

## CHAPTER 4A Residential Townhouse (R-T) Zone

### SECTION:

- 11-4A-1: Purpose
- 11-4A-2: Permitted Uses
- 11-4A-3: Conditional Uses
- 11-4A-4: Prohibited Uses
- 11-4A-5: Height Regulations
- 11-4A-6: Setback and Site Requirements
- 11-4A-7: Area Requirements
- 11-4A-8: Water and Sewer Services
- 11-4A-9: Off-Street Parking Requirements
- 11-4A-10: Special Provisions Regarding Single Family Attached Dwellings
- 11-4A-11: Patio Homes

11-4A-1: **PURPOSE.** The purpose of the R-T residential townhouse zone is to provide a residential environment for patio homes and single family attached dwellings, commonly known as townhouses. The zone is characterized by a slightly denser residential environment than is characteristic of the R-1 resident zone with smaller yards and greater lot coverage. Accessory uses are permitted provided they are consistent with a residential environment.

(Ord. 97, 5/24/05); (Ord. 170-01-13, 1/15/13); (Ord. 209-01-17, 01/17/17).

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

- (A) Single family dwellings, subject to the setback and side yard requirements, area requirements, parking and utility service requirements as set forth in sections 11-4-5 through 11-4-8 of this Code.
- (B) Single family attached dwellings with no more than two (2) single family units in any one structure and no more than one (1) structure for human habitation upon a lot.
- (C) Attached garages.
- (D) Home gardening and other horticultural uses not operated as commercial enterprises.

- (E) Accessory buildings and uses, subject to the restrictions in section 11-11-6 of this Code.
- (F) 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.
- (G) 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.
- (H) Other similar uses that are determined by the City Council to be compatible with the purpose and intent of this zone.

(Ord. 97, 5/24/05); (Ord. 160-09-11, 6/28/11); (Ord.161-10-11, 8/16/11); (Ord. 170-01-13, 1/15/13); (Ord. 195-07-15, 7/21/15); (Ord. 232-08-19, 8/20/19).

**11-4A-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-T zone:
  - (1) Manufactured homes as defined in Idaho Code § 39-4105(8), meeting the placement standards set forth in section 11-11-21 of this Code.
  - (2) Public facilities such as schools, parks and playgrounds, utility facilities and other municipal uses.
  - (3) Churches.
  - (4) Temporary buildings for construction purposes for a period not to exceed one (1) year.
  - (5) Service Home Occupations and Merchandising Home Occupations, each as defined in this Title and subject to the restrictions of Chapter 11 of this Title.
  - (6) Patio homes, subject to the requirements set forth in section 11-4A-11 of this Chapter.

(Ord. 97, 5/24/05); (Ord. 170-01-13, 1/15/13); (Ord. 232-08-19, 8/20/19).

11-4A-4: **PROHIBITED USES.** The following uses are prohibited in the residential-townhouse (R-T) zone:

- (A) Livestock, horses, cows, poultry, swine, or other similar animals used for husbandry purposes. Common household pets are however permitted.
- (B) Parking and storage of recreational vehicles, except recreational vehicles may be parked upon the front driveway of the primary residence for a period of not more than three (3) hours per day while such vehicle is being loaded or unloaded or used for loading or unloading of passengers.
  - (1) For the purposes of this section, the term “recreational vehicle” shall have the following meaning: A motor home, travel trailer, fifth wheel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy. Such term shall include school buses or van-type vehicles which have been converted into temporary living quarters for recreational use. The term does not include pick-up hoods, shells or canopies designed, created or modified for occupational usage.
- (C) Daycare facilities.

(Ord. 97, 5/24/05); (Ord. 160-09-11, 6/28/11); (Ord. 170-01-13, 1/15/13); (Ord. 209-01-17, 01/17/17).

11-4A-5: **HEIGHT REGULATIONS.** No building or structure shall exceed two (2) stories or twenty (20) feet in height, whichever is greater. Roofs above the square of the building and building architectural design 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. 97, 5/24/05); (Ord. 170-01-13, 1/15/13).

11-4A-6: **SETBACK AND SITE REQUIREMENTS.** The following setback requirements for main buildings shall be observed in the R-T zone:

- (A) **Front Yard.** No building or structure shall be erected in the R-T zone nearer than thirty (30) 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. There should be no side yard set back requirement for the property line between single family units sharing a common

party wall or walls. Notwithstanding the foregoing, patio homes may be constructed no closer than eight (8) feet from any side yard property line.

- (C) **Rear Yard.** No main 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. 97, 5/24/05); (Ord. 161-10-11, 8/16/11); (Ord. 170-01-13, 1/15/13).

11-4A-7: **AREA REQUIREMENTS.** The following area requirements shall apply in the R-T zone:

- (A) Lots within this zone shall be not less than twelve thousand (12,000) square feet in total area and shall be of a width at the front lot line of not less than one hundred (100) feet, measured at the front building set back line.
- (B) The floor area of the first story above grade of any single family structure, excluding garage space and open porches, shall not be less than one thousand two hundred (1,200) square feet.
- (C) No more than fifty percent (50%) of the lot area may be covered by buildings or structures.

(Ord. 97, 5/24/05); (Ord. 170-01-13, 1/15/13); (Ord. 221-06-18, 6/26/18).

11-4A-8: **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. 97, 5/24/05); (Ord. 170-01-13, 1/15/13).

11-4A-9: **OFF-STREET PARKING REQUIREMENTS.** The following off-street parking requirements shall apply in the R-T zone.

- (A) Each single family dwelling unit shall have 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. 97, 5/24/05); (Ord. 170-01-13, 1/15/13); (Ord. 221-06-18, 6/26/18).

11-4A-10: **SPECIAL PROVISIONS REGARDING SINGLE FAMILY ATTACHED DWELLINGS.**

- (A) No single family attached dwelling shall be located above another dwelling unit, either in whole or in part.
- (B) Each single family attached dwelling shall have at least one direct pedestrian access from the interior of the dwelling to the exterior boundaries of the lot and no pedestrian access may be held in common with another single family dwelling unit.
- (C) Except as noted below, single family dwelling shall have no facilities or property in common with another single family attached dwelling and all dwellings shall be structurally and functionally independent from each other. All single family attached dwellings shall have separate electrical service, water service lines, and sanitary sewer service lines. Common facilities or property are allowed for the following:
  - (1) Common party walls constructed in accordance with the International Building Code.
  - (2) Foundations supporting attached or party walls.
  - (3) Flashing at the termination of the roof covering over any attached walls.
  - (4) Roofs.

- (5) Vehicular access to a dedicated street for off street parking facilities.
- (D) No building permit shall be issued for the construction of a single family attached dwelling unless a common facility or party wall agreement or Declaration of Condominium has been filed with the Bonneville County Recorder's Office for each such dwelling unit which shares common facilities with another unit. Such agreement shall include a legal description of the lots sharing common facilities and shall allocate responsibility as and between the owners of such lots for the use, maintenance, and ownership of all common facilities.

(Ord. 97, 5/24/05); (Ord. 170-01-13, 1/15/13).

**11-4A-11: PATIO HOMES.**

- (A) For the purposes of this section, a "patio home" shall mean a residential structure which occupies a substantially greater portion of the lot in comparison to other residential structures allowed within the zone. The use is characterized by small yards, modest landscaping, and no gardens or accessory buildings. A minimum structure size is also established in order to ensure such use is not characterized by entry level homes.
- (B) Patio Homes shall be permitted within the R-T Zone subject to the following restrictions:
  - (1) The minimum lot area shall be not less than six thousand five hundred square feet (6,500).
  - (2) The minimum building size, excluding basements, open patio areas, attached garages and carports shall be not less than one thousand two hundred square feet (1,200).
  - (3) No building or structure shall be erected nearer than thirty feet (30) from the front property line adjacent to the street.
  - (4) Accessory uses and structures are allowed provided such uses and structures comply with the following restrictions in addition to the restrictions set forth in § 11-11-6 of this Code:
    - (a) All structures shall have no more than two hundred (200) square feet of floor space.
    - (b) All structures shall be constructed with durable, low maintenance exterior materials that complement the color and construction of the associated primary residence.
    - (c) The combined floor space area of the primary residence, garage, car port, covered patio area and accessory structures does not exceed fifty percent (50%) of the total surface area of the lot.

(5) Each patio home shall have a basement.

(Ord. 97, 5/24/05); (Ord. 170-01-13, 1/15/13); (Ord. 200-11-15, 11/17/15); (Ord. 209-01-17, 01/17/17).