum of ten (10) percent of the site shall be landscaped. In addition, all unpaved areas shall be landscaped.

D. **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 City of Rexburg Staff prior to installation.

E. **Walls and Fences.**

1. 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.

2. 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.

F. **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 Supplementary Regulations under Commercial Design Standards.

3.19.170. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.20 Light Industrial District (LI)

3.20.010. Purpose and Objectives
3.20.020. Permitted Uses
3.20.030. Lot Area
3.20.040. Lot Width
3.20.050. Lot Frontage
3.20.060. Prior Created Lots
3.20.070. Area of Zone
3.20.080. Yard Requirements
3.20.090. Projections into Yards
3.20.100. Building Height
3.20.110. Distance Between Buildings
3.20.120. Permissible Lot Coverage
3.20.130. Parking, Loading, and Access
3.20.140. Project Plan Approval
3.20.150. Other Requirements
3.20.160. Commercial Lighting Standards

3.20.010. Purpose and Objectives

The LI District is established to recognize the need for industrial sites which are generally major and extensive operations, require large level sites with open storage and service areas, and utilize regional transportation such as railway and state highways. Warehousing, Light Industrial, supply yards, and construction yards are compatible with this district.

The LI District is established to provide areas in the City where Light Industrial firms can engage in processing, assembling, manufacturing, warehousing, and storage; and for incidental service facilities and public facilities to serve the manufacturing area. The zone is intended to encourage sound development by providing and protecting an environment for such development, subject to regulations necessary to assure the orderly growth of the City of Rexburg, and the protection of residential and commercial land uses from noise and other disturbances. This zone is to be characterized by flat, open land suited for industrial uses because of the proximity to major transportation routes and the availability of utilities necessary for successful manufacturing or processes. The areas in which this zone will be applied may provide for land reserves for industrial and manufacturing use. Some land may therefore be placed in agricultural and other open land uses until its industrial and manufacturing potential is realized. Representative of the uses within the zone are Light Industrial, fabrication, processing, storage warehousing, and wholesale distribution. Uses which generate excessive noise, vibration, smoke, odor, dust, fumes, or danger of explosion have been excluded from this zone. The basic objectives of the LI zone are:
(1) To provide space for Light Industrial and processing uses within the City in appropriate locations and to discourage uses from locating within this zone which will tend to deteriorate light manufacturing environment, and thwart the use of land for light industrial purposes.
(2) To broaden the tax base and improve the economic base of the community.
(3) To promote new industry to the end that the economic and social well-being of the City and its inhabitants shall be enhanced.
(4) To discourage the undesirable mixture of incompatible commercial, industrial, and residential uses.

3.20.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others are permitted in the LI zone.

B. Numbered Listings. All uses listed 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 or two digits are zeros.

C. Uses. All such classes listed herein and all specified uses contained within them in the Standard Land Use Code will be permitted in the LI 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 LI zone:

SIC Code	Use
2150	Bakery products
2170	Confectionery and related products
2185	Bottling and canning soft drinks and carbonated waters
2200	Textile mill products (except 2296)
2300	Apparel and other finished products made from fabrics, leather, etc. (except 2361)
2500	Furniture and fixtures
2640	Converted paper and paperboard products (except containers and boxes)
2700	Printing, publishing, and allied industries
2844	Perfumes, cosmetics, and other toilet preparations
2893	Printing ink
3120	Rubber footwear
3210	Flat glass
3220	Glass and glassware (pressed or blown)
3250	Pottery and related products
3270	Cut stone and stone products
3427	Office machines (small)
3430	Miscellaneous machinery
3492	Cutlery, hand tools, and general hardware
3500	Professional, scientific, and controlling instruments; photo-graphic and optical goods; watches and clocks (except film manufacturing)
3900	Miscellaneous manufacturing (except 3993 and 3995)
4100	Railroads, rapid-rail transit, and street railway transportation (except 4116 and 4123)
4600	Automobile sales and parking
4700	Communications (except 4712, 4722, 4732, 4742, and 4752)
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4846	Sewage company office
4853	Refuse disposal company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4900	Miscellaneous transportation, communication, and utilities
5100	Wholesale trade (except 5150, 5182, 5191, 5192, 5193, and 5199)
5200	Building materials, hardware, farm equipment, and supplies
5511	New & Used Motor Vehicle
5513	Farm and construction vehicles
5591	Marine craft and accessories
5592	Aircraft and accessories
5593	New and used house trailers and campers
6297	Athletic clubs, body building studios, spas, aerobic centers, (no gymnasiums)
6310	Advertising services
6330	Duplicating, mailing, stenographic, and office services
6340	Dwelling and other building services
6370	Warehousing or storage services
6390	Business services (except 6396 and 6399)
6400	Repair services
6420	Electrical appliance repair

6600	Contract construction services (not open construction storage yards)
6714	Operations centers (not open storage yards)
6800	Educational services
7415	Roller Skating and Skate Boarding
8100	Agriculture (except 8140, 8150, and 8160)
8221	Veterinarian services
8222	Animal hospital services (except large animals)
8290	Other agricultural-related activities

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the LI zone provided they are incidental to, and do not substantially alter, the character of the principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the LI zone.

2. Storage of materials used for construction of buildings, 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.

3. Caretaker dwellings provided that such dwellings comply with the supplementary development standards for caretaker dwellings set forth in the Rexburg City Code.

F. Conditional Uses. The following uses and structures are permitted in the LI zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
2113	Poultry and small game dressing and packing
2120	Dairy products
2132	Canning - specialty foods
2133	Canning - fruits, vegetables, preserves, jams, etc.
2137	Frozen fruits, fruit juices, vegetables, etc.
2811	Industrial inorganic chemicals (includes air separation facilities)
2821	Plastic materials, synthetic resins, and non-vulcanizable elastomers
2830	Drugs
3140	Miscellaneous plastic products
3190	Miscellaneous fabricated rubber products
3360	Nonferrous foundries (small item casting only)
3424	Metal working machinery and equipment (tool and dye shops, machine shops, etc.)
3498	Fabricated wire products
4200	Motor vehicle transportation
4392	Heliport (pad only without maintenance facilities)
4715	Low power radio communication towers and antennas
4814	Electricity regulating substations
4815	Electric utility company office
4818	Small generation
4819	Other electric utility, NEC
4823	Natural or manufactured gas storage; distribution points
4825	Gas company office
4829	Other gas utilities, NEC
4832	Water treatment plants (purification)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4845	Water reclamation plants, sludge drying beds etc.
4849	Other sewage disposal, NEC
4855	Refuse disposals
4861	Combination utilities company storage yards and equipment storage
4869	Combination utilities, NEC
4872	Debris basin (a dam and basin for intercepting debris)
4874	Spreading grounds (area for percolating water into underground)
4890	Other utilities, NEC
5199	Miscellaneous wholesale trade

5511	New and used car sales
5512	Motor vehicles, automobiles (used only)/retail trade
5530	Gasoline service stations
5711	Furniture, home furnishings, and equipment (only in conjunction with an attached warehousing operation)
5713	Draperies, curtains, and upholstery
5811	Restaurants
6214	Industrial laundry services
6399	Miscellaneous business services
6520	Legal services
6591	Accounting, auditing, book-keeping services 6722 Police protection and related activities, branch (office only)
6815	Day nursery or child care center
7396	Dance halls
8160	Pasture and range land

3.20.030. Lot Area
The minimum area of any lot or parcel of land in the LI zone shall be ½ acre.

3.20.040. Lot Width
Each lot or parcel of land in the LI zone shall have an average width of not less than fifty (50) feet.

3.20.050. Lot Frontage
Each lot or parcel of land in the LI zone shall abut a public street for a minimum distance of thirty-five (35) feet on a line parallel to the centerline of said street or along the circumference of a cul-de-sac improved to City standards.

3.20.060. 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 parcel requirements of this Chapter.

3.20.070. Area of Zone
No requirements except that an orderly development pattern following good planning principals shall be used.

3.20.080. Yard Requirements
The following minimum yard requirements shall apply in the LI zone:

A. Front Yard. Each lot or parcel in the LI zone shall have a front yard of not less than ten (10) feet, unless used for parking, in which case it shall be not less than thirty (30) feet, of which the first (10) feet shall be landscaped.

B. Side Yard. No requirement, except as provided in Subsections (3), (4), and (5) of this section, and except where adjoining a residential zone, school, or park, in which case a side yard of not less than twenty (20) feet shall be required.

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:

1. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

3. The accessory building, if adjacent to a residential use or zone, shall not exceed ten (10) feet in height, nor one hundred twenty (120) square feet. Larger accessory buildings shall meet the standard side yard setback for principle buildings in the LI zone.

D. Rear Yard. No requirement, except as provided in Subsections (3), (4), and (5) of this section, and except where adjoining a residential zone, school, or park, in which case a rear yard of not less than twenty (20) feet shall be required.

E. Rear Yard. Accessory Building. An accessory building may be located on a rear property line if, and only if, the following conditions are met:

1. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

3. The accessory building, if adjacent to a residential use or zone, shall not exceed ten (10) feet in height, nor one hundred twenty (120) square feet. Larger accessory buildings shall meet the standard rear yard setback for principle buildings in the LI zone.

3.20.090. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into the required front yard:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances, which includes height limitations.

2. Landscape elements, including trees, shrubs, turf, and other ornamental landscaping materials.

3. Necessary appurtenances for utility service.

B. Permitted Projections with Conditions. The structures listed below may project into a minimum front yard not more than four (4) feet, into a minimum side yard not more than two (2) feet, except that required driveways shall remain unobstructed from the ground up.

1. Belt courses, sills, buttresses, or other similar architectural features.

2. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

3.20.100. Building Height

The height of every building or structure hereafter designed, erected, or structurally altered or enlarged, shall conform to the requirements of the most recent edition of the Rexburg Building Code as adopted by Rexburg City, and shall not exceed 55-feet in height, measured at the top of building's horizontal wall.

3.20.110. Distance Between Buildings

No requirement except as may be dictated by the latest edition of the Rexburg Building Code as adopted by Rexburg City.

3.20.120. Permissible Lot Coverage

No requirement, except as may be dictated by off-street parking requirements and landscaping.

3.20.130. Parking, Loading, and Access.

Each lot or parcel of land in the LI zone shall have on the same lot or parcel automobile parking sufficient to meet the requirements as set forth in the Rexburg Building City Code.

Except as provided in Section, Rexburg City Code, all parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street.

Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk.

Loading spaces shall be provided as required by the Planning and Zoning Commission, using as a guide a standard of one (1) such space per ten thousand (10,000) square feet of gross floor area.

3.20.140. Project Plan Approval

All Project plans for projects in the LI Zone must be prepared and engineered by A/E professionals and be submitted for review and approval from conception on by the Design Review Boards, followed by professional engineered plans and specifications for review by all City Departments and Permitting Authorities.

3.20.150. Other Requirements

A. Signs. All signs erected in the LI zone shall be in conformance with the sign provisions of This Title, and or/ The Sign Code of The City of Rexburg, ID

B. Uses Within Buildings. All uses established in the LI zone shall be conducted entirely within fully-enclosed buildings, except those uses deemed by the Planning and Zoning Commission to be customarily and appropriately allowed in the zone by a conditional use permit with appropriate screening.

C. Trash Storage.

(1) Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way.

(2) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within twenty (20) feet of any public or private right-of-way, sidewalks, or internal pedestrian way.

D. Walls and Fences.

1. No wall, fence, or opaque hedge or screening material shall be placed or erected within an area which would restrict the sight distance for vehicular traffic in the public right-of-way. The clear-vision area as defined in the Rexburg City Codes shall be maintained for clear visibility as required by the Section.

2. 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.

3.20.160. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.21 Heavy Industrial District (HI)

3.21.010. Purpose and Objectives
3.21.020. Permitted Uses
3.21.030. Lot Area
3.21.040. Lot Width
3.21.050. Lot Frontage
3.21.060. Prior Created Lots
3.21.070. Area of Zone
3.21.080. Yard Requirements
3.21.090. Projections into Yards
3.21.100. Building Height
3.21.110. Distance Between Buildings
3.21.120. Permissible Lot Coverage
3.21.130. Parking, Loading, and Access
3.21.140. Project Plan Approval
3.21.150. Other Requirements
3.21.160. Commercial Lighting Standards

3.21.010. Purpose and Objectives

The HI District is established to provide areas in the community where heavy industrial, manufacturing, and extractive uses may be located in an environment which protects them from the encroachment of commercial and residential uses, and which reduces the effect of undesirable characteristics such as odor, dust, and noise upon surrounding residential or commercial areas. The zone is also intended to provide for the development of incidental service facilities such as restaurants, service stations, and public facilities intended primarily to serve the industrial area. The HI (Heavy Industrial) zone should be located in areas which are readily accessible to railroads and major highway routes. Truck traffic generated by the HI zone shall not be required to ingress and egress from industrial areas through a residential area or commercial district. Said zone shall also be located in areas which will insure the purity of air and waters within Rexburg City and will not create hazards to nearby residential, commercial, or Light Industrial areas as the result of noise, dust, fumes, or other disturbances.

The Heavy Industrial District is established to recognize the need for industrial sites which are generally major and extensive operations, require large level sites with open storage and service areas, and utilize regional transportation such as railway and state highways. Warehousing, manufacturing, supply yards, and construction yards are compatible with this district. Zone accommodates heavy industrial uses which may produce some glare, dust, smoke, noise and odor through a conditional use permit (CUP) to assure that land use conflicts are minimized.

The HI (Heavy Industrial) zone will be characterized by the location of open and enclosed manufacturing, processing, and assembly uses which may potentially create hazards, nuisances, or disturbances. These uses will be located in areas which will reduce the effects of these characteristics upon other areas of the community, and in an environment which is attractive but which recognizes the characteristics of the permitted uses. Some peripheral landscaping will be provided, where appropriate, to reduce the effects of the detrimental characteristics of permitted uses, and to enhance the appearance of the entire HI zone.

3.21.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the HI 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-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four-digit number in which the last one or two digits are zeros.

C. Uses. All such classifications listed herein, and all specific uses contained within them in the Standard Land Use Code will be permitted in the HI 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 HI zone:

SIC Code	Use
2100	Food and kindred products (except 2111 and 2194)
2296	Tire cord and fabric
2361	Leather tanning and finishing
2400	Lumber and wood products
2600	Paper and allied products (except 2610 pulp)
2740	Commercial Printing
2800	Chemicals and allied products (except 2892 and 2899)
3360	Nonferrous foundries
3392	Nonferrous forgings
3400	Fabricated metal products (except 3410 ordinate and accessories)
3560	Film manufacturing
3993	Matches
3995	Morticians' goods
3999	Other miscellaneous manufacturing as determined by the Planning and Zoning Commission
4100	Railroad, rapid-rail transit, etc.
4200	Motor vehicle transportation
4600	Automobile parking
4700	Communications (except 4715)
4800	Utilities (except 4812, 4813, and 4822)
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4846	Sewage company office
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4900	Miscellaneous transportation, communications, and utilities
5150	Farm products (raw materials)
5182	Farm machinery and equipment
5191	Metals and minerals (except petroleum products and scrap)
5192	Petroleum bulk stations and terminals
5198	Lumber and construction materials
5199	Miscellaneous wholesale trade as determined appropriate by the Planning and Zoning Commission
5211	Lumber yards
5212	Building materials (except lumber)
5220	Heating and plumbing equipment
5252	Farm equipment
5254	Janitorial supplies
5255	Building maintenance materials
5513	Farm and construction vehicles
5961	Hay, grains, and feed
5969	Other farm and garden supplies as deemed appropriate by the Planning and Zoning Commission
6214	Industrial laundry services
6297	Athletic clubs, body building studios, spas, aerobic centers (no gymnasiums)
6370	Warehousing or Storage Services
6382	Auction yard
6400	Repair Services
6600	Contract construction services

6714	Operation centers
6750	Military facilities
6800	Educational services
8140	Livestock
8150	Animal specialties
8210	Agricultural processing
8220	Animal husbandry services

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the HI 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:

1. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the HI zone.

2. Storage of materials used for construction of buildings, including the 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.

3. Caretaker dwellings, provided that such dwellings comply with the supplementary development standards for caretaker dwellings.

F. Conditional Uses. The following uses and structures are permitted in the HI zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

SIC Code	Use
2111	Meat packing
2194	Animal and marine fats and oils
2610	Pulp
2892	Explosives
2899	Fireworks only
2920	Paving and roofing materials
3130	Reclaimed rubber
3240	Structural clay products
3260	Concrete, gypsum, and plaster products
3286	Non-clay Refractories
3310	Blast furnaces, steel works, etc.
3320	Iron and steel foundries
3330	Primary smelting and refining of nonferrous metals
3340	Secondary smelting and refining of nonferrous metals
3350	Rolling, drawing, and extruding of nonferrous metals
3410	Ordinate and accessories
4390	Heliport landing/take-off pads, with maintenance facilities
4715	Low Power Radio Communication Towers and Antennas
4812	Electric generation plants-conventional fuel including hydro-electric, solar, etc.)
4813	Electric generation plants - nuclear energy
4823	Natural or manufactured gas storage; distribution points
5193	Scrap and waste materials
5199	Fire arms - ammunition only
5530	Gasoline service stations
5810	Eating places
5935	Second-hand auto parts (includes dismantling of automobiles for purposes of selling parts)
5938	Junk dealers and salvage operations
6394	Equipment rentals and leasing services
6397	Truck and trailer rentals without drivers
6411	Truck repair
6722	Police Protection and related activities, branch (Office only)
6815	Day nurseries and child care centers
7396	Dance Halls
8140	Livestock
8601	Recycle Center

3.21.030. Lot Area
The minimum area of any lot or parcel of land in the HI zone shall be one acre.

3.21.040. Lot Width
Each lot or parcel of land in the HI zone shall have an average width of not less than one hundred fifty (150) feet.

3.21.050. Lot Frontage
Each lot or parcel of land in the HI zone shall abut on a public street for a minimum distance of fifty (50) feet.

3.21.060. 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 reasons of nonconformance with the lot requirements of this Chapter.

3.21.070. Area of Zone
No requirements provided that the extension of said HI zone is orderly and the purposes and objectives of the zone have been met.

3.21.080. Yard Requirements
The following minimum yard requirements shall apply in the HI zone:

A. Front Yard. Each lot or parcel of land in the HI zone shall have a front yard of at least ten (10) feet, unless used for parking, in which case it shall be not less than twenty-five (25) feet, of which the first ten (10) feet shall be landscaped.

B. Side Yard. Except as provided in Subsections (3) and (4) of this section, there shall be no side yard requirement unless imposed by the Planning and Zoning Commission to protect adjacent properties against the undesirable characteristics of a particular use; or as required by the latest provisions of the Rexburg Building Code.

C. Side Yard. Accessory Building. An accessory building may be located on a side property line only if all of the following conditions are met and is acceptable to the Planning and Zoning Commission:

1. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.
2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.
3. The accessory building, if adjacent to a residential use or zone, shall not exceed ten (10) feet in height, nor one hundred twenty (120) square feet. Larger accessory buildings shall meet the standard side yard setback for principle buildings in the HI zone, or as required by the Planning and Zoning Commission.
4. Proposal complies with the most recent edition of the Rexburg Building Code.

D. Rear Yard. No requirement, except in those instances where the rear property line abuts on a residential or commercial zone in which case the rear yard shall be the same as that required by the adjacent zone, or as determined by the Planning Commission to mitigate potential nuisances.

E. Rear Yard. Accessory Buildings. **Same as Side Yard accessory setbacks.**

3.21.090. Projections into Yards
A. Permitted Projections. The following structures may be erected on or project into any required yard, except that they shall not obstruct a required driveway:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, and other plants.

3. Necessary appurtenances for utility service.

B. Permitted Projections with Conditions. The structures listed below may project into a minimum front yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet, except that required driveways must remain unobstructed from the ground upward.

1. Belt courses, sills, buttresses, or other similar architectural features.

2. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

3.21.100. Building Height

The height of every building or structure hereafter designed, erected, or structurally altered or enlarged, shall conform to the requirements of the most recent edition of the Rexburg Building Code as adopted by Rexburg City, and shall not exceed 55-feet in height, measured at the top of building's horizontal wall.

3.21.110. Distance Between Buildings

No requirement except as may be imposed by the most recent edition of the Building Code as adopted by Rexburg City.

3.21.120. Permissible Lot Coverage

No requirements, except as may be imposed by off-street parking requirements and by the Planning and Zoning Commission to reduce the undesirable effects of a particular use upon adjacent properties.

3.21.130. Parking, Loading, and Access

Each lot or parcel in the HI District shall have on the same lot or parcel, automobile parking sufficient to meet the requirements as set forth in the Rexburg City Codes.

Except as provided in the, Rexburg City Codes, all parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with a paved access from a public street.

Loading spaces shall be provided as required by the Planning and Zoning Commission, using as a guide a standard of one (1) space per ten thousand (10,000) square feet of floor area.

3.21.140. Project Plan Approval

All Project plans for projects in the HI District 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 and specifications for review by all City Departments and Permitting Authorities.

3.21.150. Other Requirements

A. **Signs.** All signs erected in the HI zone shall be in conformance with the sign provisions of Rexburg City Code.

B. **Uses Within Buildings.** No requirement, except as may be imposed by the Planning and Zoning Commission in conjunction with the issuance of a conditional use permit.

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 City of Rexburg Staff prior to installation.

D. **Walls and Fences.**

1. No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a front yard in the HI District.

2. 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.

E. **Transitional Development Standards.** Transitional development standards shall be the same as those in the Light Industrial (LI) zone.

3.21.160. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

OTHER ZONES

3.22 Sexually-Oriented Business Overlay (SOB)

3.22.010. Purpose
3.22.020. Definitions
3.22.030. Zoning and Location Requirements
3.22.040. Development Standards

3.22.010. Purpose

The purpose of this Chapter is to establish a SOB (Sexually-Oriented Business) Overlay Zone that reasonably governs the location of sexually-oriented businesses in order to avoid adverse secondary effects which may result from the operation of such businesses. This Chapter shall be construed to protect the governmental interests recognized by this Chapter in a manner consistent with protections provided by the United States Constitution and the Idaho Constitution.

3.22.020. Definitions

Terms involving sexually-oriented businesses shall have the meaning set forth in Chapter 2 of this Ordinance.

3.22.030. Zoning and Location Requirements

A. Location. Any sexually-oriented business licensed as an adult business or a semi-nude entertainment business shall be permitted only within the Sexually-oriented Business Overlay Zone as shown on the Zoning Map of the City of Rexburg.

B. Requirements. No sexually-oriented business shall operate within 1000 feet of any of the following:

1. A residential zone boundary line as shown on the Rexburg City Zoning Map.

2. The property boundary of any church, public park, public library, or school (as set forth in classification numbers 6811, 6812, 6813, and 6814 of the duly adopted Standard Land Use Code).

3. The boundary of any property for which a sexually oriented business license earlier has been issued and has not expired.

4. No church, public park, public library, or school (as set forth in classification numbers 6811, 6812, 6813, and 6814 of the duly adopted Standard Land Use Code) shall be established closer than 1000 feet from any sexually-oriented business.

5. For the purpose of this Section, the distance from any church, public park, public library, or school (as set forth in classification numbers 6811, 6812, 6813, and 6814 of the duly adopted Standard Land Use Code) shall be measured in a straight line from the nearest point of the line of any property on which a sexually-oriented business is operating, or is proposed to operate, to the nearest residential zone boundary line or property boundary line of any church, public park, public library, or school, as the case may be.

3.22.040. Development Standards

A. Standards. Each sexually-oriented business shall be subject to all development standards of the underlying commercial zone in which it is located, including, but not limited to, setbacks, building height, projections, design standards, etc.

1. Off-street parking shall be provided as required for the land use classification listed in this Ordinance, Off-Street Parking Standards, to which the sexually-oriented business is most closely related.

2. Signs for each sexually-oriented business shall be limited to the following:

   a. All signs shall be flat wall signs.

b. The maximum area of all signs shall not exceed one square foot of sign area per foot of building frontage on a public street.

c. Banner signs or similar are not permitted.

d. Electronic reader board signs or similar are not permitted.

e. Flashing lights and any lights that together create motion of any kind are not permitted.

3. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or in any area where they can be viewed from a public sidewalk.
4. Deliveries of any kind to the establishment shall not be left on the exterior of the building at any time. Any merchandise whether exposed of packaged shall not be stored permanently or temporarily on the exterior of the building.

3.23 Professional Office Zone (PO)

The Professional Office Zone is established to create a buffering effect between residential uses and traffic associated with arterial and collector streets; and to promote non retail professional and service uses that are compatible with adjacent residential uses.

3.23.010. Purpose and Objectives
3.23.020. Permitted Uses
3.23.025. Single Ownership or Control
3.23.030. Lot Area
3.23.040. Lot Width
3.23.050. Lot Frontage
3.23.060. Prior Created Lots
3.23.070. Area of Zone
3.23.075 Professional Offices on Less Than One Acre
3.23.080. Yard Requirements
3.23.100. Building Height
3.23.110. Distance Between Buildings
3.23.120. Permissible Lot Coverage
3.23.130. Parking, Loading and Access
3.23.140. Project Plan Approval
3.23.150. Reversion of Zoning
3.23.160. Other Requirements
3.23.170. Architectural Design Standards
3.23.180. Commercial Lighting Standards

3.23.010 Purpose and Objectives

The PO zone is established to provide locations beyond the central area of the City, primarily along arterial or major collector streets which will accommodate offices or laboratories for professional persons and other related uses. This zone should not be established in a "strip" zoning manner along major streets but should be concentrated to provide easy accessibility to the public. The zone is intended to provide availability of professional services conveniently to all neighborhoods in the community. Uses permitted in the PO zone would typically include offices for doctors, dentists, accountants, and other similar professions, medical and dental laboratories, and pharmacies.

3.23.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the PO zone.

B. Numbered Listings. All uses listed 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-digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four-digit number in which the last one or two 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 PO 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 PO zone:

SIC Code	Use
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity.
4835	Irrigation distribution channels

4836	Water pressure control stations and pumping plants
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4864	Combination utilities right-of-way (Identifies areas / where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4923	Travel Agencies
5912	Prescription pharmacy (intended for the convenience of permitted establishments and/or clients thereof, provided that no business occupies more than fifteen (15) percent of the total floor area of the building in which it is located and has no separate entrance)
6100	Financial, Insurance and Real Estate Services
6311	Advertising services (office only)
6320	Consumer credit services
6330	Duplicating, stenographic, and office services
6340	Dwelling, janitorial, and other building services (office only)
6350	News syndicate services (office only)
6360	Employment services
6390	Miscellaneous business services (office only)
6500	Professional Services (except 6513, 6515 Behavior, drug and alcohol treatment; office only, no lodging or bed facilities, 6516)
6710	Executive, legislative, and judicial offices
6900	Miscellaneous service organizations (office only)
7112	Museums
7398	Video Rental Shops

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the PO 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:

1. Accessory buildings such as garages, carports, supply storage buildings, and similar structures which are customarily used in conjunction with, and are incidental to, principal uses and structures allowed in the PO zone.

2. Storage of materials used for the construction of a building including a temporary contractor's office and/or tool shed, provided that such uses are on the building site or immediately adjacent thereto and provided that such use shall be for only the period of construction and thirty (30) days thereafter.

F. Conditional Uses. The following uses and structures are permitted in the PO zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

SIC Code	Use
4700	Communications (Subject to Section Rexburg City Code)
4814	Electricity regulating substations
4818	Small generation
4829	Other gas utilities, NEC
4834	Water storage as part of a utility system (covered including water storage standpipes)
4872	Debris basin (A dam and basin for intercepting debris)
4874	Spreading grounds (Area for percolating water into underground)
5320	Mail and phone order houses (Only on in historic buildings arterial streets)
5391	Dry goods and general merchandise (yarn, linen, crafts, fabric, etc.) (Only in historic buildings on arterial streets)
5441	Candy, nut, and confectionery (only in historic buildings)
5600	Apparel and accessories (Only in historic buildings on arterial streets)
5811	Restaurants, subject to the following conditions:

(a) That the restaurant be architecturally compatible with surrounding buildings.

(b) That there be no short order/fast food or drive-in restaurants.

(c) That signs, landscaping, number of employees, and distance from existing commercial zones,

and related matters, shall be factors considered in the review and approval of a conditional use permit.

5900	Miscellaneous retail trade (except 5912, 5920, 5930, and 5980; only in historic buildings as defined in this Title)
5932	Second hand clothing, shoes, furniture and books (does not include 5933, flea markets, or 5936, thrift stores) (Only on arterial streets)
6220	Photography studio (Only in historic buildings on arterial streets)
6230	Beauty and barber shop (Only in historic buildings on arterial streets)
6241	Mortuary (Only in historic buildings on arterial streets)
6299	Wedding chapels and reception centers
6513	Hospitals
6515	Behavior, drug & alcohol treatment
6516	Sanitariums, convalescent and rest home services
6722	Police protection and related activities, branch (Office only)
8221	Veterinarian services, subject to the following conditions:

(a) experimental or scientific research activities are prohibited.

(b) No on-site disposal of dead animals.

(c) The facility shall be located completely within an air-conditioned and soundproofed building.

(d) Animal noise shall not be audible at the nearest property line.

(e) Overnight boarding shall be limited to animals receiving treatment on the premises.

(f) Services shall be limited to small animals only.

(g) No services shall be permitted for poisonous or dangerous animals.

3.23.025. Single Ownership or Control

A. Ownership or Control. Land within a given PO zone, for which a preliminary project plan has been approved, shall be in single ownership or single control in order to provide for integrated development. 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 this Title.

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 portions of the Code and other Building Codes adopted by the City.

B. Rezoning. Upon Rezoning and the granting of Preliminary Project Plan Approval a notice must be recorded with the County Recorder's Office, on all properties within the zoned area, indicating the zoning, the requirement for single ownership or single control of the development, the existence of Covenants, Conditions, and Restrictions on the development, and the requirements for common management through the developments association to guarantee perpetual integration and maintenance.

C. Developments. Developments within the PO Zone must provide for common management throughout the development by establishing an association and providing management provisions within the required Covenants, Conditions, and Restrictions. The Association management will enforce the covenants, and provide perpetual maintenance of the development.

D. Failure to maintain single ownership or control. 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 PO zone.

3.23.030. Lot Area

The minimum area of any lot or parcel of land in the PO zone shall be one (1) acre; provided, however, that smaller lots or parcels may be created:

(a) pursuant to the provisions of City Code, or

(b) as part of an approved and recorded Record of Survey, as specified in City Code. The area of land within such Record of Survey shall be at least one (1) acre.

3.23.040. Lot Width

Each lot or parcel of land in the PO zone shall have an average width of not less than two hundred (200) feet; however, narrower lots or parcels may be created as part of an approved and recorded Record of Survey.

3.23.050. Lot Frontage

Each lot or parcel of land in the PO zone shall abut a public street for a minimum distance of two hundred (200) feet, on a line parallel to the centerline of a street or along the circumference of a cul-de-sac improved to City standards; 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, as specified in City Code. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.23.060. 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 parcel requirements of this Chapter.

3.23.070. Area of Zone

Except as provided in Section 3.22.075, Rexburg City Code, each single PO zone shall contain a minimum of one (1) acre, and a maximum of twenty (20) acres. The PO zone shall not be applied to an existing area which does not meet these area requirements, and shall not be applied to an existing office development which has not been designated and constructed as an integrated professional office complex.

3.23.075. Professional Offices on Less Than One Acre

A. Permitted Professional Offices with Conditions. In order to further neighborhood objectives set forth in the General Plan, professional offices located on a lot or parcel of land which is less than one (1) acre may be allowed so long as:

1. The proposed use is located on a lot that:

    a. Is at least one-half (½) acre in area.

    b. Has frontage on a collector or arterial street for a distance of at least one hundred (100) feet.

    c. Has an average lot width of at least one hundred (100) feet.

2. The Planning and Zoning Commission finds that potentially adverse land use impacts of the proposed use upon the neighborhood resulting from the circumstances set forth in subsection (2) of this section will be mitigated and the safety and well being of the area will be maintained.

B. Land Use Impacts. Land use impacts to be evaluated in applying subsection (1) of this section shall include the following:

1. A substantial increase in daily or peak hour traffic.

2. A change in circulation patterns on or around the property.

3. A significant increase in parking demand.

4. A change in the density of people on the site.

5. Hours of operation of the proposed uses.

6. Any increased environmental impact, such as noise or air pollution; offensive odors; excessive illumination or glare, etc.

C. Lots One Acre or More. This section shall not apply to any lot in a PO zone which is one (1) acre or more. Notwithstanding the provisions of this section, no such lot shall be subdivided into a size which is less than one (1) acre.

3.23.080. Yard Requirements

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

D. Front Yard. Each lot or parcel in the PO zone shall have a front yard of not less than ten (10) feet. Said front yard shall not be used for vehicular parking spaces or drive aisles and shall be appropriately landscaped.

E. Side Yard. Except as provided in Subsections (3), (4), and (5) of the Rexburg City Code, each lot or parcel of land in the PO 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.

F. 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:

1. The accessory building is located more than ten (10) feet from any main residential building on an adjacent property.

2. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.

3. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

4. Accessory buildings are less than 120-square feet and under 10-feet in height.

G. Rear Yard. Same as adjacent zone. If adjacent zone is Professional Office, than no setback is required.

3.23.090. Projections Into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with the City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, and other plants.

3. 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, except that a required driveway shall remain unobstructed from the ground up.

1. Belt courses, sills, buttresses, or similar architectural features.

2. Fireplace structures and bays provided that they are not wider than eight (8) feet measured generally parallel to the wall of which they are a part.

3. Ramps, door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. Carport and loading docks in a side yard or rear yard, provided that such 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.

3.23.100. Building Height

A. Permitted Building Height. No lot or parcel of land in the PO zone shall have a building or structure which exceeds thirty-five (35) 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.

B. Two Story Buildings. Buildings with a height greater than two (2) stories may be allowed with the issuance of a Conditional Use Permit by the Planning and Zoning Commission.

3.23.110. Distance Between Buildings

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

3.23.120. Permissible Lot Coverage

A. Building Coverage. In a PO zone, all buildings and structures shall not cover an area of more than eighty (80) percent of the lot or parcel of land upon which they are placed.

B. Parking Structures. Parking structures shall be exempt from lot coverage requirements. Provided, however, that parking structures shall be screened and buffered from adjacent properties and public view as required.

3.23.130. Parking, Loading, and Access

Each lot or parcel of land in the PO zone shall have on the same lot or parcel, automobile parking sufficient to meet the requirements for professional offices or similar permitted uses as set forth in Rexburg City Code.

All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with paved access from a public street.

Parking spaces and drive aisles shall not be provided within a required front yard.

3.23.140. Project Plan Approval

All Project plans for projects in the PO Zone must be prepared and engineered by A/E professionals and be submitted for review and approval from conception on by the Design Review Boards, followed by professional engineered plans and specifications for review by all City Departments and Permitting Authorities.

3.23.150. Reversion of Zoning

If a project plan has not been approved within two (2) years of the establishment of the PO zone to a specific property, the Planning and Zoning Commission will automatically initiate a rezoning action to revert said property to the zone existing on said land prior to the establishment of the PO zone. An approved project plan or preliminary project plan shall be in effect for all PO zones. In the event an approved project plan or preliminary project plan expires, a rezoning action to revert said zone shall be initiated.

3.23.160. Other Requirements

A. Signs. All signs erected in the PO zone shall be in conformance with the sign provisions of City Code and shall be in general compliance with the typical signing program described in the provisions of City Code. Signs proposed to be erected in the PO zone shall be placed in the same classification with signs permitted in shopping center zones.

B. Landscaping. A minimum of ten (10) percent of the site shall be landscaped

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 City of Rexburg Staff prior to installation.

D. Walls and Fences.

1. No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a required front yard in a PO zone.

2. A minimum vinyl fence at least six (6) feet in height shall be erected along all property lines which lie immediately adjacent to any residential zone, except that alternative screening may be used which may include a landscape hedge of six (6) feet at a two (2) year maturity, wood fence or a combination of landscaping with chain-link, with or without slats. In the case where there is mutual agreement by adjoining property owners and approved by the Planning and Zoning Commission or its designee, this requirement may be waived.

3.23.170 Architectural Design Standards

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

3.23.180. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.24 Technology and Office Zone (TOZ)

3.24.010. Purpose and Objectives
3.24.020. Permitted Uses
3.24.030. Lot Area
3.24.040. Lot Width
3.24.050. Lot Frontage
3.24.060. Prior Created Lots
3.24.070. Yard Requirements
3.24.080. Projections into Yards
3.24.090. Building Height
3.24.100. Distance Between Buildings
3.24.110. Permissible Lot Coverage
3.24.120. Parking, Loading and Access
3.24.130. Conditional Use Permit for a Reduction in the Parking Required for Accessory Housing in a TOZ Zone
3.24.140. Project Plan Approval
3.24.150. Other Requirements
3.24.160. Architectural Design Standards
3.24.170. Commercial Lighting Standards
3.24.080. Projections Into Yards
3.24.090. Building Height
3.24.100. Distance Between Buildings
3.24.110. Permissible Lot Coverage
3.24.120. Parking, Loading, and Access
3.24.130. Project Plan Approval
3.24.140. Reversion of Zoning
3.24.150. Other Requirements
3.24.160 Architectural Design Standards
3.24.170 Commercial Lighting Standards

3.24.010. Purpose and Objectives

The TOZ zone is created to take advantage of technology developed and expertise available at the University and the transfer of technology to the private sector. It is intended that a high quality environment be established in this zoning district compatible with the BYU-I Campus and the City Central Business District. Permitted uses include but are not limited to those directly involved in research and development, manufacture of prototype goods or goods from prototype machinery or processes; limited Light Industrial beyond prototype compatible with a research and development environment; and a limited range of office uses that could provide services to the research and development functions or could be converted to research and development uses as the market for such space warrants.

3.24.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the TOZ zone.

B. Numbered Listings. All uses listed 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 TOZ 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 TOZ zone:

SIC Code	Use

2861	Softwood distillates
3571	Computers: digital, analog & hybrid
3572	Computer storage units mfg
3575	Computer terminals mfg
3577	Computer output to microfilm units, computer peripheral equipment-mfg
3695	Computer software tape and disks, blank: rigid and floppy - mfg
3823	Computer interface equipment for industrial process control-mfg
3845	Computerized axial-tomography (CT/Cat Scanner apparatus - mfg
4700	Communications (Subject to Section Rexburg City Code)
5045	Computer terminals-wholesale
5112	Computer paper-wholesale
5734	Computer Stores-retail
5900	Miscellaneous retail trade (except 5912, 5920, 5930, and 5980; only in historic buildings as defined in this Title)
5961	Computer software, mail-order-retail
6220	Photography studio (Only in historic buildings on arterial streets)
6230	Beauty and barber shop (Only in historic buildings on arterial streets)
672	Police protection and related activities, branch (Office only)
7299	Computer photography or portraits
7371	Computer programming services and program software-custom
7372	Computer software publishers, pre-packaged
7377	Computer peripheral equipment, rental & leasing.
7378	Computer peripheral equipment repair & maintenance
8221	Veterinarian services, subject to the following conditions: (a) Experimental or scientific research activities are prohibited. (b) No on-site disposal of dead animals. (c) The facility shall be located completely within an air-conditioned and soundproofed building. (d) Animal noise shall not be audible at the nearest property line. (e) Overnight boarding shall be limited to animals receiving treatment on the premises. (f) Services shall be limited to small animals only. (g) No services shall be permitted for poisonous or dangerous animals.
8242	Computer repair training
4923	Travel Agencies
5912	Prescription pharmacy (intended for the convenience of permitted establishments and/or clients thereof, provided that no business occupies more than fifteen (15) percent of the total floor area of the building in which it is located and has no separate entrance)
6100	Financial, Insurance and Real Estate Services
6311	Advertising services (office only)
6320	Consumer credit services
6330	Duplicating, stenographic, and office services
6340	Dwelling, janitorial, and other building services (office only)
6350	News syndicate services (office only)
6360	Employment services
6390	Miscellaneous business services (office only)
6500	Professional Services (except 6513, 6515 Behavior, drug and alcohol treatment; office only, no lodging or bed facilities, 6516)
6710	Executive, legislative, and judicial offices
6900	Miscellaneous service organizations (office only)
7371	Software programming, systems analysis-custom
7372	Software, computer- wholesale
7373	Computer-aided engineering/design systems services also CAD, CAM.
7377	Computer hardware renting or leasing, except finance leasing or from the manufacturer
7379	Computer consultants
	Call Center

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the TOZ 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:

1. Accessory buildings such as garages, carports, supply storage buildings, and similar structures which are customarily used in conjunction with, and are incidental to, principal uses and structures allowed in the TOZ zone.

2. Storage of materials used for the construction of a building including a temporary contractor's office and/or tool shed, provided that such uses are on the building site or immediately adjacent thereto and provided that such use shall be for only the period of construction and thirty (30) days thereafter.

F. Conditional Uses. The following uses and structures are permitted in the TOZ zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

SIC Code	Use
4700	Communications (Subject to the Rexburg City Code)
5811	Restaurants, subject to the following conditions: (a) That the restaurant be architecturally compatible with surrounding buildings. (b) That there be no short order/ fast food or drive-in restaurants. (c) That signs, landscaping, number of employees, and distance from existing commercial zones, and related matters, shall be factors considered in the review and approval of a conditional use permit.
5900	Miscellaneous retail trade (except 5912)

3.24.030. Lot Area

A. Minimum Lot Area. The minimum area of any lot or parcel of land in the TOZ zone shall be one half (1/2) acre; provided, however, that smaller lots or parcels may be created:

1. Pursuant to the provisions of City Code; or

2. As part of an approved and recorded subdivision plat, as specified in City Code. The area of land within such Record of Survey shall be at least one (1) acre.

3.24.040 Lot Width

Each lot or parcel of land in the PO zone shall have an average width of not less than one hundred (100) feet; however, narrower lots or parcels may be created as part of an approved and recorded subdivision plat.

3.24.050. 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 parcel requirements of this Chapter.

3.24.070. Yard Requirements

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

A. Front Yard. Each lot or parcel in the TOZ zone shall have a front yard of not less than ten (10) feet. Said front yard shall not be used for vehicular parking or maneuvering and shall be appropriately landscaped.

B. Side Yard. Except as provided in Subsections (3), (4), and (5) of the Rexburg City Code, each lot or parcel of land in the PO 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:

1. The accessory building is located more than ten (10) feet from any main residential building on an adjacent property.

2. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.

3. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

D. Rear Yard. No requirement.

3.24.080. Projections Into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with the City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, and other plants.

3. 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, except that a required driveway shall remain unobstructed from the ground up.

1. Belt courses, sills, buttresses, or similar architectural features.

2. Fireplace structures and bays, provided that they are not wider than eight (8) feet measured generally parallel to the wall of which they are a part.

3. Ramps, door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. Carport and loading docks in a side yard or rear yard, provided that such 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.

3.24.090. Building Height

A. Permitted Height. No lot or parcel of land in the TOZ zone shall have a building or structure which exceeds fifty-five (55) 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.

3.24.100. Distance Between Buildings

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

3.24.110. Permissible Lot Coverage

A. Building Coverage. In a TOZ zone, all buildings and structures shall not cover an area of more than eighty (80) percent of the lot or parcel of land upon which they are placed.

B. Parking Structures. Parking structures shall be exempt from lot coverage requirements. Provided, however, that parking structures shall be screened and buffered from adjacent properties and public view as required Design Review.

3.24.120. Parking, Loading, and Access

Each lot or parcel of land in the TOZ zone shall have on the same lot or parcel, automobile parking sufficient to

meet the requirements for professional offices or similar permitted uses as set forth in the, Rexburg City Code.

All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with paved access from a public street.

Parking spaces and maneuvering areas shall not be provided within a required front yard.

3.24.130. Project Plan Approval

All Project plans for projects in the TOZ 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 and specifications for review by all City Departments and Permitting Authorities.

3.24.140. Reversion of Zoning

If a project plan has not been approved within two (2) years of the establishment of the TOZ zone to a specific property, the Planning and Zoning Commission will automatically initiate a rezoning action to revert said property to the zone existing on said land prior to the establishment of the TOZ zone. An approved project plan or preliminary project plan shall be in effect for all TOZ zones. In the event an approved project plan or preliminary project plan expires, a rezoning action to revert said zone shall be initiated.

3.24.150. Other Requirements

A. Signs. All signs erected in the TOZ zone shall be in conformance with the sign provisions of City Code and shall be in general compliance with the typical signing program described in the provisions of City Code. Signs proposed to be erected in the TOZ zone shall be placed in the same classification with signs permitted in shopping center zones.

B. Landscaping. A minimum of ten (10) percent of the site shall be landscaped

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 City of Rexburg Staff prior to installation.

D. Walls and Fences.

1. No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a required front yard in a TOZ zone.

2. A minimum vinyl fence at least six (6) feet in height shall be erected along all property lines which lie immediately adjacent to any residential zone, except that alternative screening may be used which may include a landscape hedge of six (6) feet at a two (2) year maturity, wood fence or a combination of landscaping with chain-link, with or without slats. In the case where there is mutual agreement by adjoining property owners and approved by the Planning and Zoning Commission or its designee, this requirement may be waived.

E. Transitional Development Standards. Where a lot in any business, commercial, manufacturing, industrial zone borders a residential zone, the standards set forth in City Code shall apply

3.24.160 Architectural Design Standards

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

3.24.170. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.25 Public Facilities Zone (PF)

3.25.010. Purpose and Objectives
3.25.020. Permitted Uses
3.25.030. Lot Area
3.25.040. Lot Width
3.25.050. Lot Frontage
3.25.060. Prior Created Lots
3.25.070. Lot Area Per Dwelling
3.25.080. Yard Requirements
3.25.090. Projections into Yards
3.25.100. Building Height
3.25.110. Distance Between Buildings
3.25.120. Permissible Lot Coverage
3.25.130. Parking, Loading and Access
3.25.140. Conditional Use Permit for a Reduction in the Parking Required for Accessory Housing in a Public Facility Zone
3.25.150. Project Plan Approval
3.25.160. Other Requirements
3.25.170. Re-use of Public Facilities
3.25.180. Commercial Lighting Standards

3.25.010. Purpose and Objectives

The PF Zone is established to provide areas for the location and establishment of facilities which, under public franchise, ownership, or private enterprises operating for the public convenience and necessity, provide public services such as electricity, gas, communication, transportation, water, sewage treatment, education, religious activities and other public assembly, cultural facilities, parks, recreation etc. and which utilize relatively large areas of land. The Public Facilities Zone is established to protect the present and long term public uses including the airport and airport facilities. Uses such as airport related activities, warehousing, open space, and agricultural uses are harmonious with the Zone. Height restrictions within this district are determined by the City's ordinance regulating the approach zone of the airport under FAR part 77, Airspace, and as listed below.

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. Typical uses permitted in the PF zone are public schools, public parks, hospitals, airports, public utilities, public equipment storage areas, and public shop areas. Though some of these uses will be allowed in other zones to initially accommodate public facilities in appropriate areas without undue difficulty, it is intended that the PF zone would then be applied to all such facilities for ease of recognition and accurate statistical indexing.

3.25.020. Permitted Uses

A. Categories. Except as provided in Section 9.19.020, Rexburg City Code, those uses or categories of uses as listed herein, and no others, are permitted in the PF 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 groups 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 zeroes.

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 PF 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 PF zone:

SIC Code	Use
	Housing Authority offices and administration

4500	Highways and street rights-of-way
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the rights of- way of the activity)
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants
4837	Water utilities or irrigation company office
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4862	Gas and electric utility company office
4863	Water and electric utility company office
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
6700	Governmental services (except 6714, 6722 and 6740)
6810	Nursery, primary, and secondary education
6820	University, college, junior college, professional school education
6830	Special training and schooling
7100	Cultural activities and nature exhibits
7400	Recreational activities (except 7417, 7425, and 7450)
7600	Parks
9210	Forest Reserves

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the PF 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:

1. 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.

2. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code;

3. 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;

4. 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;

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the PF zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

SIC Code	Use
1292	Residential facility for persons with a disability
3442	Aircraft manufacturing and assembling (in or adjacent to an airport)
3443	Aircraft engines and engine parts (in or adjacent to an airport)
3444	Aircraft parts other than engines (in or adjacent to an airport)
4100	Railroad, rapid transit (public or private)
4294	Ambulance services
4310	Airports and flying fields
4390	Heliports and general aircraft
4600	Automobile parking (except 4603)
4700	Communications

4812	Electric generation plants - conventional fuel including hydroelectric, solar, etc.)
4814	Electricity regulating substations
4815	Electric utility company office
4818	Small generation
4829	Other gas utilities, NEC
4832	Water treatment plants (purification)
4833	Water storage as part of a utility system (open reservoirs)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4839	Other water utilities or irrigation, NEC
4846	Sewage company office
4853	Refuse disposal company office
4845	Water reclamation plants, sludge drying beds, etc.
4849	Other sewage disposal, NEC
4852	Central garbage grinding stations and composting plants
4857	Active slag dumps and mineral waste disposals
4861	Combination utilities company storage yards and equipment storage
4869	Combination utilities, NEC
4872	Debris basin (A dam and basin for intercepting debris)
4874	Spreading grounds (Area for percolating water into under-ground)
4890	Other utilities
6240	Funeral parlor, cemetery, and crematory services
6513	Hospitals
6515	Behavior, drug and alcohol treatment
6714	Operation centers
6722	Police protection and related activities, branch (office only)
6819	Military academies
6910	Religious activities
7200	Public assembly
7396	Dance halls
7520	Group or organized camps
8400	Fishing activities
8540	Mining and quarrying

3.25.030. Lot Area
The minimum area of any lot or parcel of land in the PF zone shall be ten thousand (10,000) square feet.

3.25.040. Lot Width
Each lot or parcel of land in the PF zone shall have a width of not less than eighty (80) feet.

3.25.050. Lot Frontage
Each lot or parcel of land in the PF zone shall abut on a public street for a minimum distance of thirty-five (35) feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.25.060. 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.

3.25.070. Lot Area per Dwelling
Any caretaker dwelling established in conjunction with a permitted use in the PF 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.

3.25.080. Yard Requirements
The following minimum yard requirements shall apply to the PF zone:

A. Front Yard. Each lot or parcel of land in the PF zone shall have a front yard of not less than ten (10) feet, except that those lots or parcels lying adjacent to a residential zone along the same street frontage shall have a front yard equal to that required by the provisions of the most restrictive residential one which it abuts along said street frontage.

B. Side Yard. No requirements, except when the parcel of property in the PF zone abuts the side or rear yard of a lot or parcel lying within a residential zone. In that case, the yard width shall be equal to that required by the provisions of the residential zone established on the abutting property.

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:

1. The accessory building has no openings on the side which is contiguous to a property line or zone line, and said side is constructed of two (2) hour fire-resistant material.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

3. 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.

4. The accessory building is under ten (10) feet in height and less than one- hundred twenty (120) square feet in area.

D. Rear Yard. No requirement except when the parcel of property in the PF zone abuts the side or rear yard of a lot or parcel lying within a residential zone. In that case, the yard width shall be equal to that required by the provisions of the residential zone established on the abutting property.

3.25.090. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, agricultural crops, and other plants.

3. 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:

1. Belt courses, sills, buttresses, or other similar architectural features.

2. Fireplace structures and bays, pro-vided they are not wider than eight (8) feet and are generally parallel to the wall of which they are a part.

3. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. 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.

3.25.100. Building Height

A. Permitted Building Height with Conditions. No lot or parcel of land in the PF Zone shall have a building or structure which exceeds a height of three (3) stories with a maximum of thirty-five (35) feet, measured at the top of building's horizontal wall, unless one of the following conditions exists:

1. The horizontal setback of the building from the nearest residential zone boundary is equal to or exceeds twice the building's height; or

2. A Conditional Use Permit has been granted by the Planning and Zoning Commission in accordance with the provisions of Rexburg City Code. Unique characteristics of a particular building site (such as

significant topographic differences between the building site and adjoining residential properties) may justify the City's Zoning Administrator requiring the project to undergo Conditional Use Review, even though the condition outlined in (1) above is satisfied.

3.25.110. Distance Between Buildings

The minimum distance between any accessory building and a main building on a lot in the PF 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.

3.25.120. Permissible Lot Coverage

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

3.25.130. Parking, Loading, and Access

Parking within the PF zone shall be provided in accordance with the requirements of Rexburg City Code.

All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with paved access from the public street.

Parking spaces shall not be provided within a required front yard or a side yard adjacent to a public street.\

3.25.160. Other Requirements

A. Signs. See standards and provisions of the Rexburg City Codes.

B. Landscaping. A minimum of ten (10) percent of the site shall be landscaped

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 City of Rexburg Staff prior to installation.

D. Transitional Development Standards. Where a lot in any business, commercial, manufacturing, industrial, or public facilities zone borders a residential zone, the standards set forth in Rexburg City Code.

3.25.170. Re-Use of Public Facilities

A. Conditional Use Permit. Before any existing public facility use may be changed to another use a Conditional Use Permit shall be obtained from the Planning and Zoning Commission, subject to the standards set forth in Rexburg City Code. Any such change in use shall be a permitted or Conditional Use allowed in the PF zone.

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:

1. An increase in daily or peak hour traffic.
2. A change in circulation patterns on or around the property.
3. A significant increase in the demand for parking.
4. A change in the density of people on site.
5. Expansion of the hours of operation.
6. Any increased environmental impact, such as noise or air pollution; offensive odors; excessive illumination or glare, etc.

3.25.180. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.26 Open Space Zone (OS)

3.26.010. Purpose and Objectives
3.26.020. Permitted Uses
3.26.030. Project Requirements
3.26.040. Commercial Lighting Standards

3.26.010. Purpose and Objectives

The OS Zone is established to recognize areas of recreational and public uses and to protect floodplains, slopes, and natural drainage ways from development that may cause or contribute to flooding, slope failures, excessive soil erosion, and sediment and water pollution of the Teton River. The uses within the underlying zone, except those associated with open space, are conditional uses within this zone. The Open Space Zone may be the only applicable zone for parks, public utilities, and other public uses. The floodplain is defined by the FIRM for Rexburg.

3.26.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the OS 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 groups 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 zeroes.

C. Use. All such categories listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the OS 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 OS zone:

SIC Code	Use
	Parks Playgrounds Playground Equipment Drainage Basins Floodways Restrooms under 1,000 square feet Pump houses under 1,000 square feet Equipment Buildings under 1,000 square feet

E. Conditional Uses. The following uses and structures are permitted in the OS zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

SIC Code	Use
4100	Railroad, rapid transit (public or private)
4500	Highways and street rights-of-way
4600	Automobile parking (except 4603)
4811	Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the rights of- way of the activity)
4814	Electricity regulating substations
4821	Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4824	Gas pressure control stations
4831	Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
4833	Water storage as part of a utility system (open reservoirs)
4834	Water storage as part of a utility system (covered including water storage standpipes)
4835	Irrigation distribution channels
4836	Water pressure control stations and pumping plants

4837	Water utilities or irrigation company office
4839	Other water utilities or irrigation, NEC
4841	Sewage pipeline right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4844	Sewage pumping stations
4864	Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
4873	Storm drain or right-of-way (Predominantly covered pipes or boxes)
4872	Debris basin (A dam and basin for intercepting debris)
4890	Other utilities
7100	Cultural activities and nature exhibits
7400	Recreational activities (except 7417, 7425, and 7450)
8400	Fishing activities
9210	Forest Reserves

3.26.030. Project Requirements

Any construction projects taking place in this zone that are not listed as “Permitted Uses” shall obtain a conditional use permit. Details shall be presented to the Planning and Zoning Commission and Zoning Commission for approval.

3.26.040. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

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. 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 groups 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 zeroes.

