

Chapter 12

RMH - MULTIPLE-FAMILY RESIDENTIAL DISTRICT/ZONE

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10-12-1: DESCRIPTION AND PURPOSE

The RMH Multiple-Family Residential District provides for high density, multiple-family housing. It is intended to be situated in close proximity to major commerce areas, campus location, and major thoroughfare intersections and around the downtown districts.

10-12-2: PERMITTED BUILDINGS AND USES

Permitted buildings and uses in the RMH 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.

10-12-2.A: Two-family or multiple-family properties proposed to be subdivided into individual parcels shall comply with the following requirements:

10-12-2.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.

10-12-2.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).

10-12-2.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.

10-12-2.A.4: Overall lot area, lot width and yard setback requirements for buildings shall be the same as for buildings under single ownership.

10-12-3: STRUCTURAL HEIGHT AND ACCESSORY STRUCTURE SETBACK REGULATIONS

10-12-3.A: Sixty-five foot (65') maximum without approval of the Council (measured from grade to the ceiling of the top floor of the structure).

10-12-3.B: When an RMH zoned parcel is within one hundred (100') feet of an—AG, RA, RD or RS District, the maximum permitted building height shall be limited to thirty feet (30'), (measured from grade to the ceiling of the top floor of the structure), whichever is the lesser, for a distance of fifty feet (50') into the RMH property from the abutting boundary (intervening property line) of any of the aforementioned districts.

10-12-3.C: Detached accessory structures shall not be taller than the building 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. Accessory structures shall comply with required front and interior yard setbacks that apply to principal buildings and shall not (except in the case of detached garages or carports) be located closer to the front property line/street line than any building of one or more dwelling units (e.g., house, duplex, triplex, fourplex) to which they are accessory. In other words, they shall not be placed or built in front of the principal residential building(s).

10-12-4: PROPERTY AREA, WIDTH AND ~~YARD~~ SETBACK AND DENSITY REQUIREMENTS:

The following minimum requirements shall be observed:

10-12-4.A: Minimum and Maximum Property Area Required: When a single-family dwelling is located or to be located on a property a four thousand eight hundred (4,800) square foot minimum property area and a nine thousand (9,000) square foot maximum property area shall be maintained or required. When a single-family dwelling is located or is to be located on a corner lot, the lot area requirement may be reduced in accordance with § 10-11-7 of this chapter.

10-12-4.B: Minimum Property Area Required per Dwelling Unit(s): The first two (2) dwelling units in a structure containing multiple dwelling units, require six thousand (6,000) square feet of land. Additional dwelling units require five hundred (500) square feet of land per dwelling unit, not to exceed three thousand five hundred (3,500) square feet of land per dwelling unit.

10-12-4.C: Minimum Property Width: Minimum property width required shall be thirty feet (30')

10-12-4.D: Minimum Property Structure and Parking Front Yard (Setback): The minimum setback for any garage wall shall be twenty feet (20') from the primary frontage property line. The minimum setback for any residential structure living area wall shall be fifteen feet (15') from the primary frontage property line.

10-12-4.E: Minimum Side and Rear Property Setbacks: All properties in the RMH District shall have side and rear setbacks of not less than eight feet (8') wide/deep, for structures not higher than thirty feet (30') (measured from grade to the ceiling of the top floor of the structure). For every ten feet (10') in height over which a building exceeds thirty feet (30') (measured from grade to the ceiling of the top floor of the structure), the building shall be set back an additional five feet (5') from side lot lines. In no case shall the distance between the rear lot line and the building be less than half the height of the building for structures higher than thirty feet (30') tall (measured from grade to the ceiling of the top floor of the structure).

For a lot abutting an alley, the required rear yard setback shall be fifteen feet (15') from the centerline of that alley.

10-12-4.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.

10-12-4.G: Density Requirements: The maximum net density of 77.12 dwelling units per acre and a minimum net density of 12.45 dwelling units per acre shall be maintained or required for new development.

10-12-5: MAXIMUM PROPERTY COVERAGE

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

10-12-6: 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 platted corner lots when the following criteria are met:

10-12-6.A: Location: On lots platted prior to 1947 that are at least fifty feet (50') wide by one hundred forty feet (140') deep.

10-12-6.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.

10-12-6.B.1: Two (2) off street parking spaces shall be provided for each lot.

10-12-6.B.2: Curb, gutter and sidewalk shall be provided in accordance with Nampa Engineering Policies and Construction Standards.

10-12-6.B.3: The smallest parcel shall be at least sixty five feet (65') long.

10-12-6.B.4: Utility services shall be located in recorded easements on private property.

10-12-6.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.

10-12-6.B.6: Construction shall comply with plans submitted, approved and on file with the building division.

10-12-6.B.7: The Building Official shall not issue a certificate of occupancy until the Engineering, Planning and Zoning and Building departments are satisfied that all of 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.

10-12-6.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').

10-12-7: 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.