



CITY OF REXBURG ORDINANCE NO. 1306

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 PERMITTED AND CONDITIONAL USES IN ALL RESIDENTIAL ZONES, COMMERCIAL ZONES, INDUSTRIAL ZONES, TRANSITIONAL AGRICULTURE ZONE, UNIVERSITY DISTRICT ZONE, PUBLIC FACILITIES ZONE, AND OPEN SPACE 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: AMENDMENT "4.01.020 Rural Residential 1 (RR1) Permitted Uses" of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Livestock – Permitted
 - b. Accessory Swimming Pool – Permitted
 - c. Accessory Dwelling Unit – Conditional Use Permit
 - d. Accessory Building – Permitted
 - e. Accessory Home Business - Conditional Use Permit
 - f. Accessory Home Occupation – Permitted
2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
4. Residential:
 - a. Single-Family Dwelling; Detached – Permitted
5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Golf Courses – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit

6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Schools (Pre-K-12) - Conditional Use Permit
7. Assembly – Deceased:
 - a. Cemeteries - Conditional Use Permit
 - b. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
8. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 2: AMENDMENT “4.02.020 Rural Residential 2 (RR2) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Livestock – Permitted
 - b. Accessory Swimming Pool – Permitted
 - c. Accessory Dwelling Unit – Conditional Use Permit
 - d. Accessory Building – Permitted
 - e. Accessory Home Business - Conditional Use Permit
 - f. Accessory Home Occupation – Permitted
2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
4. Residential:
 - a. Single-Family Dwelling; Detached – Permitted
5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Golf Courses – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Schools (Pre-K-12) - Conditional Use Permit
7. Assembly – Deceased:
 - a. Cemeteries - Conditional Use Permit
 - b. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
8. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted

- c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
- d. Water Storage - Conditional Use Permit

SECTION 3: AMENDMENT “4.03.020 Low Density Residential 1 (LDR1) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Livestock – Permitted
 - b. Accessory Swimming Pool – Permitted
 - c. Accessory Dwelling Unit – Conditional Use Permit
 - d. Accessory Building – Permitted
 - e. Accessory Home Business - Conditional Use Permit
 - f. Accessory Home Occupation – Permitted
2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
4. Residential:
 - a. Single-Family Dwelling; Detached – Permitted
5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Golf Courses – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Schools (Pre-K-12) - Conditional Use Permit
7. Assembly – Deceased:
 - a. Cemeteries - Conditional Use Permit
 - b. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
8. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 4: AMENDMENT “4.04.020 Low Density Residential 2 (LDR2) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Livestock – Permitted
 - b. Accessory Swimming Pool – Permitted
 - c. Accessory Building – Permitted
 - d. Accessory Home Business - Conditional Use Permit
 - e. Accessory Home Occupation – Permitted
2. Rental, Short-Term, Transient Living:

- a. Short-Term Rental – Permitted
- 3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
- 4. Residential:
 - a. Single-Family Dwelling; Detached – Permitted
 - b. Single-Family Dwelling; Attached (except townhomes) - Permitted
- 5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Golf Courses – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
- 6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Schools (Pre-K-12) - Conditional Use Permit
- 7. Assembly – Deceased:
 - a. Cemeteries - Conditional Use Permit
 - b. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
- 8. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 5: AMENDMENT “4.05.020 Low Density Residential 3 (LDR3) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

- 1. Accessory Uses:
 - a. Accessory Livestock – Permitted
 - b. Accessory Swimming Pool – Permitted
 - c. Accessory Building – Permitted
 - d. Accessory Home Business - Conditional Use Permit
 - e. Accessory Home Occupation – Permitted
- 2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
- 3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
- 4. Residential:
 - a. Single-Family Dwelling; Detached – Permitted
 - b. Single-Family Dwelling; Attached (except townhomes) - Permitted
 - c. Single-Family Dwelling; Attached (3 or more units) – Permitted
 - d. Manufactured Housing Communities – Conditional Use

Permit

5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Golf Courses – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Schools (Pre-K-12) - Conditional Use Permit
7. Assembly – Deceased:
 - a. Cemeteries - Conditional Use Permit
 - b. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
8. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 6: AMENDMENT “4.06.020 Medium Density Residential 1 (MDR1) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Swimming Pool – Permitted
 - b. Accessory Building – Permitted
 - c. Accessory Home Occupation – Permitted
2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
 - c. Residential Facility for Elderly Persons (greater than 8) – Conditional Use Permit
4. Residential:
 - a. Single-Family Dwelling; Attached (3 or more units) – Permitted
 - b. Multi-Family Dwelling – Permitted
 - c. Dormitory – Conditional Use Permit
5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Dog Parks – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Conditional Use Permit
7. Assembly – Deceased:

- a. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
- 8. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Conditional Use Permit
- 9. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 7: AMENDMENT “4.07.020 Medium Density Residential 2 (MDR2) Permitted Uses” of the Rexburg Development Code is hereby amended as follows:

- 1. Accessory Uses:
 - a. Accessory Swimming Pool – Permitted
 - b. Accessory Building – Permitted
 - c. Accessory Home Occupation – Permitted
- 2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
- 3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Conditional Use Permit
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
 - c. Residential Facility for Elderly Persons (greater than 8) – Conditional Use Permit
- 4. Residential:
 - a. Single-Family Dwelling; Attached (3 or more units) – Permitted
 - b. Multi-Family Dwelling – Permitted
 - c. Dormitory – Conditional Use Permit
- 5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Dog Parks – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
- 6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Conditional Use Permit
- 7. Assembly – Deceased:
 - a. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
- 8. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Conditional Use Permit
- 9. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional

Use Permit

d. Water Storage - Conditional Use Permit

SECTION 8: AMENDMENT “4.08.020 High Density Residential 1 (HDR1) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Swimming Pool – Permitted
 - b. Accessory Building – Permitted
 - c. Accessory Home Occupation – Permitted
2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Permitted
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
 - c. Residential Facility for Elderly Persons (greater than 8) – Conditional Use Permit
 - d. Sanitariums, Convalescent and Rest Homes – Conditional Use Permit
4. Residential:
 - a. Single-Family Dwelling; Attached (3 or more units) – Permitted
 - b. Multi-Family Dwelling – Permitted
 - c. Dormitory – Conditional Use Permit
5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Dog Parks – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Conditional Use Permit
7. Assembly – Deceased:
 - a. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
8. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Conditional Use Permit
9. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 9: AMENDMENT “4.09.020 High Density Residential 2 (HDR2) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Accessory Uses:
 - a. Accessory Swimming Pool – Permitted
 - b. Accessory Building – Permitted

- c. Accessory Home Occupation – Permitted
- 2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
- 3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Permitted
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted
 - c. Residential Facility for Elderly Persons (greater than 8) – Conditional Use Permit
 - d. Sanitariums, Convalescent and Rest Homes – Conditional Use Permit
- 4. Residential:
 - a. Single-Family Dwelling; Attached (3 or more units) – Permitted
 - b. Multi-Family Dwelling – Permitted
 - c. Dormitory – Conditional Use Permit
- 5. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Dog Parks – Conditional Use Permit
 - c. Parks and Playgrounds – Conditional Use Permit
 - d. Recreation Centers – Conditional Use Permit
- 6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Conditional Use Permit
- 7. Assembly – Deceased:
 - a. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
- 8. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Conditional Use Permit
- 9. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 10: AMENDMENT “5.01.020 Mixed Use (MU) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

- 1. Accessory Uses:
 - a. Accessory Swimming Pool – Permitted
 - b. Accessory Building – Permitted
 - c. Accessory Home Occupation – Permitted
- 2. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
 - b. Hotels, Motels - Permitted
- 3. Group Living with Assistance:
 - a. Assisted and Residential Care Facility – Permitted
 - b. Group Home (Disabled & Elderly 8 and fewer) – Permitted

- c. Residential Facility for Elderly Persons (greater than 8) – Conditional Use Permit
 - d. Sanitariums, Convalescent and Rest Homes – Conditional Use Permit
- 4. Residential:
 - a. Single-Family Dwelling; Attached (3 or more units) – Permitted
 - b. Multi-Family Dwelling – Permitted
 - c. Dormitory – Conditional Use Permit
- 5. Recreation & Entertainment:
 - a. Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums - Permitted
 - b. Athletic Fields – Conditional Use Permit
 - c. Commercial Pools - Conditional Use Permit
 - d. Dog Parks – Conditional Use Permit
 - e. Event Center (Dancing, Conferences, Performances) - Conditional Use Permit
 - f. Ice Skating (Commercial) – Conditional Use Permit
 - g. Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.) – Conditional Use Permit
 - h. Museums and Art Galleries, Cultural Activities - Permitted
 - i. Parks and Playgrounds – Conditional Use Permit
 - j. Recreation Centers – Permitted
 - k. Roller Skating - Conditional Use Permit
 - l. Spas – Permitted
 - m. Theatres (Auditoriums, Performing & Motion Pictures) – Conditional Use Permit
- 6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Conditional Use Permit
 - d. Technical Schools & Vocational Schools - Conditional Use Permit
- 7. Assembly – Deceased:
 - a. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
- 8. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - b. Bus Passenger Terminals - Permitted
- 9. Animals:
 - a. Animal Grooming – Conditional Use Permit
 - b. Veterinarian Services (Small Animal Indoor Only) – Conditional Use Permit
- 10. Food & Drink:
 - a. Bakeries & Doughnut Shops – Permitted
 - b. Candy, Nut & Confectionery – Permitted
 - c. Eating Places (Drive through) – Conditional Use Permit
 - d. Eating Places; Restaurants – Permitted
 - e. Grocery Stores - Conditional Use Permit
 - f. Mobile Vending Court - Conditional Use Permit
- 11. Office-Type Business:
 - a. Banks and Credit Unions - Conditional Use Permit
 - b. Call Centers - Conditional Use Permit

- c. Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, Building, etc.) – Permitted
 - d. Scientific Research & Testing (Laboratory) – Conditional Use Permit
 - e. Wedding Chapels & Reception Centers – Permitted
 - f. Welfare & Charitable Services - Permitted
12. Medical & Emergency:
- a. Ambulance and Fire Services – Conditional Use Permit
 - b. Hospitals, Operations Centers, Out-Patient Medical – Conditional Use Permit
 - c. Medical Laboratories – Conditional Use Permit
 - d. Pharmacy & Medical Supplies – Permitted
 - e. Physicians & Dental Offices - Permitted
13. Government:
- a. Governmental Services – Permitted
 - b. Libraries – Permitted
 - c. Police Protection & Related Activities Office - Permitted
14. Building & Construction:
- a. Building & Construction Supplies Retail (No Storage Yard) – Permitted
15. Storage:
- a. Household Good Storage – Conditional Use Permit
16. Shopping:
- a. Antiques – Permitted
 - b. Beauty & Barber Shops & Supplies – Permitted
 - c. Professional, Scientific & Controlling Instruments, and Supplies – Conditional Use Permit
 - d. Equipment Rental (Indoor Only) – Permitted
 - e. Lawn & Garden Supplies (Nursery stock, Equipment, Tools, Greenhouse, Yard Art, etc.) – Conditional Use Permit
 - f. Gasoline Service Stations - Conditional Use Permit
 - g. General Merchandise (Department, Discount, Variety, etc.) – Permitted
 - h. Hardware – Permitted
 - i. Janitorial Supplies – Conditional Use Permit
 - j. Locksmiths & Key Shops – Permitted
 - k. Musical Instruments – Permitted
 - l. Recreational Vehicles and/or Parts and Accessories – Conditional Use Permit
 - m. Shopping Centers - Conditional Use Permit
 - n. Thrift Store and Second-Hand Merchandise (No Outside Storage) - Conditional Use Permit
17. Minor Assembly & Other Innocuous Manufacturing:
- a. Dry Cleaning - Conditional Use Permit
 - b. Laundry, Pressing, Alteration & Garment Repair – Permitted
 - c. Photographic Studio, Supplies & Equipment - Permitted
 - d. Repair Services – Conditional Use Permit
18. Utilities and Fuel:
- a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 11: AMENDMENT “6.01.020 Commercial Business Center (CBC) Permitted Uses” of the Rexburg Development Code is hereby amended as follows:

1. Agricultural Uses:
 - a. Agricultural Product & Input Sales – Conditional Use Permit
 - b. Farm & Construction Vehicles, Equipment and Supplies - Conditional Use Permit
2. Accessory Uses:
 - a. Accessory Building – Permitted
3. Rental, Short-Term, Transient Living:
 - a. Hotels, Motels – Permitted
 - b. Campgrounds, RV Campsites and Travel – Conditional Use Permit
4. Group Living with Assistance:
 - a. Residential Facility for Elderly Persons (greater than 8) – Conditional Use Permit
 - b. Sanitariums, Convalescent and Rest Homes – Conditional Use Permit
5. Recreation & Entertainment:
 - a. Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums - Permitted
 - b. Amusement Parks – Conditional Use Permit
 - c. Athletic Fields – Conditional Use Permit
 - d. Commercial Pools - Permitted
 - e. Dog Parks – Conditional Use Permit
 - f. Drive-In Movies – Conditional Use Permit
 - g. Event Center (Dancing, Conferences, Performances) - Permitted
 - h. Go-Cart, 4-Wheeler Tracks – Conditional Use Permit
 - i. Golf Driving Ranges - Permitted
 - j. Ice Skating (Commercial) – Permitted
 - k. Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.) – Permitted
 - l. Museums and Art Galleries, Cultural Activities - Permitted
 - m. Parks and Playgrounds – Permitted
 - n. Recreation Centers – Permitted
 - o. Riding Stables (Animals are housed also) – Conditional Use Permit
 - p. Roller Skating - Permitted
 - q. Spas – Permitted
 - r. Sports Stadiums, Arenas & Field Houses – Conditional Use Permit
 - s. Theatres (Auditoriums, Performing & Motion Pictures) – Permitted
6. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Permitted
 - d. Technical Schools & Vocational Schools - Conditional Use Permit
7. Assembly – Deceased:
 - a. Churches, Synagogues, and Temples and Missions -

Conditional Use Permit

- b. Funeral Parlor (Mortuary) & Crematory - Permitted
8. Transportation:
- a. Automobile Parking Impound Yards (Stand-alone) – Conditional Use Permit
 - b. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - c. Automobile Repair and Maintenance – Permitted
 - d. Automobile Sales & Rental – Permitted
 - e. Bus Garaging & Equipment Maintenance - Conditional Use Permit
 - f. Bus Passenger Terminals – Permitted
 - g. Freight Terminals - Conditional Use Permit
 - h. Helipad - Conditional Use Permit
 - i. Truck & Bus Sales - Conditional Use Permit
 - j. Truck & Trailer Rentals (no drivers) - Conditional Use Permit
 - k. Truck Repair - Conditional Use Permit
9. Animals:
- a. Animal Grooming – Permitted
 - b. Commercial Kennels - Conditional Use Permit
 - c. Veterinarian Services (Large Animal with Outdoor Facilities) - Conditional Use Permit
 - d. Veterinarian Services (Small Animal Indoor Only) – Permitted
10. Food & Drink:
- a. Bakeries & Doughnut Shops – Permitted
 - b. Candy, Nut & Confectionery – Permitted
 - c. Eating Places (Drive through) – Permitted
 - d. Eating Places; Restaurants – Permitted
 - e. Food Lockers - Permitted
 - f. Grocery Stores – Permitted
 - g. Liquor Stores - Permitted
 - h. Mobile Vending Court - Conditional Use Permit
11. Office-Type Business:
- a. Banks and Credit Unions - Permitted
 - b. Call Centers – Permitted
 - c. Commercial Printing - Permitted
 - d. Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, Building, etc.) – Permitted
 - e. Scientific Research & Testing (Laboratory) – Permitted
 - f. Wedding Chapels & Reception Centers – Permitted
 - g. Welfare & Charitable Services - Permitted
12. Medical & Emergency:
- a. Ambulance and Fire Services – Conditional Use Permit
 - b. Behavior, Drug, and Alcohol Treatment - Conditional Use Permit
 - c. Hospitals, Operations Centers, Out-Patient Medical – Conditional Use Permit
 - d. Medical Laboratories – Permitted
 - e. Pharmacy & Medical Supplies – Permitted
 - f. Physicians & Dental Offices - Permitted
13. Government:
- a. Governmental Services – Permitted
 - b. Libraries – Permitted
 - c. Police Protection & Related Activities Office – Permitted
 - d. Postal Services - Permitted

