Land Development Code for Driggs, Idaho

Adopted by Ordinance 374-16, Effective 9/29/2016
Last amended by Ordinance 406-20, Effective 5/13/2020
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Adoption & Amendment History

Adopted Ordinance 374-16, Effective 9/29/2016
Amended Ordinance 380-17, Effective 6/15/2017: Annual review
Amended Ordinance 382-17, Effective 6/10/2017: Appendix A Design Standards amd.
Amended Ordinance 385-17, Effective 12/28/2017: AOI Airport Overlay
Amended Ordinance 388-18, Effective 8/16/2018: Annual review
Amended Ordinance 406-20; Effective 5/13/2020: Annual review

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June 2017
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1.1. Title
This document is the “Land Development Code for the City of Driggs,” and may referred to or cited in this document as “this code.”

1.1.2. Purpose and Intent
A. This Land Development Code is adopted for the purpose of guiding development in accordance with the Adopted Comprehensive Plan and existing and future needs in order to protect, promote and improve the public health, safety and general welfare.

B. This Land Development Code is enacted to exercise the full range of authority available under Idaho law to establish standards to regulate and restrict the:
1. Height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures;
2. Percentage of lot occupancy, size of courts, yards, and open spaces;
3. Density of population; and
4. Location and use of buildings and structures.

C. This Land Development Code is adopted for the purpose of guiding development in accordance with the Comprehensive Plan;

D. This Land Development Code is intended to provide a mechanism for achieving the following goals:
1. Mix land uses;
2. Take advantage of compact building design;
3. Create a range of housing opportunities and choices;
4. Create walkable neighborhoods;
5. Foster distinctive, attractive communities with a strong sense of place;
6. Preserve open space, natural beauty, and critical environmental areas;
7. Provide a variety of transportation choices;
8. Make development decisions predictable, fair and cost effective; and
9. Encourage community and stakeholder collaboration in development decisions.

1.1.3. Application
A. Territorial Application
This Land Development Code applies to all land, uses, buildings and structures within Driggs city limits.

B. General Application
In their interpretation and application, the provisions of this Land Development Code are the minimum requirements necessary to meet the purpose and intent of these regulations.

C. Required Conformance
All buildings, structures or land, in whole or in part, must be used or occupied, in conformance with this Land Development Code. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this Land Development Code.

D. Control Over Less Restrictive Private Agreements
This Land Development Code does not nullify any private agreement or covenant. However, where this Land Development Code is more restrictive than a private agreement or covenant, the Land Development Code controls. The city will not enforce any private agreement or covenant.

E. Control Over Less Restrictive Laws and Regulations
If any condition or requirement imposed by this Land Development Code is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, the more restrictive condition or requirement governs.

F. Conflict
If any condition or requirement imposed by this Land Development Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remainder of the Land Development Code. The effect of the judgment is confined to the section, paragraph, clause, sentence or provision immediately involved in the controversy in which judgment or decree was rendered.

G. References to Other Laws
Whenever a provision of this Land Development Code refers to any other part of the City Code or to any other law, the reference applies to any subsequent amendment of that law.

1.1.4. Severability
If any section, paragraph, clause, sentence or provision of this Land Development Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remainder of the Land Development Code. The effect of the judgment is confined to the section, paragraph, clause, sentence or provision immediately involved in the controversy in which judgment or decree was rendered.

1.1.5. Violations; Penalties
Unless specifically provided elsewhere, any person, firm or corporation violating any of the provisions of this title shall be deemed guilty of a misdemeanor and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of the provisions of this title is committed, continued or permitted in accordance with City Code Title 1 Chapter 4.

1.1.6. Effective Date
This Land Development Code was adopted on September 20, 2016 and became effective on September 29, 2016 (Ordinance 374-16); amended on June 6, 2017 and effective on June 15, 2017 (Ordinance 380-17); Amended on August 1, 2017 and effective August 10, 2017 (Ordinance 382-17); Amended on November 9, 2017 and effective December 28, 2017 (Ordinance 385-17); Amended on July 17, 2018 and effective on August 16, 2018 (Ordinance 388-18); Amended on May 22, 2019 and effective on June 12, 2019 (Ordinance 392-19).
In order to implement this Land Development Code, the city is divided into the following zoning districts as established on the Official Zoning Map in Art. 1.3.

1.2.1. Rural Districts
A. RC-2.5: Residential Cluster
B. RC-1.0: Residential Cluster
C. RC-0.5: Residential Cluster

1.2.2. Residential Districts
A. RS-16: Residential Single-Family
B. RS-7: Residential Single-Family & Two-Family
C. RS-5: Residential Single-Family & Two-Family
D. RS-3: Residential Single-Family & Two-Family
E. RM-1: Residential Multi-Family
F. RM-2: Residential Multi-Family

1.2.3. Mixed Use Districts
A. RX: Residential Mixed Use
B. NX: Neighborhood Mixed Use
C. CX: Commercial Mixed Use
D. DX: Downtown Mixed Use
E. CC: Commercial Corridor
F. CH: Commercial Heavy
G. IX: Industrial Flex

1.2.4. Industrial Districts
A. IL: Light Industrial

1.2.5. Civic and Open Space Districts
A. CIV: Civic and Institutional
B. REC: Parks and Recreation
C. CON: Conservation

1.2.6. Special Districts
A. Floodplain Overlay
B. Airport Overlay
C. Design Review Overlay
D. PUD- Tributary

1.3.1. Zoning Maps Established
A. The boundaries of the zoning districts within the City of Driggs are shown on the Driggs Official Zoning Map.
B. Maps may be kept electronically in GIS. Copies published on the web or otherwise portrayed electronically do not constitute originals.
C. Map originals must be kept on file with the City of Driggs and must indicate the date of the adoption and most recent amendment.
D. The City of Driggs may make paper copies available to the public for a reasonable fee.
E. All map amendments must follow the procedures in Art. 14.9.

1.3.2. Interpretation of Map Boundaries
Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map or Area of City Impact Zoning Map, the Planning & Zoning Administrator is authorized to interpret the boundaries using the following methods.
A. Where a district boundary line is shown as approximately following the centerline of a street, highway, railroad right-of-way or waterway, the district boundary is the centerline of that street, highway, railroad right-of-way or waterway.
B. Where a district boundary line is shown as running approximately parallel at a distance from the centerline of a street, highway, railroad right-of-way or waterway, the distance from the centerline is determined by the map scale.
C. Where a district boundary line is shown as approximately following a lot line or municipal boundary line, the district boundary is the lot line or municipal boundary line.
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2.1. Site
A site is any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

A. Site Area
Site area is the cumulative area of all contiguous lots that make up the site. Site area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.

B. Site Width
Site width is the cumulative width of all contiguous lots that compose the site.

C. Site Depth
Site depth is the cumulative depth of all contiguous lots that compose the site.

2.1.2. Lot
A parcel of land either vacant or occupied intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership, or possession, or for development.

A. Lot Area
Lot area is the area included within the rear, side and front lot lines. Lot area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use. In the A-Districts, minimum lot area may not include constrained land such as jurisdictional wetlands, floodways and floodplains, and slopes over 25% which are 2,000 square feet or more of contiguous sloped area. Where on-site waste water treatment is permitted, Health District standards will determine whether minimum lot area must be increased to accommodate the on-site waste water treatment system.

B. Lot Width
Lot width is the distance between the two side lot lines measured at the primary street property line along a straight line or along the chord of the property line on a curvilinear lot.

C. Lot Frontage
Every lot must abut a public or private street, or a courtyard specifically for a cottage court building type (see Art. 8.4). In the case of a Flag Lot, the lot must be granted access to a public or private street via a recorded easement.

D. Lot, Flag
A lot with less width of property on a public street than is normally required, with no less than 18 feet abutting a public or private street generally intended to make deeper property accessible. Flag Lot also includes lots with no property directly abutting private or public street, but are granted access via a recorded easement.

E. Lot, Corner
A lot abutting on, and at the intersection of, two or more streets.

F. Lot Coverage
1. The maximum area of the lot that is permitted to be covered by buildings, including both principal structures, structured parking and roofed accessory structures, including gazebos.

2. Lot coverage also includes paved areas such as driveways, walkways, uncovered porches or patios, decks, swimming pools, parking lots, and roof overhangs of over 2 feet, steps, terraces and uncovered decks.

2.2. Building Setbacks

2.2.1. Type of Setbacks
There are 4 types of setbacks – primary street, side street, side interior and rear. Building setbacks apply to both principal and accessory buildings or structures except where it explicitly states otherwise.

2.2.2. Measurement of Setbacks
A. The primary street setback is measured at a right angle from the primary street right-of-way line.

B. On corner lots, the side street setback is measured at a right angle from the side street right-of-way line.

C. The rear setback is measured at a right angle from the rear property line or the rear right-of-way or easement line where there is an alley. The rear property line is the property line opposite to the primary street property line. Where there is more than one primary street, the Planning & Zoning Administrator will determine if and where the rear property line is based on the criteria in Sec. 2.2.4.

D. All lot lines which are not primary street, side street or rear lot lines are considered side interior lot lines for the purpose of measuring setbacks. Side interior setbacks are measured at a right angle from the side property line.

E. When the side interior or rear setback is 0 or 5 feet, the building or structure may be placed on the property line or be placed a minimum of 5 feet from the property line.

