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REXBURG, MADISON, IDAHO
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Ex-Officio Recorder Deputy

CITY OF REXBURG ORDINANCE NO. 1304

DEVELOPMENT CODE ORDINANCE 1200 AMENDMENTS

AN ORDINANCE AMENDING THE CURRENT DEVELOPMENT CODE (PLANNING AND ZONING ORDINANCE NO. 1200) CONCERNING SUBSTANTIVE AND NON-SUBSTANTIVE ITEMS; THE FOLLOWING CHANGES HAVE BEEN MADE: AMENDMENTS TO CHAPTER 2 DEFINITIONS –MODIFIED DEFINITIONS PERTAINING TO SIGN TYPES; AMENDMENTS TO CHAPTER 3 SECTION 3.5 SIGN STANDARDS FOR ALL ZONES; REMOVAL OF SIGN REQUIREMENT REFERENCES IN ANY SPECIFIC ZONE; PROVIDING FOR VIOLATION OF THE PROVISIONS OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; AND PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, The City of Rexburg is incorporated as an entity of the State of Idaho; and

WHEREAS, the State of Idaho Statutes are used by the City of Rexburg as the primary source of code compliance; and

WHEREAS, Rexburg City Codes are subordinate to Idaho State Code.

NOW THEREFORE, be it ordained by the Council of the City of Rexburg, in the State of Idaho, be established to read as follows:

SECTION 1: REPEAL "Definitions" of the Rexburg Development Code is hereby *repealing* as follows:

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 Sign: 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.

Direct Lighted Sign: Light for a sign which is visible to a viewer.

Flood Lit Lighting Sign: Lighting which is reflected from the surface of a sign or building.

Indirect or Internal Lighting Sign: Lighting for which the source of light is located in such a manner that the light must travel through a translucent material other that 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.

Projection 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 a wall, it counts as part of wall signage.
2. If a sign is connected to a pole, it counts as part of free standing signage.

Public Service Information 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.

Swinging Sign: A sign which is installed on an arm or spar and is not permanently fastened to an adjacent wall or upright pole.

Under Canopy or Marquee Sign: A sign suspended below the ceiling or roof of a canopy or marquee.

Sign, Background Area: The area comprising the message portion of a sign, not including the supporting structure.

SECTION 2: **ADOPT** "Definitions Sign" of the Rexburg Development Code is hereby *amended* as follows:

Accessory On Premise Sign: A sign, separate from the sign that identifies the business, that advertises brands or products available at the business.

Blanketing: The partial or complete obstruction of view of the face of one sign by another sign.

Directional Sign, Public: A sign provided an managed by the City or other jurisdiction that designates direction or location, or serves as wayfinding for public services or sites.

Plaza Sign: A sign that identifies the name of a business complex (i.e. a plaza, strip mall or professional building) as well as advertises individual tenants located within.

Sign Area: The area comprising the message portion of a sign, not including the supporting structure.

SECTION 3: **AMENDMENT** "Definitions Sign" of the Rexburg Development Code is hereby *amended* as follows:

Blade Sign: A blade sign is a type of sign mounted on a building for the purpose of pedestrian traffic.

Canopy sign: A sign which is attached or affixed to a canopy or marquee.

Changeable Copy panel (Reader board) Sign: A sign with the capability of content change by means of manual or remote input.

Directional Sign, Private: Any sign which serves to designate direction or location, including directories, private parking signs, drive-thru signs, exit and entrance signs, etc.

Free standing, Detached, Monument, Pole, or Ground Signs: A sign which is wholly supported by columns or other vertical supports in or on the ground (not part of the building structure).

Real Estate Sign: Any temporary sign advertising the sale, lease, or rental of the

property or premises on which it is located.
Temporary Sign: A sign which is intended to be displayed for no more than sixty (60) days consecutively and is not permanently affixed.

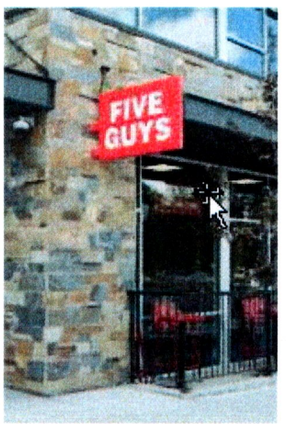
Wall Sign: A sign affixed parallel to the plane of the face of the building facade.