14. Building & Construction:
 - a. Building & Construction Supplies Retail (No Storage Yard) – Permitted
 - b. Building & Construction Supplies Retail (with Storage Yards) - Conditional Use Permit
15. Storage:
 - a. Household Good Storage – Conditional Use Permit
 - b. Refrigerated Warehousing - Conditional Use Permit
16. Shopping:
 - a. Antiques – Permitted
 - b. Auction Houses - Conditional Use Permit
 - c. Beauty & Barber Shops & Supplies – Permitted
 - d. Professional, Scientific & Controlling Instruments, and Supplies – Permitted
 - e. Equipment Rental & Leasing (Including outside storage) - Conditional Use Permit
 - f. Equipment Rental (Indoor Only) – Permitted
 - g. Lawn & Garden Supplies (Nursery stock, Equipment, Tools, Greenhouse, Yard Art, etc.) – Permitted
 - h. Gas, Bottled (LP Exchange & Refill) Permitted
 - i. Gasoline Service Stations - Permitted
 - j. General Merchandise (Department, Discount, Variety, etc.) – Permitted
 - k. Hardware – Permitted
 - l. Horticulture & Plant Nurseries - Permitted
 - m. Janitorial Supplies – Permitted
 - n. Locksmiths & Key Shops – Permitted
 - o. Machinery Retail (Robotics, Machine Tools, Manufacturing Equipment, etc.) - Conditional Use Permit
 - p. Musical Instruments – Permitted
 - q. Pawn Shops (No Outside Storage) - Conditional Use Permit
 - r. Petroleum & LP Bulk Stations & Terminals - Conditional Use Permit
 - s. Recreational Vehicles and/or Parts and Accessories – Permitted
 - t. Shopping Centers - Permitted
 - u. Thrift Store and Second-Hand Merchandise (No Outside Storage) - Permitted
17. Minor Assembly & Other Innocuous Manufacturing:
 - a. Gunsmith - Permitted
 - b. Dry Cleaning - Permitted
 - c. Laundry, Pressing, Alteration & Garment Repair – Permitted
 - d. Minor Manufacturing & Assembly (Small Item) - Conditional Use Permit
 - e. Photographic Studio, Supplies & Equipment – Permitted
 - f. Pottery & Related Products - Conditional Use Permit
 - g. Repair Services – Permitted
18. Heavy Manufacturing & Recycling
 - a. Metal Working Machinery & Equipment (tool & dye shops, machine shops) - Conditional Use Permit
19. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Spreading Grounds (For Percolating Water into

- Underground) - Conditional Use Permit
- d. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
- e. Water Storage - Conditional Use Permit

SECTION 12: AMENDMENT “6.02.020 Regional Business Center (RBC) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Agricultural Uses:
 - a. Agricultural Product & Input Sales – Conditional Use Permit
 - b. Farm & Construction Vehicles, Equipment and Supplies - Conditional Use Permit
2. Accessory Uses:
 - a. Accessory Building – Permitted
3. Rental, Short-Term, Transient Living:
 - a. Hotels, Motels – Permitted
4. Recreation & Entertainment:
 - a. Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums - Permitted
 - b. Amusement Parks – Conditional Use Permit
 - c. Commercial Pools - Permitted
 - d. Event Center (Dancing, Conferences, Performances) - Permitted
 - e. Go-Cart, 4-Wheeler Tracks – Conditional Use Permit
 - f. Ice Skating (Commercial) – Permitted
 - g. Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.) – Permitted
 - h. Museums and Art Galleries, Cultural Activities - Permitted
 - i. Recreation Centers – Permitted
 - j. Roller Skating - Permitted
 - k. Spas – Permitted
 - l. Theatres (Auditoriums, Performing & Motion Pictures) – Permitted
5. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Permitted
 - d. Technical Schools & Vocational Schools - Conditional Use Permit
6. Assembly – Deceased:
 - a. Funeral Parlor (Mortuary) & Crematory - Conditional Use Permit
7. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - b. Automobile Repair and Maintenance – Permitted
 - c. Automobile Sales & Rental – Permitted
 - d. Bus Passenger Terminals – Permitted
 - e. Helipad - Conditional Use Permit
 - f. Truck & Bus Sales - Permitted
 - g. Truck & Trailer Rentals (no drivers) - Conditional Use Permit

8. Animals:
 - a. Animal Grooming – Permitted
 - b. Veterinarian Services (Small Animal Indoor Only) – Permitted
9. Food & Drink:
 - a. Bakeries & Doughnut Shops – Permitted
 - b. Candy, Nut & Confectionery – Permitted
 - c. Eating Places (Drive through) – Permitted
 - d. Eating Places; Restaurants – Permitted
 - e. Grocery Stores – Permitted
 - f. Liquor Stores - Permitted
 - g. Mobile Vending Court - Conditional Use Permit
10. Office-Type Business:
 - a. Banks and Credit Unions - Permitted
 - b. Call Centers – Permitted
 - c. Commercial Printing - Permitted
 - d. Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, Building, etc.) – Permitted
 - e. Scientific Research & Testing (Laboratory) – Permitted
 - f. Wedding Chapels & Reception Centers – Conditional Use Permit
 - g. Welfare & Charitable Services - Permitted
11. Medical & Emergency:
 - a. Ambulance and Fire Services – Conditional Use Permit
 - b. Behavior, Drug, and Alcohol Treatment - Conditional Use Permit
 - c. Hospitals, Operations Centers, Out-Patient Medical – Conditional Use Permit
 - d. Medical Laboratories – Permitted
 - e. Pharmacy & Medical Supplies – Permitted
 - f. Physicians & Dental Offices - Permitted
12. Government:
 - a. Governmental Services – Permitted
 - b. Libraries – Permitted
 - c. Police Protection & Related Activities Office – Permitted
13. Building & Construction:
 - a. Building & Construction Supplies Retail (No Storage Yard) – Permitted
 - b. Building & Construction Supplies Retail (with Storage Yards) - Conditional Use Permit
14. Shopping:
 - a. Antiques – Permitted
 - b. Auction Houses - Conditional Use Permit
 - c. Beauty & Barber Shops & Supplies – Permitted
 - d. Professional, Scientific & Controlling Instruments, and Supplies – Permitted
 - e. Equipment Rental & Leasing (Including outside storage) - Conditional Use Permit
 - f. Equipment Rental (Indoor Only) – Permitted
 - g. Lawn & Garden Supplies (Nursery stock, Equipment, Tools, Greenhouse, Yard Art, etc.) – Permitted
 - h. Gas, Bottled (LP Exchange & Refill) Permitted
 - i. Gasoline Service Stations - Permitted
 - j. General Merchandise (Department, Discount, Variety, etc.) – Permitted
 - k. Hardware – Permitted
 - l. Horticulture & Plant Nurseries - Permitted