F. When the rear setback is 4 or 20 feet, the building or structure may be placed 4 feet from the property line or be placed a minimum of 20 feet from the property line.

2.2.3. Irregular Shaped Lots
The Planning & Zoning Administrator will determine setbacks for irregularly-shaped lots.

2.2.4. Primary/Side Street Designation
A. Where only one street abuts a lot, that street is considered a primary street.

B. A multiple street frontage lot must designate at least one primary street. A lot may have more than one primary street. The Planning & Zoning Administrator will determine which streets are primary streets based on (where applicable):

1. The street or streets with the highest classification;

2. The established orientation of the block;

3. The street or streets abutting the longest face of the block;

4. The street or streets parallel to an alley within the block;

5. The street that the lot takes its address from, and;

6. The pedestrian orientation of adjacent or abutting development, existing or proposed.
2.2.5. Primary Setback Averaging

The primary street setback requirements for principal buildings in RS-16, RS-7, RS-5 and RS-3 must meet the following requirements:

A. The lot must have been recorded for at least 20 years. This time period includes subsequent recombinations or subdivisions of the original lot configuration or recordation.

B. The proposed building must be located within the range of primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range.

C. On an interior lot, the range of setbacks is measured on the basis of the closest lots in either direction along the block face.

D. On a corner lot, the range of setbacks is measured on the basis of the 2 closest lots along the block face.

E. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, (i.e. when the lots are vacant) the building must meet the district standards.

2.3.3. Uses Allowed

With the exception of parking spaces and outdoor storage, all structures and uses (including outdoor dining) allowed on the lot are allowed in the build-to zone.

2.3.2. Corner Lots

On a corner lot, a building facade must be placed within the build-to zone for the first 30 feet along the street extending from the block corner, measured from the intersection of the two right-of-way lines.

2.3.1. Defined

A. The build-to zone is the area on the lot where a certain percentage of the front building facade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.

B. The required percentage specifies the amount of the front building facade that must be located in the build-to zone, measured based on the width of the building divided by the width of the lot.
2.4.1. In General
All buildings and structures must be located at or behind the required setbacks except as listed below. Unless specifically stated, no building or structure may extend into a required easement or public right-of-way.

2.4.2. Building Features
A. Porches, stoops, balconies, galleries and awnings/canopies may extend into a required primary or side street setback as stated in Art. 8.17.
B. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriel windows less than 10 feet wide, cornices, belt courses, sills or other similar architectural features may encroach up to 3 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line and at least 2 feet above grade.
C. Chimneys or flues may encroach up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.
D. Unenclosed patios, decks, balconies, stoops, porches, terraces or fire escapes may encroach into a side interior or rear setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
E. Handicap ramps may encroach to the extent necessary to perform their proper function.
F. Structures below and covered by the ground may encroach into a required setback, provided that such encroachment is at least 2 feet from the vertical plane of any lot line.

2.4.3. Site Features
A. Fences and walls may encroach into a required setback to a height of six feet, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall be over three feet in height.
B. Sidewalks and driveways may encroach into a required setback.
C. Required buffers may encroach into a required setback.

2.4.4. Low Impact Stormwater Features
A. Low impact stormwater management features may encroach into a primary street setback (but not into the sidewalk), including, but not limited to:
   1. Rain barrels or cisterns, 6 feet or less in height;
   2. Planter boxes;
   3. Bioretention areas; and
   4. Similar features, as determined by the Planning & Zoning Administrator.
B. Low impact stormwater management features listed above may encroach into a side interior or rear setback.

2.4.5. Mechanical Equipment and Utility Lines
A. Mechanical equipment associated with residential uses, such as HVAC units, swimming pool pumps or filters, may encroach into a side interior or rear setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.
B. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures and related fences) may encroach into a required rear or side setback.
C. Minor utilities below and covered by the ground may encroach into a required setback.

2.5.1. Building Height
A. Building height is measured from the existing grade to the highest point of a building or structure or portion thereof.

2.5.2. Height Encroachments
Any height encroachment not listed below is prohibited except where the Planning & Zoning Administrator determines that the encroachment is similar to a permitted encroachment listed below.
A. The maximum height limits of the district do not apply to public utility facilities, except telecommunication towers, which by design or function must exceed the established height limits. Chapter 10 addresses height standards for telecommunication towers.
B. Building features such as a spire, belfry, cupola, dome, or other similar feature may exceed the established height limit of the district provided the following standards are met:
   1. Does not exceed the maximum height by more than 120%;
   2. The setbacks for such features are increased over the base setback requirements of the applicable zone by the same percentage as the proposed height increase over the base height limit;
   3. Does not measure, in any horizontal direction, more than 20% of the length of the building’s exterior wall running in approximately parallel direction to the measurement.
C. The following may exceed the established height limit of the district provided they do not exceed the maximum height by more than 6 feet:
   1. Chimney, flue or vent stack;
   2. Rooftop deck, patio, shade structure;
   3. Flagpole;
   4. Vegetation associated with a rooftop garden or landscaping;
   5. Skylights;
   6. Parapet wall; and
   7. Solar panels, wind turbines and rainwater collection systems.
D. The following, when located outside of the Design Overlay District, may exceed the established height limits provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:
   1. Elevator or stairway access to roof; and
   2. Mechanical equipment.
2.5.3. Ground Floor Elevation

A. Ground floor elevation is the height of the ground floor relative to the height of the sidewalk and is measured from top of the abutting curb, or from the crown of the road where no curb exists, to the top of the finished ground floor.

B. Minimum ground floor elevation applies to the first 20 feet of the lot measured from the right-of-way line.

2.5.4. Story Height

A. Story height is the height of each story of building and it is measured from the top of the finished floor to the ceiling above.

B. Minimum ground story height applies to the first 30 feet of the building measured inward from the interior wall of the primary street-facing facade. At least 50% of the ground story must meet the minimum height provisions. At least 80% of the upper story must meet the minimum height provisions.

2.6.1. Transparency

A. Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.

B. Transparency applies to primary and side street-facing facades only.

C. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.

D. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk.

E. Upper story transparency is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate.

2.6.2. Blank Wall Area

A. Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).

B. Blank wall area applies in both a vertical and horizontal direction. Blank wall area applies only to ground and upper story primary and side street-facing facades and facades visible from Highway 33.

C. Buildings located in the Design Review Overlay may be subject to additional Blank Wall Area provisions.

2.6.3. Pedestrian Access

A. An entrance providing both ingress and egress, operable to residents or customers at all times, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are permitted.

B. The entrance spacing requirements must be met for each building, but are not applicable to adjacent or abutting buildings. Entrance spacing is measured from the edge of door to the edge of the next door.

C. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.
2.7.1. Height Plane

A height plane is required when RM-2, CX or DX abut RC- or RS-. When abutting RC- or RS-, a building cannot extend into a 45-degree angular plane projecting over the subject property measured from a height of 35 feet at the side interior or rear setback line. One foot of additional setback is required for every foot of height above 35 feet until the maximum height of the district is reached.

2.7.2. Property Line Buffer

A property line buffer may also be required (see Sec. 11.2.2).

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### 3.1. RC-2.5: Residential Cluster

#### 3.1.1. Intent

RC-2.5 is intended to accommodate single family uses at a gross density not exceeding 1 unit per 2.5 acres. RC-2.5 should be applied in areas of impact and in cities where the existing land use pattern is predominately single-family or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed. RC-2.5 allows residential cluster development in exchange for preserving open space.

#### 3.1.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Project</th>
<th>Gross density</th>
<th>1 primary unit / 2.5 acres max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open space (projects 10 acres or more)</td>
<td>20% min</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>9,000 SF min</td>
<td>75' min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>9,000 SF min</td>
<td>75' min</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Lot coverage</th>
<th>50% max, not to exceed 10,000 SF</th>
</tr>
</thead>
</table>

#### 3.1.3. Building Placement

<table>
<thead>
<tr>
<th>Principal Building Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
</tr>
<tr>
<td>Primary street (Garage doors)</td>
</tr>
<tr>
<td>Side street</td>
</tr>
<tr>
<td>Side interior</td>
</tr>
<tr>
<td>Rear</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accessory Structure &amp; Detached Garage Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
</tr>
<tr>
<td>Primary street (Detached garage)</td>
</tr>
<tr>
<td>Side street</td>
</tr>
<tr>
<td>Side interior</td>
</tr>
<tr>
<td>Rear</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Setback Encroachments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Porches, stoops, and balconies</td>
</tr>
<tr>
<td>Building features</td>
</tr>
</tbody>
</table>

#### 3.1.4. Building Height

<table>
<thead>
<tr>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal building</td>
</tr>
<tr>
<td>Accessory structure</td>
</tr>
</tbody>
</table>
Art. 3.2. RC-1.0: Residential Cluster

3.2.1. Intent

Description

RC-1.0 is intended to accommodate single- and two-family uses at a gross density not exceeding 1 unit per acre. RC-1.0 should be applied in areas of impact and in cities where the existing land use pattern is predominately single- or two-family or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed. RC-1.0 allows residential cluster development in exchange for preserving common open space.

