

CHAPTER 9B

R2-A RESIDENCE ZONE

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10-9B-1: GENERAL OBJECTIVES AND CHARACTERISTICS OF ZONE: The objective in establishing the R2-A Residence Zone is to designate appropriate areas within the City where the residential density is limited to eight (8) attached dwelling units on any given lot.

Each R-2A zone shall contain no more than five (5.0) acres, and at least fifty percent (50%) of the dwelling units in the zone shall face a street with properties zoned R1, R-1A, or R-2A on the other side of the street.

In order to accomplish the objectives and purposes of this ordinance and to promote the essential characteristics of this zone, the following regulations shall apply in the R2-A Residence Zone.

10-9B-2: USE REQUIREMENTS: Any use permitted in R1 and R1-A zones shall be permitted in the R2-A Residence Zone.

10-9B-3: AREA REQUIREMENTS: For detached dwellings, the minimum requirements of the R-1 zone as specified in 10-8-2 apply. For buildings containing two (2) dwelling units the minimum requirements of the R1-A zone as specified in 10-9A-3 apply. For buildings containing three (3) to eight (8) dwelling units, an area of not less than fourteen thousand (14,000) square feet, plus an additional three thousand (3,000) square feet for dwelling unit for each dwelling unit above three (3) shall be required.

10-9B-4: WIDTH REQUIREMENTS: The minimum width of any building site or residential building lot for each building containing one (1) dwelling unit shall be as specified in 10-8-2. The minimum width of any building site or residential building lot for each building containing

AN ORDINANCE ADDING CHAPTER 9B TO TITLE 10C OF THE CITY CODE OF THE CITY OF SHELLEY; PROVIDING FOR THE CREATION AND REGULATION OF THE R2-A RESIDENCE ZONE; AND PROVIDING AN EFFECTIVE DATE.

two (2) dwelling units shall be as specified in 10-9A-3. The minimum width of any building site or residential building lot for each building containing three (3) to eight (8) units shall be sixty (60) feet in width with a minimum of twenty-four (24) feet in width per unit measured at the building setback line.

10-9B-5: LOCATION OF BUILDINGS AND STRUCTURES:

- (A) **Setback.** All buildings shall be set back a minimum distance of thirty (30) feet from the property line adjacent to any public street or from any granted easement or vehicular access, except as herein provided as required under the provisions of this ordinance. No auxiliary building shall be located closer to the street (or granted easement of vehicular access) fronted by the main building than the distance of the main building to the street (or granted easement of vehicular access).
- (B) **Side Yard.** Subject to 10-8-2, there shall be a side yard on each side of a main building of not less than eight (8) inches for each foot of building height, except that no side yard shall be less than eight (8) feet.
- (C) **Rear yard.** Subject to 10-8-2, for main buildings there shall be a rear yard of not less than twenty-five (25) feet. Subject to 10-8-2 for accessory buildings, no rear yard shall be required, provided that the auxiliary building's drip line remains within the property, except where an alley is located at the rear of a lot, in which case a three (3) foot rear yard is required.

10-9B-6: HEIGHT REQUIREMENTS: No buildings shall be erected to a height of greater than two (2) stories. Roofs above the square of the building, chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

10-9B-7: SIZE OF BUILDINGS: For single family detached or attached dwelling units the minimum square footage shall be 1000 square feet per living unit, excluding garage space and open porches and carports.

10-9B-8: 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. Further, each single family attached dwelling shall provide at least one separate and independent direct pedestrian access from that dwelling unit's garage to the rear yard.

- (C) No more than eight (8) single family attached dwellings may be attached together.
- (D) Except as noted below, a single family attached 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 dedicated street for off street parking facilities or detached garages.
- (E) No certificate of occupancy shall be issued for a single family attached dwelling unless a common facility or party wall agreement together with a separate legal description for each individually owned plot has been filed with the Bingham County Recorder's Office and a copy provided to the City of Shelley, for each such dwelling unit which shares common facilities with another unit. Such agreement shall include a legal description of the individually owned plot 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.

10-9B-10: VEHICULAR ACCESS: All lots upon which a dwelling is located shall have a vehicular access to and frontage upon a dedicated street, or upon a granted easement of access of not less than twenty-five (25) feet in width and of a distance from the public dedicated street of no longer than four hundred (400) feet. Each dwelling unit shall provide off-street parking for at least two (2) vehicles side by side.