- m. Janitorial Supplies – Permitted
 - n. Locksmiths & Key Shops – Permitted
 - o. Machinery Retail (Robotics, Machine Tools, Manufacturing Equipment, etc.) - Conditional Use Permit
 - p. Musical Instruments – Permitted
 - q. Petroleum & LP Bulk Stations & Terminals - Conditional Use Permit
 - r. Recreational Vehicles and/or Parts and Accessories – Permitted
 - s. Shopping Centers - Permitted
 - t. Thrift Store and Second-Hand Merchandise (No Outside Storage) - Conditional Use Permit
15. Minor Assembly & Other Innocuous Manufacturing:
- a. Gunsmith - Permitted
 - b. Dry Cleaning - Permitted
 - c. Laundry, Pressing, Alteration & Garment Repair – Permitted
 - d. Photographic Studio, Supplies & Equipment – Permitted
 - e. Repair Services – Conditional Use Permit
16. Utilities and Fuel:
- a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Spreading Grounds (For Percolating Water into Underground) - Conditional Use Permit
 - d. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - e. Water Storage - Conditional Use Permit

SECTION 13: AMENDMENT “8.04.020 Residential Business District (RBD) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

- 1. Accessory Uses:
 - a. Accessory Building – Conditional Use Permit
- 2. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
- 3. Food & Drink:
 - a. Bakeries & Doughnut Shops – Conditional Use Permit
 - b. Candy, Nut & Confectionery – Conditional Use Permit
- 4. Shopping:
 - a. Beauty & Barber Shops & Supplies – Permitted
- 5. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted

SECTION 14: AMENDMENT “7.01.020 Light Industrial (LI) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

- 1. Agricultural:
 - a. Agriculture Packaging - Conditional Use Permit
 - b. Agriculture Processing - Conditional Use Permit

- c. Agriculture Product & Input Sales – Permitted
- d. Farm Construction Vehicles, Equipment and Supplies - Permitted
- 2. Accessory Uses:
 - a. Accessory Dwelling Unit - Conditional Use Permit
 - b. Accessory Building – Permitted
- 3. Rental, Short-Term, Transient Living:
 - a. Hotels, Motels – Conditional Use Permit
- 4. Recreation & Entertainment:
 - a. Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums - Conditional Use Permit
- 5. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Special Training (Fire, Police, etc.) - Conditional Use Permit
 - d. Technical Schools & Vocational Schools - Conditional Use Permit
- 6. Transportation:
 - a. Automobile Parking Impound Yards (Stand-alone) – Permitted
 - b. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - c. Automobile Repair and Maintenance – Permitted
 - d. Automobile Sales & Rental – Permitted
 - e. Bus Garaging & Equipment Maintenance - Permitted
 - f. Freight Garaging & Maintenance - Permitted
 - g. Freight Terminals - Permitted
 - h. Helipad - Conditional Use Permit
 - i. Railroad Yards - Permitted
 - j. Truck & Bus Sales - Permitted
 - k. Truck & Trailer Rentals (no drivers) - Permitted
 - l. Truck Repair - Permitted
- 7. Animals:
 - a. Animal Grooming – Permitted
 - b. Commercial Kennels - Conditional Use Permit
 - c. Veterinarian Services (Large Animal with Outdoor Facilities) - Conditional Use Permit
 - d. Veterinarian Services (Small Animal Indoor Only) – Permitted
- 8. Food & Drink:
 - a. Bakeries & Doughnut Shops – Permitted
 - b. Candy, Nut & Confectionery – Permitted
 - c. Canning – Fruits, Vegetables, Preserves, Jams, Specialty, etc. – Conditional Use Permit
 - d. Food & Kindred Products (Except meat packing, animal and marine fats & oils) - Permitted
 - e. Food Lockers - Permitted
 - f. Mobile Vending Court - Conditional Use Permit
- 9. Office-Type Business:
 - a. Commercial Printing - Permitted
 - b. Scientific Research & Testing (Laboratory) – Permitted
- 10. Medical & Emergency:
 - a. Ambulance and Fire Services – Conditional Use Permit
 - b. Medical Laboratories – Permitted