Building Types Allowed

- Detached house
- Backyard cottage
- Duplex: side by side
- Duplex: back to back
- Attached house

Land Uses Permitted

- Detached house
- Backyard cottage
- Duplex: side by side
- Duplex: back to back
- Attached house
- See Art. 10.2

3.2.2. Lot Dimensions

Project

Gross density: 1 unit/acre max
Open space (projects 10 acres or more): 20% min

Lot

<table>
<thead>
<tr>
<th>Type</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>9,000 SF min</td>
<td>75' min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>9,000 SF min</td>
<td>75' min</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>12,000 SF min</td>
<td>100' min</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>12,000 SF min</td>
<td>75' min</td>
</tr>
<tr>
<td>Attached house</td>
<td>6,000 SF min</td>
<td>50' min</td>
</tr>
</tbody>
</table>

Coverage

Lot coverage: 50% max, not to exceed 10,000 SF

3.2.3. Building Placement

Principal Building Setbacks

- Primary street: 20' min
- Primary street (Garage doors): 20' min (see also Art. 8.18)
- Side street: 20' min
- Side interior: 10' min
- Rear: 20' min

Accessory Structure & Detached Garage Setbacks

- Primary street: 40' min
- Primary street (Detached garage): 20' min (see also Art. 8.18)
- Side street: 20' min
- Side interior: 10' min/ 0' if <120 SF
- Rear: 10' min/ 0' if <120 SF

Setback Encroachments

- Porches, stoops, and balconies: Art. 8.17
- Building features: Sec 2.4.2

3.2.4. Building Height

Height

- Principal building: 30' max
- Accessory structure: 24' max
3.3.1. Intent

RC-0.5 is intended to accommodate single- and two-family uses at a gross density not exceeding 2 units per acre. RC-0.5 should be applied in areas of transition to lower density where the existing land use pattern is predominately single- or two-family and serviced by city utilities, or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed. RC-0.5 allows residential cluster development in exchange for preserving common open space.

Building Types Allowed

<table>
<thead>
<tr>
<th>Building Type</th>
<th>See Art.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>8.2 &amp; Sec. 10.3.1.B</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>8.3 &amp; Sec. 10.8.2</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>8.5</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>8.6</td>
</tr>
<tr>
<td>Attached house</td>
<td>8.7</td>
</tr>
</tbody>
</table>

Land Uses Permitted

see Art. 10.2

3.3.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Project</th>
<th>Lot Area SF</th>
<th>Lot Width min</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross density</td>
<td>9,000</td>
<td>75</td>
</tr>
<tr>
<td>Open space (projects 10 acres or more)</td>
<td>12,000</td>
<td>100</td>
</tr>
<tr>
<td>Detached house</td>
<td>6,000</td>
<td>50</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>9,000</td>
<td>75</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>12,000</td>
<td>100</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>12,000</td>
<td>75</td>
</tr>
<tr>
<td>Attached house</td>
<td>6,000</td>
<td>50</td>
</tr>
</tbody>
</table>

Lot coverage: 50% max, not to exceed 10,000 SF

3.3.3. Building Placement

Project

<table>
<thead>
<tr>
<th>Gross density</th>
<th>2 units / acre max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open space</td>
<td>20% min</td>
</tr>
</tbody>
</table>

Lot

- Detached house: 9,000 SF min, 75' min
- Backyard cottage: 9,000 SF min, 75' min
- Duplex: side by side: 12,000 SF min, 100' min
- Duplex: back to back: 12,000 SF min, 75' min
- Attached house: 6,000 SF min, 50' min

Coverage

Lot coverage: 50% max, not to exceed 10,000 SF

3.3.4. Building Height

<table>
<thead>
<tr>
<th>Height</th>
<th>Principal Building max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal building</td>
<td>30' max</td>
</tr>
<tr>
<td>Accessory structure</td>
<td>24' max</td>
</tr>
</tbody>
</table>

Principal Building Setbacks (including garages)

- Primary street: 20' min
- Primary street (Garage doors): 20' min (see also Art. 8.18)
- Side street: 20' min
- Side interior: 10' min
- Rear: 20' min

Accessory Structure & Detached Garage Setbacks

- Primary street: 40' min
- Primary street (Detached garage): 20' min (see also Art. 8.18)
- Side street: 20' min
- Side interior: 10' min (0' if <120 SF)
- Rear: 10' min (0' if <120 SF)

Setback Encroachments

Porches, stoops, and balconies: Art. 8.17
Building features: Sec. 2.4.2
3.4.1. Amount of Open Space
The amount of required open space is set by district, and is calculated as a percentage of the gross site area.

3.4.2. Permanent Preservation
Required open space set aside in a cluster subdivision must be permanently preserved.

3.4.3. Ownership and Management of Open Space
A. Ownership
Required open space must be owned and maintained by one of the following entities:

1. Single Landowner
   A single landowner may retain the open space, subject to a conservation easement. The responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust.

2. Land Conservancy or Land Trust
   A land conservancy or land trust may own the open space. The responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust.

3. City or County
   A City or County may retain the open space, subject to a conservation easement. The responsibility for maintaining the open space and any facilities may be borne by a land conservancy or land trust.

4. Homeowners’ Association
   A homeowners’ association representing residents of the development may own the open space. The homeowners’ association must have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities may be borne by the homeowners’ association.

B. Conveyance
   The conveyance of open space must be in accordance with the following:

1. Open space must be conveyed to the land conservancy or land trust, local government or homeowners’ association in fee simple without any encumbrances except utility and conservation easements.

2. Title to the real property must be conveyed no later than the time of the conveyance of the first lot within the applicable phase of the development.

3. Open space must be preserved and it must be restricted against private or public ownership for any other purpose except acquisition by condemnation or in lieu of condemnation, and the granting of conservation easements.

C. Dissolution
   If the homeowner’s association is dissolved, the open space may be offered to another entity who will be responsible for the maintenance and upkeep of the open space. If no other offer is accepted, the open space must be offered to the city and if accepted, deeded to the city.

3.4.4. Configuration of Open Space
A. The minimum width for any required open space is 100 feet. Exceptions may be granted by the Planning & Zoning Commission.

B. Where the Idaho Department of Fish & Game designates an animal migration corridor on the property, they must be consulted as to the appropriate width of the corridor.

C. On sites less than 40 acres, no more than one pod of development is allowed, and the remaining open space must be contiguous. Where multiple roads serve a property, additional pods of development may be approved where they improve the protection of the key site resources by reducing the intrusion of development into the site.

D. Required open space must adjoin any neighboring areas of dedicated open space or other protected natural areas.

3.4.5. Open Space Priorities
A. Planning & Zoning Commission Authority
   The final determination as to which land must be protected as required open space will be made by the Planning & Zoning Commission.

B. Primary Open Space
   The following areas are considered primary open space areas and must be the first areas reserved as required open space:

1. Land whose elevation is lower than 2 feet above the elevation of the 100-year flood as defined by FEMA.

2. Land within 100 feet of any wetland (as defined by United States Code of Federal Regulations 40 CFR, Parts 230-233 and Part 22), and isolated wetlands or areas of special concern identified by state or local rule;

3. Slopes above 25% of at least 5,000 square feet contiguous area; and

4. Any state-designated wildlife corridor.

C. Secondary Open Space
   The following areas are considered secondary open space areas and must be included as required open space once the primary open space areas are exhausted:

1. Significant natural features and scenic views such as ridgelines, open vistas across meadows or fields, river or stream views;

2. Specific wildlife or habitat protection areas listed in the Comprehensive Plan, including, but not limited to:
   a. Sharp-tailed grouse breeding habitat;
   b. Songbird/raptor breeding and wintering habitat;
   c. Waterbird breeding, migration and wintering habitat;
   d. Big game migration corridors and seasonal range.

3. Habitat for any species on Federal or State threatened, endangered, or species of concern lists;

4. Traditional trail access to adjacent public (federal or state) lands;

5. Natural woodlands that help block the view of the development;

6. Historic, archeological and cultural sites, cemeteries and burial grounds; and

7. Soils with severe development limitations.

3.4.6. Allowed Uses of Open Space
   To the extent not otherwise prohibited by the use table for the applicable district, required open space may be used for the following:

A. Agricultural purposes (including row and field crops, pasturage, floriculture, horticulture, viticulture, sod farm, silviculture and grazing, except that feed lots or other concentrated animal feeding operations are not allowed in required open space);

B. Conservation areas for natural, archeological or historical resources;

C. Meadows, forests, wetlands, wildlife corridors, game preserves or similar conservation-oriented areas;

D. Pedestrian or multipurpose trails; including pervious parking areas for users;

E. Passive or active recreation areas;
F. Water bodies such as lakes, ponds, rivers, streams and creeks and their associated floodplains and floodways;

G. Street crossings that create the minimum impact possible on the open space and are necessary for access; and

H. Easements for drainage, access and underground utility lines.

3.4.7. Prohibited Uses of Open Space

Required open space cannot be used for the following:

A. Individual wastewater disposal systems;

B. Streets (except as allowed street crossings above); and

C. Impervious parking areas.

3.4.8. Access

Access to required open space may be restricted where necessary for public safety reasons or to prevent interference with agricultural operations, sensitive natural resources or critical wildlife habitat.
Chapter 4 - Residential Districts

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Art. 4.1. RS-16: Residential Single-Family

4.1.1. Intent

RS-16 is intended to accommodate existing single-family detached houses with a minimum lot size of 16,000 square feet. RS-16 is applied in areas where the land use pattern is predominately single-family that is served by central water and sewer facilities or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed.

