

CITY OF REXBURG
ORDINANCE FAMILY APRIL 2025

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

SECTION 1: **AMENDMENT** “F” of the Rexburg Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

F

F.A.A.: Federal Aviation Administration. **Facade:** Portions of a building that are visible from private or public roads and walkways but not including alleys. **Family:** A group of one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit, provided that at least one of the following situations exist:

- A. At least one of the group is related to all of the other members of the group within the third degree of kinship;
- B. The group is divisible into two subgroups, each composed of at least one person who is related to all other members of the subgroup within the third degree of kinship; or
- C. All such persons are handicapped persons as defined by the *I.C. Section 67-6531* or in *Title VII of the Civil Rights Act of 1968*, as amended by the *Fair Housing Act Amendments of 1988*, or any subsequent amendments to the foregoing regulations.

Family Home Daycare: A building or structure where care, protection, and supervision are provided on a regular schedule, at least three times a week for six (6) or fewer children. (*See subsection 4.00.040 Home Occupations.*)

F.C.C.: Federal Communications Commission. **Feedlot:** Any area where one-thousand (1,000) head or more of livestock are confined for a period of one (1) year or more.

Fence: Any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line.

Fenestration: The arrangement of windows in a building to provide interior light; also used as decorative elements in a facade.

Fire Station: A building or portion of a building that provides, at a minimum, all weather protection for fire apparatus. Temperatures inside the building used for this purpose must be maintained at above thirty-two (32°) degrees Fahrenheit.

Flagpole: a structure used for the sole purpose of displaying flags.

Flood Light: A lamp that produces up to one thousand, eight hundred (1,800) lumens and is designed to flood a well-defined area with light. **Flood Plain:** Those areas designated as Zone A or AE as shown on the current Flood Insurance Rate Map (FIRM) as prepared by National Flood Insurance Program.

- A. **Area of Shallow Flooding:** The base flood depths range from one to three (1-3) feet; where a clearly defined channel does not exist and the path of flooding is unpredictable and indeterminate, and velocity flow may be evident. AO characterized as sheet flow and AG indicates pounding on the FIRM map.
- B. **Area of Special Flood Hazard, Base Flood or 100-Year Flood:** The land in the flood plain within a community subject to a one (1%) percent or greater chance of flooding in any given year. Designation on maps always includes the letter A.
- C. **Base Flood Elevation:** (BFE)" the computed elevation to which flood water is anticipated to rise during the "Base Flood." The Base Flood Elevation (BFE) is depicted on the FIRM to the nearest foot and in the FIS to the nearest 0.1 foot.
- D. **Channel:** A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.
- E. **Flood:** The temporary inundation of land by overflow from a river, stream, lake, or other body of standing water. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation of runoff or surface waters from any source.
- F. **Flood Insurance Rate Map (FIRM):** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- G. **Flood Insurance Study:** The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary Floodway Map, and the water surface elevation of the base flood.
- H. **Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1') foot at any point.
- I. **Floodway Fringe:** The part of the flood plain which is beyond the flood way encroachment lines limiting a designated flood way. Such areas will include those portions of the flood plain which will be inundated but which may be developed for use under land use regulations without material effect upon the flood water carrying capacity of the flood way and the flood water levels. Such areas are characterized by shallow flood depths and low velocities of water flow.
- J. **Flood Protection Elevation (FPE):** As defined in *Idaho Code §46-1021 (7)*, an elevation that shall correspond to the elevation of the one percent (1%) percent chance annual flood BFE, plus any increased flood elevation due to floodway encroachment, plus any required freeboard. The flood protection elevation for Rexburg, Idaho is equal to BFE plus one foot (1') foot of freeboard; the freeboard accounts for any flood elevation increases due to floodway encroachment as shown in the community's Flood Insurance Study.

Floor Area, Gross: The sum of the areas of all floors of a building, including any area used

for human occupancy in the basements and attics, as measured from the exterior faces of the walls. **Floor, Lowest:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non elevation design requirements of this Ordinance. **Foot-candle (fc):** The American unit used to measure the total amount of light cast on a surface. For example, a full moon produces 0.01 foot-candles. Foot-candles are measured with a light meter. **Footprint:** The area covered by the enclosed area of the structure if perpendicular planes were extended from all portions of the structure to the ground. **Frontage:** The length of any one property line of a premise, which property line abuts a legally accessible street right-of-way including streets and alleys. To constitute frontage, the street or alley must provide access to abutting properties. For purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered front yards and yards shall be provided as indicated under "yards" in this definition section. **Fully shielded:** The luminaire and its mounting, taken as a whole, allowing no direct light above the horizontal.

AFTER AMENDMENT

F

F.A.A.: Federal Aviation Administration. **Facade:** Portions of a building that are visible from private or public roads and walkways but not including alleys. **Family:** A group of one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit, provided that at least one of the following situations exist:

- A. ~~At least one of the group is related to all of the other members of the group within the third degree of kinship~~ One (1) or more related (by blood, marriage, adoption, and/or guardianship within the third degree of kinship) persons living together as a single housekeeping unit;
- B. ~~The group is divisible into two subgroups, each composed of at least one person who is related to all other members of the subgroup within the third degree of kinship~~ Two (2) persons who are not related and any number of additional persons related to either of such two (2) unrelated persons, as long as all persons are living together as a single housekeeping unit; or
- C. Not more than four (4) persons living together as a single housekeeping unit, when one (1) or more persons are not related to any other person in such dwelling unit; or
- D. All such persons are handicapped persons as defined by the *I.C. Section 67-6531* or in *Title VII of the Civil Rights Act of 1968*, as amended by the *Fair Housing Act Amendments of 1988*, or any subsequent amendments to the foregoing regulations.

Family Home Daycare: A building or structure where care, protection, and supervision are provided on a regular schedule, at least three times a week for six (6) or fewer children. (*See subsection 4.00.040 Home Occupations.*)

F.C.C.: Federal Communications Commission. **Feedlot:** Any area where one-thousand (1,000) head or more of livestock are confined for a period of one (1) year or more.

Fence: Any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line.

Fenestration: The arrangement of windows in a building to provide interior light; also used as decorative elements in a facade.

Fire Station: A building or portion of a building that provides, at a minimum, all weather protection for fire apparatus. Temperatures inside the building used for this purpose must be maintained at above thirty-two (32°) degrees Fahrenheit.

Flagpole: a structure used for the sole purpose of displaying flags.

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- C. **Base Flood Elevation:** (BFE)" the computed elevation to which flood water is anticipated to rise during the "Base Flood." The Base Flood Elevation (BFE) is depicted on the FIRM to the nearest foot and in the FIS to the nearest 0.1 foot.
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- E. **Flood:** The temporary inundation of land by overflow from a river, stream, lake, or other body of standing water. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation of runoff or surface waters from any source.
- F. **Flood Insurance Rate Map (FIRM):** The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- G. **Flood Insurance Study:** The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary Floodway Map, and the water surface elevation of the base flood.
- H. **Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1') foot at any point.
- I. **Floodway Fringe:** The part of the flood plain which is beyond the flood way encroachment lines limiting a designated flood way. Such areas will include those

portions of the flood plain which will be inundated but which may be developed for use under land use regulations without material effect upon the flood water carrying

capacity of the flood way and the flood water levels. Such areas are characterized by shallow flood depths and low velocities of water flow.

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SECTION 2: AMENDMENT "C" of the Rexburg Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

C

Cabana: A stationary, lightweight structure which may be prefabricated or demountable, with two or more walls, used adjacently to and in conjunction with a manufactured/mobile home.

Campground: An area or tract of land on which accommodations for temporary occupancy are located or may be located, including cabins, tents, and major recreational vehicles or equipment, and which is used primarily for recreational purposes and retains an open air or natural character. **Carport:** A stationary structure consisting of a roof with its supports and not

more than one wall used for sheltering a motor vehicle. **Car Wash:** An area of land and/or a structure with a machine or hand-operated facility used principally for the cleaning, washing, polishing, or waxing of motor vehicles. **Child Care Facility:** ([See Daycare Centers.](#)) **City:**

City of Rexburg **City Clerk:** The Clerk of the City **City Engineer:** An Idaho registered, professional engineer designated by the City to represent the City's engineering interests. **City Engineering Standards:** Refers to the most recent City of Rexburg Engineering Standards adopted by resolution of the City Council. City Engineering Standards may include standard drawings, standard specifications, supplemental conditions, and any additions, amendments, or addenda established by the City Engineer. ([See City Engineering Standards.](#)) **City Impact Area:** That unincorporated area contiguous to the Rexburg City Limits officially adopted as the "Area of City Impact." **City Staff:** When the term Staff or City Staff are used in this document the persons identified as such shall be the Zoning Administrator, the Public Works Director, the City Engineer, the Economic Development Director, the GIS Director and the City Attorney. **Commercial Cluster, Substantial:** A group of commercial businesses that include a grocery store, restaurant, and bank as a minimum, along with other various retail and services. The buildings that comprise the cluster shall be within a three (3) block area.

Commercial Daycare Center: A building or structure where care, protection, and supervision are provided on a regular schedule, at least three times a week for thirteen (13) or more children.

Commercial Structures, Large Scale: Structures that are twenty-five-thousand (25,000) square feet in size and larger. This includes commercial retail and business office buildings.

Commission: The Rexburg City Planning and Zoning Commission hereinafter referred to as Commission. **Common Area:** That area which is held in common ownership by owners of land within the platted area. **Comprehensive Plan:** The Comprehensive Plan for the City of Rexburg, or parts thereof, projecting future growth and development and for the general location and coordination of streets and highways, schools and recreation areas, public building sites and other facilities, which shall have been duly adopted. This plan shall comply with the Idaho Code as adopted or amended. ([See Comprehensive Plan.](#)) **Conditional Approval:** An affirmative action by the Commission indicating the approval is given subject to certain specified stipulations. **Conditional Use Permit:** A special use permit as provided for by *Idaho Section 67-6512* in which a use that, owing to some special characteristics such as traffic or noise generation, parking needs, access, building size, lighting, consistency with developed uses in the area, or other characteristics of operation, is permitted in certain districts subject to approval by the Planning and Zoning Commission or the City Council, subject to terms and conditions, depending upon the particular use. **Condominium:** A multi-family dwelling where the units can be sold individually, but the building/structure and common areas remain under a single ownership.

Convenience Store: Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross square floor area of less than five-thousand (5,000) square feet. **Copy:** Any combination of letters or numbers that are intended to inform, direct or otherwise transmit information.

Council: The Rexburg City Council hereinafter referred to as the Council. **County Commission:** The Madison County Board of Commissioners. **County Engineer:** An Idaho Registered Professional Engineer or consulting Engineering firm designated by the County Commission to represent the County's engineering interests.

AFTER AMENDMENT

C

Cabana: A stationary, lightweight structure which may be prefabricated or demountable, with two or more walls, used adjacently to and in conjunction with a manufactured/mobile home.

Campground: An area or tract of land on which accommodations for temporary occupancy are located or may be located, including cabins, tents, and major recreational vehicles or equipment, and which is used primarily for recreational purposes and retains an open air or natural character. **Carport:** A stationary structure consisting of a roof with its supports and not more than one wall used for sheltering a motor vehicle. **Car Wash:** An area of land and/or a structure with a machine or hand-operated facility used principally for the cleaning, washing, polishing, or waxing of motor vehicles. **Child Care Facility:** (*See Daycare Centers.*) **City:** City of Rexburg **City Clerk:** The Clerk of the City **City Engineer:** An Idaho registered, professional engineer designated by the City to represent the City's engineering interests. **City Engineering Standards:** Refers to the most recent City of Rexburg Engineering Standards adopted by resolution of the City Council. City Engineering Standards may include standard drawings, standard specifications, supplemental conditions, and any additions, amendments, or addenda established by the City Engineer. (*See City Engineering Standards.*) **City Impact Area:** That unincorporated area contiguous to the Rexburg City Limits officially adopted as the "Area of City Impact." **City Staff:** When the term Staff or City Staff are used in this document the persons identified as such shall be the Zoning Administrator, the Public Works Director, the City Engineer, the Economic Development Director, the GIS Director and the City Attorney. **Commercial Cluster, Substantial:** A group of commercial businesses that include a grocery store, restaurant, and bank as a minimum, along with other various retail and services. The buildings that comprise the cluster shall be within a three (3) block area.

Commercial Daycare Center: A building or structure where care, protection, and supervision are provided on a regular schedule, at least three times a week for thirteen (13) or more children.

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Congregate Living (Dormitory Style Housing): When five (5) or more unrelated persons live together as a single housekeeping unit.

Convenience Store: Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross square floor area of less than five-thousand (5,000) square feet. **Copy:** Any combination of letters or numbers that are intended to inform, direct or otherwise transmit information.

Council: The Rexburg City Council hereinafter referred to as the Council. **County Commission:** The Madison County Board of Commissioners. **County Engineer:** An Idaho Registered Professional Engineer or consulting Engineering firm designated by the County Commission to represent the County’s engineering interests.

SECTION 3: AMENDMENT “3.08.010 Permitted Uses In Residential Zones” of the Rexburg Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.08.010 Permitted Uses In Residential Zones

Permitted Uses In Residential Zones

Use Categories	Uses	RR 1	RR 2	LD R1	LD R2	LD R3	M DR 1	M DR 2	HD R1	HD R2
ACCESSORY	Accessory Livestock	P	P	P	P	P				
	Accessory Swimming Pool	P	P	P	P	P	P	P	P	P
	Accessory Dwelling Unit	CU P	CU P	CU P						
	Accessory Building	P	P	P	P	P	P	P	P	P
	Accessory Home Business	CU P	CU P	CU P	CU P	CU P				

	Accessory Home Occupation	P	P	P	P	P	P	P	P	P
RENTAL, SHORT-TERM, TRANSIENT LIVING	Short-term Rental	P*	P*	P*	P*	P*	P	P	P	P
GROUP LIVING WITH ASSISTANCE	Assisted & Residential Care Facility	CU P	CU P	CU P	CU P	CU P	CU P	CU P	P	P
	Group Home (Disabled & Elderly) (8 and fewer residents)	P	P	P	P	P	P	P	P	P
	Residential Facility for Elderly Persons (greater than 8 residents)						CU P	CU P	CU P	CU P
	Sanitariums, Convalescent & Rest Homes								CU P	CU P
RESIDENTIAL	Single-Family Dwelling Detached	P	P	P	P	P				
	Single-Family Dwelling Attached (except townhomes)				P	P				
	Single-Family Dwelling Attached (3 or more units)					P	P	P	P	P
	Multi-Family Dwelling						P	P	P	P
	Dormitory						CU P	CU P	CU P	CU P
	Manufactured Housing Communities					CU P				
	Athletic Fields	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P
	Dog Parks						CU P	CU P	CU P	CU P

**For Short-Term Rental restrictions, see subsection 4.00.025*

AFTER AMENDMENT

3.08.010 Permitted Uses In Residential Zones

Permitted Uses In Residential Zones

Use Categories	Uses	RR 1	RR 2	LD R1	LD R2	LD R3	M DR 1	M DR 2	HD R1	HD R2
ACCESSORY	Accessory Livestock	P	P	P	P	P				
	Accessory Swimming Pool	P	P	P	P	P	P	P	P	P
	Accessory Dwelling Unit	CU P	CU P	CU P						
	Accessory Building	P	P	P	P	P	P	P	P	P
	Accessory Home Business	CU P	CU P	CU P	CU P	CU P				
	Accessory Home Occupation	P	P	P	P	P	P	P	P	P
RENTAL, SHORT-TERM, TRANSIENT LIVING	Short-term Rental	P*	P*	P*	P*	P*	P	P	P	P
GROUP LIVING WITH ASSISTANCE	Assisted & Residential Care Facility	CU P	CU P	CU P	CU P	CU P	CU P	CU P	P	P
	Group Home (Disabled & Elderly) (8 and fewer residents)	P	P	P	P	P	P	P	P	P
	Residential Facility for Elderly Persons (greater than 8 residents)						CU P	CU P	CU P	CU P
	Sanitariums, Convalescent & Rest Homes								CU P	CU P
	Single-Family Dwelling Detached	P	P	P	P	P				

ASSEMBLY-DECEASED	Cemeteries	CU P	CU P	CU P	CU P	CU P				
	Churches, Synagogues, Temples & Missions	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P
TRANSPORTATION	Automobile Parking Lots & Garages (Stand-alone)						CU P	CU P	CU P	CU P
UTILITIES & FUEL	Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain)	P	P	P	P	P	P	P	P	P
	Public Facilities	P	P	P	P	P	P	P	P	P
	Utilities (Rocky Mountain Power, Intermountain Gas, etc.)	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P
	Water Storage	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P	CU P

**For Short-Term Rental restrictions, see subsection 4.00.025*

SECTION 4: AMENDMENT “3.08.020 Permitted Uses In Commercial Zones” of the Rexburg Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.08.020 Permitted Uses In Commercial Zones

Permitted Uses In Commercial Zones

Use Categories	Uses	MU	CB C	RB C	RB D	LI	HI
AGRICULTURAL	Agriculture Packaging					CUP	P
	Agriculture Processing					CUP	P
	Agriculture Product & Input Sales		CUP	CUP		P	P

	Farm & Construction Vehicles, Equipment & Supplies		CUP	CUP		P	P
ACCESSORY	Accessory Building	P	P	P	CUP	P	P
	Accessory Dwelling Unit					CUP	CUP
	Accessory Home Occupation	P					
	Accessory Swimming Pool	P					
RENTAL, SHORT-TERM, TRANSIENT LIVING	Short-term Rental	P					
	Hotels, Motels	P	P	P		CUP	
	Campgrounds, RV Campsites & Travel, Tiny Homes on Wheels		CUP				
GROUP LIVING WITH ASSISTANCE	Assisted & Residential Care Facility	P					
	Group Home (Disabled & Elderly)(8 and fewer residents)	P					
	Residential Facility for Elderly Persons (greater than 8 residents)	CUP	CUP				
	Sanitariums, Convalescent, & Rest Homes	CUP	CUP				
RESIDENTIAL	Single-Family Dwelling Attached (3 or more units)	P					
	Multi-Family Dwelling	P					
	Dormitory	CUP					
	Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums	P	P	P		CUP	
	Amusement Parks		CUP	CUP			
	Athletic Fields	CUP	CUP				
	Commercial Pools	CUP	P	P			
	Dog Parks	CUP	CUP				
	Drive-In Movies		CUP				
	Event Center (Dancing, Conferences, Performances)	CUP	P	P			
	Go-Car, 4-Wheeler Tracks		CUP	CUP			
	Golf Driving Ranges		P				

RECREATION & ENTERTAINMENT	Ice Skating (Commercial)	CUP	P	P			
	Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.)	CUP	P	P			
	Museums and Art Galleries, Cultural Activities	P	P	P			
	Parks & Playgrounds	CUP	P				
	Recreation Centers	P	P	P			
	Riding Stables (Animals are housed also)		CUP				
	Roller Skating	CUP	P	P			
	Spas	P	P	P			
	Sports Stadiums, Arenas & Field Houses		CUP				
	Theatres (Auditoriums, Performing & Motion Pictures)	CUP	P	P			
SCHOOLS	Daycare Facility (Between 7 and 12 children, 3 or more times a week)				CUP	CUP	CUP
	Commercial Daycare Center (13 or more children)	P	P	P		P	P
	Family Home Daycare (6 or less children, 3 or more times a week)	P	P	P	CUP		
	Schools (Pre-K - 12)	CUP	P	P			
	Special Training (Fire, Police, etc.)					CUP	
	Technical Schools & Vocational Schools	CUP	CUP	CUP		CUP	
ASSEMBLY-DECEASED	Churches, Synagogues, Temples, & Missions	CUP	CUP				
	Funeral Parlor (Mortuary) & Crematory		P	CUP			
	Automobile Parking Impound Yards (Stand-alone)		CUP			P	
	Automobile Parking Lots & Garages (Stand-alone)	P	P	P		P	P
	Automobile Repair & Maintenance		P	P		P	
	Automobile Sales & Rental		P**	P		P	
	Bus Garaging & Equipment Maintenance		CUP			P	P

TRANSPORTATION	Bus Passenger Terminals	P	P	P			
	Freight Garaging & Maintenance					P	P
	Freight Terminals		CUP			P	P
	Helipad		CUP	CUP		CUP	CUP
	Railroad Yards					P	P
	Truck & Bus Sales		CUP	P		P	P
	Truck & Trailer Rentals (no drivers)		CUP	CUP		P	P
	Truck Repair		CUP			P	P
ANIMALS	Animal Grooming	CUP	P	P		P	
	Commercial Kennels		CUP			CUP	
	Veterinarian Services (Large Animal with Outdoor Facilities)		CUP			CUP	
	Veterinarian Services (Small Animal Indoor Only)	CUP *	P	P		P	
FOOD & DRINK	Bakeries & Doughnut Shops	P	P	P	CUP	P	
	Candy, Nut & Confectionery	P	P	P	CUP	P	
	Canning - Fruits, Vegetables, Preserves, Jams, Specialty, etc.					CUP	P
	Eating Places (with a Drive Through)	CUP	P	P			
	Eating Places (without a Drive Through)	P	P	P			
	Food & Kindred Products (Except meat packing, animal & marine fats & Oils)					P	P
	Food Lockers		P			P	
	Grocery Stores	CUP	P	P			
	Liquor Stores		P	P			
	Mobile Vending Court	CUP	CUP	CUP		CUP	
OFFICE-TYPE BUSINESS	Banks & Credit Unions	CUP	P	P			
	Call Centers	CUP	P	P			
	Commercial Printing		P	P		P	P
	Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, etc.)	P	P	P			

	Scientific Research & Testing (Laboratory)	CUP	P	P		P	
	Wedding Chapels & Reception Centers	P	P	CUP			
	Welfare & Charitable Services	P	P	P			
MEDICAL & EMERGENCY	Ambulance & Fire Services	CUP	CUP	CUP		CUP	
	Behavior, Drug & Alcohol Treatment		CUP	CUP			
	Hospitals, Operations Centers, Out-Patient Medical	CUP	CUP	CUP			
	Medical Laboratories	CUP	P	P		P	
	Pharmacy & Medical Supplies	P	P	P			
	Physicians & Dental Offices	P	P	P			
GOVERNMENT	Governmental Services	P	P	P			
	Libraries	P	P	P			
	Police Protection & Related Activities Office	P	P	P			
	Postal Services		P			P	
BUILDING & CONSTRUCTION	Building & Construction Supplies Retail (No Storage Yard)	P	P	P		P	P
	Building & Construction Supplies Retail (with Storage Yard)		CUP	CUP		P	P
	Concrete Mix Plant; Asphalt Hot Plant						CUP
STORAGE	Household Good Storage	CUP	CUP			P	
	Refrigerated Warehousing		CUP			P	P
	Warehousing & Storage Industrial Services					CUP	P
	Antiques	P	P	P			
	Auction Houses		CUP	CUP			
	Auction yard					CUP	P
	Beauty & Barber Shops & Supplies	P	P	P	P		
	Professional, Scientific & Controlling Instruments, & Supplies	CUP	P	P		P	

SHOPPING	Equipment Rental & Leasing (Including Outside Storage)		CUP	CUP		P		
	Equipment Rental (Indoor Only)	P	P	P		P		
	Lawn & Garden Supplies (Nursery stock, Equipment, Tools, Greenhouse, Yard Art, etc.)	CUP	P	P		P		
	Gas, Bottled (LP Exchange & Refill)		P	P		P		
	Gasoline Service Stations	CUP	P	P		P	CUP	
	General Merchandise (Department, Discount, Variety, etc.)	P	P	P				
	Hardware	P	P	P		P		
	Horticulture & Plant Nurseries		P	P		P		
	Janitorial Supplies	CUP	P	P		P	P	
	Locksmiths & Key Shops	P	P	P				
	Machinery Retail (Robotics, Machine Tools, Manufacturing Equipment, etc.)		CUP	CUP		P	P	
	Manufacturing of Apparel & Accessories (except leather tanning & finishing)					P	P	
	Musical Instruments	P	P	P				
	Pawn Shops (No Outside Storage)		CUP					
	Petroleum & LP Bulk Stations & Terminals		CUP	CUP		CUP	P	
	Recreational Vehicles, Parts & Accessories	CUP	P	P		P		
	Shopping Centers	CUP	P	P				
	Thrift Store & Second-Hand Merchandise (No Outside Storage)	CUP	P	CUP				
	MINOR	Gunsmith		P	P		P	
		Industrial Laundry					CUP	P
Dry Cleaning		CUP	P	P				

ASSEMBLY & OTHER INNOCUOUS MANUFACTURING	Laundry, Pressing, Alteration & Garment Repair	P	P	P			
	Minor Manufacturing & Assembly (Small Item)		CUP			P	
	Photographic Studio, Supplies & Equipment	P	P	P			
	Pottery & Related Products		CUP			P	
	Repair Services	CUP	P	CUP		P	P
HEAVY MANUFACTURING & RECYCLING	Bottling & Canning, Soft Drinks & Carbonated Water					P	P
	Explosives						CUP
	Fire Arms & Ammunition					CUP	CUP
	Fire Works						CUP
	Glass, Flat, Pressed					CUP	P
	Industrial Inorganic Chemicals (includes air separation)						CUP
	Foundries (Refining & Extruding of Metals)						CUP
	Junk Dealers, Salvage Operations, Waste Material & Scrap						CUP
	Leather Tanning & Finishing						P
	Matches						P
	Metal Working Machinery & Equipment (tool & dye shops, machine shops)		CUP			P	
	Miscellaneous Fabricated Rubber Products					CUP	P
	Non-clay Refractories						P
	Nuclear Energy						CUP
	Paper & Allied Products (Except Pulp)						P
	Plastic Materials, Synthetic Resins & Non-vulcanizable Elastomers					CUP	CUP
	Printing Ink					P	P
Recycle Center						CUP	

	Textile Mill Products (no tire cord & fabric)					P	P
	Tire Cord & Fabric						P
UTILITIES & FUEL	Electric Generation Plants (conventional fuel including hydroelectric, solar, etc.)						CUP
	Refuse Disposal					CUP	CUP
	Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain)	P	P	P	P	P	P
	Public Facilities	P	P	P	P	P	P
	Spreading Grounds (for percolating water into underground)		CUP	CUP		CUP	
	Storage Yards (Utility)					P	P
	Utilities (Rocky Mountain Power, Intermountain Gas, etc.)	CUP	CUP	CUP		CUP	CUP
	Waste Water Treatment Plants, Sludge Drying Beds, etc.					CUP	CUP
	Water Storage	CUP	CUP	CUP		CUP	CUP
	Water Treatment Plants (Purification)						CUP

* See conditions in [5.01.020 Mixed Use Permitted Uses](#)

**See conditions in [6.01.020 Commercial Business Center Permitted Uses](#)

AFTER AMENDMENT

3.08.020 Permitted Uses In Commercial Zones

Permitted Uses In Commercial Zones

Use Categories	Uses	MU	CB C	RB C	RB D	LI	HI
AGRICULTURAL	Agriculture Packaging					CUP	P
	Agriculture Processing					CUP	P
	Agriculture Product & Input Sales		CUP	CUP		P	P
	Farm & Construction Vehicles, Equipment & Supplies		CUP	CUP		P	P

ACCESSORY	Accessory Building	P	P	P	CUP	P	P
	Accessory Dwelling Unit					CUP	CUP
	Accessory Home Occupation	P					
	Accessory Swimming Pool	P					
RENTAL, SHORT-TERM, TRANSIENT LIVING	Short-term Rental	P					
	Hotels, Motels	P	P	P		CUP	
	Campgrounds, RV Campsites & Travel, Tiny Homes on Wheels		CUP				
GROUP LIVING WITH ASSISTANCE	Assisted & Residential Care Facility	P					
	Group Home (Disabled & Elderly)(8 and fewer residents)	P					
	Residential Facility for Elderly Persons (greater than 8 residents)	CUP	CUP				
	Sanitariums, Convalescent, & Rest Homes	CUP	CUP				
RESIDENTIAL	Single-Family Dwelling Attached (3 or more units)	P					
	Multi-Family Dwelling	P					
	Dormitory	CUP					
	<u>Congregate Living (Dormitory Style Housing)</u>	<u>CUP</u>					
	Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums	P	P	P		CUP	
	Amusement Parks		CUP	CUP			
	Athletic Fields	CUP	CUP				
	Commercial Pools	CUP	P	P			
	Dog Parks	CUP	CUP				
	Drive-In Movies		CUP				
	Event Center (Dancing, Conferences, Performances)	CUP	P	P			
	Go-Car, 4-Wheeler Tracks		CUP	CUP			
	Golf Driving Ranges		P				

RECREATION & ENTERTAINMENT	Ice Skating (Commercial)	CUP	P	P			
	Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.)	CUP	P	P			
	Museums and Art Galleries, Cultural Activities	P	P	P			
	Parks & Playgrounds	CUP	P				
	Recreation Centers	P	P	P			
	Riding Stables (Animals are housed also)		CUP				
	Roller Skating	CUP	P	P			
	Spas	P	P	P			
	Sports Stadiums, Arenas & Field Houses		CUP				
	Theatres (Auditoriums, Performing & Motion Pictures)	CUP	P	P			
SCHOOLS	Daycare Facility (Between 7 and 12 children, 3 or more times a week)				CUP	CUP	CUP
	Commercial Daycare Center (13 or more children)	P	P	P		P	P
	Family Home Daycare (6 or less children, 3 or more times a week)	P	P	P	CUP		
	Schools (Pre-K - 12)	CUP	P	P			
	Special Training (Fire, Police, etc.)					CUP	
	Technical Schools & Vocational Schools	CUP	CUP	CUP		CUP	
ASSEMBLY-DECEASED	Churches, Synagogues, Temples, & Missions	CUP	CUP				
	Funeral Parlor (Mortuary) & Crematory		P	CUP			
	Automobile Parking Impound Yards (Stand-alone)		CUP			P	
	Automobile Parking Lots & Garages (Stand-alone)	P	P	P		P	P
	Automobile Repair & Maintenance		P	P		P	
	Automobile Sales & Rental		P**	P		P	

TRANSPORTATION	Bus Garaging & Equipment Maintenance		CUP			P	P
	Bus Passenger Terminals	P	P	P			
	Freight Garaging & Maintenance					P	P
	Freight Terminals		CUP			P	P
	Helipad		CUP	CUP		CUP	CUP
	Railroad Yards					P	P
	Truck & Bus Sales		CUP	P		P	P
	Truck & Trailer Rentals (no drivers)		CUP	CUP		P	P
	Truck Repair		CUP			P	P
ANIMALS	Animal Grooming	CUP	P	P		P	
	Commercial Kennels		CUP			CUP	
	Veterinarian Services (Large Animal with Outdoor Facilities)		CUP			CUP	
	Veterinarian Services (Small Animal Indoor Only)	CUP *	P	P		P	
FOOD & DRINK	Bakeries & Doughnut Shops	P	P	P	CUP	P	
	Candy, Nut & Confectionery	P	P	P	CUP	P	
	Canning - Fruits, Vegetables, Preserves, Jams, Specialty, etc.					CUP	P
	Eating Places (with a Drive Through)	CUP	P	P			
	Eating Places (without a Drive Through)	P	P	P			
	Food & Kindred Products (Except meat packing, animal & marine fats & Oils)					P	P
	Food Lockers		P			P	
	Grocery Stores	CUP	P	P			
	Liquor Stores		P	P			
Mobile Vending Court	CUP	CUP	CUP		CUP		
	Banks & Credit Unions	CUP	P	P			
	Call Centers	CUP	P	P			

OFFICE- TYPE BUSINESS	Commercial Printing		P	P		P	P
	Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, etc.)	P	P	P			
	Scientific Research & Testing (Laboratory)	CUP	P	P		P	
	Wedding Chapels & Reception Centers	P	P	CUP			
	Welfare & Charitable Services	P	P	P			
MEDICAL & EMERGEN CY	Ambulance & Fire Services	CUP	CUP	CUP		CUP	
	Behavior, Drug & Alcohol Treatment		CUP	CUP			
	Hospitals, Operations Centers, Out- Patient Medical	CUP	CUP	CUP			
	Medical Laboratories	CUP	P	P		P	
	Pharmacy & Medical Supplies	P	P	P			
	Physicians & Dental Offices	P	P	P			
GOVERN MENT	Governmental Services	P	P	P			
	Libraries	P	P	P			
	Police Protection & Related Activities Office	P	P	P			
	Postal Services		P			P	
BUILDING & CONSTRU CTION	Building & Construction Supplies Retail (No Storage Yard)	P	P	P		P	P
	Building & Construction Supplies Retail (with Storage Yard)		CUP	CUP		P	P
	Concrete Mix Plant; Asphalt Hot Plant						CUP
STORAGE	Household Good Storage	CUP	CUP			P	
	Refrigerated Warehousing		CUP			P	P
	Warehousing & Storage Industrial Services					CUP	P
	Antiques	P	P	P			
	Auction Houses		CUP	CUP			
	Auction yard					CUP	P
	Beauty & Barber Shops & Supplies	P	P	P	P		

SHOPPING	Professional, Scientific & Controlling Instruments, & Supplies	CUP	P	P		P	
	Equipment Rental & Leasing (Including Outside Storage)		CUP	CUP		P	
	Equipment Rental (Indoor Only)	P	P	P		P	
	Lawn & Garden Supplies (Nursery stock, Equipment, Tools, Greenhouse, Yard Art, etc.)	CUP	P	P		P	
	Gas, Bottled (LP Exchange & Refill)		P	P		P	
	Gasoline Service Stations	CUP	P	P		P	CUP
	General Merchandise (Department, Discount, Variety, etc.)	P	P	P			
	Hardware	P	P	P		P	
	Horticulture & Plant Nurseries		P	P		P	
	Janitorial Supplies	CUP	P	P		P	P
	Locksmiths & Key Shops	P	P	P			
	Machinery Retail (Robotics, Machine Tools, Manufacturing Equipment, etc.)		CUP	CUP		P	P
	Manufacturing of Apparel & Accessories (except leather tanning & finishing)					P	P
	Musical Instruments	P	P	P			
	Pawn Shops (No Outside Storage)		CUP				
	Petroleum & LP Bulk Stations & Terminals		CUP	CUP		CUP	P
	Recreational Vehicles, Parts & Accessories	CUP	P	P		P	
	Shopping Centers	CUP	P	P			
	Thrift Store & Second-Hand Merchandise (No Outside Storage)	CUP	P	CUP			
	MINOR	Gunsmith		P	P		P
Industrial Laundry						CUP	P
Dry Cleaning		CUP	P	P			

ASSEMBLY & OTHER INNOCUOUS MANUFACTURING	Laundry, Pressing, Alteration & Garment Repair	P	P	P			
	Minor Manufacturing & Assembly (Small Item)		CUP			P	
	Photographic Studio, Supplies & Equipment	P	P	P			
	Pottery & Related Products		CUP			P	
	Repair Services	CUP	P	CUP		P	P
HEAVY MANUFACTURING & RECYCLING	Bottling & Canning, Soft Drinks & Carbonated Water					P	P
	Explosives						CUP
	Fire Arms & Ammunition					CUP	CUP
	Fire Works						CUP
	Glass, Flat, Pressed					CUP	P
	Industrial Inorganic Chemicals (includes air separation)						CUP
	Foundries (Refining & Extruding of Metals)						CUP
	Junk Dealers, Salvage Operations, Waste Material & Scrap						CUP
	Leather Tanning & Finishing						P
	Matches						P
	Metal Working Machinery & Equipment (tool & dye shops, machine shops)		CUP			P	
	Miscellaneous Fabricated Rubber Products					CUP	P
	Non-clay Refractories						P
	Nuclear Energy						CUP
	Paper & Allied Products (Except Pulp)						P
	Plastic Materials, Synthetic Resins & Non-vulcanizable Elastomers					CUP	CUP
Printing Ink					P	P	

	Recycle Center						CUP
	Textile Mill Products (no tire cord & fabric)					P	P
	Tire Cord & Fabric						P
UTILITIES & FUEL	Electric Generation Plants (conventional fuel including hydroelectric, solar, etc.)						CUP
	Refuse Disposal					CUP	CUP
	Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain)	P	P	P	P	P	P
	Public Facilities	P	P	P	P	P	P
	Spreading Grounds (for percolating water into underground)		CUP	CUP		CUP	
	Storage Yards (Utility)					P	P
	Utilities (Rocky Mountain Power, Intermountain Gas, etc.)	CUP	CUP	CUP		CUP	CUP
	Waste Water Treatment Plants, Sludge Drying Beds, etc.					CUP	CUP
	Water Storage	CUP	CUP	CUP		CUP	CUP
	Water Treatment Plants (Purification)						CUP

* See conditions in [5.01.020 Mixed Use Permitted Uses](#)

**See conditions in [6.01.020 Commercial Business Center Permitted Uses](#)

SECTION 5: AMENDMENT “3.08.030 Permitted Uses In Other Zones” of the Rexburg Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

3.08.030 Permitted Uses In Other Zones

Permitted Uses In Other Zones

Use Categories	Uses	TA G	UD	PF	OS
AGRICULTURAL	Agriculture Farming & Ranching	P	P		

ACCESSORY	Accessory Livestock (No more than ten (10) per acre)	P			
	Accessory Swimming Pool	P			
	Accessory Dwelling Unit	CU P			
	Accessory Building	P	P	P	
	Accessory Home Business	CU P			
	Accessory Home Occupation	P			
RENTAL, SHORT-TERM, TRANSIENT LIVING	Short-term Rental	P			
	Hotels, Motels		CU P		
	Campgrounds, RV Campsites & Travel			CU P	
GROUP LIVING WITH ASSISTANCE	Group Home (Disabled & Elderly)(8 and fewer residents)	P			
RESIDENTIAL	Single-Family Dwelling Detached	P			
	Multi-Family Dwelling		CU P		
	Dormitory		CU P		
	Athletic Clubs, Body Building Studios, Aerobic Centers & Gymnasiums		P		
	Athletic Fields	CU P	P	P	
	Commercial Pools		P	P	
	Dog Parks			CU P	
	Event Center (Dancing, Conferences, Performances)		P	CU P	
	Fairgrounds			P	
	Golf Courses	CU P		P	

RECREATION & ENTERTAINMENT	Golf Driving Ranges			P	
	Ice Skating (Commercial)		P	P	
	Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.)		P		
	Museums, Art Galleries, Cultural Activities		P	P	
	Nature Exhibits			P	CU P
	Parks & Playgrounds		P	P	
	Recreation Centers	CU P	P	P	
	Riding Stables (Animals are housed also)		CU P		
	Roller Skating		P	CU P	
	Skate Park			CU P	
	Spas		P		
	Sports Stadiums, Arenas & Field Houses		CU P	CU P	
	Theatres (Auditoriums, Performing & Motion Pictures)		P	P	
	SCHOOLS	Commercial Daycare Center (13 or more children)		P	
Daycare Facility (between 7 and 12 more children, 3 or more times a week)		CU P	P		
Family Home Daycare (6 or less children, 3 or more times a week)		P**	P		
Schools (Pre-K - 12)		CU P	P	P	
Special Training (Fire, Police, etc.)			CU P	P	
Technical Schools & Vocational Schools			P	CU P	
University, College, Junior					

	College, Professional School Education		P	P	
ASSEMBLY-DECEASED	Cemeteries	CU P		CU P	
	Churches, Synagogues, Temples & Missions	CU P	P		
	Funeral Parlor (Mortuary) & Crematory			CU P	
TRANSPORTATION	Aircraft Manufacturing & Assembling (in or adjacent to an airport)			CU P	
	Airports			CU P	
	Automobile Parking Lots & Garages (Stand-alone)		P	P	
	Automobile Repair & Maintenance		P		
	Bus Garaging & Equipment Maintenance		P	CU P	
	Bus Passenger Terminals		P		
	Freight Garaging & Maintenance		P		
	Freight Terminals		P		
	Helipad		CU P	CU P	
ANIMALS	Animal Grooming	CU P			
	Commercial Kennels	CU P			
	Veterinarian Services (Large Animal with Outdoor Facilities)		CU P		
	Veterinarian Services (Small Animal Indoor Only)		CU P		
	Bakeries & Doughnut Shops		P		
	Candy, Nut & Confectionery		P		

FOOD & DRINK	Eating Places (with a Drive Through)		P		
	Eating Places (Restaurants)		P		
	Food Lockers		P		
	Mobile Vending Court		CU P	CU P	
OFFICE-TYPE BUSINESS	Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, etc.)		P		
	Scientific Research & Testing (Laboratory)		P		
	Wedding Chapels & Reception Centers		P		
	Welfare & Charitable Services		P		
MEDICAL & EMERGENCY	Ambulance & Fire Services		CU P	CU P	
	Behavior, Drug & Alcohol Treatment			CU P	
	Hospitals, Operations Centers, Out-Patient Medical		CU P	P	
	Medical Laboratories		P		
	Pharmacy & Medical Supplies		P	P	
	Physicians & Dental Offices		P		
GOVERNMENT	Governmental Services			P	
	Libraries		P	P	
	Police Protection & Related Activities Office		P	P	
	Postal Services		P	P	
STORAGE	Refrigerated Warehousing		P		
	Warehousing & Storage Industrial Services		P		
	Beauty & Barber Shops & Supplies		P		
	Professional, Scientific & Controlling Instruments &		P		

SHOPPING	Supplies				
	Equipment Rental (Indoor Only)		P		
	General Merchandise (Department, Discount, Variety, etc.)		P		
	Horticulture & Plant Nurseries		P		
	Musical Instruments		P		
MINOR ASSEMBLY & OTHER INNOCUOUS MANUFACTURING	Photographic Studio, Supplies & Equipment		P		
	Pottery & Related Products		P		
HEAVY MANUFACTURING & RECYCLING	Central Garbage Grinding Stations & Composting Plants			CU P	
	Mining & Quarrying			CU P	
	Nuclear Energy			CU P	
UTILITIES & FUEL	Electric Generation Plants (conventional fuel including hydroelectric, solar, etc.)			CU P	
	Nuclear Modular Reactor			CU P	
	Refuse Disposal			CU P	
	Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain)	P	P	P	P
	Public Facilities	P	P	P	P
	Spreading Grounds (For percolating water into underground)			CU P	
	Storage Yards (Utility)		P	P	
	Utilities (Rocky Mountain Power, Intermountain Gas, etc.)	CU P	CU P	CU P	CU P
	Waste Water Treatment Plants, Sludge Drying Beds, etc.			CU P	

	Water Storage	CU P	CU P	P	CU P
	Water Treatment Plants (Purification)			CU P	

AFTER AMENDMENT

3.08.030 Permitted Uses In Other Zones

Permitted Uses In Other Zones

Use Categories	Uses	TA G	UD	PF	OS
AGRICULTURAL	Agriculture Farming & Ranching	P	P		
ACCESSORY	Accessory Livestock (No more than ten (10) per acre)	P			
	Accessory Swimming Pool	P			
	Accessory Dwelling Unit	CU P			
	Accessory Building	P	P	P	
	Accessory Home Business	CU P			
	Accessory Home Occupation	P			
RENTAL, SHORT-TERM, TRANSIENT LIVING	Short-term Rental	P			
	Hotels, Motels		CU P		
	Campgrounds, RV Campsites & Travel			CU P	
GROUP LIVING WITH ASSISTANCE	Group Home (Disabled & Elderly)(8 and fewer residents)	P			
RESIDENTIAL	Single-Family Dwelling Detached	P			
	Multi-Family Dwelling		CU P		
	Dormitory		CU P		
	<u>Congregate Living (Dormitory Style Housing)</u>		<u>CU P</u>		

RECREATION &
ENTERTAINMENT

Athletic Clubs, Body Building Studios, Aerobic Centers & Gymsnasiums		P		
Athletic Fields	CU P	P	P	
Commercial Pools		P	P	
Dog Parks			CU P	
Event Center (Dancing, Conferences, Performances)		P	CU P	
Fairgrounds			P	
Golf Courses	CU P		P	
Golf Driving Ranges			P	
Ice Skating (Commercial)		P	P	
Indoor Amusement (Pool Halls, Bowling Alleys, Indoor Golf, etc.)		P		
Museums, Art Galleries, Cultural Activities		P	P	
Nature Exhibits			P	CU P
Parks & Playgrounds		P	P	
Recreation Centers	CU P	P	P	
Riding Stables (Animals are housed also)		CU P		
Roller Skating		P	CU P	
Skate Park			CU P	
Spas		P		
Sports Stadiums, Arenas & Field Houses		CU P	CU P	
Theatres (Auditoriums, Performing & Motion Pictures)		P	P	

SCHOOLS	Commercial Daycare Center (13 or more children)		P		
	Daycare Facility (between 7 and 121212more children, 3 or more times a week)	CU P	P		
	Family Home Daycare (6 or less children, 3 or more times a week)	P**	P		
	Schools (Pre-K - 12)	CU P	P	P	
	Special Training (Fire, Police, etc.)		CU P	P	
	Technical Schools & Vocational Schools		P	CU P	
	University, College, Junior College, Professional School Education		P	P	
ASSEMBLY-DECEASED	Cemeteries	CU P		CU P	
	Churches, Synagogues, Temples & Missions	CU P	P		
	Funeral Parlor (Mortuary) & Crematory			CU P	
TRANSPORTATION	Aircraft Manufacturing & Assembling (in or adjacent to an airport)			CU P	
	Airports			CU P	
	Automobile Parking Lots & Garages (Stand-alone)		P	P	
	Automobile Repair & Maintenance		P		
	Bus Garaging & Equipment Maintenance		P	CU P	
	Bus Passenger Terminals		P		
	Freight Garaging & Maintenance		P		
	Freight Terminals		P		

	Helipad		CU P	CU P	
ANIMALS	Animal Grooming	CU P			
	Commercial Kennels	CU P			
	Veterinarian Services (Large Animal with Outdoor Facilities)		CU P		
	Veterinarian Services (Small Animal Indoor Only)		CU P		
FOOD & DRINK	Bakeries & Doughnut Shops		P		
	Candy, Nut & Confectionery		P		
	Eating Places (with a Drive Through)		P		
	Eating Places (Restaurants)		P		
	Food Lockers		P		
	Mobile Vending Court		CU P	CU P	
OFFICE-TYPE BUSINESS	Professional Services Office (Accounting, Financial, Insurance, Legal, Real Estate, etc.)		P		
	Scientific Research & Testing (Laboratory)		P		
	Wedding Chapels & Reception Centers		P		
	Welfare & Charitable Services		P		
MEDICAL & EMERGENCY	Ambulance & Fire Services		CU P	CU P	
	Behavior, Drug & Alcohol Treatment			CU P	
	Hospitals, Operations Centers, Out-Patient Medical		CU P	P	
	Medical Laboratories		P		
	Pharmacy & Medical Supplies		P	P	

	Physicians & Dental Offices		P		
GOVERNMENT	Governmental Services			P	
	Libraries		P	P	
	Police Protection & Related Activities Office		P	P	
	Postal Services		P	P	
STORAGE	Refrigerated Warehousing		P		
	Warehousing & Storage Industrial Services		P		
SHOPPING	Beauty & Barber Shops & Supplies		P		
	Professional, Scientific & Controlling Instruments & Supplies		P		
	Equipment Rental (Indoor Only)		P		
	General Merchandise (Department, Discount, Variety, etc.)		P		
	Horticulture & Plant Nurseries		P		
	Musical Instruments		P		
MINOR ASSEMBLY & OTHER INNOCUOUS MANUFACTURING	Photographic Studio, Supplies & Equipment		P		
	Pottery & Related Products		P		
HEAVY MANUFACTURING & RECYCLING	Central Garbage Grinding Stations & Composting Plants			CU P	
	Mining & Quarrying			CU P	
	Nuclear Energy			CU P	
	Electric Generation Plants (conventional fuel including hydroelectric, solar, etc.)			CU P	
	Nuclear Modular Reactor			CU P	

UTILITIES & FUEL	Refuse Disposal			CU P	
	Right of Way (combo, electric transmission, gas pipeline, sewage, water pipeline, storm drain)	P	P	P	P
	Public Facilities	P	P	P	P
	Spreading Grounds (For percolating water into underground)			CU P	
	Storage Yards (Utility)		P	P	
	Utilities (Rocky Mountain Power, Intermountain Gas, etc.)	CU P	CU P	CU P	CU P
	Waste Water Treatment Plants, Sludge Drying Beds, etc.			CU P	
	Water Storage	CU P	CU P	P	CU P
	Water Treatment Plants (Purification)			CU P	

SECTION 6: AMENDMENT “4.00.025 Rentals” of the Rexburg Development Code is hereby *amended* as follows:

BEFORE AMENDMENT

4.00.025 Rentals

- A. Residential Rental Properties.** All residential rental properties within the City in excess of one rental unit per parcel shall obtain an annual [Business Registration](#).
1. **Registration and Life Safety Inspection Required.** A City Registration, Life Safety Inspection and Code compliance is required and all application requirements must be met.
 2. All Residential Rentals, Apartment Houses or Apartments shall fill out a Business Registration [application](#).
 3. All applicants applying for registration shall pay the annual fee per the adopted City of Rexburg Fee Schedule irrespective of the point in the year at which the registration is sought.
 4. A registration shall be obtained for each individually identifiable location, irrespective of ownership.

5. Whenever a Residential Rental, Apartment House or Apartment changes ownership, the new owner shall report such change to the City Clerk so that the registration may be transferred.
6. Registration shall not be construed to grant permission to carry on or conduct any unlawful business, or to operate any Residential Rental, Apartment House or Apartment in an unlawful manner, or to grant immunity to any entity from lawful regulation and control, or to authorize the violation of any zoning ordinance, regulation or restriction.

B. Short-Term Rentals (including Boarding Houses and Bed and Breakfast Inns).

1. **Application Required.**
2. **Registration and Life Safety Inspection Required.** A City Registration, Life Safety Inspection and Code compliance is required and all application requirements must be met.
 - a. **Parking Requirements.** Two (2) parking spaces are required for the house and one (1) additional space is required for each rented room.
 - b. In TAG, RR1, RR2, LDR1, LDR2, and LDR3 zones, the owner or a manager must live onsite.
 - c. In all other zones, the owner, a manager, or the owner's agent must be available in Madison County, Idaho.
 - d. **Other Requirements.** *(see Residential Building, Electrical, Mechanical, Plumbing, and Fire Requirements by contacting the Rexburg Building Department or visiting the City's website).*
3. **Fees.** Short-term Rental fees as per the adopted City of Rexburg Fee Schedule.
4. **Violations.** Three (3) violations of City Ordinances will trigger revocation of Rental Registration.

C. Accessory Dwelling Units (ADUs).

1. Application Required.
2. **Life Safety Inspection Required.** Life Safety Inspection and Code compliance is required and all application requirements must be met.
3. Accessory Dwelling Units (ADUs):
 - a. Shall adhere to all rental regulations outlined above in this section as well as Idaho Code § 55-3212.
 - b. Require ongoing owner occupancy of either the primary residence or the ADU.
 - c. Shall be limited to one (1) ADU per single-family dwelling.
 - d. Shall meet the zone requirements including but not limited to setbacks and lot coverage.
 - e. May be part of existing structure or as a detached structure.
 - (1) Recreational vehicles, tiny homes, or other similar structures on wheels are not permitted as an accessory dwelling unit.
 - f. Shall meet all building code requirements for an accessory dwelling unit.
 - g. Shall contain no more than 2 bedrooms.
 - h. Shall have two (2) parking spaces provided on site, in addition to the

primary residence's two (2) required parking spaces.

AFTER AMENDMENT

4.00.025 Rentals

- A. **Residential Rental Properties.** All residential rental properties within the City in excess of one rental unit per parcel shall obtain an annual [Business Registration](#).
1. **Registration and Life Safety Inspection Required.** A City Registration, Life Safety Inspection and Code compliance is required and all application requirements must be met.
 2. All Residential Rentals, Apartment Houses or Apartments shall fill out a Business Registration [application](#).
 3. All applicants applying for registration shall pay the annual fee per the adopted City of Rexburg Fee Schedule irrespective of the point in the year at which the registration is sought.
 4. A registration shall be obtained for each individually identifiable location, irrespective of ownership.
 5. Whenever a Residential Rental, Apartment House or Apartment changes ownership, the new owner shall report such change to the City Clerk so that the registration may be transferred.
 6. Registration shall not be construed to grant permission to carry on or conduct any unlawful business, or to operate any Residential Rental, Apartment House or Apartment in an unlawful manner, or to grant immunity to any entity from lawful regulation and control, or to authorize the violation of any zoning ordinance, regulation or restriction.
 7. [Congregate Living \(Dormitory Style Housing\) \(See section 3.8 Permitted Uses\)](#)
- B. **Short-Term Rentals** (including Boarding Houses and Bed and Breakfast Inns).
1. [Application Required](#).
 2. **Registration and Life Safety Inspection Required.** A [City Registration](#), Life Safety Inspection and Code compliance is required and all application requirements must be met.
 - a. **Parking Requirements.** Two (2) parking spaces are required for the house and one (1) additional space is required for each rented room.
 - b. In TAG, RR1, RR2, LDR1, LDR2, and LDR3 zones, the owner or a manager must live onsite.
 - c. In all other zones, the owner, a manager, or the owner's agent must be available in Madison County, Idaho.
 - d. **Other Requirements.** *(see Residential Building, Electrical, Mechanical, Plumbing, and Fire Requirements by contacting the Rexburg Building Department or visiting the City's website).*
 3. **Fees.** Short-term Rental fees as per the adopted City of Rexburg Fee Schedule.

4. **Violations.** Three (3) violations of City Ordinances will trigger revocation of Rental Registration.

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 - f. Shall meet all building code requirements for an accessory dwelling unit.
 - g. Shall contain no more than 2 bedrooms.
 - h. Shall have two (2) parking spaces provided on site, in addition to the primary residence's two (2) required parking spaces.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL OCTOBER 01, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robert Chambers	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Councilmember Colin Erickson

 X

Councilmember Mikel Walker

 X

Councilmember Bryanna Johnson

 X

Councilmember Eric Erickson

 X

Councilmember David Reeser

 X

Presiding Officer

Attest

Jerry L Merrill

Jerry L Merrill, Rexburg Mayor, City
of Rexburg

Deborah Lovejoy

Deborah Lovejoy, Rexburg City Clerk,
City of Rexburg