Plaza Sign



Blade/Private Directional Sign



Blade Sign

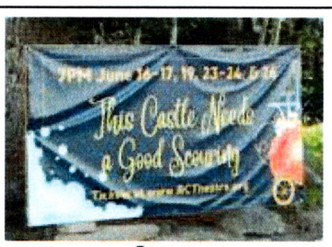


Temporary A-frame Sign



Public Directional Sign

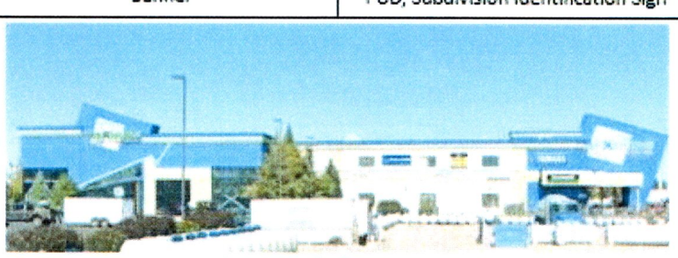

Advertising Feather Flag



Banner

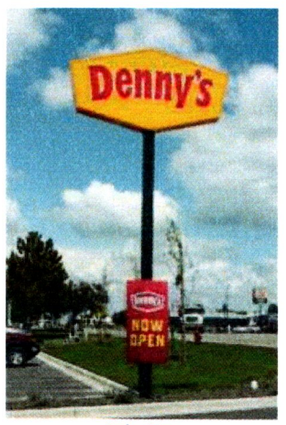

PUD, Subdivision Identification Sign


Illuminated Sign


Accessory On Premise Signs



Construction Sign



Pole Sign

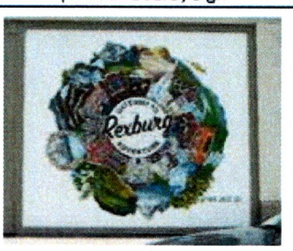


Changeable Copy Panel (Reader Board) Sign



Changeable Copy Panel (Reader Board) Sign

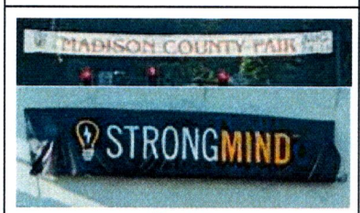

Canopy Sign



Supergraphics Sign



Wall Sign

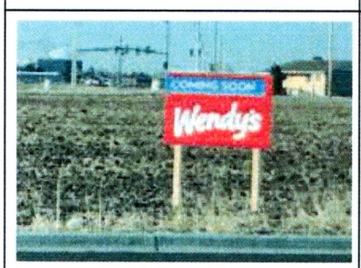


Banner

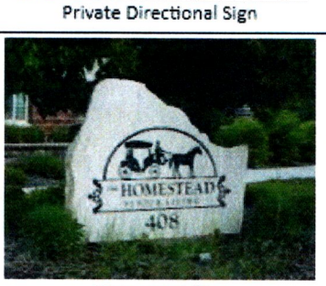


Private Directional Sign


Home Occupation Sign



Construction Sign



Monument Sign



For Sale, Rent or Lease Sign

SECTION 4: **AMENDMENT** "3.05.010 Purpose and Objectives" of the Rexburg Development Code is hereby *amended* as follows:

3.05.010 Purpose and Objectives

Signs are a means of identifying and conveying messages visually for businesses and individuals. The Sign Code establishes standards for the use of signs and sign structures including the placement, size, height, illumination, maintenance, and number of signs.

SECTION 5: **REPEAL** "3.05.020 Record Keeping" and "3.05.030 Definitions" of the Rexburg Development Code is hereby *repealed.*

SECTION 6: **AMENDMENT** "3.05.040 Permit Required" of the Rexburg Development Code is hereby *amended* as follows:

3.05.040 Permit 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 the City without first obtaining a Sign Permit. If a permit has been previously issued, an additional permit shall not be required for the repainting, cleaning or other normal maintenance or repair of a sign or sign structure. A review will be required for any change of face or business name update.

The permit application requires:

A. Written consent from the property owner or authorized representative of the owner.
B. Submittal of any applicable sign specifications, site plans (including dimensions, pins and property lines), engineering documents, and/or lighting plans.
    1. Verifiable property pins must be identifiable on site.
C. Any applicable fees to be paid.
D. Review and approval by the City of Rexburg.