4.1.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>16,000 SF</td>
<td>75’ min</td>
</tr>
<tr>
<td>Flag lot</td>
<td>16,000 SF</td>
<td>18’ min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>16,000 SF</td>
<td>75’ min</td>
</tr>
</tbody>
</table>

Coverage

| Lot coverage | 50% max |

4.1.3. Building Placement

Principal Building Setbacks

<table>
<thead>
<tr>
<th>Street</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
<td>25’ min or Avg. front setback (Sec. 2.2.3)</td>
</tr>
<tr>
<td>Primary street (Garage doors)</td>
<td>20’ min (see also Art. 8.18)</td>
</tr>
<tr>
<td>Side street</td>
<td>20’ min</td>
</tr>
<tr>
<td>Side interior</td>
<td>10’ min</td>
</tr>
<tr>
<td>Rear</td>
<td>25’ min</td>
</tr>
</tbody>
</table>

Accessory Structure & Detached Garage Setbacks

<table>
<thead>
<tr>
<th>Street</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
<td>40’ min</td>
</tr>
<tr>
<td>Primary street (Detached garage)</td>
<td>20’ min (see also Art. 8.18)</td>
</tr>
<tr>
<td>Side street</td>
<td>20’ min</td>
</tr>
<tr>
<td>Side interior</td>
<td>10’ min/ 0’ if &lt; 120 SF</td>
</tr>
<tr>
<td>Rear</td>
<td>10’ min/ 0’ if &lt; 120 SF</td>
</tr>
</tbody>
</table>

Setback Encroachments

<table>
<thead>
<tr>
<th>Feature</th>
<th>Art. 8.17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Porches, stoops, and balconies</td>
<td>Art. 8.17</td>
</tr>
</tbody>
</table>

Building features

<table>
<thead>
<tr>
<th>Feature</th>
<th>Sec 2.4.2</th>
</tr>
</thead>
</table>
**Art. 4.2. RS-7: Single-Family & Two-Family**

### 4.2.1. Intent

**Description**

RS-7 is primarily intended to accommodate single-family detached houses with a minimum lot size of 7,000 square feet. Additional building types are allowed that include backyard cottage, cottage court, duplex and attached house. RS-7 should be applied in areas where the land use pattern is predominately single- or two-family that is served by central water and sewer facilities or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed.

Building Types Allowed

- Detached house: see Art. 8.2 & Sec. 10.3.1.B
- Backyard cottage: see Art. 8.3 & Sec. 10.8.2
- Cottage court: see Art. 8.4
- Duplex: side by side: see Art. 8.5
- Duplex: back to back: see Art. 8.6
- Attached house: see Art. 8.7
- Land Uses Permitted: see Art. 10.2

### 4.2.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>7,000 SF</td>
<td>65’ min</td>
</tr>
<tr>
<td>Flag lot</td>
<td>7,000 SF</td>
<td>18’ min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>7,000 SF</td>
<td>65’ min</td>
</tr>
<tr>
<td>Cottage court</td>
<td>22,500 SF</td>
<td>150’ min</td>
</tr>
<tr>
<td>Cottage court (per unit)</td>
<td>1,200 SF</td>
<td>20’ min</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>9,000 SF</td>
<td>75’ min</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>9,000 SF</td>
<td>65’ min</td>
</tr>
<tr>
<td>Attached house</td>
<td>4,500 SF</td>
<td>35’ min</td>
</tr>
</tbody>
</table>

**Coverage**

- Lot coverage: 60% max

### 4.2.3. Building Placement

**Principal Building Setbacks**

- Primary street: 15’ min or Avg. front setback (Sec. 2.2.3)
- Primary street (Garage doors): 20’ min (see also Art. 8.18)
- Side street: 20’ min
- Side interior: 10’ min
- Rear: 20’ min
- Rear, abutting alley: 4’ or 20’ min

**Accessory Structure & Detached Garage Setbacks**

- Primary street: 40’ min
- Primary street (Detached garage): 20’ min (see also Art. 8.18)
- Side street: 20’ min
- Side interior: 5’ min/0’ if < 120 SF
- Rear: 5’ min/0’ if < 120 SF
- Rear, abutting alley: 4’ or 20’ min

**Setback Encroachments**

- Porches, stoops, and balconies: Art. 8.17
- Building features: Sec 2.4.2

**Height**

- Principal building: 30’ max
- Backyard Cottage: 24’ max
- Accessory structure: 24’ max
4.3.1. Intent

RS-5 is primarily intended to accommodate single-family detached houses with a minimum lot size of 5,000 square feet. Additional building types are allowed that include backyard cottage, cottage court, duplex and attached house. RS-5 should be applied in areas where the land use pattern is predominately single-family or two-family that is served by central water and sewer facilities or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed.

Building Types Allowed

<table>
<thead>
<tr>
<th>Description</th>
<th>Detached house</th>
<th>see Art. 8.2 &amp; Sec. 10.3.1.B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Backyard cottage</td>
<td>see Art. 8.3 &amp; Sec. 10.3.2</td>
</tr>
<tr>
<td></td>
<td>Cottage court</td>
<td>see Art. 8.4</td>
</tr>
<tr>
<td></td>
<td>Duplex: side by side</td>
<td>see Art. 8.5</td>
</tr>
<tr>
<td></td>
<td>Duplex: back to back</td>
<td>see Art. 8.6</td>
</tr>
<tr>
<td></td>
<td>Attached house</td>
<td>see Art. 8.7</td>
</tr>
<tr>
<td>Land Uses Permitted</td>
<td>see Art. 10.2</td>
<td></td>
</tr>
</tbody>
</table>
Art. 4.4. RS-3: Single-Family & Two-Family

4.4.1. Intent

RS-3 is primarily intended to accommodate single-family detached houses with a minimum lot size of 3,000 square feet. Additional building types are allowed that include backyard cottage, cottage court, duplex and attached house. RS-3 should be applied in areas where the land use pattern is predominately single-or two-family that is served by central water and sewer facilities or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed.

Building Types Allowed

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>see Art. 8.2 &amp; Sec. 10.3.1.B</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>see Art. 8.3 &amp; Sec. 10.8.2</td>
</tr>
<tr>
<td>Cottage court</td>
<td>see Art. 8.4</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>see Art. 8.5</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>see Art. 8.6</td>
</tr>
<tr>
<td>Attached house</td>
<td>see Art. 8.7</td>
</tr>
<tr>
<td>Land Uses Permitted</td>
<td>see Art. 10.2</td>
</tr>
</tbody>
</table>

4.4.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>3,000 SF min</td>
<td>30’ min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>3,000 SF min</td>
<td>30’ min</td>
</tr>
<tr>
<td>Cottage court</td>
<td>22,500 SF min</td>
<td>150’ min</td>
</tr>
<tr>
<td>Cottage court (per unit)</td>
<td>1,200 SF min</td>
<td>20’ min</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>5,000 SF min</td>
<td>30’ min</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>5,000 SF min</td>
<td>30’ min</td>
</tr>
<tr>
<td>Attached house</td>
<td>2,500 SF min</td>
<td>20’ min</td>
</tr>
</tbody>
</table>

All lots 40 feet or less in width are required to take vehicular access from a rear alley, except cottage courts.

Coverage

| Lot coverage | 70% max |

4.4.3. Building Placement

<table>
<thead>
<tr>
<th>Principal Building Setbacks</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
<td>15’ min or Avg. front setback (Sec. 2.2.3)</td>
</tr>
<tr>
<td>Primary street (Garage doors)</td>
<td>20’ min (see also Art. 8.18)</td>
</tr>
<tr>
<td>Side street</td>
<td>10’ min</td>
</tr>
<tr>
<td>Side interior</td>
<td>3’ min</td>
</tr>
<tr>
<td>Rear</td>
<td>10’ min</td>
</tr>
<tr>
<td>Rear, abutting alley</td>
<td>4’ or 20’ min</td>
</tr>
</tbody>
</table>

Accessory Structure & Detached Garage Setbacks

<table>
<thead>
<tr>
<th>Primary street</th>
<th>40’ min</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street (Detached garage)</td>
<td>20’ min (see also Art. 8.18)</td>
</tr>
<tr>
<td>Side street</td>
<td>10’ min</td>
</tr>
<tr>
<td>Side interior</td>
<td>3’ min/ 0’ if &lt; 120 SF</td>
</tr>
<tr>
<td>Rear</td>
<td>3’ min/ 0’ if &lt; 120 SF</td>
</tr>
<tr>
<td>Rear, abutting alley</td>
<td>4’ or 20’ min</td>
</tr>
</tbody>
</table>

Setback Encroachments

| Porches, stoops, and balconies    | Art. 8.17 |
| Building features                | Sec 2.4.2 |

4.4.4. Building Height

<table>
<thead>
<tr>
<th>Height</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal building</td>
<td>30’ max</td>
</tr>
<tr>
<td>Backyard Cottage</td>
<td>24’ max</td>
</tr>
<tr>
<td>Accessory structure</td>
<td>24’ max</td>
</tr>
</tbody>
</table>

June 2017
4.5.1. Intent

RM-1 is intended to accommodate a variety of residential options including single-family, two-family and multifamily (up to 4 units). Building type options include detached house, backyard cottage, cottage court, duplex, attached house and four-plex. RM-1 should be applied in areas where the existing or proposed land use pattern allows for a variety of housing options. Uses that would substantially interfere with the residential nature of the district are not allowed.