C. Use. All such categories listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the UD 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 UD zone:

SIC Code	Use
	Four-family dwelling
	Five & Six-family dwelling or development
	Twenty-four units per building or development
	Dormitory, fraternity, sorority
	Religious dormitories
2700	Printing, publishing, including newspapers
3510	Laboratory and research instruments
5994	Photographic supplies and equipment
3920	Musical instruments
4121 & 4123	Bus passenger terminals
4214	Bus garaging and equipment maintenance
4221	Motor freight terminals
4222	Motor freight garaging and maintenance
4600	Automobile parking lots, garages
4710	Telephone exchange stations, microwave towers
4732	Radio and TV transmitting stations and towers
4750	Radio and television broadcasting station
	Other communication facilities
	Electric generation plants, utility substations
	Utility storage yards
	Other utility facilities
5300	General merchandise (department, variety, etc)
6222	Photographic studios
6330	Photocopying, blueprinting, and stenographic services
6360	Employment services
6391	Research, testing services
6392	Consulting services
6370	Warehousing and storage services
6371	Farm products warehousing and storage
6373	Refrigerated warehousing
6374	Food lockers
6379	Household goods warehousing and storage
6375	General warehousing and storage
6500	Professional services
6511	Physicians offices
6514	Medical laboratory services
6591	Out-patient medical services
6591	Engineering and architectural services
6592	Educational and scientific research services
6593	Accounting and bookkeeping services
6600	Contract construction services
6611	Building contractor offices
6611	Building contractor storage yards
6621	Plumbing, heating, air conditioning services
6622	Painting, wall papering, decorating services
6623	Electrical services
6624	Masonry, stonework, and plastering services
6625	Carpentering, wood flooring installation
6624	Roofing and sheet metal services
6627	Concrete services
	Governmental services
6721	Police protection
6730	Postal service
	Educational Services
6811	Nursery schools, day care centers
6812 & 6813	Schools
	College buildings
6832	Vocational schools

6833	Business schools
6833	Barber and Beauty School
6834	Art and music schools
6835	Dancing schools
6836	Driving schools
6837	Correspondence schools
6900	Miscellaneous services
6911	Churches, synagogues, temples
6920	Welfare and charitable services
6994	Civic, social, and fraternal organizations.
7100	Cultural activities
7111	Libraries
7112	Museums
7113	Art galleries
7200	Public assembly
7212	Motion picture theaters
7231 & 7214	Auditoriums, performing theaters
7300	Amusements
7392	Miniature golf
7300	Recreational activities
7413	Tennis courts
7415	Roller skating
7414	Ice skating
7417	Bowling
	Skiing and tobogganing
7423	Athletic fields
7424	Recreation centers
7425	Athletic clubs and gymnasiums
7432	Swimming pools
7610	Parks, including playgrounds
8110-8140	Farming, fibers, grains, fruits, vegetable
8291	Horticultural services
	Plant nurseries

E. 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:

1. 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.

2. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code.

3. 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.

4. 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.

5. 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.

6. 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.

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

SIC Code	Use
	Manufactured home 24' or more in width
8221	Small animal veterinarian services (totally enclosed)
7221 & 7222	Stadiums, arenas, field houses
	Buildings of structures that have an occupancy as defined by the City of Rexburg Building Code in excess of 2500 occupants.

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:

1. The accessory building has no openings on the side which is contiguous to a property line or zone line, and said side is constructed of two (2) hour fire-resistant material.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

3. 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:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, agricultural crops, and other plants.

3. 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:

1. Belt courses, sills, buttresses, or other similar architectural features.

2. Fireplace structures and bays, pro-vided they are not wider than eight (8) feet and are generally parallel to the wall of which they are apart.

3. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. 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.

3.27.110. Distance Between Buildings

The minimum distance between any accessory building and a main building on a lot in the UD 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 Rexburg Building Code as adopted by the Rexburg City Council.

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) 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.

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.

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.

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 Architectural and Design Review Boards, followed by professional engineered plans and specifications for review by all City Departments and Permitting Authorities.

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 City of Rexburg Staff 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 Conditional Use Permit shall be obtained from the Planning and Zoning Commission, subject to the standards set forth in Rexburg City Code. Any such change in use shall be a permitted or conditional use allowed in the UD zone.

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:

1. An increase in daily or peak hour traffic.
2. A change in circulation patterns on or around the property.
3. A significant increase in the demand for parking.
4. A change in the density of people on site.
5. Expansion of the hours of operation.
6. 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.

3.28 Transitional Agricultural 1 (TAG1)

3.28.010. Purpose and Objectives
3.28.020. Permitted Uses
3.28.030. Lot Area
3.28.040. Lot Width
3.28.050. Lot Frontage
3.28.060. Prior Created Lots
3.28.070. Lot Area Per Dwelling
3.28.080. Yard Requirements
3.28.090. Projections into Yards
3.28.100. Building Height
3.28.110. Distance Between Buildings
3.28.120. Permissible Lot Coverage
3.28.130. Agricultural Building Code Exemption
3.28.140. Project Plan Approval
3.28.150. Other Requirements
3.28.160. Reserved
3.28.170. Lighting Standards

3.28.010. Purpose and Objectives

The Transitional Agricultural zone is intended to anticipate expansion of the City into agricultural areas (lands). Permitted uses in the TAG1 Zone include all primary agricultural production activities and their accessory uses and buildings, including farm homes.

No more than ten (10) livestock are permitted in a TAG1 zone. However, this does not include commercial enterprises or animal-related business such as produce packing plants, fur farms, veterinary clinics, animal hospitals, feed lots, poultry and egg farms, hog farms, dog kennels, honey processing, and similar uses which would constitute a "business" as opposed to that of the raising of agricultural crops and/or pasture. For the purposes of this chapter, "Feedlot" is defined as any area where one thousand (1,000) head or more of livestock are confined for a period of one year or more. The minimum size parcel shall be two (2) acres or more.

Conditional Uses in the TAG1 Zone include: Public and quasi-public recreation facilities and/or buildings, Home occupations, Cemeteries.

The TAG1 Zone is established to ensure transitional regulations pursuant to, and provide uniform enablement of the provisions of Chapter 8, of this title.

3.28.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the TAG1 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 groups 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 zeroes.

C. Use. All such categories listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the TAG1 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 TAG1 zone:

SIC Code	Use
1111	Single-family dwellings-detached
1112	Disabled person's residential facility
	Agricultural and related operations

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the TAG1 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:

1. 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.

2. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code.

3. 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.

4. 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.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the TAG zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

SIC Code	Use
	Manufactured home 24' or more in width on a permanent foundation
	Small animal veterinarian services (totally enclosed)
	Airports
	Cemeteries
	Commercial kennels
	Broadcasting towers for radio, television or similar use
	Public buildings
	Schools
	Hospitals
	Churches or religious facilities

3.28.030. Lot Area
The minimum area of any lot or parcel of land in the TAG1 zone shall be two (2) acres.

3.28.040. Lot Width
Each lot or parcel of land in the TAG1 zone shall have a width of not less than eighty (80) feet.

3.28.050. Lot Frontage
Each lot or parcel of land in the TAG1 zone shall abut a public street for a minimum distance of thirty-five (35) feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.28.060. 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.

3.28.070. Lot Area per Dwelling
Any caretaker dwelling established in conjunction with a permitted use in the TAG1 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.

3.28.080. Yard Requirements

The following minimum yard requirements shall apply to the TAG1 zone:

A. Front Yard. Each lot or parcel of land in the TAG1 zone shall have a front yard of not less than fifty (50) feet and except for single family detached homes shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a street to a garage or carport.

B. Side Yard. No building shall be closer than ten feet (10') to any side property line, except corner lots contiguous to the street shall maintain a setback of not less than fifty feet (50') and except for single family detached homes shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a street to a garage or carport.

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:

1. The accessory building has no openings on the side which is contiguous to a property line or zone line, and said side is constructed of two (2) hour fire-resistant material.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

3. 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. Not less than twenty-five (25') feet.

3.28.090. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, agricultural crops, and other plants.

3. 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:

1. Belt courses, sills, buttresses, or other similar architectural features.

2. Fireplace structures and bays, pro-vided they are not wider than eight (8) feet and are generally parallel to the wall of which they are a part.

3. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. 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.

3.28.100. Building Height

Any building or structure or portion thereof hereafter erected which is not of an agricultural nature shall not exceed two and one-half stories, or thirty feet (30') in height, measured at the top of building's horizontal wall.

3.28.110. Distance Between Buildings

As per the Building Code.

3.28.120. Permissible Lot Coverage

The maximum lot coverage for all buildings and structures shall not be greater than fifty (30) percent of the lot area. Maximum of thirty-five (35) percent.

3.28.130. Parking, Loading, and Access

See the City Development Code and Subdivision Ordinance.

3.28.130 Code Exemptions of Agricultural Buildings

By State Law, agricultural buildings, as defined by the State of Idaho, are exempt from Building Codes.

3.28.140. Project Approval

All Project plans for projects in the TAG1 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 and specifications for review by all City Departments and Permitting Authorities.

3.28.150. Other Requirements

Signs. See standards and provisions of Rexburg City Sign Code.

A. Landscaping. See the City Development Code and Subdivision Ordinance.

B. Trash. See the City Development Code and Subdivision Ordinance.

3.28.170. Lighting Standards

See Commercial and Residential Lighting Standards in the Development Code and Subdivision Ordinance.

3.29 Transitional Agricultural 2 (TAG2)

3.29.010. Purpose and Objectives
3.29.020. Permitted Uses
3.29.030. Lot Area
3.29.040. Lot Width
3.29.050. Lot Frontage
3.29.060. Prior Created Lots
3.29.070. Lot Area Per Dwelling
3.29.080. Yard Requirements
3.29.090. Projections into Yards
3.29.100. Building Height
3.29.110. Distance Between Buildings
3.29.120. Permissible Lot Coverage
3.29.130. Agricultural Building Code Exemption
3.29.140. Project Plan Approval
3.29.150. Other Requirements
3.29.160. Lighting Standards

3.29.010. Purpose and Objectives

The Transitional Agricultural zone is intended to anticipate expansion of the City into agricultural areas (lands). Permitted uses in the TAG2 Zone include all primary agricultural production activities and their accessory uses and buildings, including farm homes.

No more than ten (10) livestock are permitted in a TAG2 zone. However, this does not include commercial enterprises or animal-related business such as produce packing plants, fur farms, veterinary clinics, animal hospitals, feed lots, poultry and egg farms, hog farms, dog kennels, honey processing, and similar uses which would constitute a "business" as opposed to that of the raising of agricultural crops and/or pasture. For the purposes of this chapter, "Feedlot" is defined as any area where one thousand (1,000) head or more of livestock are confined for a period of one year or more. The minimum size parcel shall be two (2) acres or more.

Conditional Uses in the TAG2 Zone include: Public and quasi-public recreation facilities and/or buildings, Home occupations, Cemeteries.

The TAG2 Zone is established to ensure transitional regulations pursuant to, and provide uniform enablement of the provisions of Chapter 8, of this title.

3.29.020. Permitted Uses

A. Categories. Those uses or categories of uses as listed herein, and no others, are permitted in the TAG2 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 groups 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 zeroes.

C. Use. All such categories listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the AG2 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 TAG2 zone:

SIC Code	Use
1111	Single-family dwellings-detached
1112	Disabled person's residential facility
	Agricultural and related operations

E. Permitted Accessory Uses. Accessory uses and structures are permitted in the TAG 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:

1. 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.

2. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code.

3. 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.

4. 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.

5. 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.

F. Conditional Uses. The following uses and structures are permitted in the TAG 2 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

SIC Code	Use
	Manufactured home 24' or more in width on a permanent foundation
	Small animal veterinarian services (totally enclosed)
	Airports
	Cemeteries
	Commercial kennels
	Broadcasting towers for radio, television or similar use
	Public buildings
	Schools
	Hospitals
	Churches or religious facilities

3.29.030. Lot Area
The minimum area of any lot or parcel of land in the TAG zone shall be two (2) acres.

3.29.040. Lot Width
Each lot or parcel of land in the TAG zone shall have a width of not less than two hundred fifty (250') feet.

3.29.050. Lot Frontage
Each lot or parcel of land in the TAG 2 zone shall abut a public street for a minimum distance of thirty-five (35) feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.29.060. 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.

3.29.070. Lot Area per Dwelling
Any caretaker dwelling established in conjunction with a permitted use in the TAG 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.

3.29.080. Yard Requirements
The following minimum yard requirements shall apply to the TAG zone:

A. Front Yard. Each lot or parcel of land in the TAG zone shall have a front yard of not less than fifty (50) feet and except for single family detached homes shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a street to a garage or carport.

B. Side Yard. Each lot or parcel of land in the TAG zone shall have a side yard setback of not less than ten (10) feet, except corner lots contiguous to the street shall not be less than fifty (50) feet and shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a garage or carport.

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:

1. The accessory building has no openings on the side which is contiguous to a property line or zone line, and said side is constructed of two (2) hour fire-resistant material.

2. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

3. 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. Each lot or parcel of land in the TAG Zone shall have a rear yard setback of not less than twenty-five (25) feet.

3.29.090. Projections into Yards

A. Permitted Projections. The following structures may be erected on or projected into any required yard:

1. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

2. Landscape elements including trees, shrubs, agricultural crops, and other plants.

3. 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:

1. Belt courses, sills, buttresses, or other similar architectural features.

2. Fireplace structures and bays, pro-vided they are not wider than eight (8) feet and are generally parallel to the wall of which they are a part.

3. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

4. 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.

3.29.100. Building Height

Any building or structure or portion thereof hereafter erected which is not of an agricultural nature shall not exceed two and one-half stories, or thirty feet (30') in height, measured at the top of building's horizontal wall.

3.29.110. Distance Between Buildings

As required by the Building Code

3.29.120. Permissible Lot Coverage
The maximum lot coverage for all buildings and structures shall not be greater than fifty (30) percent of the lot area.

3.29.130. Parking, Loading, and Access
See the Development Code and Subdivision Ordinance.

3.29.130. Code Exemptions of Agricultural Buildings
By State Law, agricultural buildings, as defined by the State of Idaho, are exempt from Building Codes.

3.29.140. Project Plan Approval
All Project plans for projects in the TAG2 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 and specifications for review by all City Departments and Permitting Authorities.

3.29.150. Other Requirements
Signs. See standards and provisions of Rexburg City Sign Code.

Landscaping. See the City Development Code and Subdivision Ordinance.

Trash Storage. See the City Development Code and Subdivision Ordinance.

3.29.160. Lighting Standards
See Commercial and Residential Lighting Standards in the Development Code and Subdivision Ordinance

3.30 Residential Business District (RBD)

3.30.010. Purpose and Objectives
3.30.020. Permitted Uses
3.30.025. Single Ownership and Control
3.30.030. Lot Area
3.30.040. Lot Width
3.30.045. Lot Depth
3.30.050. Lot Frontage
3.30.060. Prior Created Lots
3.30.070. Yard Requirement
3.30.080. Projections into Yards
3.30.090. Building Height
3.30.100. Distance Between Buildings
3.30.110. Permissible Lot Coverage
3.30.115. Permissible Building Footprint
3.30.120. Parking, Loading and Access
3.30.130. Project Plan Approval
3.30.140. Reversion of Zoning
3.30.150. Other Requirements
3.30.160. Lighting Standards

3.30.010. Purpose and Objectives

The RBD zone is established to provide for the use of single family residential homes for commercial and service uses. The zone is intended to protect the residential nature of the streetscape and provide strict regulation of types and hours of conduct of commercial uses. Commercial uses are limited to non intrusive low-demand business that can peacefully co-exist with a surrounding neighborhood.

It is intended that the RBD zone shall be characterized by a single structure that will function as a part of the greater neighborhood. Hours of operation should be regulated to provide compatibility with surrounding residential uses. All parking lots shall be clean, buffered and located out of the front and side yard setbacks. Attractive and well-maintained landscaping will also be characteristic of this zone.

Lighting will be of a relatively low intensity and low profile with adequate shielding to protect the surrounding residential areas. The architectural design and character will be compatible with that of the surrounding residential environment. Uses permitted in the RBD zone will be those which will create minimal or no detriment to the surrounding residential areas.

Multiple family dwellings, industries, recreational uses, or other heavy commercial uses which tend to be inconsistent with the use of the land within this zone for its primary purpose have been excluded. Typical uses allowed by right in this zone are miscellaneous specialty retail such as collectible stores, professional service offices, garment alterations/repairs, or as may otherwise be established by a more specific list included within this chapter. A broader range of uses may be permitted pursuant to the issuance of a conditional use permit.

RBD zones shall be located generally in conformance with the provisions of the Rexburg City Comprehensive Plan. The RBD zones shall only be allowed if the area requested for designation as such is contiguous to either a commercial zone other than RBD, industrial zone, or a medium or high density zone.

3.30.020. Permitted Uses

A. Categories. Those uses or categories as listed herein, and no others, are permitted in the RBD zone.

B. Numbered Listings. All uses listed 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 or two digits are zeros. All such categories or classes listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the RBD zone subject to the limitations set forth herein.

C. Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the RBD zone:

SIC Code	Use
5940	Books, Stationery, Art and Hobby Supplies
	Professional Service Providers
6230	Beauty and Barber Shops
6251	Pressing, Alteration and Garment Repair

D. Permitted Accessory Uses. Accessory uses and structures may be permitted in the RBD zone, provided they are incidental to, and do not substantially alter, the character of the permitted use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

1. Accessory buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the RBD zone.

2. 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, but in no case for a period to exceed one (1) year.

3. Accessory dwelling subject to the issuance of a conditional use permit

E. Conditional Uses. The following uses and structures may be permitted in the RBD zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof, and must be consistent with the Purpose and Objectives of the RBD zone.

SIC Code	Use
5460	Bakeries and Doughnut Shops
5910	Drug and Proprietary Stores
5430	Fruits and Vegetables
5440	Candy, Nut, and Confectionery
5450	Dairy Products
6100	Finance, Insurance and Real Estate Services
6220	Photographic Services
6254	Shoe Repair, Hat Cleaning
	Accessory Building Unit

3.30.025. Single Ownership and Control

Land within a given RBD zone shall be in single ownership or single control in order to provide control over development. 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 RBD zone.

3.30.030. Lot Area

The minimum area of any lot or parcel of land in the RBD zone is eight thousand (8,000) sq. ft.

3.30.040. Lot Width

The minimum lot width in the RBD zone is sixty (60) feet.

3.30.045. Lot Depth
The minimum lot depth in the RBD zone is sixty (60) feet.

3.30.050. Lot Frontage
Each lot or parcel of land in the RBD zone shall abut a public street for a minimum distance of twenty-two (22) feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.30.060. Prior Created Lots
Lots or parcels of land which were legally and lawfully created prior to the application of the zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

3.30.070. Yard Requirement
The following minimum yard requirements shall apply in the RBD zone:

E. Front/Rear Yard. Each lot or parcel in the RBD zone shall have a minimum front yard of at least twenty-five (25) feet, unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet. The minimum depth of a rear yard shall be twenty (20) feet of which no more than 40% shall be put into hard surface in order to maintain a residential character to the property.

F. Side Yard. Each lot or parcel of land in the RBD zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater.

G. Accessory Building Setbacks. Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

1. Have a building footprint and height less than the main dwelling. Accessory buildings larger than one hundred and twenty (120) square feet shall meet the same side yard requirements as principal buildings.

2. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

3. Comply with the current Building Code of The City of Rexburg, ID.

4. Only be used for those accessory uses allowed in the respective zone.

5. Maintain architecturally similar material and colors with main building.

6. Accessory building shall not be placed in the front yard.

7. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

3.30.080. Projections into Yards
O. Permitted Projections. The following structures may be erected on or projected into any required yard, except for a required driveway:

4. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.

5. Landscape elements including trees, shrubs, turf, and other plant materials.

6. Necessary appurtenances for utility service.

P. Permitted Projections with Conditions. The structures listed below may project into a minimum front yard no more than four (4) feet and into a minimum side yard not more than two (2) feet, except that a required driveway shall remain unobstructed from the ground up a height of twelve (12) feet:

1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

2. 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.

3. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding thirty (30) inches in height.

4. 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.

3.30.090. Building Height

U. Permitted Heights. No lot or parcel of land in the RBD zone shall have a building or structure which exceeds a height of two (2) stories with a maximum of thirty-five (35) feet, measured at the top of building's horizontal wall. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

3.30.100. Distance between Buildings

The minimum distance between any accessory building and a main building on a lot in the RBD 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 International Building Code or its replacement as adopted by the Rexburg City Council.

3.30.110. Permissible Lot Coverage

In an RBD zone, all buildings and structures shall not cover an area greater than that allowed in the LDR2 zone.

3.30.115. Permissible Building Footprint

In an RBD zone, all buildings and structures shall have a footprint of no more than 2500 square feet, and no more than two stories above ground. The Footprint shall be defined as that area covered by the enclosed area of the structure if perpendicular planes were extended from all portions of the structure to the ground.

3.30.120. Parking, Loading, and Access

Each lot or parcel in the RBD zone shall have, on the same lot or parcel, automobile parking sufficient to meet the requirements as set forth in Rexburg City Code.

Parking areas within the RBD zone are to be used by occupants of the property and customers of the property, and are not to be used by employees or customers of businesses that may be located in nearby business or commercial areas.

All parking spaces shall be paved with asphaltic cement or concrete and shall be provided with paved access from a public street. Said spaces shall be provided with adequate drainage which shall not run across a public sidewalk. Parking spaces shall not be provided within a required front yard or side yard adjacent to a public street except where an existing conforming driveway access has been provided. Corner lots shall be allowed to petition for parking in side yards provided any such parking shall be buffered visually and for sound from public rights of way and adjoining residential properties.

3.30.130. Project Plan Approval

All Project plans for projects in the RBD 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 and specifications for review by all City Departments and Permitting Authorities. Site plan approval at the Planning and Zoning Commission Level is mandatory before consideration of a RBD Zone change request may be initiated.

3.30.140. Reversion of Zoning

If violations of the approval conditions for a rezone to the RBD Zone are documented and not corrected in a timely manner by property owner, property zoning will revert to the zone existing before application for the RBD zone.

3.30.150. Other Requirements

M. Signs. All signs erected in the RBD zone shall be in conformance with the sign provisions of the Rexburg City Sign Code, and shall be in general compliance with the typical signing program approved by the Planning and Zoning Commission under the provisions applicable to home businesses.

N. Uses within Buildings. All uses established in the RBD zone shall be conducted entirely within a fully-enclosed building.

O. Landscaping. All landscaping in the RBD zone shall be consistent with landscaping requirements of the LDR2 zoning unless specific permission has been obtained from the Planning and Zoning Commission.

P. Trash Storage. See Rexburg City Code. No trash containment device shall be placed in such a location as to be visible from the public right of way unless in preparation for pickup, and under no circumstance for any period greater than 24 hours prior to and subsequent to the regularly scheduled pickup for trash.

Q. Walls and Fences.

1. 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 RBD zone.

2. A vinyl fence or other pre-approved fence of 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 Planning and Zoning Commission shall give considerable weight to the wishes of the parties involved. A signed agreement must be submitted to the Planning and Zoning Commission or its designee, indicating the desires of the property owners. In the case where there no agreement can be reached, preference will be given to the masonry wall.

R. Hours of Operation. In the RBD zone, no permitted or conditionally permitted use shall be open for business on any Sunday, or after 9:00 P.M. or before 7:00 A.M. on any other day, nor shall any permitted or conditionally permitted use accept deliveries other than between the hours of 9:00 a.m. and 3:00 p.m., with no deliveries allowed at all on Sundays.

3.30.160. Lighting Standards

Residential Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

3.31 Project Redevelopment Option (PRO)

3.31.010. Purpose and Intent
3.31.020. Zone Establishment
3.31.030. Optional Schematic Development Plan
3.31.040. PRO Zone Application Requirements
3.31.050. Review of PRO Zone Application - Approval
3.31.060. Zone Designation
3.31.070. Permits Required
3.31.080. Project Plan Variations and Amendments
3.31.090. Reversion of Zoning
3.31.100. PRO Zones Adopted
3.31.110. PRO Zone Reserved
3.31.120. Uses Must Be in Conformity
3.31.130. Building in Conformity
3.31.140 Architectural Design Standards
3.31.150 Commercial Lighting Standards

3.31.010. Purpose and Intent

A. Intent. This chapter creates a regulatory framework to govern the enactment of regulations to further the intent of the Vision 2020 Comprehensive Plan, particularly, but not exclusively, in older, densely developed areas of the City.

B. Purpose. The purpose of the Project Redevelopment Option (―PRO‖) zone is to create a regulatory tool that permits initiative and flexibility in creating well-planned, architecturally-designed development that meets the needs of the community. More particularly, the intent of the City Council in enacting this Chapter is to:

1. Encourage creative and efficient utilization of land.

2. Encourage assemblage of property to create harmonious and efficient development patterns and projects.

3. Provide land use and design standards tailored to specific geographic areas so that new development outcomes are more predictable and compatible with surrounding land uses.

4. Coordinate property development and design, including large-scale facilities, with development, both existing and as envisioned by the City of Rexburg Comprehensive Plan, on adjoining and nearby property.

5. Minimize the effect of additional traffic.

6. Improve parking and air quality.

7. Encourage new development that fosters a sense of community.

8. Better manage the location, timing, and sequencing of new development.

9. Provide an opportunity to involve the public.

3.31.020. Zone Establishment

(1) The provisions of this chapter shall apply to every PRO zone created under the authority of this chapter.
(2) In order to establish a PRO zone, an applicant shall submit a petition (application). The application shall then be considered for approval as provided in this Title.

3.31.030. Optional Schematic Development Plan

A. Schematic Plan Submittal. An applicant may, prior to submitting a proposed PRO application as required by Section 3.30.040 of this Chapter, submit an application showing a proposed schematic development plan for the subject property. A schematic development plan shall be considered by the Planning and Zoning Commission

and City Council as provided in this section.

B. What to Include in a Schematic Development Plan. A schematic development plan application shall include the following:

1. A review fee of five hundred (500) dollars.

   a. Fifty percent (50%) of the schematic development plan application fee may be applied to the application fee for a PRO zone if the City Council recommends that an applicant submit the application as provided in subsection (4) of this section.

   b. A public hearing notice fee as required by The City Codes, and Administrative policies of The City of Rexburg, ID.

   c. A statement detailing efforts by the applicant to assemble property to achieve logical boundaries for the proposed development.

   d. A schematic development plan which shows how a property could be developed under proposed PRO zone regulations. A schematic development plan shall be drawn to scale and must show a realistic layout reflecting how the property reasonably could be developed considering the development standards of a proposed PRO zone, and existing and envisioned conditions on the subject property and adjoining property. A schematic development plan should show at least the following; whatever is shown shall be construed as the intent of the plan:

      (1) Location of proposed uses, including dwelling unit density and occupancy.

      (2) Height, location, bulk and preliminary elevations of buildings.

      (3) Location, arrangement and configuration of open space, landscaping, and building setbacks.

      (4) Location, access points, and design of off-street parking areas.

      (5) Number, size and location of signs.

      (6) Street layout, and traffic and pedestrian circulation patterns, including proposed access to the property.

      (7) Relationship of the property to adjoining and nearby properties and uses.

   e. A schematic development plan is not intended to permit actual development of property pursuant to such a plan but shall be prepared merely to represent how the property could be developed. Submittal and review of an application for a schematic development plan shall not create any vested rights to development.

C. Neighborhood Meeting. A neighborhood meeting shall be held at least two (2) weeks prior to presenting a schematic development plan at a meeting of the Planning and Zoning Commission.

D. Process Leading to the Public Hearing. Pursuant to the notice and hearing requirements of the State and Rexburg City Code, the schematic development plan shall be first submitted to the Planning and Zoning Commission for a recommendation and thereafter to the City Council for consideration. After a public hearing, the Council may vote to recommend that an applicant:

1. Submit an application for a PRO zone that would allow development:

   a. As shown on the schematic development plan; **or**

   b. As amended to address issues identified by the City Council to accomplish the goals and objectives of the Vision 2020 Comprehensive Plan; **or**

c. Not submit a PRO zone application.

3.31.040. PRO Zone Application Requirements

A. Requirements. The following materials shall be included with every application for establishment of a PRO zone:

1. Proposed zone name and location.

2. A statement showing how the proposed PRO zone relates to the Comprehensive Plan and furthers the intent of the Plan.

3. A statement detailing efforts by the applicant to assemble property to achieve logical boundaries for the proposed development.

4. Proposed zone text, including:

   a. Permitted, conditional, and accessory uses (specifically listed and defined).

   b. Proposed development standards, including:

   (1) Land use standards establishing land use types, occupancy, location, density, buffering and any other element envisioned by applicable sections of the General Plan.

   (2) Lot standards establishing requirements for minimum lot area, depth, coverage, and dimensions.

   (3) Building setback standards for front, side and rear yards.

   (4) Design standards addressing building height, building orientation, common and private open space, natural resource protection, architectural design, and any other provisions proposed to be included in the PRO zone.

   (5) Landscaping and buffering standards.

   (6) Parking.

   (7) A statement that the PRO zone will conform to all applicable chapters of Title 14 and Title 15, Rexburg City Code, except as may be specifically amended by the adopted PRO zone text.

   (8) Evidence of justification for requested changes to such standards. Deviations from parking and street standards set forth in Rexburg City Code, are intended to be rare and shall be approved by five (5) members of the City Council.

5. A preliminary project plan as provided in this Title and including the following additional information:

   a. Relationship of the property to surrounding properties and uses.

   b. Number, size and location of all proposed signs.

6. A review fee of one thousand (1,000) dollars plus a fee of:

   a. Thirty (30) dollars for each dwelling unit proposed in a residential project; **or**

   b. Ten (10) dollars for each one hundred (100) square feet of gross floor area in a non-residential project.

7. A public hearing notice fee as required.

3.31.050. Review of PRO Zone Application - Approval

A. Neighborhood. A neighborhood meeting shall be held at least two (2) weeks prior to presenting a PRO zone application at a meeting of the Planning and Zoning Commission.

B. Considering an Application. When considering an application for a proposed PRO zone, the Planning and Zoning Commission may recommend, and the City Council may adopt, modifications to PRO regulations and standards proposed by an applicant who, in the opinion of the approving authority, is needed to meet the intent and requirements of this chapter.

C. Approval. A proposed PRO zone application and associated preliminary project plan shall be approved only if, in the opinion of the approving authority, development proposed on the property will:

1. Further applicable provisions of the Vision 2020 Comprehensive Plan and any applicable master plan, particularly provisions which establish density limitations.

2. Conform to applicable chapters of this Title and except as may be specifically amended by the adopted PRO zone text.

3. Preserve and enhance the subject property and neighborhood by achieving integrated planning and design.

4. Be compatible with development on adjoining and nearby property, both existing and as envisioned by the Rexburg Comprehensive Plan.

5. Minimize the effect of traffic congestion and improve parking and air quality, including providing opportunities for alternative modes of transportation such as walking, bicycling, or transit.

D. Development Agreement. When deemed necessary or desirable by the City, application and approval of a PRO zone and/or any development within a PRO zone may require the submission and approval of a development agreement.

3.31.060. Zone Designation

A. Adopted PRO zone. Upon approval each adopted PRO zone shall be listed in Section 3.30.100 of this Chapter and shall be independent of any other PRO zone.

B. Text Amendment. A text amendment to this Title which establishes regulations for a particular PRO zone shall be adopted as a separate chapter of this Title and shall be identified sequentially, such as 3.30(1), 3.30(2), etc. Each such chapter shall have a unique name combined with the designation "PRO" followed by a code categorizing the PRO by project type as (B) Business, (A) Apartment or other multi-family, or (R) Residential - One family, then followed by a sequential number without regard to project category, corresponding to the chapter number for the zone, the first of which shall be "1", as illustrated by the following hypothetical names:

1. “Chapter 3.30(1). Imbler Heights (PRO R 1) Project Redevelopment Option Zone.”

2. “Chapter 3.30(2). La Grande Terrace Apartments (PRO A 2) Project Redevelopment Option Zone.”

3.31.070. Permits Required

After approval of a PRO zone and an associated preliminary project plan, and prior to the issuance of any building permits, a final project plan shall be submitted as required by this Title Rexburg City Code. Applications for subdivision approval and any other needed permits shall be submitted as needed to implement an approved preliminary project plan.

3.31.080. Project Plan Variations and Amendments

After a PRO zone is adopted and a preliminary project plan for the subject property has been approved, no material variations shall be made to the preliminary project plan and the development standards adopted in the applicable PRO zone unless the zoning text or map, as the case may be, is amended by the City Council to permit such variation. Such amendments to an approved preliminary project plan shall be obtained only by following the procedures required for first approval set forth in this chapter.

3.31.090. Reversion of Zoning

Substantial action shall be taken to obtain needed additional approvals and begin construction authorized by such approvals within one (1) year after the approval of a PRO zone. If a final project plan has not been approved within one (1) year after a PRO zone has been applied to a specific property, action shall be initiated to rezone the property to the zone previously existing on the property or such other zone as may be deemed appropriate by the City Council.

3.31.100. PRO Zones Adopted

The following Project Redevelopment Option zones have been adopted:

Hemming Project Redevelopment Option Zone (PRO Zone) - passed by City Council on August 6, 2008, has not yet been inserted into this document.

3.31.110. PRO Zone Reserved

3.31.120. Uses Must Be in Conformity

Land or premises shall be used, unless otherwise provided in this ordinance, in conformity with regulations herein set forth for the zoning district in which said land or premises is located.

3.31.130. Building in Conformity

No building or structure shall be erected or used unless in conformity within the regulations herein set forth for the zoning district in which said building or structure is located.

3.31.140 Architectural Design Standards

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

3.31.150. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.

CHAPTER 4: SUPPLEMENTARY REGULATIONS

4.1 Applicability
4.2 Yard Space for one Principal Building
4.3 Sale of Lots Below Minimum Space Requirements
4.4 Accessory Buildings
4.5 Access to Public Street Required
4.6 Clear View of Intersecting Streets
4.7 Screening and Fencing Requirements
4.8 Parking of Vehicles in Residential Zones
4.9 Exception to Setback Requirement
4.10 Home Occupations
4.11 Manufactured homes
4.12 Reserved
4.13 Commercial Design Standards
4.14 Planned Unit Development (PUD)

4.1 Applicability

The regulations of this chapter qualify or supplement the regulation within zones appearing elsewhere in this Ordinance.

4.2 Yard Space for one Principal Building

No two principal buildings may claim the same, or portions of the same, lot area or width or required yard for the purposes of compliance with this Ordinance.

4.3 Sale of Lots Below Minimum Space Requirements

A parcel of land which has less than the minimum width or area requirements for the zone in which it is located shall not be separated from a larger parcel of land for the purpose of immediate or future building or development as a lot. See Section 8-8 of this Ordinance. If an existing lot or parcel is substandard in size by the current zoning ordinance, a portion of that lot or parcel may not be sold or be allowed to be used by another entity by easement.

4.4 Accessory Buildings

Accessory building shall not be placed in the front yard. Accessory buildings larger than two hundred (200) square feet shall meet the same side yard requirements as principal buildings or taller than ten (10) feet in height. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty percent of the rear yard. Accessory buildings may be placed in any location in the rear yard, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen feet from the alley.

4.5 Access to Public Street Required.

All principal buildings shall be served by a public street. Access to principal building only from an alley is prohibited. All principal buildings must have adequate access and frontage for police, fire, and emergency services.

4.6 Clear View of Intersecting Streets

For the purpose of insuring reasonable visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines which are thirty feet (30) from the intersection of such lot lines shall be free from any

sight obscuring structure or obstruction except as permitted below.

Trees in such triangles shall be trimmed to at least seven (7) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

4.7 Screening and Fencing Requirements

Screening and fences within the City shall be constructed and maintained in conformance with the following standards:

A. Screening Requirements.

1. **Parking Areas.** . An effective buffer shall be provided between parking areas for five (5) or more vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot

2. **Commercial/Industrial Uses.** Where a commercial or industrial use adjoins uses, residential zones, or undeveloped land shown as residential uses on the Comprehensive Plan, there shall be proved along the abutting property line a yard equal in width to that required in the residential zone. The yard shall be planted with a combination of trees, low shrubs, and ground cover, and/or a suitable fence otherwise in compliance with this ordinance of sufficient height and density to screen the two parcels, as specified by the Planning and Zoning Commission.

3. **High Density Residential Uses.** Where a lot in the HDR or HRD2 district adjoins a lot in the LDR or MDR districts or unincorporated and designated as single-family on the Comprehensive Plan map, a five 5) foot wide landscaped buffer shall be proved on said property line. The buffer shall consist of ground cover and trees. The trees shall be planted at thirty (30) foot intervals. When a public street is located between the front lot line of the HDR zone and the single-family zone, a landscaped buffer seven (7) feet wide or as required for front yard setbacks, whichever is greater shall be constructed and maintained on the front lot line. The buffer shall include trees and an understory of shrubs planted at interval of five (5) shrubs per thirty lineal foot. The landscaping shall be planned and maintained so as not to violate Section 4-6 of this Ordinance.

4. **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.

5. **Open Storage Area.** Open storage area in commercial and industrial zones shall be screened from view of the streets by structures or by a landscaped strip at least seven (7) feet in width which may include a fence or wall. Open storage shall not be located within a required front yard.

6. **Plant material size (minimum), at time of planting:**

    a. **Deciduous trees- Two (2) inch caliper**
    b. **Evergreen trees- Seven (7) feet in height**
    c. **Shrubs- Five (5) gallon containers**

B. Fencing Requirements. The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three feet. Fences would be allowed in excess of three feet if constructed out of rigid materials and approved by Planning & Zoning with fifty (50) percent or more see through per lineal foot and that they be between three (3) to six (6) feet high within 15 feet of the right-of-way. Fences shall not be greater in height than eight (8) feet. (Amended the 15th day of April 1998; Ordinance No. 802) Fences parallel to roadways are discouraged for snow plowing reasons.

1. **Dog Runs.** Dog runs shall be placed in rear yards only and shall be at least ten (10) feet from any residence.

2. **Schools, Churches, Universities, Colleges, Hospitals, Nursing Homes, City And County.** The height, location and placement of fences by the foregoing entities may be altered, subject to prior written approval of the Planning and Zoning Commission. However, sight triangles at any intersection must be maintained pursuant to Section 4.6 of this Ordinance.

3. **Commercial And Industrial Zones.** Any fence higher than thirty-six (36) inches cannot extend beyond the line of the existing buildings. In any set-back area bordering a street, the fence cannot be higher than 36 inches within the designated set-back from the property line to the front of a building.

   a. Frontages. The maximum height of any fence, wall, or other sight obscuring object within fifteen (15) feet of the public right-of -way shall be three (3) feet. Fences shall not be greater in height than eight (8) feet.

   b. Floodplain. No fence shall be constructed in the floodway without the approval of the Planning and Zoning Commission.

   c. Barbed Wire and Electric Fences. Barbed wire and electric fences shall not be erected or maintained within the City unless approved by the Planning and Zoning Commission.

   d. Maintenance. Fences shall be maintained in a good state of repair.

   e. Compliance with Section 4-6. The height provisions of this section on fences shall not be construed to permit any structure, fence, wall, shrub, hedge, or sight obscuring object to exist in violation of Section 4-6 of this Ordinance.

4.8 Parking of Vehicles in Residential Zones

The purpose of this section is to protect and enhance property value, to retain the open character of a residential zone, and to protect health and safety by regulating the parking of vehicles within residential neighborhoods of the City.

A. Parking of Recreational Vehicles. No person shall park or allow the parking of any recreational vehicle in the clear sight triangles required by Section 4-6 of this Ordinance. In a residential zone, no person shall park or allow the parking of any recreational vehicle in any front yard or a side yard facing a public street for a period of no more than four (4) consecutive days and a cumulative of thirty (30) days in a calendar year. (Amended the 20th day of October, 1993; Ordinance No. 753.)

B. Parking of Automobiles. No person shall park or allow the parking of any automobile, van, pickup truck, or motorcycle in any front yard located in a residential zone except in a designated driveway. No more than forty (40) percent of the front yard shall be covered with asphalt, or gravel. The operation of this section shall be suspended during any period of a snow alert declared by the Mayor. Parking areas shall not be constructed in the clear vision areas as vehicles are considered a temporary obstruction for vehicular traffic.

C. Storage of Commercial Vehicles and Manufactured Homes in Residential Zones. The storage of commercial vehicles with a gross vehicle weight rating (GVWR) exceeding eight thousand (8,000) pounds and construction equipment including but not limited to bulldozers, graders, and cement mixers shall not be permitted upon private property in any residential zone except for a period not to exceed one (1) year in which a building is being constructed thereon. Unoccupied mobile homes and manufactured homes shall not be stored upon private property in any residential zones.

4.9 Exception to Setback Requirement

When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the averaged setback of such buildings. Parking and maneuvering areas are not included in the calculation of this exception nor shall these areas be granted an exception to the required front yard setbacks. In all Residential Zones all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit. In new residential subdivisions the front yard setback may be changed to twenty (20) feet. In all zones the area between the curb and gutter and the sidewalk is to be landscaped.

4.10 Home Occupations

In order to provide for home occupations that are secondary to the use of the premises as a residence and are compatible with the quiet, peaceful nature of a residential neighborhood, no home occupation shall be permitted without the prior issuance of a conditional use permit or home occupation permit or license as required by the type of home occupation desired.

A. Home Occupation Requirements.

1. **Permitted Uses.** In all residential zones, home occupations in compliance with the following regulations are permitted as accessory uses. A home occupation which meets the following conditions shall be issued a permit by the City Clerk, upon application and payment of a permit fee, provided that the home occupation is conducted by the applicant, who shall reside on the premises, and provided the home occupation does not constitute a significant impact on the neighborhood.

   a. A home occupation shall be conducted entirely within a dwelling and shall not occupy more than twenty percent of the floor area of the residence.

   b. There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.

   c. There shall be no display of products visible in any manner from the outside of the dwelling.

   d. There shall be no change in the outside appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation.

   e. No advertising signs shall be permitted.

   f. No one other than members of the immediate family residing in the home shall be employed in the conduct of a home occupation.

   g. The use shall not create greater pedestrian or vehicular traffic than normal for the neighborhood.

   h. The use shall not require additional off-street parking spaces for clients or customers of the home occupation.

   i. No home occupation shall cause an increase in the use of any one or more public utilities (water, sewer, and garbage collection) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.

   j. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than vans regularly involved in commercial delivery such as United Parcel Service, Federal Express, or the United States Postal Service. The applicant may use his/her personal vehicle, provided it does not exceed three quarter (3/4) ton, for deliveries.

   k. No motor power other than electrically operated motors shall be used in connection with a home occupation. Home occupations shall not involve the use of electric motors of more than three (3) h.p.

   l. No equipment or process shall be used in a home occupation which creates noise, glare, vibration, or fumes, or odor detectable to the normal senses off the property.

   m. No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.

   n. No commercial telephone directory listing, newspaper, radio, or television service shall be used to advertise the location of a home occupation to the general public.

   o. Examples of home occupations permitted under this section shall include but not be limited to painting,

sculpturing, writing, sewing and tailoring, individual tutoring, computer programming, home crafts without on premise sales, secretarial service, telephone solicitation work and answering services, and home cooking, baking and preserving.

p. Under this section, a family child care may have up to five (5) children at any one time. The care of additional children shall require a conditional use permit under paragraph B. below.

q. If the home occupation is the type in which classes are held or instruction is given to more than one person at a time, there shall be no more than five (5) students or pupils in the dwelling unit or on the premises at any one time. No more than two sessions shall be held daily.

2. **Conditional Uses.** Home occupation which do not comply with the regulations under subsection A above may be permitted in all residential zones only if a conditional use permit is secured pursuant to Section II, chapter 6.13. Such home occupations shall comply with the following regulations:

a. A home occupation which has a conditional use permit shall be conducted entirely within the dwelling or an accessory structure. More than the equivalent of twenty-five percent of the floor area of the residence shall not be associated with the home occupation.

b. There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling or accessory building.

c. Unless permitted under the conditional use review process, there shall be no sales of products or services not produced on the premises.

d. There shall be no display of products visible in any manner from the outside of the dwelling.

e. There shall be no visible evidence of the conduct of the home occupation other than one (1) non-illuminating sign not to exceed two (2) square feet in area mounted flat against the dwelling.

f. No one other than the residents of the dwelling shall be employed in the conduct of the home occupation.

g. The use shall not generate additional pedestrian or vehicular traffic beyond that normal to the district in which it is located.

h. The use shall not require more than two (2) additional off-street parking spaces for clients or customers of the home occupation. Such off-street parking shall not be provided in the front yard unless on a pad existing prior to commencement of the home occupation.

i. No home occupation shall cause an increase in the use of any one or more public utilities (water, sewer, and garbage collection) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.

j. The home occupation shall not involve the use of commercial vehicles with more than six (6) wheels for delivery of materials to or from the premises. Such deliveries shall be limited to five deliveries per week.

k. No home occupation shall be conducted between the hours of 9:00 p.m. and 7:00 a.m.

l. No equipment or process shall be used in a home occupation which creates noise, glare, vibration, fumes, or odor detectable to the normal senses off the property.

m. No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises or cause fluctuations in line voltage off the premises.

3. **Violation of Standards.** If a home occupation permittee violates any of the above standards as applicable, the home occupation permit may be revoked upon written notice to the applicant, and the conduct of the

home occupation shall cease. To contest the revocation, the applicant shall appeal to the Planning and Zoning Commission within fifteen (15) days of the date of the written notice.

4.11 Manufactured homes.

A. Allowing new manufactured housing. New manufactured housing units are permitted in the HDR, MDR and LDR2-3, RR1-2, and TAG1-2 zones on individual lots under specific conditions.

1. **Conditions.**

   a. The home shall be at least twenty-four feet (24') in width.

   b. It shall have a none-glare, wood shake, or asphalt roof with a minimum slope of 3/12 and a minimum six inch (6") eaves.

   c. The home shall have an exterior siding that is residential in character, including but not limited to clapboards, simulated clapboards such as conventional vinyl or metal siding, or similar material. The siding shall not be composed of smooth, ribbed, or corrugated metal or plastic panels.

   d. The home shall be placed on a permanent foundation that complies with the Building Code for residential structures.

   e. The hitch, axles, and wheels must be removed, and the foundation, and foundation fascia must be similar in appearance and durability to the masonry foundation of site built buildings.

2. **Meeting the Conditions.** Mobile homes and manufactured homes that do meet the conditions immediately above are also permitted in established or approved mobile home courts and mobile home subdivisions.

4.12 RESERVED

4.13 Commercial Design Standards

Design standards have been adopted by the City of Rexburg to promote high quality development and growth. The design standards will help stabilize and possibly increase property values by providing investors assurance that property adjacent to theirs will be meet minimum design standards. In addition, design standards will promote a more interesting City and better create a “sense of place.” A community with an expectation of high quality development will attract businesses and employers that feel the same about their companies thus perpetuating a higher quality community that promotes quality business.

Below are those standards which have been indentified to enable developers, architects, land owners, and the general public to anticipate and plan for building within the City. Understanding these standards and applying them initially will ensure a shortened approval process.

A. Structures 25,000 sq. ft. and greater.

1. **Introduction.** Large Scale Commercial Developments should implement projects with an overall community design in mind, thus the need exists for Commercial Design Standards to be in place to ensure developments are coordinated into the overall community presentation.

2. **Background and Justification.** The basis for all development within our Community is set forth in the *Development Code*, *Subdivision Regulations*, and the *Comprehensive Plan*. The *Development Code* for the City of Rexburg states that the purpose of the Ordinance is to promote the general welfare by establishing and regulating zoning districts. The purpose of these standards is to augment the existing criteria contained in the current commercial zones and those contained in the *Development Code* and *Subdivision Ordinance*, with more specific interpretations that apply to the design of large scale commercial developments. These standards require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and

mitigation of negative impacts.

3. **Procedure.** The following standards are intended to be used as a design aid by developers proposing large commercial developments and as an evaluation tool by the city staff and the Planning and Zoning Commission in their review processes.

   These standards shall apply to all projects, which are processed according to the criteria for proposed development plans and to all projects for commercial establishments of 25,000 square feet and greater located in the City of Rexburg's Commercial Districts. These standards do not directly apply to the Central Business District as that particular zone has its own individual specific requirements.

   These standards are to be used in conjunction with the *Subdivision Ordinance* and other City development Regulations.

4. **Definitions**

   a. **Articulate** – to give emphasis to or distinctly identify a particular element. An articulated façade would be the emphasis of elements on the face of a wall including a change in setback, materials, roof pitch or height.

   b. **Breezeway** – a structure for the principal purpose of connecting a main building or structure on a property with other buildings.

   c. **Building Face, Front** – any building face, which can be touched by a line drawn perpendicular to street (public or private).

   d. **Building Face, Public** – any building side which is visible from public or private right-of-ways and/or the faces that contain public entry.

   e. **Design Standards** – statements and graphics intended to direct the planning and development of the built environment in a particular manner or style so that the end result contributes positively to the overall development.

   f. Façade- Portions of a building that are visible from private or public roads, and walkways, but not including alleys.

   g. Fenestration- The arrangement of windows in a building to provide interior light: also used as decorative elements in a façade.

   h. **Large Scale Commercial Structures-** Structures that are 25,000 square feet in size and larger. This includes commercial retail and business office buildings.

   i. **Pedestrian Oriented Development** – development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and buildings/structures rather than on auto access. The buildings/structures are generally located close to the public or private right-of-way and the main entrance(s) is oriented to the street sidewalk. There are generally windows or display cases along building facades. Although parking is provided, it is generally limited in size and location.

   j. **Pedestrian Walkway** – a surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/driving aisle.

   k. **Public/Private Right of Way** – any public or private road, access easement intended to provide public access to any lot/development, but excluding any service road or internal driving aisles (i.e., within parking lots).

5. **Design Standards**

   a. Aesthetic Character

(1) Facades and Exterior Walls

INTENT: Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large commercial buildings and provide visual interest that will be consistent with the Community's identity character, and scale. The intent is to encourage a more human scale that residents of Rexburg-Madison County will be able to identify with their Community. The resulting scale will ensure a greater likelihood of reuse of structure by subsequent tenants.

STANDARD: Developments with facade over 100 feet in linear length shall incorporate wall projections or recesses a minimum of two (2) foot depth and a minimum of 20 contiguous feet within each 100 feet of facade length that is visible from a city street, public way, or any facility or parking lot used by the general public and shall extend over 20 percent of the facade. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60 percent of the facade.

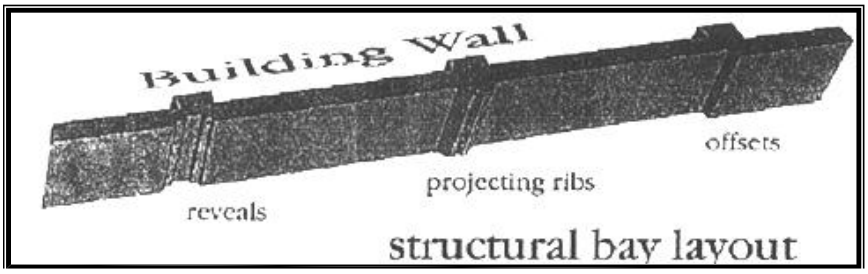
(2) Smaller Commercial Stores

INTENT: The presence of smaller commercial stores gives a center a friendlier appearance by creating variety, breaking up large expanses, and expanding the range of the site's activities. Windows and window displays of such stores should be used to contribute to the visual interest of exterior facades. The standards presented in this section are directed toward those situations where additional, smaller stores, with separate, exterior customer entrances are located in the principal buildings or development site.

STANDARD: Where principal buildings contain additional, separately owned stores, which occupy less than twenty-five thousand (25,000) square feet of gross floor area, with separate, exterior customer entrances:

(a) The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade of such additional stores.

(b) Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing.



Expression of Architectural or Structural Bay

(3) Roofs

INTENT: Variations in roof lines should be used to add interest to, and reduce the massive scale of large buildings. Roof features should complement the character of adjoining neighborhoods.

STANDARD: Roof lines that are visible from a city street, public way, or any facility or parking lot used by the general public shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the preliminary development plan.

(4) Materials and Colors

INTENT: Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.

STANDARD:

(a) Predominant exterior building materials shall be high quality materials. These include, without limitation:
- Brick
- Wood
- Sandstone
- Other native stone
- Tinted, textured, concrete masonry units
- Stucco, EIFS, Dryvit
- Materials that are designed to appear as wood (excluding vinyl)

(b) Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.

(c) Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent.

(d) Predominant exterior building materials as well as accents shall not include the following:
- Smooth-faced concrete block
- Tilt-up concrete panels
- Pre-fabricated steel panels
- Vinyl Siding

(5) Entryways

INTENT: Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. The standards identify desirable entryway design features.

STANDARD: Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:
- canopies or porticos
- overhangs
- recesses/projections
- arcades
- raised corniced parapets over the door
- peaked roof forms
- arches
- outdoor patios
- display windows
- architectural details such as tile work and moldings which are integrated into the building structure and design
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting

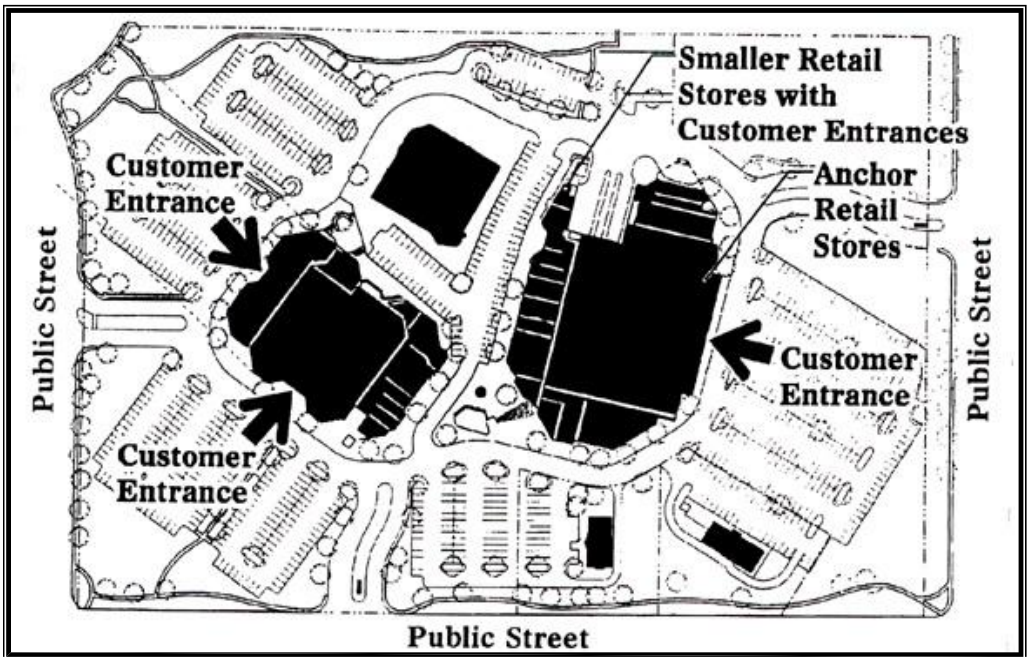
b. Site Design and Relationship to the Surrounding Community.

(1) Entrances

INTENT: Large commercial buildings should feature multiple entrances. Multiple building entrances reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores, or identified departments in a store. Multiple entrances also mitigate the effect of the unbroken walls and neglected areas that often characterize building facades that face bordering land uses.

STANDARD: All sides of a principal building that directly face an abutting public or private right-of-way shall feature at least one customer entrance. Where a principal building directly faces more than two abutting public or private rights-of-way, this requirement shall apply only to two sides of the building, including the side of the building facing the primary street, and another side of the building facing a secondary street.

The number of entrances for the principal building shall be addressed at the preliminary development plan stage. Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance, which shall conform to the above requirements.



Example of a development with customer entrances on all sides which face a public street.

(2) Parking Lot Orientation/Visual Mitigation

INTENT: Parking areas should provide safe, convenient, and efficient access for vehicles and pedestrians. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface. If buildings are located closer to streets, the scale of the complex is reduced, pedestrian traffic is encouraged, and architectural details take on added importance.

STANDARD: No more than 60 percent of the off-street parking area for the entire property shall be located between the front facade within the front yard of the principal building(s) and the primary abutting street unless the principal building(s) and/or parking lots are screened from view by out-lot development (such as restaurants) and additional tree plantings and/or berms.

INTENT: Parking areas should be visually buffered from the adjoining streets. Minimize the visual impact of off street parking.

STANDARD: Fences, hedges, berms and landscaping shall be used to screen parking areas. When large parking lots are necessary, increase the landscaping to screen the lot and divide the lot into smaller components. Significant landscape islands must be provided in the interior of large lots (over fifty (50) parking spaces. These may double as snow storage areas in the winter months.

(3) Back and Sides

INTENT: The rear or sides of buildings often present an unattractive view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts. Any back or side of a building visible from a public or private right-of-way shall be built in accordance with Article I. The Planning and Zoning Commission may waive this requirement as part of an agreed upon development plan.

STANDARD: The minimum setback for any building facade shall be in accordance with the requirements for all commercial zones, except Central Business District. Where the facade faces adjacent residential uses an earthen berm shall be installed, no less than 6 feet in height, containing at a minimum, a double row of evergreen or deciduous trees planted at intervals of 15 feet on center. Additional landscaping may be required by the Planning and Zoning Commission to effectively buffer adjacent land use as deemed appropriate. Any and all additional landscape requirements of all of the Commercial zones, except Community Business Center, shall apply.

(4) Outdoor Storage, Trash Collection, and Loading Areas

INTENT: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than forty (40) feet apart, or on those sides of buildings that do not have customer entrances.

STANDARD:

(a) Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way.

(b) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public thoroughfare or street, public sidewalk, or internal pedestrian way.

(c) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.

(d) Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and designs of screening walls and/or fences shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the buildings.

(e) Temporary sales/displays, such as Christmas trees, landscape materials, and fireworks, shall follow all outdoor requirements for all of the Commercial zones, except Central Business District, as described in the *Development Code*. Location and time/duration of such sales/displays shall be reviewed and approved by the Community Development Director or appointed designee.

(5) Pedestrian Flows

INTENT: Pedestrian accessibility opens auto-oriented developments to the neighborhood, thereby reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems

that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the center grounds.

STANDARD:

(a) Sidewalks at least 5 feet in width (six (6) feet in width where vehicle overhang will occur) shall be provided along all sides of the lot that abut a public or private right-of-way, excluding interstates. The Planning and Zoning Commission may waive this requirement as part of the development agreement.

(b) Continuous internal pedestrian walkways, no less than five (5) feet in width (six (6) feet in width where vehicle overhang will occur), shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than 50 percent of their length.

(c) Sidewalks, no less than five (5) feet in width (six (6) feet in width where vehicle overhang will occur), shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located an average of six (6) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade. However, entry/exit doors shall not be allowed to encroach upon the required sidewalk width when opened.

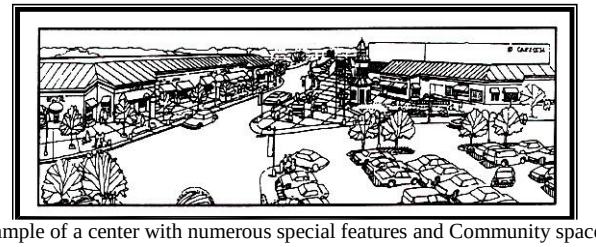
(d) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs shall be installed to designate pedestrian walkways.

(6) Central Features and Community Spaces

INTENT: Buildings should offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered as integral parts of the configuration. Special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces should anchor pedestrian ways. The features and spaces should enhance the building and the center as integral parts of the Community fabric.

STANDARD: Each commercial establishment subject to these standards shall contribute to the establishment or enhancement of Community and public spaces by providing at least two of the following: patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkways, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the Planning and Zoning Commission, adequately enhances such Community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

Although Rexburg and Madison County's public bus system is limited at present, areas should be provided or designed to accommodate possible (future) bus service and the growing number of private bus services (i.e., nursing home/assisted living, student housing complexes, etc.)



Example of a center with numerous special features and Community spaces

c. Building Reuse and Maintenance Plan, Development Agreement Required

Applications for large scale commercial structures or establishments shall include a reuse and maintenance plan that will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the structure in the event of closure or relocation by the original occupant. Such plan will be approved if the Planning and Zoning Commission finds that:

(1) The plan conforms to the City's growth policy and the requirements of this title or parts thereof for the municipality as a whole; and

(2) A sound and adequate financial program exists for the financing of said redevelopment; and

(3) The plan affords maximum opportunity for rehabilitation or redevelopment of the structure by both private enterprise and the municipality; and

(4) The reuse plan provides a maintenance plan for normal repairs and upkeep of property, including but not limited to building, parking lots and surfacing, landscaping, signage, and elimination of "ghost signage."

The City may enter into a development agreement with the owner of the real property and undertake activities, including the acquisition, removal, or demolition of structures, improvements, or personal property located on the real property, to prepare the property for redevelopment. A development agreement entered into in accordance with this section must contain provisions obligating the owner to redevelop the real property for the specified use consistent with the provisions of this title and offering recourse to the City if redevelopment is not completed as determined by the City.

B. Structures less than 25,000 sq. ft.

1. **Introduction.** Small Scale Commercial Developments should implement projects with an overall community design in mind, thus the need exists for Commercial Design Standards to be in place to ensure developments are coordinated into the overall community presentation.

2. **Background and Justification.** The basis for all development within the City of Rexburg is set forth in the *Development Code* and the *Comprehensive Plan*. The *Development Code* for the City of Rexburg states that the purpose of the Ordinance is to promote the general welfare by establishing and regulating zoning districts. These standards require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts.

3. **Procedure.** The following standards are intended to be used as a design aid by developers proposing small commercial developments and as an evaluation tool by the city staff and the Planning and Zoning Commission in their review processes.

   These standards shall apply to all projects, which are processed according to the criteria for proposed development plans and to all projects for commercial establishments of 25,000 square feet or less located in the City's commercial zones. These Standards do not apply in the Central Business District. These standards are to be used in conjunction with the Subdivision Ordinance and other City development regulations.

4. Design Standards

a. Aesthetic Character

(1) Facades and Exterior Walls

INTENT: Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of commercial buildings and provide visual interest that will be consistent with the community's identity, character, and scale. The intent is to encourage a more human scale that residents will be able to identify with their Community. The resulting scale will ensure a greater likelihood of reuse of structure by subsequent tenants.

STANDARD: Developments with facade over 60 feet in linear length shall incorporate wall projections or recesses a minimum of 2 foot depth and a minimum of 8 contiguous feet within each 60 feet of facade length and shall extend over 20 percent of the facade. All sides of a structure clearly visible from a public street, pubic way, or any facility or parking lot used by the general public shall be so treated. Developments shall use animating features such as arcades, display windows, entry areas, or awnings along at least 60 percent of the facade.

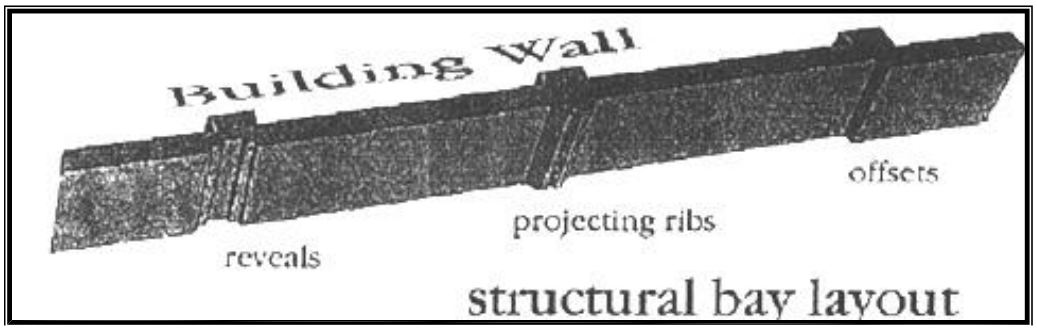
(2) Smaller Commercial Stores

INTENT: The presence of smaller commercial stores gives a friendlier appearance by creating variety, breaking up large expanses, and expanding the range of the site's activities. Windows and window displays of such stores should be used to contribute to the visual interest of exterior facades. The standards presented in this section are directed toward those situations where additional, smaller stores, with separate, exterior customer entrances are located in the principal buildings or development site.

STANDARD: Where principal buildings contain additional, separately owned stores, which occupy less than twenty-five thousand (25,000) square feet of gross floor area, with separate, exterior customer entrances:

(a) The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 40 percent of the horizontal length of the building facade of such additional stores.

(b) Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing.



Expression of Architectural or Structural Bay

(3) Roofs

INTENT: Variations in roof lines should be used to add interest to, and reduce the massive scale of large buildings. Roof features should complement the character of adjoining neighborhoods.

STANDARD: Roof lines that are visible from a city street, public way, or any facility or parking lot used by the general public shall be varied with a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the preliminary development plan.

(4) Materials and Colors

INTENT: Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and compatible with materials and colors used in adjoining neighborhoods.

STANDARD:

(a) Predominant exterior building materials shall be high quality materials. These include, without limitation:
- Brick
- Wood
- Sandstone
- Other native stone
- Tinted, textured, concrete masonry units
- Stucco, EIFS, Dryvit
- Material that are designed to appear as wood (excluding vinyl)

(b) Facade colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.

(c) Building trim and accent areas may feature brighter colors, including primary colors, neon tubing shall not be an acceptable feature for trim or accent.

(d) Predominant exterior building materials as well as accents shall not include the following:
- Smooth-faced concrete block
- Tilt-up concrete panels without mitigating surface treatment
- Pre-fabricated steel panels

(5) Entryways

INTENT: Entryway design elements and variations should give orientation and aesthetically pleasing character to the building. The standards identify desirable entryway design features.

STANDARD: Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:
- canopies or porticos
- overhangs
- recesses/projections
- arcades
- raised corniced parapets over the door
- peaked roof forms
- arches
- outdoor patios
- display windows
- architectural details such as tile work and moldings which are integrated into the building structure and design
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting

(6) Parking Lot Orientation/Visual Mitigation

INTENT: Parking areas should provide safe, convenient, and efficient access for vehicles and pedestrians. They should be distributed around large buildings in order to shorten the distance to other buildings and public sidewalks and to reduce the overall scale of the paved surface. If buildings are located closer to streets, the scale of the complex is reduced, pedestrian traffic is encouraged, and architectural details take on added importance.

STANDARD: No more than 60 percent of the off-street parking area for the entire property shall be located between the front facade within the front yard of the principal building(s) and the primary abutting street unless the principal building(s) and/or parking lots are screened from view by out-lot development (such as restaurants) and additional tree plantings and/or berms.

INTENT: Parking areas should be visually buffered from the adjoining streets. Minimize the visual impact of off street parking.

STANDARD: Fences, hedges, berms and landscaping shall be used to screen parking areas. When large parking lots are necessary, increase the landscaping to screen the lot and divide the lot into smaller components. Significant landscape islands must be provided in the interior of large lots (over fifty (50) parking spaces. These may double as snow storage areas in the winter months.

(7) Back and Sides

INTENT: The rear or sides of buildings often present an unattractive view of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts. Any back or side of a building visible from a public or private right-of-way shall be built in accordance with Article I. The Planning and Zoning Commission may waive this requirement as part of an agreed upon development plan.

STANDARD: The minimum setback for any building facade shall be in accordance with the requirements for all Commercial zones, except Community Business Center. Where the facade faces adjacent residential uses an earthen berm shall be installed, no less than 6 feet in height, containing at a minimum, a double row of evergreen or deciduous trees planted at intervals of 15 feet on center. Additional landscaping may be required by the Planning and Zoning Commission to effectively buffer adjacent land use as deemed appropriate. Any and all additional landscape requirements of all the all Commercial zones, except Central business District, shall apply.

(8) Outdoor Storage, Trash Collection, and Loading Areas

INTENT: Loading areas and outdoor storage areas exert visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed. While screens and recesses can effectively mitigate these impacts, the selection of inappropriate screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances.

STANDARD:

(a) Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way.

(b) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 20 feet of any public thoroughfare or street, public sidewalk, or internal pedestrian way.

(c) Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.

(d) Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently

defined and screened with walls and/or fences. Materials, colors, and designs of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the buildings.

(e) Temporary sales/displays, such as Christmas trees, landscape materials, and fireworks, shall follow all outdoor requirements for all the Commercial zones, except Community Business Center, as described in the *Development Code*. Location and time/duration of such sales/displays shall be reviewed and approved by the Community Development Director or appointed designee.

(9) Pedestrian Flows

INTENT: Pedestrian accessibility opens auto-oriented developments to the neighborhood, thereby reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the center grounds.

STANDARD:

(a) Sidewalks at least 5 feet in width shall be provided along all sides of the lot that abut a public or private right-of-way, excluding interstates. The Planning and Zoning Commission may waive this requirement as part of a development agreement.

(b) Continuous internal pedestrian walkways, no less than 5 feet in width (six (6) feet in width where vehicle overhang will occur), shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such materials for no less than 50 percent of their length.

(c) Sidewalks, no less than 5 feet in width (six (6) feet in width where vehicle overhang will occur), shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located an average of six (6) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade. However, entry/exit doors shall not be allowed to encroach upon the required sidewalk width when opened.

(d) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways. Signs shall be installed to designate pedestrian walkways.

(10) Central Features and Community Spaces

INTENT: Buildings should offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Bus stops and drop-off/pick-up points should be considered as integral parts of the configuration. Special design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces should anchor pedestrian ways. The features and spaces should enhance the building and the center as integral parts of the Community fabric.

STANDARD: Each commercial establishment subject to these standards shall contribute to the establishment of pedestrian and public spaces by providing at least one of the following:

- patio/seating area
- pedestrian plaza with benches
- transportation center
- window shopping walkways
- outdoor play area
- kiosk area
- water feature
- clock tower, steeple
- or, other such deliberately shaped area and/or a focal feature or amenity that adequately enhances such Community and public spaces.

Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

4.14 Commercial Lighting Standards

A. Purpose. Effective outdoor lighting enhances the City of Rexburg's character and identity, promotes a pleasant and soft ambiance, protects astronomical observations, and provides safety and security for persons and property by reducing glare and large variations in lighting levels. Excessive light or light pollution, can be annoying, cause safety problems, and reduce privacy. Uniformity of lighting reduces the need for human adaptation to varying brightness levels and visual discomfort and enhances security and safety. In order to effectively regulate these activities, communities are empowered to establish regulations and standards for all outdoor lighting. This Section contains standards and guidelines to preserve, protect, and enhance the night sky in the City of Rexburg;

This Section, and any rules, regulations and specifications hereafter adopted, is initiated for the following purposes:

1. To promote and protect the public health, safety and welfare.
2. To preserve, protect, and enhance the natural beauty of the "Night Sky".
3. To encourage and promote the conservation of energy resources.
4. To promote safety and security for persons and property, drivers and pedestrians.
5. To maintain and enhance property values.
6. To adopt clear standards for all outdoor lighting and to inform the public of those standards.
7. To implement the goals and objectives of the Comprehensive Plan.
8. To eliminate light trespass onto abutting properties.
9. To promote appropriate business.
10. To enhance community identity.

B. Scope and Applicability.
This section shall apply to all new lighting that is installed within the jurisdiction of this development code. For lighting that existed prior to the lighting ordinance (2/16/2005 Original Adoption of Ordinance 926), see the below section addressing Abatement for Nonconforming Outdoor Lighting, which provides a timeline for existing lighting to come in to conformance**.**

C. Interpretation.

1. **Greater Restrictions Prevail.** In their interpretation and application the provisions of this section shall be considered as minimum requirements. Where the provisions of this Section impose greater restrictions than any statute, other regulations, ordinance or covenant, the provisions of this Section shall prevail. Where the provisions of any statute, other regulation, ordinance or covenant impose greater restrictions than the provision of this Section, the provisions of such statute, other regulation, ordinance or covenant shall prevail.

2. **Severability of Parts.** The various sections, subparagraphs, sentences, phrases and clauses of this Section are hereby declared to be severing able. If any such part of this Section is declared to be invalid by a court of competent jurisdiction or is amended or deleted by the City Council, all remaining parts shall remain valid and in force.

D. Definitions. Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Section. Words used in the present tense include the future; the singular includes the plural; the word "shall" is mandatory and not directory; the word "may" is permissive. Words used in this Section, but not defined herein, shall have the meaning first as defined in any other ordinance adopted by the City of Rexburg and then its common, ordinary meaning.

Area Light. Light that produces over 1800 lumens and is designed to light an exterior space. Area lights include, but are not limited to, street lights, parking lot lights and yard lights.

Downlighting. Fully shielded light that is directed in such a manner as to shine light rays only below the horizontal plane

Flood light. A lamp that produces up to one thousand eight hundred (1,800) lumens and is designed to flood a well-defined area with light.

Foot-candle (fc). The American unit used to measure the total amount of light cast on a surface (illuminance). For example, the full moon produces .01 foot-candles. foot-candles are measured with a light meter.

Full cut-off luminaires. An industry recognized term meaning a luminaire designed and installed such that no light is emitted at or above the horizontal, and limited light (100 candela per thousand lamp lumens) is emitted everywhere between horizontal and 10 degrees below horizontal.

Fully shielded. The luminaire and its mounting, taken as a whole, allow no direct light above the horizontal.

Glare. Stray light striking the eye that may result in:

a. Nuisance or annoyance glares such as light shining into a window.
b. Discomfort glare such as bright light causing squinting of the eyes.
c. Disabling glare such as bright light reducing the ability of the eyes to see into shadows.
d. Reduction of visual performance.

Height (of light). The height shall be measured from grade to the lamp center or flat-lens surface, whichever is lower.

Holiday lighting. Strings of individual lamps, where the lamps are at least three inches apart and the output per lamp is not greater than fifteen (15) lumens.

Illuminance. The amount of light falling on any point of a surface measured in foot-candles or lux. Measurements are taken at ground level with sensor parallel to the ground for horizontal illuminance and measured at 5 feet above ground with sensor perpendicular to the ground for vertical illuminance. See also Maintained Illuminance and Light Loss Factor.

IESNA. Illuminating Engineering Society of North America (IES or IESNA). The professional society of lighting engineers.

IESNA Recommended Practices. The current publications of the IESNA setting forth illuminance levels and

other lighting practices.

Lamp. The generic term for an artificial light source, to be distinguished from the whole assembly (see Luminaire). Commonly referred to as "bulb".

Light loss factor (LLF). A factor by which the rated initial illuminance is multiplied to determine the Maintained Illuminance. LLF includes factors for Lamp Lumen Depreciation and Luminaire Degradation. A 0.9 or greater Luminaire Degradation factor should be used unless another factor can be justified because of unusual degradation conditions. Lamp Lumen Depreciation is based upon manufacturers' data.

Light trespass. Unnecessary light from one property or public space falling on another property or public space.

Lighting Plan. Documents specific to a project or development that describe the location and characteristics of all exterior lighting and the light levels in and adjacent to the property,

Luminaire. The complete lighting unit, including the lamp, the fixture, and other parts.

Maintained illuminance. The condition just prior to a time when luminaire cleaning and lamp replacement is necessary.

E. Standards and Criteria.

1. **Shielded Fixtures.** All outdoor lighting shall be fully shielded. Full cutoff lights are required.

2. **Color. Color corrected** high-pressure sodium (white light) lamps are encouraged in commercial and public applications, however metal halide or fluorescent lamps may be permitted for applications where there is need for good color rendition that is necessary to the function, such as retail sales lots.

3. **Light Trespass.** All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the light source. Care shall be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Freestanding luminaires that are closer to the property boundary than 3 times the height of the lamp above grade shall use an asymmetrical light distribution or shall be fitted with a cutoff shield (also known as house-side shields) such that the illuminance at the property boundary is less than 1/20 of the maximum from said luminaire.

   All bright lighting shall be turned off after 11:00 P.M. except to conclude a specific event that is underway.

4. **Lighting of Flags.** The lighting of Federal or State flags shall be permitted provided that the light is a narrow beam with a lumen output of less than 1300 candles. The external beam shall minimize light trespass and/or glare. Downlighting of flags is encouraged. Lowering flags at sunset to avoid the need for lighting is encouraged.

5. **Canopy Lighting.** Canopy lighting shall be flush with the under surface of the canopy.

6. **Conformance with Applicable Codes.** All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this Section, Building Codes, the Electrical Code, and Sign Ordinance, with appropriate permits and inspection.

7. **Roadway/Streetlights.**

   a. Full cut off. All new lighting for highways and streets shall be full cutoff.

   b. Light Source. As per the City Engineer.

   c. Height. Streetlights shall not exceed 25 feet in Height except where deemed necessary for public health and safety and upon recommendation by the Director of Public Works.

8. Parking Lots.

a. Height. Height of parking area lights should be in proportion to the building mass and height, and shall be no more than 25 feet.

b. Maximum initial horizontal illuminance. Maximum initial horizontal illuminance at any point within shall not exceed 4 foot-candles. Initial horizontal illuminance shall not exceed 0.2 foot-candles at the property boundary abutting residential properties.

c. Parking Lot Lighting. Parking lot lighting shall comply with all other requirements of this Section.

9. Recreation Areas.

a. Type of Lighting. All recreation lighting shall be fully shielded, or be designed or provided with sharp cutoff capability, so as to minimize up-light, spill light, and glare.

b. Turn Off Time. All recreational lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In no case shall recreational lighting occur after 11:00 P.M. except to conclude a specific sporting event that is underway.

c. IESNA Certificate. All new recreational lighting fixtures shall meet the recommended standard illumination levels for recreational lighting as established by the Illuminating Engineering Society of North America (IESNA).

10. Service stations and retail sales lots.

a. Metal Halide Lamps. Metal halide lamps are permitted.

b. Car Dealerships. Maximum horizontal initial illuminance shall be 5-10 foot-candles at the roadway and 2-5 elsewhere. (reference: IESNA RP 33-99 table 7, secondary business districts and small towns). All bright non-security lighting shall be turned off after 11:00 P.M.

c. Service Stations. Average initial horizontal illuminance shall be no greater than 5 foot-candles in the pump area and 2 foot-candles elsewhere. (Reference IESNA Recommended Practice RP-33-99, Table 8, dark surroundings).

11. Residential Lighting. For all residential luminaires with an output greater than 1000 lumens (equivalent to a 60 watt incandescent bulb) the following requirements shall apply.

a. Bare Bulb Light Fixtures. Bare bulb light fixtures are prohibited. The lamp shall be diffused or shielded so that it can't be seen from public areas or roadways or any other property.

b. Security Lighting. Security lighting shall be fully shielded and shall be set on a time or motion detector that shuts lighting off after a reasonable increment of time.

c. Private Facilities. Private sport court facilities shall use fully shielded fixtures and shall not use the lights after 11:00 P.M.

12. Signs. Signs, including directional, project entrance; free standing, building, and monument signs shall comply with the following requirements:

a. Shielded. All lighting fixtures shall be aimed and shielded so that light is directed only onto the sign façade. The lamp shall not be visible from streets, roads, or properties.

b. Mounting. Lighting fixtures shall be mounted so as to light the sign.

c. Maximum. A maximum of 5 foot-candles average over the sign surface is permitted.

d. Signs in residential zones. Signs that abut residential zones shall be designed, placed, and landscaped in such a manner so that the lighting does not trespass onto residential properties. The light shall be confined to the surface of the sign.

e. Externally illuminated signs. Externally illuminated signs shall be downlighted. Internally illuminated signs shall have a dark or opaque background.

13. Exempt Lighting. The following lighting shall be exempt from the provisions of this Section:

a. Holiday lighting from November 1 to January 15.

b. Traffic control signals and devices.

c. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.

d. Temporary lighting, used for a period not to exceed thirty (30) days in any one year period for festivals, celebrations, or other public activities.

e. Temporary construction lighting used for a period not to exceed thirty (30) days in any one year period.

f. Residential luminaires with an output less than 1000 lumens (equivalent to a 60 watt incandescent bulb) regardless of the number of lamps. However, such luminaires shall not be used for building accent.

g. Sensor activated luminaires, provided:

(1) It is located in such a manner as to prevent glare and lighting onto properties of others or into a public right-of-way.

(2) The luminaire is set to go on only when activated and to go off within five minutes after activation has ceased. This type of lighting is only intended for very low pedestrian traffic areas and only to increase the perception of safety. If any complaints are made against such lighting, the Planning and Zoning Commission shall review the complaint and issue an interpretation

(3) The luminaire shall not be triggered by activity off the property.

14. Prohibited Lighting. The following lighting shall be prohibited except as provided in Subsection 13 Exempt lighting:

a. Unshielded Lighting. Unshielded lighting for any purpose is prohibited.

b. Flashing, Blinking, Intermittent Lights. Flashing, blinking, intermittent lights or other lights that move or give the impression of movement, is prohibited.

c. Building mounted lights. Spotlights may not be affixed to buildings for the purpose of lighting parking lots or sales display lot areas.

d. Searchlights, Floodlights, etc. Searchlights, floodlights, laser source lights, strobe, or flashing lights, illusion lights, or any similar high intensity light shall be permitted only with the issuance of a 48-hour temporary use permit. Any time beyond a 48-hour time period may be permitted by the issuance of a Conditional Use Permit approved by the Planning and Zoning Commission.

F. Abatement of Nonconforming Outdoor Lighting.

1. Abatement Required. Nonconforming lighting (lighting that does not conform to this Section but existed at the time of the adoption of this Section) shall be brought into compliance, unless otherwise exempted by this Section, pursuant to the abatement schedule contained in this Section.

2. **Schedule of Abatement.** All legally existing, nonconforming outdoor lighting shall be brought into compliance by the property owner as follows:

   a. As a condition for approval upon application for a building permit, sign permit, conditional use permit, or similar City of Rexburg permit.

   b. All damaged or inoperative non-conforming lighting shall be replaced or repaired with lighting equipment and fixtures that comply with this Section.

   c. All existing outdoor lighting that requires the re-aiming of a lamp bulb or bulbs shall be brought into conformance with this Section within ninety (90) days from the date of the adoption of this Section (February 2005).

   d. All existing outdoor lighting that requires shielding of a lamp bulb or bulbs shall be brought into conformance with this Section within five (5) years from the date of the adoption of this Section (February 2005).

   e. Any dusk-to-dawn security or barnyard type lights emitting over 5000 initial lumens, installed prior to the adoption of this Section shall be fully shielded within five (5) years of the adoption of this Section (February 2005).

   f. All outdoor lighting not previously scheduled for abatement or otherwise exempted shall be brought into conformance with this Section within ten (10) years from the date of the adoption of this Section (February 2005).

   g. Non-complying streetlights that do not meet the requirements of this Section shall be brought into compliance as part of the City of Rexburg's Capital Facilities Improvements Plan within ten (10) years of the date of this Section (February 2005).

G. Review Procedures.

1. **Lighting Plans Required.** All commercial building plans, commercial sign permit applications, conditional use permits, and subdivision applications shall include a detailed lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this Section.

   Lighting Plans shall include the following:

   a. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures, and type of illumination devices, lamps, supports, shielding, and reflectors used along with installation and electrical details.

   b. Illustrations, such as those contained in a manufacturer's catalog, of all proposed lighting fixtures.

   c. Photometric data, such as that furnished by manufacturers, showing illumination levels in wattage and lumens per lamp and lighting fixture, product specifications and IES formatted photometry files for said product.

   d. Photometric Layout. The following information must be provided:

      (1) Rated Initial Lamp Lumens.

      (2) Lamp Lumen Depreciation (LLD).

      (3) Luminaire Dirt Depreciation (LDD) A value of 0.9 or greater should be used, absent approved justification for another value.

      (4) Luminance (for street lighting applications only).

(5) Initial and maintained horizontal and vertical Luminance within the site and to 20 feet beyond the property boundary, maxima, minima, uniformity ratios.

(6) Small Target visibility (for street lighting applications only).

(7) Location, orientation, height, luminaire specifications, lamp specifications for all exterior lights.

H. Approval Procedure.

1. **Small Scale Applications.** Lighting plans for developments of one (1) acre or less shall be approved by the City of Rexburg's Public Works Director or designee.

2. **New Development.** New development applications shall include a detailed lighting plan that will be approved as part of the development approval in compliance with the City of Rexburg's Subdivision Ordinance, the conditional use permit, or the building permit.

3. **Signs Applications.** Sign applications shall include a detailed lighting plan that will be approved as part of the sign application approval.

4. **Compliance with this Section.** All lighting approvals shall be granted only in compliance with this Section.

5. **Suspension, revocation, or modifications to the Lighting Plan.** The Public Works Director may suspend, revoke, or require modification of any lighting plan that is not in compliance with this Section.

6. **Lamp or Fixture Substitution.** If any outdoor light fixture or the type of light source therein is proposed to be changed after a lighting plan has been approved, a change request must be submitted to the Public Works Director for approval. Adequate information to assure compliance with all codes must be provided and the change request must be received prior to substitution.

I. Appeal Procedure. The applicant or any person aggrieved by a final decision, determination, or requirement imposed regarding this Section may appeal according to the provisions set forth by the City of Rexburg's Development Code.

J. Enforcement. The City of Rexburg's Planning and Zoning Commission is authorized as the enforcing agency for this Section, and shall enforce all provisions.

4.15 Planned Unit Development (PUD)

A. Purpose. It is the purpose of this section to allow residential planned unit developments in several residential zones to allow a more flexible approach to land development than that which is normally accomplished through the subdivision and zoning ordinances of the city. The planned unit development approach is intended to provide more desirable environments by encouraging creative site planning and building designs; to make possible greater diversification between buildings and open spaces; and to conserve land and natural resources and minimize development costs. The planned unit development approach, however, is not intended to allow uses on land within a planned unit development other than uses permitted within the zone that is applicable to the land, unless otherwise stated in this ordinance.

B. Planning and Zoning Commission and City Council Authority. The Planning and Zoning Commission shall make a recommendation to the City Council to either approve, approve with conditions, or disapprove planned unit developments in any residential or commercial zone, or any combination of them, subject to the provisions of this section. The City Council shall have the authority to approve, approve with conditions, or disapprove planned unit developments in any residential or commercial zone, or any combination of them, subject to the provisions of this section.

C. Pre-Application Conference. Prior to filing an application for a planned unit development, the applicant shall review the preliminary master plan with the Planning and Zoning Commission and one person from, the City Council, the Mayor or designated representative at a pre-application conference. The purpose of the pre-application conference is to inform the city of the nature of a likely PUD application at an early date and to provide the potential applicant with information on what will be needed to make an application complete.

D. Uses Permitted. All uses that are permitted within the underlying zoning, also, up to ten percent (10%) of gross land area may be directed to other commercial, industrial, public and quasi-public uses that are not allowed within the land use district; provided, that there is a favorable finding by the Commission:

1. That the uses are appropriate with the residential uses;
2. That the uses are intended to serve principally the residents of the PUD;
3. That the uses are planned as an integral part of the PUD;
4. That the uses be located and so designed as to provide direct access to a collector or an arterial street without creating congestion or traffic hazards; and
5. That a minimum of fifty percent (50%) of the residential development occurs prior to the development of the related commercial or industrial uses.

E. Minimum Area. A PUD for the following principal uses shall contain an area not less than:

1. Three (3) acres for residential development.
2. Five (5) acres for residential use with subordinate commercial or industrial uses.
3. Ten (10) acres for commercial use.
4. Ten (10) acres for industrial use.

F. Variations to Underlying Zone Permitted.

1. Upon combining the PUD zone with an appropriate existing zone, variations from the development standards of said underlying zone may be permitted provided the variations are specifically adopted as part of the approved project plan or approved supporting documents. Variations, however, shall not include changes in the permitted uses allowed by the zone with which the PUD zone has been combined, except to the extent set forth herein.

a. Base Density. The maximum number of residential units allowed per developable acre in a PUD which meets only the minimum development requirements of this Chapter shall be calculated using the Lot Area Per Dwelling Requirement of the underlying zone:

Zone	Lot Area per Dwelling
LDR1	1 Unit per 12,000 square feet
LDR2	1 Unit per 5,000 square feet
LDR3	1 Unit per 4,000 square feet
MDR1	1 Unit per 2,723 square feet
MDR2	1 Unit per 1,815 square feet

G. Development proposal must adhere to currently adopted street and right-of-way cross section standards.

H. Density Determination. Density in PUD shall be determined by using the "developable land" of the entire proposed development. Developable land is land under 30% slope and that is capable of being improved with landscaping, recreational facilities, buildings, or parking. Land devoted to Rexburg dedicated street usage in PUD subdivisions shall not be considered developable acreage and must be subtracted out of the total acreage used to determine density, as well as areas designated for the use of churches, schools, and public buildings.

I. Minimum Performance Standards. A planned unit development established under the provisions of this ordinance shall conform to the standards and requirements of this section.

1. General Standards.

a. Single Ownership or Control. Unless agreed upon by the Planning and Zoning Commission, the area proposed for a planned unit development shall be in one (1) ownership or control during development to provide for full supervision and control of said development, and to insure conformance with these provisions and all conditions imposed upon the preliminary and final development plans. Scope of Plan. A plan for the development of a planned unit development shall cover the entire area proposed for development. Upon approval the development shall be strictly in accordance with the plan. Areas not proposed for development shall be designated as open space and shall conform to minimum landscaping requirements of this Chapter.

b. Natural Features. Developments shall be designed to preserve and incorporate the natural features of the land into the development. Natural features include drainage swales, wetlands, rock outcroppings, streams, and concentrated native stands of large shrubs or trees.

c. Utilities. All utilities shall be placed underground, including telephone, electrical, and television cables. Dwelling units under separate ownership shall have separate utility metering, unless otherwise approved by the Public Works Department.

d. Phasing. If the project is to be done in phases, no remnant parcels shall be created. Any land not proposed for development shall be designated as open space.

2. Water Conservation. Low volume irrigation systems with automatic controllers shall be used. Such an irrigation system includes, but is not limited to, low volume sprinkler heads, drip emitters, and bubbler emitters. Compatibility Standards

a. Refuse Bins. Refuse bins shall be stored in screened enclosures which are architecturally compatible in style and materials with the character of the development. Bins shall be located so they are not visible from outside circulation routes, and so they do not restrict vehicular movement or parking.

b. Glare Reduction. Exterior lighting shall be designed such that the light source will be sufficiently obscured to prevent excessive glare into any residential area.

J. Common Open Space.

1. Required Common Open Space. A minimum of ten percent (10%) of the gross land area developed in any residential PUD project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed.

2. Dedication of Land for Public Use. A required amount of common open space land reserved under a PUD shall either be held in corporate ownership by the owners of the project area for the use of each owner who buys property within the development or be dedicated to the public and retained as common open space for parks, recreation and related uses. Public utility and similar easements or right-of-way for watercourses and other similar channels are not acceptable for common open space dedication unless such land or right-of-way is usable as a trail or other similar purpose and approved by the Commission.

3. Maintenance. The responsibility of the maintenance of all open space shall be specified by the developer before approval of the final master plan.

4. Clustering. Property developed under the PUD approach should be designed to abut common open space or similar areas. A clustering of dwellings is encouraged.

5. Hardscape. Such common open spaces may include walkways, patios, recreational activity areas, picnic pavilions, gazebos, and water features so long as such surfaces do not exceed 35% of the required open green space.

6. Common Activity Areas. At a minimum, open green space shall include either a playground with play equipment or pathways with benches and tables through a natural or planted landscaped area.

7. Landscaping Per Unit. A minimum of three (3), one and one-half (1.5) inch caliper deciduous trees or four (4) foot tall evergreen trees, and four (4) shrubs shall be planted for each lot in a PUD subdivision, as well as building foundation planting of appropriate shrubs, flowers, or ground covers. Landscaping in the park strip in the street right-of-way shall have a unified design theme in PUD subdivisions. Multiple family PUD's shall provide a minimum of one (1) deciduous or evergreen tree per two (2) units, and two (2) shrubs per unit. The intent is to have a variety of plant materials to give color and texture; to direct traffic; to frame views; and to screen undesirable views. Applicant may provide a landscape plan that varies from these requirements to the Planning and Zoning Commission for approval as meeting the “spirit” of the requirements..

   The placement and types of deciduous trees shall take into consideration use of the trees for summer cooling and winter solar access. Evergreen trees should be used as windbreaks, screening, and accent plantings.

8. Water Conservation. The majority of new plant material used for landscaping the development should be water conserving plants. The landscaping design shall locate plant materials in similar water usage demand zones to insure proper irrigation coverage and reduce wasteful irrigation coverage and reduce wasteful watering. Native plants are preferred.

K. Density Bonuses. Density in excess of the base density for the underlying zone maybe considered for projects which comply with the bonus density design requirements. The amount of density bonus shall be determined by the type of Bonus Density Design Requirements incorporated in the development proposal. In no case shall the density bonus exceed the maximum density (per net developable acre NDA) allowed for the zone in which the development occurs according to the following chart:

ZONE	BASE DENSITY	MAX. DENSITY
LDR1	3.63 Units/NDA	4.84 Units/NDA
LDR2	8.71 Units/NDA	10.89 Units/NDA
LDR3	10.89 Units/NDA	13.20 Units/NDA
MDR1	16.00 Units/NDA	24.00 Units/NDA
MDR2	24.00 Units/NDA	26.00 Units/NDA

L. Density Bonus Calculation. For applicants requesting a density greater than the base density, the Planning and Zoning Commission and City Council shall determine whether the applicant has complied with the necessary design components as provided in this Chapter and shall assign density points as applicable. The additional units per acre allowed above the base density for the PUD shall be determined by multiplying the total number of density bonus points by the density coefficient of the underlying zone. This figure is the additional number of units per acre allowed above the base density. This number when added to the base density will determine the total density per acre for the project; provided that the number shall not exceed the maximum density allowed in the zone. (Example: The project is in an LDR2 zone and the design is awarded 75 bonus points. 75 x .0121 = 0.91 additional units per acre. 0.91 + 3.63 (base density) = 4.54 maximum units per acre for the development.) The density coefficient for each underlying zone and the total amount of points needed for the maximum density are listed below:

ZONE	DENSITY COEFFICIENT	MAX. DENSITY POINTS
LDR1	.0121	100
LDR2	.0218	100
LDR3	.0231	100
MDR1	.08	100
MDR2	.02	100

M. Density Bonus Design Requirements. If greater density is requested above the base density, a PUD development shall comply with one or more of the following bonus density design requirements depending upon the desired density_increase. The Planning and Zoning Commission shall review and determine if the proposed design complies with the intent of the design requirement before the points are granted. The density bonus points for each individual design component are in parentheses at the end of each requirement. In order to receive a density bonus, the development shall have received bonus density points from at least one design component in each of the following categories: energy efficiency, building design, design theme, parking areas, landscaping, and open green space. A design component cannot be used to obtain points in more than one category. The density bonus design requirements are as follows:

1. Energy Efficiency

   a. Insulation. All dwellings and main buildings shall have R-19 wall insulation and R-38 ceiling insulation. (Up to 10 points)

   b. Solar Design. All dwellings are designed with an active or passive solar feature. The solar feature shall be a solar water heater, trombe wall, earth insulation of a majority of the walls, the building designed so that the main exposure faces south and has windows to allow solar access, or other features as approved by the Planning and Zoning Commission. (Single feature per unit throughout the entire project, up to 20 points. Combination features per unit throughout the entire project, up to 30 points)

   c. Development achieves a Leadership in Energy and Environmental Design (LEED) certification for Neighborhood Development through the U.S. Green Building Council (USGBC). (Up to 40 points)

2. Building Design.

a. Materials. All facades of each dwelling structure, exclusive of windows or doors, are clad in long-lasting, high quality materials as appropriate for the approved architectural style. Examples of such materials are stone, brick, stucco, horizontal wood siding, wood board and batten siding, wood shingles, etc. Facsimiles such as cementious hardboard (for horizontal siding) and faux stone (for real stone) will be considered on a case by case basis. (Up to 20 points)

b. Roof Materials. Roof materials should also be appropriate to the style. All roofs of main buildings are clad with wood shingles, , tile, high profile asphalt shingles or slate shingles. Other high quality products may be considered on a case by case basis. (Up to 15 points)

3. Design Theme

a. Installed Landscaping. Landscaping is designed and installed along all streets of the development according to a theme which provides units and interest. (Up to 20 points)

b. Theme Lighting. Theme lighting is used throughout the development for street lighting, lighting of walkways, parking areas, entrances, and building exteriors. (Up to 15 points)

c. Fencing. Perimeter fencing is used throughout the project that matches the building design, i.e., masonry columns or piers using the same brick or stone as the buildings. (Up to 10 points)

d. Special Features. Special features such as fountains, streams, ponds, sculptures, buildings or other elements which establish a strong theme for the development and are utilized in highly visible locations in the development. (Up to 20 points)

e. Shared Theme. Wide range of housing, e.g. apartments, condos, medium density, low density, and mixed use share an architectural and landscaped theme. (Up to 20 points).

4. Parking Areas

a. Screening. Parking lots of 20 or more stalls are screened from view by means of berming or landscaping around the perimeter of the parking lot. (Up to 20 points)

b. Landscaped Islands. Parking lots of 20 or more stalls or a continuous row of parking over 90 feet in length has a landscaped island(s) which provides landscaping at a ratio of 1 square foot of landscaping per 13 square feet of hard surface. (Up to 15 points)

c. Shade Trees. Areas with 5 or more uncovered parking stalls are designed to include minimum 2 inch caliper trees located in such a manner as to shade 50% of the parking area upon maturation of the trees. (Up to 15 points)

d. Permeable Surfaces. Surfaces for parking and maneuvering other than the public right-of-way using materials such as grasscrete, or similar are utilized in appropriate locations. Material and installation details must be reviewed and approved by the City Engineer. (Up to 15 points)

e. Locate all off street parking at the side or rear of buildings, leaving building frontages and streetscapes free of parking facilities. (Up to 10 points)

f. For any non-residential buildings or multi-family residential buildings that are part of the proposal, provide bicycle parking spaces, , equivalent to 10% of the total automobile parking on site. Bicycle parking must be within 50 feet of the entrance to the building that it services. (Up to 10 points) Sheltered bicycle parking. (Up to 20 points)

5. Recreational Amenities

a. Active Recreation. The PUD includes a recreational amenity primarily for the use of the residents of the development. Amenities may include swimming pools, sports courts, spas, barbecue and picnic facilities, or other features as approved by the Planning and Zoning Commission. The Planning and

Zoning Commission may determine the points based on the cost of the amenity, its benefit to the residents of the development, its size and the number of amenities in the development. (Between 5 to 35 points)

b. Common Building or Facilities. Development of a common building which shall be used for meetings, indoor recreation, day care, or other common uses as approved by the Planning and Zoning Commission. RV parking facilities may also be considered with this design feature. (Up to 20 points)

c. Park Dedication. Dedication of land for public park, public access along a stream, or public access along a planned trail. The City must be willing to accept the proposed dedication before points are awarded. (Public access up to 15 points. Public Park up to 40 points)

d. Construction of Trail or Park. Construction according to City standards of trail or park which has been dedicated to the City according to item number (c) above. (Trail 15 points, public park 40 points)

e. Riparian Areas. Riparian areas along rivers and streams are preserved with natural and native landscaping to encourage continued use of these areas as wildlife corridors. (Up to 15 points)

6. Landscaping

a. Extra Trees. Design and planting more than the minimum number of trees, shrubs, and perennials per dwelling unit in the development. (Up to 20 points)

b. Soften Fence Appearance. Areas which are to be screened use a solid non-see-through wood or masonry fence and landscaping which acts to soften the appearance of the fence. Landscaping may be vines, shrubs, or trees. (Up to 15 points)

7. Open Green Space

a. Designed Plan. Open green space is designed (not left over space between buildings) and flows uninterrupted through the entire development linking dwellings and recreation amenities. (Up to 25 points)

b. Multiple Use. Storm water detention facilities are designed and used for multiple purposes which blend with the overall theme of the open space design i.e., shape of the area is free flowing, the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible. (Up to 20 points)

c. Native Plants. Native plants are used for common open space elements. (Up to 15 points)

d. Drought Tolerant Plants. Drought tolerant plants are used for common open space elements. (Up to 10 points)

8. Public Streets. All streets within the development (except the streets required by the City to be dedicated) are open to public use, but privately maintained. (Up to 25 points)

9. Housing. Mixed housing types, e.g. apartments, condos, medium density, low density, and mixed use are incorporated in the development with the intent to allow aging in place and appropriate mixes of socioeconomic groups. (Up to 40 points)

N. Preliminary Master Plan Application. Following a pre-application conference, an applicant may submit a preliminary master plan to the City for review. The preliminary master plan, which must include a drawing showing the layout of the proposed planned unit development, must contain the following information:

1. Proposed name of the planned unit development;

2. Date, north point and scale of drawing;

3. Appropriate identification clearly stating that the drawing is a preliminary planned unit development master plan;

4. Location of the planned unit development by section, township and range; a legal description sufficient to define the location and boundaries of the proposed planned unit development tract; and the tract designation or other description according to the real estate records of the county assessor;

5. A vicinity sketch map at a scale of one inch equals four hundred feet showing adjacent property boundaries and land uses;

6. Names and addresses of legal owners of properties within five hundred feet of the tentative planned unit development boundaries, excluding streets, unless the City is able to provide this information;

7. The following:

   a. Location, widths and names of all existing streets or other public ways within or abutting the planned unit development,

   b. Contour lines having the following minimum intervals:

      (1) Two-foot contour intervals for ground slopes less than ten percent, and

      (2) Five-foot contour intervals for ground slopes ten percent or greater.

      (3) Contours shall be based on contour maps provided by the city or other data approved by the city engineer,

   c. Location of at least one temporary bench mark within the planned unit development boundaries or the source of the contour line data shown (source and accuracy subject to city engineer's approval).

   d. Location and direction of all water courses and natural features such as rock outcroppings, marshes, wetlands, and wooded areas; and the approximate locations of trees or stands of trees having a trunk cross-sectional diameter of eight inches (approximately twenty-five inches in circumference) or more measured at a point fifty-four inches above the base of the trunk on the uphill side. The plan must identify those water courses, natural features and areas of trees meeting the described criteria which are to remain and those which may be altered or removed.

   e. A vicinity sketch map at a scale of one inch equals four hundred feet showing adjacent property boundaries and land uses;

   f. Names and addresses of legal owners of properties within five hundred feet of the tentative planned unit development boundaries, excluding streets, unless the City is able to provide this information;

   g. The following:

      (1) Proposed streets, including location, widths and approximate radii or curves,

      (2) Location of existing and proposed easements on the site or abutting property, showing the width and purpose of each easement,

      (3) The types of housing proposed within the PUD, the approximate location or locations proposed for each type of housing, and the approximate housing density proposed at each location,

(4) Sites, if any, allocated for:

(a) Churches,

(b) Parks, schools, playgrounds,

(c) Public buildings,

(d) Open space,

(5) Area coverage of existing and proposed structures, lots, streets or other development.

O. Supplemental Preliminary Master Plan Information

The applicant also shall submit the following information to supplement the preliminary master plan. This information can be submitted in separate statements accompanying the preliminary master plan:

1. Proposed restrictions to be filed in the county deed records, in outline form, such as deed restrictions, conditions, covenants and restrictions, and home owners' association agreements. The outline restrictions shall identify the time at which the restrictions will be filed in the county deed records; generally who will have authority to enforce the restrictions; specifically which restrictions, if any, are proposed to be enforceable by the city; the time at which the restrictions will become enforceable; and which restrictions, if any, will not be subject to amendment without the consent of the city;

2. Approximate locations and anticipated grades of all streets. Typical cross sections of the proposed streets showing widths of roadways, curbs, location and widths of sidewalks and the location and size of utility mains;

3. Approximate plan of proposed sanitary sewers, storm drains, storm water detention and drainage pre-treatment facilities and the water distribution system;

4. A general description of property intended to be dedicated to the city or public, other than street right-of-ways, including proposed dedication restrictions;

5. Maximum potential number of residential units, calculated as follows:

   a. Determine residential development area as follows: subtract from gross area any area allocated for churches, schools, and public buildings,

   b. Divide residential development area (excluding public and private streets and areas with slopes of 30 percent or greater) by the minimum residential lot size permitted in the underlying zone. This is the maximum potential number of residential units without incorporating any density bonuses;

6. Proposed number of residential units;

7. An approximate tabulation of all dwelling units by type;

8. A narrative description of the planned unit development and the manner in which it meets the purpose set out in subsection A of this section;

9. A statement describing the present and proposed ownership;

10. A preliminary landscape plan, covering both areas to retain undisturbed their natural vegetation and areas to be re-landscaped;

11. A statement whether the applicant proposes to submit the final master plan for review as a single master plan or in phases; a statement of the date or dates by which the applicant proposes to submit the final master plan or final master plan phases for review; and a statement of the date or dates by which the

applicant anticipates that the development and related improvements or each phase thereof will be substantially completed.

P. Determination that Preliminary Master Plan is Complete. Following submission or resubmission of a preliminary master plan, City staff shall determine whether the plan is complete pursuant to the submittal requirements of subsections M and N of this section. The determination of staff shall be in writing and, if the application is determined to be incomplete, shall be provided to the applicant with a description of the additional material required to make the application complete.

Q. Review of Complete Preliminary Master Plan. Following submission of a complete preliminary master plan, City staff shall review the preliminary master plan, shall seek comments on the plan from potentially affected governmental units and agencies, and shall report to the Planning and Zoning Commission the comments of the committee members and of those governmental units and agencies that submit comments.

R. Planning and Zoning Commission and City Council Consideration of Preliminary Master Plan. Following receipt of comments on the preliminary master plan from City staff and other affected governmental agencies, the Planning and Zoning Commission shall review the plan and comments in public hearings following the procedures the same as conditional use permit and shall commend to the City Council either approval with conditions, or disapproval of the preliminary master plan. The Planning and Zoning Commission shall state its decision and its reasons in writing. The Planning and Zoning Commission's consideration of the preliminary master plan shall be subject to the following:

1. The commission shall recommend and the Council shall approve, or approve with conditions, the plan if it finds that the plan, either as submitted or with conditions, meets all of the following criteria. The commission shall recommend and the Council shall disapprove the plan if it finds that the plan, either as submitted or with conditions, does not meet any one or more of the following criteria.

    a. The proposed planned unit development is in compliance with the City's comprehensive plan and will be substantially compatible with existing development in the surrounding area; and undeveloped land in the surrounding area can be developed in a manner substantially compatible with the proposed planned unit development. Where a PUD is located over more than one zone, the plan is allowed to have a weighted balance of the densities for each zone (including density bonuses). Like zoning buffers should be provided at borders of other properties not included in the PUD. As an example, if a PUD was created that consisted of a LDR3 zone and a MDR2 zone, then six plex housing units should not be placed directly adjacent to the adjoining LDR3 zone. A buffer of twin homes (allowed in LDR3) or open space should be used as a buffer. Rear yards of six plex units might be considered as sufficient buffering if fenced and landscaped with trees.

    b. The number of years proposed for completion of the development or each phase of the development is reasonable, taking into consideration the possibility of changing land use patterns in or requirements of the city over time. In order to ensure that the development will be compatible with land use patterns in and requirements of the city at the time of approval of a final master plan, the Planning and Zoning Commission shall recommend and the Council shall establish an expiration date for the preliminary master plan approval, not sooner than two years after approval of the preliminary master plan; may impose conditions requiring that a final master plan or phases thereof be submitted for commission review within a specified period or periods of time, not sooner than one year after approval of the preliminary master plan; or may impose conditions requiring commission and Council re-evaluation of as yet unbuilt portions of the development, for conformity with then-existing city zoning ordinance requirements in relation to then-existing conditions, not sooner than five years after approval of the preliminary master plan, and at such periodic intervals of not less than five years thereafter as the commission and Council deems appropriate to ensure conformity.

    c. Construction of the development can be accomplished in a manner that does not create unreasonable negative impacts on the area surrounding the development or in the city. In order to assure the avoidance or mitigation of negative construction impacts on the area surrounding the development or in the city, the Planning and Zoning Commission and Council may impose conditions including but not limited to:

(1) Requirements that removal of existing landscaping during construction be limited to areas of the planned unit development to be constructed shortly following removal and to portions of those areas on which construction will occur;

(2) Prohibitions of open burning on the site during construction;

(3) Restrictions on construction noise; and

(4) Restrictions on construction traffic.

d. The development will not create unreasonable negative impacts on the area surrounding the development or in the city. In order to assure the avoidance or mitigation of negative impacts, the Planning and Zoning Commission may require the filing of restrictions in the county deed records including but not limited to restrictions:

(1) Prohibiting the removal of specified landscaping; and

(2) Prohibiting open burning during construction.

e. Street, water, sewer, drainage and drainage pre-treatment, storm water detention, and other similar facilities in the area surrounding the development and in the city are or will be adequate to provide for the health, safety and welfare for the development's population densities and the type of development proposed, taking into consideration existing and projected future demands on those facilities.

f. Street, water, sewer, drainage and drainage pre-treatment, storm water detention and other similar facilities proposed to be constructed as part of the development are adequate to provide for the health, safety and welfare for the population densities and the type of development proposed.

g. The proposed number of residential units does not exceed the maximum permitted number of residential units; and at least twenty percent of the gross area is dedicated to landscaping. For purposes of computing area dedicated to landscaping, dedicated open space and protected resource areas may be treated as area dedicated to landscaping, but parking areas may not.

2. The Planning and Zoning Commission, in recommending, and the Council in approving a preliminary master plan, may attach conditions it finds are necessary or appropriate to carry out the purposes of this title.

S. Extension of Approved Preliminary Master Plan. Prior to expiration of an approved preliminary master plan, the Planning and Zoning Commission may recommend and the Council may, on receipt of an application applying to the as yet unbuilt portions of the development, extend the expiration date provided that the extension will be consistent with then-existing city zoning ordinance requirements, in relation to then-existing conditions. An application for an extension shall be subject to all of the procedures set out in subsections C through P of this section, including but not limited to the requirement of a hearing before the Planning and Zoning Commission, except that the application materials required to be submitted shall be only such materials supplementing the original application as are needed to demonstrate that an extension will meet the criterion for an extension established by this subsection.

T. Modification of Approved Preliminary Master Plan. The Planning and Zoning Commission may recommend, and the Council may, on receipt of an application applying to the as yet unbuilt portions of the development, approve a modification to an approved preliminary master plan provided that the modifications will be consistent with the then-existing city zoning ordinance requirements, in relation to then-existing conditions. An application for modifications shall be subject to all of the procedures set out in subsections C through P of this section, including but not limited to the requirement of a hearing before the Planning and Zoning Commission and consideration by the City Council, except that the application materials required to be submitted shall be only such materials supplementing the original application as are needed to identify the proposed modifications and to demonstrate that the modifications will meet the criterion for modifications established by this subsection.

U. Procedure Following Expiration of Preliminary Master Plan. If an approved preliminary master plan expires, whether as to the entire area proposed for development or as to as yet unbuilt portions of the development, then a complete new application must be submitted prior to reconsideration. An application for reconsideration shall be treated as an original application and shall be subject to all of the procedures set out in subsections C through P of this section, including but not limited to the requirement of a hearing before the Planning and Zoning Commission and consideration by the City Council.

V. Submission of Preliminary Subdivision Plat. If an approved preliminary planned unit development master plan provides for the subdivision of land within the planned unit development, then within such period or periods of time as required by the preliminary planned unit development master plan approval, an applicant shall file a preliminary subdivision plat for the planned unit development or for phases of the development, if phasing is permitted. The submittal requirements, procedures and approval requirements for the preliminary subdivision plat shall be as set out in City of Rexburg subdivision code.

W. Planning and Zoning Commission and City Council Consideration of Final Master Plan.

1. Following preliminary master plan approval, and prior to issuance of a development permit and commencement of development, a final master plan must be submitted to and approved by the Planning and Zoning Commission. The final master plan may be submitted in development phases; provided, that:

    a. Each phase can exist as a separate entity capable of independently meeting all requirements and standards of this section and of the underlying zones in which the PUD is located; or

    b. Prior to the development of any phase that will not exist as such a separate entity capable of independently meeting the requirements and standards, restrictions enforceable by the city and in a form approved by the city have been filed in the county recorder's office, such as conditions, covenants and restrictions. The restrictions shall be applicable to other areas of the planned unit development not yet proposed for development, and shall be sufficient to assure that:

        (1) The area within the phase proposed for development, when combined with the area not yet proposed for development, as subject to the deed restrictions, can exist as a combined entity capable of independently meeting the requirements and standards,

        (2) The phase has met any applicable re-evaluation requirement imposed during the preliminary master plan approval process, and

        (3) The separate development of phases will not be detrimental to the total development nor to the adjacent properties in the event the remainder of the development is not completed.

2. The final master plan must be in sufficient detail to allow the Planning and Zoning Commission to determine whether the final master plan is consistent with the preliminary master plan and whether the final master plan meets all conditions applicable to the preliminary master plan. In addition, the final master plan shall include:

    a. Detailed landscaping plans showing the type and size of all plant material and its location, the irrigation system, decorative materials, recreation equipment and special effects; and the schedule for removal and replanting of vegetation;

    b. Detailed water, sewer, drainage and drainage pre-treatment, storm water detention and street system plans, including:

        (1) Central line profiles showing finished grades of all streets,

        (2) Cross sections of proposed streets showing widths of roadway, curbs, locations and width of sidewalks and location and size of utility mains,

        (3) Profiles of sanitary sewer, street drainage, drainage pre-treatment, storm water detention and water distribution systems, showing pipe size and location of valves and fire hydrants, all to conform to city and state standards,

(4) The estimated cost of street, sewer, drainage and drainage pre-treatment, storm water detention, water, and other public infrastructure improvements within the planned unit development.