SECTION 7: **REPEAL** "3.05.050 No Permit Required", "3.05.060 Permit Fee", "3.05.070 Permissions to Install", "3.05.080 Conditional Use Permit", and "3.05.100 Sign Application" of the Rexburg Development Code are hereby *repealed.*

SECTION 8: **AMENDMENT** "3.05.090 Noncompliance" of the Rexburg Development Code is hereby *amended* as follows:

3.05.090 Noncompliance

Any person, firm or corporation violating any provision of this Ordinance shall be guilty of an infraction, and be subject to the following civil penalties or remedies:

A. If a sign is placed in or projects into any public right-of-way, or has been deemed unsafe by the Building Official, City Engineer, or Zoning Administrator, it may be immediately removed by the City at the expense of the owner, sign company and/or responsible party.
B. 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 fourteen (14) days.
C. 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 (*See subsection 1.01.090.*) 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.

SECTION 9: **AMENDMENT** "3.05.110 Sign Standards" of the Rexburg Development Code is hereby *amended* as follows:

3.05.110 Location and Construction Standards

All signs must be located and constructed in accordance with the following parameters:

A. **Clear View of Intersecting Streets.**
    1. **Right-of-way.** No sign may be placed or constructed so that any portion thereof is placed or projects into any public right-of-way.
    2. **Sight Triangle.** For the purpose of ensuring reasonable visibility and safety this Ordinance shall prohibit the placement of signs within the sight triangle. (*See Chapter 2: Sight Triangle* definition.)
B. **Off-Premise Signs.** Off-premise signs are prohibited.

1. **Exceptions.**
    a. Political/Campaign signs.
    b. Real Estate signs.

C. **Maintenance.** Signs must be maintained in good condition.
    1. **Abandoned Sign.** Any sign no longer associated with the use of a property, including vacant or unoccupied properties, shall be considered abandoned and removed or returned to a blank state within 12 months of being abandoned.

D. **Lighting/Illumination.** Any sign that is lit, illuminated, or contains electrical components must be listed by one of OSHA's Nationally Recognized Testing Laboratories (NRTL) as well as the codes adopted by the City of Rexburg. *(see section 3.6)*

E. **Address Signs**. *(See subsection 3.02.140).*

F. **Fire Access Signage**. All occupancies classified as commercial shall have fire access roadways posted with the proper signs at seventy-five (75') foot intervals.
    1. **Curb Painting**. Additionally, curbs shall be painted red and maintained as required by the Fire Code Official.

G. **Non-residential Commercial Lots.** Signs shall be posted in parking lots open to the public but restricted to use. Such signs shall be posted in a conspicuous place giving notice that clearly indicates that parking is restricted, and violators may be towed.

H. **Visitor Parking Areas.** Visitor parking areas must have adequate and visible signage. Signs must be at least 12" x 18" and include the words "Visitor Parking Only", "Permit Parking only during **A.M. to **P.M. and "All others may be booted and/or towed."

Municipal, traffic and public directional signs shall not be considered signs as defined and regulated by this sign code.

SECTION 10: REPEALED "3.05.120 Sign Background Area" and "3.05.130 Blade Signs" of the Rexburg Development Code are hereby *repealed.*

SECTION 11: AMENDMENT "3.05.140 Free-Standing Signs" of the Rexburg Development Code is hereby *amended* as follows:

3.05.140 Freestanding Signs

A. **Sign Height.**
    1. **Outside of US-20 Interchange**. Unless further restricted in this Sign Code, the maximum height of any free standing sign not located in the US 20 Interchange Boundaries (see figures 1, 2 & 3 below) shall have a maximum height of twenty-four (24') feet from ground level to the top of the sign.
    2. **CUP**. On lots where a twenty-four (24') feet free-standing sign is allowed and the building height is greater than twenty-four (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. **Within US 20 Interchanges**. The interchange sign boundary is defined by a fifteen hundred (1500') feet radius

drawn from the center of the highway interchange.

- a. Free-standing signs located in the US 20 Interchange boundaries (identified in figures 1, 2 &3) shall have a maximum height of fifty (50') feet from grade (see "grade" definition in Chapter 2) to the top of the sign.

B. **Sign Area.**

1. An eighty (80 sq. ft.) square feet sign is allowed for any single property up to fifty thousand (50,000 sq.ft.) square feet in lot size.
2. For properties larger than fifty thousand (50,000 sq. ft.) square feet in area, the total allowable sign area would be increased by 0.0016 square feet for each square foot in excess of fifty thousand (50,000).