Building Types Allowed

- Detached house see Art. 8.2 & Sec. 10.3.1.B
- Backyard cottage see Art. 8.3 & Sec. 10.8.2
- Cottage court see Art. 8.4
- Duplex: side by side see Art. 8.5
- Duplex: back to back see Art. 8.6
- Attached house see Art. 8.7
- Four-plex see Art. 8.8

4.5.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>3,000 SF</td>
<td>30’ min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>3,000 SF</td>
<td>30’ min</td>
</tr>
<tr>
<td>Cottage court</td>
<td>22,500 SF</td>
<td>150’ min</td>
</tr>
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</tr>
<tr>
<td>Duplex: side by side</td>
<td>5,000 SF</td>
<td>50’ min</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>5,000 SF</td>
<td>30’ min</td>
</tr>
<tr>
<td>Attached house</td>
<td>2,500 SF</td>
<td>25’ min</td>
</tr>
<tr>
<td>Four-plex</td>
<td>7,000 SF</td>
<td>65’ min</td>
</tr>
</tbody>
</table>

All lots 40 feet or less in width are required to take vehicular access from a rear alley, except cottage courts.

Coverage

Lot coverage 70% max

4.5.3. Building Placement

Principal Building Setbacks

- Primary street 15’ min
- Primary street (Garage doors) 20’ min (see also Art. 8.18)
- Side street 10’ min
- Side interior 5’ min
- Rear 15’ min
- Rear, abutting alley 4’ or 20’ min

Accessory Structure & Detached Garage Setbacks

- Primary street 40’ min
- Primary street (Detached garage) 20’ min (see also Art. 8.18)
- Side street 10’ min
- Side interior 5’ min / 0’ if < 120 SF
- Rear 5’ min / 0’ if < 120 SF
- Rear, abutting alley 4’ or 20’ min

Setback Encroachments

- Porches, stoops, and balconies Art. 8.17
- Building features Sec 2.4.2

4.5.4. Building Height

Height

- Principal building 35’ max
- Backyard Cottage 24’ max
- Accessory structure 24’ max

Art. 4.5. RM-1: Residential Multi-Family
### Art. 4.6. RM-2: Residential Multi-Family

#### 4.6.1. Intent

RM-2 is intended to accommodate a variety of residential options including single-family, two-family and multifamily. Building type options include detached house, backyard cottage, cottage court, duplex, attached house, four-plex, townhouse and apartment. RM-2 should be applied in areas where the existing or proposed land use pattern allows for a variety of residential options. Uses that would substantially interfere with the residential nature of the district are not allowed.

#### 4.6.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot Type</th>
<th>Area</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>3,000 SF min</td>
<td>30' min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>3,000 SF min</td>
<td>30' min</td>
</tr>
<tr>
<td>Cottage court</td>
<td>22,500 SF min</td>
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</tr>
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<td>1,200 SF min</td>
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<td>Duplex: side by side</td>
<td>5,000 SF min</td>
<td>30' min</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>5,000 SF min</td>
<td>30' min</td>
</tr>
<tr>
<td>Attached house</td>
<td>2,500 SF min</td>
<td>25' min</td>
</tr>
<tr>
<td>Four-plex</td>
<td>7,000 SF min</td>
<td>65' min</td>
</tr>
<tr>
<td>Townhouse</td>
<td>1,500 SF min</td>
<td>20' min</td>
</tr>
<tr>
<td>Apartment</td>
<td>10,000 SF min</td>
<td>70' min</td>
</tr>
</tbody>
</table>

All lots 40 feet or less in width are required to take vehicular access from a rear alley, except cottage courts.

#### 4.6.3. Building Placement

<table>
<thead>
<tr>
<th>Building and Structure Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
</tr>
<tr>
<td>Primary street (Garage doors)</td>
</tr>
<tr>
<td>Side street</td>
</tr>
<tr>
<td>Side interior</td>
</tr>
<tr>
<td>Rear</td>
</tr>
<tr>
<td>Rear, abutting alley</td>
</tr>
</tbody>
</table>

#### 4.6.4. Building Height

<table>
<thead>
<tr>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>All buildings and structures</td>
</tr>
<tr>
<td>Backyard Cottage</td>
</tr>
<tr>
<td>Building facade in primary street BTZ (% of lot width)</td>
</tr>
<tr>
<td>Building facade in side street BTZ (% of lot width)</td>
</tr>
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</table>

#### Accessory Structure & Detached Garage Setbacks

<table>
<thead>
<tr>
<th>Setback Encroachments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
</tr>
<tr>
<td>Primary street (Detached garage)</td>
</tr>
<tr>
<td>Side street</td>
</tr>
<tr>
<td>Side interior</td>
</tr>
<tr>
<td>Rear</td>
</tr>
<tr>
<td>Rear, abutting alley</td>
</tr>
</tbody>
</table>

### Description

RM-2 is intended to accommodate a variety of residential options including single-family, two-family and multifamily. Building type options include detached house, backyard cottage, cottage court, duplex, attached house, four-plex, townhouse and apartment. RM-2 should be applied in areas where the existing or proposed land use pattern allows for a variety of residential options. Uses that would substantially interfere with the residential nature of the district are not allowed.

### Building Types Allowed

- **Detached house**: see Art. 8.2 & Sec. 10.3.1.B
- **Backyard cottage**: see Art. 8.3 & Sec. 10.8.2
- **Cottage court**: see Art. 8.4
- **Duplex: side by side**: see Art. 8.5
- **Duplex: back to back**: see Art. 8.6
- **Attached house**: see Art. 8.7
- **Four-plex**: see Art. 8.8
- **Townhouse**: see Art. 8.9
- **Apartment**: see Art. 8.10

### Land Uses Permitted

- see Art. 10.2

---

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
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<tbody>
<tr>
<td>Lot coverage</td>
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</table>
### Chapter 5 - Mixed Use Districts

<table>
<thead>
<tr>
<th>Article</th>
<th>District</th>
<th></th>
<th>Article</th>
<th>District</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1.1</td>
<td>RX: Residential Mixed Use</td>
<td>5-2</td>
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<td>CC: Commercial Corridor</td>
<td>5-10</td>
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<td>5.1.2</td>
<td>Lot Dimensions</td>
<td>5-2</td>
<td>5.2.1</td>
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<td>5-10</td>
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<td>5-2</td>
<td>5.3.1</td>
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<td>5-11</td>
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<td>5.1.4</td>
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<td>5.4.1</td>
<td>Building Height</td>
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<tr>
<td>5.2.1</td>
<td>NX: Neighborhood Mixed Use</td>
<td>5-4</td>
<td>5.2.1</td>
<td>Intent</td>
<td>5-4</td>
</tr>
<tr>
<td>5.2.2</td>
<td>Lot Dimensions</td>
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<td>5.2.2</td>
<td>Lot Dimensions</td>
<td>5-4</td>
</tr>
<tr>
<td>5.2.3</td>
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<td>5-5</td>
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<td>5.2.4</td>
<td>Building Height</td>
<td>5-5</td>
</tr>
<tr>
<td>5.3.1</td>
<td>CX: Commercial Mixed Use</td>
<td>5-6</td>
<td>5.3.1</td>
<td>Intent</td>
<td>5-6</td>
</tr>
<tr>
<td>5.3.2</td>
<td>Lot Dimensions</td>
<td>5-6</td>
<td>5.3.2</td>
<td>Lot Dimensions</td>
<td>5-6</td>
</tr>
<tr>
<td>5.3.3</td>
<td>Building Placement</td>
<td>5-7</td>
<td>5.3.3</td>
<td>Building Placement</td>
<td>5-7</td>
</tr>
<tr>
<td>5.3.4</td>
<td>Building Height</td>
<td>5-7</td>
<td>5.3.4</td>
<td>Building Height</td>
<td>5-7</td>
</tr>
<tr>
<td>5.4.1</td>
<td>DX: Downtown Mixed Use</td>
<td>5-8</td>
<td>5.4.1</td>
<td>Intent</td>
<td>5-8</td>
</tr>
<tr>
<td>5.4.2</td>
<td>Lot Dimensions</td>
<td>5-8</td>
<td>5.4.2</td>
<td>Lot Dimensions</td>
<td>5-8</td>
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<td>Building Placement</td>
<td>5-9</td>
<td>5.4.3</td>
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<td>Building Height</td>
<td>5-9</td>
<td>5.4.4</td>
<td>Building Height</td>
<td>5-9</td>
</tr>
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<td>5.5.1</td>
<td>CH: Commercial Heavy</td>
<td>5-12</td>
<td>5.5.1</td>
<td>Intent</td>
<td>5-12</td>
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<tr>
<td>5.5.2</td>
<td>Lot Dimensions</td>
<td>5-12</td>
<td>5.5.2</td>
<td>Lot Dimensions</td>
<td>5-12</td>
</tr>
<tr>
<td>5.5.3</td>
<td>Building Placement</td>
<td>5-13</td>
<td>5.5.3</td>
<td>Building Placement</td>
<td>5-13</td>
</tr>
<tr>
<td>5.5.4</td>
<td>Building Height</td>
<td>5-13</td>
<td>5.5.4</td>
<td>Building Height</td>
<td>5-13</td>
</tr>
<tr>
<td>5.6.1</td>
<td>IX: Industrial Flex</td>
<td>5-14</td>
<td>5.6.1</td>
<td>Intent</td>
<td>5-14</td>
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<td>5.6.2</td>
<td>Lot Dimensions</td>
<td>5-14</td>
</tr>
<tr>
<td>5.6.3</td>
<td>Building Placement</td>
<td>5-15</td>
<td>5.6.3</td>
<td>Building Placement</td>
<td>5-15</td>
</tr>
<tr>
<td>5.6.4</td>
<td>Building Height</td>
<td>5-15</td>
<td>5.6.4</td>
<td>Building Height</td>
<td>5-15</td>
</tr>
</tbody>
</table>
Art. 5.1. RX: Residential Mixed Use