3. The Planning and Zoning Commission shall make a recommendation to, and the Council shall approve, or approve with conditions, the final master plan if it is determined that the plan meets all of the following criteria. The commission shall disapprove the final master plan if it finds that the plan, either as submitted or with conditions, does not meet one or more of the following criteria:

   a. The plan is consistent with the preliminary master plan and all conditions applicable to it;

   b. All utility systems and landscaping conform to city and state standards or are approved by the city engineer; and

   c. If the final master plan is for a phase of the total planned unit development, the criteria for phasing stated in subsection of this section will be met.

X. Requirements Following Final Master Plan Approval.

1. A certified print of the approved final planned unit development master plan shall be provided by the applicant without charge to the office of the city recorder.

2. Except as provided in subsection Q of this section, proposals to make changes in the final master plan after it has been approved shall be considered the same as a new PUD application and shall be permitted only in accordance with all of the procedures set out in this section, including but not limited to the requirement of a hearing before the Planning and Zoning Commission, except that the application materials required to be submitted shall be only such materials supplementing the original application as are needed to identify the proposed changes and to demonstrate that the changed planned unit development will meet the criteria established by this section.

3. Proposals to make minor changes in the final master plan after it has been approved may be approved by the Planning and Zoning Commission or designee. Minor changes consist only of changes that will not have public visibility and that:

   a. Do not increase densities;

   b. Do not change boundaries;

   c. Do not change any use, specific or general, described in the final master plan; and

   d. Do not change the location or amount of land devoted to specific land uses.

4. A final PUD subdivision plat shall be filed with and approved by the City in accordance with the final platting requirements of City of Rexburg subdivision code and recorded with Madison County, within one year of the approval of a final master plan. One extension of time may be granted, for good cause, by the Planning and Zoning Commission if such extension is authorized by the commission prior to the expiration of the one-year period, and provided such extension not exceed one additional year. No additional extensions may be granted. If a final PUD plat is not filed, approved and recorded as required by this section, then the planned unit development approval shall become void as of the date the filing requirement no longer can be met.

5. Prior to commencement of development, the developer shall provide to the city an improvement agreement and financial security instrument as described in the City of Rexburg subdivision ordinance and shall obtain a development permit.

CHAPTER 5: PARKING REGULATION

5.1 Off-Street Parking and Loading Spaces Required
5.2 Distance for Private Off-Street Parking
5.3 Common Parking Facilities for Joint and Mixed Uses
5.4 Loading Spaces
5.5 Parking Plan Required
5.6 Location of Parking Areas
5.7 Required Parking for Land Uses
5.8 Table 3 – Required Number Of Spaces
5.9 Regulations for Central Business District
5.10 Regulations for the University District

5.1 Off-Street Parking and Loading Spaces Required

Except as provided in Section 5-7, off-street and loading spaces conforming to the provisions of this Ordinance shall be provided in all districts when a building is constructed, erected or enlarged, when the capacity of a building or structure is increased, or when the use of the building or structure is changed and such change creates a fifteen (15) percent increase in parking required under this Ordinance.

5.2 Distance for Private Off-Street Parking

Required off-street parking shall be located within two hundred feet (200') of the primary entrance of the building. This distance shall be measured from along an accessible route that a pedestrian would use This section is not applicable in the University District.

5.3 Common Parking Facilities for Joint and Mixed Uses

Joint or mixed use of parking facilities shall be permitted as follows:

A. Mixed Uses. Total requirements for off-street parking shall be the sum of the requirements for various uses within the development or structure.

B. Joint Uses. The joint use of off-street parking facilities is allowed provided:

1. The applicant shows there is no substantial conflict in the principal operating hours of the building, structure, or use for which the joint use of parking facilities is proposed.

2. The parking facility for joint use is not further than two hundred feet (200') from the primary entrances of each use.

3. The parties concerned shall submit a written agreement for such joint use approved by the City Attorney as to form and content, and such agreement, when approved, shall be recorded in the County Recorder's Office.

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 facilities proposed to be considered for joint use, will lessen the demand for other parking facilities in the University District.

5.4 Loading Spaces

In addition to off-street parking required herein, all commercial and manufacturing uses in all the Commercial zones, except Community Business Center, shall provide adequate off-street loading and unloading areas. As a minimum, any building over ten thousand (10,000) square feet used for retail or wholesale trade shall provide one off-street loading space which shall not measure less than forty by twelve (40x12) square feet and shall have an

unobstructed height of fourteen feet six inches (14' x 6"). Such loading space shall be made permanently available for loading and unloading and shall be surfaced with concrete or asphalt. Additional spaces may be required by the City Engineer or the Planning and Zoning Commission. Maneuvering for loading and unloading on the public rights-of-way, excluding alleys, shall be prohibited for all buildings constructed outside the CBD district after the effective date of this Ordinance. Office and other buildings that would not require large deliveries are not required to provide a loading space.

5.5 Parking Plan Required

A. Requirements. When a building or structure is constructed, erected or enlarged, when the capacity of a building or structure is increased, or when the use of a building or structure is changed and such change creates an increase of fifteen (15) percent or more in off-street parking requirements, a parking plan shall be submitted to and approved by the City Engineer. The plan shall show all parking spaces and their dimensions, access aisles, and entrances and exits to the site. The parking plan may be combined with the landscape plan required under Section 6-9. Parking provided shall conform to the following standards:

1. Each required off-street parking space shall be at least nine (9) feet in width and at least twenty (20) feet in length (18 feet in parking structures), exclusive of access drive and aisles. Parallel parking spaces shall be a minimum of nine (9) feet wide by twenty-two (22) feet long. Up to twenty-five (25) percent of the spaces may be allocated for compact cars with a minimum stall width of eight (8) feet and length of sixteen (16) feet (15 feet in parking structures). Spaces for compact cars shall be signed or otherwise designated and shall be located in rows separate from parking for larger vehicles. For student housing, forty (40) percent of the parking areas may be allocated to compact cars.

2. Plans for a parking structure must be approved by the Planning and Zoning Commission, the City Engineer, the Fire Marshall and the Community Development Director. If applicant can show that compact and other small cars will be a greater percentage of parking structure use, the Planning and Zoning Commission may allow any size parking space that meets the minimum required size (8 feet wide by 15 feet long).to count as full size as part of a Conditional Use Permit.

3. All aisles designed for two-way circulation and all aisles designed to serve ninety degree parking shall be at least twenty-four (24) feet in width (22 feet in parking structures). Aisles designed for one-way circulation shall be thirteen (13) feet wide when serving thirty (30) degree parking, fifteen (15) feet wide when serving forty-five (45) degree parking, and eighteen (18) feet wide when serving sixty (60) degree parking.

4. No parking areas shall be designed to require the use of the public right-of-way to travel from one portion of the lot to another.

5. All parking areas shall be surfaced with asphalt or concrete.

6. No parking spaces shall be located in the clear sight triangle provided in section 4-6 or immediately adjacent to an exit to a public right-of-way.

7. All lighting for parking areas shall be directed and, when necessary, shielded so as not to produce direct glare on adjacent properties, and shall comply with the City's lighting ordinance.

8. No parking area, except those designed for single-family homes, shall be designed or constructed to create a situation in which vehicles back into the public right-of-way. Townhomes or row houses shall be designed to provide rear loading driveways and garages, rather than utilizing the front yard. Or, provide a parking lot that meets all applicable standards for the underlying zoning.

9. No access point from a parking area to any street shall be within twenty (20) feet of a local street intersection or alley. No access point shall be within forty (40) feet of an intersection with a collector street of sixty (60) feet of an intersection with an arterial street.

10. All parking areas for more than four (4) vehicles shall dedicate the equivalent of ten (10) percent of the parking area to landscaping and snow storage. The landscaping may be interior or may be peripheral. It

shall include groundcover and trees.

11. Parking spaces along the outer boundary of a parking lot shall be contained by high-back curbing or a bumper rail so placed to prevent a vehicle from extending over an adjacent property. Wheel stops should be a minimum of four (4) inches in height and width, and six (6) feet in length, and should be firmly attached to the ground. Placement should be a minimum of eighteen (18) inches from property line.

5.6 Location of Parking Areas

Parking spaces and maneuvering areas shall not be permitted in the required front yard, such yards shall be dedicated to landscaping. Driveways in commercial zones (excluding mixed-use zones) may encroach into setback up to ten (10) feet. However, in LDR1 & LDR2 single-family structures shall be allowed one required parking place within the setback area per dwelling, in order to meet the parking requirement. Medium and high density zones (and zones that allow a medium to high density housing component, e.g. Mixed-Use) shall not be permitted to have any parking spaces or maneuvering areas located within a required front yard setback.

5.7 Required Parking for Land Uses

The minimum number of parking spaces to be provided under this ordinance shall be as provided below. Where a specific use is not listed, the Planning and Zoning administrator, in his or her professional judgment, shall make a determination on a parking standard to be applied based on a similar use, and/or available information from national studies or other communities' parking standards.

5.8 TABLE 3 – Required Number of Spaces

Use Parking Spaces

RESIDENTIAL

Single-family dwellings 2 spaces per unit

Multi-family dwellings 2.0 spaces per unit

High Density Residential (HDR1 & HDR2 Zones, or zones with high-density housing provisions. Does not include dormitory, or non-family housing)
1 bedroom 1.5 spaces per unit
2 bedroom 2.0 spaces per unit
3 bedroom 2.0 spaces per unit

Student housing 1 space per student
Student housing located in the Pedestrian Emphasis Zone (PEZ) and seeking reduced parking requirements is subject to a Conditional Use Permit CUP

Multi-family dwellings for the elderly 0.7 spaces per unit

Nursing homes 0.25 per bed

Motels and hotels (transient lodging) 1.00 per sleeping room plus 1.00 space per employee at the highest shift

RETAIL TRADE

Building materials, hardware and farm equipment (SLUC 52)1.00 per 1,000 square feet gross floor area

General merchandise (SLUC 53)4.00 per 1,000 square feet gross floor area

Food (non-restaurant) 3.00 per 1,000 square feet gross floor area

Automotive, marine craft, aircraft,1.00 per 1,000 square feet gross floor area and accessories (SLUC 551 and 559) (Sales, does not include repair garages)

Automotive, marine craft, aircraft, and3.00 per 1,000 square feet gross floor area accessories (SLUC 552 and 553) (sales and service)

Furniture, home furnishings, and 1.00 per 1,000 square feet gross floor area equipment (SLUC 57)

Shopping centers-mixed uses

Under 200,000 square feet4.00 per 1,000 square feet gross floor area

Over 200,000 square feet 5.00 per 1,000 square feet gross floor area

Eating and drinking:

Sit down restaurant: 10 spaces per 1000 square feet gross floor area
Restaurant (CBD zone): 5 spaces per 1000 square feet gross floor area
Fast food with drive-through- 0.33 spaces per seat (two (2) feet of bench equals one (1) seat)

SERVICES

Finance, insurance, real estate, 3.00 per 1,000 square feet gross floor area services (SLUC 61)

Beauty and Barber services 6.00 per 1,000 square feet gross floor area
(SLUC 61)

All other (SLUC 62, except 623)3.00 per 1,000 square feet gross floor area

Business services (SLUC 63,**)???** 3.00 per 1,000 square feet gross floor area
except 637)

Travel services (SLUC 4924)3.00 per 1,000 square feet gross floor area

Medical Clinic: Any facility that provides limited diagnostic and outpatient care, but is unable to provide long-term in-house medical and surgical care. Clinics commonly have lab facilities, supporting pharmacies and a wide range of services.4.00 per 1,000 square feet gross floor area (SLUC 6511, 6512, 6517)

Hospital services 2.00 per patient bed for expansions to current campuses (existing prior to 2008). Four (4) per patient bed for new hospital campuses.
Doctor offices and all other medical services 3.00 per 1,000 square feet gross floor area and professional services (SLUC 6514, 6515, 6519)

Contract construction services 2.00 per 1,000 square feet gross floor area (SLUC 66)

Day Care, preschool 2.00 per teacher on largest shift

Kindergarten, elementary, and junior high schools
2.00 per classroom

High schools and colleges 1.00 per 4 persons (at maximum capacity)

Religious facilities
1.0 per 4 seats or 8 feet of bench in main meeting room

Civic, social, fraternal organizations 1.0 per 4 persons maximum occupancy

All other services 3.00 per 1,000 square feet gross floor area

MANUFACTURING
All manufacturing 1.00 per 1,000 square feet gross floor area plus 3 per 1000 square feet of office, retail, or other public area.

WAREHOUSING
All warehousing 0.2 spaces per 1,000 square feet plus 3 per 1000 square feet of office, retail, or other public area.

WHOLESALE TRADE
Wholesale trade 2.00 per 1,000 feet gross floor area

PUBLIC ASSEMBLY

Theaters, sports arenas, and auditoriums 1.0 per 4 seats
Indoor recreation facilities, 4.00 per 1,000 square feet
skating rinks, dance halls, gross floor area
game centers
Racquetball, handball, and tennis courts 3.00 per court
Bowling alley 7.00 per alley
Health clubs and spas 5.00 per 1,000 square feet gross floor area

5.9 Regulations for Central Business District

The purpose of this provision is to recognize the historical pattern of development in the downtown area of the City and to accommodate the need for new development in the downtown area. Additional off-street parking will not be required for new uses in the Central Business District. Existing parking and loading facilities shall not be reduced or removed from the CBD by new or existing uses unless a variance is obtained from the Planning and Zoning Commission or substitute off-street parking is provided within two hundred feet (200') of the main entrance of the use.

5.10 Regulations for the 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 as established in the BYU-Idaho Parking Study published in 2002.

a. University Student Ratio: .20 Spaces per FTE Student.

b. University Faculty Ratio: .585 spaces per FTE Faculty.

c. University Staff Ratio: .585 spaces per FTE Staff.

CHAPTER 6: ADMINISTRATIVE PROCEDURES

6.1 Zoning Administrator
6.2 Duties of the Zoning Administrator
6.3 Planning and Zoning Commission
6.4 Duties of the Planning and Zoning Commission
6.5 Membership and Term of the Commission
6.6 Organization of the Commission
6.7 Meetings of the Commission
6.8 Conflict of Interest
6.9 Permits Required
6.10 Certificate of Occupancy
6.11 Variances
6.12 Conditional Use Permits
6.13 Amendments to this Ordinance
6.14 Hearing Procedures
6.15 Fees
6.16 Appeal relating to area of city impact matter
6.17 Enforcement

6.1 Zoning Administrator

There is hereby created the position of City of Rexburg Zoning Administrator. The Zoning Administrator shall be appointed by the Mayor and confirmed by the City Council. The Mayor may appoint another officer of the City, including but not limited to the City Clerk, Community Development Director or the Building Official, to fulfill all or part of the duties of the Zoning Administrator.

6.2 Duties of the Zoning Administrator

The Zoning Administrator shall administer the provisions of this Ordinance, provide assistance to and guidance to the Commission and Council, and have the following duties:

1. Advise interested persons of the Development Code provisions.

2. Notify the news media regarding matters of public interest.

3. Aid and assist applicants in the preparation and processing of applications.

4. Review and assist the Commission and Council in reviewing applications for home occupations, site plans, variances, conditional use permits, rezoning requests, subdivisions, planned unit developments, and annexations.

5. In administering this ordinance, the P&Z Administrator may make interpretations of any part of this code, which interpretations are binding but may be appealed to the Community Development Director, the Mayor or the Planning and Zoning Commission.

6. Shall serve as Chief Enforcement Officer of this Title, and carry out the enforcement authorities of The Commission under section 6.4.6 Duties of The Planning and Zoning Commission.

7. Investigate violations of this Ordinance and notify in writing the person responsible for such violations, ordering the action necessary to correct such violation. The Zoning Administrator shall direct and administrate the efforts of any, and all, Field Service Officers assigned to the Administrator to assist him in performance of his duties of investigations, process services, and notifications, by The Director of Community Development

6.3 Planning and Zoning Commission

There is hereby created a Planning and Zoning Commission. The Planning & Zoning Commission is referred to in this Ordinance as the Commission. The Commission shall have the authority to consider and recommend to the Council ordinances, amendments thereto, and repeal of ordinances affecting zoning, planning, and building within the City of Rexburg. The Commission shall provide guidance and assistance to the Council, hold public hearings as required by law; shall grant or deny applications presented to the Commission; and shall make timely recommendations to the Council in all matters relating to this Ordinance in which the Council has final decision making powers. Any action taken by the Commission which will be final unless appealed, may be reviewed by the Council at their discretion, within twenty (20) days of commission action, if the Council believes there may be significant adverse impact as a result of Commission action.

6.4 Duties of the Planning and Zoning Commission

The Commission shall have the following duties as well as such others prescribed by law or assigned by the Council:

1. Review all proposed amendments to this Ordinance and make recommendations to the Council. Initiate proposed amendments to this Ordinance.

2. Conduct a comprehensive planning process designed to prepare, implement, review and update a Comprehensive Plan. Conduct a biannual review of this Ordinance and its implementation of the Comprehensive Plan.

3. Grant conditional use permits as specified in this Ordinance and make recommendations to the Council on those conditional use permits for which the Council has final decision making powers.

4. Grant variances as authorized by this Ordinance and Idaho statutes.

5. Complete site plan reviews as provided for in this Ordinance.

6. The commission is authorized by the City of Rexburg and Madison County to administer and enforce all rules and regulations pertaining to the area of the city impact for the City of Rexburg as provided in Chapter 10 hereof.

6.5 Membership and Term of the Commission

The commission shall consist of eleven (11)
members, seven (7) of whom shall reside within the city limits of Rexburg and be appointed by the Mayor and confirmed by the Council; three (3) members to be appointed who reside within the area of city impact defined in City Ordinance No. 825. The three residing in the area of impact shall be appointed one by the Mayor and the other two shall be appointed by the Madison County Commissioners. The Mayor shall ask and receive names of persons to serve on the Commission. The length of term is three (3) years. The terms shall be staggered. The seven members residing in the City shall have resided in Rexburg two years prior to appointment and must remain a resident of the City during service on the Commission. Vacancies occurring otherwise than through the expiration of terms must be filled in the same manner as the original appointment. A member appointed and fulfilling an unexpired term shall serve the remainder of the term. Members of the Commission may be removed for good cause by a majority vote of the full council. Members of the Commission may receive such mileage and per diem compensation as provided by the Council.

In matters pertaining to the area of city impact, a vote of the three members residing in the area of city impact, in the aggregate, shall have the same weight as the vote of the remaining seven members of the Commission residing in the City of Rexburg, in the aggregate.

6.6 Organization of the Commission

The Commission shall elect a chairman and may create and fill any other office it deems necessary. The Commission may establish subcommittees, advisory committees or neighborhood groups to advise and assist in carrying out its responsibilities under this Ordinance. The Commission may appoint non-voting ex-officio advisors as deemed necessary.

6.7 Meetings of the Commission

The Chair shall preside at all regular meetings of the Commission which may be scheduled on the first and third Thursday of each month for no less than nine (9) months in a year. All meetings and records shall be open to the public and a record of all meetings, hearings, resolutions, studies, findings, permits, recommendations, and actions shall be maintained by the Commission. A quorum of the Commission shall consist of six (6) members.

6.8 Conflict of Interest

A member of the Commission shall not participate in any proceeding or action when the member, his employer, business partner, business associate, or any person related to him by affinity or consanguinity within the second degree has an economic interest in the procedure or action. An actual or potential interest in any proceeding shall be disclosed at or before any meeting at which the action is being heard or considered. Such disclosure shall be recorded in the minutes.

6.9 Permits Required

No person shall erect, construct, enlarge, alter, repair, move, convert, or demolish any building, sidewalk, driveway, carport, parking area or any other structure, without first obtaining a building permit for each building, sidewalk, driveway, carport, parking area or any other structure from the City. To apply for a permit, the applicant shall file an application with the Community Development Department.

To provide the information necessary to determine compliance with the provisions of this Ordinance, the application shall require the following:

1. Name, address, and phone number of applicant.
2. Name, address, and phone number of owners of the property, if owner is not the applicant.
3. Legal description of the property.
4. Existing use.
5. Proposed use.
6. Zoning district.
7. A site plan drawn to scale showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; the exact location and dimensions of the proposed building, sidewalk, driveway, carport, parking area or any other structure or alteration; the location, layout, and access of proposed on-site parking; and the location and type of landscaping, fencing, and screening proposed on the lot.
8. Building heights.
9. Number and dimensions of off-street parking spaces and loading berths.
10. Proposed water and sewer facilities.
11. Existing and proposed easements.
12. Proposed storm drainage for multi-family and commercial and industrial developments.

13. Applications subject to site plan review as described in Section 6.11 shall also include detailed drawings of all elevations (front, rear and sides) in order to demonstrate compliance with Section 4.13 of this Ordinance.

14. Such other matters as may be necessary to determine compliance with City ordinances.

6.10 Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, enlarged, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy has been issued by the Building Official. The Certificate should state that the proposed use of the building or land conforms to the requirements of this Ordinance and with all conditional provisions that may have been imposed.

6.11 Variances

The Planning and Zoning Commission may authorize variances or modifications from the provisions of this Ordinance as to lot size, lot coverage, width, depth front yard, side yard, rear yard, setbacks, parking spaces, height of buildings, or other regulations of this Ordinance affecting the size and shape of a structure or placement of a structure upon the lot, pursuant to Idaho Code Section 67-6516.

A. Required Findings. To approve a variance, the Commission must find, in writing, that the application for a variance fulfills all of the following conditions:

1. The need for a variance results from physical limitations of the lot upon which the variance is requested which are not generally applicable to other properties in the same zone;

2. Failure to approve a variance will result in undue hardship;

3. The alleged hardship has not been created by the action of the applicant or the property owner; and

4. Approval of the variance is not in conflict with public interest.

B. Public Hearing. Prior to granting a variance, at least one public hearing shall be held to give interested persons an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the request shall be published in the official newspaper or paper of general circulation within the jurisdiction of the City. Written notice shall also be given to property owners adjoining the parcel under consideration.

C. Supplementary Conditions and Safeguards. In granting any appeal or variance, the Commission may prescribe appropriate conditions and safeguards. The Commission may not grant a variance to permit a use not authorized under the terms of this Ordinance.

D. Action by the Commission. Within sixty (60) days after the public hearing, the Commission shall either approve, conditionally approve, or disapprove the application for a variance. Upon granting or denying the permit, the Commission shall specify:

1. The provisions of this Ordinance and Standards used in evaluating the application.

2. The reasons for approval or denial.

3. The actions, if any, the applicant should take to obtain a variance.

E. Appeals. The applicant or any affected person may appeal the decision of the Commission to the Council by submitting a written appeal to the City Clerk within fifteen (15) days of the decision of the Commission.

F. Application for a Variance. In addition to the information required under Section 6.9 above, the Commission may also require a narrative statement documenting that the request for a variance conforms to the standards of Section 6.12.A. above.

6.12 Conditional Use Permits

Pursuant to Idaho Code Section 67-6512, the Council and Commission may issue conditional use permits. Prior to issuing a conditional use permit, at least one public hearing shall be held. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the application shall be published in the official newspaper or paper of general circulation with the City of Rexburg. Notice shall be posted on the premises not less than one (1) week prior to the hearing. Notice shall also be provided to property owners within three hundred feet (300') of the boundaries of the property and any others that the Commission determines shall be substantially impacted by the proposed development.

A. Application. In addition to the information required under Section 6.9 above, the Administrator may require a narrative statement discussing the general compatibility of the proposed development with adjacent properties and the neighborhood, the relationship of the proposed use to the Comprehensive Plan, and the effects of the following on the adjoining property: noise, glare, traffic generated, vibration, odor, fumes, drainage, building height, massing, and solid waste.

The Commission or Council may require that the applicant conduct studies of the social, economic, fiscal, and environmental effects of the proposed use.

B. Standards Applicable to Conditional Use Permits. The approving body shall review the particular facts and circumstances of each proposed conditional use and shall find adequate evidence to show that the proposed use will:

1. Constitute a conditional use as established in Table 1, Zoning Districts, and Table 2, Land Use Schedule.

2. Be in accordance with a specific or general objective of the City's Comprehensive Plan and the regulations of this Ordinance.

3. Be designed and constructed in a manner to be harmonious with the existing character of the neighborhood and the zone in which the property is located.

4. Not create a nuisance or safety hazard for neighboring properties in terms of excessive noise or vibration, improperly directed glare or heat, electrical interference, odors, dust or air pollutants, solid waste generation and storage, hazardous materials or waste, excessive traffic generation, or interference with pedestrian traffic.

5. Be adequately served by essential public facilities and services such as access streets, police and fire protection, drainage structures, refuse disposal, water and sewer service, and schools. If existing facilities are not adequate, the developer shall show that such facilities shall be upgraded sufficiently to serve the proposed use.

6. Not generate traffic in excess of the capacity of public streets or access points serving the proposed use and will assure adequate visibility at traffic access points.

7. Be effectively buffered to screen adjoining properties from adverse impacts of noise, building size and resulting shadow, traffic, and parking.

8. Be compatible with the slope of the site and the capacity of the soils and will not be in an area of natural hazards unless suitably designed to protect lives and property.

9. Not result in the destruction, loss or damage of a historic feature of significance to the community of Rexburg.

C. Supplementary Conditions and Safeguards. In granting a conditional use permit, the approving body may prescribe appropriate conditions and safeguards. Such conditions to be attached to the permit may include but not be limited to:

1. Minimizing adverse impact on other developments.

2. Controlling the sequence and timing of development.

3. Controlling the duration of development.

4. Assuring the development is properly maintained.

5. Designating the exact location and nature of development.

6. Requiring the provision for on-site or off-site public facilities of services;

7. Requiring more restrictive standards than those generally required in this Ordinance.

D. Action by the Commission/Council. Within sixty (60) days after the public hearing, the approving body shall either approve, conditionally approve, or disapprove the application. Upon granting or denying the permit, the approving body shall specify:

1. The provisions of this Ordinance and standards used in evaluating the application.

2. The reasons for approval or denial.

3. The actions, if any, the applicant should take to obtain a conditional use permit.

E. Appeals. The applicant or any affected person may appeal a final decision of the Commission on a conditional use permit application to the Council by submitting a written appeal to the City Clerk within fifteen (15) days of the decision of the Commission. Decisions of the Council may be appealed as provided in Idaho Code Section 67-6521.

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:

1. Permits for parks.

2. Permits for nursery schools, day care centers.

3. Permits for churches, synagogues, and temples.

4. Permits for funeral and crematory services.

5. Permits for boarding houses.

6. Permits for home occupations under Section 4.10 B.

7. Permits for developments with four or less dwelling units.

8. Permits for government buildings.

9. Permits for household goods warehousing and storage.

10. Permits for reduced parking space size in parking structures.

All other conditional use permits may only be granted after review and recommendation by the Commission and approval by the City Council. Formal notice will be sent to applicant after approval of a Conditional Use Permit. Notice will state the conditions of the permit. If conditions are violated or not met there will be a 90 day period to cure the problem. Failure to comply with the terms may result in revocation of the Conditional Use Permit.

6.13 Amendments to this Ordinance

The Council may, by ordinance, after receipt of recommendation from the Commission and subject to procedures provided by law, amend, supplement, change, or repeal the regulations, restrictions and boundaries or classifications of property. Such amendments may include text amendments or map revisions.

A. Initiation of Zoning Amendments. Amendments to this Ordinance may be initiated in one of the following ways:

1. By adoption of a motion by the Commission.

2. By adoption of a motion by the Council.

3. By the filing of an application by a property owner or authorized agent within the area proposed to be changed by the amendment.

B. Application for Rezoning. In addition to the information required under Section 6.9 above, the applicant shall provide the Zoning Administrator with the following information:

1. Proposed zoning district.

2. For map revisions, vicinity map showing the property lines, thoroughfares, existing and proposed zoning, existing land uses.

3. A statement on how the proposed amendment relates to the Comprehensive Plan, availability of public facilities, and compatibility with the surrounding area and zoning.

4. In the event an application for rezoning received by the Commission requests a rezoning of any lands that lie within one quarter (1/4) mile of any boundary of the Sugar City Area of City Impact, the Commission shall provide the City of Sugar City written notice of the application for rezoning.

C. Comprehensive Plan Amendment. If the request for zoning amendment is not in accordance with the Comprehensive Plan, the Commission shall consider and the Council may adopt or reject an amendment to the comprehensive plan after notice and hearings as provided in Section 67-6509, Idaho Code.

D. Public Hearings. The Commission, prior to acting on a request for an amendment, shall hold at least one public hearing. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the amendment shall be published in the official newspaper or paper of general circulation within the jurisdiction of Rexburg. If the amendment is a map revision, additional notice shall be provided by mail to property owners or purchasers of record of land within three hundred feet (300') of the external boundaries of land being considered. Notice shall also be posted on the property to be rezoned not less than one (1) week prior to the hearing.

When notice is required to two hundred (200) or more property owners or residents, notice of the proposed change and the hearing shall be published in the official newspaper once a week for two (2) consecutive weeks, with at least one of the publications being fifteen (15) days prior to the date set for hearing on the proposed change.

E. Recommendation of the Commission. Within sixty (60) days of the public hearing, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the amendment be granted as requested, that it be modified, or that it be denied. In evaluating requests for amendments, the Commission shall consider, in addition to conformance with the Comprehensive Plan as required by Section 67-6511, Idaho code, the following:

1. The capacity of existing public streets, water and sewer facilities, storm drainage facilities, solid waste collection and disposal, and other utilities.

2. The capacity of existing public services, including but not limited to, public safety services, public emergency services, schools, and parks and recreational services.

3. The potential for nuisances or health and safety hazards that may adversely affect adjoining properties.

4. Recent changes in land use on adjoining properties or in the neighborhood of the map revision.

F. Action by Council. The Council, prior to action on the amendment, shall hold one public hearing using the same notice and hearing procedures as the Commission. Upon granting, modifying, or denying a request for amendment, the Council shall specify:

1. The provisions of this Ordinance and the Comprehensive Plan and other standards used in evaluating the application.

2. The reasons for approval or denial.

3. The actions, if any, the applicant should take to obtain an amendment of the Ordinance.

6.14 Hearing Procedures

The following shall be observed in the conduct of public hearings before the Planning and Zoning Commission and the Council:

A. Each person testifying shall be asked to state his/her name and address in such a manner as to assure that it will be recorded by electronic means. The Administrator may require that those who wish to testify complete a sign-up sheet with name and address prior to giving testimony.

B. No person shall be permitted to speak until such person has been officially recognized by the presiding officer.

C. All public hearings shall be recorded electronically or stenographically and all persons testifying shall speak in such a manner to assure that the recorded testimony or remarks will be accurate and trustworthy.

D. The hearing body may establish a time limit to be observed by all speakers, depending upon the number of those who wish to testify. Such a time limitation shall apply to all **speakers'** comments.

E. At the conclusion of a speaker's comments, each member of the hearing body may address questions to the speaker. If a time limit has been set, such questions and answers shall not be included in the time limit.

F. The presiding officer may ask if any members of the hearing body have a conflict of interest prior to the conduct of the hearing and excuse those who have such a conflict.

G. The presiding officer may note, prior to opening the public hearing, that testimony should relate to whether the proposal before the hearing body is in accordance with the Comprehensive Plan, the Development Code, and other standards of the City.

H. The following are the steps in the hearing procedure:

1. The chairperson shall announce the purpose and subject of the hearing.

2. The chairperson may ask if any members have a conflict of interest and wish to be excused from this portion of the meeting.

3. The chairperson shall ask the applicant to explain the proposal being considered.

4. The chairperson shall ask the Community Development Staff member if there is any additional discussion needed for clarification.

5. The chairperson shall entertain questions from the Commission members regarding the proposal.

6. The chairperson shall ask for statements from others in the audience.

7. After each statement, the chairperson shall ask for any questions from the Commission members.

8. When all statements have been given, the chairperson shall afford anyone who has previously given a statement to speak in rebuttal or clarify his/her earlier statement.

9. After such rebuttal and clarification, the chairperson shall close the public hearing and ask for comments from the Commission members. Such discussion shall lead to action by the Commission.

6.15 Fees

Fees for permits issued under this Ordinance and requests for amendments to this Ordinance shall be set by the Mayor and City Council by resolution. In the area of city impact, all administrative fees shall be established by the City and paid to the City. In the event costs are incurred by the City of Rexburg as a result of the administration or enforcement of area of city impact matters, the City of Rexburg and County agree to share equally such expenses.

6.16 Appeal relating to area of city impact matter

Any affected person may appeal a final decision of the Commission relating to matters arising within the area of city impact. Said appeal shall be heard by a board of appeals consisting of two members appointed by the county and two members appointed by the city. Any appeal from a decision pertaining to the area of city impact must be submitted by written notice to the Clerk of Commission within fifteen (15) days of the decision of the commission. The Planning or Zoning Administrator shall receive and direct, all appellate matters to the appellate authority of jurisdiction. Furthermore the Administrator shall schedule and coordinate all appeals hearings in regard to this Title.

6.17 Enforcement

The City of Rexburg and Madison County authorize the Rexburg Planning and Zoning commission to be the enforcing agency responsible for enforcing compliance with the provisions of this ordinance within the area of impact.

6.18.1 Enforcement policies and procedures shall be in compliance with the authorities and duties of The Planning and Zoning Administrator, acting as Chief Enforcement Officer for the Commission as provided by 6.2.6 and 6.2.7 of this title and chapter.

CHAPTER 7: NONCONFORMING USES AND BUILDINGS

7.1 Purpose
7.2 Continuance
7.3 Change of Use
7.4 Maintenance and Repairs
7.5 Restoration
7.6 Discontinuance
7.7 Nonconforming Lots of Record

7.1 Purpose

This Chapter describes the status of structures, parcels, or uses of land that were lawful prior to the effective date of this Ordinance but which are now prohibited or restricted.

7.2 Continuance

The occupancy of a building or parcel of land by a nonconforming use existing at the effective date of this Ordinance may be continued.

7.3 Change of Use

The nonconforming use of a building or land may not be changed except to a conforming use, and where such change is made, the use shall not thereafter be changed back to a nonconforming use.

7.4 Maintenance and Repairs

Maintenance and repairs necessary to keep nonconforming uses in sound condition shall be permitted. Existing parking lots or areas that are non-conforming as to design and setbacks, shall comply with current regulations as feasible when the parking lot is re-constructed. This does not suggest that the parking lot shall increase the number of spaces, as this only occurs at the time of a change of use and as described in the Parking section of this code.

7.5 Restoration

A nonconforming structure or a structure occupied by a nonconforming use which is damaged or destroyed by fire, flood, wind, earthquake, or other calamity may be restored, provided such restoration begins within one (1) year from the date of destruction and is pursued diligently. Such restoration shall not increase the floor area or land area.

7.6 Discontinuance

Whenever a nonconforming use of land or building has been discontinued for a period of one (1) year, such use shall not be reestablished, and the uses of the premises thereafter shall be in conformity with the regulations of the district.

7.7 Nonconforming Lots of Record Discontinuance

Except as noted below, any single lot or parcel of land which was of record in the Office of the Recorder of Madison County at the time of the effective date of this Ordinance but does not meet the requirements of the zoning district in which it is located for minimum lot width and area may be utilized if all other requirements of this Ordinance are met.

However, if two or more lots or combinations of lots and portions of substandard lots with continuous frontage in single ownership are of record on the effective date of this Ordinance, and if all or part of the lots do not meet the requirements for lot width or area of the district, the lands involved shall be considered to be an undivided parcel for purposes of this Ordinance. No portion of said parcel shall be used which does not meet lot width and area requirements established in the district nor shall any division of the parcel be made which leaves remaining any lot with width or area below those requirements stated for the district.

CHAPTER 8: THE CITY OF REXBURG IMPACT AREA

8.1 Applicability
8.2 Boundary Definitions
8.3 Zoning Districts, Zoning Map, Zoning Tables, Land Use Schedules
8.4 Applicability of Rexburg Development Code in Area of Impact
8.5 Legal Description of Impact Area / Rexburg, Idaho Impact Area with Madison County Legal Description

AREA OF CITY IMPACT

8.1 Applicability

The regulations of this Chapter shall apply to the area of city impact and shall supplement the regulations appearing elsewhere in this ordinance.

A. This Chapter is being adopted pursuant to Idaho Code, Section 67-6526, and any and all amendments thereto, pursuant to mutual agreement between the City of Rexburg and Madison County.

B. The purpose of this Chapter is to identify an area of city impact, considering such factor as:

1. trade area;

2. geographic factors;

3. areas that can reasonably be expected to be annexed to the city in the future.

C. The intent of this Chapter is to define the geographic area of city impact; to set forth the plans and ordinances which will be adopted and be applicable to the area of Chapter 65, as set forth by the Idaho legislature.

8.2 Boundary Definitions

A. The boundaries of the area of city impact are defined by separate ordinance. The boundaries and zoning classifications of the area of city impact are shown on the map entitled "Area of City Impact -- Rexburg, Idaho." The map and all information shown thereon are by reference and made a part of this ordinance.

B. The method for amending the impact boundaries shall be governed by Idaho Code, Section 67.6526 (d).

8.3 Zoning Districts, Zoning Map, Zoning Tables, Land Use Schedules

A. Zoning districts authorized in the area of impact comprise two specific categories:

1. All existing zones listed in Section 3.1 of this ordinance and described in Chapter 3 hereof. These zones are hereafter referred to as "Chapter 3 zones."

2. Agriculture 1, (A-1); Agriculture 2, (A-2); and Rural Residential, (RR);

B. Definitions of Zones.

1. Chapter 3 Zones are defined and described in Chapter 3, paragraphs 3.4 through 3.15 hereof.

Agricultural 1 (A-1)

The Agriculture 1 zone is intended to anticipate expansion of the City into agricultural areas (lands) and to preserve agricultural production in those areas.

a. Permitted uses in the A-1 Zone include all primary agricultural production activities and their accessory uses and buildings, including farm homes. No more than ten (10) livestock are permitted in an A-1 zone. However, this does not include commercial enterprises or animal-related business such as produce packing plants, fur farms, veterinary clinics, animal hospitals, feed lots, poultry and egg farms, hog farms, dog kennels, honey processing, and similar uses which would constitute a "business" as opposed to that of the raising of agricultural crops and/or pasture. For the purposes of this chapter, "Feedlot" is defined as any area where one thousand (1,000) head or more of livestock are confined for a period of one year or more.

b. The minimum size parcel shall be five (5) acres or more.

c. Conditional Uses in the A-1 Zone include:

(1) Public and quasi-public recreation facilities and/or buildings.

(2) Home occupations.

(3) Cemeteries.

Agricultural 2 (A-2)

The Agriculture 2 zone is intended to anticipate expansion of the city into agricultural areas (lands) and to preserve agricultural production in those areas.

a. Permitted uses in the A-2 Zone include all primary agricultural production activities and their accessory uses and buildings, including farm homes. Livestock is permitted in an A-2 Zone. However, this does not include such commercial enterprises or animal-related business such as a produce packing plant, fur farms, veterinary clinics, animal hospitals, feed lots, poultry and egg farms, hog farms, dog kennels, honey processing, and similar uses which would constitute a "business" as opposed to that of the raising of livestock, agricultural crops and/or pasture.

b. The minimum size parcel shall be five (5) acres or more.

c. Conditional uses in the A-2 Zone include:

(1) Public and quasi-public recreational facilities and/or buildings.

(2) Home occupations.

(3) Cemeteries.

Rural Residential Zone (RR)

The RR zone is established to protect stable neighborhoods of detached family dwellings on lots of one acre or more up to five (5) acres. The minimum lot width shall be 150 feet; the minimum front yard shall be 60 feet from the property line or 90 feet from the center line of the road, whichever is greater; the minimum rear yard shall be 30 feet from the property line; and the minimum side yard shall be six inches for every foot of building height with a 10 foot minimum. No structure shall be erected to a height greater than 30 feet to eave height, measured from natural grade at the building site. There can be only one single-family dwelling per lot. Household pets are allowed, no more than two domestic livestock for each acre used solely for said livestock shall be allowed. Installation of curb and gutter or a drainage facility approved in advance by the Planning and Zoning Commission shall be required. The maximum lot coverage by buildings, including the dwelling, shall be 50 per cent.

"Direct Access Restricted Road"

The Madison County Commission together with the Rexburg City Council shall designate certain roads and streets located within the Area of City Impact as "direct access restricted roads." No lot or parcel of ground adjoining such designated roads or streets shall have direct access to such roads without the prior approval of the Rexburg Planning and Zoning Commission. Access to and from said lots or parcels shall be by roads, streets or frontage roads which have been approved by the Rexburg Planning and Zoning Commission. Said lots or parcels shall comply with the following requirements:

a. Such lots shall reverse frontage on the designated "direct access-restricted road."

b. Such lots shall be buffered from the "direct access-restricted road" by any effective combination of the following: Lot depth, earth berms, vegetation, walls or fences and structural sound proofing.

c. The minimum lot depth shall be two hundred (200) feet except where the use of berms, vegetation, and structures can be demonstrated to constitute an effective buffer for a dwelling on a lot less than two hundred (200) feet in depth.

d. Whenever practical existing roadside trees shall be saved and used in the arterial buffer.

e. Site plans, subdivision requirements, annexation and development agreement shall include provision for installation and continued maintenance of all buffers and compliance with all city and county ordinances applicable within the area of city impact.

f. The zoning map shall designate the zoning districts in the area of city impact of the City of Rexburg and shall be made a part of this ordinance by reference.

g. Zoning Tables and Land Use Schedules:

(1) All Chapter 3 zones located within the area of city impact shall be subject to all zoning tables and land use schedules contained in Chapter 3 hereof.

(2) A-1, A-2, and RR zoning districts shall be subject to the zoning tables set forth in Chapter 10, page 84.

(3) A-1, A-2, and RR zoning districts shall be subject to the Land Use Schedules contained in Chapter 3 hereof.

8.4 Applicability of Rexburg Development Code in Area of Impact

A. Any Chapter 3 zones, which are located within the area of city impact shall be subject to all provisions of the Rexburg Development Code and any amendments thereto.

B. A-1, A-2 and RR zones shall be subject to the following Rexburg Development Code provisions:

1. Chapter 1-- Title, Authority, Purpose and Intent

2. Chapter 2--Definitions

3. Chapter 3--Zone definitions

4. Chapter 6--Administrative procedures

5. Chapter 7-- General provisions

C. The following specific sections of Chapter 4, 5 and 8 of this Development Code shall be applicable to the A-1, A-2 and RR zoning districts:

1. 4.2 Yard Space for Principal Building
   (Applicable to RR only)
2. 4.3 Sale of Lots Below Minimum Space Requirements
3. 4.4 Accessory Buildings
   (Applicable to RR only).

4. 4.5 Access to Public Street Required. The provisions of section shall apply to all zones, provided further that homes may not be constructed with direct access upon roads, streets or highways designated as "direct access restricted roads". If development along such roads is contemplated, then reverse frontage and controlled access shall be determined and regulated as provided in section 10.4.C.(4) hereof and as further provided by the Planning and Zoning Commission.

5. 4.6 Clear View of Intersecting Streets.

6. 4.10 Home Occupations.
   (Applicable to RR only)

7. 4.11 Manufactured Homes.
   (Applicable to RR only)

8. The provisions of Chapter 8, Nonconforming Uses and Buildings, shall be applicable to all zones within the area of city impact. The following provisions shall apply to A-1 and RR zones:

   a. Any landowner having livestock upon lands located within the area of city impact may, prior to February 15, 1995, provide to the Planning and Zoning Commission a description of the land together with a description of the livestock on said lands, which shall include the number of livestock as well as the type of livestock located on said lands. The Planning and Zoning Commission shall review the descriptions as submitted by a land owner, and together with the land owner determine an historic herd size for the parcel of land described. The record of historic herd size shall be kept by the City Clerk and shall be preserved for the purpose of determining existing land use on said lands as of February 15, 1995.

   b. In the event a landowner described in section 10.4.C (8) a. shall discontinue the use and maintenance of livestock on lands described and provided to the Planning and Zoning Commission for a period of five (5) consecutive years, when such use shall not be reestablished, and the uses of the premises thereafter shall be in conformity with the regulations of the zone district in which the land is situated; provided, that the use and maintenance of a lesser number of the same general type of livestock on the described lands shall be deemed to conform to the historic herd size as recorded with the City Clerk and will allow the continued recognition of the historic herd size as the current existing land use.

   c. The expansion or enlargement of a livestock herd shall be allowed only by the granting of a conditional use permit, zone change or variance, as provided by this ordinance and depending upon the particular circumstances and facts involved.

9. The Rexburg City Mobile Home Ordinance shall apply in the entire area of city impact.

10. The Rexburg Subdivision Ordinance shall apply in the entire area of city impact area of city impact to all parcels or lots that are less than one acre in size.

D. To the extent that the provisions of this Chapter pertaining to the area of city impact conflict with any other provisions of the Rexburg Development Code, the provisions set forth in this chapter shall govern with respect to Agriculture 1, Agriculture 2, and Rural Residential zoning districts.

8.5 Legal Description of Impact Area / Rexburg, Idaho Impact Area with Madison County Legal Description

Beginning at the Southeast Corner of Section 32, Township 6 North, Range 40 East,
thence South 200';

thence West parallel to the Section lines to a point on the westerly right-of-way line of Highway US 20;

thence northerly along the West right-of-way line of US 20 to a point that is on the South boundary of the N ½ of the NW ¼ of Section 25, said line is also the South boundary of the Lorin Widdison Addition;

thence westerly along the South boundary of the Widdison Addition t the West boundary of Section 25;

thence North along the Section line, said line also being the centerline of the Hibbard Highway to the NW Corner of the SW ¼ of the NW ¼ of Section 13, said line is also the South line of the J&M Subdivision;

thence East along the 1/16 line to a point where the 1/16 line intersections the easterly right-of-way line of Highway US 20;

thence northeasterly along the southern right-of-way line of US 20 to the Salem Highway.

thence North along the Section line to the NW Corner of the SW ¼ of the SW ¼ of Section 8;

thence East along the 1/16 line to the easterly right-of-way line of State Highway 33;

Thence southwesterly along the easterly right-of-way line of State Highway 33 to the North line of Section 17;

thence East along the North line of Section 17 to a point 200' East of the NE Corner of Section 17;

thence South, parallel to the Section line to the North line of the S1/2 of the SW1/4 of Section 16;

thence West 200' to the East line of Section 17;

thence South along the Section line to the centerline of the South Fork of the Teton River;

thence upstream easterly along the centerline of the River to the East line of the NW ¼ of Section 21;

thence South along the ¼ line to the interior quarter Corner of Section 21;

thence West along the ¼ Section line to the W¼ Corner of Section 21;

thence South along Sections 20, 29, and 32 to the SE Corner of Section 32, said point being the POINT OF BEGINNING

Excluding there from the area lying within the boundary that is currently within the existing City Limits of the City of Rexburg.

CHAPTER 9: PEDESTRIAN EMPHASIS ZONE (PEZ) (ORD. 1021)

ORDINANCE NO. 1021

AN ORDINANCE AMENDING ORDINANCE NO. 926 PROVIDING FOR CHANGES TO THE PARKING STANDARDS FOR DORMITORY HOUSING WITHIN A DEFINED AREA ADJACENT TO THE BYU-I CAMPUS; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

(ADOPTED FEBRUARY 16th, 2005)
Amended 7/06/05; 5/07/2007; 7-03-2007; 09-05-2007; 05-07-2008.

SECTION I. Ordinance No. 926 is hereby amended as follows:

Amendments to Chapter 5- Parking Regulations

Section 5.10.
Parking requirements for dormitory housing units that are located within the Pedestrian Emphasis Zone (PEZ) (see attached boundaries or appendix of development code) may be reduced subject to the following requirements and provisions:

1) The parking ratio per student within "Area 1" as identified on the attached exhibit map shall be reflective of a market demand as determined by the applicant or land owner, but may in some cases be reduced to zero parking spaces. However, other parking (vehicle and bicycle) is required for guests and management as specified below in Sections 9, 10, and 11.

2) The parking ratio within the area identified as "Area 2" on the exhibit map shall be a minimum of 0.5 spaces per student. Other parking (vehicle and bicycle) is required for guests and management as specified below in Sections 9, 10, and 11.

3) Parking areas (parking spaces and maneuvering areas) shall <u>not</u> be located within the required front yard.

4) Existing parking areas that are located within the required front yard shall be eliminated and restored to landscaping that includes the use of trees and shrubs.

5) In order to be eligible for the reduced parking ratios as permitted herein, the resulting structure must have ten (10) dwelling units or more. However, structures with fewer than ten (10) dwelling units may apply for a conditional use permit in order to qualify for reduced parking. This ordinance is not intended nor shall apply to any structure originally constructed as a single-family or duplex residential structure. Furthermore, all underlying zoning standards shall apply (e.g. dwelling density, permitted land uses, etc).

6) Landscaped areas shall, through the use of trees and shrubs, deter the use of the required front yard as parking during the winter months when vehicles are not allowed to be parked overnight on City streets.

7) Landscaped front yards and other required buffer yards shall be delineated from parking areas by high-back curbing that will further discourage parking in the front yard.

8) Each property that utilizes this parking reduction shall clearly specify on all rental contracts or agreements whether or not a vehicle parking space is provided for that individual tenant.

9) Bicycle parking, shall be provided on a ratio of One (1) space per every ten (10) resident beds, as follows:

(a) Spaces may be in an open-air environment, but shall be placed on a hard surface such as concrete, asphalt, pavers, or other.

(b) A hard surface, such as concrete, asphalt, pavers, or other, shall connect bicycle storage area to either the internal parking lot, or a public right-of-way. Surface shall be a minimum of 5-feet in width or 6-feet in width if vehicle overhang will occur.

(c) Spaces shall have lighting that is motion activated. Lighting shall in no way shine on to adjacent rights-of-way or adjacent property, but shall be directed downward on to bicycle storage only. The City's lighting ordinance shall govern any other aspects not anticipated by this section.

(d) Parking areas shall not be located within the required front yard setback.

(e) Signs shall be placed conspicuously that state that moped parking is allowed in areas of bicycle parking. Signs shall clarify that mopeds include either pedals, or have engines under 50cc.

10) One vehicle parking space shall be provided for on-site management. Parking spaces must be the City's full-size parking space standard.

11) One vehicle parking space per 10 residents shall be provided for guest parking. Guest parking shall be marked with signage that is clearly visible during all seasons of the year. These spaces shall not be included in the parking contract required to be entered into (see section #8 above). Guest parking spaces shall be the City's full-size parking space standard.

12) All sidewalks located along property shall be installed and maintained per City standards,

13) By utilizing this parking reduction provision, the property owner, and future property owners agree to participate in a joint sidewalk maintenance agreement with other property located in the PEZ overlay that may be established in the future. Sidewalk maintenance shall include repairs as needed, and snow removal and deicing, as needed.

14) Sidewalks shall be maintained for safe passage during all seasons of the year. In the case of snow removal and de-icing, this safe passage must be insured by 6:00 A.M. every morning and continue until 10:30 P.M.

15) Property owners are encouraged to work with adjacent property owners to allow pedestrian access easements over property if a more direct route for pedestrians to BYU-I campus can be achieved.

16) Lighting fixtures on the property shall not exceed 15-feet in height. This would include wall mounted lights as well as parking lot lights and walkway lights. Any lighting that exists at the time a property wishes to implement this PEZ parking standard shall be brought in to compliance with this standard and any other lighting standards per the City's lighting ordinance.

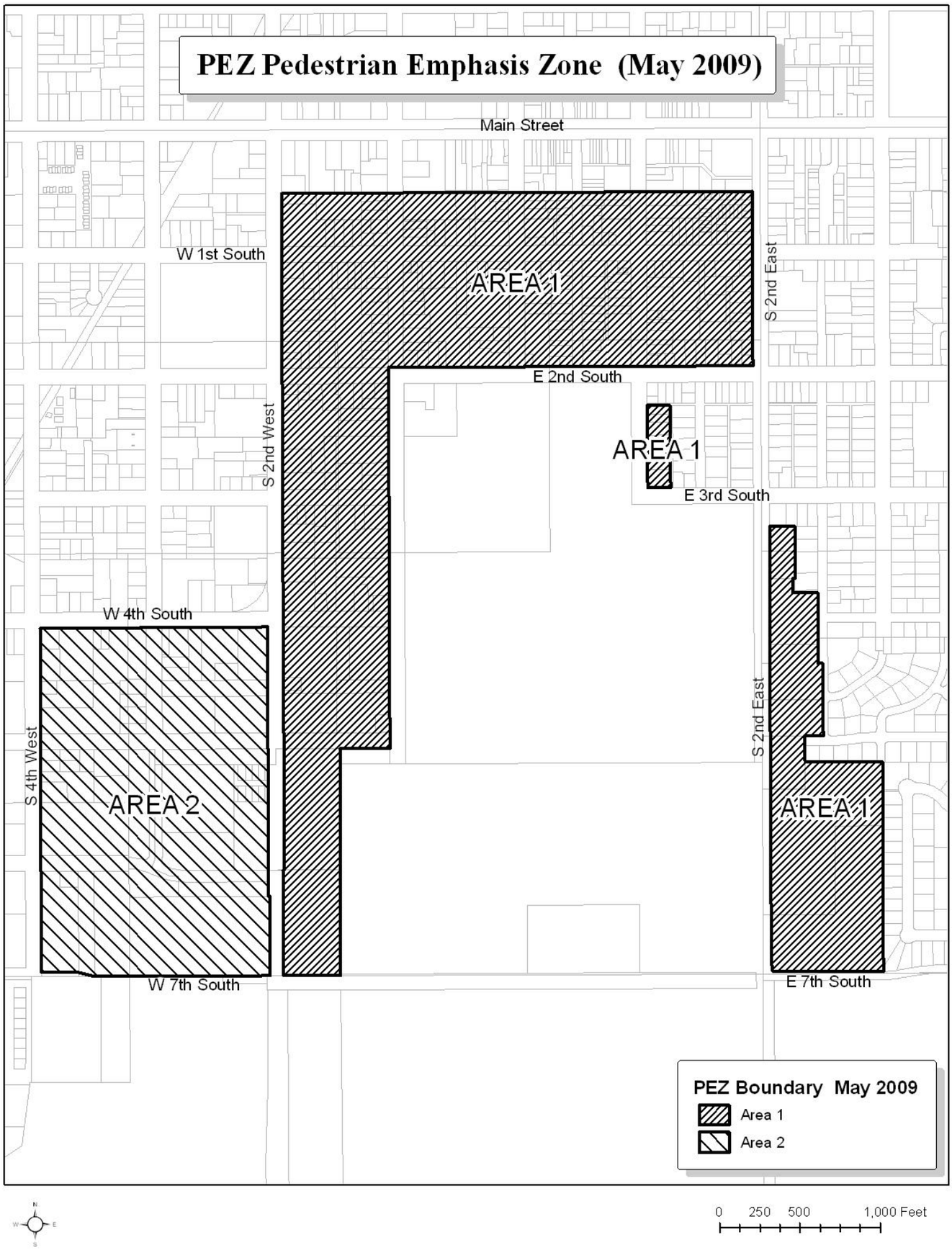
17) Every dwelling unit shall have a minimum of 150 square feet of gross floor area for every person living in dwelling unit.

18) No applications for expansion of the PEZ boundaries shall be accepted for five (5) years from the passage of this ordinance in the hopes that infill will be maximized within the boundaries. The current boundaries coincide with a quarter mile (1/4) radius, a distance with the strong likelihood of pedestrian activity. When the boundaries are revisited, if it is determined that this ordinance has been effective but needs more time to maximize infill then the boundary should not be expanded.

19) Qualifying developments cannot reduce their existing parking space ratio except to proportionally allow for additional on-site buildings, or for the restoration of required yard.

20) Qualifying developments shall be subject to future proportional share of pedestrian and vehicle enhancements implemented to facilitate movement to and from campus or businesses. 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 20th DAY OF MAY, 2009.