Lot Area = 125,386 square feet
- 50,000 (50,000= 80 square feet sign allowed)
75,386

75,386 x 0.0016 = 120.6176 (round up to 121)

121 + 80 = 201 square feet

3. The supporting structure does not count as part of the sign area.
4. Only one side of a flat sign is measured, irrespective of whether the back side is used for advertising.
5. **Banners.** Any banners, other than wall banners, must meet the Freestanding Sign requirements and are included as part of the freestanding sign area unless considered temporary and approved by the Zoning Administrator.
6. **Directional Signs.** Any logos placed on a directional sign are considered part of the sign area and must be less area than the directional information.
7. **Plaza Signs.** Sign space must be available for all tenants within a plaza while meeting the total allowable sign area.

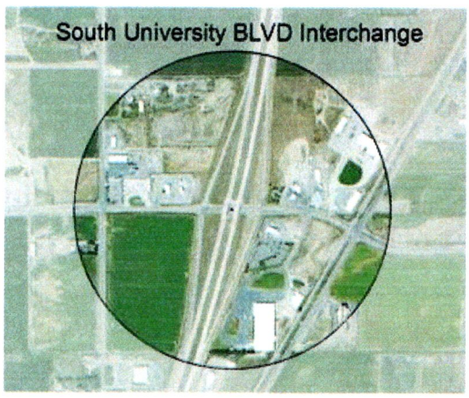
C. **Distance.** To avoid blanketing, the distance required between signs is calculated by dividing the total sign area by the number of signs.

$$\frac{\text{Area of Sign 1} + \text{Area of Sign 2}}{2.0} = \text{Distance between Sign 1 \& Sign 2}$$

D. **Number of Signs.** Multiple signs are allowed as long as area and distance requirements are met.

E. **Setback.** The edge of a sign must be a minimum of five (5') feet from the property line to ensure that no portion of the sign overhangs into the right-of-way.

FIGURE 1



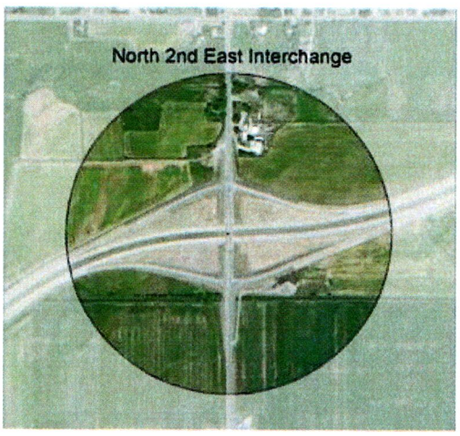
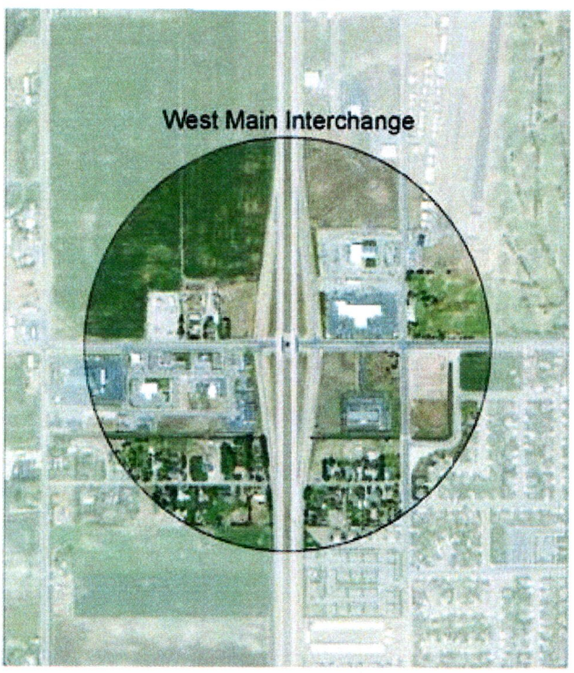


FIGURE 2

FIGURE 3



SECTION 12: REPEALED "3.05.150 Other Signs" of the Rexburg Development Code is hereby repealed.