11. Government:
 - a. Postal Services - Permitted
12. Building & Construction:
 - a. Building & Construction Supplies Retail (No Storage Yard) – Permitted
 - b. Building & Construction Supplies Retail (with Storage Yards) - Permitted
13. Storage:
 - a. Household Good Storage – Permitted
 - b. Refrigerated Warehousing – Permitted
 - c. Warehousing & Storage Industrial Services – Conditional Use Permit
14. Shopping:
 - a. Auction Yard - Conditional Use Permit
 - b. Professional, Scientific & Controlling Instruments, and Supplies – Permitted
 - c. Equipment Rental & Leasing (Including outside storage) - Permitted
 - d. Equipment Rental (Indoor Only) – Permitted
 - e. Lawn & Garden Supplies (Nursery stock, Equipment, Tools, Greenhouse, Yard Art, etc.) – Permitted
 - f. Gas, Bottled (LP Exchange & Refill) Permitted
 - g. Gasoline Service Stations - Permitted
 - h. Hardware – Permitted
 - i. Horticulture & Plant Nurseries - Permitted
 - j. Janitorial Supplies – Permitted
 - k. Machinery Retail (Robotics, Machine Tools, Manufacturing Equipment, etc.) - Permitted
 - l. Manufacturing of Apparel and Accessories (Except leather tanning and finishing) – Permitted
 - m. Petroleum & LP Bulk Stations & Terminals - Conditional Use Permit
 - n. Recreational Vehicles and/or Parts and Accessories – Permitted
15. Minor Assembly & Other Innocuous Manufacturing:
 - a. Gunsmith - Permitted
 - b. Industrial Laundry – Conditional Use Permit
 - c. Minor Manufacturing & Assembly (Small Item) - Permitted
 - d. Pottery & Related Products - Permitted
 - e. Repair Services – Permitted
16. Heavy Manufacturing & Recycling
 - a. Bottling & Canning, Soft Drinks and Carbonated Water – Permitted
 - b. Firearms and Ammunition – Conditional Use Permit
 - c. Glass, Flat, Pressed - Conditional Use Permit
 - d. Metal Working Machinery & Equipment (tool & dye shops, machine shops) – Permitted
 - e. Miscellaneous Fabricated Rubber Products – Conditional Use Permit
 - f. Plastic Materials, Synthetic Resins and Non-vulcanizable Elastomers – Conditional Use Permit
 - g. Printing Ink – Permitted
 - h. Textile Mill Products (no tire cord and fabric) - Permitted
17. Utilities and Fuel:
 - a. Refuse Disposal – Conditional Use Permit
 - b. Right of Way (combo, electric transmission, gas pipeline,

- sewage, water pipeline, storm drain) – Permitted
- c. Public Facilities – Permitted
- d. Spreading Grounds (For Percolating Water into Underground) - Conditional Use Permit
- e. Storage Yards (Utility) - Permitted
- f. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
- g. Wastewater Treatment Plants, Sludge Drying Beds, etc. - Conditional Use Permit
- h. Water Storage - Conditional Use Permit

SECTION 15: AMENDMENT “7.02.020 Heavy Industrial (HI) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Agricultural:
 - a. Agriculture Packaging - Permitted
 - b. Agriculture Processing - Permitted
 - c. Agriculture Product & Input Sales – Permitted
 - d. Farm Construction Vehicles, Equipment and Supplies - Permitted
2. Accessory Uses:
 - a. Accessory Dwelling Unit - Conditional Use Permit
 - b. Accessory Building – Permitted
3. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
4. Transportation:
 - a. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - b. Bus Garaging & Equipment Maintenance - Permitted
 - c. Freight Garaging & Maintenance - Permitted
 - d. Freight Terminals - Permitted
 - e. Helipad - Conditional Use Permit
 - f. Railroad Yards - Permitted
 - g. Truck & Bus Sales - Permitted
 - h. Truck & Trailer Rentals (no drivers) - Permitted
 - i. Truck Repair - Permitted
5. Food & Drink:
 - a. Canning – Fruits, Vegetables, Preserves, Jams, Specialty, etc. – Permitted
 - b. Food & Kindred Products (Except meat packing, animal and marine fats & oils) - Permitted
6. Office-Type Business:
 - a. Commercial Printing - Permitted
7. Building & Construction:
 - a. Building & Construction Supplies Retail (No Storage Yard) – Permitted
 - b. Building & Construction Supplies Retail (with Storage Yards) - Permitted
 - c. Concrete Mix Plant; Asphalt Hot Plant - Conditional Use Permit
8. Storage:
 - a. Refrigerated Warehousing – Permitted
 - b. Warehousing & Storage Industrial Services – Permitted

9. Shopping:
 - a. Auction Yard - Permitted
 - b. Gasoline Service Stations – Conditional Use Permit
 - c. Janitorial Supplies – Permitted
 - d. Machinery Retail (Robotics, Machine Tools, Manufacturing Equipment, etc.) - Permitted
 - e. Manufacturing of Apparel and Accessories (Except leather tanning and finishing) – Permitted
 - f. Petroleum & LP Bulk Stations & Terminals - Permitted
10. Minor Assembly & Other Innocuous Manufacturing:
 - a. Industrial Laundry – Permitted
 - b. Repair Services – Permitted
11. Heavy Manufacturing & Recycling
 - a. Bottling & Canning, Soft Drinks and Carbonated Water – Permitted
 - b. Explosives – Conditional Use Permit
 - c. Firearms and Ammunition – Conditional Use Permit
 - d. Fire Works - Conditional Use Permit
 - e. Glass, Flat, Pressed – Permitted
 - f. Industrial Inorganic Chemicals (includes air separation) – Conditional Use Permit
 - g. Foundries (Refining & Extruding of Metals) - Conditional Use Permit
 - h. Junk Dealers, Salvage Operations, Waste Material & Scrap – Conditional Use Permit
 - i. Leather Tanning and Finishing – Permitted
 - j. Matches - Permitted
 - k. Miscellaneous Fabricated Rubber Products – Permitted
 - l. Non-clay Refractories – Permitted
 - m. Nuclear Energy – Conditional Use Permit
 - n. Paper and Allied Products (Except Pulp) - Permitted
 - o. Plastic Materials, Synthetic Resins and Non-vulcanizable Elastomers – Conditional Use Permit
 - p. Printing Ink – Permitted
 - q. Recycle Center – Conditional Use Permit
 - r. Textile Mill Products (no tire cord and fabric) – Permitted
 - s. Tire Cord & Fabric - Permitted
12. Utilities and Fuel:
 - a. Electric Generation Plants (Conventional fuel including hydroelectric, solar, etc.) – Conditional Use Permit
 - b. Refuse Disposal – Conditional Use Permit
 - c. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - d. Public Facilities – Permitted
 - e. Storage Yards (Utility) - Permitted
 - f. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - g. Wastewater Treatment Plants, Sludge Drying Beds, etc. - Conditional Use Permit
 - h. Water Storage - Conditional Use Permit
 - i. Water Treatment Plants (Purification) - Conditional Use Permit