PEZ Pedestrian Emphasis Zone (May 2009)
Main Street
W 1st South
AREA 1
S 2nd East
E 2nd South
S 2nd West
AREA 1
E 3rd South
W 4th South
S 4th West
AREA 2
S 2nd East
AREA 1
W 7th South
E 7th South
PEZ Boundary May 2009
Area 1
Area 2
0 250 500 1,000 Feet

CHAPTER 10: SIGNS IN REXBURG (ORD. 1027)

ORDINANCE NO. 1027

AN ORDINANCE REPLACING ORDINANCE 908, FOR THE REGULATION OF "ON" AND "OFF" PREMISE SIGNS IN REXBURG. ADOPTING SECTIONS I THROUGH VII WITH THE ATTACHED SCHEDULE (A) AND (B) INCLUDING THREE SPREADSHEETS ALONG WITH THE CURRENT CITY OF REXBURG BUILDING CODE REGULATING SAFE SIGN CONSTRUCTION, WITH ADDITIONAL PROVISIONS RELATING TO SIZE AND HEIGHT OF SIGNS IN VARIOUS ZONES FOR THE CITY OF REXBURG, IDAHO; REQUIRING COPIES OF SAID CODE TO BE KEPT IN THE REXBURG CITY BUILDING DEPARTMENT AND THE CITY CLERKS OFFICE; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND FOR SEVERABILITY; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

SECTION I. Ordinance No. 908 is hereby repealed.

SECTION II. The purpose and objectives of this ordinance are:

A. To recognize signs are a necessary means of visual communication for the public's convenience, and businesses and individuals have the right to identify themselves and convey messages by using signs, and that signs are accessory and incidental to the use of the premises where they are located; and
B. To provide a reasonable balance between the right of an individual or a business to identify itself and to convey its message, and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs; and
C. To insure signs are compatible with adjacent land uses and with the total visual environment of the community, and the value of nearby property and economic health of the community, as a whole are protected; and
D. To provide minimum standards for regulating the size, height, structural materials/requirements and the duration of all signs, including temporary signs and displays on the outsides of buildings visible from the public rights-of-way; and
E. To enable the fair and consistent enforcement of these sign regulations; by regulating the location, construction, duration, number and maintenance of signs in order to enhance the aesthetic environment; and by promoting public safety, health and general welfare, and providing for the greater good of the community.

SECTION III. All externally located signs visible from the public right-of-way must be located and constructed in accordance with the following parameters with respect to the location of signs out of the public right-of-way, the maximum height of the signs, area of signs, clearance required for signs, allowed location of signs, allowed sign illumination, exemptions allowed by a Conditional Use Permit, types of a signs, sign permit fees, and sign permit requirements.

1. **Clear View of Intersecting Streets*:*** No sign may be placed or constructed so that any portion thereof is placed or projects into any public right-of-way. For the purpose of ensuring reasonable visibility and safety this ordinance shall prohibit the placement of signs within the sight triangle. The sight triangle applies to corner lots on intersecting City streets. The sight triangle is defined as follows: The triangle of land formed on any corner lot by drawing two (2) lines, starting at the same afore mentioned corner point heading away from each other along the lot lines, right-of-way lines, or prescribed right-of-way lines (whichever is applicable), a distance of thirty (30) feet and then connected by a diagonal line along the endpoints of the two (2) drawn lines forming a triangle.

2. **The maximum height:** Unless further restricted in this Sign Code, the maximum height of any free standing sign shall be twenty-four (24) feet from ground level to the top of the sign. On lots where a 24 foot free standing sign is allowed and the building height is greater than 24 feet, the maximum height of a free standing sign may be reviewed under a Conditional Use Permit for a taller free standing sign not to exceed the building height.

3. **Definitions:** Various types of signs and definitions relating to signs are attached as **Schedule "A"** hereto and incorporated as a part of this Ordinance. This Schedule is not intended to be all-inclusive, but is to be for definition purposes in assisting in the understanding and compliance with the intent of this Ordinance.

4. **Use and Placement: Schedule "B" including (3 spread sheets showing the separate Zones)** attached hereto, and by reference made a part hereof, is intended to set forth various types of signs, and the respective zones in which such signs shall be allowed.

5. Permits and Fees

A) *Permits Required*. Except as otherwise provided in this Code, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in this City, or cause the same to be done, without first obtaining a sign permit. A permit shall not be required for a change of copy of any sign, nor for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued in accordance with this Code, provided that the sign or sign structure is not altered in any way.

B) *Permission to Install*. No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or authorized representative of the owner.

C) *Sign Not Regulated By the Code*. An application for any sign or advertising display or structure for which no specific regulation in this Ordinance is applicable shall be considered by the Planning and Zoning Commission under the Conditional Use Permit procedure as outlined in the Planning and Zoning Ordinance, and such application shall be approved or denied in harmony with the intent of these regulations.

D) *Permit Fee*. An application fee shall be paid in accordance with the current fee schedule maintained by the City Clerk, as approved by the City Council.

SECTION IV. There shall hereafter be kept on file, in the offices of the City Clerk and the Building Department, three (3) copies of this sign code, duly certified by the Clerk, for use and examination by the public.

SECTION V. Any person, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor, and be subject to the following civil penalties or remedies:

1. If a sign is placed in or projects into any public right-of-way, or has been deemed unsafe by the building department and/or city engineer it may be immediately removed by the City at the owner's, sign company's and/or responsible person's expense.

2. If in violation of some other provision of this Ordinance, the City may cause a written notice to be given requiring that the violation be corrected within (14) days and if the owner, sign company and/or responsible person for the violation fails to comply, then the violator(s) shall be liable for civil penalties of up to $300. The City shall have the right to remove the sign at the violator's expense in addition to the aforementioned penalties for each day of violation.

3. The City may seek injunctive relief through the courts for enforcement of the provisions of this Ordinance and in addition to the relief sought shall also be entitled to its attorney's fees and costs.

SECTION VI. The sections of this Ordinance are severable and the invalidity of a section shall not affect the validity of the remaining sections, which should be construed as closely as possible with the overall purpose and intent of this Ordinance in the event any portion hereof is deemed to be invalid.

SECTION VII. This Ordinance shall become effective upon its passage, approval and publication in the manner provided by law.

PASSED BY THE COUNCIL, AND APPROVED BY THE MAYOR this 17th day of February, 2010.

SCHEDULE "A" DEFINITIONS

ANIMATED SIGN:
A sign, any visible part of which moves, flashes, or changes color, regardless of the source of energy which causes the movement, flash, or, change of color.

ARCHITECTURAL BLADE:
A roof sign or projecting sign with no legs or braces which is an integral part of the building structure, rather than an object added to or standing on the building.

AWNING:
A projecting cover extending over a door, window or wall section with supports attached to the building and used as cover, protection, or as decoration.

BACKGROUND AREA:
The area comprising the message portion of a sign, not including the supporting structure, shall constitute the Background area. When computing the area of sign background, any single piece flat sign shall be calculated by measuring one side even though both sides may be used for advertising. (For example a 4'x 8' flat sign will be considered a 32 square feet background area). For V shaped signs, or any other three dimensional sign shall have the area of sign background calculated by considering all sides of the sign facing the primary public right-of-way. This is irrespective of whether the back sides of the signs are used for advertising.

1) On pole signs the supporting structure does not count as part of the area of the sign. The area calculated in the wind loads calculation for the pole sign is for all intents and purposes, the background area of the sign.

2) On wall signs the background area of the sign is calculated by the following methods depending on which is most reasonably applicable as determined by the city.

   A) If only letters are being put on the wall then the area is computed by drawing rectangles around each letter to enclose the extremities of the letter, and then calculating the area enclosed within the rectangles.

   B) If a cabinet or flat panel with letters is being put on the wall then the area is the area of the extremities of the flat panel or cabinet like structure.

   C) If an area is painted out in a different shade or color on a wall (*not matching the general background of the rest of the building*) for advertising with lettering or graphics then the extremities of the entire painted out area will count as advertising area.

BANNER:
Any non-rigid material

BILLBOARD:
See definition for Off Premise Signs.

BLANKETING:
The partial or complete shutting off of the face of one sign by another sign.

BUILDING FACE OR WALL:
All windows and wall area of a building on one elevation.

CANOPY SIGN OR MARQUEE SIGN: A sign which is attached parallel to the faces of a canopy or marquee.

CHANGEABLE COPY PANEL (READER BOARD):
A sign display which is characterized by copy or illustration which may be modified at periodic intervals, regardless of the method.

CONSTRUCTION SIGN:
Any sign which warns people of construction or demolition for a project or which describes the project, builder, architect or others involved in the project.

COPY:
Any combination of letters or numbers that are intended to inform, direct or otherwise transmit information.

DIRECTIONAL SIGN:
Any sign which serves to designate the location or direction of any place or area.

1) If logos are put on the directional signs they are calculated in the area of the directional sign. In addition the logos must be less area than the directional information to be considered a directional sign.

FREE STANDING, DETACHED OR GROUND SIGNS:
A sign, which is wholly supported by columns or other vertical supports in or upon the ground (*not part of building structure)*

FRONTAGE:
Distance measured along the property line which fronts upon a street or alley. To constitute frontage, the street or alley must provide access to abutting properties.

HEIGHT OF SIGN:
The distance measured vertically from the finished elevation of the ground where the sign is placed to the highest point of the sign or sign structure, whichever is higher.

ILLUMINATED SIGN:
A sign which uses a source of light for illumination.

LIGHTED, DIRECT:
Lighting, the source of which is visible to a viewer.

LIGHTING, FLOOD LIT:
Lighting, which is reflected from the surface of a sign or building.

LIGHTING, INDIRECT OR INTERNAL:
Lighting for which the source of light is located in such a manner that the light must travel through a translucent material other than the bulb or tube necessary to enclose the light source, which material has the effect of dispersing the light before it strikes the eye of the viewer.

OFF-PREMISE SIGN: Any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place including products, or services sold or offered for sale on premise other than on the premises where such sign is displayed. (See schedule B for regulations)

PORTABLE SIGN:
A sign that is not affixed to the ground or another structure.

PROJECTING SIGN:
A sign that projects from, and is supported by a wall of a building or other structure.

1) If a sign is connected to wall it counts as part of wall signage
2) If a sign is connected to pole it counts as part of free standing signage

PUBLIC SERVICE INFROMATION SIGN:
A sign which provides general public service information such as time, date, temperature, weather, directional information and messages of interest to the traveling public, and which are commonly used to augment business identification signs.

REAL, ESTATE OR PROPERTY FOR SALE, RENT OR LEASE SIGN:
Any sign pertaining to the sale, lease or rental of land or buildings.

SUPER GRAPHICS:
Any abstract mosaic, mural or painting or graphic art technique or any combination thereof.

SWINGING SIGN:
A sign which is installed on an arm or spar, and which is not permanently fastened to an adjacent wall or upright pole.

TEMPORARY SIGN:
A sign which is intended to be displayed for no more than thirty (30) days consecutively, and is not permanently affixed. All devices such as search lights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures are allowed, but may not be used more than sixty(60) days in total during any calendar year. Temporary signs are only intended for and therefore allowed in non-residential zones.

1) Unless otherwise regulated in this code (*such as construction sign or real estate or property for sale, rent or lease sign)* temporary signs must be reviewed by the planning and zoning administrator or designee for approval before being put up.

2) Temporary signs must be recorded and logged in at the city with the approval of the planning and zoning administrator or designee.

3) In general, temporary signs are reserved for limited activities important to the citizens of the City of Rexburg. Signs shall be located outside of the City right-of-way, be 32 sq. ft. or less, and in good taste for the surrounding environment, and must be maintained in good condition as to color, material integrity (fraying, tearing, etc.), and structural alignment.

4) Examples of uses of temporary signs are for big events such as the International Dance Festival, Rexburg Rush, close out sales, going out of business sales, or other events held at limited allotted times of year.

5) Signs located within the City right-of-way and authorized by the City are exempt from these regulations.

UNDER CANOPY OR MARQUEE SIGN:
A sign suspended below the ceiling or roof of a canopy or marquee.

WALL SIGNS:
A sign placed on the wall of a *building* as defined in the Rexburg City Planning and Zoning Ordinance.

A) For flat plane building structures the wall area can only be calculated by walls parallel and seen from one standard orthographic elevation view. No other walls can be added to this area in calculating the area of a sign allowed for that wall.

B) For dome or curved structures the wall signs cannot exceed the prescribed area of the curved or dome like structure as seen from a standard orthographic elevation view.

SCHEDULE "B"

CBD, RBC, CBC, LBC, PO (not overlay), TOZ, LI, HI, and AP

SECTION I: FREE STANDING, ON PREMISE SIGNS

(BASIC SIGN SIZES & SIGN SIZE LOCATION FORMULAS)

1) **Maximum sign size = 200 sq. ft.** Maximum sign height to top of sign = 24ft. (*or building height* (*with conditional use permit).*

2) **An 80 sq. ft. sign** allowed for any single property up to 50,000 sq. ft. in lot size.

3) **For properties larger than 50,000 sq. ft. in area**, total allowable sign area (sq. ft.) would be increased by 0.0016 sq. ft. of sign for each sq. ft. of property in excess of 50,000 sq. ft.

EXAMPLE 1:
Lot Area = 125,386 sq. ft.
First 50,000 sq. ft. ---------- 80 sq. ft. of signage
Next 75,386 sq. ft. x 0.0016 sq. ft. sign/ sq. ft. prop.--121 sq. ft. of signage
Total allowable Sign Area------201 sq. ft.

This would allow one 200 sq. ft. sign OR one 100 sq. ft. sign + one 101 sq. ft. sign or some other similar combination of signs whose total area would not exceed 201 sq. ft.

EXAMPLE 2:
Lot area = 245,678 sq. ft.
First 50,000 sq. ft. ---------- 80 sq. ft. of signage
Next 195, 678 sq. ft. x 0.0016 sq. ft. sign/ sq.ft. prop. -- 313 sq. ft. of signage.
Total allowable Sign Area ---------- 393 sq. ft.

This would allow one 200 sq. ft. sign, a 100 sq. ft. sign and a 93 sq. ft. sign or any other similar combination of sign sizes whose total area would not exceed 393 sq. ft.

EXAMPLE 3:
Lot area = 845,979 sq. ft.
First 50,000 sq. ft. ---------- 80 sq. ft. of signage
Next 795,979 sq. ft. x 0.0016 sq. ft. sign/ sq.ft.prop.—1,274 sq. ft. of signage
Total allowable Signage---------- 1,354 sq. ft.

This would allow for six 200 sq. ft. signs and one 154 sq. ft. sign.

4) **Clear distance between signs:**

$$\frac{\text{Area of Sign 1 + Area of Sign 2}}{\text{Distance between Sign 1 \& sign 2}} \text{ must be equal to or less than 2.0}$$

EXAMPLE: $\frac{\text{200 sq. ft. (Area Sign 1) + 200 sq. ft. (Area Sign 2)}}{\text{200 ft. (Distance between Sign 1 \& Sign 2 (permissible)}} = 2.0$

Therefore 2 signs, each having the maximum size of 200 sq. ft. each, would have to be 200 ft. apart or greater.

EXAMPLE: $\frac{\text{200 sq. ft. (Area Sign 1) + 100 sq. ft. (Area Sign 2)}}{\text{155 ft. (Clear distance between Sign 1 \& Sign 2}} = 1.94$

1.94 is permissible

To find minimum distance between signs divide by 2.0

EXAMPLE: $\frac{\text{200 sq. ft. (Area Sign 1) + 100 (Area of Sign 2)}}{2.0} = 150 \text{ ft}$

Clear distance between signs need to be 150 ft or greater

EXAMPLE: $\frac{\text{150 sq. ft. (Area of Sign 1) + 125 (Area of Sign 2)}}{\text{109 ft. (Clear distance between Sign 1 \& Sign 2)}} = 2.523$

2.523 is not permissible therefore 109 ft. is too small. To find the minimum clear distance you would have to do the following:

$\frac{\text{(150 sq. ft. + 125 sq. ft.)}}{2.0} = 137.5 \text{ ft}$

therefore 137.5 ft. or greater is permissible

EXAMPLE: $\frac{\text{80 sq. ft. (Area of Sign 1) + 80 sq. ft. (Area of Sign 2)}}{\text{85 ft. (Clear distance between Sign 1 \& Sign 2)}} = 1.88$

1.88 is permissible

5) **Distance from property lines**. $\frac{\text{Sign Area}}{10} =$

Distance from sign to nearest adjacent property line.
(Not street right-of-way (ROW) line.)

EXAMPLE: $\frac{\text{200 sq. ft. (Sign Area)}}{10} = 20 \text{ ft.}$

20 ft = distance from sign to nearest adjacent property line

EXAMPLE: $\frac{\text{80 sq. ft. (Sign Area)}}{10} = 8 \text{ ft}$

8 ft = distance from sign to nearest adjacent property line

The distance between the aforementioned sign examples would require the signs to be:

$\frac{\text{200 sq. ft. + 80 sq. ft.}}{2} = 140 \text{ ft. apart. Factor of 2 or less}$

6) **Any banners on property** other than wall banners must meet and are included as part of freestanding sign area unless considered temporary and approved by the Rexburg City Building Department.

SECTION II: **ALLOWABLE SIGN AREAS FOR WALL SIGNS**
(INCLUDING PROTRUDING SIGNS & ROOF SIGNS)

1) **Maximum Area of Wall Sign Allowed = 10%** of the area of the building wall for walls located within 0 ft. to 100 ft. from the street ROW (right-of-way) line.

2) **Maximum Area of Wall Sign Allowed = 12%** of the area of the building wall for walls located within 100 ft. to 200 ft. from the street ROW (right-of-way) line.

3) **Maximum Area of Wall Sign Allowed = 14%** of the area of the building wall for walls located more than 200 ft. from the street ROW (right-of-way) line.

4) **Wall banners up for 60 days or less are considered temporary; all others are considered permanent as shall adhere to applicable sign standards.** These banners must be logged and recorded with the City of Rexburg to assure time and condition limitations are being followed. These banners may be up with permanent wall signs as long as the coverage does not exceed 20% of wall. This 20% coverage is the total of the permanent and temporary signs combined. Any banners up for more than sixty (60) consecutive days are considered permanent and must adhere to permanent sign standards. These banners will be covered as aforementioned in maximum area (*depending on distance from right-of-way (ROW)* of wall signs and must have a sign permit. A business wishing to have an area for wall mounted banner signs that allow interchangeability of promotional signs may do so by providing a tasteful, permanent looking frame that does not include strings or other temporary looking devices. These "permanent" banner sign locations shall be counted towards maximum wall sign allotment, and does not include the wall banner 20% provision. All framed banners shall be sized appropriately for the frames so that there shall be no gaps between sign and frame edging and so that the banner does not overhang the frame in any way.

SECTION III: **ALLOWABLE "SIGN SIZE" and "SIGN PERMIT CONDITIONS" BY ZONE**

1. **Construction Signs** are defined as temporary and they must be removed **within thirty day**s of project completion.

2. Applications are through the Building Department (BD).

3. **Zones: CBC, RBC, LBC, CBD, PO (not overlay), TOZ, LI, HI, and AP**

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	32	10	5 feet	None	1 per street frontage	BD
Lease	32	10	5 feet	None	1 per street frontage	BD
Sale	32	10	5 feet	None	1 per street frontage	BD
Construction & Temporary	32	12	5 feet	None	1or more With max. 96 SQ. FT.	BD
Directional	6	Code	Code	Internal	Code	BD
Public Service	6	Code	Public ROW	Internal	Code	CUP
Accessory On premise Wall signs	Sec. II	8 ft over Building			Single story Less than 30 feet	BD
Accessory On premise Wall signs	Sec. II	6 ft over Building			Buildings greater than 30 feet	BD
Projected Signs	Sec. II	Sec. II	Not in Public ROW	Sec. II	Sec. II	Public ROW w/CUP
Marquee & Canopy	Sec. II	No Pro-ject	Face Parallel w/sign	Indirect Internal	1 per street frontage	CUP
Under Marquee & Canopy	Sec. II Length Only 75% Of sign Width	8 ft Min. Clearance To Ground	Code	Internal	1 per Business	BD
Non-Accessory Off Premise Free standing or Wall	32	10 ft Max. Height	Sec. I Sec. II	Indirect Internal Floodlit	1 per property (Wall or Free Standing)	CUP
Accessory On-Premise Free Standing	Sec. I	24 ft Max or Bldg Height w/CUP	Sec. I	Indirect Direct Internal	Sec. I	BD or CUP
Portable signs (A-frame style)	Sec. I	4 ft Max.	Sec. I Not in Public ROW	None	Only allowed as Temporary Signs.	BD

4. **Zone**: TAG1, TAG2, RR1, RR2, LDR1, LDR2, LDR3

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	6	6	5 feet +	None	1 per street frontage	BD
Lease	6	6	5 feet +	None	1 per street frontage	BD
Sale	6	6	5 feet +	None	1 per street frontage	BD
Home Occupation	2	Limited by Wall	Must be Parallel To wall	None	1 per street frontage	BD
Construction	32	8	5 feet +	None	1or more With max. Total of 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet +	Indirect Internal	1or more With max. total of 64 SQ. FT.	CUP
Directional	6	Code	Public ROW	Internal	Code	CUP
Public Service	6	Code	Public ROW	Internal	Code	CUP
All other signs Prohibited						

5. **Zone** : MDR1, MDR2, HDR1, HDR2

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	32	10	5 feet +	None	1 per street frontage	BD
Lease	32	10	5 feet +	None	1 per street frontage	BD
Sale	32	10	5 feet +	None	1 per street frontage	BD
Home Occupation	2	Limited by Wall	Must be Parallel To wall	None	1 per street frontage	BD
Construction	32	12	5 feet +	Indirect Internal	1or more With max. 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet +	Indirect Internal	1or more With max. 64 SQ. FT.	CUP
Directional	6	Code	Not in Sight Triangle	None	Code	CUP
Public Service	6	Code	Public ROW	None	Code	CUP
Project signs for Identification Attached/detached 50 sq ft Max.	1 sq ft Per 3 Lineal ft Of bldg	12	Bldg wall Facing the Street	Indirect Internal	Not in set-back Or higher than The eave line; 1 per parcel	CUP
All other signs Prohibited						

6. **Zone** : PROFESSIONAL OFFICE OVERLAY, NBD,

Type	**Sign Area (Sq Ft)**	**Max Height**	**Location From Property Line**	**Lighting Style**	**Restrictions**	**(BD) or (CUP)**
Rent	32	10	5 feet +	None	1 per street frontage	BD
Lease	32	10	5 feet +	None	1 per street frontage	BD
Sale	32	10	5 feet +	None	1 per street frontage	BD
Home Occupation	2	Limited by Wall	Must be Parallel To wall	None	1 per street frontage	BD
Construction & Temporary	32	12	5 feet +	Indirect Internal	1or more With max. 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet +	None	1or more With max. 64 SQ. FT.	CUP
Directional	6	Code	Not in Sight Triangle	None	Code	CUP
Public Service	6	Code	Public ROW	None	Code	CUP
Accessory On-Premise, Wall, Free Standing, or Canopy Marquee 50 Sq ft Max.	1 sq ft Per 3 Lineal ft Of bldg	Less than Height of Wall; FS Max. 12 Feet high	Bldg wall Facing the Street	Indirect Internal Flood light	1 per parcel	CUP
Open Lands	Code	Code	Code	Code	Code	BD
All other signs Prohibited						

CHAPTER 11: CELL TOWERS (ORD. 915)

Ordinance No. 915

AN ORDINANCE AMENDING THE REXBURG ZONING ORDINANCE CODE, CHAPTER FOUR ZONING BY ADDING A NEW SECTION (4.13) FOR CELLULAR TOWERS ENTITLED "WIRELESS TELECOMMUNICATIONS TOWERS AND ANTENNAS"; PROVIDING DEFINITIONS; PROVIDING FOR PERMITTED LOCATIONS; PROVIDING CONDITIONS FOR PERMITTED USES, ACCESSORY USES, AND CONDITIONAL USES; PROVIDING FOR PERMITS AND LEASE AGREEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rexburg has received or expects to receive requests to site wireless communications towers and antennas within the municipal boundaries; and

WHEREAS, the City of Rexburg finds that it is in the public interest to permit the sitting of wireless communications towers and antennas within the municipal boundaries, and

WHEREAS, it is the intent of the City of Rexburg to permit the sitting of wireless communications towers and antennas within the municipal boundaries; and

WHEREAS, it is the intent of the City of Rexburg to protect and promote the public health, safety and welfare by regulating the sitting of wireless communications towers and antennas,

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

Section 1: **Purpose.** The purpose of this ordinance is to establish general guidelines for the sitting of wireless communications towers and antennas. The goals of this ordinance are to: (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers throughout the community; (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, sitting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider the public health and safety of communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering and careful sitting of tower structures. In furtherance of these goals, City of Rexburg shall give due consideration to the [Municipality's] master plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

Section 2: **Definitions.** As used in this ordinance, the following terms shall have the meanings set forth below:

(a) "Alternative tower structure" means man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

(b) "Antenna" means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

(c) "Backhaul network" means the lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

(d) "FAA" means the Federal Aviation Administration.

(e) "FCC" means the Federal Communications Commission.

(f) "Height" means, when referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

(g) "Preexisting towers and preexisting antennas" means any tower or antenna for which a building permit or special use permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

(h) "Tower" means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

Section 3: Applicability.

(a) New Towers and Antennas. All new towers or antennas in City of Rexburg shall be subject to these regulations, except as provided in Sections 3(b) through (d), inclusive.

(b) Amateur Radio Station Operators/Receive Only Antennas. This ordinance shall not govern any tower, or the installation of any antenna, that is under seventy (70) feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.

(c) Preexisting Towers or Antennas. Preexisting towers and preexisting antennas shall not be required to meet the requirements of this ordinance, other than the requirements of Sections 4(f) and 4(g).

Section 4. General Requirements.

(a) Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

(b) Lot Size. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.

(c) Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Planning and Zoning Department an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of City of Rexburg or within one mile of the border thereof, including specific information about the location, height, and design of each tower. The Planning and Zoning Department may share such information with other applicants applying for administrative approvals or special use permits under this ordinance or other organizations seeking to locate antennas within the jurisdiction of City of Rexburg, provided, however that the Planning and Zoning Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

(d) Aesthetics. Towers and antennas shall meet the following requirements:

(1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.

(2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.

(3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is

identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

(e) Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

(f) State or Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

(g) Building Codes; Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City of Rexburg concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner=s expense.

(h) Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in City of Rexburg irrespective of municipal and county jurisdictional boundaries.

(i) Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

(j) Franchises. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in City of Rexburg have been obtained and shall file a copy of all required franchises with the Planning and Zoning Department.

(k) Public Notice. For purposes of this ordinance, any Conditional Use request, variance request, or appeal of an administratively approved use or special use shall require public notice to all abutting property owners and all property owners of properties that are located within the corresponding separation distance listed in Section 7(b) (5) (ii), Table 2, in addition to any notice otherwise required by the Zoning Ordinance.

(l) Signs. No signs shall be allowed on an antenna or tower.

(m) Buildings and Support Equipment. Buildings and support equipment associated with antennas or towers shall comply with the requirements of Section 8.

(n) Multiple Antenna/Tower Plan. City of Rexburg encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites. Applications for approval of multiple sites shall be given priority in the review process.

Section 5. Permitted Uses.

(a) General. The uses listed in this Section are deemed to be permitted uses and shall not require administrative approval or a special use permit.

(b) Permitted Uses. The following uses are specifically permitted:

(1) Antennas or towers located on property owned, leased, or otherwise controlled by the City of Rexburg provided a license or lease authorizing such antenna or tower has been approved by City of Rexburg.

Section 6. Administratively Approved Uses.

(a) General. The following provisions shall govern the issuance of administrative approvals for towers and antennas.

(1) The Planning and Zoning Department may administratively approve the uses listed in this Section.

(2) Each applicant for administrative approval shall apply to the Planning and Zoning Department providing the information set forth in Sections 7(b)(1) and 7(b)(3) of this ordinance and a nonrefundable fee as established by resolution of Council to reimburse City of Rexburg for the costs of reviewing the application.

(3) The Planning and Zoning Department shall review the application for administrative approval and determine if the proposed use complies with Sections 4, 7(b) (4) and 7(b) (5) of this ordinance.

(4) The Planning and Zoning Department shall respond to each such application within sixty (60) days after receiving it by either approving or denying the application. If the Planning and Zoning Department fails to respond to the applicant within said sixty (60) days, then the application shall be deemed to be approved.

(5) In connection with any such administrative approval, the Planning and Zoning Department may, in order to encourage shared use, administratively waive any zoning district setback requirements in Section 7(b)(4) or separation distances between towers in Section 7(b)(5) by up to fifty percent (50%).

(6) In connection with any such administrative approval, the Planning and Zoning Department may, in order to encourage the use of monopoles, administratively allow the reconstruction of an existing tower to monopole construction.

(7) If an administrative approval is denied, the applicant shall file an application for a Conditional Use permit pursuant to Section 7 prior to filing any appeal that may be available under the Zoning Ordinance.

(b) List of Administratively Approved Uses. The following uses may be approved by the Planning and Zoning Department after conducting an administrative review:

(1) Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in any industrial or heavy commercial zoning district.

(2) Locating antennas on existing structures or towers consistent with the terms of subsections (a) and (b) below.

(a) Antennas on existing structures. Any antenna which is not attached to a tower may be approved by the Planning and Zoning Department as an accessory use to any commercial, industrial, professional, institutional, or multi-family structure of eight or more dwelling units, provided:

(i) The antenna does not extend more than thirty (30) feet above the highest point of the structure;

(ii) The antenna complies with all applicable FCC and FAA regulations; and

(iii) The antenna complies with all applicable building codes.

(b) Antennas on existing towers. An antenna which is attached to an existing tower may be approved by the Planning and Zoning Department and, to minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:

(i) A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same

tower type as the existing tower, unless the Planning and Zoning Department allows reconstruction as a monopole.

(ii) Height

(a) An existing tower may be modified or rebuilt to a taller height, not to exceed thirty (30) feet over the tower=s existing height, to accommodate the collocation of an additional antenna; except, the tower may not exceed the elevation of the Rexburg water tower.

(b) The height change referred to in subsection (iii) (a) may only occur one time per communication tower.

(c) The additional height referred to in subsection (iii) (a) shall not require an additional distance separation as set forth in Section 7. The tower=s pre-modification height shall be used to calculate such distance separations.

(iii) Onsite location

(a) A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved onsite within fifty (50) feet of its existing location.

(b) After the tower is rebuilt to accommodate collocation, only one tower may remain on the site.

(c) A relocated onsite tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers pursuant to section 7(b) (5).

The relocation of a tower hereunder shall in no way be deemed to cause a violation of Section 7(b) (5).

(d) The onsite relocation of a tower which comes within the separation distances to residential units or residentially zoned lands as established in Section 7(b)(5) shall only be permitted when approved by the Planning and Zoning Department.

(3) New towers in non-residential zoning districts. Locating any new tower in a non-residential zoning district other than industrial or heavy commercial, provided a licensed professional engineer certifies the tower can structurally accommodate the number of shared users proposed by the applicant; the Planning and Zoning Department concludes the tower is in conformity with the goals set forth in Section 1 and the requirements of Section 4; the tower meets the setback requirements in Section 7(b)(4) and separation distances in Section 7(b)(5); and the tower meets the following height and usage criteria:

(i) for a single user, up to ninety (90) feet in height;

(ii) for two users, up to one hundred twenty (120) feet in height; and

(iii) for three or more users, up to one hundred fifty (150) feet in height; Except, the tower may not exceed the elevation of the Rexburg water tower.

(4) Locating any alternative tower structure in a zoning district other than industrial or heavy commercial that in the judgment of the Planning and Zoning Department is in conformity with the goals set forth in Section 1 of this ordinance.

(5) Installing a cable micro cell network through the use of multiple low-powered transmitters/receivers attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

Section 7. Conditional Use Permits.

(a) General. The following provisions shall govern the issuance of special use permits for towers or antennas by the Planning Commission:

(1) If the tower or antenna is not a permitted use under Section 5 of this ordinance or permitted to be approved administratively pursuant to Section 6 of this ordinance, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.

(2) Applications for special use permits under this Section shall be subject to the procedures and requirements of Chapter 6.13 [Chapter on Conditional uses] of the Zoning Ordinance, except as modified in this Section.

(3) In granting a Conditional Use Permit, the Planning Commission may impose conditions to the extent the Planning Commission concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.

(4) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

(5) An applicant for a Conditional Use Permit shall submit the information described in this Section and a non-refundable fee as established by resolution of the Council to reimburse City of Rexburg for the costs of reviewing the application.

(b) Towers.

(1) Information required. In addition to any information required for applications for Conditional Use Permits pursuant to Chapter 6.13 [Chapter on Conditional Uses] of the Zoning Ordinance, applicants for a Conditional Use Permit for a tower shall submit the following information:

(i) A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning, Master Plan classification of the site and all properties within the applicable separation distances set forth in Section 7(b)(5), adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, site elevations, parking, and other information deemed by the Planning and Zoning Department to be necessary to assess compliance with this ordinance.

(ii) Legal description of the parent tract and leased parcel (if applicable).

(iii) The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.

(iv) The separation distance from other towers described in the inventory of existing sites submitted pursuant to Section 4(c) shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.

(v) A landscape plan showing specific landscape materials.

(vi) Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.

(vii) A description of compliance with Sections 4(c), (d), (e), (f), (g), (j), (l), and (m), 7(b) (4), 7(b) (5) and all applicable federal, state or local laws.

(viii) A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.

(ix) Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality.

(x) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.

(xi) A description of the feasible location(s) of future towers or antennas within the City of Rexburg based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

(2) Factors Considered in Granting Conditional Use Permits for Towers. In addition to any standards for consideration of Conditional Use Permits applications pursuant to Chapter 6.13 [Chapter on Conditional uses] of the Zoning Ordinance, the Planning Commission shall consider the following factors in determining whether to Conditional Use Permits, although the Planning Commission may waive or reduce the burden on the applicant of one or more of these criteria if the Planning Commission concludes that the goals of this ordinance are better served thereby:

(i) Height and elevation of the proposed tower;

(ii) Proximity of the tower to residential structures and residential district boundaries;

(iii) Nature of uses on adjacent and nearby properties;

(iv) Surrounding topography;

(v) Surrounding tree coverage and foliage;

(vi) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

(vii) Proposed ingress and egress; and

(viii) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in Section 7(b)(3) of this ordinance.

(3) Availability of Suitable Existing Towers, Other Structures, or Alternative Technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Planning Commission that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's a proposed antenna. An applicant shall submit information requested by the Planning Commission related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

(i) No existing towers or structures are located within the geographic area which meet applicant's engineering requirements.

(ii) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.

(iii) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

(iv) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

(v) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

(vi) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

(vii) The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

(4) Setbacks. The following setback requirements shall apply to all towers for which a Conditional Use Permit is required; provided, however, that the Planning Commission may reduce the standard setback requirements if the goals of this ordinance would be better served thereby:

(i) Towers must be set back a distance equal to at least seventy-five percent (75%) of the height of the tower from any adjoining lot line.

(ii) Guys and accessory buildings must satisfy the minimum zoning district setback requirements.

(5) Separation. The following separation requirements shall apply to all towers and antennas for which a Conditional Use Permit is required; provided, however, that the Planning Commission may reduce the standard separation requirements if the goals of this ordinance would be better served thereby.

(i) Separation from off-site uses/designated areas.

(a) Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 1, except as otherwise provided in Table 1.

(b) Separation requirements for towers shall comply with the minimum standards established in Table 1.

Table 1:

Off-site Use/Designated Area	Separation Distance
Single-family or duplex residential units[1]	200 feet or 300% height of tower whichever is greater
Vacant single-family or duplex residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	200 feet or 300% height of tower[2] whichever is greater
Vacant unplatted residentially zoned lands[3]	100 feet or 100% height of tower whichever is greater
Existing multi-family residential units greater than duplex units	100 feet or 100% height of tower whichever is greater
Non-residentially zoned lands or non-residential uses	None; only setbacks apply

[1]Includes modular homes and mobile homes used for living purposes.
[2]Separation measured from base of tower to closest building setback line.
[3]Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any multi-family residentially zoned land greater than duplex.

(ii) Separation distances between towers.

(a) Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower.

The separation distances (listed in linear feet) shall be as shown in Table 2.

Table 2:

	Existing Towers - Types			
	Lattice	Guyed	Monopole 75 Ft in Height or Greater	Monopole Less Than 75 Ft in Height
Lattice	5000	5000	1,500	750
Guyed	5000	5000	1,500	750
Monopole 75 Ft in Height or Greater	1,500	1500	1,500	750
Monopole Less Than 75 Ft in Height	750	750	750	750

(6) Security fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device; provided however, that the Planning Commission may waive such requirements, as it deems appropriate.

(7) Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special use permit is required; provided, however, that the Planning Commission may waive such requirements if the goals of this ordinance would be better served thereby.

(i) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.

(ii) In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived.

(iii) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer.

Section 8. Buildings or Other Equipment Storage.

(a) Antennas Mounted on Structures or Rooftops. Towers or associated cabinets are not allowed on roof tops or existing structures.

(b) Antenna's Support Cabinets. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:

(1) In residential districts, the equipment cabinet or structure may be located:

(i) In a front or side yard provided the cabinet or structure is no greater than 8 feet in height or 100 square feet of gross floor area and the cabinet/structure is located a minimum of 25 feet from all front yard lines and 6 feet from side yard setbacks, (lot lines). The cabinet/structure shall be screened by an evergreen hedge with an initial height of at least 42-48 inches.

(ii) In a rear yard, provided the cabinet or structure is no greater than 8 feet in height or 100 square feet in gross floor area. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 48 inches.

(2) In commercial or industrial districts the equipment cabinet or structure shall be no greater than 8 feet in height or 169 square feet in gross floor area. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by solid fence 6 feet in height or an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches.

(c) Antennas Located on Towers. The related unmanned equipment structure shall not contain more than 100 square feet of gross floor area or be more than 8 feet in height, and shall be located in accordance with the minimum yard requirements of the zoning district in which located.

(d) Modification of Building Size Requirements. The requirements of Sections 8(a) through (c) may be modified by the Planning and Zoning Department in the case of administratively approved uses or by the Planning Commission in the case of uses permitted by special use to encourage collocation.

Section 9. **Removal of Abandoned Antennas and Towers.** Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within ninety (90) days of receipt of notice from the City of Rexburg notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said ninety (90) day shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

Section 10. **Nonconforming Uses.**

(a) No Expansion of Nonconforming Use. Towers that are constructed and antennas that are installed, in accordance with the provisions of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.

(b) Preexisting towers. Preexisting towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this ordinance.

(c) Rebuilding Damaged or Destroyed Nonconforming Towers or Antennas. Notwithstanding Section 9, bona fide nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to first obtain administrative approval or a Conditional Use Permit and without having to meet the separation requirements specified in Sections 7(b)(4) and 7(b)(5). The type, height, and location of the tower onsite shall be of the same type and intensity as the original facility approval. Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned as specified in Section 9.

Section 11. **Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 12. **Repealer.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

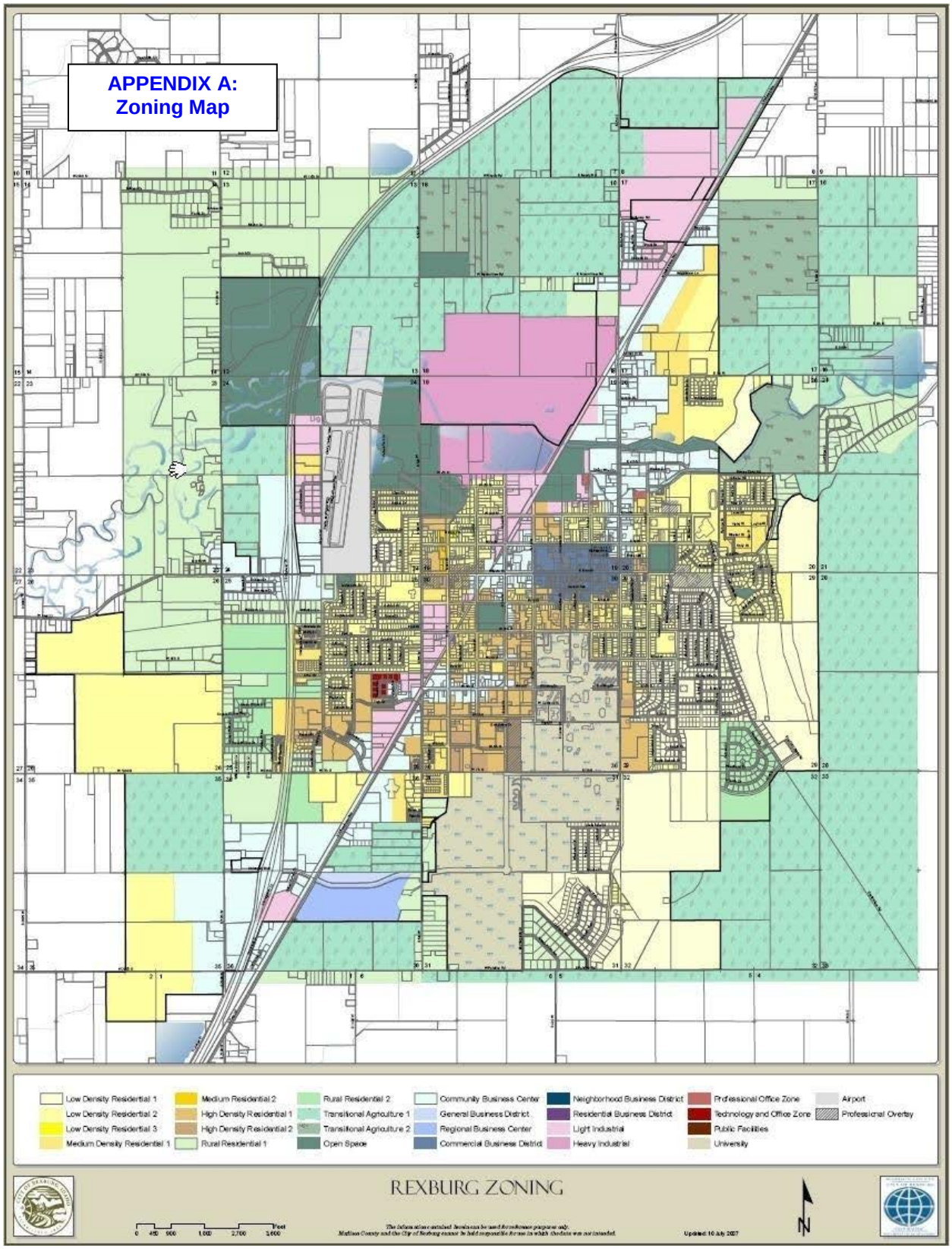
Section 13. **Effective Date.** This Ordinance shall take effect August 21, 2004.

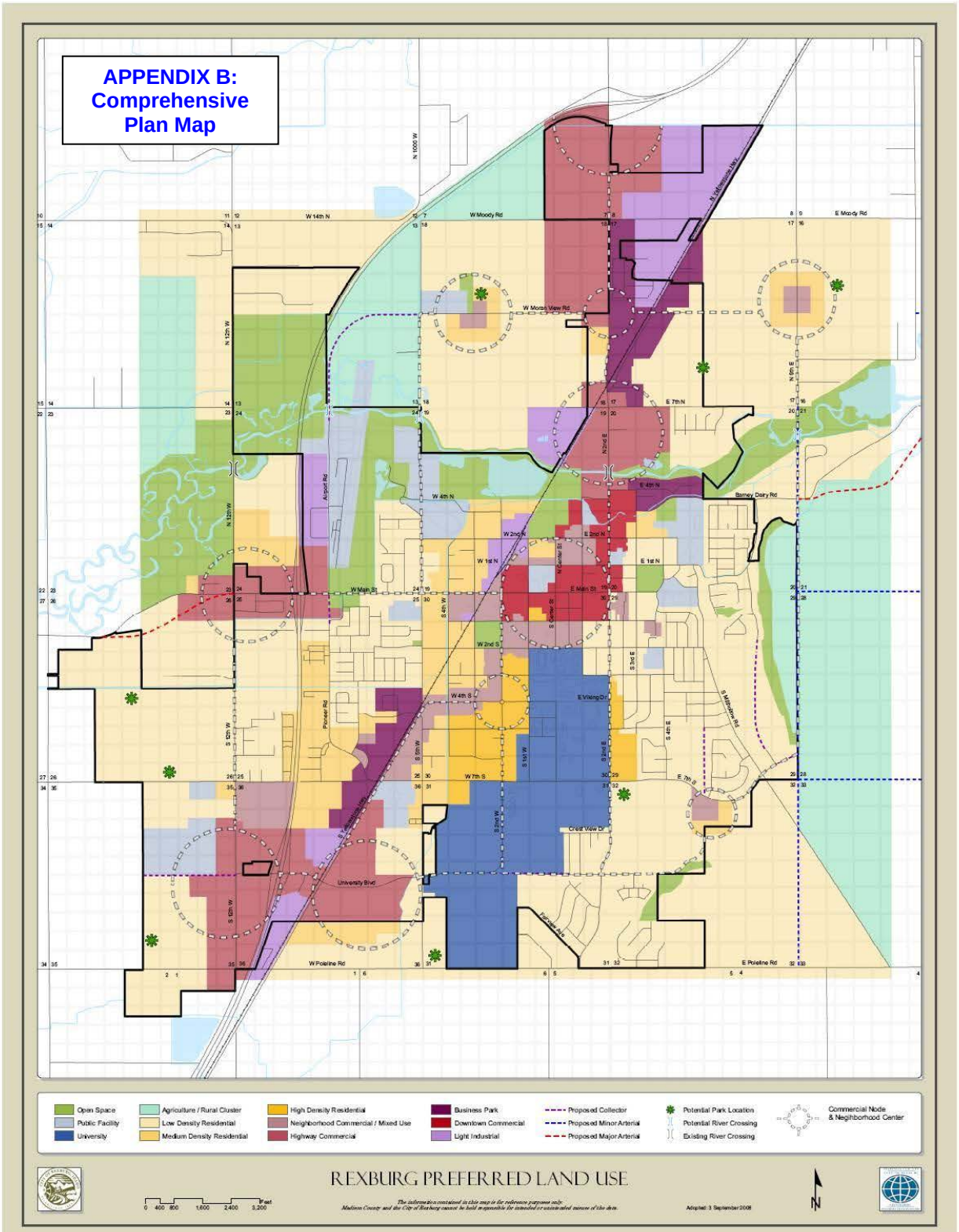
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 18th day of August, 2004.

RELATED ORDINANCES NOT INCLUDED IN DEVELOPMENT CODE

CHAPTER 12: PLANNED RESIDENTIAL DEVELOPMENT – PRD (Ord. 854)

CHAPTER 13: MOBILE HOMES (Ord. 548)


APPENDIX A:
Zoning Map
Low Density Residential 1
Low Density Residential 2
Low Density Residential 3
Medium Density Residential 1
Medium Residential 2
High Density Residential 1
High Density Residential 2
Rural Residential 1
Rural Residential 2
Transitional Agriculture 1
Transitional Agriculture 2
Open Space
Community Business Center
General Business District
Regional Business Center
Commercial Business District
Neighborhood Business District
Residential Business District
Light Industrial
Heavy Industrial
Professional Office Zone
Technology and Office Zone
Public Facilities
University
Airport
Professional Overlay
REXBURG ZONING
N


APPENDIX B:
Comprehensive
Plan Map
Open Space
Public Facility
University
Agriculture / Rural Cluster
Low Density Residential
Medium Density Residential
High Density Residential
Neighborhood Commercial / Mixed Use
Highway Commercial
Business Park
Downtown Commercial
Light Industrial
Proposed Collector
Proposed Minor Arterial
Proposed Major Arterial
Potential Park Location
Potential River Crossing
Existing River Crossing
Commercial Node
& Neighborhood Center
REXBURG PREFERRED LAND USE
Adopted: 3 September 2008

APPENDIX C: Master Land Use (SIC) Codes and Tables

SIC Codes (Standard Industrial Codes) are numerical assignments designated by the U.S. Government to specify and categorize different types of businesses.

01-- Agricultural Production Crops
011- Cash Grains
0111 Cash Wheat Farms
0112 Cash Rice Farms
0115 Cash Corn Farms
0116 Cash Soybean Farms
0119 Cash Grain Farms

013- Field Crops, Except Cash Grains
0131 Cotton Farms
0132 Tobacco Farms
0133 Sugarcane & Sugar Beet Farms
0134 Irish Potato Farms
0139 Field Crop Farms

016- Vegetables And Melons
0161 Vegetable And Melon Farms

017- Fruits And Tree Nuts
0171 Berry Farms
0171a Cranberry Growers
0172 Grape Farms & Vineyards
0172a Vineyards
0173 Tree Nut Groves & Farms
0174 Citrus Fruit Groves & Farms
0174a Citrus Growers
0175 Deciduous Tree Fruit Orchards & Farms
0179 Fruit & Tree Nut Farms Orchards & Groves

018- Horticultural Specialties
0181 Ornamental Floriculture & Nursery Products
0181a Flower Growers & Shippers
0181b Seed & Bulb Growers
0182 Food Crops Grown Under Cover
0182a Mushroom Growers

019- General Farms, Primarily Crop
0191 Primarily Crop Farms

02-- Agricultural Production Livestock And Animal Specialties
021- Livestock, Except Dairy And Poultry
0211 Beef Cattle Feedlots & Stockyards
0212 Beef Cattle Farms & Ranches
0213 Hog Feedlots & Farms
0214 Sheep & Goat Farms
0219 General Livestock Farms

024- Dairy Farms
0241 Dairy Farms

025- Poultry And Eggs
0251 Poultry Farms & Ranches
0252 Egg Farms
0253 Turkey Farms & Ranches
0254 Poultry Hatcheries
0259 Poultry & Egg Farms

027- Animal Specialties
0271 Fur Bearing Animal Farms
0272 Horse & Other Equine Farms
0273 Animal Aquaculture
0273a Fish Farms
0279 Animal Specialties
0279a Bee Farms

029- General Farms, Primarily Livestock And Animal Specialties
0291 Primarily Livestock & Animal Specialty Farms

07-- Agricultural Services
071- Soil Preparation Services
0711 Soil Preparation Services

072- Crop Services
0721 Crop Cultivating Planting & Protection Services
0721a Crop Dusting Services
0721b Citrus Grove Crop Services
0722 Mechanical Crop Harvesting
0723 Crop Preparation Services For Market
0724 Cotton Ginning

074- Veterinary Services
0741 Livestock Veterinary Services
0742 Veterinary Services For Animal Specialties
0742a Animal Hospitals
0742b Veterinarian Emergency Services

Veterinary
0751 Livestock Services Except Veterinary075- Animal Services, Except
0751a Artificial Insemination Services
0752 Animal Specialty Services Except Veterinary
0752a Dog & Cat Boarding Kennels
0752b Dog & Pet Grooming Services
0752c Horse Breeders
0752d Horse Training
0752e Animal Shelters

076- Farm Labor And Management Services
0761 Farm Labor Contractors & Crew Leaders
0762 Farm Management Services
0762a Citrus Grove Management

078- Landscape And Horticultural Services
0781 Landscape Counseling & Planning
0781a Land Planning Services
0781b Landscape Design
0782 Lawn & Garden Services
0782a Landscape Contractors
0782b Landscaping & Lawn Maintenance
0783 Ornamental Shrub & Tree Services

08-- Forestry
081- Timber Tracts
0811 Timber Tracts

083- Forest Nurseries And Gathering Of Forest Products
0831 Forest Nurseries & Gathering Of Forest Products
0831a Forest Nurseries
0831b Pine Gum Extraction Services

085- Forestry Services
0851 Forestry Services
0851a Forestry Consultants

091- Commercial Fishing
0912 Finfish Fishing
0913 Shellfish Catching & Taking
0913a Oyster Dredging Or Tonging
0919 Marine Products Miscellaneous

092- Fish Hatcheries And Preserves
0921 Fish Hatcheries & Preserves

097- Hunting And Trapping, And Game Propagation
0971 Hunting & Trapping & Game Propagation

10-- Metal Mining
101- Iron Ores
1011 Iron Ore Mining

102- Copper Ores
1021 Copper Ore Mining

103- Lead And Zinc Ores
1031 Lead & Zinc Ore Mining

104- Gold And Silver Ores
1041 Gold Ore Mining
1044 Silver Ore Mining

106- Ferroalloy Ores, Except Vanadium
1061 Ferroalloy Ore Mining

108- Metal Mining Services
1081 Metal Mining Services

109- Miscellaneous Metal Ores
1094 Uranium Radium & Vanadium Ore **Mining & Services**
1099 Miscellaneous Metal Ore Mining & Services
1099a Bauxite & Aluminum Ore Mining
1099b Mercury Ore Preparation

110- Residential
1111- Single-family detached
1112- Single-family attached
1123- Two-family dwelling
1133- Multiple family dwelling
1143- Apartments (low rise attached to commercial or other non-residential use)
1153- Apartments (high rise attached to commercial or other non-residential use)

120-- Coal Mining
122- Bituminous Coal And Lignite Mining

1221 Bituminous Coal & Lignite Surface Mining
1222 Bituminous Coal Underground Mining

123- Anthracite Mining
1231 Anthracite Coal Mining & Preparation

124- Coal Mining Services
1241 Coal Mining Services
1241a Anthracite Mining Services On A Contract Basis
1241b Bituminous & Lignite Services

13-- Oil And Gas Extraction
131- Crude Petroleum And Natural Gas
1311 Crude Petroleum & Natural Gas Production

132- Natural Gas Liquids
1321 Natural Gas Liquids Producers

138- Oil And Gas Field Services
1381 Oil & Gas Well Drilling Contractors
1381a Gas Well Drilling
1381b Oil Well Directional Drilling
1382 Oil & Gas Field Exploration Services
1382a Seismograph Services
1389 Oil & Gas Field Services
1389b Oil Field Equipment Repairing
1389d Oil Well Surveyors
1389e Oil Field Hauling
1389f Oil Well Cementing
1389g Oil Well Drilling Mud & Additives
1389h Oil Weel Logging & Perforating
1389j Oil Riggers
1389k Pipe Inspection Service

14-- Mining And Quarrying Of Nonmetallic Minerals, Except Fuels
141- Dimension Stone
1411 Dimension Stone Quarrying & Mining

142- Crushed And Broken Stone, Including Riprap
1422 Crushed & Broken Limestone Quarrying & Mining
1423 Crushed & Broken Granite Quarrying & Mining
1429 Crushed & Broken Stone Quarrying & Mining

144- Sand And Gravel
1442 Construction Sand & Gravel Mining
1446 Industrial Sand Mining

145- Clay, Ceramic, And Refractory Minerals
1455 Kaolin & Ball Clay Mining
1459 Clay Ceramic & Refractory Material Mining
1459a Bentonite Mining
1459b Fire Clay Mining
1459c Fullers Earth Mining

147- Chemical And Fertilizer Mineral Mining
1474 Potash Soda & Borate Mineral Mining
1475 Phosphate Rock Mining
1479 Chemical & Fertilizer Mineral Mining
1479a Barite Mining
1479b Fluorspar Mining
1479c Rock Salt Mining
1479d Sulfur Mining

148- Nonmetallic Minerals Services, Except Fuels
1481 Nonmetallic Minerals Services Except Fuels

149- Miscellaneous Nonmetallic Minerals, Except Fuels
1499 Nonmetallic Minerals
1499a Gypsum Mining
1499b Talc & Related Minerals Mining

15-- Building Construction General Contractors And Operative
152- General Building Contractors-Residential Buildings
1521 General Contractors Single-family Houses
1521a Remodeling Contractors
1521b Fire Damage Contractors
1521c Patio & Deck Builders
1521d Home & Industrial Building Contractors
1521e Building Construction
1522 General Contractors Residential Buildings Other Than Single-family

153- Operative Builders
1531 Operative Builders

154- General Building Contractors-Nonresidential Buildings
1541 General Contractors Industrial Buildings & Warehouses
1541a Prefabricated Metal Building Erection Industrial
1541d Floor Raising
1541e Grain Elevator Builders
1541z Clean Room Construction & Equipment
1542 General Contractors Nonresidential Buildings Not Industrial & Warehse
1542a Store Front Contractors
1542b Garage Builders
1542c Greenhouse & Solarium Builders
1542z Nonresidentional Builders

16-- Heavy Construction Other Than Building Construction
161- Highway And Street Construction, Except Elevated Highways
1611 Highway & Street Construction Except Elevated Highways
1611b Highway Sign Installation
1611c Road Building Contractors
1611d Pavement Marking Contractors
1611g Culvert Construction
1611j Grading Contractors
1611k Parking Lot & Garage Construction
1611l Road Oiling Contractors
1611z Paving Contractors

162- Heavy Construction, Except Highway And Street Construction
1622 Bridge Tunnel & Elevated Highway Construction
1623 Water Sewer Pipeline & Communications & Power Line Construction
1623a Sewer Contractors
1623b Pipe Line Contractors
1623f Gas Line Installation & Repair
1629 Heavy Construction
1629a Tennis Court Contractors
1629c Drainage Contractors
1629d Mining Contractors
1629e Marine Contractors
1629g File Contractors
1629h Ditching Contractors
1629j Dredging Contractors
1629k Pile Driving Contractors
1629l Oil Field Contractors
1629n Engineering Contractors
1629o Water Pollution Control Contractors
1629p Golf Course Construction

17-- Construction Special Trade Contractors
171- Plumbing, Heating And Air-Conditioning
1711 Plumbing Heating & Air Conditioning Contractors
1711a Plumbing Contractors
1711b Heating & Ventilation Contractors
1711c Air Conditioning Contractors
1711d Boiler Setting Contractors
1711e Boiler Maintenance Services
1711f Solar Energy Contractors
1711g Irrigation Lawn & Garden Sprinkler Systems Installers
1711j Furnace Maintenance Services
1711k Septic System Construction
1711m Automatic Fire Protection Sprinkler System Contractors
1711n Mechanical Contractors
1711p Pipe Fabricator Contractors

172- Painting And Paper Hanging
1721 Painting & Paper Hanging Contractors
1721a Painting & Decorating Contractors
1721b Wallpaper Contractors
1721c Spray Painting & Finishing Contractors

173- Electrical Work
1731 Electrical Work Contractors

174- Masonry, Stonework, Tile Setting, And Plastering
1741 Masonry Stone Setting & Other Stone Work Contractors
1741a Bricklaying Masonry & Stone Setting
1741b Tuck Pointing
1741c Chimney Builders

1741f Marble Contractors
1742 Plastering Drywall Acoustical & Insulation Contractors
1742a Drywall Contractors
1742b Plastering & Lathing Contractors
1742c Acoustical & Ceiling Contractors
1742d Insulation Contractors
1743 Terrazzo Tile Marble & Mosaic Work Contractors

175- Carpentry And Floor Work
1751 Carpentry Work Contractors
1751a Mechanized Door & Gate Contractors Including Overhead
1751b Woodworking
1751c Carpenters
1751d Wood Finishing Services
1751z Cabinet Makers
1752 Floor Work Contractors
1752a Floor Laying & Resurfacing
1752b Linoleum & Nonceramic Tile Installation
1752c Carpet & Rug Installation Contractors

176- Roofing, Siding, And Sheet Metal Work
1761 Roofing Siding & Sheet Metal Work Contractors
1761a Siding Contractors
1761b Roofing Contractors
1761c Sheet Metal Work Contractors
1761d Gutter & Downspout Contractors
1761e Skylight Contractors
1761h Roof Decking Contractors
1761k Roof Maintenance Contractors

177- Concrete Work
1771 Concrete & Related Work Contractors
1771b Stucco Contractors
1771c Driveway Contractors
1771d Sidewalk Contractors
1771e Foundation Contractors

178- Water Well Drilling
1781 Water Well Drilling Contractors

179- Miscellaneous Special Trade Contractors
1791 Structural Steel Erection Contractors
1791d Metal Fabricators
1793 Glass & Glazing Work Contractors
1794 Excavation Work Contractors
1795 Wrecking & Demolition Contractors
1796 Installation Or Erection Of Building Equipment
1796a Elevator Installation Contractors
1796b Machinery Movers & Erectors
1796e Pneumatic Tube Systems & Equipment Manufacturing
1799 Special Trade Contractors
1799a Fence Contractors
1799b Swimming Pool Contractors
1799c Waterproofing & Weather Stripping Contractors
1799d Fireproofing Contractors
1799e House Moving Contractors
1799f Scaffolding Construction & Steeple Jacks
1799g Drilling & Boring Contractors
1799h Computer Rooms Equipment & Installation Contractors
1799i Paint Removal Contractors
1799j Parking Lot Marking & Maintenance
1799k Wallpaper Removal Contractors
1799l Sign Installation & Maintenance
1799s Service Station Equipment And Services
1799u Glass Board Up Service
1799v Asbestos Removal Contractors
1799w Drapery Installation Contractors

20-- - Food And Kindred Products
201- Meat Products
2011 Meat Packing Plants
2013 Sausage & Prepared Meat Manufacturing
2015 Poultry Slaughtering & Processing
2015a Poultry Dressing Plants
2015b Poultry & Egg Processors

202- Dairy Products
2021 Creamery Butter Manufacturing
2022 Natural Processed & Imitation Cheese Manufacturing
2023 Dry Condensed & Evaporated Dairy Product Manufacturing
2024 Ice Cream & Frozen Dessert Manufacturing
2026 Fluid Milk Processing Plants

203- Canned, Frozen, And Preserved
Fruits, Vegetables, And Food Specialties
2032 Specialty Products Except Seafood Canners
2033 Fruit Vegetable Preserve Jam & Jelly Canners
2034 Dried & Dehydrated Fruit Vegetable & Soup Mix Producers
2034a Nuts Processing & Wholesale
2034b Dehydrating Services
2035 Pickled Fruits & Vegetables Vegetable Sauces & Seasons & Salad Dress
2035b Pickles & Pickle Products
2037 Frozen Fruits Fruit Juice And Vegetable Producers
2038 Frozen Specialty Manufacturing

204- Grain Mill Products
2041 Flour & Other Grain Mill Product Milling
2043 Cereal Breakfast Food Manufacturing
2044 Rice Milling
2045 Prepared Flour Mix And Dough Manufacturing
2046 Wet Corn Milling
2047 Dog & Cat Food Manufacturing
2048 Prepared Feed & Feed Ingredients For Animal & Fowl Except Dogs & Cats

205- Bakery Products
2051 Bread & Bakery Products Except Cookies & Cracker Manufacturing
2052 Cookie & Cracker Manufacturing
2053 Frozen Bakery Product Manufacturing Except Bread

206- Sugar And Confectionery Products
2061 Cane Sugar Manufacturing Except Refining
2062 Cane Sugar Refining
2063 Beet Sugar Manufacturing
2064 Candy & Other Confectionery Product Manufacturing
2066 Chocolate And Cocoa Product Manufacturing
2067 Chewing Gum Manufacturing
2068 Salted And Roasted Nut & Seed Manufacturing

207- Fats And Oils
2074 Cottonseed Oil Mills
2075 Soybean Oil Mills
2076 Vegetable Oil Mills Except Corn Cottonseed & Soybean
2077 Animal & Marine Fat & Oil Manufacturing
2079 Shortening Table Oil Margarine & Other Edible Fat & Oil Mfg

208- Beverages
2082 Malt Beverage Manufacturing
2083 Malt Manufacturing
2084 Wine Brandy & Brandy Spirit Manufacturing
2084a Wineries
2085 Distilled & Blended Liquor Manufacturing
2086 Bottled & Canned Soft Drink & Carbonated Water Manufacturing
2087 Flavoring Extract & Syrup Manufacturing

209- Miscellaneous Food Preparations
And Kindred Products
2091 Fish & Seafood Curing & Canning
2091a Canned Fish Cakes
2092 Fish & Seafood Fresh & Frozen Preparation
2095 Coffee Roasters
2096 Potato & Corn Chip & Similar Snack Manufacturing
2097 Ice Manufacturing
2098 Macaroni Spaghetti Vermicelli & Noodle Manufacturing
2099 Food Preparations Manufacturing

21-- Tobacco Products
211- Cigarettes
2111 Cigarette Manufacturing

212- Cigars
2121 Cigar Manufacturing

213- Chewing And Smoking Tobacco And Snuff
2131 Chewing & Smoking Tobacco & Snuff Manufacturing

214- Tobacco Stemming And Redrying
2141 Tobacco Stemming & Redrying
2141z Tobacco Products

22-- Textile Mill Products
221- Broadwoven Fabric Mills, Cotton
2211 Cotton Broadwoven Fabric Mills
2211a Cotton Mills

222- Broadwoven Fabric Mills, Manmade Fiber And Silk
2221 Manmade Fabric & Silk Broadwoven Fabric Mills

223- Broadwoven Fabric Mills, Wool (Including Dyeing And Finishing)
2231 Wool Broadwoven Fabric Mills Including Dyeing & Finishing

224- Narrow Fabric And Other Smallwares Mills: Cotton, Wool, Silk, And Manmade
2241 Narrow & Other Smallware Cotton Wool Silk & Manmade Fiber Fabric Mill

225- Knitting Mills
2251 Women's Full & Knee Length Hosiery Except Socks - Knitting Mills
2252 Hosiery Knitting Mills
2253 Knit Outerwear Mills
2254 Knit Underwear & Nightwear Mills
2254a Underwear Manufacturers & Wholesalers
2257 Weft Knit Fabric Mills
2258 Lace & Warp Knit Fabric Mills
2258a Knitted Fabrics
2258b Lace Goods Manufacturing
2259 Knitting Mills

226- Dyeing And Finishing Textiles, Except Wool Fabrics And Knit Goods
2261 Cotton Broadwoven Fabric Finishing Plants
2262 Manmade Fiber & Silk Broadwoven Fabric Finishing Plants
2269 Textile Finishing Plants

227- Carpets And Rugs
2273 Carpet & Rug Mills
2273a Woven Carpet & Rug Mills
2273b Tufted Carpet & Rug Mills

228- Yarn And Thread Mills
2281 Yarn Spinning Mills
2282 Yarn Texturizing Throwing Twisting & Winding Yarn Mills
2284 Thread Mills

229- Miscellaneous Textile Goods
2295 Coated Fabric Not Rubberized Manufacturing
2296 Tire Cord & Fabric Manufacturing
2297 Nonwoven Fabric Manufacturing
2298 Cordage & Twine Manufacturing
2299 Textile Goods Processing & Manufacturing
2299a Felt Goods Except Woven Hats
2299b Upholstery Fillings & Padding Manufacturing
2299c Processing Of Textile Waste

23-- Apparel And Other Finished Products Made From Fabrics
231- Men's And Boys' Suits, Coats, And Overcoats
2311 Men & Boys Suit Coat & Overcoat Manufacturing
2311a Men & Boys Tailored Jackets

231- Men's And Boys' Furnishings, Work Clothing, And Allied Garments
2321 Men & Boys Shirt Except Work Shirts Manufacturing
2322 Men & Boys Underwear & Nightwear Manufacturing
2322a Men & Boys Purchased Material Nightwear
2323 Men & Boys Neckwear Manufacturing & Wholesale
2325 Men & Boys Separate Trouser & Slack Manufacturing
2326 Men & Boys Work Clothing Manufacturing
2329 Men & Boys Clothing Manufacturing

233- Women's, Misses', And Juniors' Outerwear
2331 Women's Misses & Juniors Blouse & Shirt Manufacturing
2335 Women's Misses & Juniors Dress Manufacturing
2337 Women's Misses & Juniors Suit Skirt & Coat Manufacturing
2339 Women's Misses & Juniors Outerwear Manufacturing

234- Women's, Misses', Children's, And Infants' Undergarments
2341 Women Misses Children's & Infants Underwear & Nightwear Manufacturing
2341a Lingerie Manufacturing & Wholesale
2342 Brassiere Girdle & Allied Garment Manufacturing

235- Hats, Caps, And Millinery
2353 Hat Cap & Millinery Manufacturing
2353a Millinery Manufacturing
2353b Hat & Cap Manufacturing

236- Girls', Children's, And Infants' Outerwear
2361 Girls Children's & Infants Dresses Blouses & Shirts
2369 Girls Children's & Infants Outerwear Manufacturing
2369a Children & Infant Coats & Suit Manufacturing

237- Fur Goods
2371 Fur Goods Manufacturing

238- Miscellaneous Apparel And Accessories
2381 Dress & Work Gloves Except Knit & All Leather Manufacturing
2384 Robe & Dressing Gown Manufacturing
2385 Waterproof Outerwear Manufacturing
2386 Leather & Sheep Lined Clothing Manufacturing
2386a Leather Apparel Manufactures
2387 Apparel Belt Manufacturing & Wholesale
2389 Apparel & Accessory Manufacturing

239- Miscellaneous Fabricated Textile Products
2391 Curtain & Drapery Manufacturing
2392 House furnishing Except Curtain & Drapes Manufacturing
2393 Textile Bag Manufacturing
2394 Canvas & Related Products Manufacturing
2394b Sail makers
2395 Pleating Decorative & Novelty Stitching & Tucking For The Trade
2395b Quilting For The Trade
2396 Automobile Trimmings Apparel Findings & Related Product Manufacturing
2396a Ribbon Manufacturing & Wholesale
2397 Schiffli Machine Embroideries
2399 Fabricated Textile Products Manufacturing
2399b Coat Manufacturing & Wholesale
2399c Automobile Seat cover Manufacturing & Wholesale
2399d Emblem Manufacturing & Wholesale

24-- Lumber And Wood Products, Except Furniture
241- Logging
2411 Logging
2411b Pulpwood Manufacturing

242- Sawmills And Planing Mills
2421 General Sawmills & Planing Mills
2421a Lumber Manufacturing
2426 Hardwood Dimension & Flooring Mills
2429 Special Product Sawmills

243- Millwork, Veneer, Plywood, And Structural Wood Members
2431 Millwork Plants
2434 Wood Kitchen Cabinet Manufacturing
2435 Hardwood Veneer & Plywood Manufacturing
2436 Softwood Veneer & Plywood Manufacturing
2439 Structural Wood Member Manufacturing

244- Wood Containers
2441 Nailed & Lock Corner Wood Box & Shook Manufacturing
2448 Wood Pallet & Skid Manufacturing
2449 Wood Container Manufacturing

245- Wood Buildings And Mobile Homes
2451 Mobile Home Manufacturing
2452 Prefabricated Wood Building & Component Manufacturing

249- Miscellaneous Wood Products
2491 Wood Preserving Plants
2493 Reconstituted Wood Product Manufacturing
2493a Fiberboard Manufacturing
2493b Particleboard Plants
2493c Hardboard Strand board & Flake board Manufacturing
2499 Wood Product Manufacturing

2499b Cork & Cork Product Manufacturing & Wholesale
2499d Wood Mulch Manufacturing

25-- Furniture And Fixtures
251- Household Furniture
2511 Wood Household Furniture Except Upholstered Manufacturing
2512 Wood Upholstered Household Furniture Manufacturing
2514 Metal Household Furniture Manufacturing
2515 Mattress Foundation & Convertible Bed Manufacturing
2517 Wood Tv Radio Phonograph & Sewing Machine Cabinet Manufacturing
2519 Household Furniture Manufacturing

252- Office Furniture
2521 Wood Office Furniture Manufacturing
2522 Non-Wood Office Furniture Manufacturing

253- Public Building And Related Furniture
2531 Public Building & Related Furniture Manufacturing
2531a Seating Companies

254- Partitions, Shelving, Lockers, And Office And Store Fixtures
2541 Wood Office & Store Fixture Partition Shelving & Locker Manufacturing
2541a Wood Showcases Except Refrigerated Manufacturing
2542 Non-Wood Office & Store Fixtures Partitions Shelving & Locker Mfrs
2542a Refrigerated Showcases Except Wood

259- Miscellaneous Furniture And Fixtures
2591 Drapery Hardware & Window Blind & Shade Manufacturing
2599 Furniture & Fixture Manufacturing
2599a Display Fixtures & Materials

26-- Paper And Allied Products
261- Pulp Mills
2611 Pulp Mills

262- Paper Mills
2621 Paper Mills

263- Paperboard Mills
2631 Paperboard Mills

265- Paperboard Containers And Boxes
2652 Set Up Paperboard Box Manufacturing
2653 Corrugated & Solid Fiber Box Manufacturing
2655 Fiber Can Tube Drum & Similar Product Manufacturing
2656 Sanitary Food Except Folding Container Manufacturing
2657 Folding Paperboard Box Including Sanitary Manufacturing

267- Converted Paper And Paperboard Products, Except Containers And Boxes
2671 Packaging Paper & Plastic Film Coated & Laminated Manufacturing
2672 Coated & Laminated Paper Manufacturing
2672a Paper Labels
2673 Plastic Foil & Coated Paper Bag Manufacturing
2674 Uncoated Paper & Multiwall Bag Manufacturing
2675 Die Cut Paper Paperboard & Cardboard Manufacturing
2676 Sanitary Paper Product Manufacturing
2677 Envelope Manufacturing & Wholesale
2678 Stationary Tablets & Related Products Manufacturing
2679 Converted Paper & Paperboard Product Manufacturing
2679a Pressed & Molded Pulp Goods

27-- Printing, Publishing, And Allied Industries
271- Newspapers: Publishing, Or Publishing And Printing
2711 Newspaper Publishing Or Publishing & Printing

272- Periodicals: Publishing, Or Publishing And Printing
2721 Periodical Publishing Or Publishing & Printing

273- Books
2731 Book Publishing Or Publishing & Printing
2732 Book Printing

274- Miscellaneous Publishing
2741 Miscellaneous Publishing
2741b Shoppers News Publications
2741c Art Publishers
2741e Catalog Compilers
2741f Map Publishers & Printers
2741g Music Publishers

275- Commercial Printing
2752 Commercial Lithographic Printing
2754 Commercial Gravure Printing
2759 Commercial Printing
2759a Silkscreen Printing
2759c Stationary Engravers
2759d Decal Manufacturing & Wholesale
2759e Business Card Printing
2759f Glass Metal & Plastic Etc Printing
2759g Embossing Services
2759h Imprinting
2759j Law Brief Printers
2759k Post Card Printers
2759l Poster Printers
2759m Thermographers
2759n Printing Brokers
2759o Wedding Announcements & Invitations Retail

276- Manifold Business Forms
2761 Manifold Business Form Manufacturing
2761b Sales & Order Books Manufacturing

277- Greeting Cards
2771 Greeting Card Publishing Or Publishing & Printing

278- Blankbooks, Loose-leaf Binders, And Bookbinding And Related Work
2782 Blankbook Loose-leaf Binder & Device Manufacturing
2782a Album Manufacturing & Wholesale
2782b Book Catalog Etc Covers
2782c Loose Leaf Equipment & Supplies
2789 Bookbinding & Related Work

279- Typesetting
2791 Typesetting
2796 Plate making & Related Services
2796a Plate making Services
2796b Gravure Printing Plates
2796c Photoengraving
2796d Lithographing & Electrotyping
2796e Positive & Negative Lithographic Plate Manufacturing

281- Industrial Inorganic Chemicals
2812 Alkalies & Chlorine Manufacturing
2812a Chlorine Manufacturing & Wholesale
2813 Industrial Gas Manufacturing
2816 Inorganic Pigment Manufacturing
2819 Industrial Inorganic Chemical Manufacturing
2819a Hydrazine

Resins, Synthetic Rubber, Cellulose
2821 Plastics Material Synthetic Resin
282- Plastics Materials And Synthetic & Non-Vulcanizable Elastomer Mfg
2822 Synthetic Rubber Vulcanizable Elastomers Manufacturing
2823 Cellulosic Manmade Fiber Manufacturing
2824 Non-Cellulosic Manmade Organic Fiber Manufacturing

283- Drugs
2833 Medical Chemical & Botanical Products Manufacturing
2834 Pharmaceutical Preparations Manufacturing
2835 In Vitro & In Vivo Diagnostic Substance Manufacturing
2836 Biological Products Except
284- Soap, Detergents, And Cleaning Diagnostic Substances Manufacturing Preparations; Perfumes, Cosmetics
2841 Soap & Other Detergent Except Specialty Cleaners Manufacturing
2842 Specialty Cleaning Polishing & Sanitation Preparation Manufacturing
2842a Polish Manufacturing
2842b Sweeping Compound
2843 Surface Active & Finishing Agents Sulfonated Oil & Assistants Mfg
2844 Perfumes Cosmetics & Other Toilet Preparation Manufacturing
2844a Perfume Manufacturing & Wholesale

285- Paints, Varnishes, Lacquers, Enamels, And Allied Products
2851 Paint Varnish Lacquer Enamel & Allied Product Manufacturing
2851a Lacquer Manufacturing

286- Industrial Organic Chemicals
2861 Gum & Wood Chemical Manufacturing
2861a Dye & Dyestuff Manufacturing
2865 Cyclic Organic Crudes & Intermediates & Organic Dyes & Pigment Mfg
2869 Industrial Organic Chemical Manufacturing

287- Agricultural Chemicals
2873 Nitrogenous Fertilizer Manufacturing
2874 Phosphatic Fertilizer Manufacturing
2875 Fertilizer Plants Mixing Only
2879 Pesticides & Agricultural Chemical Manufacturing
2879a Soil Conditioners

289- Miscellaneous Chemical Products
2891 Adhesive & Sealant Manufacturing
2892 Explosives Manufacturing
2893 Printing Ink Manufacturing
2895 Carbon Black Manufacturing
2899 Chemicals & Chemical Preparation Manufacturing
2899a Anti-Freeze Compound Manufacturing & Wholesale
2899b Fireproofing Material Manufacturing
2899c Oil Treating Compounds

29-- Petroleum Refining And Related Industries
291- Petroleum Refining
2911 Petroleum Refining

295- Asphalt Paving And Roofing Materials
2951 Asphalt Paving Mixture & Block Manufacturing
2952 Asphalt Felt & Coating Manufacturing

299- Miscellaneous Products Of Petroleum And Coal
2992 Lubricating Oil & Grease Manufacturing
2999 Petroleum & Coal Product Manufacturing

30-- Rubber And Miscellaneous Plastics Products
301- Tires And Inner Tubes
3011 Tire & Inner Tube Manufacturing

302- Rubber And Plastics Footwear
3021 Rubber & Plastic Footwear Manufacturing

305- Gaskets, Packing, And Sealing Devices And Rubber And Plastics Hose
3052 Rubber & Plastic Hose & Belting Manufacturing
3053 Gasket Packing & Sealing Device Manufacturing

306- Fabricated Rubber Products, Not Elsewhere Classified
3061 Molded Extruded & Lathe Cut Mechanical Rubber Good Manufacturing
3069 Fabricated Rubber Product Manufacturing
3069a Reclaimed Rubber Reworked By Manufacturing Processes
3069b Rubberized Printer Rolls & Blankets Manufacturing
3069c Rubber Band Manufacturing
3069d Rubber Clothing & Footwear Manufacturing

308- Miscellaneous Plastics Products
3081 Unsupported Plastics Film & Sheet Manufacturing
3082 Unsupported Plastic Profile Shape Manufacturing
3083 Laminated Plastics Plate Sheet & Profile Shape Manufacturing
3084 Plastic Pipe Manufacturing
3085 Plastic Bottle Manufacturing
3086 Plastic Foam Product Manufacturing
3087 Custom Compounding Of Purchased Plastics Resins
3088 Plastics Plumbing Fixture Manufacturing
3089 Plastic Product Manufacturing

31-- Leather And Leather Products
311- Leather Tanning And Finishing
3111 Leather Tanning & Finishing
3111a Tanners

313- Boot And Shoe Cut Stock And Findings
3131 Boot & Shoe Cut Stock & Findings Manufacturing

314- Footwear, Except Rubber
3142 House Slipper Manufacturing
3143 Men's Footwear Except Athletic Manufacturing
3144 Women's Footwear Except Athletic Manufacturing
3149 Footwear Except Rubber Manufacturing

315- Leather Gloves And Mittens
3151 Leather Glove & Mitten Manufacturing

316- Luggage
3161 Luggage Manufacturing

317- Handbags And Other Personal Leather Goods
3171 Women's Handbag & Purse Manufacturing
3172 Personal Leather Goods Except Women's Handbags & Purses Manufacturing

319- Leather Goods, Not Elsewhere Classified
3199 Leather Goods Manufacturing

32-- Stone, Clay, Glass, And Concrete Products
321- Flat Glass
3211 Flat Glass Manufacturing

322- Glass And Glassware, Pressed Or Blown
3221 Glass Container Manufacturing
3229 Pressed & Blown Glass & Glassware Manufacturing
3229a Glass Blowers
3229b Glass Blocks & Structural Glass Etc

323- Glass Products, Made Of Purchased Glass
3231 Glass Products Made From Purchased Glass Manufacturing

324- Cement, Hydraulic
3241 Hydraulic Cement Manufacturing

325- Structural Clay Products
3251 Brick & Structural Clay Tile Manufacturing
3253 Wall & Floor Ceramic Tile Manufacturing
3255 Clay Refractories
3255a Brick Refractories
3259 Structural Clay Product Manufacturing

326- Pottery And Related Products
3261 Vitreous China & Earthenware Plumbing Fixtures Fittings & Bath Acc Mf
3262 Vitreous China Table & Kitchen Article Manufacturing
3263 Fine Earthenware White ware Table & Kitchen Article Manufacturing
3264 Porcelain Electrical Supplies Manufacturing
3269 Pottery Product Manufacturing

327- Concrete, Gypsum, And Plaster Products
3271 Concrete Block & Brick Manufacturing
3272 Concrete Products Except Block & Brick Manufacturing
3273 Ready Mix Concrete Manufacturing
3274 Lime Manufacturing
3275 Gypsum Product Manufacturing

328- Cut Stone And Stone Products
3281 Stone & Cut Stone Product Manufacturing
3281a Granite Manufacturing & Wholesale

329- Abrasive, Asbestos, And Miscellaneous Non-Metallic Mineral Products
3291 Abrasive Product Manufacturing
3291a Grinding Wheels
3292 Asbestos Product Manufacturing
3295 Minerals & Earths Ground Or Otherwise Treated
3296 Mineral Wool Manufacturing
3297 Non-Clay Refractories
3297b Industrial Ceramic Products

3299 Non-Metallic Mineral Product Manufacturing

33-- Primary Metal Industries
331- Steel Works, Blast Furnaces, And Rolling And Finishing Mills
3312 Steel Works Blast Furnaces Including Coke Ovens & Rolling Mills
3313 Electrometallurgical Products Except Steel Manufacturing
3313a Spiegeleisen
3315 Steel Wiredrawing & Steel Nail & Spike Manufacturing
3316 Cold Rolled Steel Sheet Strip & Bar Manufacturing
3317 Steel Pipe & Tube Manufacturing

332- Iron And Steel Foundries
3321 Gray & Ductile Iron Foundries
3322 Malleable Iron Foundries
3324 Steel Investment Foundries
3325 Steel Foundries

333- Primary Smelting And Refining Of Nonferrous Metals
3331 Primary Smelting & Refining Of Copper
3334 Primary Production Of Aluminum
3339 Primary Smelting & Refining Of Nonferrous Metals Exc Copper & Aluminum
3339a Lead Primary Mills
3339b Zinc Primary Mills

334- Secondary Smelting And Refining Of Nonferrous Metals
3341 Secondary Smelting & Refining Of Nonferrous Metals

335- Rolling, Drawing, And Extruding Of Nonferrous Metals
3351 Rolling Drawing & Extruding Of Copper
3353 Aluminum Sheet Plate & Foil Manufacturing
3354 Aluminum Extruded Product Manufacturing
3355 Aluminum Rolling & Drawing
3356 Rolling Drawing & Extruding Of Non-Ferrous Metals Exc Copper & Aluminum
3357 Drawing & Insulating Of Non-Ferrous Wire

336- Nonferrous Foundries (Castings)
3363 Aluminum Die Casting Manufacturing
3364 Non-Ferrous Die Casting Except Aluminum Manufacturing
3364a Copper & Copper Base Alloy Die Casting Manufacturing
3364b Magnesium & Magnesium Base Die Cast
3365 Aluminum Foundries
3366 Copper Foundries
3369 Non-Ferrous Foundries Except Aluminum & Copper

339- Miscellaneous Primary Metal Products
3398 Metal Heat Treating
3399 Primary Metal Product Manufacturing

34-- Fabricated Metal Products, Except Machinery And Transportation
341- Metal Cans And Shipping Containers
3411 Metal Can Manufacturing
3412 Metal Shipping Barrel Drum Keg & Pail Manufacturing
3412b Cargo & Freight Container Manufacturing

342- Cutlery, Hand tools, And General Hardware
3421 Cutlery Manufacturing & Wholesale
3423 Hand & Edge Tools Except Machine Tools & Handsaws Manufacturing
3423a Printers Mallets Manufacturing
3425 Saw Blade & Handsaw Manufacturing
3429 Hardware Manufacturing
3429a Clamp Manufacturing & Wholesale
3429b Lock Manufacturing & Wholesale

343- Heating Equipment, Except Electric And Warm Air; And Plumbing Fixtures
3431 Enameled Iron & Metal Sanitary Ware Manufacturing
3432 Plumbing Fixture Fitting And Trim Manufacturing
3432a Plastic Faucets & Spigots
3433 Heating Equipment Except Electric & Warm Air Furnaces Manufacturing
3433b Solar Energy Equipment & Systems Manufacturing & Distribution

344- Fabricated Structural Metal Products
3441 Fabricated Structural Metal Manufacturing
3441a Expansion Joint Manufacturing
3441b Tower Manufacturing
3442 Metal Doors Sash Frames Molding & Trim Manufacturing
3443 Fabricated Plate Work Boiler Shops
3443a Septic Tanks & Systems Manufacturing & Wholesale
3443b Gas Cylinders
3443c Boiler Plate Smokestack Manufacturing
3444 Sheet Metal Work Manufacturing
3446 Architectural & Ornamental Metal Work Manufacturing
3446c Architectural & Ornamental Iron Work Manufacturing & Wholesale
3446d Brass Product Manufacturing
3446e Flag Poles Manufacturing & Wholesale
3446f Grating Manufacturing
3448 Prefabricated Metal Buildings & Component Manufacturing
3449 Miscellaneous Structural Metal Work Manufacturing
3449a Metal Curtain Walls

345- Screw Machine Products, And Bolts, Nuts, Screws, Rivets, And Washers
3451 Screw Machine Product Manufacturing
3452 Bolt Nut Screw Rivet & Washer Manufacturing

346- Metal Forgings And Stampings
3462 Iron & Steel Forging Manufacturing
3463 Non-Ferrous Metal Forging Manufacturing
3465 Automobile Stamping Plants
3466 Crown & Closure Manufacturing
3469 Metal Stamping Manufacturing

347- Coating, Engraving, And Allied Services
3471 Electroplating Plating Polishing Anodizing & Coloring
3471a Metal Polishing
3471b Anodizing
3471c Metal Finishers
3471d Plating
3479 Coating Engraving & Allied Services
3479a Enameling Japanning & Lacquering
3479c Protective Coating Application For The Trade
3479d Mechanical Engravers
3479e Galvanizing
3479f Pipe Lining & Coating
3479g Engraving Jewelry Silverware & Metal For The Trade

348- Ordnance And Accessories, Except Vehicles And Guided Missiles
3482 Small Arms Ammunition Manufacturing
3483 Ammunition Except Small Arms Manufacturing
3484 Small Arms Manufacturing
3489 Ordnance & Accessory Manufacturing

349- Miscellaneous Fabricated Metal Products
3491 Industrial Valve Manufacturing
3492 Fluid Power Valve & Hose Fitting Manufacturing
3492a Fluid Power Valve Manufacturing
3493 Steel Springs Except Wire Manufacturing
3494 Valves & Pipe Fitting Manufacturing
3495 Wire Spring Manufacturing
3496 Miscellaneous Fabricated Wire Product Manufacturing
3496a Wire Basket Manufacturing & Wholesale
3496b Wire Cloth Manufacturing
3497 Metal Foil & Leaf Manufacturing
3497a Gold Leaf Manufacturing
3498 Fabricated Pipe & Pipe Fitting Manufacturing
3499 Fabricated Metal Product Manufacturing

35-- Industrial And Commercial Machinery And Computer Equipment
351- Engines And Turbines
3511 Steam Gas & Hydraulic Turbines & Turbine Generator Set Unit Mfg

3519 Internal Combustion Engine Manufacturing

352- Farm And Garden Machinery And Equipment
3523 Farm Machinery & Equipment Manufacturing
3523e Barn Equipment
3524 Lawn & Garden Tractors & Equipment Manufacturing

353- Construction, Mining, And Materials Handling Machinery And Equipment
3531 Construction Machinery & Equipment Manufacturing
3531a Mixing & Agitation Machinery Manufacturing
3531c Concrete Mixer Manufacturing
3531g Crushing & Pulverizing Equipment Manufacturing
3532 Mining Machinery & Equipment Except Oil & Gas Field Manufacturing
3533 Oil & Gas Field Machinery & Equipment Manufacturing
3534 Elevator & Moving Stairway Manufacturing
3534b Wheelchair Lifts & Ramps Manufacturing
3535 Conveyors & Conveying Equipment Manufacturing
3536 Overhead Traveling Cranes Hoists & Monorail System Manufacturing
3537 Industrial Truck Tractor Trailer & Stacker Manufacturing
3537a Automatic Stacking Machine Manufacturing

354- Metalworking Machinery And Equipment
3541 Metal Cutting Machine Tool Manufacturing
3541b Broaching Machinery Manufacturing
3541c Drilling & Boring Equipment & Supply Manufacturing
3541d Lathe Manufacturing & Wholesale
3541f Pipe Cutting & Threading Equipment
3541h Grinding Machines & Equipment
3542 Metal Forming Machine Tool Manufacturing
3543 Industrial Pattern Manufacturing
3544 Special Dies & Tools Die Sets Jig Fixture & Industrial Mold Mfg
3544b Jigs & Fixtures
3544d Die Makers
3544e Mold Manufacturing
3545 Cutting Tools Machine Tool Accessory & Precision Measuring Device Mfg
3546 Power Driven Hand Tool Manufacturing
3547 Rolling Mill Machinery & Equipment Manufacturing
3548 Electric & Gas Welding & Soldering Equipment Manufacturing
3548a Welding Apparatus Non-Electric Manufacturing
3548b Welding Apparatus Other Manufacturing
3549 Metalworking Machinery Manufacturing

355- Special Industry Machinery, Except Metalworking Machinery
3552 Textile Machinery Manufacturing
3552a Industrial Textile Drying Equipment
3552b Knitting Machines
3553 Woodworking Machinery Manufacturing
3553a Furniture Manufacturing Equipment & Supplies
3553b Cabinet Maker Equipment & Supplies Manufacturing
3553c Sawmill Equipment & Supply Manufacturing
3554 Paper Industry Machinery Manufacturing
3555 Printing Trade Machinery & Equipment Manufacturing
3555b Bookbinders Machinery Manufacturing
3555d Typesetting Machine Manufacturing
3556 Food Product Machinery Manufacturing
3556b Meat Choppers & Grinders
3556f Ice Cream Manufacturing Equipment
3556h Popcorn Machine Manufacturing
3556j Slicing Machines
3559 Special Industry Machinery Manufacturing
3559a Plastics Machinery & Equipment
3559b Paint Manufacturing Equipment
3559c Metal Finishing Equipment & Supplies
3559d Tanners Equipment & Supply Manufacturing
3559e Rubber Working Equipment Manufacturing
3559f Cotton Ginning Equipment & Supplies Manufacturing
3559g Chemical Plant Equipment & Supplies Manufacturing
3559h Pottery Equipment & Supplies
3559j Tire Retreading & Repairing Equipment & Supplies Manufacturing
3559k Foundry Equipment And Supplies
3559l Shoe Manufacturing Equipment Manufacturing
3559m Wheel Alignment Frame & Axle Equipment Manufacturing
3559n Automobile Diagnostic Equipment Manufacturing
3559o Brake Service Equipment Manufacturing
3559p Tire Changing Equipment Manufacturing

356- General Industrial Machinery And Equipment
3561 Pump & Pumping Equipment Manufacturing
3562 Ball & Roller Bearing Manufacturing
3563 Air & Gas Compressor Manufacturing
3564 Industrial & Commercial Fan Blower & Air Purification Equipment Mfg
3565 Packaging Machinery Manufacturing
3565a Bread Wrapping Machine Manufacturing
3566 Speed Changers Industrial High Speed Device & Gear Manufacturing
3566a Gears & Gear Cutting
3567 Industrial Process Furnace & Oven Manufacturing
3568 Mechanical Power Transmission Equipment Manufacturing
3569 General Industrial Machinery & Equipment Manufacturing
3569d Liquid Filters
3569e Fire Department Equipment & Supplies
3569g Jacks Manufacturing & Wholesale
3569h Labeling Equipment Manufacturing & Wholesale
3569j Lubricating Devices & Systems

357- Computer And Office Equipment
3571 Electronic Computer Manufacturing
3572 Computer Storage Device Manufacturing
3575 Computer Terminal Manufacturing
3577 Computer Peripheral Equipment Manufacturing
3578 Calculating & Accounting Machines Except Computer Manufacturing
3579 Office Machine Manufacturing
3579a Typewriter Manufacturing

358- Refrigeration And Service Industry Machinery
3581 Automatic Vending Machine Manufacturing
3582 Commercial Laundry Dry-cleaning & Pressing Machine Manufacturing
3585 Air Conditioning Warm Air Heating & Coml Indl Refrigeration Equipt Mf
3586 Measuring & Dispensing Pump Manufacturing
3589 Service Industry Machinery Manufacturing
3589b Industrial Waste Reduction & Disposal Equipment

359- Miscellaneous Industrial And Commercial Machinery And Equipment
3592 Carburetors Pistons Piston Rings & Valve Manufacturing
3593 Fluid Power Cylinders & Actuator Manufacturing
3594 Fluid Power Pump & Motor Manufacturing
3594a Hydraulic & Pneumatic Motors
3594b Hydrostatic Drives
3594c Fluid Power Equipment Manufacturing
3594d Hydraulic Aircraft Pumps
3596 Scales & Balance Except Laboratory Manufacturing
3599 Industrial & Commercial Machinery & Equipment Manufacturing
3599a Machine Shops & Grinding Castings For The Trade

3599d Machine Tools Repairing Rebuilding
3599e Machinery Rebuilding & Repairing
3599f Machinery Custom Designed
3599k Electrical Discharge Machining

36-- Electronic And Other Electrical Equipment And Components
361- Electric Transmission And Distribution Equipment
3612 Power Distribution & Specialty Transformer Manufacturing
3613 Switchgear & Switchboard Apparatus Manufacturing
3613a Electric Switchboards

362- Electrical Industrial Apparatus
3621 Motor & Generator Manufacturing
3624 Carbon & Graphite Product Manufacturing
3625 Relays & Industrial Control Manufacturing
3625a Electric Power Switches
3625b Industrial Control Manufacturing
3625c Electronic Relays & Switches
3625d Timing Devices
3629 Electrical Industrial Apparatus Manufacturing

363- Household Appliances
3631 Household Cooking Equipment Manufacturing
3632 Household Refrigerators Home & Farm Freezer Manufacturing
3633 Household Laundry Equipment Manufacturing
3634 Electric House ware & Fan Manufacturing
3635 Household Vacuum Cleaner Manufacturing
3639 Household Appliance Manufacturing
3639a Buttonhole & Eyelet Machine Manufacturing

364- Electric Lighting And Wiring Equipment
3641 Electric Lamp Bulb & Tube Manufacturing
3641a Electric Lamp Bulb Parts
3643 Current Carrying Wiring Device Manufacturing
3644 Non-Current Carrying Wiring Device Manufacturing
3645 Residential Electric Lighting Fixture Manufacturing
3646 Commercial Industrial & Institutional Electric Lighting Fixture Mfg
3647 Vehicular Lighting Equipment Manufacturing
3648 Lighting Equipment Manufacturing

365- Household Audio And Video Equipment, And Audio Recordings
3651 Household Audio & Video Equipment Manufacturing
3651a Speaker Manufacturing & Wholesale
3652 Phonograph Record Prerecorded Audio Tape & Disk Manufacturing

366- Communications Equipment
3661 Telephone & Telegraph Apparatus Manufacturing
3661a Modems & Other Interface Equipment Manufacturing
3661b Facsimile Communication Equipment
3663 Radio & Television Broadcasting & Communication Equipment Mfg
3663a Television Station Equipment
3669 Communications Equipment Manufacturing
3669a Microwave Communication Equipment & Systems
3669b Traffic Signals & Equipment

367- Electronic Components And Accessories
3671 Electron Tube Manufacturing
3671a Cathode Ray Television Tube Manufacturing
3671b Special Purpose Electron Tubes
3671c Electron Tubes
3672 Printed Circuit Board Manufacturing
3674 Semiconductor & Related Devices Manufacturing
3675 Electronic Capacitor Manufacturing
3676 Electronic Resistor Manufacturing
3677 Electronic Coil Transformer & Other Inducer Manufacturing
3677a Constant Impedance Transformer Manufacturing
3678 Electronic Connector Manufacturing
3679 Electronic Component Manufacturing
3679a Electrical Wire Harness Manufacturing
3679b Electronic Equipment & Supplies
3679c Electronic Power Supplies
3679d Relay Manufacturing

369- Miscellaneous Electrical
Machinery, Equipment, And Supplies
3691 Storage Battery Manufacturing
3692 Dry & Wet Primary Battery Manufacturing
3694 Electrical Equipment For Internal Combustion Engines Manufacturing
3695 Magnetic & Optical Recording Media Manufacturing
3699 Electrical Machinery Equipment & Supplies Manufacturing
3699a Electronic Transmission & Distribution Equipment Manufacturing
3699b Electronic Research & Development Equipment
3699c Laser Manufacturing
3699d Battery Charging Equipment Manufacturing

37-- Transportation Equipment
371- Motor Vehicles And Motor Vehicle Equipment
3711 Motor Vehicles And Passenger Car Body Manufacturing
3711b Automobile Body Manufacturing
3711d Bus Manufacturing & Distribution
3713 Truck & Bus Body Manufacturing
3714 Motor Vehicle Parts And Accessories Manufacturing
3714a Bus Parts & Supplies Manufacturing
3714b Drive Shaft Manufacturing & Wholesale
3714c Automobile Heater Manufacturing
3715 Truck Trailer Manufacturing
3716 Motor Home Manufacturing

372- Aircraft And Parts
3721 Aircraft Manufacturing
3724 Aircraft Engine & Engine Part Manufacturing
3724a Aircraft Engine Manufacturing
3728 Aircraft Parts & Auxiliary Equipment Manufacturing

373- Ship And Boat Building And Repairing
3731 Ship Building & Repairing
3732 Boat Building & Repairing
3732a Boat Repairing Yards
3732b Boat Building Yards

374- Railroad Equipment
3743 Railroad Equipment Manufacturing

375- Motorcycles, Bicycles, And Parts
3751 Motorcycles Bicycles & Parts Manufacturing

376- Guided Missiles And Space Vehicles And Parts
3761 Guided Missile & Space Vehicle Manufacturing
3764 Guided Missile & Space Vehicle Propulsion Units & Parts Manufacturing
3769 Guided Missle & Space Vehicle Parts & Auxiliary Equipment Mfg

379- Miscellaneous Transportation Equipment
3792 Travel Trailer & Camper Manufacturing
3795 Tank & Tank Component Manufacturing
3799 Transportation Equipment Manufacturing

38-- Measuring, Analyzing, And Controlling Instruments
381- Search, Detection, Navigation, Guidance, Aeronautical, And Nautical
3812 Search Detection Navigation
Guidance Aero & Water Systems & Instrument

382- Laboratory Apparatus And Analytical, Optical, Measuring, And Controlling
3821 Laboratory Apparatus & Furniture Manufacturing
3822 Automatic Controls For Regulating Environments & Appliances Mfg
3823 Industrial Instruments For Measurement Display & Control Of Processing
3824 Totalizing Fluid Meters & Counting Device Manufacturing

3825 Instruments For Measuring & Testing Of Electricity & Electrical Signal
3825b Electronic Testing Equipment Manufacturing
3826 Laboratory Analytical Instrument Manufacturing
3826a Scientific Instrument Manufacturing
3826b Analytical Instrument Manufacturing
3827 Optical Instruments & Lenses Manufacturing
3829 Measuring & Controlling Device Manufacturing
3829a Geophysical & Meteorological Equipment
3829b Drafting & Survey Apparatus
3829c Photo Surveying Instruments

384- Surgical, Medical, And Dental Instruments And Supplies
3841 Surgical & Medical Instruments & Apparatus Manufacturing
3842 Orthopedic Prosthetic & Surgical Appliances & Supplies Manufacturing
3842a Medical Adhesive Tape Manufacturing
3843 Dental Equipment & Supplies Manufacturing
3844 X-Ray Apparatus Tubes & Related Irradiation Apparatus Manufacturing
3845 Electro medical & Electrotherapeutic Apparatus Manufacturing

385- Ophthalmic Goods
3851 Ophthalmic Goods Manufacturing

386- Photographic Equipment And Supplies
3861 Photographic Equipment & Supplies Manufacturing

387- Watches, Clocks, Clockwork Operated Devices, And Parts
3873 Watches Clocks Clockwork Operated Devices & Parts Manufacturing

39-- Miscellaneous Manufacturing Industries
391- Jewelry, Silverware, And Plated Ware
3911 Precious Metal Jewelry Manufacturing
3914 Silverware Plated Ware & Stainless Steel Ware Manufacturing
3915 Jewelers Findings Materials & Lapidary Work Manufacturing

393- Musical Instruments
3931 Musical Instrument Manufacturing

394- Dolls, Toys, Games And Sporting And Athletic Goods
3942 Dolls & Stuffed Toy Manufacturing
3944 Games Toys & Children's Vehicles Except Doll & Bicycle Manufacturing
3949 Sporting & Athletic Goods Manufacturing
3949a Golfing Equipment Manufacturing

395- Pens, Pencils, And Other Artists' Materials
3951 Pens Mechanical Pencils & Parts Manufacturing
3952 Crayons Pencils & Artists Materials Manufacturing
3953 Marking Device Manufacturing
3955 Carbon Paper & Inked Ribbon Manufacturing

396- Costume Jewelry, Costume Novelties, Buttons, And Miscellaneous Notions
3961 Costume Jewelry & Costume Novelties Except Precious Metals Mfg
3965 Fasteners Buttons Needles & Pin Manufacturing
3965a Button Manufacturing
3965b Needles Pins & Other Notions Manufacturing
3965c Buckle Manufacturing

399- Miscellaneous Manufacturing Industries
3991 Broom & Brush Manufacturing
3993 Sign & Advertising Specialty Manufacturing
3993a Display Designers & Producers
3993c Electric & Neon Sign Manufacturing
3993e Name Plate Makers
3995 Burial Casket Manufacturing
3996 Linoleum Asphalted Felt Base & Other Hard Floor Covering Mfg
3999 Manufacturing Industries
3999a Model Makers
3999b Puppets & Marionettes Manufacturing & Wholesale
3999c Lamp Shade Manufacturing & Wholesale
3999d Artificial Flower Manufacturing
3999e Gold Stamping For The Trade
3999f Match Manufacturing
3999k Marine Shells
3999l Die Cutting

40-- Railroad Transportation
401- Railroads
4011 Line Haul Operating Railroads
4013 Railroad Switching & Terminal Establishments

41-- Local And Suburban Transit And Interurban Highway Passenger
411- Local And Suburban Passenger Transportation
4111 Local & Suburban Transit
4111a Airport Transportation Services
4119 Local Passenger Transportation
4119a Ambulance Services
4119b Limousine Services

412- Taxicabs
4121 Taxicab Companies

413- Intercity And Rural Bus Transportation
4131 Intercity & Rural Bus Transportation

414- Bus Charter Service
4141 Local Bus Charter Services
4142 Bus Charter Services Except Local

415- School Buses
4151 School Bus Services

417- Terminal And Service Facilities For Motor Vehicle Passenger
4173 Terminal & Service Facilities For Motor Vehicle Passenger Transporting
4173a Bus Terminal Services
4173b Motor Vehicle Services

42-- Motor Freight Transportation And Warehousing
421- Trucking And Courier Services, Except Air
4212 Local Trucking Without Storage
4212a Local Delivery Services
4212b Cartage & Express Service Local
4213 Trucking Except Local
4213a Mobile Home Transporting Companies
4213b Contract Haulers Except Local
4213c Heavy Hauling Trucking
4213k Horse Transporting
4213m Refrigerated Trucking
4214 Local Trucking With Storage
4215 Courier Services Except By Air
4215a Messenger Services

422- Public Warehousing And Storage
4221 Farm Product Warehousing & Storage
4221a Grain Elevators
4221c Tobacco Warehouses
4221f Commodity Warehouses
4222 Refrigerated Warehousing & Storage
4222a Cold Storage Warehouses
4222b Frozen Food Lockers
4225 General Warehouses
4225d Rental & Self Service Warehouses
4226 Special Warehousing & Storage
4226a Private & Public Household Warehouses
4226b Camping & Travel Trailer Storage
4226c Recreational Vehicle Storage
4226e Trailer Storage

423- Terminal And Joint Terminal Maintenance Facilities For Motor Freight
4231 Terminal Maintenance Facilities For Motor Freight Transportation

43-- United States Postal Service
431- United States Postal Service
4311 Government Postal Service

44-- Water Transportation
4412 Deep Sea Foreign Transportation Of Freight
4412b Containerized Freight Service

442- Deep Sea Domestic Transportation Of Freight

4424 Deep Sea Domestic Transportation Of Freight
4424a Intercoastal Transportation
4424b Coastwise Transportation

443- Freight Transportation On The Great Lakes-St. Lawrence Seaway
4432 Freight Transportation On The Great Lakes & St Lawrence Seaway

444- Water Transportation Of Freight, Not Elsewhere Classified
4449 Water Transportation Of Freight

448- Water Transportation Of Passengers
4481 Deep Sea Transportation Of Passengers Except Ferry
4482 Ferries
4489 Water Transportation Of Passengers

449- Services Incidental To Water Transportation
4491 Marine Cargo Handling
4491a Marine Terminals
4491d Moorages
4492 Towing & Tugboat Services
4493 Marinas
4493h Marine Repairs
4499 Water Transportation Services
4499a Lighterage
4499b Canal Operation
4499d Ship Cleaning
4499e Boat Launching Services
4499f Boat Cleaning
4499j Boat Transporting Services
4499k Marine Salvage

45-- Transportation By Air
451- Air Transportation, Scheduled, And Air Courier Services
4512 Air Transportation Scheduled
4512a Airlines Certified
4512b Airlines Non-Certified
4512c Air Cargo & Express Package Services
4513 Air Courier Services

452- Air Transportation, Nonscheduled
4522 Air Transportation Nonscheduled
4522a Air Ambulance Services
4522b Helicopter Charter & Rental Services

458- Airports, Flying Fields, And Airport Terminal Services
4581 Airports Flying Fields & Airport Terminal Services
4581a Airports & Aircraft Maintenance
4581b Airports With Terminals
4581c Airports Without Terminals
4581d Flying Fields
4581e Military Fields
4581f Aircraft Services & Maintenance
4581g Airport Terminal Services
4581j Aircraft Storage
4581k Aircraft Upholsterers
4581l Aircraft Ferrying & Transportation Services

46-- Pipelines, Except Natural Gas
461- Pipelines, Except Natural Gas
4612 Crude Petroleum Pipelines
4613 Refined Petroleum Pipelines
4619 Pipelines

47-- Transportation Services
472- Arrangement Of Passenger Transportation
4724 Travel Agencies
4724a Transportation Arrangements
4725 Tour Operators
4725g Wholesale Tours
4729 Arrangement Of Passenger Transportation
4729a Airline Ticket Offices
4729b Steamship Ticket Offices
4729c Passenger Transportation Services

473- Arrangement Of Transportation Of Freight And Cargo
4731 Arrangement Of Transportation Of Freight & Cargo
4731a Freight Transportation Services
4731b Freight Forwarders
4731c Freight Consolidators
4731e Transportation Brokerage
4731f Customs & Custom House Brokers

474- Rental Of Railroad Cars
4741 Railroad Cars Rental
4741a Railroad Car Rental With Services
4741b Railroad Car Rental Without Services

478- Miscellaneous Services Incidental To Transportation
4783 Packing & Crating Services For Shipping
4785 Fixed Facilities Inspection & Weighing Services For Motor Vehicles
4785a Motor Vehicle Inspection & Weighing Services
4785b Tunnels Toll Roads & Bridges
4789 Transportation Services

48-- Communications
481- Telephone Communications
4812 Radiotelephone Communications
4812d Paging & Signaling Services
4812e Mobile Telephone Services
4813 Telephone Communication Except Radiotelephone
4813a Long Distance Telephone Services

482- Telegraph And Other Message Communications
4822 Telegraph & Other Message Communications
4822b Facsimile Transmission Service

483- Radio And Television Broadcasting Stations
4832 Radio Broadcasting Stations
4833 Television Broadcasting Stations
4833c Community Tv Services Antennas

484- Cable And Other Pay Television Services
4841 Cable & Other Pay Television Services
4841a Cable Television Services

489- Communications Services, Not Elsewhere Classified
4899 Communication Services
4899a Data Communications Services
4899c Satellite Communication Services

49-- Electric, Gas, And Sanitary Services
491- Electric Services
4911 Electric Services

492- Gas Production And Distribution
4922 Natural Gas Transmission
4923 Natural Gas Transmission & Distribution
4924 Natural Gas Distribution
4925 Mixed Manufactured Or Lpg Production &/Or Distribution

493- Combination Electric And Gas, And Other Utility Services
4931 Electric And Other Services Combined
4932 Gas And Other Services Combined
4939 Combination Utilities

494- Water Supply
4941 Water Supply

495- Sanitary Services
4952 Sewerage Systems
4953 Refuse Systems
4959 Sanitary Services

496- Steam And Air-Conditioning Supply
4961 Steam And Air Conditioning Supply

497- Irrigation Systems
4971 Irrigation Systems

50-- Wholesale Trade-Durable Goods
501- Motor Vehicles And Motor Vehicle Parts And Supplies
5012 Automobile & Other Motor Vehicles Distribution & Wholesale
5012a Trucks Wholesale
5012b Automobile & Truck Trailers Wholesale
5012c Campers Recreational Vehicles & Pickup Coaches Distribution & Wholesale
5012e Automobile Brokers
5012h New & Used Buses Distribution & Wholesale
5013 Motor Vehicle Supplies & New Parts Wholesale
5013a Automobile Parts Wholesale
5013b Truck Trailer Equipment Wholesale
5013c Automobile Services Equipment Wholesale
5013d Motorcycle Parts Wholesale
5013t Automobile Radio & Stereo Systems Wholesale
5013u Mufflers & Exhaust Systems Wholesale
5013w Automobile Radiators Wholesale
5013z Truck Bodies Wholesale
5014 Tires & Tubes Wholesale

5015 Used Motor Vehicle Parts Wholesale Or Retail
5015a Used & Rebuilt Auto Supplies Wholesale Or Retail
5015c Used Automobile Parts Wholesale Or Retail

502- Furniture And Home Furnishings
5021 Furniture Wholesale
5021a Office Furniture Wholesale
5021b Lockers Wholesale
5021c Shelving Wholesale
5021h Kitchen Cabinets Wholesale
5021j Water Beds Wholesale
5021k Outdoor Furniture Wholesale
5021l Beds Wholesale
5021m Mattresses Wholesale
5023 Home furnishings Wholesale
5023a Carpet Rug & Floor Coverings Wholesale
5023b Chinaware & Glassware Wholesale
5023c Draperies Wholesale
5023d House wares Wholesale
5023e Decorating Supplies Wholesale
5023f Lamps & Lampshades Wholesale
5023g Fireplace Equipment Wholesale
5023h Bedding Wholesale
5023j Venetian Blinds Wholesale
5023n Bedspreads Wholesale
5023p Bathroom Fixtures & Accessories Wholesale
5023s Closets & Closet Accessories Wholesale
5023w Vertical Blinds Wholesale
5023x Linens Wholesale
5023y Towels Wholesale
5023z Shower Curtains Wholesale

503- Lumber And Other Construction Materials
5031 Lumber Plywood Millwork & Wood Panels Wholesale
5031d Plywood & Veneers Wholesale
5031f Cabinets Wholesale
5031j Door Frames Wholesale
5031k Moldings Wholesale
5031l Doors Wholesale
5032 Brick Stone & Related Construction Materials Wholesale
5032b Ceramic Tile Wholesale
5032c Concrete Blocks Shapes & Construction Products Wholesale
5032d Crushed & Natural Stone Wholesale
5032f Sand & Gravel Wholesale
5032g Brick Dealers Wholesale
5032h Cement Wholesale
5033 Roofing Siding & Insulation Materials Wholesale
5039 Construction Materials Wholesale
5039a Building Materials Wholesale
5039e Non-Ceramic Tile Wholesale
5039n Glass Wholesale
5039p Mosaics Wholesale
5039q Poles Wholesale
5039s Fence Materials Wholesale
5039u Mobile Home Dealers Wholesale
5039v Energy Conversation Construction Materials Wholesale

504- Professional And Commercial Equipment And Supplies
5043 Photographic Equipment & Supplies Wholesale
5043b Audio Visual Equipment Wholesale
5043d Motion Picture Film Wholesale
5043e Motion Picture Equipment & Supplies Wholesale
5043f Projection Apparatus Wholesale
5044 Office Equipment Wholesale
5044a Duplicating Machines Wholesale
5044b Blue Print Equipment & Supplies Wholesale
5044c Dictating Machines Wholesale
5044d Cash Registers Wholesale
5044e Accounting Machines Except Machines Readable Wholesale
5044f Safes & Vaults Wholesale
5044g Calculators Wholesale
5044h Photocopy Machines Wholesale
5044i Addressing Machines Wholesale
5044m Bank Equipment & Supplies Wholesale
5044n Word Processing Equipment Wholesale
5044o Paper Shredding Machines Wholesale
5044x Accounting & Bookkeeping Systems Wholesale
5045 Computers & Computer Peripheral Equipment & Software Wholesale
5045a Machine Readable Programmed Accounting Machines Wholesale
5046 Commercial Equipment Wholesale
5046a Hotel & Motel Equipment & Supplies Wholesale
5046b Restaurant & Food Service Equipment Wholesale
5046c Store Fixtures Wholesale
5046d Scales Except Laboratory Wholesale
5046e Coin Operated Vending & Amusement Devices Wholesale
5047 Medical Dental & Hospital Equipment & Supplies Wholesale
5047a Dental Equipment & Supplies Wholesale
5047b Oxygen Therapy Equipment Wholesale
5047c Hospital & Lab Equipment & Supplies Wholesale
5047d Veterinarian Supplies Wholesale
5047e Physician Equipment & Supplies Wholesale
5047f Hospital Beds Wholesale
5048 Ophthalmic Goods Wholesale
5048a Opticians Goods Wholesale
5049 Professional Equipment & Supplies Wholesale
5049b Drafting Supplies Wholesale
5049c Scientific Apparatus Wholesale
5049d Surveyors Instruments Wholesale
5049e Religious Equipment & Supplies Wholesale
5049h School Supplies Wholesale

505- Metals And Minerals, Except Petroleum
5051 Metal Service Centers & Offices Wholesale
5051a Aluminum Distributors
5051b Brass & Copper Distributors
5051d Steel Service And Warehousing
5051h Concrete Reinforcements Wholesale
5051l Investment Castings Wholesale
5051m Non-Electrical Wire & Cable Wholesale
5051n Iron Wholesale
5051r Nails & Tacks Wholesale
5051z Pipe Wholesale
5052 Coal & Other Minerals & Ores Wholesale
5052a Coal & Coke Wholesale

506- Electrical Goods
5063 Electrical Apparatus Equipment Wiring Supplies & Construction Material
5063a Burglar Alarm Systems Equipment & Supplies Wholesale
5063c Electric Motors Wholesale
5063d Generators Wholesale
5063e Fire Alarm System Distribution & Wholesale
5063f Electric Lighting Fixtures Equipment & Apparatus Wholesale
5063g Electrical Signs Wholesale
5063h Storage Batteries Wholesale
5063n Electrical Meters Wholesale
5063o Transformers Wholesale
5063q Dry Cell Batteries Wholesale
5063r Electric Motor Supplies Wholesale
5063s Electrical Signal Systems Wholesale
5064 Electrical Appliances Television & Radio Sets Wholesale
5064a Radio & Hi Fi Equipment Wholesale
5064b Refrigerators & Freezers Wholesale
5064d Vacuum Cleaners Wholesale
5064e Major Appliances Wholesale
5064f Small Appliances Wholesale
5064g Video Recorders & Players Wholesale
5064m Electric Shavers Wholesale
5064n Television Sets Wholesale
5065 Electronic Parts & Equipment Wholesale
5065a Paging & Signaling Equipment Wholesale
5065b Closed Circuit Television Equipment Wholesale
5065c Radio Supplies & Parts Wholesale
5065d Recording & Sound Equipment & Supplies Wholesale
5065e Telephone Equipment Intercoms & Related Equipment Wholesale
5065f Television Or Television & Radio Parts & Supplies Wholesale
5065g Data Communication Systems Wholesale
5065j Electronic Manufacturer Representatives
5065k Electronic Instruments Wholesale
5065l Electronic Parts Assemblers
5065t Mobile Telephone Equipment & Supplies Wholesale
5065v Stereo Parts Wholesale
5065w Radar Equipment & Supplies Wholesale

5065x Facsimile Equipment & Supplies Wholesale

507- Hardware, And Plumbing And Heating Equipment And Supplies
5072 Hardware Wholesale
5072d Pneumatic Tools Wholesale
5072e Hand & Hand Power Tools Wholesale
5072g Cutlery Wholesale
5072j Builders Hardware Wholesale
5072k Door Checks & Closers Wholesale
5072l Locks & Related Materials Wholesale
5074 Plumbing & Hydronic Heating Equipment & Supplies Wholesale
5074a Oil Burners Wholesale
5074b Plumbing Supplies Wholesale
5074c Water Heaters Wholesale
5074d Boiler Distribution & Wholesale
5074e Solar Heating Panels & Equipment Wholesale
5075 Warm Air Heating & Air Conditioning Equipment & Supplies Wholesale
5075a Furnaces Wholesale
5075b Electrical Heating Equipment & Supplies Wholesale
5075d Air Cleaning & Conditioning (Humidity Control Etc) Equipment Wholesale
5075p Heating Systems & Units Wholesale
5075q Furnace Parts & Supplies Wholesale
5075r Air Conditioning Systems & Equipment Wholesale
5078 Refrigeration Equipment & Supplies Wholesale
5078a Ice Making Equipment Wholesale

508- Machinery, Equipment, And Supplies
5082 Construction & Mining Except Petroleum Machinery & Equipment Wholesale
5082a Contractor Machinery Equipment & Supplies Wholesale
5082d Sewer Cleaning Equipment & Supplies Wholesale
5082e Mason Contractors Equipment & Supplies Wholesale
5082g Rubbish Removal Contractors Equipment & Supplies Wholesale
5082h Water Well Drilling Equipment & Supplies Wholesale
5082j Excavating Equipment Wholesale
5082k Dry Wall Contractor Equipment & Supplies Wholesale
5082n Sandblasting Equipment & Supplies Wholesale
5082x Mining Equipment Wholesale
5083 Farm & Garden Machinery & Equipment Wholesale
5083a Farm Tractors Wholesale
5083g Baling Equipment Equipment & Supplies Wholesale
5083j Sprinklers Garden & Lawn Wholesale
5083m Poultry Equipment & Supplies Wholesale
5083n Farm & Livestock Machinery & Equipment Exc Dairy Wholesale
5083o Dairy Equipment & Supplies Wholesale
5084 Industrial Machinery & Equipment Wholesale
5084a Air & Gas Compressor Dealers Wholesale
5084b Drilling Equipment Wholesale
5084c Industrial Trucks Wholesale
5084d Machinery & Machine Tools Wholesale
5084e Material Handling & Shop Equipment Wholesale
5084f Printing & Lithographing Equipment Wholesale
5084g Pumps Wholesale
5084h Industrial Waste Compactors Wholesale
5084i Welding Equipment & Supplies Wholesale
5084j Safety Equipment Wholesale
5084k Silk Screening Materials Wholesale
5084l Gasoline Or Diesel Engines Wholesale
5084m Tool & Die Makers Equipment Wholesale
5084n Industrial Fans Wholesale
5084o Garbage Container Receptacles Wholesale
5084p Robots Wholesale
5084q Audio & Video Recording Studio Equipment Wholesale
5084r Tanks Wholesale
5084s Measuring & Testing Equipment Wholesale
5084v Gauges & Gages Wholesale
5084y Cutting Tools Wholesale
5084z Plating Equipment & Supplies Wholesale
5085 Industrial Supplies Wholesale
5085a Abrasives Wholesale
5085d Packaging Materials Including Rope & Twine Wholesale
5085g Industrial Fasteners Wholesale
5085h Hose & Tubing Wholesale
5085i Buffing & Polishing Supplies Wholesale
5085l Sprockets Wholesale
5085m Mechanical Pickings Wholesale
5085p Industrial Fittings Wholesale
5085q Elevator Supplies & Parts
5085r Filtering Materials & Supplies Wholesale
5085s Industrial Diamonds Wholesale
5085z Valves & Valve Fittings Wholesale
5087 Service Establishment Equipment & Supplies Wholesale
5087a Barber Shop Equipment & Supplies Wholesale
5087b Beauty Shop Equipment & Supplies Wholesale
5087c Cleaners & Laundry Equipment & Supplies Wholesale
5087d Funeral Director Equipment Wholesale
5087e Janitor Supplies Wholesale
5087f Upholsterer Supplies Wholesale
5087l Shoe Findings & Supplies Wholesale
5087n Bird Barriers Repellents & Controls Wholesale
5088 Transportation Equipment & Supplies Except Motor Vehicles Wholesale
5088e Ship Chandlers

509- Miscellaneous Durable Goods
5091 Sporting & Recreational Goods & Supplies Wholesale
5091a Swimming Pools & Hot Tubs Equipment & Supplies Wholesale
5091f Golf Equipment & Supplies Wholesale
5091h Pleasure Boat Distribution & Wholesale
5091j Pleasure Boat Equipment & Supplies Wholesale
5091k Bicycles Wholesale
5092 Toys & Hobby Goods & Supplies Wholesale
5092a Home Video Games Wholesale
5092c Dolls Wholesale
5093 Scrap & Waste Materials Wholesale
5093a Scrap Iron & Metal Wholesale
5093b Wastepaper Wholesale
5093c Automobile & Truck Wreckers For Scrap
5093i Plastic Scrap Wholesale
5093j Cotton Wool & Synthetic Waste Etc Wholesale
5093l Oil Waste Wholesale
5094 Jewelry Watches Precious Stones & Precious Metals Wholesale
5094c Clocks Wholesale
5094d Precious Metal Buyers & Sellers
5094e Diamonds Wholesale
5094f Watches Wholesale
5094h Jewelers Supplies Wholesale
5094j Jewelry Buyers
5094m Precious Semi Precious & Synthetic Gem Stones Wholesale
5099 Durable Goods Wholesale
5099a Fire Protection Equipment Wholesale
5099b Luggage Wholesale
5099c Manufacturers Agents
5099d Musical Instruments & Parts & Supplies Wholesale
5099e Compact Discs
5099f Import Products & Services Wholesale
5099t Sunglasses & Sun Goggles Wholesale
5099u Brooms Wholesale
5099v Solar Energy Equipment & Supplies Wholesale

51-- Wholesale Trade-Non-Durable Goods
511- Paper And Paper Products
5111 Printing & Writing Paper Wholesale
5112 Stationery & Office Supplies Wholesale
5112a Data Processing Supplies Wholesale
5112g Pens & Pencils Wholesale
5112h Commercial Stationary Wholesale
5112l Legal Forms Wholesale

5113 Industrial & Personal Service Paper Wholesale
5113a Packing Materials For Shipping Wholesale
5113d Paper Tubes & Cores Wholesale
5113e Specialty & Fancy Boxes Wholesale

512- Drugs, Drug Proprietaries, And Druggists' Sundries
5122 Drugs Drug Proprietaries & Druggist Sundries Wholesale
5122a Druggists Pharmaceutical Products Wholesale
5122b Cosmetics Wholesale
5122f Abdominal Supports Wholesale
5122g Ostomy Equipment & Supplies Wholesale
5122h Hair Preparations Wholesale

513- Apparel, Piece Goods, And Notions
5131 Piece Goods Notions & Other Dry Goods Wholesale
5131a Piece Goods Wholesale
5131c Bridal Supplies Wholesale
5131d Knit Goods Wholesale
5131e Zippers Wholesale
5131f Cotton Goods Wholesale
5131g Drapery Fabric Wholesale
5131h Textile Converters Except Kint Goods Wholesale
5131i Clothing Buttons Wholesale
5131j Textile Brokers
5131k Cotton Goods Converters
5136 Men & Boys Clothing & Furnishings Wholesale
5136a Work & Industrial Gloves Wholesale
5136b Men's Sportswear Wholesale
5136e Shirts Wholesale
5136f Hats Wholesale
5136h Caps Wholesale
5137 Women Children & Infants Clothing & Accessories Wholesale
5137a Women's Rack Merchandise Jobbers
5137b Women's Sportswear Wholesale
5137f Dresses Wholesale
5137g Women's Swimming Suits Wholesale
5137h Women's Uniforms Wholesale
5137j Handbag Wholesale
5137k Women's Hosiery Wholesale
5139 Footwear Wholesale

514- Groceries And Related Products
5141 General Line Groceries Wholesale
5141a Food Brokers
5142 Packaged Frozen Foods Wholesale
5143 Dairy Products Except Dried Or Canned Wholesale
5143b Cheese Wholesale
5143c Butter Wholesale
5144 Poultry & Poultry Products Wholesale
5145 Confectionery Wholesale
5145d Syrup Wholesale
5145e Pretzels Wholesale
5146 Fish & Seafood Wholesale & Brokers
5146a Fish & Seafood Wholesale
5146b Fish & Seafood Brokers
5147 Meat & Meat Products Wholesale
5147a Meat Brokers
5148 Fresh Fruits & Vegetables Wholesale
5148c Produce Brokers
5148d Citrus Fruit Wholesale
5148f Fruit & Vegetable Growers & Shippers
5148g Citrus Fruit & Vegetable Brokers
5148h Potatoes Wholesale
5149 Groceries And Related Products Wholesale
5149g Rice Wholesale
5149h Vegetable Oil Wholesale
5149k Coffee Wholesale
5149l Fruit & Vegetable Juice Distribution & Wholesale
5149m Ice Cream Cone Distribution & Wholesale
5149n Tortillas Wholesale
5149p Chocolate Wholesale
5149r Dried Fruits Wholesale
5149s Coffee & Tea Wholesale
5149x Salads Wholesale

515- Farm-Product Raw Materials
5153 Grain & Field Beans Wholesale
5153a Grain Brokers
5154 Livestock Wholesale
5159 Farm Product Raw Materials Wholesale
5159a Peanut Products Wholesale
5159b Cotton Wholesale
5159c Hides Wholesale

516- Chemicals And Allied Products
5162 Plastics Materials & Basic Forms & Shapes Wholesale
5162h Polyurethane Products Wholesale
5169 Chemicals & Allied Products Wholesale
5169a Compressed Gas Except Lpg Wholesale
5169l Ammonia Wholesale

517- Petroleum And Petroleum Products
5171 Petroleum Bulk Stations & Terminals Wholesale
5172 Petroleum & Petroleum Products Except Bulk & Terminals Wholesale
5172a Liquefied Petroleum Gas Wholesale
5172p Grease Wholesale

518- Beer, Wine, And Distilled Alcoholic Beverages
5181 Beer & Ale Wholesale
5182 Wine & Distilled Alcoholic Beverages Wholesale

519- Miscellaneous Non-Durable Goods
5191 Farm Supplies Wholesale
5191a Feed & Fertilizer Dealers Wholesale
5191r Agricultural Chemicals Exc Fertilizers Wholesale
5191t Beekeepers Supplies Wholesale
5192 Books Periodicals & Newspapers Wholesale
5192a Books Wholesale
5192b Newspaper & Magazine Distributors
5193 Flowers Nursery Stock & Florists Supplies Wholesale
5193a Plants Wholesale
5194 Tobacco & Tobacco Products Wholesale
5194d Tobacco Products Wholesale
5198 Paint Varnish & Supplies Wholesale
5198a Paint & Varnish Wholesale
5198b Wallpaper Wholesale
5198d Colors & Pigments Wholesale
5199 Nondurable Goods Wholesale
5199a Advertising Specialties Wholesale
5199b Burlap Cotton Or Canvas Bags Wholesale
5199c Carnival Supplies Wholesale
5199e Foam Rubber Wholesale
5199f General Merchandise Wholesale
5199g Giftware & Novelties Wholesale
5199h Art Gallery Supplies Wholesale
5199j Leather & Leather Goods Wholesale
5199m Variety Store Merchandise Wholesale
5199n Yarn Wholesale

52-- Building Materials, Hardware, Garden Supply, And Mobile Homes
521- Lumber And Other Building Materials Dealers
5211 Building Materials Dealers Retail
5211a Lumber Plywood & Building Materials Retail
5211b Roofing & Siding Materials Retail
5211c Window Jalousy & Door Dealers Retail
5211d Home Centers Retail
5211e Brick Dealers Retail
5211f Wallboard & Paneling Dealers Retail
5211g Fencing Materials Dealers Retail
5211h Door & Window Screens Retail
5211i Cement & Concrete Retail
5211j Portable Buildings Retail
5211k Energy Conservation Building Materials Retail
5211l Hardwoods Retail
5211m Ceiling Materials Retail
5211n Overhead Doors Retail
5211o Heating & Plumbing Supplies Retail

523- Paint, Glass And Wallpaper Stores
5231 Paint Glass & Wallpaper Stores
5231a Paint & Glass Dealers Retail
5231b Wallpaper & Wall covering Dealers Retail
5231c Stained & Leaded Glass Retail

525- Hardware Stores
5251 Hardware Stores
5251a Chainsaw Dealers Retail

526- Retail Nurseries, Lawn And Garden Supply Stores
5261 Nurseries Lawn & Garden Supply Shops Retail
5261a Nurserymen
5261b Lawn & Garden Supply Stores Retail
5261c Lawn Mower Dealers Retail

5261d Fertilizer Dealers Retail
5261f Insecticides Retail
5261t Weed Control Equipment & Supplies Retail
5261v Bark Retail

527- Mobile Home Dealers
5271 Mobile Home Dealers Retail
5271a Mobile Home Equipment & Parts Dealers Retail

53-- General Merchandise Stores

531- Department Stores
5311 Department Stores
5311a Discount Department Stores

533- Variety Stores
5331 Variety Stores

539- Miscellaneous General Merchandise Stores
5399 Miscellaneous General Merchandise Stores
5399a Army & Navy Goods Stores
5399b Salvage & Surplus Stores Retail

54-- Food Stores
541- Grocery Stores
5411 Grocery Stores
5411c Convenience Food Stores
5411f Food Marts
5411g Food Plans Retail

542- Meat And Fish (Seafood) Markets, Including Freezer Provisioners
5421 Meat & Fish & Seafood Markets Including Freezer Provisioners Retail
5421a Freezer Meat Provisioners Retail
5421c Meat & Fish Markets Combined Retail
5421d Meat Markets Retail
5421e Fish & Seafood Stores Retail

543- Fruit And Vegetable Markets
5431 Fruit & Vegetable Markets Retail
5431b Farm Markets Retail

544- Candy, Nut, And Confectionery Stores
5441 Candy Nut & Confectionery Stores Retail
5441a Candy & Confectionery Stores Retail
5441b Nut Stores Retail

545- Dairy Products Stores
5451 Dairy Products Stores Retail
5451a Cheese Stores Retail
5451b Milk & Dairy Products Stores Retail
5451d Yogurt Retail

546- Retail Bakeries
5461 Bakeries Retail
5461a Bakeries Baking & Selling Retail
5461b Bakeries Selling Only Retail
5461c Bagels Stores Retail
5461d Donut Shops
5461e Cake & Pie Bakers Retail
5461f Cookie Shops Retail

549- Miscellaneous Food Stores
5499 Miscellaneous Food Stores
5499a Health Food Herb & Vitamin Stores Retail
5499b Coffee & Tea Dealers Retail
5499c Poultry Stores Retail
5499d Gourmet Shops Retail
5499e Japanese Food Products Retail
5499f Delicatessens

55-- Automotive Dealers And Gasoline Service Stations
551- Motor Vehicle Dealers (New And Used)
5511 New & Used Motor Vehicle Dealers Retail
5511a New & Used Car Dealers Retail
5511b Truck & Trailer Dealers Retail

552- Motor Vehicle Dealers (Used Only)
5521 Used Only Motor Vehicle Dealers Retail
5521a Antique & Classic Car Dealers Retail
5521b Used Car Dealers Retail

553- Auto And Home Supply Stores
5531 Automobile & Home Supply Stores Retail
5531a Automobile Parts & Accessory Stores Retail
5531b Truck Equipment & Parts Dealers Retail
5531c Tire Dealers Retail
5531e Racing Car Supply Dealers Retail

554- Gasoline Service Stations
5541 Gasoline Service Stations

555- Boat Dealers
5551 Boat & Marine Supply Dealers Retail
5551a Boat Dealers Retail
5551b Marine Supply Stores Retail
5551c Outboard Motor Dealers Retail
5551f Raft Dealers Retail
5551j Yacht Dealers Retail

556- Recreational Vehicle Dealers
5561 Recreational Vehicle Dealers Retail
5561a Camper & Pickup Coach Dealers Retail
5561b Camping & Travel Trailer Dealers Retail
5561c Motorized Home Dealers Retail
5561j Recreational Vehicle Parts & Accessories Retail

557- Motorcycle Dealers
5571 Motorcycle Dealers Retail
5571b Moped Dealers Retail
5571c All Terrain Vehicle Dealers Retail

559- Automotive Dealers, Not Elsewhere Classified
5599 Automobile Dealers Retail
5599a Aircraft Dealers Retail
5599b Snowmobile Dealers Retail
5599c Utility Trailers Retail
5599d Aircraft Brokers

56-- Apparel And Accessory Stores
561- Men's And Boys' Clothing And Accessory Stores
5611 Men & Boys Clothing & Accessory Stores Retail
5611a Work Clothing Stores Retail
5611b Boys Clothing & Furnishings Retail
5611k Men's Stores Retail

562- Women's Clothing Stores
5621 Women's Clothing Stores Retail
5621a Boutiques
5621b Bridal Shops Retail
5621c Maternity Shops Retail

563- Women's Accessory And Specialty Stores
5632 Women's Accessory & Specialty Stores Retail
5632a Bra & Corset Shops Retail
5632c Lingerie Shops Retail
5632d Millinery Shops Retail
5632e Handbag Shops Retail
5632f Hosiery Stores Retail
5632h Furriers & Fur Shops Retail

564- Children's And Infants' Wear Stores
5641 Children's & Infant Wear Stores Retail
5641c Girls Apparel Retail

565- Family Clothing Stores
5651 Family Clothing Stores Retail
5651a Pants & Jean Stores Retail
5651b Knit Goods Shops Retail
5651c Glove & Mitten Shops Retail
5651d Sweater Shops Retail

566- Shoe Stores
5661 Shoe Stores Retail
5661a Custom & Orthopedic Shoe Stores Retail
5661b Athletic Footwear Stores Retail

569- Miscellaneous Apparel And Accessory Stores
5699 Miscellaneous Apparel & Accessory Stores Retail
5699a Men's Custom Shirt makers
5699b Men's Custom Tailors
5699c Custom Dressmakers
5699d Riding Apparel & Western Shops Retail
5699e Sports Apparel Stores Retail
5699f Uniform Stores Retail
5699g Wig Toupee & Wiglet Stores Retail
5699h Caps & Gowns Retail
5699i Fashion Designers
5699j Clothing Designers
5699k Dancing Supplies Retail
5699l Costume Sales & Rental Retail
5699w Garments Printing & Lettering
5699x Sheepskin Specialty Stores Retail
5699z Swimwear & Accessories Retail

57-- Home Furniture, Furnishings, And Equipment Stores

571- HOME FURNITURE AND FURNISHINGS STORES

5712 Furniture Stores Retail
5712a Youth Furniture Stores Retail
5712b Custom Built Furniture Makers
5712d Kitchen Cabinets & Counter Stores Retail
5712e Mattress Stores Retail
5712f Outdoor & Garden Furniture Stores Retail
5712g Waterbed Dealers Retail
5712h Unfinished Furniture Stores Retail
5713 Floor Covering Stores Retail
5713a Carpet & Rug Dealers Retail
5713b Tile & Linoleum Dealers Retail
5714 Drapery Curtain & Upholstery Stores Retail
5719 Miscellaneous Home furnishing Stores Retail
5719a China & Glassware Stores Retail
5719b Fireplaces & Fireplace Equipment Stores Retail
5719c Kitchenware & House ware Stores Retail
5719d Lamp & Lampshade Shops Retail
5719e Linen & Bedding Shops Retail
5719f Mirror Stores Retail
5719g Blinds & Shades Stores Retail
5719h Closet & Bathroom Accessories Retail
5719i Lighting Fixtures Stores Retail
5719j Wood & Coal Etc Stoves Retail
5719v Carved & Ornamental Glass Retail
5719x Pillows Retail

572- Household Appliance Stores
5722 Household Appliance Stores Retail
5722a Residential Room Air Conditioner Dealers Retail
5722b Major Appliance Dealers Retail
5722c Sewing Machine & Sewing Supplies & Attachment Dealers Retail
5722d Vacuum Cleaner Dealers Retail
5722e Household Fan Dealers Retail
5722f Small Electric Appliance Dealers Retail

573- Radio, Television, Consumer Electronics, And Music Stores
5731 Consumer Electronics Stores Retail
5731a Radio Equipment & Parts Stores Retail
5731b Hi Fi Equipment Stores Retail
5731c Citizens Band Radio Stores Retail
5731d Television Dealers Retail
5731f Video Equipment & Supplies Retail
5731h Automobile Radio & Stereo Stores Retail
5731i Audio Visual Equipment Dealers Retail
5734 Computer & Computer Software Stores Retail
5734a Computers & Computer Equipment & Supplies Retail
5734b Computer Software Supplies & Parts Retail
5735 Record & Prerecorded Tape Stores Retail
5735a Record & Tape Outlet Stores Retail
5735e Video Tape & Disc Stores Retail
5736 Musical Instrument Stores Retail
5736a Sheet Music Stores Retail
5736b Piano Dealers Retail
5736c Organ Dealers Retail

58-- Eating And Drinking Places
581- Eating And Drinking Places
5812 Restaurants
5812a Restaurants - American
5812b Restaurants - Chinese
5812c Restaurants - Barbecue
5812d Restaurants - Fast Food
5812e Restaurants - Cafeterias
5812f Restaurants - French
5812g Restaurants - German
5812h Restaurants - Greek
5812i Restaurants - Health
5812j Restaurants - Indian & Pakistan
5812k Restaurants - Drive In
5812l Restaurants - Italian
5812m Restaurants - Japanese
5812n Restaurants - Korean & Vietnamese
5812o Restaurants - Mexican
5812p Restaurants - Sandwich Shops
5812q Restaurants - Seafood
5812r Restaurants - Spanish
5812s Restaurants - Steak Houses
5812t Restaurants - Thai
5812u Restaurants - Pizza
5812v Caterers & Related Services
5812w Contract Food Services
5812x Ice Cream & Frozen Custard Stands & Parlors Retail
5812y Coffee & Donut Shops
5812z Concessionaires
5813 Alcoholic Beverage Drinking Places
5813a Bars & Cocktail Lounges
5813b Nightclubs
5813c Discotheques

59-- Miscellaneous Retail
591- Drug Stores And Proprietary Stores
5912 Drug & Proprietary Stores Retail
5912a Proprietary Stores Retail

592- Liquor Stores
5921 Liquor Stores Retail
5921a Wine Retail
5921b Beer & Ale Retail

593- Used Merchandise Stores
5932 Used Merchandise Stores Retail
5932a Antique Stores Retail
5932b Used & Rare Book Dealers Retail
5932c Used Clothing Stores Retail
5932d Used Home Furniture & Furnishings Retail
5932e Used Office Furniture Furnishings & Equipment Retail
5932f Used Store Fixtures & Equipment Retail
5932g Pawnbrokers
5932h Used Brick Dealers Retail
5932j Used Building Materials Retail
5932p Used Musical Instruments Retail
5932q Back Issue Magazine Sales
5932r Swap Shops
5932s Used Refrigerators & Freezers Retail
5932u Used Major Household Appliances Retail
5932x Used Carpet & Rug Dealers Retail
5932y Used Electric Motors Retail

594- Miscellaneous Shopping Goods Stores
5941 Sporting Goods Stores & Bicycle Shops Retail
5941a Bicycles & Bicycle Parts & Accessories Retail
5941b Camping Equipment Stores Retail
5941c Bait Shops Retail
5941d Fishing Equipment Stores Retail
5941e Gun Shops And Gunsmiths Retail
5941f Saddlery & Harness Stores Retail
5941g Tennis Shops Retail
5941h Water & Snow Ski Shops Retail
5941i Bowling Equipment Stores Retail
5941j Golfing Equipment Stores Retail
5941k Diver Equipment & Supplies Stores Retail
5941l Surfboard & Windsurfing Stores Retail
5941m Billiard Supply Stores Retail
5941n Archery Supply Stores Retail
5941o Skate Boards & Equipment Stores Retail
5941p Soccer Equipment & Supplies Retail
5941q Skating Supply Stores Retail
5941r Exercise Equipment Stores Retail
5941s Karate & Martial Arts Supply Stores Retail
5941z Trampoline Equipment & Supplies Retail
5942 Book Stores Retail
5943 Stationery Stores Retail
5943a Office Supply Stores Retail
5943b School Supply Stores Retail
5943c Notary & Corporate Seal Dealers Retail
5943e Rubber Metal & Plastic Stamps Retail
5944 Jewelry Stores Retail
5944a Jewelry Designers & Craftsman Retail
5944b Diamonds Retail
5944z Jewelry Engravers
5945 Hobby Toy & Game Shops Retail
5945a Arts & Crafts Supply Stores Retail
5945b Model & Hobby Supplies Stores Retail
5945c Toy Stores Retail
5945d Game Shops Retail
5945e Video Games Retail
5945f Ceramic Equipment & Supplies Retail
5945x Dolls & Doll Houses & Supplies Retail
5946 Camera & Photographic Supply Stores Retail
5946a Photographic Equipment & Supplies Retail
5947 Gift Novelty & Souvenir Shops Retail
5947a Gift Shops Retail
5947b Greeting Cards Retail
5947c Novelty Shops Retail
5947e Souvenir Shops Retail
5947i Gift Baskets & Parcels Retail
5947u Balloon Shops Novelty & Toy Retail

5948 Luggage & Leather Goods Stores Retail
5949 Sewing Needlework & Piece Goods Stores Retail
5949a Needlework Stores Retail
5949b Fabric Shops Retail
5949c Notions & Sewing Supplies Retail
5949e Yarn Retail

596- Nonstore Retailers
5961 Catalog & Mail Order Houses
5961a Magazine Mail Order Subscription Agents
5962 Automatic Merchandising Machine Operators
5963 Direct Selling Establishments

5983 Fuel Oil Dealers Retail
5984 Bottled Liquefied Petroleum Gas Dealers Retail
5989 Fuel Dealers Retail
5989a Coal & Coke Dealers Retail
5989b Firewood Dealers Retail

599- Retail Stores, Not Elsewhere Classified
5992 Florists Retail
5992a Plant Shops Retail
5993 Tobacco Stores & Stands Retail
5993a Pipes & Smokers Articles Retail
5994 News Dealers & Newsstands Retail
5995 Optical Goods Stores Retail
5999 Miscellaneous Retail Stores
5999a Aquarium Supply Stores Retail
5999b Artificial Flower Stores Retail
5999c Art & Art Supply Stores Retail
5999d Awning & Tent Stores Retail
5999e Trophy & Plaque Stores Retail
5999f Cosmetic Stores Retail
5999g Hearing Aid Stores Retail
5999h Candle Stores Retail
5999i Beauty Supply Dealers Retail
5999j Monument Dealers Retail
5999k Wedding Supplies & Services Retail
5999l Orthopedic Prosthesis & Medical Supply Stores Retail
5999m Pets & Pet Supplies Retail
5999n Stamp & Coin Dealers Retail
5999o Feed & Farm Supply Dealers Retail
5999p Lapidaries & Lapidary Equipment & Supplies Retail
5999q Baby Carriage Dealers Retail
5999r Pictures & Picture Frame Shops Retail
5999s Party Supply Shops Retail
5999t Ice Dealers Retail
5999u Telephone & Telephone Equipment Stores Retail
5999v Typewriters & Typewriter Supply Dealers Retail
5999w Religious Goods Stores Retail
5999x Binoculars & Telescopes Retail
5999y Factory Outlet Stores
5999z Christmas Lights & Decorations Retail

60-- Depository Institutions
601- Central Reserve Depository Institutions
6011 Banks - Federal Reserve
6019 Banks - Central Reserve Depository Institutions

602- Commercial Banks
6021 Banks - National Commercial Banks & Trusts Member Frs & Fdic Insured
6022 Banks - State Commercial Banks & Trusts
6022a Banks - State Commercial Banks & Trusts Member Frs & Fdic Insured
6022b Banks - State Commercial Banks & Trusts Fdic Insured Only
6029 Banks - Commercial Banks & Trusts
6029a Banks - Commercial Banks & Trusts Member Frs & Fdic Insured
6029b Commercial Banks & Trusts Fdic Insured Only
6029c Banks - Mutual Savings Banks Member Frs & Fdic Insured
6029d Banks - Mutual Savings Banks Fdic Insured Only
6029e Banks - Mutual Savings Banks

603- Savings Institutions
6035 Banks - Savings Institutions Federally Chartered
6035a Banks - Federal Savings & Loan Associations Member Fslic
6035b Banks - Federal Savings & Loan Associations Not Member Fslic
6035c Banks - Federal Savings Banks Member Flsic
6035d Banks - Federal Savings Banks Not Member Flsic Or Unknown
6035e Federal Savings Institutions Member Flsic
6036 Savings Institutions Not Federally Chartered
6036a Non-Federal Savings & Loan Associations Member Fslic
6036b Non-Federal Savings & Loan Associations Not Member Fslic Or Unknown
6036c Non-Federal Savings Banks Member Fslic
6036d Non-Federal Savings Banks Not Member Fslic Or Unknown
6036e Non-Federal Savings Institutions Member Fslic

606- Credit Unions
6061 Credit Unions Federally Chartered
6062 Credit Unions Not Federally Chartered
6062a Credit Unions
6062b State Credit Unions

608- Foreign Banking And Branches And Agencies Of Foreign Banks
6081 Banks - (Foreign) Branches & Agencies
6082 Foreign Trade & International Banking Institutions

609- Functions Related To Depository Banking
6091 Non-Deposit Trust Facilities
6091a Non-Deposit Trusts Federal Reserve
6091b Non-Deposit Trusts Not Fdic
6099 Functions Related To Depository Banking
6099a Safe Deposit Companies
6099b Clearing House Associations
6099d Check Cashing Services
6099e Foreign Currency Exchanges
6099f Money Order Services
6099g Traveler Check Issuance
6099h Currency Exchanges

61-- Non-Depository Credit Institutions
611- Federal And Federally-Sponsored Credit Agencies
6111 Federal & Federally Sponsored Credit Unions
6111a Government National Mortgage Association
6111b Rediscounting For Agricultural
6111c Banks - Federal Land
6111e Banks - Import Export

614- Personal Credit Institutions
6141 Personal Credit Institutions
6141a Non Deposit Individual Loan Banks
6141b Loan & Finance Companies
6141c Installment Sales Finance Companies

615- Business Credit Institutions
6153 Short Term Business Credit Institutions Except Agricultural
6153a Factors
6159 Miscellaneous Business Credit Institutions

616- Mortgage Bankers And Brokers
6162 Mortgage Bankers & Loan Correspondents
6162b Foreclosure Assistance
6163 Loan Brokers

62-- Security And Commodity Brokers, Dealers, Exchanges, And Services
621- Security Brokers, Dealers, And Flotation Companies
6211 Security Brokers Dealers & Flotation Companies
6211a Investment Security Companies
6211b Stock & Bond Brokers
6211c Mutual Funds
6211f Oil Land Leases
6211g Investment Management Services

622- Commodity Contracts Brokers And Dealers
6221 Commodity Contracts Brokers & Dealers

623- Security And Commodity Exchanges
6231 Security & Commodity Exchanges
6231a Stock Exchanges

628- Services Allied With The Exchange Of Securities Or Commodities
6282 Investment Advice
6282b Retirement Planning Services
6289 Services Allied With The Exchange Of Securities Or Commodities

63-- Insurance Carriers
631- Life Insurance
6311 Life Insurance

632- Accident And Health Insurance And Medical Service Plans
6321 Health & Accident Insurance
6324 Hospital & Medical Service Plans

633- Fire, Marine, And Casualty Insurance
6331 Fire Marine & Casualty Insurance

635- Surety Insurance
6351 Surety Insurance

636- Title Insurance
6361 Title Insurance

637- Pension, Health, And Welfare Funds
6371 Pension Health & Welfare Funds

639- Insurance Carriers, Not Elsewhere Classified
6399 Insurance Carriers
6399a Insurance Company Home Offices

64-- Insurance Agents, Brokers, And Service
641- Insurance Agents, Brokers, And Service
6411 Insurance Agents Brokers & Service
6411a Insurance Adjusters
6411b Insurance Consultants
6411c Combined Insurance Law & Loan Offices
6411d Pension Plan Consultants

65-- Real Estate
651- Real Estate Operators (Except Developers) And Lessors
6512 Operators Of Nonresidential Buildings
6512a Office Building Management
6512b Shopping Center Management
6512c Operators Of Auditoriums Arenas Halls Stadiums & Athletic Fields
6512z Industrial Developments
6513 Operators Of Apartment Buildings
6513e Operators Of Retirement Centers
6514 Operators Of Dwellings Other Than Apartment Buildings
6515 Operators Of Residential Mobile Home Sites
6517 Lessors Of Railroad Property
6519 Lessors Of Real Property
6519a Oil Property Leasing & Management

653- Real Estate Agents And Managers
6531 Real Estate Agents & Managers
6531a Real Estate Appraisers
6531b Real Estate & Property Management Firms
6531c Real Estate Agents
6531d Real Estate Rental Information Services
6531f Real Estate Investments
6531g Condominium & Townhouse Management

654- Title Abstract Offices
6541 Title Abstract Offices
6541a Title Companies

655- Land Subdividers And Developers
6552 Land Subdividers & Developers Except Cemeteries
6552b Land Companies
6553 Cemetery Subdividers & Developers
6553a Cemeteries & Mausoleums
6553b Pet Cemeteries

67-- Holding And Other Investment Offices
671- Holding Offices
6712 Offices Of Bank Holding Companies
6719 Offices Of Holding Companies

672- Investment Offices
6722 Management Investment Offices Open Ended
6726 Unit Investment Trusts Face Amount Cert & Closed End Mgmt Invesmt Off
6726a Management Investment Offices Closed End
6726b Unit Investment Trusts
6726c Face Amount Certificate Offices

673- Trusts
6732 Educational Religious & Charitable Trusts
6733 Trusts Except Educational Religious & Charitable

679- Miscellaneous Investing
6792 Oil Royalty Traders
6794 Patent Owners & Lessors
6798 Real Estate Investment Trusts
6799 Investors
6799a Commodity Traders

70-- Hotels, Rooming Houses, Camps, And Other Lodging Places
701- Hotels And Motels
7011 Hotels Motels & Tourist Courts
7011a Hotels
7011b Motels
7011c Resorts
7011d Bed & Breakfast Accommodations
7011f Bungalow & Cottage Lodging
7011j Skiing Centers & Resorts
7011k Tourist Accommodations
7011l Guest Ranches

702- Rooming And Boarding Houses
7021 Rooming & Boarding Houses
7021b Dormitories

703- Camps And Recreational Vehicle Parks
7032 Sporting & Recreational Camps
7032c Fishing Camps
7033 Recreational Vehicle Parks & Campsites

704- Organization Hotels And Lodging Houses, On Membership Basis
7041 Organization Hotels & Lodging House On Membership Basis

72-- Personal Services
721- Laundry, Cleaning, And Garment Services
7211 Power Laundries Family & Commercial
7212 Garment Pressing & Agents For Laundries & Drycleaners
7213 Linen Supply
7215 Coin Operated Laundries & Dry-cleaning
7215a Coin Operated & Self Service Laundries
7215b Coin Operated & Self Service Cleaners
7216 Dry-cleaning Except Rug Cleaning
7216a Drapery & Curtain Cleaners
7216b Cleaners Wholesale
7217 Carpet & Upholstery Cleaners
7218 Industrial Launderers
7218a Uniform Supply Service
7219 Laundry & Garment Services
7219a Reweaving & Mending Services
7219b Clothing Alterations
7219c Cleaning Storage Remodeling & Repair Services Including Fur
7219d Diaper Services
7219e Seamstress Dressmaking Customer Material
7219f Pillow Cleaning & Renovating
7219g Zipper Repairing
7219h Leather Goods Cleaning Dyeing & Repairing

722- Photographic Studios, Portrait
7221 Photographic Portrait Studios

723- Beauty Shops
7231 Beauty Shops & Schools
7231a Beauty Culture Schools
7231b Beauty Salons
7231c Manicure & Pedicure Salons
7231k Cosmetology Salons & Cosmetologists
7231w Beauty Salons Selling Wigs

724- Barber Shops
7241 Barber Shops & Schools
7241a Barber Schools
7241b Barber Shops
7241w Barber Shops Selling Wigs

725- Shoe Repair Shops And Shoeshine Parlors
7251 Shoe Repair Shops & Shoeshine Parlors
7251c Shoe Dyers

726- Funeral Service And Crematories
7261 Funeral Service & Crematories
7261e Funeral Plans

729- Miscellaneous Personal Services
7291 Tax Return Preparation Service
7299 Miscellaneous Personal Services
7299a Tanning Salons
7299b Formal Wear Services
7299c Costume Rental

7299e Massage Parlors
7299f Clothing Rental Except Formal
7299g Dating Services
7299h Party Planning Services
7299i Health Fitness & Weight Control Consultants & Services
7299j Wake Up Service
7299k Escort Services
7299l Consignment Service Resale Shops
7299m Mail Receiving Services
7299n Wedding Chapels
7299o Hot Tubs Baths & Spas
7299p Meat Cutting & Butchering Services
7299q Fashion Stylists & Consultants
7299r Shopping Service Personal
7299s Tattoo Service
7299t Personal Service Bureau
7299u Debt & Credit Counseling Services
7299v Color & Style Consultants
7299w Time & Temperature Services
7299y Bail Bond Services
7299z T Shirt Stores

73-- Business Services

731- Advertising

7311 Advertising Agencies
7311f Motion Picture Advertising
7311g Periodical Advertising
7312 Outdoor Advertising Services
7313 Advertising Representatives - Radio Television & Publishers
7313a Newspaper Advertising Representatives
7313b Magazine Advertising Representatives
7313c Radio & Tv Advertising Representatives
7313d Publishers Representatives
7319 Advertising Services
7319a Advertising Clipping Services
7319e Display Installation Services
7319g Aerial Advertising Services
7319h Transit & Transportation Advertising

732- Consumer Credit Reporting Agencies, Mercantile Reporting Agencies

7322 Adjustment & Collection Services
7322a Collection Agencies
7322b Adjustment Bureaus
7322c Collection & Credit Reporting Services
7323 Credit Reporting Services
7323a Credit Reporting Services (Business)

733- Mailing, Reproduction, Commercial Art And Photography, And Stenographic

7331 Direct Mail Advertising Services
7331a Letter shops & Addressing Services
7331b Mailing List Brokers & Compilers
7334 Photocopying & Duplicating Services
7334b Blueprinting Services
7334c Duplicating Services Except Printing
7334d Photocopy Services
7334e Copying & Duplicating Services
7334f Offset Reproductions
7335 Commercial Photography
7335a Aerial Photographers
7335b Slide & Filmstrip Producers
7336 Commercial Art And Graphic Design
7336a Package Designers
7336b Commercial Artists
7336c Calligraphers
7336k Graphic Services
7336l Advertising Art Layout & Production Services
7336m Chart Services
7338 Secretarial & Court Reporting Services
7338a Secretarial Services
7338b Stenographic Services
7338c Resume Services
7338d Word Processing Services
7338e Editorial & Proofreading Services

734- Services To Dwellings And Other Buildings

7342 Disinfecting & Pest Control Services
7342a Exterminating & Fumigating Services
7342b Deodorizing & Disinfecting Services
7342h Insect Control Devices & Services
7342j Mothproofing
7349 Building Cleaning & Maintenance Services
7349a Janitorial Services
7349b Chimney Cleaning & Maintenance Services
7349c Building Maintenance & Repair Services
7349d Industrial Chemical Cleaning Services
7349e Window Cleaning Services
7349r Condominium Maintenance Services
7349t Roof Cleaning
7349v Air & Gas Filter Cleaning Services
7349w Property Maintenance
7349x Ventilation System Cleaning
7349y Domestic Help & Maid Services

735- Miscellaneous Equipment Rental And Leasing

7352 Medical Equipment Rental & Leasing
7352a Oxygen Therapy Equipment Rental
7352b Hospital Equipment Rental
7353 Heavy Construction Equipment Rental & Leasing
7359 Equipment Rental & Leasing
7359a Floor & Carpet Maintenance Equipment Rental
7359b Furniture Rental
7359c Lawn & Garden Equipment Rental
7359d Party Equipment Rental
7359e Industrial Equipment Rental
7359f Video Equipment & Supplies Rental
7359g Office & Commercial Equipment Rental
7359h Television & Radio Rental Dealers
7359i Video Game Rental
7359j Store & Yard Rental Service
7359k Hot Tubs & Spa Rental
7359l Oil Field Equipment & Supplies Rental
7359m Contractor Equipment Rental
7359n Audio Visual Equipment Rental & Leasing
7359o Major Household Appliance Rental
7359q Sound System & Equipment Rental
7359r Washing Machine Dryer & Ironer Rental
7359s Ladder Rental
7359t Spraying Equipment Rental
7359u Refrigerator & Freezer Rental & Leasing
7359v Musical Instrument Rental
7359x Table Rental

736- Personnel Supply Services

7361 Employment Agencies
7361b Nurse Registries
7361c Executive Recruiters
7361j Labor Contractors
7363 Help Supply Services
7363a Temporary Business Supply Services
7363b Modeling Agencies
7363d Bartending Services
7363e Chauffeur Services

737- Computer Programming, Data Processing, And Other Computer Related Services

7371 Computer Programming Services
7371a Computer Software Development Services
7371b Custom Computer Programming Services
7372 Software (Computer) Prepackaged
7373 Computer Integrated Systems Design
7374 Computer Processing & Data Preparation & Processing Services
7375 Information Retrieval Services
7376 Computer Facilities Management Services
7377 Computer Rental & Leasing
7378 Computer Maintenance & Repair Services
7378a Computer Peripheral Equipment Repair Services
7378b Computer Service And Repair
7378c Word Processing Equipment Maintenance
7379 Computer Related Services
7379c Computer System Consultants
7379d Computer Graphics Services

738- Miscellaneous Business Services

7381 Detective Guard & Armored Car Services
7381a Armored Car Services
7381b Detective Agencies
7381c Lie Detection Services
7381d Guard & Patrol Services
7382 Security Systems Services

7382a Fire Protection Services
7383 News Syndicates
7384 Photofinishing Laboratories
7384b Photofinishing Retail
7389 Business Services
7389a Appraisers
7389b Auctioneers & Liquidators
7389c Business Brokers
7389d Draftsmen Services
7389e Mediation & Arbitration Services
7389f Interior Design Services
7389g Export Services
7389h Yacht Brokers
7389i Seminar & Lecture Bureaus
7389j Microfilming Services
7389k Packing & Crating Services Except For Shipping
7389l Trade Show Party Services & Supplies
7389m Swimming Pool & Hot Tub Services
7389n Telephone Answering & Message Services Exc Beeper
7389o Auto Transporters & Drive Away Services
7389p Process Serving Services
7389q Hotel & Motel Reservations
7389r Translators & Interpreters
7389s Notary Publics
7389t Telemarketing & Telephone Interviewing
7389u Sign Letterers & Painters
7389v Embroidery & Monogram Services
7389w Trading Stamp & Coupon Services & Companies
7389x Water Softening Services
7389y Video & Sound Recording Services

75-- Automotive Repair, Services, And Parking
7513 Truck Rental & Leasing Without Driver
7514 Automobile Rental
7515 Automobile Leasing
7519 Utility Trailer & Recreational Vehicle Rental
7519a Mobile Home Rental
7519f Motor Home Rental & Leasing

752- Automobile Parking
7521 Automobile Parking
7521a Automobile Parking Lots & Garages
7521c Automobile Parking Attendant Service

7532 Automobile Top Body & Upholstery Repair & Paint Shops
7532a Automobile Tire & Body Repair Shops
7532b Automobile Upholstery & Top Repair Shops
7532c Automobile Body Repair Shops
7532d Automobile Paint Shops
7532e Truck Painting & Lettering
7532g Automobile Customizing & Conversion Services
7533 Automobile Exhaust System Repair Shops
7534 Automobile Tire Retreading & Repair Shops
7536 Automobile Glass Replacement Shops
7537 Automobile Transmission Repair Shops
7538 Automobile Repair Shops
7538a Truck Repair Shops
7538b Recreational Vehicle Repair Shops
7538c Automobile Machine Shops
7538h Bus Repair & Service
7538u Automobile Engine Rebuilding Repair & Exchange
7538z Automobile Crankshaft Grinding Services
7539 Automobile Repair Shops
7539a Automobile Brake Services
7539b Automobile Electrical Services
7539e Automobile Wheel & Frame Alignment Shops
7539f Automobile Radiator & Gas Tank Repair Shops
7539g Automobile Carburetor Repair Shops
7539j Automobile Shock Absorber & Spring Service
7539y Automobile Emission Control Service

754- Automotive Services, Except Repair
7542 Car & Truck Washes
7542a Truck Washes
7542b Automobile Washing & Waxing
7542c Automobile Steam Cleaning Services
7549 Automobile Services Except Repair & Washing
7549a Automobile Towing & Road Services
7549c Automobile Rust proofing & Undercoating Services
7549d Automobile Oil Change & Lubrication Services Only
7549e Mobile Lubrication Services
7549f Automobile Air Conditioning Sales Installation & Service

76-- Miscellaneous Repair Services
762- Electrical Repair Shops
7622 Radio Television & Consumer Electronic Repair Shops
7622a Radio & Television Repair Shops
7622b Video Equipment Repair Shops
7622c Stereo & Hi Fi Repair Shops
7622d Antenna Installation & Repair Shops
7622h Audio Visual Equipment Repair Shops
7623 Refrigeration & Air Conditioning Service & Repair Services
7623a Air Conditioning Repair Services
7623b Refrigeration Repair Services
7623e Air Conditioning Equipment Room Unit Repair Services
7623f Air Conditioning System Cleaning Testing & Balancing Services
7629 Electrical & Electronic Repairs
7629a Electrical Appliance Repair Services
7629b Vacuum Cleaner Repair Services
7629c Clothes Washing Machine & Dryer Repair Services
7629d Lamp & Lighting Fixture Repair & Mounting Shops
7629e Electronic Equipment Repair Shops
7629k Electrical Equipment Repair & Service
7629u Marine Electrical Equipment Repair
7629w Garbage Disposal Equipment Repair & Service
7629y Microwave Oven Repair Service

763- Watch, Clock, And Jewelry Repair
7631 Watch Clock & Jewelry Repair
7631a Watch & Clock Repair Services
7631b Diamond Setters
7631c Jewelry Repair Services

764- Reupholstery And Furniture Repair
7641 Furniture Repair & Reupholstery
7641a Furniture - Upholsterers
7641b Home Furniture Repair & Refinishing Services
7641c Office Furniture & Equipment Repair & Refinishing Services
7641d Antique Furniture Restoring & Repair Shops
7641g Caning

769- Miscellaneous Repair Shops And Related Services
7692 Welding Repair
7692d Industrial Welding
7694 Armature Rewinding & Electric Motor Repair Shops
7699 Repair Shops & Related Services
7699a Air Compressor & Pump Repair Shops
7699b Bicycle Repair Shops
7699c Blacksmiths
7699d Industrial Tool Grinders
7699e Lawn Mower Repair & Service
7699f Leather Goods Repair
7699g Locksmiths
7699h Sewer Septic Tank & Drain Cleaning & Repair
7699i Racket Restringing & Repair
7699j Gas & Oil Burner Repair Services
7699k Organ & Piano Tuning & Repair Services
7699l Taxidermists
7699m Carpet & Rug Repairing Services
7699n Doors Door Closers & Checks Repair Services
7699o Bathtubs & Sinks Repair & Refinishing
7699p Tool Repair Sharpening Services & Contractor Equipment
7699q Doll Repair Services
7699r Gas Appliances Repair Services
7699s Mobile Home Repair Services
7699t Sewing Machine Repair Services
7699u Silverware Cleaning Repairing & Replating
7699v Industrial Balancing Services
7699x Musical Instrument Repair Services
7699y Motorcycle Repair Services
7699z Typewriter Repair Services

78-- Motion Pictures
781- Motion Picture Production And Allied Services
7812 Motion Picture & Video Tape Production
7812a Film Motion Picture Producers
7812b Television Program Producers
7812e Television Film Production & Distribution
7819 Motion Picture Production Services
7819a Motion Picture Film & Video Editing
7819c Motion Picture Laboratories
7819d Motion Picture Equipment Supplies & Studio Rental

782- Motion Picture Distribution And Allied Services
7822 Motion Picture & Video Tape Distribution
7822a Motion Picture Film Distributors & Exchanges
7822b Television Film & Tape Distribution
7822c Video Tapes (Prerecorded) & Discs Wholesale
7829 Motion Picture Distribution Services
7829a Motion Picture Libraries

783- Motion Picture Theaters
7832 Motion Picture Theaters Except Drive In
7833 Drive In Motion Picture Theaters

784- Video Tape Rental
7841 Video Tape Disk & Film Rental
7841a Motion Picture Film Rental To The General Public
7841b Video Disk & Tape Rental To The General Public

79-- Amusement And Recreation Services
791- Dance Studios, Schools, And Halls
7911 Dance Studios Schools & Halls
7911a Dancing Schools
7911b Ballrooms

792- Theatrical Producers (Except Motion Picture), Bands, Orchestras
7922 Producers Except Motion Pictures & Miscellaneous Theatrical Services
7922a Theater & Sports Ticket Agencies
7922b Theatrical Agents
7922c Theater Equipment & Supplies
7922d Opera Companies
7922f Radio Program Producers
7922g Theatres
7922h Dance Companies
7922m Radio & Television Commercial Producers
7922n Television Program Distributors
7929 Bands Orchestras Actors & Other Entertainment Groups
7929a Orchestras & Bands
7929b Entertainers
7929c Singing Telegrams
7929d Musicians
7929e Entertainment & Concert Bureaus
7929f Disc Jockeys

793- Bowling Centers
7933 Bowling Centers

794- Commercial Sports
7941 Professional Sports Clubs & Promoters
7941a Soccer Clubs
7941b Sports Promoters & Managers
7948 Racing Including Track Operations

799- Miscellaneous Amusement And Recreation Services
7991 Physical Fitness Facilities
7991a Athletic Clubs
7991b Health Clubs & Reducing Salons
7991c Spas
7991d Physical Fitness Clubs
7991e Gymnasiums
7992 Public Golf Courses
7993 Coin Operated Amusement Devices
7996 Amusement Parks
7997 Membership Sports & Recreation Clubs
7997a Bridge Clubs
7997b Golf & Country Clubs
7997c Private Tennis Badminton Squash Handball & Racquet Ball Clubs
7997e Yacht & Boating Clubs
7999 Amusement & Recreation Services
7999a Astrologers
7999b Manned Balloons
7999c Bicycle & Motorcycle Rentals
7999d Ice Skating Rinks
7999e Miniature Golf Courses
7999f Recreation Centers
7999g Riding Academies & Stables
7999h Boating Instructions
7999i Card Playing Rooms
7999j Roller Skating Rinks
7999k Public Tennis & Racquetball Courts
7999l Swimming Pool Facilities Except Membership
7999m Boat & Canoe Rental Services
7999n Guide Services
7999o Tennis Instruction
7999p Martial Arts & Self Defense Instruction
7999q Tourist Attractions
7999r Billiard & Pool Establishments
7999s Recreation Equipment Rental
7999t Diving Instructions
7999u Fairgrounds
7999v Golf Instructions
7999w Knitting Instructions
7999x Swimming Instructions
7999z Fishing Lakes & Parties