SECTION 13: AMENDMENT "3.05.160 Temporary Signs" of the Rexburg Development Code is hereby *amended* as follows:

3.05.160 Temporary Signs

A. **Examples.** For Sale/Rent/Lease, Political/Campaign, Garage/yard sale, Banners, Advertising Feather Flags, sidewalk signs (A-frame Sandwich boards), oversized balloons, and twirling, dancing or other air or gas filled figures.
B. **Time Limit.** Temporary signs shall be displayed for no more than sixty (60) days consecutively, and not permanently affixed.
    1. Temporary signs related to a specific event, including elections, are limited to being displayed no more than forty-five (45) days prior to the event, and must be removed within forty-eight (48) hours after the event.
    2. Construction signs are defined as temporary and must be removed within thirty (30) days of project completion.
C. **Prohibited Locations.** Temporary signs must remain outside of the sight triangle and may not be displayed on utility poles or signs.
    1. **Off-Premise Signs.** (*See section 3.05.110*)
D. **Size.** Temporary signs shall be a maximum of thirty-two (32 sq. ft.) square feet unless otherwise approved by the Zoning Administrator.
    1. **Exception.** Sale/Rent/Lease signs in low residential zones are limited to a maximum size of six (6 sq. ft.) square feet and are limited to six (6') feet in height. *(see subsection 3.05.190)*
E. **Maintenance.** Signs must be maintained in good condition as to color and material integrity.

SECTION 14: AMENDMENT "3.05.170 Wall Banners" of the Rexburg Development Code is hereby *amended* as follows:

3.05.170 Wall Banners

A. **Temporary Wall Banners**. Wall banners displayed for sixty (60) days or less are considered temporary.
    1. **Maximum coverage**. Temporary Wall Banners may be displayed with permanent wall signs as long as the coverage does not exceed twenty (20%) percent of the entirety of the wall.
B. **Permanent Wall Banners**. Any banners displayed for more than sixty (60) consecutive days are considered permanent and must adhere to wall sign standards.
    1. A business wishing to have an area for wall mounted banner signs that allow for interchangeability of promotional signs may do so by installing a, permanent frame that does not include strings or other temporary looking devices.

SECTION 15: AMENDMENT "3.05.180 Wall Signs" of the Rexburg Development Code is hereby *amended* as follows:

3.05.180 Wall Signs

A. **Maximum Coverage.**
   1. **Up to 100' from ROW**. The maximum area of a wall sign allowed is ten (10%) percent of the area of the building wall or walls located within zero (0') feet up to one-hundred (100') feet from the right-of-way (ROW) line.
   2. **100' to 200' from ROW**. The maximum area of a wall sign allowed is twelve (12%) percent for walls located within one-hundred (100') feet to two-hundred (200') feet from the street right-of-way (ROW) line.
   3. **Greater than 200' from ROW**. The maximum area of a wall sign allowed is fourteen (14%) percent of the area of the building wall for walls located more than two-hundred (200') feet. from the street right-of-way (ROW) line.

B. **Wall Area**. The wall area is calculated using either the wall face or street frontage for each separate occupancy. If the wall containing the sign is curved, the wall area is calculated using the elevation view.

C. **Sign Area.**
   1. Calculating the area of the sign.
      a. **Letters.** If only letters are placed on a wall, then the area may be computed by drawing rectangles around each letter to enclose the extremities of the letter, and then calculating the enclosed area.
      b. **Cabinet or Flat Panel**. If a cabinet or flat panel is used, the area may be computed using the extremities of the structure.
      c. **Painted Sign/Supergraphics Sign.** If an area is painted 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 area will count as advertising area.
   2. The supporting structure does not count as part of the sign area.
   3. **Home Occupation.** Home occupation signs are limited to an area of two (2 sq. ft.) square feet.
   4. **Directional Signs.** Any logos placed on a directional sign are considered part of the sign area and must be less area than the directional information.

D. **Blade Signs.** Any sign projecting from a wall or building shall be placed between eleven (11') feet and sixteen (16') feet above sidewalk.

SECTION 16: AMENDMENT "3.05.190 Allowable "Sign Size" And "Sign Permit Conditions" By Zone" of the Rexburg Development Code is hereby *amended* as follows:

3.05.190 Sign Specifications by Zone

(Figure 4 Sign Specification by Zone Table Attached)

**Maximum height dependent upon type of directional sign (i.e. entrance/exit signs are a maximum of three (3') feet in height).

SECTION 17: AMENDMENT References to sign standards and specifications have been reorganized and removed from all individual zones and consolidated in chapter three section five (3.05) of the Rexburg Development Code.

SECTION 18: REPEALER CLAUSE Providing for other substantive and non-substantive changes in the Development Code as recommended and approved by the Planning and Zoning Commission of the City of Rexburg, Idaho. Furthermore, any portion ofthe existing Development Code in conflict with this proposed amendment is hereby repealed.

SECTION 19: SEVERABILITY CLAUSE The provisions of this Ordinance shall be deemed severable and a finding by a court of law that a provision of theOrdinance is unlawful shall have no effect on the remaining provisions.

SECTION 20: EFFECTIVE DATE The City of Rexburg, Idaho City Council shall enact this Ordinance (#23-00565) amending Ordinance 1200 otherwise knownas the Development Code of the City of Rexburg, Idaho upon its passage, approval and publication; and shall be in full force and effect from December 20, 2023, and after the required approval and publication according to law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR on this 20th day of December 2023.

CITY OF REXBURG CORPORATE SEAL STATE OF IDAHO

(SEAL)

Jerry Merrill, Mayor

ATTEST:

Deborah Lovejoy, City Clerk

STATE OF IDAHO)
) ss.
County of Madison)

I, DEBORAH LOVEJOY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

AN ORDINANCE AMENDING THE CURRENT DEVELOPMENT CODE (PLANNING AND ZONING ORDINANCE NO. 1200) CONCERNING SUBSTANTIVE AND NON-SUBSTANTIVE ITEMS; THE FOLLOWING CHANGES HAVE BEEN MADE: AMENDMENTS TO CHAPTER 2 DEFINITIONS –MODIFIED DEFINITIONS PERTAINING TO SIGN TYPES; AMENDMENTS TO CHAPTER 3 SECTION 3.5 SIGN STANDARDS FOR ALL ZONES; REMOVAL OF

SIGN REQUIREMENT REFERENCES IN ANY SPECIFIC ZONE; PROVIDING FOR VIOLATION OF THE PROVISIONS OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; AND PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

PASSED BY THE CITY COCUNCIL AND APPROVED BY THE MAYOR this 20th day of December 2023.

Deborah Lovejoy, City Clerk



(SEAL)

Figure 4: Development Code 3.05.190 Sign Specification by Zone

	Sign Type	Sign Area (Sq. Ft.)	Max Height (Ft.	Applicable Zones	Property Setback	Illumination	Restrictions
Temporary	For Sale, Rent or Lease	6	6	TAG,RR1,RR2,LDR1,LDR2, LDR3,RBD	Outside Sight Triangle	Not Allowed	1 per street frontage, limited to 60 days
		32	10	MDR1,MDR2,HDR1,HDR2, MU,CBC,RBC, LI,HI	Outside Sight Triangle	Not Allowed	
	Construction, Temporary	32	8	TAG,RR1,RR2,LDR1,LDR2, LDR3,RBD	Outside Sight Triangle	Not Allowed	Maximum area of 96 sq.ft. limited to 60 days
		32	12	MDR1,MDR2,HDR1,HDR2, MU,CBC,RBC, LI,HI	Outside Sight Triangle	Not Allowed	
Wall	Home Occupation	2	Limited by Wall	TAG,RR1,RR2,LDR1,LDR2, LDR3,RBD	Must be parallel to wall	Not Allowed	1 per street frontage
	Wall Signs	10-14% Depending on location from ROW	Limited by Wall	MDR1,MDR2,HDR1,HDR2, MU,CBC,RBC, LI,HI	N/A	Allowed	Blade signs require a minimum ground clearance of 11'
	Accessory On-Premise	Included in area calculations	24 (50 in interchange areas shown above)	MDR1,MDR2,HDR1,HDR2, MU,CBC,RBC, LI,HI	Minimum of 1')No portion of the sign may overhang into the ROW)	Allowed	N/A
	Private Directional	6	3**	All Zones	Outside Sight Triangle	Allowed	Any logo must be smaller than the directional info
Freestanding	Pole Sign	See Calculation Table	24 (50 in interchange areas shown above)	CBC,RBC,LI,HI	Minimum of 1')No portion of the sign may overhang into the ROW)	Allowed	May apply for a CUP for height greater than 24'. See calculation table for distance requiremen ts
	PUD, Subdivision Identification	64	8	TAG,RR1,RR2,LDR1,LDR2, LDR3,MDR1, MDR2,HDR1, HDR2,MU	Minimum of 1')No portion of the sign may overhang into the ROW)	Allowed	Maximum area of 64 sq. ft. per sign
	Plaza Signs	See Calculation Table	24 (50 in interchange areas shown above)	MU,CBC,RBC	Minimum of 1')No portion of the sign may overhang into the ROW)	Allowed	Sign space myst be available for each tenant within the plaza
	Off Premise	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed