

## CHAPTER 4 Single Family Residential (R-1) Zone

### SECTION:

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11-4-1: **PURPOSE.** The purpose of the R-1 residential zone is to preserve residential neighborhoods, prevent over-crowding of the land and encourage the development of low density areas which are best suited for residential purposes.

(Ord. 170-01-13, 1/15/13).

11-4-2: **PERMITTED USES.** The following uses are allowed in the R-1 zone.

- (A) Single family dwellings; including manufactured homes as defined in Idaho Code § 39-4105(8), that meet the additional standards for manufactured homes set forth in section 11-11-21 of this Code.
- (B) The keeping of domestic farm animals under the following restrictions:
  - (1) No livestock or domestic farm animals may be kept on lots of less than one (1) acre in total area.
  - (2) Only one (1) animal unit per one-half (½) acre or greater shall be allowed. One (1) animal unit shall represent:
    - (a) Cow - 1
    - (b) Horse - 1

(c) Sheep - 5

For all other animals not listed the City Council may set compatible standards.

- (3) All buildings, shelters, or enclosures for farm animals shall be located no closer than fifty (50) feet from any property line.
- (4) Pigs, swine, poultry, or fowl shall not be allowed in the R-1 zone, except for domestic hens as otherwise allowed under section 11-4-12 of this Chapter.
- (C) Home gardening and other horticultural uses not operated as a commercial enterprise.
- (D) Accessory buildings and uses, subject to the restrictions in section 11-11-6 of this Code.
- (E) One (1) sign not to exceed four (4) square feet in area advertising or soliciting the sale or lease of the building or premises upon which the sign is located and one (1) political or campaign sign with the same maximum area.
- (F) Clerical Home Occupations, Small Service Home Occupations, and Small Merchandising Home Occupations as defined in this Title and subject to the restrictions of Chapter 11 of this Title.
- (G) Other similar uses that are determined by the City Council to be compatible with the purpose and intent of this zone.

(Ord. 96, 5-24-05); (Ord. 144-02-09, 9/8/09); (Ord. 148-01-10, 4/27/10); (Ord. 170-01-13, 1/15/13); (Ord. 221-06-18, 6/26/18); (Ord. 232-08-19, 8/20/19).

11-4-3: **CONDITIONAL USES.**

- (A) The City may, after notice and public hearing pursuant to Chapter 8 of this Title, permit the uses specified below, where such uses are deemed essential or desirable to the public convenience or welfare. On all conditional use permit applications, the City shall have the discretion to require an impact statement to assess the impact of the proposed conditional use upon surrounding properties and upon city services and infrastructure. The City may impose such conditions and safeguards, as it deems necessary to protect the best interests of the surrounding property or neighborhood and city services or infrastructure from damage, hazard, nuisance or other detriment.
- (B) The following conditional uses are permitted in the R-1 zone:
  - (1) Churches.
  - (2) Public facilities such as schools, parks and playgrounds, utility facilities and other municipal uses.
  - (3) Temporary buildings for construction purposes for a period not to exceed one (1) year.

- (4) Nursery school or Day Care facilities.
- (5) Cemeteries.
- (6) Greenhouses.
- (7) Residential occupancies located in the basement of an existing residential structure, provided the following conditions are met:
  - (a) The basement occupancy has a kitchen, bathroom and bathing and sleeping facilities separate from the main floor occupancy.
  - (b) The basement occupancy has no more than two bedrooms.
  - (c) The residential lot has off-street vehicular parking facilities for at least three (3) motor vehicles.
  - (d) The basement dwelling is fully compliant with the International Building Code for residential occupancies, as the same currently exists or as may be amended hereafter.
  - (e) No home occupation is conducted within the main floor or basement dwelling.
  - (f) The basement occupancy has a water service line separate and independent from the water service line for the main floor occupancy.
- (8) Service Home Occupations and Merchandising Home Occupations, each as defined in this Title and subject to the restrictions of Chapter 11 of this Title.

(Ord. 96, 5/24/05); (Ord. 170-01-13, 1/15/13); (Ord. 179-02-14, 4/15/14); (Ord. 221-06-18, 6/26/18); (Ord. 232-08-19, 8/20/19).

11-4-4: **HEIGHT REGULATIONS.** No building or structure shall exceed two and one-half (2½) stories or twenty-five (25) feet in height, whichever is greater. Roofs above the square of the building and building features not used for human occupancy, such as chimneys, flag poles, television antennas, ornamental architectural design appurtenances or other similar building features, shall not be considered in determining such height.

(Ord. 170-01-13, 1/15/13).

