

**CITY OF REXBURG
ORDINANCE ORD 1320 BILLBOARDS**

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 FENCING AND FREESTANDING SIGN REQUIREMENTS IN ALL ZONES; 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, as follows:

SECTION 1: AMENDMENT "B" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

B

Backhaul network: The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.

Banner: Any non-rigid material.

Basement: Any area of the building having its floor sub grade below ground level on all sides, including a crawlspace.

Bed and Breakfast Inn: A structure containing guest room(s) where lodging, with or without meals, is provided on a daily rate basis, and a manager maintains a residential presence on site or on an adjacent lot. ([See subsection 3.02.160.](#))

Billboard: An off-premise sign supported by one (1) or more upright columns or braces with a sign face greater than three hundred (300 sq. ft.) square feet that is used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place including products, or services sold or offered for sale at a location other than on the premises where such sign is displayed.

Blanketing: The partial or complete shutting off of the face of one sign by another sign.

Block: The space along one side of a street between the two (2) nearest intersecting streets, or between an intersecting street and a right-of-way, waterway, or other similar barrier, whichever is lesser.

Board: The Madison Board of County Commissioners hereinafter referred to as the Board.

Boarding House: A building that is the primary residence of the owner (or an agent that resides in the home instead of owner) in which rooms are provided on a daily, weekly, or monthly basis for compensation, by the owner or agent, to persons not related by blood, marriage, or adoption to the owner. ([See subsection 3.02.160.](#))

- A. The owner or agent must be present or on-site while property is being used as a rental. An agent must be living on the premise for at least thirty (30) days prior to rental

contracts and visits.

Breezeway: A structure for the principal purpose of connecting a main building or structure on a property with other buildings.

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

Building: Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or opening, which is designed or intended for the shelter, enclosure or protection of persons, animals, chattels or property of any kind.

- A. **Detached Building:** A building surrounded by open space on the same lot with permanent foundation.
- B. **Front Face of Building:** Any building face, which can be touched by a line drawn perpendicular to a street (public or private)
- C. **Face of Public Building:** Any building side which is visible from public or private right-of-ways and/or the faces that contain the public entry.
- D. **Building Line:** The line, parallel to the street that passes through the point of the principal building nearest the front lot line. The building line measured from the drip line of the building.
- E. **Nonconforming Building:** Any building which does not conform to the requirements of The Development Code.

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

SECTION 2: AMENDMENT “3.05.110 Location And Construction Standards” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.110 Location And Construction Standards

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

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

- A. **Clear View of Intersecting Streets.**
 - 1. **Right-of-way.** No sign may be placed or constructed so that any portion thereof is placed or projects into any public right-of-way.
 - 2. **Sight Triangle.** For the purpose of ensuring reasonable visibility and safety this Ordinance shall prohibit the placement of signs within the sight triangle. ([See Chapter 2: Sight Triangle definition.](#))
- B. **Off-Premise Signs.** Off-premise signs are prohibited.
 - 1. **Exceptions.**
 - a. Political/Campaign signs.
 - b. Real Estate signs.
 - c. Billboards existing prior to September 18, 2024 that have a grandfathered status.
- C. **Maintenance.** Signs must be maintained in good condition.
 - 1. **Abandoned Sign.** Any sign no longer associated with the use of a property, including vacant or unoccupied properties, shall be considered abandoned and removed or returned to a blank state within 12 months of being abandoned.
- D. **Lighting/Illumination.** Any sign that is lit, illuminated, or contains electrical components must be listed by one of OSHA's Nationally Recognized Testing

Laboratories (NRTL) as well as the codes adopted by the City of Rexburg. (see section 3.6)

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

F. **Fire Access Signage.** All occupancies classified as commercial shall have fire access roadways posted with the proper signs at seventy-five (75') foot intervals.

1. **Curb Painting.** Additionally, curbs shall be painted red and maintained as required by the Fire Code Official.

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

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

SECTION 3: AMENDMENT "3.05.140 Freestanding Signs" of the Rexburg Development Code is hereby amended as follows:

AMENDMENT

3.05.140 Freestanding Signs

A. Sign Height.

1. **Outside of US-20 Interchange.** Unless further restricted in this Sign Code, the maximum height of any freestanding sign not located in the US 20 Interchange Boundaries (see figures 1, 2 & 3 below) shall have a maximum height of twenty-four (24') feet from ground level to the top of the sign.

2. **CUP.** On lots where a twenty-four (24') feet freestanding sign is allowed and the building height is greater than twenty-four (24') feet, the maximum height of a free-standing sign may be reviewed under a Conditional Use Permit for a taller freestanding sign not to exceed the building height.

