

Amendments to Chapter 6 Rexburg City Zoning Ordinance

A. 6.4 shall be amended by adding the following subparagraph 6:

"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 city impact for the City of Rexburg as provided in Chapter 10 hereof."

B. Section 6.5 shall be amended as follows:

6.5 Membership and Term of the Commission.

The Commission shall consist of ten (10) members, seven (7) of whom shall reside within the city limits of Rexburg and be appointed by the Mayor and confirmed by the Council, and three additional members to be appointed who reside within the area of city impact. 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 five 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 to fulfill 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.

C. 6.16 shall be amended as follows:

6.16. 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. Building permit fees shall be established by the county, collected by the city and paid to

the county. 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.

D. Section 6.14 shall be amended by adding a new subsection (4) as follows:

(4) In the event an application for rezoning is received by the Commission which 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.

E. New sections 6.17 and 6.18 shall be added as follows:

6.17 Appeal relating to area of city impact matters.

Any affected person may appeal a final decision of the Commission relating 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.

6.18 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.

TABLE 10.1

USES		STANDARDS FOR USES BY RIGHT						
By Right	Conditional	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Lot Coverage	Maximum Building Height
DISTRICT: RURAL RESIDENTIAL (R.R.)								
Single Family Dwellings		1.0 ac	150 ft	60' (see note 5)	30 ft	10 ft	70%	30 ft
Manufactured housing units 24 ft or wider on permanent foundations (see note below)	Child care centers and nurseries							
Accessory buildings	Parks, Playgrounds							
Homes for mentally and/or physically handicapped as in Idaho Code 67-6531	Semi-public uses							
Limited home occupations	Home occupations							
Gardening	Publically owned institutions such as libraries and museums							
Customary household pets	Cemeteries							
Agricultural								
Limited livestock (see R.R. requirements in Chapter 10)								
DISTRICT: AG-1 & AG-2								
Single Family Dwellings		5.0 ac	150 ft	60' (see note 5)	30 ft	10 ft	70%	45 ft
Accessory buildings	Parks, playgrounds							
Utility buildings and structures	Semi-public uses							
Homes for mentally and/or physically handicapped as in Idaho Code 67-6531	Publically owned institutions such as libraries and museums							
Home occupations	Cemeteries							
Gardening	Mobile home (2-yr limit)							
Customary household pets	Two-family dwellings							
Agricultural								
AG-1 limited livestock (see requirements in Chapter 10)								
AG-2 livestock - excluding feedlots								
Manufactured housing units 24 ft or wider on permanent foundations (see note below)								

NOTES

- 1) Farming grains, fruits, vegetables is a permitted use in all zones. See Land use Schedule.
- 2) On corner lots, the side yard on the street side shall be the same as required for the front setback.
- 3) Manufactured homes that are placed on individual lots and not in mobile home parks shall meet the following standards:
 - a) Shall be a new and at least 24 feet in width
 - b) Shall have a non-glare, wood shake or asphalt roof with a minimum slope of 3/12 and a minimum 6-inch eaves.
 - c) 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, wood shingles or shakes, or similar material. The siding shall not have a high-gloss finish and shall not be composed of smooth, ribbed, or corrugated metal or plastic panels.
 - d) Shall be placed on a permanent foundation that complies with the Uniform Building Code for residential structures.
 - e) The hitch, axles, and wheels must be removed, and the foundation fascia must be similar in appearance and durability to the masonry foundation of site-built buildings.

Mobile homes and manufactured homes not meeting the above conditions are permitted in established and approved mobile home courts and mobile home subdivisions.
- 4) The land area, square footage, or lot coverage occupied by a conditional use on the effective date of this Ordinance may not be expanded by more than 15% without review under the conditional use permit provisions of this Ordinance.
- 5) Or 90 feet from the center of the road, whichever is greater.

TABLE 2
LAND USE SCHEDULE

P = Permitted Use
C = Conditional Use

LAND USE	DISTRICT													
	LDR	LDR1	MDR	HDR	PO	CED	HBD	NBD	I	AO	OS	RR	AG1	AG2
RESIDENTIAL														
Single family dwelling	P	P	P	C			C				C	P	P	P
Home for mentally/physically handicapped	P	P	P	P		P					C	P	P	P
Two family dwelling			C	P	P	P					C		C	C
Three family dwelling				P	P	P					C			
Four family dwelling				P	P	P					C			
Five and six family dwelling or development				C	P	P								
Twenty-four units per building or development					C	C								
Dormitory, fraternity, sorority				C	P									
Boarding house				C	P	P								
Bed and breakfast				P	P									
Home occupation	P/C	P/C	P/C	P/C								C	P	P
Manufactured home 24' or more in width (new)		P	P	C								P	P	P
Mobile home or manufactured home less than 24' in width													C	C
Mobile home park (See mobile home park ordinance)				C	C									
Mobile home subdivision (See above ordinance)				C	C									
Nursing home		C	P	P			C							
Religious dormitories				P	P	P								
Hotels, hotels						P	P							

LDR LDR1 MDR HDR PO CED HBD NBD I AO OS RR AG1 AG2

MANUFACTURING

Food and kindred products (SLUC 21)														
Meat products (211)														
Dairy products (212)														
Canning and preserving (213)														
Grain mill products (214)														
Bakery products (215)														
Sugar (216)														
Confectionery, candy (217)														
Beverage (218)														
Other food products														
Textile mill products (SLUC 22)														
Apparel and other clothing products (SLUC 23)														
Lumber and other wood products (SLUC 24)														
Sawmills and planing mills (242)														
Millwork (2431)														
Veneer and plywood (2432)														
Prefabricating wooden buildings (2433)														
Wooden containers (2440)														
Other														
Furniture and fixtures (SLUC 25)							P							
Paper and allied products (SLUC 26)														
Printing, publishing, including newspapers (SLUC 27)							P	P						

LAND USE	DISTRICT													
	LDR	LDR1	MDR	HDR	PO	CBD	HBD	NBD	I	AO	OS	RR	AG1	AG2
Chemicals and allied products (SLUC 28)														C
Petroleum refining and related industries, including paving materials (SLUC 29)														C
Rubber and plastic products (SLUC 31)														C
Stone, clay, and glass products (SLUC 32)														
Flat glass, glass, glassware (321, 322)							P			F				
Cement manufacturing (323)										C			C	
Pottery and related products (325)							P			F				
Concrete, gypsum, and plaster (326)										C				
Cut stone products (327)										F			C	
Other										C				
Primary metal industries (SLUC 33)										C				
Fabricated metal products (SLUC 34)														
Ordnance and accessories (341)										C				
Machinery except electrical (342)										F				
Electrical machinery, equipment, supplies (343)								C		F				
Transportation equipment (344)										F				
Other										C				
Professional, scientific, optical goods (SLUC 35)														
Laboratory and research instruments (351)								P		F				
Instruments for measuring (352)								P		F				
Optical instruments and lenses (355)								P		F				
Photographic supplies and equipment (356)								P		F				
Watches, clocks (357)								P		F				
Miscellaneous														
Jewelry manufacturing (391)								P		F				
Musical instruments (392)								P		F				
Other								C		C				

LDR LDR1 MDR HDR PO CBD HBD NBD I AO OS RR AG1 AG2

TRANSPORTATION AND UTILITIES

Railroad, including terminals and yards (SLUC 41)								C		F	F		C	
Bus passenger terminals (SLUC 4121-4123)							P	P			F			
Bus garaging and equipment maintenance (4214)								C		F	F			
Motor freight terminals (4221)								C		F	F			
Motor freight garaging and maintenance (4222)								C		F	F			
Airport fields and terminals (4311-4314)											F			
Aircraft storage and equipment maintenance (4315)											F			
Automobile parking lots, garages (SLUC 46)							P	P		F	F			
Telephone exchange stations, microwave towers (471)	C	C	C	C	C	C		F	C	F	C		C	C
Radio and television broadcasting stations (475)						C	P	F						
Radio and TV transmitting stations and towers (4732)	C	C	C	C	C	C		F	C	F		C	C	C
Other communication facilities								C		C	C			
Electric generation plants, utility substations								C		F			C	
Utility storage yards										F				
Water treatment plants									C	F	F	F		
Wastewater treatment plants									C	F	C	C		
Solid waste disposal sites (SLUC 485)										C	C			
Other utility facilities	C	C	C	C	C	C	C		F					

LAND USE SCHEDULE

LAND USE

DISTRICT

LDR LDR1 MDR HDR PO CBD HBD NBD I AO OS RR AG1 AG2

WHOLESALE (SLUC 51)

Electrical goods (516)							P		P						
Hardware, plumbing, heating, and supplies (517)							P		P						
Drugs and druggists supplies (5121)							P		P						
Farm products, grain (5152)							C		P						
Professional equipment and supplies (5183)							P		P						
Dry goods and apparel (513)							P		P						
Petroleum bulk and stations and terminals (5192)									C						
Scrap and waste materials (junkyards) (5193)									C						
Recycling centers entirely enclosed in buildings									P						
All others							C		C						

LDR LDR1 MDR HDR PO CBD HBD NBD I AO OS RR AG1 AG2

RETAIL TRADE

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

LDR LDR1 MDR HDR PO CBD HBD NBD I AO OS RR AG1 AG2

SERVICES

Finance, real estate, and insurance services (SLUC 61)							C	P	P						
Personal services															
Laundry services (6211, 6212, 6213, 6215)							P	P	C						
Laundry and dry-cleaning, self service (6214)							P	P	P						
Photographic studios (622)							C	P	P						
Beauty and barber shops (623)							P	P	P						
Funeral and crematory services (624)							C	C	P	P					

LAND USE	DISTRICT													
	LDR	LDRI	MDR	HDR	PO	CEB	HBD	NBD	I	AO	OS	RR	AG1	AG2
Governmental services														
Police protection (5721)				C		P	P							
Postal service (573)				C		P	P							
Fire protection (5722)				C		P	P					C	C	C
Municipal, county offices (571)				C	C	P	P							
Educational services														
Nursery schools, day care centers (5811)		C	P	P		P	P	P				C	C	C
Schools (5812, 5813)	C	C	C	C		C	P							
College buildings														
Vocational schools (5831)				C	C	P	P			C				
Business schools (5832)				C		P	P							
Barber and beauty schools (5833)				C		P	P							
Art and music schools (5834)				C		P	P							
Dancing schools (5835)				C		P	P							
Driving schools (5836)						P	P							
Correspondence schools (5837)				C	P	P	P							
Miscellaneous services (SLUC 59)														
Churches, synagogues, temples (5911)	C	C	C	C		C	P							
Welfare and charitable services (5920)				C	C	P	P							
Business associations (5991)						P	P	P		C				
Professional membership organizations (5992)						C	P	P						
Labor organizations (5993)						P	P	P		C				
Civic, social, and fraternal organizations (5994)				C		P	P	P						
CULTURAL, ENTERTAINMENT, AND RECREATIONAL														
Cultural activities (SLUC 71)														
Libraries (7111)		C	C	C		P	P					C	C	C
Museums (7112)			C	C		P	P					C	C	C
Art galleries (7113)				C		P	P							
Public assembly (SLUC 72)														
Motion picture theaters (7212)						P	P							
Drive-in movies (7213)						P	P							
Auditoriums, legitimate theaters (7231, 7214)						P	P							
Stadiums, arenas, fieldhouses (7221, 7222)				C			P							
Amusements (SLUC 73)														
Fairgrounds (7311)			C	C			P			C	C	C		
Amusement parks (7312)							P							
Arcades (7391)							P							
Miniature golf (7392)							P							
Golf driving ranges (7393)							P							
Go-cart tracks, four-wheeler tracks (7394)							C			C	C			
Radio controlled airplanes							C			C	P			
Recreational activities (SLUC 74)														
Golf course (7411)		C	C	C							C	P	C	C
Golf course with country club (7412)		C	C	C							C	C	C	C
Tennis courts (7413)		C	C	C							C	P	C	C
Roller skating (7415)						P	P							

LAND USE

DISTRICT

	LDR	LDRI	MDR	HDR	PO	CEO	HBO	NBO	I	AO	OS	RR	AG1	AG2
Ice skating (7414)		C	C	C			P			C	P			
Riding stables (7416)							C			C		C	C	C
Bowling (7417)						P	P							
Skating and tobogganing (7418)							P			C				
Athletic fields (7423)	C	C	C	C			P				C			
Recreation centers (7424)				C		P	P							
Athletic clubs and gymnasiums (7425)				C		P	P							
Swimming pools (7432)				C		P	P				C	C		
Campgrounds and travel recreation vehicle courts (7491)							P			C	C			
Parks, including playgrounds (7610)	C	C	C	C			P			C	P	C	C	C
AGRICULTURE														
Farming, fibers, grains, fruits, vegetable (811-814)		P	P	P		P	P		P	P	P	P	P	P
Farming, dairy (815)											C			P
Farming, livestock (816)											C	C	P	P
Farming, poultry (817)											C	P	P	P
Agricultural processing (821)									P					
Small animal veterinarian services (totally enclosed) (8221)						P	P			C				
Large animal veterinarian services (8221)										C				
Horticultural services (8291)							P			C		C	P	P
Plant nurseries							P			C	P	C	P	P
Kennels							C			P				
MINING														
Sand, gravel pits										C	C			
OTHERS														
Cemeteries	C	C	C	C			C			P	P	C	C	C
Uses not related to above under SLUC codes						C	C		C	C				

(1) The above table of land uses permitted in each zone is based on the uses described in the Standard Land Use Coding Manual, 1977 edition. A copy of the manual is available in the office of the Clerk of the City of Rexburg.

(2) Residential uses by right in the CBD, except for motels and hotels, are limited to the second floor and above. Residential uses on the first floor are conditional uses.

(3) Manufactured homes on individual lots and not in mobile home parks shall meet the standards set forth under Note 8 of Table 1, Land Use Table.