

Chapter 10

RD - TWO-FAMILY (DUPLEX) RESIDENTIAL DISTRICT/ZONE

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10-10-1: DESCRIPTION AND PURPOSE

The RD Two-Family (duplex) Residential District is intended to protect quiet residential areas now developed or developing, while at the same time allowing a limited increase in population density by permitting two (2), three (3), or four (4) attached dwelling units on a minimum sized lot. The maintenance of a desirable living environment is provided by means of the standards and requirements establishing minimum lot areas, yards and open spaces. A related consideration is to make it possible to more efficiently and economically design and install all public service facilities in terms of size and capacity adequately to meet the needs resulting from a defined intensity of land use.

10-10-2: PERMITTED BUILDINGS AND USES

Permitted buildings and uses in the RD District shall be as set forth in § 10-3-2, "Schedule Of District/Zone Land Use Controls" of this title, subject to the general provisions and exceptions set forth in this and other chapters of this title:

10-10-2.A: Two-family, three-family or four-family properties proposed to be subdivided into individual parcels, shall comply with the following requirements:

10-10-2.A.1: Deeds or covenants pertaining to buildings shall contain appropriate provisions regarding harmonious maintenance of individually or commonly owned indoor or outdoor walls and outdoor yard areas.

10-10-2.A.2: Maintenance and shared use agreements for access and parking shall be recorded in a separate document from the final plat. (e.g: covenants, conditions & restrictions or other legal document).

10-10-2.A.3: Maintenance or encroachment easements shall be recorded as necessary for individual owners to assure access to all privately owned yard areas and outdoor walls.

10-10-2.A.4: Overall property area, width, coverage and yard requirements for buildings shall be the same as for buildings under single ownership.

10-10-3: BUILDING HEIGHT REGULATIONS

No principal building shall exceed thirty feet (30') in height (measured from grade to the ceiling of the top floor of the structure).

10-10-4: DETACHED ACCESSORY STRUCTURES

Shall comply with standards in § 10-3-2 of this title and, in addition, the following regulations apply:

10-10-4.A: Detached accessory structures shall not be taller than the height of the principal building on the property or twenty-two feet (22') (measured from grade to the building height as defined in chapter 1 of this title), whichever is greater.

10-10-4.B: Detached accessory structures exceeding two hundred (200) square feet in footprint area shall comply with required front, side, and rear setbacks that apply to principal buildings and require a building permit.

10-10-4.C: Detached accessory structures with a footprint of two hundred (200) square feet or under and twelve feet (12') or lower in height shall be built to no less than three feet (3') from any primary structure wall (unless a building permit is obtained from the City to locate closer to the primary structure) and shall comply with required front, side, and rear setbacks that apply to principal buildings.

10-10-4.D: No portion of an accessory structure may be located closer to the front property line than any covered part of the primary structure to which they are accessory.

10-10-4.E: No more than two (2) accessory structures are permitted per lot or parcel, with the exception of a detached garage or carport where an attached garage or carport does not currently exist. Only one of the two permitted accessory structures may be a detached guesthouse or 'in-laws' quarters.

10-10-5: PROPERTY AREA, WIDTH, SETBACK AND DENSITY REQUIREMENTS

The following minimum requirements shall be observed:

10-10-5.A: Minimum and Maximum Property Area Required: When a single-family detached dwelling is located or is to be located on an interior platted lot, a minimum of five thousand (5,000) square feet and a ten thousand (10,000) square foot maximum property area shall be maintained or required. When a single-family dwelling is located or to be located on a platted corner lot, the lot area requirement may be reduced in accordance with § 10-10-8 of this chapter.

10-10-5.B: Minimum Property Area Required Per Dwelling Unit(s): The first two (2) units require five thousand (5,000) square feet and additional units require two thousand five hundred (2,500) square feet of land each/per unit.

10-10-5.C: Minimum Property Width: Minimum property width required shall be thirty feet (30').

10-10-5.D: Minimum Property Structure and Parking Front Yard (Setback): The minimum setback for any garage wall shall be twenty (20') feet from the primary frontage property line. The minimum setback from any residential structure living area wall shall be fifteen (15') feet from the primary frontage property line.

10-10-5.E: Minimum Side and Rear Property Structure Setbacks: Shall be five feet (5') wide/deep. Where a utility easement is recorded adjacent to a rear property line, the setback shall be no less than the width of the easement on the development site or five feet (5'), whichever is greater.

10-10-5.F: Access: All lots/parcels developed/"built out" or proposed to be developed/"built out" with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the City may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in § 10-1-2, "Definitions," and subsection 10-1-7.B.1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same.

10-10-5.G: Density Requirements: The maximum net density of 12.44 dwelling units per acre and a minimum net density of 4.36 dwelling units per acre shall be maintained or required for new development.

10-10-6: LOTS ABUTTING AN ALLEY

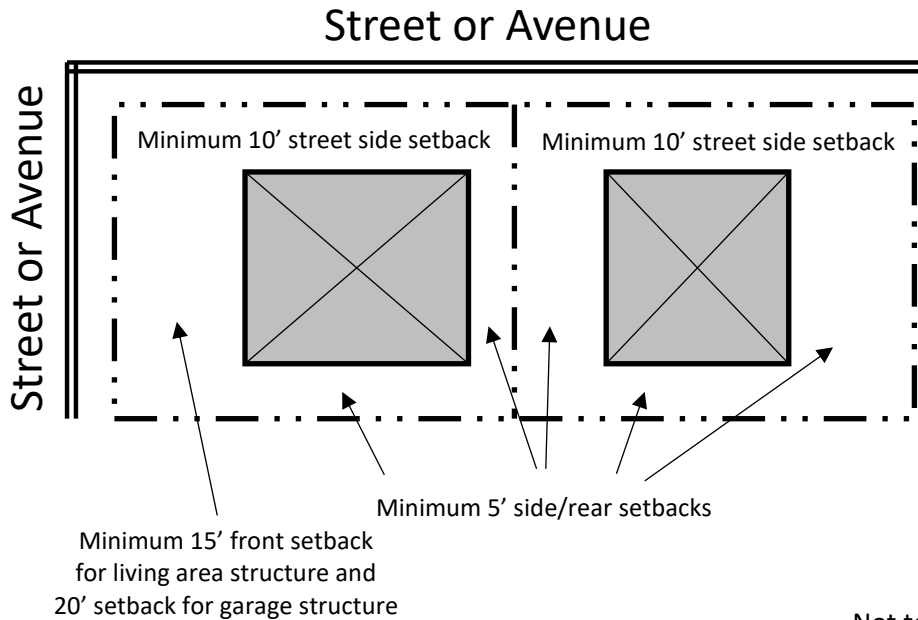
In a lot abutting an alley the required rear setback shall be fifteen feet (15') from the centerline of any alley.

10-10-7: MAXIMUM PROPERTY COVERAGE

None specified for primary structures. For accessory structures refer to 10-1-7.D.3.

10-10-8: CORNER LOTS

Platted corner lots shall observe the minimum front yard setback requirements on one street side. A ten foot (10') minimum setback shall be required on the second street side.



Two (2) single-family dwellings may be permitted on corner lots when the following criteria are met:

10-10-8.A: Location: On lots platted prior to 1947 that are at least fifty feet (50') wide by one hundred forty feet (140') deep.

10-10-8.B: Special Requirements: Requirement number 3 shall have no effect on corner lots containing two (2) existing single-family homes prior to June 16, 1975. Other listed requirements shall have no effect on corner lots containing two (2) existing single-family homes prior to April 16, 1979, provided no conditional use permit has been granted containing any of the requirements. In instances where a conditional use permit has been granted, conditions of the permit shall be adhered to.

10-10-8.B.1: Two (2) off street parking spaces shall be provided for each lot.

10-10-8.B.2: Curb, gutter and sidewalk shall be provided in accordance with Nampa Engineering Policies and Construction Standards.

10-10-8.B.3: The smallest parcel shall be at least sixty five feet (65') long.

10-10-8.B.4: Utility services shall be located in recorded easements on private property.

10-10-8.B.5: A Record of Survey and deeds for the lot split shall be recorded prior to the application of a building permit for the new home.

10-10-8.B.6: Construction shall comply with plans submitted, approved and on file with the Building Division.

10-10-8.B.7: The Building Official shall not issue a certificate of occupancy until the Engineering, Planning and Zoning and Building divisions are satisfied that all the stated requirements have been complied with. A certificate of occupancy may be issued upon

receipt of a bond in the amount of one hundred fifty percent (150%) of the value of incomplete improvements as approved by the Director or his/her designee.

10-10-8.B.8: An application for a building permit shall include a plot plan showing existing conditions and proposed improvements at a scale of at least one inch to twenty feet (1" = 20').

10-10-9: DESIGN REVIEW, PARKING, PARKING LOT LANDSCAPING, SIGNAGE, PROPERTY LANDSCAPING, AND OPEN SPACE

All uses shall conform to the façade design, parking, parking lot landscaping, signage, open space and property landscaping requirements in chapters 22, 23, 33 and 34 of this title.