SECTION 16: AMENDMENT “5.02.020 Transitional Agriculture (TAG) Permitted Uses” of the Rexburg Development Code is hereby amended as follows:

1. Agricultural:
 - a. Agriculture Farming & Ranching - Permitted
2. Accessory Uses:
 - a. Accessory Livestock (No more than ten (10) per acre) – Permitted
 - b. Accessory Swimming Pool – Permitted
 - c. Accessory Dwelling Unit – Conditional Use Permit
 - d. Accessory Building – Permitted
 - e. Accessory Home Business - Conditional Use Permit
 - f. Accessory Home Occupation – Permitted
3. Rental, Short-Term, Transient Living:
 - a. Short-Term Rental – Permitted
4. Group Living with Assistance:
 - a. Group Home (Disabled & Elderly 8 and fewer) – Permitted
5. Residential:
 - a. Single-Family Dwelling; Detached – Permitted
6. Recreation & Entertainment:
 - a. Athletic Fields – Conditional Use Permit
 - b. Golf Courses – Conditional Use Permit
 - c. Recreation Centers – Conditional Use Permit
7. Schools:
 - a. Day Care Centers (7 or more children, 3 or more times a week) - Conditional Use Permit
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Conditional Use Permit
 - c. Schools (Pre-K-12) - Conditional Use Permit
8. Assembly – Deceased:
 - a. Cemeteries - Conditional Use Permit
 - b. Churches, Synagogues, and Temples and Missions - Conditional Use Permit
9. Animals:
 - a. Animal Grooming – Conditional Use Permit
 - b. Commercial Kennels – Conditional Use Permit
10. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage - Conditional Use Permit

SECTION 17: AMENDMENT “8.03.020 University District (UD) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

1. Agricultural Uses:
 - a. Agriculture Farming & Ranching - Permitted
2. Accessory Uses:
 - a. Accessory Building – Permitted
3. Rental, Short-Term, Transient Living:
 - a. Hotels, Motels – Conditional Use Permit
4. Residential:
 - a. Multi-Family Dwelling - Conditional Use Permit
 - b. Dormitory - Conditional Use Permit
5. Recreation & Entertainment:
 - a. Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums - Permitted

- b. Athletic Fields – Permitted
 - c. Commercial Pools - Permitted
 - d. Event Center (Dancing, Conferences, Performances) - Permitted
 - e. Ice Skating (Commercial) – Permitted
 - f. Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.) – Permitted
 - g. Museums and Art Galleries, Cultural Activities - Permitted
 - h. Parks and Playgrounds – Permitted
 - i. Recreation Centers – Permitted
 - j. Riding Stables (Animals are housed also) – Conditional Use Permit
 - k. Roller Skating - Permitted
 - l. Spas – Permitted
 - m. Sports Stadiums, Arenas & Field Houses – Conditional Use Permit
 - n. Theatres (Auditoriums, Performing & Motion Pictures) – Permitted
6. Schools:
- a. Day Care Centers (7 or more children, 3 or more times a week) - Permitted
 - b. Nursery Schools (6 or less children, 3 or more times a week) - Permitted
 - c. Schools (Pre-K-12) - Permitted
 - d. Special Training (Fire, Police, etc.) – Conditional Use Permit
 - e. Technical Schools & Vocational Schools – Permitted
 - f. University, College, Junior College, Professional School Education - Permitted
7. Assembly – Deceased:
- a. Churches, Synagogues, and Temples and Missions - Permitted
8. Transportation:
- a. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - b. Automobile Repair and Maintenance – Permitted
 - c. Bus Garaging & Equipment Maintenance - Permitted
 - d. Bus Passenger Terminals – Permitted
 - e. Freight Garaging & Maintenance - Permitted
 - f. Freight Terminals - Permitted
 - g. Helipad - Conditional Use Permit
9. Animals:
- a. Veterinarian Services (Large Animal with Outdoor Facilities) - Conditional Use Permit
 - b. Veterinarian Services (Small Animal Indoor Only) – Conditional Use Permit
10. Food & Drink:
- a. Bakeries & Doughnut Shops – Permitted
 - b. Candy, Nut & Confectionery – Permitted
 - c. Eating Places (Drive through) – Permitted
 - d. Eating Places; Restaurants – Permitted
 - e. Food Lockers - Permitted
 - f. Mobile Vending Court - Conditional Use Permit
11. Office-Type Business:
- a. Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, Building, etc.) – Permitted

- b. Scientific Research & Testing (Laboratory) – Permitted
 - c. Wedding Chapels & Reception Centers – Permitted
 - d. Welfare & Charitable Services - Permitted
12. Medical & Emergency:
- a. Ambulance and Fire Services – Conditional Use Permit
 - b. Hospitals, Operations Centers, Out-Patient Medical – Conditional Use Permit
 - c. Medical Laboratories – Permitted
 - d. Pharmacy & Medical Supplies – Permitted
 - e. Physicians & Dental Offices - Permitted
13. Government:
- a. Libraries – Permitted
 - b. Police Protection & Related Activities Office – Permitted
 - c. Postal Services - Permitted
14. Storage:
- a. Refrigerated Warehousing – Permitted
 - b. Warehousing & Storage Industrial Services - Permitted
15. Shopping:
- a. Beauty & Barber Shops & Supplies – Permitted
 - b. Professional, Scientific & Controlling Instruments, and Supplies – Permitted
 - c. Equipment Rental (Indoor Only) – Permitted
 - d. General Merchandise (Department, Discount, Variety, etc.) – Permitted
 - e. Horticulture & Plant Nurseries - Permitted
 - f. Musical Instruments – Permitted
16. Minor Assembly & Other Innocuous Manufacturing:
- a. Photographic Studio, Supplies & Equipment – Permitted
 - b. Pottery & Related Products - Permitted
17. Utilities and Fuel:
- a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Storage Yards (Utility) - Permitted
 - d. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - e. Water Storage - Conditional Use Permit

SECTION 18: AMENDMENT “8.02.020 Public Facilities (PF) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

- 1. Accessory Uses:
 - a. Accessory Building – Permitted
- 2. Rental, Short-Term, Transient Living:
 - a. Campgrounds, RV Campsites and Travel – Conditional Use Permit
- 3. Recreation & Entertainment:
 - a. Athletic Fields – Permitted
 - b. Commercial Pools – Permitted
 - c. Dog Parks – Conditional Use Permit
 - d. Event Center (Dancing, Conferences, Performances) - Conditional Use Permit
 - e. Fairgrounds – Permitted
 - f. Golf Courses – Permitted
 - g. Golf Driving Ranges - Permitted
 - h. Ice Skating (Commercial) – Permitted

- i. Museums and Art Galleries, Cultural Activities – Permitted
 - j. Nature Exhibits - Permitted
 - k. Parks and Playgrounds – Permitted
 - l. Recreation Centers – Permitted
 - m. Roller Skating – Conditional Use Permit
 - n. Skate Park – Conditional Use Permit
 - o. Sports Stadiums, Arenas & Field Houses – Conditional Use Permit
 - p. Theatres (Auditoriums, Performing & Motion Pictures) – Permitted
4. Schools:
- a. Schools (Pre-K-12) - Permitted
 - b. Special Training (Fire, Police, etc.) – Permitted
 - c. Technical Schools & Vocational Schools – Conditional Use Permit
 - d. University, College, Junior College, Professional School Education - Permitted
5. Assembly – Deceased:
- a. Cemeteries – Conditional Use Permit
 - b. Funeral Parlor (Mortuary) & Crematory - Conditional Use Permit
6. Transportation:
- a. Aircraft Manufacturing and Assembling (in or adjacent to an airport) - Conditional Use Permit
 - b. Airports - Conditional Use Permit
 - c. Automobile Parking Lots and Garages (Stand-alone) - Permitted
 - d. Bus Garaging & Equipment Maintenance – Conditional Use Permit
 - e. Helipad - Conditional Use Permit
7. Food & Drink:
- a. Mobile Vending Court - Conditional Use Permit
8. Medical & Emergency:
- a. Ambulance and Fire Services – Conditional Use Permit
 - b. Behavior, Drug and Alcohol Treatment - Conditional Use Permit
 - c. Hospitals, Operations Centers, Out-Patient Medical – Permitted
 - d. Pharmacy & Medical Supplies – Permitted
9. Government:
- a. Governmental Services - Permitted
 - b. Libraries – Permitted
 - c. Police Protection & Related Activities Office – Permitted
 - d. Postal Services - Permitted
10. Heavy Manufacturing & Recycling:
- a. Central Garbage Grinding Stations and Composting Plants – Conditional Use Permit
 - b. Mining & Quarrying - Conditional Use Permit
 - c. Nuclear Energy – Conditional Use Permit
11. Utilities and Fuel:
- a. Electric Generation Plants (Conventional fuel including hydroelectric, solar, etc.) – Conditional Use Permit
 - b. Nuclear Modular Reactor – Conditional Use Permit
 - c. Refuse Disposal – Conditional Use Permit
 - d. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted

- e. Public Facilities – Permitted
- f. Spreading Grounds (For percolating water into underground) – Conditional Use Permit
- g. Storage Yards (Utility) - Permitted
- h. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
- i. Wastewater Treatment Plants, Sludge Drying Beds, etc. - Conditional Use Permit
- j. Water Storage – Permitted
- k. Water Treatment Plants (Purification) - Conditional Use Permit

SECTION 19: AMENDMENT “8.01.020 Open Space (OS) Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

- 1. Recreation & Entertainment:
 - a. Nature Exhibits – Conditional Use Permit
- 2. Utilities and Fuel:
 - a. Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain) – Permitted
 - b. Public Facilities – Permitted
 - c. Utilities (Rocky Mtn Power, Int Gas, etc.) – Conditional Use Permit
 - d. Water Storage – Conditional Use Permit

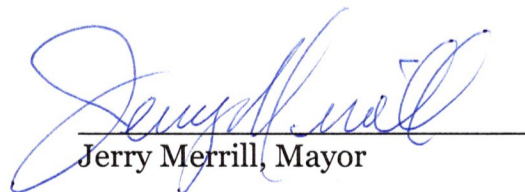
SECTION 20: REPEALER CLAUSE Providing for other substantive and non-substantive changes in the Development Code as recommended and approved by the Planning and Zoning Commission of the City of Rexburg, Idaho. Furthermore, any portion of the existing Development Code in conflict with this proposed amendment is hereby repealed.

SECTION 21: SEVERABILITY CLAUSE The provisions of this Ordinance shall be deemed severable and a finding by a court of law that a provision of the Ordinance is unlawful shall have no effect on the remaining provisions.

SECTION 22: EFFECTIVE DATE The City of Rexburg, Idaho City Council shall enact this Ordinance (#23-00622) amending Ordinance 1200 otherwise known as 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.





 Jerry Merrill, Mayor

ATTEST:

