

TRADITIONAL NEIGHBORHOOD DEVELOPMENT

What This Chapter Does. This chapter describes supplemental regulations available as an option through an overlay zoning district for the purpose of allowing a Traditional Neighborhood District.

Traditional Neighborhood Development Overlay District, Neighborhood Center

1.0 Purpose. This Section recognizes that the suburban development pattern of the late 20th Century has produced a separation of land uses, excessive vehicular trip generation, inefficient public transportation, and infrastructure costs that place stress on available resources. It is the intent of this Section to provide options for a development pattern that can reduce trip demand and infrastructure costs, and to create more viable communities, by adapting the land development principles that guided our country's first settlements, towns and cities and suburbs. This ordinance allows the development and redevelopment of land in Victor consistent with the design principles of traditional neighborhoods. A traditional neighborhood:

1. Is compact;
2. Is designed for the human scale;
3. Provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood;
4. Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes and incomes;
5. Incorporates a system of relatively narrow, interconnected streets with sidewalks, bikeways, and transit that offer multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of the those streets to existing and future developments;
6. Retains existing buildings with historical features or architectural features that enhance the visual character of the community.
7. Incorporates significant environmental features into the design;
8. Is consistent with the City's comprehensive plan.

2.0 Definitions

The following definitions relevant to Traditional Neighborhood Development shall be observed and applied, except when the context clearly indicates otherwise. Words used in the present tense shall include the future tense. Words used in the singular form shall include the plural form. Words used in the plural form shall include the singular. The word "shall" is mandatory and the word "may" is permissive.

- 2.1 Accessory Building** – a detached subordinate structure, the use of which is incidental to that of the principal structure and located on the same lot and is of common ownership.
- 2.2 Affordable Housing** – housing in which mortgage, amortization, taxes, insurance, and /or association fees, if any, constitute no more than 28 percent of gross household income for a household of the size which may occupy the unit. Rental housing that is affordable means housing for which the rent constitutes no more than 30 percent of gross household income for a household of the size that may occupy the unit.
- 2.3 Alley** – a public or private way permanently reserved as a secondary means of access to abutting property. Alley upkeep and maintenance may be the responsibility of a home-owners’ association; generally referred to as an access lane.
- 2.4 Apartment** – a dwelling unit sharing a building and a lot with other dwellings and/or uses.
- 2.5 Building Scale** – the relationship between the mass of a building and its surroundings, in including the width of street, open space, and mass of surrounding buildings. Mass is determined by the three-dimensional bulk of a structure: height, width, and depth.
- 2.6 Build-to line/Setback, front** – the distance from the right-of-way line to the closest point of the foundation of a building.
- 2.7 Court, Parking** – Parking Courts are cluster homes of four units or less that occupy the outside boundaries of a parcel and provides an internal driveway, driveway aprons and garages.
- 2.8 Cluster Home** – Cottage type residential structures whose facades and entries are oriented around a common courtyard space and entrance. Garages are accessed from the exterior of the cluster.
- 2.9 Common Open Space** – squares, greens, neighborhood parks, parks, and linear environmental corridors owned and maintained by the city.
- 2.10 Density** – net density for purposes of TND calculations; the number of structures allowed on the areas of a parcel developable and exclusive of public rights-of-way, parks, open space, and any stormwater retention/detention facilities.

- 2.11 Design Committee (TND)** – a committee comprised of four members, three of whom have backgrounds in the principles and/or design and planning of Traditional Neighborhood development. The fourth design committee member shall be a public works/engineering representative of the city who will review the relevant aspects of the project to its departmental functions.
- 2.12 Edge Yard Building** – a building that occupies the center of its lot with setbacks on all sides. The front yard is intended to be generally continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed backbuilding-accessory unit and/or secondary dwelling unit.
- 2.13 Façade** – the exterior walls of a building that are set along a frontage line.
- 2.14 Full-time worker** – resident of City of Victor who works in either Teton County, Idaho or Wyoming at least 1500 hours per year.
- 2.15 Lot** – a parcel of land occupied or intended for occupancy by a use permitted in this ordinance, including one main building, together with any accessory buildings, open spaces, and parking spaces required by this ordinance and having its principal frontage upon a street or upon an officially approved place.
- 2.16 Neighborhood Commercial Limited Mixed Use** – Retail, service and office uses that are compatible and desired to be included around the perimeter of TND neighborhoods. They provide a focal point for residential neighborhoods and are pedestrian and locally oriented.
- 2.17 Pedestrian Shed** – the distance that may be traversed at an easy pace by a ten to fifteen minute walk from the anywhere within the Neighborhood Center to the Town Center. Generally a one quarter to one half mile radius.
- 2.18 Plaza** – a public space at the intersection of important streets set aside for civic purposes and commercial activities, its landscape consisting of durable pavement and trees requiring little maintenance.
- 2.19 Principal Building** – a building in which the primary use of the lot on which the buildings is located is conducted.
- 2.20 Secondary Dwelling Unit** – an additional dwelling unit not exceeding 800 sq. ft. and located within the principal dwelling on the lot, in a freestanding building or above a residential garage.
- 2.21 Side Yard Housing** – a building that occupies one side of the lot with the setback to the other side; also known as Zero-Lot Line housing. This type siting may also

apply to garages and side yard driveways. The visual opening of the side yard on the street frontage causes this building type to appear freestanding. A shallow frontage setback defines a more urban condition. This type permits better climate orientation in response to the sun. This site configuration requires a maintenance easement from adjacent property owners for the purpose of maintenance access.

2.22 Solar Access/Siting – the location of a structure along with its window placement and internal passive/active living zone design so as to maximum its passive solar heating and cooling qualities.

2.23 Streetscape – the urban element that establishes the major part of the public realm. The streetscape is composed of thoroughfares as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.)

2.24 Transect – a system of ordering human habitats in a range of from the most natural to the most urban. Transect/Smart Codes describe the physical character of place at any scale, according to the density and intensity of land use and urbanism.

2.25 Traditional Neighborhood – a compact, mixed use neighborhood where residential, commercial and civic buildings are within close proximity to each other.

2.26 Traditional Neighborhood Development Overlay – an overlay zone parallel to the underlying map zone, and encompassing the principles of Traditional Neighborhood design, that may be used according to the provisions of the Traditional Neighborhood Development Overlay regulations and the Traditional Neighborhood Design Guidelines. The TND provisions supersede the underlying zone and require a full review process and approval of the City Council.

3.0 Applicability. The traditional neighborhood development (TND) ordinance is an alternative set of standards for development within the City and as defined by the TND overlay map for new development and for infill development of 2 acres or less. The City Council may by resolution establish fees for the administration of this ordinance.

3.1 Application Procedure and Approval Process

Prior to the issuance of any permits for development within a Traditional Neighborhood Development, the following steps shall be completed according to the procedures outlined in this section:

1. The applicant shall have had an initial conference with the planning staff.
2. The applicant shall prepare an initial concept sketch plan and present it with his/her design representative to the Design Committee for review and discussion.
3. The applicant will submit a sketch plan review application to the Victor Planning & Zoning Commission.
4. The applicant will submit the sketch plan review to the Planning & Zoning Commission for a public hearing and preliminary plan recommendation to the city council.
5. The preliminary plan will be forwarded with recommendations to the city council.
6. The city council will hold a public hearing to approve, approve with modifications, or deny the application.
7. The approved preliminary plat will be forwarded for final plat.

3.2 Initial conference. Before submitting an application for a Traditional Neighborhood De-

elopement project, the applicant shall schedule an appointment and meet with the planning staff to discuss the procedure for approval of a Traditional Neighborhood Development project, including submittal requirements and design standards.

3.3 Design Committee Review. A three person Design Review Committee comprised of persons familiar with the principles of Traditional Neighborhood Design shall be appointed by the City Council to perform the functions described below:

Following the planning staff's initial conference, and prior to submittal of a sketch plan application, a meeting will be scheduled with the applicant and TND Design Review Committee. This review shall be scheduled as soon as practicable and will include the applicant's design representative and the design committee. A nominal fee may be charged for this service. An initial concept plan presenting the applicant's program should be prepared. The review process will be focused on general site design and compliance with the TND Overlay regulations in general and the TND Design Guidelines in particular. The objective of this review will be to optimize the proposed site and general architectural program for the benefit of the applicant and that of the community. The design committee will offer recommendations and prepare a report for submittal to the planning & zoning commission. The Design Committee will review and approve all subsequent building permits for architectural compliance with the TND Design Guidelines and shall have the right of permit approval. **It is strongly recommended that the applicant engage the services of an experienced site design architectural professional in order to prepare the designs for the project application and development process.**

3.4 Sketch Plan Process. Following the initial conference and report of the design review committee, the applicant shall submit a sketch plan to the city planning department together with an application for a zoning map amendment to the Traditional Neighborhood Development Overlay.

1. The developer shall file a request for a sketch plan review with the administrator.
2. The administrator shall place the sketch plan review on the agenda of the next regular commission meeting.
3. The commission shall conduct a sketch plan review. The materials that must be submitted to schedule a sketch plan review will be at a level of detail sufficient for the commission to make an informed decision as to the site design and general architectural style and shall include:
 - a. a scaled drawing of the existing property, including buildings, streams, streets, and other existing features; and
 - b. identification of the architectural style(s) of the Traditional Neighborhood Development and the accompanying site design style(s). General site dimensions with building setbacks should be included. The design style of the Traditional Neighborhood Development shall be conveyed with drawings or computer simulation of typical proposed building elevations including dimensions of building height and width and façade and porch/entryway treatments. Where the developer is constructing only part of the proposed site's vertical improvements, a representative model of typical covenant design type buildings shall be illustrated. These presentations are for the purposes of assisting the commission and council in understanding the overall design and may be in general concept form as final design details would be unknown.
 - c. a sketch showing proposed connections to adjacent streets;
 - d. a written report that provides general information about the covenants, conservation easements, or agreements which will influence the use and maintenance of the proposed development. The report shall also describe the site conditions and the development objectives.
4. At any time within 60 days after the sketch plan review, the developer may file a properly completed application form, the required supporting materials, and the application fee with the administrator. Completion of a public facilities needs study may be required before an application can be filed.

3.5 Commission Preliminary Plat Approval. The subdivision of land into building lots or other separate ownership holdings and to dedicate streets, alleys or other land for public use, the subdivider shall submit six (6) copies of a preliminary plat to the Commission, one (1) copy to the City Engineer and one (1) copy to Public

Works Department or, in the case of a Short Plat process, two (2) copies to the administrator for approval. The preliminary plat shall be submitted at least 42 days before any commission meeting date. The administrator shall place the application on the next Commission agenda for which space is available and when all notice requirements can be met.

The Administrator shall place public notice of the application and public hearing in a newspaper of general circulation, and to owners of property located within three hundred (300) feet of the boundaries of the proposed subdivision, and all easement holders within the subject property, no less than fifteen (15) days prior to the scheduled date of hearing. The applicant shall provide the mailing addresses of all property owners within 300 feet of the outer boundaries of the parcel proposed for subdivision and all easement holders within the subject property.

3.6 Preliminary Plat Required Information: the purpose of the preliminary plat submittal is to narrow the general plans submitted at sketch plan review to a more specific plan with sufficient detail to execute a preliminary plat. Final engineering drawings may be deferred to final plat submittal to the City Council

1. The Preliminary Plat so prepared by the subdivider and formally filed shall have a scale no smaller than 1" = 100'.
2. A site inventory analysis to identify site assets or resources, and constraints, including but not limited to floodplains, wetlands and soils classified as "poorly drained" or "very poorly drained," utility easements for high-tension electrical transmission lines, steep slopes greater than (10%), and greenfields.
3. The proposed name of the subdivision.
4. The name and address of the subdivider, the engineer or surveyor of the subdivision.
5. The location of the subdivision as forming a part of some larger tract or parcel of land referred to in the records of the County Recorder.
6. North point, scale and date.
7. The boundary line of the tract to be subdivided shall be accurate in scale and bearing.
8. A contour map at no more than a 2' contour interval to show the general topography and record grade of the tract. Reference elevations to the nearest Teton County benchmark.

9. The location, widths and other dimensions of all existing or platted streets and other important features such as power lines, water courses, irrigation lines, easements, topography, substantial vegetation, wetlands, floodplain and floodway areas, avalanche area, buildings, structures, or any other natural or manmade features, within, contiguous to, or in the general area of the property to be subdivided.
10. The location, widths and other dimensions of proposed streets, alleys, easements, parks, lots and open space.
11. The plan and cross section of proposed streets and alleys showing widths of roadways, location of sidewalks, curb and gutter, location and species of street trees, drainage areas, parking areas, snow storage areas, or any other improvement proposed or required for the rights-of-way. Final engineering drawings may be deferred to final plat submittal with the City Council.
12. The proposed names of all the streets whether new or continuous. The new street names must not be similar to any other street names used in the city or Teton County.
13. The location of existing and proposed sanitary sewer mains, sewer services, storm drains, water supply mains, water services, fire hydrants and culverts within the property and immediately adjacent thereto. Final engineering drawings may be deferred to final plat submittal with the City Council.
14. The proposed lot and block numbers.
15. The size of each lot shown in both square feet and acres.
16. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated, and planned improvements to that parcel or parcels.
17. The names and mailing addresses of all property owners, along with the legal descriptions of all properties within 300 feet of the outer boundaries of the parcel proposed for subdivision. The names and mailing addresses of all easement holders within the subject property. This information shall be provided in a format acceptable to the Administrator.
18. A phasing plan if the developer intends to develop the project in phases. The Plan must include the numbers of lots in each phase, the infrastructure planned for completion with each phase, the amenities to be constructed with each phase, the deadline for completion of each phase, and all other information pertinent to the completion of the department.

19. A draft of any private restrictions proposed to be recorded for the purpose of providing regulations governing the design, use, building lines, open spaces of their development, use and maintenance, to include any necessary maintenance easements for adjacent property owners' access to their properties where setback boundaries limit access. Such private restrictions, covenants, conditions and regulations will clearly state the linkage requirement between the subdivision requirements and the City's Traditional Neighborhood Design regulations and design guidelines.
20. An Area Development Plan if applicable pursuant to Victor Development Ordinance 5.6.4.
21. A site plan project overview map.
22. Such other information as may be required by the Commission or Administrator.
23. An application fee as established by resolution.
24. If the subject property is located within or partially within the Trail Creek Overlay, an application for Special Use Permit shall be submitted along with preliminary plat for concurrent review by the Commission.
25. Following receipt of a completed application, the applicant shall be required to diligently pursue the application by providing revised plans, plat maps, etc. when requested by city staff or the commission, in a timely fashion. When the applicant fails to meet this requirement, and fails to take any further action on the application for a period of six (6) consecutive months the application shall automatically expire. When such application has expired, the applicant must reapply and pay any applicable fees.
26. The Commission shall hold a public hearing and approve, conditionally approve, or deny the preliminary plat application. The Commission may table or continue the application when specific information has been requested from the applicant. A denial of the proposed plat by the Commission is a denial of the application, and unless appealed to the Council, the application will be terminated and the application fee forfeited.

3.7 Council Preliminary Plat Approval.

1. Following the preliminary plat approval or conditional approval of the Commission the applicant shall re-submit drawings, as necessary, showing modifications to the plans required by the Commission.
2. Following receipt of a completed application, the applicant shall be required to diligently pursue the application by providing revised plans, plat maps, etc.

when requested by city staff, the commission or council, in a timely fashion. When the applicant fails to meet this requirement, and fails to take any further action on the application for a period of six (6) consecutive months the application shall automatically expire. When such application has expired, the applicant must re-apply and pay any applicable fees.

3. Following receipt of the revised plans, or if no revisions are required, the application will be noticed, under the same procedure specified above, for the next available meeting of the Council. The Council shall hold a public hearing and approve, conditionally approve, or deny the preliminary plat application. The Council may table or continue the application when specific information has been requested from the applicant. The Council shall review any and all conditions placed on any plat approval and uphold, overturn, or modify those conditions. The Council may place additional conditions of approval on the application.

3.8 Final Plat Approval

1. The final plat must be submitted within six (6) months from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement.
2. The applicant shall submit six (6) copies of the final plat at least 39 days before any Council meeting date. The administrator shall place the application on the next Council agenda for which space is available and all notice requirements can be met.
3. The Administrator shall review the Final Plat application to ensure that the application submitted is consistent with the approved preliminary plat. The conditions imposed on the preliminary plat approval must be completed or shown on plans or the plat prior to any public notice for final approval.
4. The Administrator shall place public notice of the application and public hearing in a newspaper of general circulation, and to owners of property located within three hundred (300) feet of the boundaries of the proposed subdivision, and all easement holders within the subject property, no less than fifteen (15) days prior to the scheduled date of hearing.
5. The Council shall hold a public hearing and approve, conditionally approve, or deny the final plat application. In the event that the Council finds that final plat does not substantially conform to the approved preliminary plat, the Council shall consider said plat an amended preliminary plat and remand it to the Commission for preliminary plat review.
6. The Administrator shall ensure that any conditions imposed by the Council, or required by this Ordinance, shall be met by the applicant prior to signature of

the plat sheets for the purpose of recordation. Any final plat must be recorded within one (1) calendar year of the date of final plat approval, unless otherwise allowed for within a phasing agreement. Plats not recorded within one (1) year from the date of approval by the Council, or according to the phasing agreement, shall be considered expired and such approval shall become null and void. The Council may extend the deadline for recording the plat upon holding a public hearing as required in this ordinance.

The final plat submitted for signature shall conform to the requirements found in Idaho Code 50-1301 et.seq. The Plat shall also contain the following information:

7. The exterior boundary of the subdivision shall be tied to not less than two (2) recognized County or City survey monuments, and the plat shall identify said monuments.
8. All lots shall be numbered by progressive numbers in each block separately; blocks shall also be numbered consecutively throughout all adjoining plats of the same master name.
9. The size of each lot shall be shown in both square feet and acres.
10. All plat notes required by the Commission and/or the Council shall be shown on the face of the Plat.
11. On the back sheet(s) of the plat, the required forms shall be lettered for the following:
 - a. Registered Professional Engineer and/or Land Surveyor's "Certificate of Survey";
 - b. Owner's dedication certificate with Notary Public's Acknowledgment; the approval of the Mayor and Council of Victor as attested by the City Clerk; approval by the City Engineer and other certificates required by Idaho Code; and acceptance of the plat by the Teton County Recorder's and Teton County Treasurer's Office
 - c. The final plat shall be accompanied by copies of any private restrictions proposed to be recorded for the purpose of providing regulations governing the use, building lines, open spaces or any aspect of their development, use and maintenance.
 - d. Any approved Area Development Plan or contiguous parcels shall be recorded concurrently with the final plat.
12. The Administrator shall ensure that any conditions imposed by the Council shall be met by the applicant prior to signature of the plat sheets for the purpose of recordation.

13. The developer shall provide to the City such security as is acceptable to the City, in a form and in an amount equal to the cost of the engineering and the improvements not previously installed by the developer, plus twenty-five percent (25%) which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date said security is issued. If any extension of said one year period is granted by the City, each additional year, or portion of each additional year, shall require an additional ten percent (10%) to be added to the amount of the original security initially provided. See Section 3.11 for vertical improvement, housing units, surety requirement.
14. Following final plat approval, the applicant shall install improvements as required by City Code and by the Commission and/or City Council. A separate fee for inspection of improvements by City personnel, as established by ordinance, shall be paid by the applicant before the final plat is recorded or any posted security released.

3.9 Short Plat Procedure.

1. Applications for division of property which create infill development under the TND Regulations and propose four or fewer residential building parcels can, at the sole discretion of the administrator, be reviewed through an abbreviated process. This process shall be known as a short plat procedure. The process shall be as follows:
2. Short plat applications shall be heard by the Administrator, except that the Administrator and Chair of the Commission jointly have discretion and authority to refer a short plat application to the Commission. If referred to the Commission, the developer shall submit the preliminary plat to the Commission for approval. The preliminary plat shall be submitted at least 42 days before a Commission meeting date. The Commission shall hold a public hearing and approve, conditionally approve, or deny the preliminary plat application. The preliminary plat application shall meet all established TND Neighborhood Development regulatory and design criteria. A review by the Design Committee shall be required for site plan review and any initial and subsequent building permit applications.
3. Following the preliminary plat approval or conditional approval by the Commission, as required under this Ordinance, the application will be noticed for a final plat hearing at the next available meeting of the Council. The Council shall hold a public hearing and approve, conditionally approve, or deny the final plat application. The final plat application shall meet all established criteria.

4. Notwithstanding exceptions for the abbreviated process granted herein, short plat shall be required to meet all other requirements of this ordinance.
 5. Five copies of the above information shall be submitted, plus one reduced set no larger than 11 inches by 17 inches.
- 3.10 Regulatory Precedence.** If there is a conflict between the Traditional Neighborhood Development overlay standards and the Design Guidelines of this ordinance and the Victor Zoning Ordinances, the provisions of this ordinance apply and take precedence.
- 3.11 Ownership and Maintenance of Public Space.** Provisions shall be made for the ownership and maintenance of streets, squares, parks, open space, and other public spaces in a Traditional Neighborhood Development by dedication to the City. Alleyways and similar use lanes may be required to remain in homeowner association ownership and control and maintenance.
- 3.12 Recording of Documents.** The following documents need to be filed by the applicant in the County Register of Deeds Office within (10 days) after approval of the document by the City Council: a certified copy of the zoning ordinance amendment designating a tract of land as a Traditional Neighborhood Development.

Table 6A specifies allowed land uses for the TND district as follows:

Table 6-A—Uses Allowed in Neighborhood Center TND	
Use Categories	
Residential Categories	
Single Family (not attached), Side Yard, Edge Yard	P
Accessory Dwelling	P
Duplex (2 dwellings sharing a common wall on one lot)	C
Single Family Attached (2 or more common-wall single family dwellings), each on its own lot	P
Cottage Cluster	P
Parking Court	P
Manufactured Home Park	N
Multifamily (3 or more common wall dwellings on lot)	P
Home Occupation (accessory to an allowed residential use, per Ch 7)	P
Group Living	
Group Care Home (6 or fewer residents)	S
Group Care Facility (6-15 residents)	S

Key:

P = Allowed

S = Allowed with special use standards

C = Allowed with Conditional Use Permit

N = Not allowed

Table 6-A – Uses Allowed in the TND

Table 6-A – Uses Allowed in the TND	
Use Categories	
Commercial Categories	
Drive-UP/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities)	N
Bed and Breakfast Inn	N
Educational Services: tutoring or similar services not exceeding 500 square feet. Restricted to first floor of principal structure.	S
Entertainment	N
Office ¹ : professional or personal service, not exceeding 1500 square feet limited to the first story of the principal building and limited to one per block; parking requirement of 2.0 assigned parking spaces per 1000 sf.	S
Outdoor Recreation, Commercial	N
Vehicle Servicing or Vehicle Repair	N
Retail Sales and Service ² : not exceeding 1500 square feet limited to the first story of the principal building at corner locations and limited to one per block; parking requirement of 3.0 assigned parking spaces per 1000 sf.	S
Self-Service Storage	N
Short Term Vacation Rental	N
Other commercial categories not listed	S
Industrial Categories	N
Institutional Categories	
Daycare, adult or child (16 or fewer persons); subject to state licensing – does not include family daycare when allowed as a home occupation	C

Table 6-A – Uses Allowed in the TND	
Use Categories	
Parks and Open Space - excluding lighted sports fields - including lighted sports fields	P C
Religious Institutions and Houses of Worship - accessory to an allowed residential use - not accessory to an allowed residential use	P C
Schools	C
Other institutional uses not listed	C
Other Categories	
Accessory Structures – permitted on lots of 5,000sf or larger no taller than 28ft. and no larger than 800 square feet of building footprint taller than 28 ft. or larger than 800 square feet of building footprint, not to exceed primary structure’s floor area	P C
Other uses not listed	N

Key:

P = Allowed

S = Allowed with special use standards

C = Allowed with Conditional Use Permit

N = Not allowed

4.0 Special Use standards

Uses allowed as Special Uses under Section 6-A are subject to the following requirements:

1. Accessory dwelling (attached, separate cottage, or above detached garage).

Accessory dwellings are allowed on lots of 5,000 sf and larger and shall be in common ownership with the principle building and shall conform to all of the following standards:

- a. Floor Area. Accessory dwellings shall not exceed 800 square feet of floor area, or 50% of the floor area of the primary unit, whichever is less. The unit can be a detached cottage, a unit attached to a garage, or in a portion of an existing house;
- b. Building Code. The structure complies with applicable building codes;
- c. One Unit. A maximum of one accessory dwelling unit is allowed per lot;
- a. Development Standards. The dwelling shall conform to the lot standards in

Table 6-D, except as modified below:

- 1) The height of a detached accessory dwelling (i.e., not sharing a common wall with the primary dwelling) shall not exceed twenty-eight (28) feet.
- 2) The dwelling shall be setback not less than twenty (20) feet from the primary structure, and twenty (20) feet from the rear property line, except a four (4) foot setback may be allowed where the property line abuts an alley.
- 3) In order to maintain a consistent architectural character, similar building materials, architectural design and colors shall be used so that the accessory dwelling blends with the general appearance of the primary dwelling.
- 4) A parcel containing a primary dwelling unit and an accessory dwelling shall contain a minimum of three (3) off-street parking spaces.

2. Attached Single Family (Townhouses). Attached single family dwellings shall conform to impacts associated with traffic, parking, and design

compatibility, and ensure management and maintenance of common walls and shared outside areas:

- a. Alley Access Required for Lot Width of Less Than 45 Feet. Subdivisions, or blocks within subdivisions, containing lots with less than 45 feet in width must provide vehicle access from an alley. Alleys must be created at the time of subdivision approval. Where the review authority allows an alley to be continued in a private tract, an access easement and maintenance agreement shall be recorded ensuring that abutting property owners are jointly responsible for maintenance of the alley.
- b. Common Areas. Any common areas (e.g., landscaping, private tracts, common driveways, private alleys, building exteriors, and/or similar common areas) shall be owned and maintained by a homeowners association or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
- c. Design Review. Design review approval is required from a City approved design committee.

3. Multiple Family Housing. Multiple family housing including attached townhomes shall conform to all of the following standards which are intended to promote livability for residents and compatibility with adjacent uses.

- a. Design Review. Design Review approval is required from a City approved design committee.
- b. Building Separation. Where more than one multifamily building is built on a site, the buildings shall be separated from one another by a landscaped courtyard that is not less than twenty (20) feet wide.
- c. Common Open Space. Multiple family developments shall incorporate not less than (10) percent common open space. Common open space shall be provided in accordance with all of the following criteria:
 - 1) The site area is defined as the lot or parcel on which the development is to be located, after subtracting any required dedication of street right-of-way;
 - 2) In meeting the common open space standard, the multiple family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees preserved), play fields, outdoor playgrounds, outdoor sports courts, swim

pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.

- 3) All common open space areas shall have an average width that is not less than forty (40) feet and an average length that is not less than forty (40) feet;
- 4) The common open space requirement may be waived for a project that dedicates and improves a new public neighborhood park of not less than 1 – acre for every fifty (50) dwelling units, or a fraction thereof. The park must be located within 400 feet of the subject development.
- 5) The review authority may reduce the common space requirement for a project containing twenty (20) or fewer dwelling units that is located within 800 feet of a public park, where there is a direct, accessible pedestrian walkway or multi-use pathway connecting the site to the park. If the park is not developed, or only partially developed, the review authority may require the multiple family housing developer to improve park land in an amount comparable to the open space that he or she would otherwise be required to provide in granting the reduction.

d. Private open space. Private open spaces shall be required for all ground-floor dwellings, and not less than fifty (50) percent of all upper-story dwellings. Private open space shall be a patio, deck or other improved surface of not less than forth-eight (48) square feet.

e. Trash receptacles. Adequate solid waste storage and recycling facilities shall be provided. Trash receptacles shall be oriented away from building entrances, setback at least ten (10) feet from any public right-of-way and screened with building materials matching those on the subject multifamily building(s). Receptacles must be accessible to trash pick-up trucks.

4. Duplex. Duplexes are allowed subject to the following standards which are intended to control the overall building volume and compatibility:

- a. Floor Area. Total floor area for both dwellings shall not exceed forty (40) percent of lot area. For example, the maximum floor area (excluding garage space) allowed on an 8,000 square foot lot is 3,200 square feet, or 1,600 square feet per dwelling.

- b. Corner Lots. On corner lots, the minimum lot size is 9,000 square feet per duplex. On corner lots, each dwelling shall have its primary entrance and garage opening, if any, oriented to a different street. Where vehicular access cannot be taken from two different streets, the review authority may require an alley or shared driveway providing access to both dwellings.
- c. Design Review. Design review approval is required.

5. Parking Court housing. Where a parcel is developed with two more detached single family dwellings facing a common driveway or entry court the development shall conform to the following standards which are intended to meet fire code requirements and provide light, air, and open space for occupants:

- a. Vehicular Access. The furthestmost distance from all dwellings to the closest abutting public street shall be no more than 150 feet, or an approved fire apparatus land may be required to serve the development. Fire suppression sprinklers may be provided in lieu of a fire apparatus land when approved by the Fire Marshal.
- b. Central Green. The dwellings shall abut a central open space (driveway/apron) or green of not less than 600 square feet in area per dwelling (2400 square feet for 4 dwellings). The green/open area shall provide landscaping and other amenities for residents and have a width of not less than forty (40) feet. A homeowners or condominium association shall be responsible for ongoing maintenance of the green and any other common areas (e.g., shared parking).
- c. Parking. One parking space is required to be provided for each dwelling. The parking spaces for all dwellings shall be oriented away from the common green. Parking may be provided in parking bays, garages or carports, attached or detached from the cottages. When provided in a parking lot, parking spaces shall be screened from abutting land uses and walkways shall be provided connecting the cottages to parking areas.
- d. Utilities. Separate water meters and sewer connections must be provided for each dwelling.
- e. Yards. Structures shall be setback at least ten (10) feet from one another and at least ten (10) feet from the perimeter boundary of the cottage development.
- f. Design Review. Design Review approval is required for new cottage development, including conversion of existing structures to cottage development. Compliance with all applicable building codes is required.

- 6. Group Living (Residential Care Homes and Facilities).** Residential care homes are residential treatment or training homes or adult foster homes licensed by the State of Idaho. They may provide residential care alone, or in conjunction with treatment and/or training, for 6 or fewer individuals (“homes”) or 7 to 15 individuals (“facilities”) who need not be related. Staff persons required to meet State licensing requirements are not counted in the number of facility residents and need not be related to each other or the residents. Residential care homes and facilities shall comply with the following requirements:
- a. Licensing. All residential care homes and facilities shall be duly licensed by the State of Idaho.
 - b. Parking. Parking in accordance with Appendix E, Parking Performance Standards.
 - c. Design Review. Design Review approval is required for new structures or the establishment of existing structures for residential care homes or facilities.
- 7. Home Occupations.** The purpose of this Section is to encourage those who are engaged in small commercial ventures that could not necessarily be sustained if it were necessary to lease commercial quarters, or which by the nature of the venture, are appropriate in scale and impact to be operated within a residence. Home occupations are encouraged for their contribution in reducing the number of vehicle trips often generated by conventional businesses. Home Occupations meeting the standards in subsections a. thru i., below, are permitted, providing the owner has signed a Notice of Compliance with all applicable permit and licensing requirements, and all other uses and structures on the subject property are in conformance with all applicable city codes and requirements. Uses exceeding any of the threshold standards in subsections a. thru i. are not considered home occupations and are not allowed in the TND district.
- a. Appearance of Residence:
 - 1) The home occupation shall be restricted to lawfully-built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
 - 2) The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.

- 3) The existing use or home occupation shall not violate any conditions of land use or design review approval (i.e., prior approvals).
- 4) Products and or equipment produced or used by the home occupation must not be displayed or be visible from any other property.

b. Storage:

- 1) Outside storage, visible from the public right-of-way or adjacent properties, that exceeds what is customary for a single family residence in the vicinity, is prohibited.
- 2) On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond those normally incidental to residential use is prohibited.

c. Employees:

- 1) Other than family members residing within the dwelling located on the home occupation site, there shall be not more than one (1) full time equivalent employee at the home occupation site at any given time. As used in this chapter, the term “home occupation site” means the legal lot on which the home occupation is conducted.
- 2) Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the home occupation site.
- 3) The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch of employees to other occupations.

d. Advertising and Signs: Signs shall comply with all applicable sign regulations for residential zones; in no case shall a sign for any home occupation exceed two (2) square feet of surface area on all sides.

e. Vehicles, Parking and Traffic:

- 1) One (1) commercially-licensed vehicle associated with the home occupation is allowed at the home occupation site. It shall be of a size that would not overhang into the public right-of-way when parked in the driveway or other location on the home occupation.

- 2) There shall be no more than three (3) commercial vehicle deliveries to or from the home occupation site daily. There shall be no commercial vehicle deliveries during the hours of 9:00 p.m. to 7:00 a.m.
 - 3) There shall be no more than (1) client's or customer's vehicle at any time and no more than eight (8) per day at the home.
 - 4) Vehicles shall not be parked in any required yard except where a front yard contains an improved driveway.
- f. Business Hours. There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation from 7:00 a.m. to 9:00 p.m. only.
- g. Prohibited Home Occupation Uses:
- 1) Any activity that produces radio, TV, or other electronic interference; noise, glare, vibration, smoke or odor beyond allowable levels as determined by local, state or federal standards, or that can be detected beyond the property line, is prohibited.
 - 2) Any activity involving on-site retail sales, including garages sales exceeding the thresholds of a temporary use, is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by home business is allowed above.
 - 3) The following uses and uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke or vibration, are prohibited:
 - (a) Ambulance services;
 - (b) Animal hospital, veterinary services, kennels or animal boarding;
 - (c) Auto and other vehicle repair, including auto painting; and
 - (d) Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, airplanes or large equipment on-site.
- h. Business License. A current Business License is required.
- i. Enforcement: The owner must also sign a Notice of Compliance, as described above, may result in revocation of the home occupation permit.

8. Housing Density

To ensure efficient use of buildable lands and to provide for a range of needed housing in conformance with the Comprehensive Plan, all new developments in the TND District must conform to minimum and maximum density requirements prescribed in Table 6-C, except as follows:

- a. Minimum and maximum housing densities are calculated by multiplying the total parcel or lot area by the applicable density standard after subtracting required public street rights-of-way. Housing density calculations resulting in fractions of dwelling units may be rounded up to the nearest whole number.
- b. Residential care home/facilities are exempt from minimum and maximum density requirements but must be compatible in scale to surrounding structures. Residential accessory units are exempt from density requirements.
- c. The review authority may allow density to be transferred within a project site or from a development site to an off-site TND location, where the site contains significant natural resources or physical constraints (e.g., wetlands, unstable soils, steep slopes, etc.). Density transfers from one portion of a site to another portion shall be permitted.
- d. The density standards may be averaged over more than one development phase when approved through a master plan. Duplex and multifamily lots shall be so designated on the final subdivision plat and established through deed restrictions on the subject lots.

9. Housing Variety

The design intent of the requirement for variety centers on the feature of a predominance of smaller street fronting single family detached units. The precise mix of units may be adjusted to site characteristics and proximity to the downtown core as recommended by the Planning Director and Planning & Zoning Commission with approval by the City Council. The central defining feature is the streetscape and its width and scale to the surrounding buildings.

- a. Developments greater than 5 acres: Developments over 5 acres shall consist of the following mix of dwelling types:

- 1) at least 40 percent of all units shall be single-family detached units on lots of 6,000 sf or smaller with provision for a garage. Construction of the garage is at the option of the buyer.
- 2) at least 20 percent single family detached units on lots greater than 6,000 sf but less than 7,500sf; provision for an optional garage.

Additionally, at least (10) percent of two of the following types are required:

- 3) single family Cottage cluster units of two bedrooms or larger; optional garage, provision for Cottage unit garage required.
- 4) single family Parking Court units of two bedrooms or larger; required attached garage.
- 5) single family attached ownership – townhome - units with garage.
- 6) multi-family ownership units with garage.
- 7) multi-family rental: mix of 1-3 bedroom units; not greater than 15 percent of dwelling units
- 8) the balance of units and or uses may be comprised of any uses included in 1) thru 6) above and Table 6A (except 7) above), Use Standards and Table 6C, Development Standards. **These requirements may be altered by the Council according to site requirements or other special circumstances.**

b. Developments between 5 acres and 2 acres: Developments between 5 acres but greater than or equal to 2 acres shall consist of the following mix of dwelling types:

- 1) at least 60 percent of all units shall be single-family detached units on lots of 6,000 sf or smaller and/or up to 7500sf with provision for a garage. Construction of the garage is at the option of the buyer. Additionally,

Additionally, at least 15 percent of one of the following type is required:

- 2) single family Cluster Cottage units of two bedrooms or larger; optional garage but minimum provision for Cottage unit.

- 3) single family Parking Court units of two bedrooms or larger; attached garage required.
 - 4) single family attached ownership – townhome - units with garage.
 - 5) multi-family ownership units with garage.
 - 6) multi-family rental: mix of 1-3 bedroom units; not greater than 15 percent of dwelling units.
 - 7) the balance of units and or uses may be comprised of any size lots and uses included in Table 6A (except 7) above), Use Standards and Table 6C, Development Standards. **These requirements may be altered by the Council according to site requirements or other special circumstances.**
- c. Developments under 2 acres: Generally considered infill development, these lots and units may have setback requirements adjusted in order to conform better to adjacent properties. All other Use and Development Standards, Tables 6A and 6C respectively, are applicable where feasible. Approval preference for these applications shall be given for the provision of single-family unit applications of any type. Site innovation and reasonable compatibility with adjacent properties is encouraged.

10. Affordable Housing Incentive

This code provides incentives for the creation and maintenance of affordable workforce housing. Housing developers may receive density bonuses by providing affordable housing in accordance to the following requirements:

- a. Affordable Dwelling Unit Plan. Planned unit developments, preliminary subdivision plats, and multifamily design review applications must specify the number, type, size (number of bedrooms and floor area) and location of proposed affordable dwelling units in accordance with the ratios in Table 6-B.
- b. The review authority may modify and/or condition the Affordable Dwelling Unit Plan to ensure conformity with the requirements of this code.
- c. The review body may require the applicant to enter into a development agreement, record deed restrictions, and/or provide other assurances for the provision of affordable dwelling units in accordance with this code.

- d. The Affordable Dwelling Unit Plan must conform to the criteria below, in subsection 1) thru 4):
- (a) Option #1 (up to 20% density bonus): Deed-Restricted Affordable Dwellings shall be provided on-site where practical (i.e., where the size of the project, proximity to city services, and physical site conditions allow) as follows:
 - (a) Fifteen percent (15%), or more, of the dwelling units on the subject property shall be reserved for qualified buyers or renters with incomes at or below one hundred twenty percent (120%) of Victor area median income; or
 - (b) Ten percent (10%) or more, of the dwelling units on the subject property shall be reserved for qualified buyers or renters with incomes at or below the median income (100%) of Victor area median income; or
 - (c) Five percent (5%) or more, of the dwelling units on the subject property shall be reserved for qualified buyers or renters with incomes at or below eighty percent (80%) of Victor area median income; **AND**
 - (d) Execution of a development agreement to produce the requisite, deed-restricted affordable units, that runs with the land; or transfer title to a sufficient amount of buildable land for development of equivalent number of affordable housing units, as prescribed in subsections 6-B, to the Teton County Housing Authority or a non-profit (IRS 501 c(3)) affordable housing developer for the purpose of complying with the requirements of this code. The land shall be located within the project; if to be transferred, ownership of the land shall be transferred to the affordable housing developer or Development Corporation in accordance with said development agreement.
 - (e) Affordable housing may be provided in lesser quantities with a pro-rated number of bonus units granted. A mix of income categories is permissible as long as the proportional mix equals that of the parent categories.
 - (f) Option #2 (20% density bonus). Where compliance with Option #1 is not practical due to the size of the project, its location, or physical site conditions, and the reviewing authority determines that it is in the public interest to provide affordable housing in a different and more suitable location of the city, the developer shall pay an in-lieu fee to the Teton County Housing Authority.

The fee shall be assessed at the time of building permit issuance for the equivalent number of required affordable dwelling units, in accordance with a fee schedule adopted by City Council.

- (g) Option #3 (10% density bonus). Developer agrees to restrict sale of twenty percent (20%) of ownership units to persons working full-time (defined as 1500 hours per year) in either Teton Counties Idaho or Wyoming and who do not exceed 175 percent of the Teton County, Idaho median income. Developer further agrees to place an acceptable deed restriction on said properties to run for 10 years with each consecutive owner and with the above work and income restrictions. The qualification, supervision of deed restriction and, optionally, subsequent sale of property shall be administered by the Teton County Idaho Housing authority.
- (h) Criteria. Affordable housing plans must provide a mixture of housing types from each of the following types:
 - a. studio or one-bedroom dwellings with at least 600 square feet gross floor area (accessory dwellings may be included) not to exceed 10 percent of housing type mix.
 - b. two-bedroom dwellings with at least 860 square feet gross floor area; at least 50 percent of housing type mix, distributed between 70 percent ownership and optionally up to 30 percent rental. At least one half of ownership units shall be single family detached.
 - c. Dwellings containing three or more bedrooms and containing at least 1050 square feet floor area -- at least 30 percent of housing type mix, distributed between 70 percent ownership and optionally up to 20 percent rental. At least one half of ownership units shall be single family detached.
 - d. The total number of affordable dwelling units described in this Section shall be determined by rounding down fractional answers to the nearest whole unit.
 - e. The Planning Director shall determine the Victor area median income.
- (i) Housing sales prices for deed-restricted for-sale, affordable dwelling units shall be established so that the household does not pay more than twenty-eight percent (**28%**) of their gross household income on a mortgage, homeowners insurance, property taxes and any other associated expenses used for

mortgage qualification, at the time of purchase. This calculation assumes a down payment of (5%).

- (j) Rent rates for deed-restricted affordable dwelling units shall be established so that a household does not pay more than thirty percent (30%) of its gross household income on rent (exclusive of utilities). The schedule of rent rates shall be in proportion to that specified in Section 11. d. 1) and shall run for a period of 20 years with each rental building owner.
- (k) The housing sales price and rent levels prescribed above shall be at the time of purchase or execution of rental contract, as applicable. Sales prices and rent levels of deed-restricted affordable dwelling units shall be allowed to appreciate or increase over time according to an inflation index as determined by the Planning Director.
- (l) The selection of applicants and sales process for affordable housing units shall be under the control of the Teton County Housing Authority. An appropriate administrative sales fee may be charged according to the Authority's requirements.
- (m) Deed Restrictions shall be required with the above ownership units according to the following schedule:

Table 6-B-Affordable Housing Purchase/Sale Restrictions, Neighborhood Center

Developers' Potential Bonus	Units Required by Developer	Buyers' Maximum Income Level	Restrictions on Owner¹
20 % add. units	15 % (ratio of bonus: affordable, 1:.75)	120% median	10 year restriction to each owner; unit sale restricted to Teton Counties Id./Wy. full-time worker of not more than 120 % of median income; appreciation indexed to area CPI or (3%) at compounded rate.
20 % add. units	10 % (ratio of bonus: affordable, 1:.5)	median	15 year restriction to each owner; unit sale restricted to Teton Counties Id./Wy. full-time worker of not more than median income; appreciation indexed to area CPI (3%) at compounded rate.
20 % add. units	5 % (ratio of bonus: affordable, 1:.25)	80 % med.	20 year restriction to each owner; unit sale restricted to Teton Counties Id/Wy. full-time worker of not more than 80 % of median income; appreciation indexed to area CPI (3%) at compounded rate
10 % add. units	20 % (ratio of bonus: affordable, 1:2)	175 % med.	10 year restriction to each owner; sale restricted to Teton Counties Id/Wy. full-time worker of not more than 175 % of median income; dwelling unit to be sole ownership unit.

¹income limits to be based on not less than published median, 80% and 120% of median incomes or household size, whichever is greater; actual incomes will fall below maximum in order to insure pool of qualified buyers. Teton County Housing Authority to administer qualification process and subsequent sales. All restrictions to be subordinated to first mortgage holder.

11. Neighborhood Limited Commercial-Mixed Use

A feature of Traditional Neighborhood Design is the encouragement and allowance of neighborhood oriented shops, offices and service activities in appropriate neighborhood locations. Allowed uses in TND's over 2 acres with review and approval of the planning director and planning and zoning commission are:

- a. Office¹: Office uses are allowed in TND's and are to be located on the outside perimeter of the neighborhood, one per block situated at a corner or contiguous to a corner retail/service site. Office uses are limited to the first floor of the principal building and are restricted to 1500 sf and must provide 2.0 assigned parking places per 1000 sf of net office space in addition to the parking requirement for any included dwellings.
 - 1) Limited Retail/Service²: Neighborhood oriented retail and service businesses are permitted at the outside perimeter of the neighborhood, one per block situated at a corner or contiguous to a corner office site. So as not to create incompatible nuisances to internal neighborhood residents, retail and food service activities with multiple and substantial delivery activity shall be allowed only in locations adjacent to commercial businesses. Proposed uses that do not conform to the exact activities allowed will be reviewed and approved or disapproved by the Planning and Zoning Commission with recommendation by the Planning Director. The following uses and requirements are:
 - 2) Limited Retail: Limited to 1500 sf and limited to the first floor of the principal building; restricted by 3.0 assigned parking places per 1000 sf. Specific uses are neighborhood grocery stores, florists, stationary and book stores, barber and hair salons dry cleaning outlets; studios and shops of artists and artisans are allowed and may be waived from retail parking requirements.
 - 3) Food Service: Restaurants and coffee shops shall be restricted by 5 assigned parking places per 1000 sf. and limited to 30 seats.