11-4-5: **SETBACK AND SITE REQUIREMENTS.** The following setback requirements for all buildings or structures, other than accessory buildings, shall be observed in the R-1 zone. Setback requirements for accessory buildings shall comply with section 11-11-6 of this Code.

- (A) **Front Yard.** No building or structure shall be erected in the R-1 zone nearer than thirty-five (35) feet from the right-of-way line of the street.

- (B) **Side Yard.** No building shall be closer than ten (10) feet from any side property line, except corner lots, which shall maintain a thirty (30) foot side yard adjacent to the street which intersects the street upon which the building fronts.
- (C) **Rear Yard.** No building shall be constructed closer than twenty-five (25) feet to the rear property line.
- (D) **Clear view of intersecting streets and ways.** For the purpose of ensuring reasonable visibility and safety in the residential districts and in the business districts which require buildings to be set back from the right-of-way line, the triangle of land formed on any corner lot by drawing a line between the points on the two lot lines, which points are each thirty (30) feet from the intersection of said lot lines, shall be free from structure or other obstructions, except as otherwise permitted in this section.

Any triangle of land formed along any street by drawing a line between a point on the lot line parallel to the street (which point is fifteen (15) feet from an alley or driveway which abuts the street) and a point on the near side of the alley or driveway (which point is fifteen (15) feet from the lot line) shall be free from structures or other obstructions, except as otherwise permitted in this section.

Trees are allowed in such triangles provided they are trimmed from the ground level to at least seven (7) feet above the curb. Shrubs, fences and walls are likewise allowed in such triangles provided they do not exceed three (3) feet in height.

- (E) **Protection of Waterways.** Any development near any irrigation canal or ditch shall protect the canal or ditch right-of-way from encroachment and meet all standards required by the owner of the canal.

(Ord. 170-01-13, 1/15/13).

11-4-6: **AREA REQUIREMENTS.** The following area requirements shall apply in the R-1 zone:

- (A) Lots within this zone shall be not less than fourteen thousand five hundred twenty (14,520) square feet in total area and shall be of a width at the front lot line of not less than eighty-five (85) feet.
- (B) **Lot coverage.** No more than fifty percent (50%) of the lot area may be covered by buildings or structures.

(Ord. 170-01-13, 1/15/13).

11-4-7: **WATER AND SEWER SERVICES.**

- (A) **Sewer.** All residential structures within this zone shall be connected to a public sewer facility, if located within three hundred (300) feet of the terminus of any existing sewer

line. If such sewer facilities are not available, then the use shall meet the requirements of the District Seven Health Department.

- (B) **Water.** All domestic uses shall be connected to the domestic water system of the City.  
(Ord. 170-01-13, 1/15/13).

11-4-8: **OFF-STREET PARKING REQUIREMENTS.** The following off-street parking requirements shall apply in the R-1 zone.

- (A) For each single-family residence, two (2) off-street parking spaces.
- (B) All residential structures within this zone shall have a garage or carport constructed of like materials.
- (C) All other uses shall comply with the provisions of Chapter 12 of this Title.  
(Ord. 170-01-13, 1/15/13); (Ord. 221-06-18, 6/26/18).

11-4-9: **KEEPING OF DOMESTIC HENS.**

- (A) The keeping of domestic hens is hereby permitted within the R-1 zone subject to the provisions of this section. For the purposes of this section, the term “domestic hen” shall mean a common domestic hen (*domesticus gallus gallus*) for the purpose of domestic egg production or as a domestic pet.
- (B) Only one (1) animal unit per one-third (1/3) acre shall be allowed. One (1) animal unit shall represent ten (10) domestic hens.
- (C) All buildings, shelters or enclosures used for the purpose of housing or sheltering domestic hens shall be located no less than twenty feet (20') from the primary residence located upon the lot or parcel for such uses permitted and no closer than fifty feet (50') from the foundation wall of any building or structure used for human occupation and located upon any adjoining lot or lots. In no event shall domestic hens be kept within a front yard or a side yard, as defined by section 11-1-5 of this Title.
- (D) Domestic hens shall at all times be kept within a secure enclosure having a total area of not less than two (2) square feet per domestic hen. Domestic hens shall not be kept within any building or structure designed for human occupancy.
- (E) The area within which domestic hens are kept shall be cleaned and maintained in a manner that does not unreasonably attract flies, emit foul or objectionable odors or create a public health hazard nor shall the keeping of domestic hens disturb the peace of the adjoining properties or otherwise constitute a public nuisance.

(Ord. 96, 5/24/05); (Ord. 138-12-08; 8/19/08); (Ord. 144-02-09, 9/8/09); (Ord. 148-01-10, 4/27/10); (Ord. 170-01-13, 1/15/13).