5.1.1. Intent

5.1.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached House</td>
<td>3,000 SF</td>
<td>30’ min</td>
</tr>
<tr>
<td>Backyard Cottage</td>
<td>3,000 SF</td>
<td>30’ min</td>
</tr>
<tr>
<td>Duplex: side by side</td>
<td>5,000 SF</td>
<td>50’ min</td>
</tr>
<tr>
<td>Duplex: back to back</td>
<td>5,000 SF</td>
<td>30’ min</td>
</tr>
<tr>
<td>Attached House</td>
<td>2,500 SF</td>
<td>25’ min</td>
</tr>
<tr>
<td>Four-plex</td>
<td>7,000 SF</td>
<td>65’ min</td>
</tr>
<tr>
<td>Townhouse</td>
<td>1,500 SF</td>
<td>20’ min</td>
</tr>
<tr>
<td>Live work</td>
<td>1,100 SF</td>
<td>15’ min</td>
</tr>
</tbody>
</table>

Coverage

| Lot coverage | 80% max |

5.1.3. Building Placement

Building and Structure Setbacks

| Primary street               | 5’ min / 10’ max |
| Primary street (Garage doors) | 20’ min          |
| Side street                  | 5’ min / 10’ max |
| Side interior                | 0’ or 5’ min    |
| Rear                         | 20’ min          |
| Rear, abutting alley         | 4’ or 20’ min   |

Build-to Zone (BTZ)

| Building facade in primary street BTZ (% of lot width) | 70% min |
| Building facade in side street BTZ (% of lot width)   | 35% min |

Accessory Structure & Detached Garage Setbacks

| Primary street | 40’ min |
| Primary street (Detached garage) | 20’ min |
| Side street    | 10’ min |
| Side interior  | 5’ min / 0’ if <120 SF |
| Rear           | 5’ min / 0’ if <120 SF |
| Rear, abutting alley | 4’ or 20’ min |

5.1.4. Building Height

Height

| All buildings and structures | 35’ max |
| Backyard Cottage             | 30’ max |

Description

RX is intended to accommodate working and living in close proximity to one another, including in the same physical space. Building type options include detached house, duplex, attached house, four-plex, townhouse and live work. RX should be applied in areas where the existing or proposed land use pattern promotes live work uses. Uses that would substantially interfere with the live work nature of the district are not allowed.

Building Types Allowed

Detached House: see Art. 8.2 & Sec. 10.3.1.8
Backyard Cottage: see Art. 8.3 & Sec. 10.8.2
Duplex: side by side: see Art. 8.5
Duplex: back to back: see Art. 8.6
Attached House: see Art. 8.7
Four-plex: see Art. 8.8
Townhouse: see Art. 8.9
Live work: see Art. 8.11

Land Uses Permitted: see Art. 10.2
Art. 5.2. NX: Neighborhood Mixed Use

5.2.1. Intent

NX is intended to accommodate neighborhood-oriented commercial facilities. The intent of the district is to provide small-scale service establishments close to residential and to ensure buildings and uses are compatible with the character of nearby neighborhoods. Building type options include detached house, backyard cottage, four-plex and shopfront house. NX should be applied in areas where the existing or proposed land use pattern has commercial activity close to established residential areas.

5.2.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot Type</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>5,000 SF min</td>
<td>35' min</td>
</tr>
<tr>
<td>Backyard cottage</td>
<td>3,000 SF min</td>
<td>35' min</td>
</tr>
<tr>
<td>Duplex Side by Side</td>
<td>3,000 SF min</td>
<td>50' min</td>
</tr>
<tr>
<td>Duplex Back to Back</td>
<td>3,000 SF min</td>
<td>30' min</td>
</tr>
<tr>
<td>Four-plex</td>
<td>7,000 SF min</td>
<td>65' min</td>
</tr>
<tr>
<td>Townhouse</td>
<td>1,500 SF min</td>
<td>20' min</td>
</tr>
<tr>
<td>Shopfront house</td>
<td>3,000 SF min</td>
<td>35' min</td>
</tr>
</tbody>
</table>

Coverage

Lot coverage 80% max

5.2.3. Building Placement

Building and Structure Setbacks

- Primary street: 10' min / 30' max
- Primary street (Garage doors): 20' min (see also Art. 8.18)
- Side street: 10' min / 30' max
- Side interior: 5' min
- Rear: 20' min
- Rear, abutting alley: 4' or 20' min

Build-to Zone (BTZ)

- Building facade in primary street BTZ (% of lot width): 50% min
- Building facade in side street BTZ (% of lot width): 25% min

Accessory Structure & Detached Garage Setbacks

- Primary street: 40' min
- Primary street (Detached garage): 20' min (see also Art. 8.18)
- Side street: 10' min
- Side interior: 5' min/ 0' if<120 SF
- Rear: 5' min/ 0' if<120 SF
- Rear, abutting alley: 4' or 20' min

5.2.4. Building Height

Height

- Principal building: 35' max
- Accessory structure: 30' max
- Backyard Cottage: 30' max
Description
CX is intended to accommodate a broader range of residential and nonresidential activity than NX. To promote walkability and compatibility, auto-oriented uses are restricted. Building type options include townhouse, apartment, live work, shopfront house, single-story shopfront, mixed use shopfront and general building. CX should be applied in areas where the existing or proposed land use pattern promotes mixed use and pedestrian-oriented activity.

Building Types Allowed
<table>
<thead>
<tr>
<th>Building Type</th>
<th>See Also</th>
</tr>
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<tbody>
<tr>
<td>Townhouse</td>
<td>Art. 8.9</td>
</tr>
<tr>
<td>Apartment</td>
<td>Art. 8.10</td>
</tr>
<tr>
<td>Live work</td>
<td>Art. 8.11</td>
</tr>
<tr>
<td>Shopfront house</td>
<td>Art. 8.12</td>
</tr>
<tr>
<td>Single-story shopfront</td>
<td>Art. 8.13</td>
</tr>
<tr>
<td>Mixed use shopfront</td>
<td>Art. 8.14</td>
</tr>
<tr>
<td>General building</td>
<td>Art. 8.15</td>
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Land Uses Permitted
see Art. 10.2

Lot Dimensions

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townhouse</td>
<td>1,500 SF min</td>
<td>20’ min</td>
</tr>
<tr>
<td>Apartment</td>
<td>5,000 SF min</td>
<td>50’ min</td>
</tr>
<tr>
<td>Live work</td>
<td>1,100 SF min</td>
<td>15’ min</td>
</tr>
<tr>
<td>Shopfront house</td>
<td>3,000 SF min</td>
<td>35’ min</td>
</tr>
<tr>
<td>Single-story shopfront</td>
<td>5,000 SF min</td>
<td>50’ min</td>
</tr>
<tr>
<td>Mixed use shopfront</td>
<td>5,000 SF min</td>
<td>50’ min</td>
</tr>
<tr>
<td>General building</td>
<td>5,000 SF min</td>
<td>50’ min</td>
</tr>
</tbody>
</table>

Coverage
Lot coverage 80% max

Building and Structure Setbacks

<table>
<thead>
<tr>
<th>Location</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
<td>0’ min / 10’ max</td>
</tr>
<tr>
<td>Side street</td>
<td>0’ min / 10’ max</td>
</tr>
<tr>
<td>Side interior</td>
<td>0 or 5’ min</td>
</tr>
<tr>
<td>Rear</td>
<td>0 or 5’ min</td>
</tr>
<tr>
<td>Rear, abutting alley</td>
<td>4’ or 20’ min</td>
</tr>
</tbody>
</table>

Build-to Zone (BTZ)

| Building Facade in primary street BTZ (% of lot width) | 70% min |
| Building facade in side street BTZ (% of lot width)   | 30% min |

Parking Location

<table>
<thead>
<tr>
<th>Location</th>
<th>Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garage door</td>
<td>see Art. 8.18</td>
</tr>
<tr>
<td>Front yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Corner yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Side yard</td>
<td>Allowed</td>
</tr>
<tr>
<td>Rear yard</td>
<td>Allowed</td>
</tr>
</tbody>
</table>
Art. 5.4. DX: Downtown Mixed Use

5.4.1. Intent

DX is intended to provide for mixed use, pedestrian-oriented development in downtown. To promote walkability and to encourage street level retail activity, auto-oriented and street-facing ground floor residential uses are restricted. Building type options include live work, single-story shopfront and mixed use shopfront. DX should be applied in areas where the existing or proposed land use pattern promotes the highest levels of pedestrian and mixed use activity in the community.

5.4.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Description</th>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live work</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Single-story shopfront</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Mixed use shopfront</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>General Building</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

5.4.3. Building Placement

Building and Structure Setbacks

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Min</th>
<th>Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
<td>0'</td>
<td>5'</td>
</tr>
<tr>
<td>Side street</td>
<td>0'</td>
<td>5'</td>
</tr>
<tr>
<td>Side interior</td>
<td>0' or 5'</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>0' or 5'</td>
<td></td>
</tr>
<tr>
<td>Rear, abutting alley</td>
<td>4' or 20'</td>
<td></td>
</tr>
</tbody>
</table>

Build-to Zone (BTZ)

<table>
<thead>
<tr>
<th>BTZ Type</th>
<th>% of Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building facade in primary street BTZ</td>
<td>80%</td>
</tr>
<tr>
<td>Building facade in side street BTZ % of lot width</td>
<td>40%</td>
</tr>
</tbody>
</table>

Parking Location

<table>
<thead>
<tr>
<th>Location</th>
<th>Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garage door</td>
<td>see Art. 8.18</td>
</tr>
<tr>
<td>Front yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Corner yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Side yard</td>
<td>Allowed</td>
</tr>
<tr>
<td>Rear yard</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

Height

<table>
<thead>
<tr>
<th>Buildings and Structures</th>
<th>Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>All buildings and structures</td>
<td>45'</td>
</tr>
<tr>
<td>All buildings and structures fronting Main Street</td>
<td>2 stories min or 24' min, whichever is less</td>
</tr>
</tbody>
</table>

Land Uses Permitted

| Land Uses Permitted | see Art. 10.2 |

Building Types Allowed

<table>
<thead>
<tr>
<th>Building Type</th>
<th>see also</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live work</td>
<td>Art. 8.11</td>
</tr>
<tr>
<td>Single-story shopfront</td>
<td>Art. 8.13</td>
</tr>
<tr>
<td>Mixed use shopfront</td>
<td>Art. 8.14</td>
</tr>
<tr>
<td>General Building</td>
<td>Art. 8.15</td>
</tr>
</tbody>
</table>

Coverage

<table>
<thead>
<tr>
<th>Lot Coverage</th>
</tr>
</thead>
</table>

5-8 Land Development Code | Driggs, Idaho  May 2020

5-9 Land Development Code | Driggs, Idaho  June 2017
5.5.1. Intent

Description

CC is intended to serve as commercial gateway and to take advantage of proximity to major roadways, therefore the quality and aesthetics of new development is very important. The area envisioned contains uses that would not be appropriate in the DX or NX because of the larger amount of land required and auto-intensive nature of the business. Building type options include live work, shopfront house, single-story shopfront, mixed use shopfront and general building. CC should be applied along commercial corridors that serve as entrances to downtown or other pedestrian-oriented activity areas.

Building Types Allowed

- Live work see also Art. 8.11
- Shopfront house see also Art. 8.12
- Single-story shopfront see also Art. 8.13
- Mixed use shopfront see also Art. 8.14
- General building see also Art. 8.15

Land Uses Permitted see Art. 10.2

5.5.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live work</td>
<td>1,100 SF min</td>
<td>15' min</td>
</tr>
<tr>
<td>Shopfront house</td>
<td>3,000 SF min</td>
<td>35' min</td>
</tr>
<tr>
<td>Single-story shopfront</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
<tr>
<td>Mixed use shopfront</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
<tr>
<td>General building</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
</tbody>
</table>

Coverage

Lot coverage 80% max

5.5.3. Building Placement

Building and Structure Setbacks

- Primary street 15' min / 50' max
- Side street 0' min / 50' max
- Side interior 10' min
- Rear 10' min

Build-to Zone (BTZ)

- Building facade in primary street BTZ (% of lot width) 50% min
- Building facade in side street BTZ (% of lot width) 25% min

Parking Location

- Garage door restrictions see Art. 8.18
- Front yard Not Allowed
- Corner yard Not Allowed
- Side yard Allowed
- Rear yard Allowed

Height

All buildings and structures 35' max
All buildings and structures if the upper floor contains a residence 45' max
Art. 5.6. CH: Commercial Heavy

5.6.1. Intent

CH is intended for auto-oriented and heavy commercial uses. To help ensure compatibility, residential uses are not allowed. Building type options include single-story shopfront, general building, and industrial building. CH should be applied in areas where the existing or proposed land use pattern contains a variety of auto-oriented and heavy commercial uses.

Building Types Allowed
- Single-story shopfront: see also Art. 8.13
- General building: see also Art. 8.15
- Industrial building: see also Art. 8.16

Land Uses Permitted: see Art. 10.2

5.6.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-story shopfront</td>
<td>7,000 SF min</td>
<td>70' min</td>
</tr>
<tr>
<td>General building</td>
<td>7,000 SF min</td>
<td>70' min</td>
</tr>
<tr>
<td>Industrial building</td>
<td>7,000 SF min</td>
<td>70' min</td>
</tr>
</tbody>
</table>

Coverage: Lot coverage 70% max

5.6.3. Building Placement

- Primary street: 20' min
- Side street: 10' min
- Side interior: 10' min
- Rear: 10' min

Parking Location
- Front yard: Allowed*
- Corner yard: Allowed*
- Side yard: Allowed
- Rear yard: Allowed

*Not allowed when located in the Design Review Overlay

5.6.4. Building Height

- All buildings and structures: 35' max
5.7.1. Intent

IX is intended to accommodate a variety of light industrial, commercial and residential uses. To help ensure that land is reserved for employment purposes, residential uses are limited to the upper stories. Building type options include live-work, shopfront house, single-story shopfront, mixed use shopfront and general building. IX should be applied in industrial areas where commercial and residential uses are also desired, or where such a pattern is desired in the future.

**Building Types Allowed**
- Live work: see also Art. 8.11
- Shopfront house: see also Art. 8.12
- Single-story shopfront: see also Art. 8.13
- Mixed use shopfront: see also Art. 8.14
- General Building: see also Art. 8.15

**Land Uses Permitted**
- see Art. 10.2

5.7.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Area</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live work</td>
<td>1,100 SF min</td>
<td>15' min</td>
</tr>
<tr>
<td>Shopfront house</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
<tr>
<td>Single-story shopfront</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
<tr>
<td>Mixed use shopfront</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
<tr>
<td>General Building</td>
<td>5,000 SF min</td>
<td>50' min</td>
</tr>
</tbody>
</table>

**Coverage**
- Lot coverage: 70% max

5.7.3. Building Placement

**Building and Structure Setbacks**
- Primary street: 5' min
- Side street: 5' min
- Side interior: 10' min
- Rear: 10' min

**Parking Location**
- Garage door restrictions: see Art. 8.18
- Front yard: Allowed
- Corner yard: Allowed
- Side yard: Allowed
- Rear yard: Allowed

5.7.4. Building Height

- All buildings and structures: 35' max
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6.1.1. Intent

Description
IL is intended to accommodate manufacturing and light industrial uses in order to promote economic viability, encourage employment growth, and limit the encroachment of non-industrial development within established industrial areas. Development should be operated in a relatively clean and quiet manner, and should not be obnoxious to nearby residential or commercial uses. IL should be applied in established light industrial or manufacturing areas or where such a land use pattern is desired in the future.

Building Types Allowed
Building types are not applicable in the IL district.

Land Uses Permitted
see Art. 10.2

6.1.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>7,000 SF min</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Width</td>
<td>70' min</td>
</tr>
<tr>
<td>Coverage</td>
<td>Lot coverage</td>
<td>70% max</td>
</tr>
</tbody>
</table>

6.1.3. Building Placement

Building and Structure Setbacks

| Primary street | 15' min |
| Side street   | 10' min |
| Side interior | 5' min  |
| Rear          | 10' min |

Parking Location

| Front yard | Allowed |
| Corner yard | Allowed |
| Side yard | Allowed |
| Rear yard | Allowed |

6.1.4. Building Height

Height

All buildings and structures | 45' max |
Art. 6.2. IH: Heavy Industrial

6.2.1. Intent

Description
IH is intended to accommodate a broad range of high-impact manufacturing or industrial uses, that by their nature create a nuisance, and which are not properly associated with or are not compatible with nearby residential or commercial uses. IH should be applied in established heavy industrial areas or where such a land use pattern is desired in the future.

Building Types Allowed
Building types are not applicable in the IH district.

6.2.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Description</th>
<th>Lot Dimensions</th>
<th>Building and Structure Setbacks</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>7,000 SF min</td>
<td>Primary street 20' min</td>
<td>All buildings and structures 3 stories / 35' max</td>
</tr>
<tr>
<td>Width</td>
<td>70' min</td>
<td>Side street 20' min</td>
<td></td>
</tr>
<tr>
<td>Coverage</td>
<td>Lot coverage 80% max</td>
<td>Side interior 20' min</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear 20' min</td>
<td></td>
</tr>
</tbody>
</table>

6.2.3. Building Placement

Parking Location
- Front yard: Allowed
- Corner yard: Allowed
- Side yard: Allowed
- Rear yard: Allowed

6.2.4. Building Height

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All buildings and structures</td>
<td>3 stories / 35' max</td>
</tr>
</tbody>
</table>
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Art. 7.1. CIV: Civic and Institutional

7.1.1. Intent

CIV is intended to provide for civic uses that serve the surrounding neighborhoods or produce intensive civic activities that do not readily assimilate into other zoning districts.