3. **Within US 20 Interchanges.** The interchange sign boundary is defined by a fifteen hundred (1500') feet radius drawn from the center of the highway interchange.

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



FIGURE 2



B. Sign Area.

1. An eighty (80 sq. ft.) square feet sign is allowed for any single property up to fifty thousand (50,000 sq.ft.) square feet in lot size.

2. For properties larger than fifty thousand (50,000 sq. ft.) square feet in area, the total allowable sign area would be increased by 0.0016 square feet for each square foot in excess of fifty thousand (50,000).

<p>Lot Area = 125,386 square feet</p> <p>- <u>50,000</u> (50,000 = 80 square feet sign allowed)</p> <p>75,386</p> <p>75,386 x 0.0016 = 120.6176 (round up to 121)</p> <p>121 + 80 = 201 square feet</p>

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

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

- D. **Number of Signs.** Multiple signs are allowed as long as area and distance requirements are met.
- E. **Setback.** The edge of a sign must be a minimum of five (5') feet from the property line to ensure that no portion of the sign overhangs into the right-of-way.
- F. **Billboards.**
1. No new billboard signs shall be allowed.
 2. Existing approved billboard signs shall be designated as having a grandfathered status and may be repaired or replaced.
 3. Grandfathered billboards that are repaired or replaced are exempt from the 50% value clause. ([see section 3.3](#))

SECTION 4: AMENDMENT “3.05.190 Sign Specifications By Zone” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.05.190 Sign Specifications By Zone

	Type of Sign	Sign Area (Sq. Ft.)	Max Height (Ft)	Applicable Zones	Property Setback	Illumi nation	Restrictions
Tempo rary	For Sale, Rent or Lease	6	6	TAG, RR1, RR2, LDR1, LDR2, LDR3, RBD	Outside Sight Triangle	Not Allowe d	1 per street frontage, limited to 60 days
		32	10	MDR1, MDR2, HDR1, HDR2, MU, CBC, RBC, LI, HI	Outside Sight Triangle	Not Allowe d	
	Construc tion, Tempora ry	32	8	TAG, RR1, RR2, LDR1, LDR2, LDR3, RBD	Outside Sight Triangle	Not Allowe d	Maximum area of 96 sq. ft., limited to 60 days
				MDR1, MDR2, HDR1, HDR2,	Outside Sight	Not Allowe	

		32	12	MU, CBC, RBC, LI, HI	Triangle	d	
Wall	Home Occupation	2	Limited by Wall	TAG, RR1, RR2, RR3, LDR1, LDR2, LDR3, RBD	Must be parallel to wall	Not Allowed	1 per street frontage
	Wall Signs	10-14% Depending on location from ROW	Limited by Wall	MDR1, MDR2, HDR1, HDR2, MU, CBC, RBC, LI, HI	N/A	Allowed	Blade signs require a minimum ground clearance of 11'
	Accessory On-Premise	Included in area calculations	24 (50 in interchange areas shown above)	MDR1, MDR2, HDR1, HDR2, MU, CBC, RBC, LI, HI	Minimum of 1' (No portion of the sign may overhang into the ROW)	Allowed	N/A
	Private Directional	6	3**	All Zones	Outside Sight Triangle	Allowed	Any logo must be smaller than the directional info
Freestanding	Pole Sign	See Calculation Table	24 (50 in interchange areas shown above)	CBC, RBC, LI, HI	Minimum of 1' (No portion of the sign may overhang into the ROW)	Allowed	May apply for a CUP for height greater than 24'. See calculation table for distance requirements
	PUD, Subdivision Identification	64	8	TAG, RR1, RR2, LDR1, LDR2, LDR3, MDR1, MDR2, HDR1, HDR2, MU	Minimum of 1' (No portion of the sign may overhang into the ROW)	Allowed	Maximum area of 64 sq. ft. per sign
	Plaza Signs	See Calculation Table	24 (50 in interchange areas shown above)	MU, CBC, RBC	Minimum of 1' (No portion of the sign may overhang into the ROW)	Allowed	Sign space must be available for each tenant within the plaza
	Off Premise**	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed

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

***Except grandfathered billboards.

SECTION 5: 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 6: 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 7: EFFECTIVE DATE The City of Rexburg, Idaho City Council shall enact this Ordinance (#23-00958) 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 September 18, 2024, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL SEPTEMBER 18, 2024.

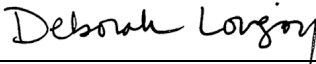
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robert Chambers	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Colin Erickson	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Councilmember Mikel Walker	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Bryanna Johnson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Eric Erickson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember David Reeser	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City of Rexburg



Deborah Lovejoy, Rexburg City Clerk, City of Rexburg

