

## CHAPTER 4A

### RESIDENTIAL TOWNHOUSE (R-T) ZONE

#### *SECTION:*

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11-4A-1: **PURPOSE:** The purpose of the R-T residential townhouse zone is to provide a residential environment for 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)

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

- (A) Single family attached dwellings, subject to the height restrictions, setback and side yard requirements, area requirements and utility services requirements as set forth in sections 11-4-5 through 11-4-8 of this code. **(Ord. 160-09-11, 6/28/11)**
- (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) Churches or other places of religious assembly.
- (E) Home gardening and other horticultural uses not operated as a commercial enterprise.
- (F) Accessory buildings and uses, subject to the restrictions in sections 11-11-6 and 11-4A-9 of this Code, provided the total area of all structures on the lot shall not exceed two hundred (200) square feet in enclosed area. **(Ord. 158-06-11, 4/19/11)**
- (G) 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)**
- (H) Patio homes, subject to the restrictions set forth in section 11-4-11 and 11-4-6B of this Chapter, and provided further that the minimum building size, excluding

basements and open patio areas, attached garages and carports, shall be not less than one thousand two hundred (1200) square feet, and each patio home shall have a basement. **(Ord. 161-10-11, 8/16/11)**

**11-4A-3: CONDITIONAL USES:** The City may, after notice and public hearing, permit the following uses in the R-T zone where such uses are determined to be essential or desirable to the public convenience or welfare. The City may require an impact statement to assess the impact of any 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:

- (A) Public facilities such as schools, parks and playgrounds, utility facilities and other municipal uses.
- (B) Temporary buildings for construction purposes for a period not to exceed one (1) year. **(Ord. 97, 5/24/05)**

**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) Manufactured homes.

- (C) Storage of recreational vehicles within the area located between the front face set back line and nearest edge of the public street upon which the lot fronts, provided however recreational vehicles may be parked upon the front driveway for a period not to exceed twenty-four (24) hours within any period of seven (7) consecutive days.
- (D) Home occupations as defined in section 11-1-5 of this Code.
- (E) Daycare facilities. (Ord. 97, 5/24/05)

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, chimneys, flag poles, television antennas or other similar structures not used for human occupancy shall be excluded in determining such height. (Ord. 97, 5/24/05)

11-4A-6: SETBACK AND SITE REQUIREMENTS: The following setback requirements 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. No side yard shall be required for accessory buildings which are located more than twelve (12) feet to the rear of the foundation of the primary dwelling house, provided that the accessory buildings drip line remains within the lot. There should be no side yard setback 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 property line. **(Ord. 161-10-11, 8/16/11)**

- (C) Rear Yard. No main building or any other structure other than an accessory 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)

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 one hundred (1,100) 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)

**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)

**11-4A-9: ACCESSORY USES:** Accessory uses shall be limited to one (1) story in height and shall comply with the provisions of section 11-11-6 of this Code. (Ord. 97, 5/24/05)

**11-4A-10: 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 an attached garage capable of accommodating at least two (2) automobiles.

(B) All other uses shall comply with the provisions of Chapter 12 of this Title.  
(Ord. 97, 5/24/05)

**11-4A-11: 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)