80-- Health Services
801- Offices And Clinics Of Doctors Of Medicine
8011 Doctors Of Medicine - Clinics & Offices
8011a Administrative Physicians & Surgeons
8011c Research Physicians
8011e Physicians & Surgeons
8011i Intern Physicians & Surgeons 1st Year Resident
8011o Office Based Physicians & Surgeons
8011r Resident Physicians & Surgeons
8011s Full Time Hospital Staff Physicians & Surgeons
8011t Medical Teaching Physicians & Surgeons
8011v Retired Physicians & Surgeons

802- Offices And Clinics Of Dentists
8021 Dentists - Clinics And Offices
8021a Dental Groups & Clinics
8021b Dentists Group Corporate & Insurance Plans & Practice
8021c Oral Surgeons
8021e Endodontists
8021g Orthodontists
8021h Pedodontists
8021i Periodontists
8021j Prosthodontists

803- Offices And Clinics Of Doctors Of Osteopathy
8031 Osteopathy (Doctors Of)
8031b Osteopathic Clinics

804- Offices And Clinics Of Other Health Practitioners
8041 Chiropractors Clinics & Offices
8042 Optometrists - Clinics And Offices
8042a Pediatric Optometrists
8042b Contact Lenses Optometrists
8042c Geriatric Optometrists
8042d Low Vision Optometrists
8042e Visual Training Optometrists
8042f Optometrists Group & Corporate Practice
8043 Podiatrists & Chiropodists - Clinics And Offices
8049 Health Practitioners - Clinics And Offices
8049b Psychologists
8049c Acupuncturists
8049d Biofeedback Therapy & Training
8049e Naturopaths
8049f Hypnotists
8049g Dietitians
8049h Drugless Practitioners
8049i Hypnotherapy
8049j Occupational Therapists
8049k Paramedics
8049l Parapsychologists
8049m Naprapaths
8049n Reflexologists
8049o Holistic Practitioners
8049p Psychiatric Social Workers
8049u Dental Hygienists
8049w Midwives

805- Nursing And Personal Care Facilities
8051 Skilled Nursing Care Facilities
8052 Intermediate Care Facilities
8059 Nursing & Personal Care Facilities
8059a Nursing & Rest Home Boarding Care Facilities
8059b Convalescent Homes
8059d Health Facilities
8059f Hospices
8059g Adult Health Care Facilities

806- Hospitals
8062 Hospitals - General Medical & Surgical
8062a State Hospitals
8062b County Hospitals
8062c City Hospitals
8062e Government District Or Authority Hospitals
8062f Church Operated Hospitals
8062g Non Profit Hospitals Not Government
8062o Veterans Administration Hospitals
8062p Ama Approved Residency Hospitals
8062q Hospital Affiliated With Ama Residency
8062r Hospital W/Professional Nursing School W/Ama Residency
8062s Schools - Hospitals With Professional Nursing Affiliation
8062t Schools - Hospitals With Nursing Internship
8062u Medical Schools With Hospital Affiliation
8062v Hospitals With Professional Nursing School
8063 Psychiatric Hospitals
8069 Specialty Hospitals Except Psychiatric
8069a Sanitariums

807- Medical And Dental Laboratories
8071 Medical & X-Ray Laboratories
8071a Medical Laboratories
8071b Medical X-Ray Laboratories
8071c Dental X-Ray Laboratories
8072 Dental Laboratories

808- Home Health Care Services
8082 Home Health Care Services

809- Miscellaneous Health And Allied Services, Not Elsewhere Classified
8092 Kidney Dialysis Centers
8093 Specialty Outpatient Facilities
8093a Birth Control & Family Planning Centers
8093b Health & Welfare Clinics
8093c Smoking Information & Treatment Centers
8093d Mental Health & Psychiatric Clinics
8093e Physical & Occupational Therapy & Rehabilitation Services
8093f Alcohol Information & Treatment Centers
8093g Drug Abuse Information & Treatment Centers
8093t Medical Groups & Clinics
8099 Health & Allied Services
8099a Blood Banks
8099c Physician & Surgeon Information & Referral Services
8099d Hmo (Health Maintenance Organizations)
8099e Childbirth Information Services & Preparation Classes
8099g Nursing Home Services
8099h Denture Fabrication & Repair Services
8099j Colonic Irrigation Services
8099k Poison Control Centers
8099l Sperm Banks

81-- Legal Services
811- Legal Services
8111 Attorneys & Legal Services
8111a Copyright Patent & Trademark Attorneys
8111e Divorce Assistance
8111f Legal Clinics
8111m Attorney & Lawyer Service Bureaus
8111z Legal Services

82-- Educational Services
821- Elementary And Secondary Schools
8211 Elementary & Secondary Schools
8211a Catholic Elementary Schools
8211b Catholic Junior High Schools
8211c Catholic Senior High Schools
8211d Catholic Combined Elementary & Secondary Schools
8211e Catholic Vocational & Technical Schools
8211f Catholic Special Education Schools
8211g Catholic Schools
8211h Private Elementary Schools
8211i Private Junior High Schools
8211j Private Senior High Schools
8211k Private Combined Elementary & Secondary Schools
8211l Private Vocational & Technical Schools
8211m Private Special Education Schools
8211n Private Schools
8211o Public Elementary Schools
8211p Public Junior High Schools
8211q Public Senior High Schools
8211r Public Combined Elementary & Secondary Schools
8211s Public Vocational & Technical Schools
8211t Public Special Education Schools
8211u Public Adult Education Schools
8211v Public Schools
8211w Public School Districts
8211y Private & Parochial Schools
8211z Religious & Parochial Schools

822- Colleges, Universities, Professional Schools, And Junior Colleges
8221 Colleges Universities & Professional Schools
8222 Junior Colleges & Technical Institutes

823- Libraries
8231 Libraries
8231a Public Libraries
8231b Special Libraries
8231c College & University Libraries
8231d Junior College Libraries
8231e Law Libraries
8231f Medical Libraries
8231g Military Post Libraries
8231h Government Libraries
8231i Religious Libraries

824- Vocational Schools
8243 Data Processing Schools
8244 Business & Secretarial Schools
8244b Business & Vocational Schools
8244c Business Only Educational Services
8249 Vocational Schools
8249a Commercial Art & Photography Schools
8249b Medical & Dental Assistant Schools
8249c Practical Nurse Training Schools
8249d Real Estate & Insurance Schools
8249e Industrial Technical & Trade Schools
8249f Correspondence Schools
8249g Aviation Schools Excluding Flying Instruction

829- Schools And Educational Services, Not Elsewhere Classified
8299 Schools & Educational Services
8299a Flight Schools
8299b Automobile Driving Schools
8299c Dressmaking & Sewing Schools
8299d Language Schools
8299e Modeling & Charm Schools
8299f Music & Fine Art Schools
8299j Art Schools
8299k Bible Study & Schools
8299m Personal Development Schools
8299r School Information & Referral Services
8299s General Interest Schools
8299t Baton Twirling Schools
8299u Cooking Schools
8299v Drama Schools
8299w Public Speaking & Speech Schools
8299x Motivational & Self Improvement Schools
8299y Craft Schools
8299z Schools - Special Academic Education

83-- Social Services
832- Individual And Family Social Services
8322 Individual & Family Social Services
8322a Family & Marriage Counselors
8322b Social Workers
8322c Youth Organizations & Centers
8322d Senior Citizen Organizations
8322e Social Services & Welfare Organizations
8322f Child Abuse Information & Treatment Centers
8322g Suicide Prevention Services
8322h Child & Parental Guidance Institutions
8322m Missions
8322n Social Settlements
8322p Homemaker Services
8322q Adult Day Care Centers

833- Job Training And Vocational Rehabilitation Services
8331 Job Training & Vocational Rehabilitation Services
8331c Career & Vocational Counseling
8331d Apprenticeship Training Programs
8331e Employment Training Services

835- Child Day Care Services
8351 Child Day Care Services

836- Residential Care
8361 Residential Care
8361c Homes For The Blind
8361d Adult Residential Care Homes
8361f Retirement Communities & Homes

839- Social Services, Not Elsewhere Classified
8399 Social Services
8399b Fund Raising Services
8399z National Association Headquarters

84-- Museums, Art Galleries, And Botanical And Zoological Gardens
841- Museums And Art Galleries
8412 Art Galleries & Museums
8412a Art Galleries

842- Arboreta And Botanical Or Zoological Gardens
8422 Arboreta & Botanical Or Zoological Gardens
8422a Animal & Reptile Exhibits
8422b Zoos

86-- Membership Organizations
861- Business Associations
8611 Business Associations
8611a Chambers Of Commerce
8611b Junior Chambers Of Commerce
8611c Business & Trade Organizations

862- Professional Membership Organizations
8621 Professional Membership Organizations

863- Labor Unions And Similar Labor Organizations
8631 Labor Unions & Similar Labor Organizations

864- Civic, Social, And Fraternal Associations
8641 Civic Social & Fraternal Associations
8641a Military & Veterans Organizations
8641b Fraternities And Sororities
8641c Environmental Protection Organizations
8641d Youth Clubs
8641f Educational Organizations

865- Political Organizations
8651 Political Organizations

866- Religious Organizations
8661 Religious Organizations & Leaders
8661a Churches Convents & Monasteries
8661b Apostolic Churches
8661c Assembly Of God Churches
8661d Baptist Churches
8661e Seventh Day Adventist Churches
8661f Buddhist Temples
8661g Churches Of The Brethren
8661h Christian & Reformed Churches
8661i Jewish Synagogues
8661j Christian Reformed Churches
8661k Churches - Christian Science
8661l Churches Of Christ
8661m Churches Of God
8661n Covenant & Evangelical Churches
8661o Mormon Churches
8661p Episcopal Churches
8661q Lutheran Churches
8661r Mennonite Churches
8661s Methodist Churches
8661t Churches Of The Nazarene
8661u Pentecostal Churches
8661v Presbyterian Churches
8661w Catholic Churches
8661x Reformed Churches
8661y Greek Orthodox Churches
8661z Catholic Diocesan Offices

869- Membership Organizations, Not Elsewhere Classified
8699 Membership Organizations
8699b Christian Science Reading Room
8699c Women's Organizations & Services

87-- Engineering, Accounting, Research, Management
871- Engineering, Architectural, And Surveying Services
8711 Engineering Services
8711b Structural Engineering Services
8711c Industrial Engineering & Design Services
8711d Foundation Engineering
8711e Civil Engineers
8711f Energy Conservation Engineers & Engineering Services
8711g Geotechnical Engineering Services
8711h Professional Engineering Services
8711i Acoustical Engineering Services
8711j Electrical & Electronic Engineering Services
8711k Heating Air Conditioning & Ventilating Engineering Services
8711l Mechanical Engineering Services
8711m Environmental Engineering Services
8711n Mining Engineering Services
8711o Marine Engineers & Engineering Services
8711p Fire Protection Engineers & Engineering Services
8711q Sanitary Engineering Services
8711r Chemical Engineering Services
8711v Land Planning Engineering Services
8711w Petroleum Engineering Services
8712 Architectural Services
8712b Naval Architects
8712c Architect & Builder Services
8712d Architectural Design Services
8712e Engineering & Architectural Services
8713 Surveying Services

872- Accounting, Auditing, And Bookkeeping Services
8721 Accounting Auditing & Bookkeeping Services
8721a Accounting Services
8721b Calculating Statistical & Payroll Services
8721c Bookkeeping Services

873- Research, Development, And Testing Services
8731 Commercial Physical & Biological Research
8731a Electronic Research & Development
8731b Experimental Work
8732 Commercial Economic Sociological & Educational Research
8732a Market Research Services
8733 Noncommercial Research Organizations
8733a Educational Research Foundations
8733b Bacteriologists
8734 Testing Laboratories
8734a Percolation Testing Laboratories
8734d Industrial X-Ray Laboratories

874- Management And Public Relations Services
8741 Management Services
8741b Inventory Management Services
8741d Sales Management Services
8741e Hotel & Motel Management
8741f Marketing Management Services & Programs
8741g Product Development & Marketing Management Services
8741i Restaurant & Food Service Management Services
8742 Management Consulting Services
8742f Employee & Human Resources Management Consulting
8742h Industrial And Labor Relations Consultants
8742k Marketing Consultants
8743 Public Relations Services
8743c Lobbyists
8744 Facilities Support Management Services
8748 Business Consulting Services
8748a City & Town Planners
8748b Energy Conservation Consultants
8748c Interpersonal Business Communication Consultants
8748d Educational Consultants
8748e Safety Consultants
8748f Electronic Consultants
8748g Petroleum Consultants
8748h Consultants - Mining
8748i Economic Consultants
8748j Hospital Consultants
8748k Acoustical Consultants
8748l Engineering Consulting Services
8748m Building Construction Consultants
8748n Lighting Consultants
8748o Real Estate Consultants
8748p Financial & Financing Consulting Services
8748q Industrial Consultants
8748r Parking & Traffic Consulting Services
8748s Food & Beverage Consultants
8748t Foreign Trade Consultants

8748u Industrial Hygiene Consultants

88-- Private Households
881- Private Households
8811 Private Households

89-- Services, Not Elsewhere Classified
899- Services, Not Elsewhere Classified
8999 Services
8999a Actuarial Services
8999b Chemists & Scientists
8999c Information Bureaus
8999f Composers & Musical Arrangers
8999g Geophysicists
8999h Geologists
8999i Archaeologists
8999j License Services
8999k Artists & Artists Studios
8999l Sculptors
8999o Professional Talent Management
8999p Art Restoration Services
8999q Eviction Services
8999w Noncommercial Scientific Consulting Services

91-- Executive, Legislative, And General Government, Except Finance
911- Executive Offices
9111 Executive Offices
9111a City Halls - City & Town Management Offices
9111b County Supervisor & Executive Offices
9111y County Seats - County Government Offices
9111z Local Government Executive Offices

912- Legislative Bodies
9121 Legislative Bodies

913- Executive And Legislative Offices Combined
9131 Executive And Legislative Offices Combined

919- General Government, Not Elsewhere Classified
9199 General Government
9199a General Federal Government Offices
9199b General State Government Offices

92-- Justice, Public Order, And Safety
921- Courts
9211 Courts
9211a Justices Of The Peace

922- Public Order And Safety
9221 Police Protection
9221a City Marshalls
9221b Constables
9221c Sheriffs
9222 Legal Counsel & Prosecution
9223 Correctional Institutions
9224 Fire Protection
9224a Volunteer Fire Departments
9224x Volunteer Rescue Services
9229 Public Order & Safety

93-- Public Finance, Taxation, And Monetary Policy
931- Public Finance, Taxation, And Monetary Policy
9311 Public Finance Taxation & Monetary Policy

94-- Administration Of Human Resource Programs
941- Administration Of Educational Programs
9411 Administration Of Educational Programs
9411a Bureau Of Indian Affairs & Schools

943- Administration Of Public Health Programs
9431 Administration Of Public Health Programs

944- Administration Of Social, Human Resource And Income Maintenance Programs
9441 Administration Of Social Human Resource & Income Maintenance Programs

945- Administration Of Veteran's Affairs, Except Health And Insurance
9451 Administration Of Veterans Affairs Except Health & Insurance

95-- Administration Of Environmental Quality And Housing Programs
951- Administration Of Environmental Quality Programs
9511 Air Water Resource & Solid Waste Management
9511a Air Pollution Control Agencies
9511b Water Pollution Control Agencies
9512 Land Mineral Wildlife & Forest Conservation

953- Administration Of Housing And Urban Development Programs
9531 Administration Of Housing Programs
9531a Housing Authorities
9532 Administration Of Urban Planning & Rural Development

96-- Administration Of Economic Programs
961- Administration Of General Economic Programs
9611 Administration Of General Economic Programs

962- Regulation And Administration Of Transportation Programs
9621 Regulation & Administration Of Transportation Programs

963- Regulation And Administration Of Communications, Electric, Gas, And Other
9631 Regulation & Administration Of Communications & Utilities

964- Regulation Of Agricultural Marketing And Commodities
9641 Regulation Of Agricultural Marketing & Commodities
9641a County Agricultural Agents

965- Regulation, Licensing, And Inspection Of Miscellaneous Commercial Sectors
9651 Regulation Licensing & Inspection Of Misc Commercial Sectors

966- Space Research And Technology
9661 Space Research & Technology

97-- National Security And International Affairs
971- National Security
9711 National Security
9711a Armed Forces Recruiting

972- International Affairs
9721 International Affairs
9721a Consulates & Embassies

99-- Nonclassifiable Establishments
999- Nonclassifiable Establishments
9999 Nonclassifiable Establishments

Appendix C: Land Use Tables

P = Permitted Use
C = Conditional Use

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
RESIDENTIAL																											
Household units - housing authority housing only (1100)																						C					
Single-Family Dwelling - Detached (1111)	P	P	P	P	P	C	C	P	P																		
Single-Family Dwelling - Attached (1112)		C	C	P	P	C	C																				
Two-Family Dwelling - attached to commercial or other nonresidential use (1123)												P															
Multiple Family Dwelling (1133)												P															
Apartments - low rise attached to commercial or other nonresidential use as a mixed-use project as set forth in Rexburg City (1143)												P															
Apartments - high rise attached to commercial or other non-residential use; as a mixed-use project as set forth in Rexburg City Code (1153)												P															
Apartments - maximum of six (6) persons per unit attached to commercial or other nonresidential use as a mixed-use project as set forth in Section3.15.160, Rexburg City Code (1211)												C															
Membership Lodging (1220)												P															
Assisted and Residential Care Facility (1241)		C	C	C	C	P	P		C																		
Religious Quarters (1250)												P															
Residential Facility for Elderly Persons (1291)		C	C	C	C	P	P		C		P	P															
Disabled Persons Residential Facility (1292)	P	P	P	P	P	P	P	P	P		P	P										C					
Residential Hotels (1300)												P															
Transient Lodgings (1500)												P															
Hotels (1511)												C		C	C												
Motels - highway frontage only (1512)											C			C	P												
Tourist Courts (1513)															P												

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
MANUFACTURING																											
Food and Kindred Products - except 2111 and 2194 (2100)																	P										
Meat Packing (2111)																	C										
Poultry and Small Game Dressing and Packing (2113)																C											
Dairy Products (2120)																C											
Canning - Specialty Foods (2132)																C											
Canning - Fruits, Vegetables, Preserves, Jams, etc. (2133)																C											
Frozen Fruits, Fruit Juices, Vegetables, etc. (2137)																C											
Bakery Products (2150)																P											
Confectionery and Related Products (2170)																P											
Bottling and Canning Soft Drinks and Carbonated Waters (2185)																P											
Animal and Marine Fats and Oils (2194)																	C										
Textile Mill Products - except 2296 (2200)																P											
Tire Cord and Fabric (2296)																	P										
Apparel and Other Finished Products Made from Fabrics, Leather, Etc. - except 2361 (2300)																P											
Leather Tanning and Finishing (2361)																	P										
Lumber and Wood Products (2400)																	P										
Furniture and Fixtures (2500)																P											
Paper and Allied Products - except 2610 Pulp (2600)																	P										
Pulp (2610)																	C										
Converted Paper and Paperboard Products - except containers and boxes (2640)																P											
Printing, Publishing - including newspapers (2700)														P		P								P	P	P	
Commercial Printing (2740)																	P										
Commercial Printing only related to retail sales of printed products (2742)											P																
Chemicals and Allied Products - except 2892 and 2899 (2800)																	P										
Industrial Inorganic Chemicals - includes air separation facilities (2811)																C											
Plastic Materials, Synthetic Resins, and non-vulcanizable elastomers (2821)																C											

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
MANUFACTURING - CONT'D																											
Drugs (2830)																C											
Perfumes, Cosmetics, and Other Toilet preparations (2844)																P											
Softwood Distillates (2861)																				P							
Explosives (2892)																	C										
Printing Ink (2893)																P											
Fireworks Only (2899)																	C										
Paving and Roofing Materials (2920)																	C										
Rubber Footwear (3120)																P											
Reclaimed Rubber (3130)																	C										
Miscellaneous Plastic products (3140)																C											
Miscellaneous Fabricated Rubber Products (3190)																C											
Flat Glass (3210)																P											
Flat Glass, Glassware (3210 & 3220)														P													
Glass and Glassware - Pressed or Blown (3220)																P											
Structural Clay Products (3240)																	C										
Pottery and Related Products (3250)																P											
Farm Equipment (3252)														P													
Pottery & Related Products (3260)														P			C										
Cut Stone and Stone Products (3270)																P											
Non-clay Refractories (3286)																	C										
Blast Furnaces, Steel Works, Etc. (3310)																	C										
Iron and Steel Foundries (3320)																	C										
Primary Smelting and Refining of Nonferrous Metals (3330)																	C										
Secondary Smelting and Refining of Nonferrous Metals (3340)																	C										
Rolling, Drawing, and Extruding of Nonferrous Metals (3350)																	C										
Nonferrous foundries - small item casting only (3360)																C	P										
Nonferrous Forgings (3392)																	P										
Fabricated Metal Products - excepts 3410 ordinate and accessories (3400)																	P										
Ordinate and Accessories (3410)																	C										

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
MANUFACTURING - CONT'D																											
Metal Working Machinery and Equipment - tool and dye shops, machine shops, etc. (3424)																C											
Office Machines - Small (3427)																P											
Electrical Machinery, Equipment Supplies (3430)														C		P											
Aircraft manufacturing and assembling - in or adjacent to an airport (3442)																						C					
Aircraft engines and engine parts - in or adjacent to an airport (3443)																						C					
Aircraft parts other than engines - in or adjacent to an airport (3444)																						C					
Cutlery, Hand Tools, and General Hardware (3492)																P											
Fabricated Wire products (3498)																C											
Professional, Scientific, Optical Goods (3500)														C		P											
Laboratory & Research Instruments (3510)														P										P	P	P	
Instruments for Measuring (3520)														P													
Optical Instruments and Lenses (3550)														P													
Film Manufacturing (3560)																	P										
Computers; digital, analog & hybrid (3571)																				P							
Computer storage units (3572)																				P							
Computer terminals (3575)																				P							
Computer output to microfilm units, computer peripheral equipment (3577)																				P							
Computer software tape and disks, blank: rigid and floppy (3695)																				P							
Computer interface equipment for industrial process control (3823)																				P							
Computerized axial-tomography - CT/Cat Scanner apparatus (3845)																				P							
Miscellaneous Manufacturing - except 3993 and 3995 (3900)																P											
Musical Instruments (3920)																								P	P	P	
Matches (3993)																	P										
Morticians' Goods (3995)																	P										
Other Miscellaneous Manufacturing as determined by the Planning and Zoning Commission (3999)																	P										

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
TRANSPORTATION & UTILITIES																											
Railroads, Including Terminals and Yards (4100)														C		P	P					C					
Bus Passenger Terminals (4121 - 4123)														P										P	P	P	
Motor Vehicle Transportation (4200)																C	P										
Bus Transportation - except 4214 (4210)												P															
Bus Garaging, Equipment Maintenance (4214)														C										P	P	P	
Motor Freight Terminals (4221)														C										P	P	P	
Motor Freight Garaging and Maintenance (4222)														C										P	P	P	
Motor Vehicle transportation (4290)												P															
Ambulance Service (4292)											C																
Ambulance services (4294)																						C					
Airports and flying fields (4310)																						C					
Heliport Landing/Take-Off Pads, with Maintenance Facilities (4390)																	C					C					
Heliport - with pads only, no maintenance (4392)												C				C											
Highways and street rights-of-way (4500)																				P		P					
Parking lot - surplus parking only (4600)											C	P		P		P	P					C		P	P	P	
Communications (4700)	C	C	C	C	C	C	C		C			C	C		C	P	P		C	P/C		C					
Telephone Exchange Stations, Microwave Towers (4710)																								P	P	P	
Low Power Radio Communication Towers and Antennas (4715)																C	C										
Radio and TV Transmitting Stations and Towers (4732)														C										P	P	P	
Radio, Television Broadcasting Station (4750)														C										P	P	P	
Utilities - except 4812, 4813, and 4822 (4800)																	P										
Electric transmission right-of-way - identifies areas where the surface is devoted exclusively to the right-of-way of the activity (4811)												P	P	P	P	P	P		P			P					
Electric generation plants - conventional fuel including hydro-electric, solar, etc. (4812)																	C					C					
Electric generation plants - nuclear energy (4813)																	C										
Electricity Regulating Substations (4814)	C	C	C	C	C	C	C		C			C	C	C	C	C			C			C					

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
TRANSP. & UTILITIES - CONT'D																											
Electric utility company office (4815)												C				C						C					
Small Generation (4818)												C	C	C	C	C			C			C					
other electric utility, NEC (4819)												C				C											
Gas pipeline right-of-way - identifies areas where the surface is devoted exclusively to the right-of-way of the activity (4821)												P	P	P	P	P	P		P			P					
Natural or manufactured gas storage; distribution points (4823)												C	C	C	C	C	C										
Gas pressure control stations (4824)												P	P	P	P	P	P		P			P					
Gas Company Office (4825)												C				C											
Other Gas Utilities, NEC (4829)												C	C	C	C	C			C			C					
Water pipeline right-of-way - identifies areas where the surface is devoted exclusively to the activity (4831)												P	P	P	P	P	P		P			P					
Water Treatment Plants - Purification (4832)																C						C					
Water storage as part of a utility system - open reservoirs (4833)																						C					
Water storage as part of a utility system - covered including water storage stand pipes (4834)											C	C	C	C	C	C			C			C					
Irrigation distribution channels (4835)												P	P	P	P	P	P		P			P					
Water pressure control stations and pumping plants (4836)												P	P	P	P	P	P		P			P					
Water utilities or irrigation company office (4837)												P				P	P					P					
Other Water Utilities or Irrigation, NEC (4839)																C						C					
Sewage pipeline right-of-way - identifies areas where surface is devoted exclusively to right-of-way activity (4841)												P	P	P	P	P	P		P			P					
Sewage pumping stations (4844)												P	P	P	P	P	P		P			P					
Water Reclamation Plants, Sludge Drying Beds, etc. (4845)																C						C					
Water Pressure Control Station and Pumping Plants (4846)																P	P					C					
Other Sewage Disposal, NEC (4849)																C						C					
Central garbage grinding stations and composting plants (4852)																						C					
Refuse disposal company office (4853)												P				P						C					
Refuse Disposals (4855)																C											

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
TRANSP. & UTILITIES - CONT'D																											
Active slag dumps and mineral waste disposals (4857)																						C					
Combination Utilities Company Storage Yards and Equipment Storage (4861)																C						C					
Gas and electric utility company office (4862)												P				P	P					P					
Water and electric utility company office (4863)												P				P	P					P					
Combination utilities right-of-way - identifies areas where surface is devoted exclusively to right-of-way activity (4864)												P	P	P	P	P	P		P			P					
Combination Utilities, NEC (4869)																C						C					
Debris Basin - a dam and basin for intercepting debris (4872)											C	C	C	C	C	C			C			C					
Storm drain or right-of-way - predominantly covered pipes or boxes (4873)												P	P	P	P	P	P		P			P					
Spreading Grounds - area for percolating water into underground (4874)											C	C	C	C	C	C			C			C					
Other Utilities, NEC (4890)																C						C					
Miscellaneous Transportation, Communication, and Utilities (4900)																P	P										
Travel Agencies (4923)											P	P		P	P				P	P							
Other Utility and Public Facilities (4939)	C	C	C	C	C	C	C		C															P	P	P	
WHOLESALE																											
Computer terminals - wholesale (5045)																				P							
Wholesale Trade - except 5150, 5182, 5191, 5192 5193, and 5199 (5100)																P											
Computer paper - wholesale (5112)																				P							
Drugs, and Druggist Supplies (5121)														P													
Farm Products, Grain (5121)														C													
Dry Goods and Apparel (5130)														P													
Farm Products - raw materials (5150)																	P										
Electrical Goods (5160)														P													
Hardware, Plumbing, Heating & Supplies (5170)														P													
Farm machinery and Equipment (5182)																	P										
Professional Equipment & Supplies (5183)														P													

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
WHOLESALE - CONT'D																											
Metals and Minerals - except petroleum Products and Scrap (5191)																	P										
Petroleum Bulk Stations and Terminals (5192)																	P										
Scrap and waste materials (5193)																	C										
Lumber and Construction materials (5198)																	P										
Miscellaneous Wholesale trade (5199)																C	P/C										
Building Materials, hardware, Farm Equipment, and Supplies (5200)																P											
RETAIL TRADE																											
Lumber Yards and Building Materials (5210)														P													
Lumber Yards (5211)																	P										
Building Materials - except lumber (5212)																	P										
Heating and plumbing equipment - no outside storage (5220)												P		P			P										
Paint, Glass and Wall Paper (5230)										C	P	P	C	P	P												
Electrical Supplies (5240)											P	P		P	P												
Hardware (5251)										C	P	P	C	P	P												
Farm Equipment (5252)																	P										
Janitorial Supplies (5254)																	P										
Building maintenance (5255)												P			P		P										
Swimming Pool Supplies (5256)										C		P	C	P	P												
General Merchandise - department, variety, etc. (5300)																								P	P	P	
Shopping Centers - if center is more than five acres but less than ten acres (5310)										C			P/C														
Department stores - includes major and junior chain department stores (5311)												P		P	P												
Discount Department Stores (5312)												P			P												
Surplus stores - inside only (5313)												P/C			C												
Mail and Phone Order Houses (5320)											P	P			P				C								
Variety Stores (5330)										C	P	P	C		P												
Merchandise vending machine operators (5340)												P			P												
Direct selling organization (5350)												P															
Retail Trade - General Merchandise (5390)											P	P			P												

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
RETAIL TRADE																											
Dry goods and general merchandise - yarn, linen crafts, fabric, etc - only in historic buildings on arterial streets (5391)																			C								
Food Stores (5400)											P	P			P												
Grocery Stores, Convenience - not supermarket (5410)										P/C			P/C														
Meats and Fish (5420)										C			C														
Fruits and Vegetables (5430)										C			C														
Candy, Nut, and Confectionery (5440)										C			C														
Candy, nut, and confectionery - only in historic buildings (5441)																			C								
Dairy Products (5450)										C			C														
Bakeries and Doughnut Shops (5460)										P			P														
Retail Trade item Food - except 5493 and 5497 (5490)										C	P	P	C	P	P												
Motor Vehicles (5510)														P													
New and Used Car Sales (5511)											C	C			P	C											
Motor Vehicles, automobiles - used only - retail trade (5512)											C	C				C											
Farm and Construction Vehicles (5513)																P	P										
Motor Vehicles, trucks and busses - new and used (5514)												C															
Motor vehicles, trucks and busses - used only (5515)												C			P												
Automobile Accessories - except tire recapping and vulcanizing (5520)											P	P	C	P	P												
Gasoline Service Stations (5530)											C	C	C	C	P	C	C										
Marine Craft and Accessories (5591)																P											
Aircraft and Accessories (5592)																P											
New and Used House Trailers and Campers (5593)																P											
Motorcycles, motor scooters, parts, accessories, and supplies (5594)											C	C			C												
Apparel and Accessories (5600)											P	P		P	P				P								
Shoes (5660)													C														
Cosmetics (5693)													C														
Furniture, Home Furnishings, and equipment - no combined warehousing (5700)											P	P		P	P												

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
RETAIL TRADE - CONT'D																											
Furniture, Home Furnishings, and Equipment - only in conjunction with an attached warehousing operation (5711)																C											
Draperies, Curtains, and Upholstery (5713)																C											
Picture Frames, Mirrors, Etc. (5718)													C														
Vacuum Cleaners, Parts and Supplies (5721)													C														
Sewing machines and parts (5724)													C														
Radios, television and sound systems (5730)													C														
Computer Stores - retail (5734)																				P							
Eating Places - Restaurants (5810)											P	P	P/C	P	P		C										
Restaurants (5811)																C			C	P							
Miscellaneous retail trade - except 5912, 5920, 5930, and 5980; only in historic buildings as defined in this Title (5900)																			C	P/C							
Drug and Proprietary Stores (5910)										P	P	P	P	P	P												
Prescription pharmacy - intended for the convenience of permitted establishments and/or clients thereof, provided that no business occupies more than fifteen (15) percent of the total floor area of the building in which it is located and has no separate entrance (5912)																			P	P							
Liquor, Package (5920)											C	C			C												
Antiques and second-hand merchandise - indoor only, except 5935, 5938, 5939 (5930)												C															
Antiques - indoor display only (5931)											P				C												
Second hand clothing, shoes, furniture and books - does not include 5933, flea markets or 5936, thrift stores - only in arterial streets (5932)																			C								
Second-hand auto parts - includes dismantling of automobiles for purposes of selling parts (5935)																	C										
Thrift Store and general second hand merchandise - indoor display and storage only; use of outdoor collection boxes is prohibited (5936)											C																
Junk dealers and salvage operations (5938)																	C										
Books, Stationery, Art and Hobby Supplies (5940)										P	P	P	P	P	P												

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
RETAIL TRADE - CONT'D																											
Sporting goods, bicycles, and toys (5950)											P	P	C	P	P												
Garden Supplies - fully enclosed only; no farm supplies (5960)													C														
Hay, grains, and feed (5961)																	P			P							
Garden Supplies - entirely within a building only (5969)											P	P		P	P		P										
Jewelry (5970)											P	P	C	P	P												
Fuel and ice - ice dispensing machine only (5980)													C														
Bottled Gas (5983)											C	C			C												
Ice Dealers - automated machines or pick-up stations only (5984)											P	P		P	P												
Miscellaneous retail stores - includes florists, cigars, newspapers, magazines, photo supplies, pet stores, and other similar retail stores (5990)											P	P		P	P												
Florists (5991)										P			P														
Cigars and cigarettes (5992)													C														
Cameras and photographic supplies (5994)													C											P	P	P	
Gifts, novelties, etc. (5995)													C														
Optical goods (5996)													C														
Paper products (5997)													C														
Miscellaneous Retail trade (5999)										C			C														
SERVICES																											
Finance, Insurance and Real Estate Services (6100)										C	P	P	C	P	P				P	P							
Personal Services - includes laundry, photography, beauty and barber services, clothing repair, shoe repair, etc. - except 6240 6299 wedding chapels and reception center only (6200)											P	P		P	P												
Laundry and Dry Cleaning - includes self-service Laundries (6210)										C	C	C	C	C	C												
Laundry Services (6211 - 6213, 6215)														P													
Laundry & Dry Cleaning, Self-Service (6214)										C	C	C	C	C	C	C											
Photographic Services (6220)										C			C	P					C	P				P	P	P	
Beauty and Barber Shops (6230)										P			P	P					C	P							

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
SERVICES - CONT'D																											
Funeral and Crematory Services (6240)														P								C					
Funeral Parlor - mortuary (6241)												P			C				C								
Cemeteries (6242)		C	C	C	C	C	C		C																		
Crematory (6243)												P															
Laundry Pick-up, Shoe Repair, Alteration (6250)														P													
Pressing, Alteration and Garment Repair (6251)										P			P														
Shoe Repair, Hat Cleaning (6254)										C			C														
Shoe shine stands (6255)													C														
Miscellaneous Personal Services (6290)										C			C														
Athletic clubs, body buildings studios, Spas, Aerobic Centers - no gymnasiums (6297)												P		P	P	P	P										
Personal Services - wedding chapels, reception centers only (6299)											C	C		C	C				C								
Business services - office and retail sales only, except 6370, 6380, 6394 and 6397 (6300)												P															
Advertising Services (6310)																P											
Advertising services - office only (6311)																			P	P							
Credit and Collection Services (6320)														P					P	P							
Duplicating, Mailing, Stenographic and Office Services (6330)															P	P			P	P				P	P	P	
Dwelling and building services - not dwelling units (6340)											C	C		C	C	P			P	P							
News Syndicate Services - office only (6350)																			P	P							
Employment Services (6360)														P	P				P	P				P	P	P	
Warehousing and storage services																											
Warehousing or Storage Services (6370)																P	P							P	P	P	
Farm products warehousing and storage (6371)																								P	P	P	
Refrigerated Warehousing (6373)														C										P	P	P	
Food Lockers (6374)														C										P	P	P	
General warehousing and Storage (6375)																								P	P	P	
Household Goods Warehousing and Storage (6379)														C										P	P	P	
Auction Houses (6381)												C		C	C												

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
SERVICES - CONT'D																											
Auction Yard (6382)																	P										
Business Services - except 6396 and 6399 (6390)																P			P	P							
Research and Testing Services (6391)														P										P	P	P	
Consulting Services (6392)														P										P	P	P	
Equipment rental - only within a building (6394)												C		P	C		C										
Vehicle Rental (6397)											C	C		P/C	C		C										
Miscellaneous Business Services (6399)												C			C	C											
Repair Services																											
Repair Services (6400)																P	P										
Auto Repair (6411)											C	C		P			C										
Automobile Wash Services (6412)														P													
Auto Washing, Polishing, Detailing (6416)														C													
Auto washing and polishing (6416 & 6417)											C	C	C		C												
Auto Washing, Self-Service (6417)														C													
Auto Glass Repair (6418)											C																
Automobile services, except repair and wash - motor clinics (6419)											C	C															
Electrical Appliance Repair (6420)											C	P		C	C	P											
Radio and TV Repair (6422)													C														
Electrical appliance repair - light (6425)													C														
Electrical Repair Services (6491)														P													
Radio and Television Repair (6492)														P													
Watch, Clock, Jewelry repair, etc. (6493)											P		C	P	P												
Furniture Repair (6494)											C	P		C	C												
Locksmiths and key shops (6496)												P	C	P	P												
Gunsmiths (6497)											P	P	C	P	P												
Saw, Knife, and tool sharpening (6498)											C	C		C	C												
Miscellaneous small item repair (6499)											C	C	C	C	C												
Professional Services																											
Professional Services (6500)											P	P							P	P				P	P	P	
Physicians' Offices and Services (6511)													C	P	P									P	P	P	
Dental Offices and services (6512)													C	P	P												

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
SERVICES - CONT'D																											
Hospitals (6513)	C	C	C	C	C	C	C							P					C			C					
Medical Laboratory Services (6514)														P										P	P	P	
Behavior, drug & alcohol treatment (6515)																			C			C					
Sanitariums, convalescent and rest home services (6516)																			C								
Legal Services (6520)													C	P	P	C											
Engineering, architectural, and planning services (6530)													C	P	P												
Data Processing Services (6550)															P												
Miscellaneous professional services (6590)													C	P	P												
Out-Patient Medical Services (6591)														P		C								P	P	P	
Engineering, architectural and Planning Services (6591)														P										P	P	P	
Education and Scientific Research Services (6592)														P										P	P	P	
Accounting and Bookkeeping Services (6593)														P										P	P	P	
Contract Construction Services																											
Contract construction services - offices and retail only (6600)												P				P	P							P	P	P	
Building Contractor Offices (6611)														P										P	P	P	
Building Contractor Storage Yards (6611)														C										P	P	P	
Plumbing, Heating & Air Conditioning (6621)														P										P	P	P	
Painting, wall papering, Decorating (6622)														P										P	P	P	
Electrical Services (6623)														P										P	P	P	
Masonry, Stonework, and Plastering (6624)														P										P	P	P	
Roofing and Sheet-Metal Services (6624)														P										P	P	P	
Carpentering, Wood Flooring Installation (6625)														P										P	P	P	
Concrete Services (6627)														P										P	P	P	
Government Services																											
Governmental services - except 6714, 6722 and 6740 (6700)																						P					
Executive, legislative, and judicial functions (6710)												P	C	P	P				P	P							

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
SERVICES - CONT'D																											
Operations Centers - not open storage yards (6714)																P	P					C					
Protective functions and related activities (6720)												P	C	P	P												
Police Protection (6721)														P										P	P	P	
Police Protection and Related Activities, Branch - office only (6722)										C	C	C	C	C	C		C		C	P		C					
Postal Services (6730)										P	P	P	P	P	P									P	P	P	
Military Facilities (6750)																	P										
Educational Services																											
Educational Services (6800)											P	P				P	P							P	P	P	
Nursery, primary, and secondary education (6810)																						P					
Nursery Schools (6811)		C	C	P	P	P	P		C					P										P	P	P	
Schools (6812 & 6813)	C	C	C	C	C	C	C		C					P										P	P	P	
Day Care Centers (6815)				P	P	P	P			C			C	P	P	C	C										
Military academies (6819)																						C					
University, college, junior college, professional school education (6820)																						P					
Special Training and Schooling (6830)														P								P					
Vocational Schools (6832)														P										P	P	P	
Business Schools (6833)														P	P									P	P	P	
Barber and Beauty School (6833)														P										P	P	P	
Art and Music Schools (6834)														P										P	P	p	
Dancing Schools (6835)										C			C	P	P									P	P	P	
Driving Schools (6836)														P										P	P	P	
Correspondence Schools (6837)														P										P	P	P	
Miscellaneous Services																											
Miscellaneous service organizations (6900)												C							P	P				P	P	P	
Religious activities (6910)																						C					
Churches, Synagogues, Temples (6911)	C	C	C	C	C	C	C		C			P		C										P	P	P	
Religious reading rooms (6912)												P															
Other religious activities (6919)												P															

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
SERVICES - CONT'D																											
Welfare and Charitable Services (6920)														P										P	P	P	
Social, fraternal, and youth organizations and services (6940)											C																
Business Associations (6991)														P													
Professional Membership (6992)														P													
Labor Organizations (6993)														P													
Civil, Social, and Fraternal (6994)														P										P	P	P	
CULTURAL, ENTERTAINMENT, AND RECREATIONAL																											
Cultural Activities																											
Cultural Activities (7100)												P										P		P	P	P	
Libraries (7111)		C	C	C	C	C	C							P	P									P	P	P	
Museums (7112)														P					P					P	P	P	
Art Galleries (7113)														P										P	P	P	
Public Assembly																											
Public assembly (7200)																						C		P	P	P	
Entertainment and assembly including legitimate theater (7210)												C															
Motion Picture Theaters (7212)											C	C		P/C	C									P	P	P	
Drive-in Movies (7212)														P													
Stadiums, Arenas, and Field Houses (7221 & 7222)														C										C	C	C	
Public assembly (7230)												C															
Auditoriums, Performing Theaters (7231 & 7214)														P										P	P	P	
Computer photography or portraits (7299)																				P							
Amusements																											
Amusements (7300)																								P	P	P	
Fairgrounds (7311)														P													
Amusement Parks (7312)														P													
Computer programming services and program software-custom (7371)																				P							

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
CULTURAL, ENT. AND REC. - CONT'D																											
Computer software publishers, pre-packaged (7372)																				P							
Computer peripheral equipment, rental & leasing (7377)																				P							
Computer peripheral equipment repair & maintenance (7378)																				P							
Computer consultants (7379)																				P							
Coin-operated amusement or video centers (7391)											C	C		P/C	C												
Miniature Golf (7392)											C	C		P/C	C										P	P	
Golf Driving Ranges (7392)														P													
Electric go-kart tracks - indoor only (7394)											C			C													
Dance halls, ballroom (7396)											C	C		C	C	C	C					C					
Billiard and pool halls (7397)											C	C		C	C												
Video Rental Shops (7398)										P	P	P	P	P	P				P								
Recreational Activities																											
Recreational activities - except 7417, 7425, and 7450 (7400)																						P			P	P	
Golf Course (7411)	C	C	C	C	C	C	C																				
Golf Course w/ Country Club (7412)		C	C	C	C	C	C																				
Tennis Courts (7413)		C	C	C	C	C	C		C					P										P	P	P	
Ice Skating (7414)		C	C	C	C	C	C		C		C	C		P/C	C									P	P	P	
Roller Skating and Skate Boarding (7415)											C	C		P/C	C	P								P	P	P	
Riding Stables (7416)														C													
Bowling Alleys (7417)											C	C		P/C	C									P	P	P	
Athletic Fields (7423)	C	C	C	C	C	C	C							P										P	P	P	
Recreation Centers (7424)	C	C	C	C	C	C	C							P										P	P	P	
Athletic Clubs and Gymnasiums (7425)														P										P	P	P	
Pools (7432)		C	C	C	C	C	C		C					P										P	P	P	
Vehicle Courts (7491)														P													
Group or organized maps (7520)																						C					
Parks (7600)																						P					
Parks and Playgrounds Skate Parks (7610)	C	C	C	C	C	C	C		C															P	P	P	
Parks - including playgrounds (7616)														P													
Nursing Home (8051)														C													

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
AGRICULTURE																											
Agriculture - except 8140, 8150, and 8160 (8100)								P	P							P											
Farming, Fibers, Grains, Fruits, Vegetables (8110 - 8140)														P										P	P	P	
Livestock (8140)																	P/C										
Animal Specialties (8150)																	P										
Pasture and Range Land (8160)																C											
Agricultural Processing (8210)																	P										
Animal Husbandry Services (8220)																	P										
Veterinarian Services - totally enclosed (8221)													C	P		P			C	P				C		C	
8221 & 7222																											
Animal Hospital Services - small animal out-patient clinic only (8222)											C					P											
Computer repair training (8242)																				P							
Other Agricultural-Related Activities (8290)																P											
Horticulture Services (8291)														P										P	P	P	
Fishing activities (8400)																						C					
Mining and quarrying (8540)																						C					
Recycle Center (8601)																	C										
Single-Family Dwelling (8810)														C													
Small Animal Veterinarian Services - totally enclosed (8821)																									C		
Forest Reserves (9210)																						P					
OTHER																											
Manufactured Housing Units 24 Feet or Wider on a Permanent Foundation		P	P	P	P	P	P	P																C	C	C	
Home Occupations regulated as per the Rexburg Development Code Section 4.10.B	C	C	C	C	C	C	C		C																		
Two-Family Dwelling				P	P	P	P																				
Three-Family Dwelling				P	P	P	P																				
Four-Family Dwelling				P	P	P	P																	P	P	P	
Five and Six-Family Dwelling						P	P																	P	P	P	
Dormitory Housing, Fraternity, Sorority					C	P	P																	P	P	P	
Bed and Breakfast						P	P																				
Boarding House						P	P																				

	LDR 1	LDR 2	LDR 3	MDR 1	MDR 2	HDR 1	HDR 2	RR 1	RR 2	NBD	GBD	CBD	LBC	CBC	RBC	LI	HI	SOB	PO	TOZ	AP	PF	OS	UD	TAG 1	TAG 2	PRO
OTHER - CONT'D																											
Mobile Home Courts and Subdivisions						P	P																				
Thirty-four to Forty-two Family Dwellings							P																				
Twenty-four Units per Building or Development							C																	P	P	P	
Separate Parking Lots							C																				
Accessory Building									P																		
Limited Home Occupations									P																		
Gardening for Personal Use									P																		
Customary Household Pets									P																		
Agriculture									P																		
Right of Way									P																		
Accessory Apartment									C																		
Manufacture and installation of automobile seat covers and auto tops											C																
Campgrounds and Travel														P													
Other Communication Facilities														C										P	P	P	
All Other Wholesale														C													
Shopping Centers, Including Malls														C													
Other Personal Services														C													
Other Business Services														C													
Skate Park														C													
Kennels														C													
Religious Dormitories (quarters?)																								P	P	P	
Electric generation plants - utility substations														C										P	P	P	
Utility Storage Yards																								P	P	P	
College Buildings																								P	P	P	
Skiing and tobogganing																								P	P	P	
Plant nurseries														P										P	P	P	

APPENDIX D: Enforcement Strategic Plan

Enforcement Policies and Procedures
Adopted as Supplementary to the Rexburg City Development Code

Implemented within City Limits November

1.0 POLICY

The following program governing enforcement within the City Limits and area of City Impact is hereby adopted.

1.1 PURPOSE

The Code Enforcement staff will work with Rexburg residents in an effort to make the City of Rexburg a clean, safer, and healthier place to live. The methods used will primarily be through education in conjunction with enforcement as needed. While serving the public, Code Enforcement staff will treat the public with dignity and respect, with a positive attitude, and a collaborative spirit. Code enforcement staff will develop processes and procedures to effectively serve the public. Code enforcement staff will stay informed and educated on current issues with code enforcement and develop needed skills to deliver professional services. Code enforcement will work in cooperation with a variety of other agencies and take part in community events to serve the public.

1.2 OFFICERS RESPONSIBILITIES AND OBJECTIVES

Objective One

Educate property owners and renters of their responsibilities to maintain their property as it pertains to the standards set forth in City of Rexburg codes.

Objective Two

Enforce the codes in accordance with established policies and procedures. Seek compliance through education and enforcement.

Objective Three Work with individual property owners, landlords, occupants, renters and businesses.

Objective four

To maximize our service to the community, we have analyzed the most common code violations that have the most negative impact on a neighborhood. The Code Enforcement Division will focus on the most common violations listed below.

- Debris and garbage on properties
- Inoperative vehicles
- Weeds
- Illegal Housing Units.

1.3 ENFORCEMENT ACTIVITIES

Code enforcement activities will help individuals and families to improve their properties. Referring to The "Window Theory" as written By James Wilson and George Kelly, Sandi Bucher stated in an article in the LA times…

> *"A stable neighborhood of families who care for their homes, mind each other's children and confidently frown on unwanted intruders, can change, in a few years or even a few months into an inhospitable and frightening jungle…A piece of property is abandoned, weeds grow up, a window is smashed… Families move out, unattached adults move in. Litter accumulates…it is more likely that here, rather than in places where people are confident they can regulate public behavior by informal controls, drugs will change hands…and crime and decay goes on". "It has been proven in case studies that anywhere a community stops caring about their neighbor, their property, their*

children and their neighbor's children, a broken window is bound to show up".

Code enforcement will help improve safe and sanitary living conditions, and neighborhood aesthetics. It is anticipated through education and involvement; many residents will take self-initiative to correct code violations on their properties.

1.4 EDUCATION

Education is an important and proactive component effecting code enforcement. Education empowers citizens to make decisions about their individual properties, neighborhoods, and community. Educational opportunities will be provided to residents on code enforcement and neighborhood cleanup activities with the cooperation and support of the Community Development Director and Public Information Officer. Information will be disseminated through:

- Flyers, newsletters
- Monthly activities in coordination with specific seasons of the year
- Newspaper features on "things to know about code enforcement"
- Workshops and seminars
- TV news stories
- Surveys and Questionnaires
- Web Page information

1.5 COMMUNICATION AND COORDINATION

Code enforcement activities will be coordinated with the Police, Fire, Building, District Health Departments, and other entities. Coordination will include:

- Police Department---illegal activities in or around properties, graffiti, and abandoned vehicles etc.
- Fire Department--unsafe structures, burnt structures, home addressing and size of letters, hydrants, access issues, etc.
- Animal control—number of dogs allowed per household
- Building Department--dangerous buildings
- Health Department—safety and unsanitary conditions in or around homes or businesses, and infestations
- Neighborhood Associations
- Civic and Service Organizations
- Church Groups

1.6 COURTESY NOTICE

This is the initial step in communicating violations to residents and property owners regarding their property. This notice is a door hanger notifying the property owner or occupant of code violations on the property. If the property owner or occupants are available, we will work directly with them to help resolve code violations. Attempts will always be made to have face to face contact between the officer and the occupant prior to the notice being left on the door. Code officers can offer solutions and advise of programs which may be available to get help if needed. The door hanger has two perforations. Part of the door hanger is to be filled out by the property owner/occupant and sent back to Code Enforcement within ten days. This is to acknowledge receiving the notice and to show a plan of action to correct the problem. The other portion is information for the officer to track the case.

1.7 ABATEMENT PROCESS

When an individual, either homeowner or renter, fails to comply with city codes and the violation is of a nature that can be cleaned or cleared, i.e. weeds, debris, trim bushes, trees, etc., the abatement process goes into effect.

1.8 PROSECUTION PROCESS

The Prosecution Process is used in cases where a violation consists of items that may be deemed of value, i.e. vehicles, parts of vehicles, appliances, furniture, etc. The Abatement Process is not used due to the fact that the city does not have the ability to store these items nor desires the liability that could accompany transporting and storage. The Prosecution Process is to be followed as a last resort after the Abatement and Citation Process have been exhausted. The Prosecution Process is as follows:
The Prosecution Process is used in cases where a violation consists of items that may be deemed of value, i.e. vehicles, parts of vehicles, appliances, furniture, etc. The Abatement Process is not used due to the fact that the city does not have the ability to store these items nor desires the liability that could accompany transporting and storage. The Prosecution Process is to be followed as a last resort after the Abatement and Citation Process have been exhausted.

1.9 CITATIONS

One avenue to resolve violations is to issue citations. The issuance of a citation is much more serious in nature than an Abatement Notice and tends to directly impact the point of view of the violator. This gives the Division an opportunity to resolve violation in a more direct and expeditious manner.

2.1 EVALUATION CRITIERIA

Measuring the impact of code enforcement activities is not always precise. Some activities can be tabulated numerically, while others will come with a less tangible result. The Code Enforcement Department maintains a computer tracking system allowing for activities to be recorded and tabulated.

It is believed by using the Block-by-Block Inspection and the new notice system we will be able to track more closely any time we have interaction with residents directly or indirectly. Code Enforcement will be able to evaluate the efforts from the information gather from each inspection.

Other less tangible ways to evaluate the program will be to:

- Increase self-initiative by the residents to take their own actions to correct code violations
- Observe the improvements of safe and sanitary living conditions
- Aesthetic improvements of structures and landscaping
- A decline in out-migration of residents and businesses from the neighborhoods
- Stabilize property values

With this strategic plan, the needed intervention will take place. This plan has the base to succeed. Nevertheless, it will be an evolving plan, and it can and will be modified where needed to successfully serve the residents of the City of Rexburg.

Code enforcement activities will help individuals and families to improve their properties. This Strategic plan will assist in helping improve safe, sanitary, living conditions, and neighborhood aesthetics. Through education and code officer involvement, residents will take the self-initiative to maintain their property, neighborhood, and community.

3.1 PROCEDURES

Block by Block Inspection Process

Code enforcement officers will work to achieve the goal and objectives of this plan by initiating a Block-by-Block Inspection Process. This Inspection Process will be a systematic sweep of the entire area as divided into zones. There are four zones within the City of Rexburg. The zones are geographically sectioned, delineated by major traveled arteries. This effort will give the officer the opportunity to go door-to-door reviewing thoroughly each property for code violations and whenever possible, meet with the property owners or occupants and educate them on city codes. Properties will be evaluated for the target violations of debris, inoperative and/or unlicensed vehicles, weeds, and graffiti. Education materials will be distributed, communication will take place, and relationships based on trust, will be built. Although the officer will be concentrating their efforts in one specific block area at a time, they will continue to follow up on all complaints, abandoned vehicles, and active cases within the city.

3.2 THE FOLLOWING ARE NOTICES AND PROCEDURES USED BY CODE ENFORCEMENT

1. **Courtesy Notice**
2. **Correction Notice**
3. **Final Notice**
4. **Re-Occurring Violation Notice**
5. **Citation process (as needed)**
6. **Abatement process (as needed)**
7. **Prosecution process (as needed)**
8. **Process for open and accessible vacant buildings**
9. **Dangerous building abatement process**
10. **Code enforcement money handling procedure**
11. **Voluntary community service**
12. **Recognition awards**
13. **Code Enforcement development**
14. **Coverage and statistics**

3.3 COURTESY NOTICE

This is the initial step in communicating violations to residents and property owners regarding their property. This notice is a door hanger notifying the property owner or occupant of code violations on the property. If the property owner or occupants are available, we will work directly with them to help resolve code violations. Attempts will always be made to have face to face contact between the officer and the occupant prior to the notice being left on the door. Code officers can offer solutions and advise of programs which may be available to get help if needed. The door hanger has two perforations. Part of the door hanger is to be filled out by the property owner/occupant and sent back to Code Enforcement within ten days. This is to acknowledge receiving the notice and to show a plan of action to correct the problem. The other portion is information for the officer to track the case.

3.4 CORRECTION NOTICE

This notice is mailed on the same day as the Courtesy notice. The Notice will be a reminder of the agreement to bring property into compliance or that a notice was posted on the door. They will have ten days to respond to the notice or correct the violation. The ten days will include those from the Courtesy notice.

3.5 FINAL NOTICE

The final notice is the last effort to get the property owners attention before further action is taken i.e. abatement or prosecution. Ten more days are given for a response or remedy.

3.6 RE-OCCURING VIOLATION NOTICE

This notice is utilized when a property owner has been notified repeatedly of code violations and the violation continually re-surfaces. With this notice, the responsible party is given 10 days to comply. If property is not in compliance by the 10-day deadline, all other notices are forfeited and the case will go directly to the abatement, citation, or prosecution process.