12. Open Space

Traditional Neighborhood Developments over 2 acres and including fourteen (14) or more dwelling units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to, or in the general vicinity of the subdivision for parks. The provisions of Sections 5.10 Parks provide the guidelines for parks requirements except that the percentage parks requirement may be modified based upon site characteristics and proximity to the business core. The City Council may at their discretion approve and accept cash contributions in-lieu of park land dedications/park improvements.

TND Development Standards

Minimum development standards in the TND district are as provided in Table 6-C.

Table 6-C – Development Standards for Residential Applications Neighborhood Center	
Standard	TND Residential
Density – Min. and Max. Dwelling Units per Acre , <u>Net Density</u> (all structure type combinations)	6 – 17 du/acre
Density – Min. for under 1 acre infill²	3 du/acre
Density Bonus for Affordable Workforce Housing (Section ____)	Up to 20%

Minimum Lot Area* (square feet)	
Single Family, not attached, where vehicle access provided from street	5,000 sf
Single Family, not attached, where vehicle access provided from alley	4,000 sf
Single Family, attached, where vehicle access provided from street (discouraged, limited to 5% of site)	8,000 sf, townhome/condo (2,400sf sub lot for townhome)
Single Family, attached, where vehicle access provided from alley or service lane	7,200 sf, townhome/condo (2,400sf sub lot for townhome)
Maximum Single Family lot size	10,890 sf
Duplex	7,000 sf
Multiple-Family	10,000 sf for first 3 DU's plus 2,400 sf for each add'l DU
Accessory Units	permitted on lots of 5,000 sf and larger
Neighborhood Commercial Mixed Uses	5,000 sf
* Lot area is subject to min. and max. density/mix of units required.	

Table 6-C – Development Standards for Residential Applications	
Standard	TND Residential
Minimum Lot Width*	
Where Vehicle Access to be Provided from Street	45 ft
Where Vehicle Access to be Provided from Alley	24 ft
Width is measured at the front setback line. For flag lots, width is measured	

<p>at the front setback line on the “flag” portion of the lot. The minimum width on the “pole” position of such lots is 20 feet.</p> <p>Minimum Lot Depth*</p> <p>*All applicable setbacks, lot area, coverage other standards must be met.</p>	<p>Same as width</p>
<p>Building/Structure Height</p> <p>Standard Maximum Height</p> <p>Accessory Structure Height</p> <p>Fences, Retaining/Garden Walls* Max. Height: Max. Height – Interior Side Max. Height – Rear Yard Max. Height - Street Side or Reverse Frontage Lot (rear)</p> <p>*Retaining walls taller than 4 feet and fences taller than 6 feet require a building permit</p>	<p>35 ft</p> <p>28 ft</p> <p>3-1/2 ft 6 ft 6 ft 3-1/2 ft, or 6 ft with 5 ft landscape buffer between fence/wall and sidewalk</p>

<p>Table 6-C – Development Standards for Residential Applications</p>	
<p>Standard</p>	<p>TND Residential</p>
<p>Side Setbacks</p> <p>Building Separation: 2 single story units</p>	<p>7 1/2 ft min</p>

<p>1 to 2 story units 2 to 2 story units</p> <p>Zero Lot Line encouraged, also permitted for garages and driveways</p> <p>Accessory Structure</p> <p>Exceptions: Alley minimum setback</p> <p>Common Walls where allowed</p>	<p>7 1/2 ft min 7 1/2 ft min</p> <p>Requires adjacent properties, driveways to be similarly offset Same as primary structure</p> <p>4 ft., except 18 ft. where head-on parking is allowed (min.) 0 ft</p>
<p>Rear Setbacks</p> <p>All homes</p> <p>Ancillary/accessory buildings</p> <p>Garages along alleys</p>	<p>15 ft min</p> <p>May be zero lot line</p> <p>4 ft min</p>
<p>Special Setback for Planned Street Improvements</p>	<p>Additional setbacks may be required where a structure abuts a street containing less than the standard right-of-way for the subject street classification and required right-of-way width are as indicated by the City's Trans. Plan.</p>
<p>Encroachments</p> <p>Note: Other standards may preclude building at a minimum setback. Be sure to avoid utilities, easements, and clear vision areas.</p>	<p>Eaves, chimneys, bay window, overhangs, and similar architectural features may encroach into a setback yard by not more than 36 inches, provided that a setback of not less than thirty-six inches is preserved, all applicable building and fire codes are met, and clear vision standards are met. Porches, decks and similar structures not exceeding thirty inches in height may encroach into setbacks. Walls and fences built on property lines are subject to the height standards above and vision clearance requirements.</p>

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Table 6-C – Development Standards for Residential Applications

Standard	TND Residential
<p>Basic Lot Coverage</p> <p>Lot coverage by buildings and structures exceeding 30 inches above grade (ratio of foundation plane area over lot area)</p>	<p>60%</p>
<p>Min. Landscape Area (% of site area)</p> <p>Additional usable open space area may be required for multifamily projects</p>	<p>All areas not covered by structures and impervious surfaces; not less than 12% of site.</p>
<p>Minimum Setbacks/Build-to Line (feet): Front/Street Setback/Build-to</p> <p>Primary Structure (to façade)</p> <p>Garage and Carport Entries</p> <p>Accessory Structure</p> <p>Front Porch, Balcony, Portico, Patio/ Garden Wall and similar architectural elements that are less than 50 % enclosed; preferred build-to/setback at minimum</p>	<p>15 ft</p> <p>see design standards</p> <p>20 ft set behind primary structure</p> <p>7 ft provided the structure does not conflict with vision clearance at intersections, utilities or easements</p>
<p>Note: Other standards may preclude building at a minimum setback. Be sure to avoid utilities, easements and clear vision areas. Setbacks/build-to lines may be modified for infill projects in order to be compatible with adjacent properties.</p>	