Building Types Allowed
Building types are not applicable in the CIV district.

Land Uses Permitted
See Allowed Use Table in Art. 10.2

7.1.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Description</th>
<th>Lot Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>7,000 SF min</td>
</tr>
<tr>
<td>Width</td>
<td>70' min</td>
</tr>
<tr>
<td>Coverage</td>
<td>Lot coverage</td>
</tr>
<tr>
<td></td>
<td>70% max</td>
</tr>
</tbody>
</table>

7.1.3. Building Placement

<table>
<thead>
<tr>
<th>Building and Structure Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
</tr>
<tr>
<td>Side street</td>
</tr>
<tr>
<td>Side interior</td>
</tr>
<tr>
<td>Rear</td>
</tr>
<tr>
<td>Parking Location</td>
</tr>
<tr>
<td>Front yard</td>
</tr>
<tr>
<td>Corner yard</td>
</tr>
<tr>
<td>Side yard</td>
</tr>
<tr>
<td>Rear yard</td>
</tr>
</tbody>
</table>

| Height                        |
| All buildings and structures  |
| 35' max                       |
7.2. REC: Parks and Recreation

7.2.1. Intent

Description
REC is intended to create, preserve and enhance parkland to meet the active and recreational needs of residents. REC is intended to provide for both improved and unimproved parkland. Activities may include, but are not limited to, structures or other active, player-oriented facilities such as playgrounds, recreational fields, ballfields, sport courts, dog parks and associated accessory facilities such as parking areas and restrooms. REC is also intended to accommodate buildings of a public nature such as community centers, recreation centers, and police, fire or EMS stations.

Building Types Allowed
Building types are not applicable in the REC district.

Land Uses Permitted
See Allowed Use Table in Art. 10.2

7.2.2. Lot Dimensions

Lot
Area --  
Width --  
Coverage
Lot coverage 50% max

7.2.3. Building Placement

Building and Structure Setbacks
Primary street 10' min  
Side street 10' min  
Side interior 10' min  
Rear 10' min

Parking Location
Front yard Allowed  
Corner yard Allowed  
Side yard Allowed  
Rear yard Allowed

7.2.4. Building Height

Height
All buildings and structures 35' max
Description
CON is intended to create, preserve, and enhance land for permanent conservation. All lands within the district are intended to be unoccupied or predominately unoccupied by buildings or other impervious surfaces.

Building Types Allowed
Building types are not applicable in the CON district.

Land Uses Permitted
See Allowed Use Table in Art. 10.2

7.3.2. Lot Dimensions

<table>
<thead>
<tr>
<th>Lot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td></td>
</tr>
<tr>
<td>Coverage</td>
<td>5% max</td>
</tr>
</tbody>
</table>

7.3.3. Building Placement

<table>
<thead>
<tr>
<th>Building and Structure Setbacks</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary street</td>
<td>30' min</td>
</tr>
<tr>
<td>Side street</td>
<td>30' min</td>
</tr>
<tr>
<td>Side interior</td>
<td>30' min</td>
</tr>
<tr>
<td>Rear</td>
<td>30' min</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking Location</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Corner yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Side yard</td>
<td>Not Allowed</td>
</tr>
<tr>
<td>Rear yard</td>
<td>Not Allowed</td>
</tr>
</tbody>
</table>

7.3.4. Building Height

<table>
<thead>
<tr>
<th>Height</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All buildings and structures</td>
<td>35' max</td>
</tr>
</tbody>
</table>
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Art. 8.1. Building Type Descriptions

### Detached House
A building type that accommodates one dwelling unit on an individual lot with yards on all sides.

### Backyard Cottage
A small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated.

### Cottage Court
A building type that accommodates 4 to 8 detached dwelling units organized around an internal shared courtyard.

### Duplex: Side by Side
A building type that accommodates two dwelling units on an individual lot separated vertically by side that share a common wall.

### Duplex: Back to Back
A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.

### Attached House
A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.

### Four-plex
A building type that accommodates 3 to 4 dwelling units vertically or horizontally integrated.

### Townhouse
A building type that accommodates 2 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.

### Apartment
A building type that accommodates 5 or more dwelling units vertically and horizontally integrated.

### Live Work
A building type that accommodates 3 or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.
<table>
<thead>
<tr>
<th>Building Type</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shopfront House. A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.</td>
<td>NX</td>
</tr>
<tr>
<td>Single-Story Shopfront. A single-story building type that typically accommodates retail or commercial uses.</td>
<td>CX</td>
</tr>
<tr>
<td>Mixed Use Shopfront. A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses.</td>
<td>CX</td>
</tr>
<tr>
<td>General Building. A building type that typically accommodates commercial, office or industrial uses.</td>
<td>CX</td>
</tr>
<tr>
<td>Industrial Building. A building type that primarily accommodates industrial uses.</td>
<td>CX</td>
</tr>
</tbody>
</table>
8.2.1. Description

Definition
A building type that accommodates one dwelling unit on an individual lot with yards on all sides.

Districts Allowed
- RC-2.5
- RC-1.0
- RC-0.5
- RS-16
- RS-7
- RS-5
- RS-3
- RM-1
- RM-2
- NX

8.2.2. Lot and Placement

<table>
<thead>
<tr>
<th>Lot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>Set by district</td>
</tr>
<tr>
<td>Width</td>
<td>Set by district</td>
</tr>
<tr>
<td>Dwelling units per lot</td>
<td>1 min / 1 max</td>
</tr>
</tbody>
</table>

Coverage
- Lot coverage set by district

Building and Structure Setbacks
- Primary street set by district
- Side street set by district
- Side interior set by district
- Rear set by district

Build-to Zone (BTZ)
- Building facade in primary street BTZ (% of lot width) Does not apply
- Building facade in side street BTZ (% of lot width) Does not apply

8.2.3. Height and Form

Height
- Principal building 30' max
- Accessory structure 24' max
- Ground floor elevation 0' min

Pedestrian Access
- Entrance face primary street Required

Building Elements Allowed
- Balcony see Sec. 8.17.3
- Porch see Sec. 8.17.6
- Stoop see Sec. 8.17.7

Parking Location
- Front/corner yard restrictions see Sec. 8.18.1
- Garage door restrictions see Sec. 8.18.1
### Art. 8.3. Backyard Cottage

#### 8.3.1. Description

**Definition**
A small self-contained second dwelling unit located on the same lot as a detached house but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.

**Districts Allowed**
- RC-2.5
- RS-16
- RS-7
- RS-5
- RS-3
- RM-1
- RM-2
- SX

#### 8.3.2. Lot and Placement

<table>
<thead>
<tr>
<th>District</th>
<th>Lot Area Set by district</th>
<th>Width Set by district</th>
<th>Dwelling units per lot</th>
<th>Coverage</th>
<th>Lot coverage set by district</th>
<th>Heated floor area</th>
<th>Building and Structure Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>RX</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 8.3.3. Height and Form

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area Set by district</th>
<th>Width Set by district</th>
<th>Dwelling units per lot</th>
<th>Coverage</th>
<th>Lot coverage set by district</th>
<th>Heated floor area</th>
<th>Building and Structure Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backyard Cottage</td>
<td>24’ max</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Pedestrian Access | Entrance facing primary street | Does not apply | Building Elements Allowed | Balcony | Does not apply |
| Porch | Does not apply |
| Stoop | Does not apply |

| Parking Location | Front/corner yard restrictions | Does not apply | Additional on-site parking | 1 space min |
| Additional on-site parking | 1 space min |

| Garage door restrictions | see Sec. 8.18.1 |

#### 8.3.2. Lot and Placement

- Lot
- Area
- Width
- Dwelling units per lot: 2 min / 2 max

#### 8.3.3. Height and Form

- Height
- Backyard Cottage: 24’ max

- Pedestrian Access: Does not apply

- Entrance facing primary street: Does not apply

- Building Elements Allowed:
  - Balcony: Does not apply
  - Porch: Does not apply
  - Stoop: Does not apply

- Parking Location:
  - Front/corner yard restrictions: Does not apply
  - Additional on-site parking: 1 space min

- Garage door restrictions: see Sec. 8.18.1
8.4.1. Description

**Definition**
A building type that accommodates 4 to 8 detached dwelling units arranged around an internal shared courtyard, with all dwellings fronting on the courtyard.

**Districts Allowed**
- RS-7
- RS-5
- RS-3
- RM-1
- RM-2

8.4.2. Lot and Placement

**Site**
- Site area: 22,500 SF min
- Site width/depth: 150’ min
- Dwelling units per site: 4 min / 8 max
- Additional courtyard area per dwelling unit beyond 5 units: 4,500 SF min

**Lot**
- Area: 1,200 SF min
- Width: 20’ min
- Coverage:
  - Lot coverage: Does not apply
  - Principal building footprint: 1,200 SF max

**Building and Structure Setbacks**
- Primary street: set by district
- Side street: set by district
- Side interior: set by district
- Rear: set by district
- Building Interior: 10’ min

**Build-to Zone (BTZ)**
- Building facade in primary street BTZ (% of lot width): Does not apply
- Building facade in side street BTZ (% of lot width): Does not apply

8.4.3. Height and Form

**Height**
- Principal building: 24’ max
- Building wall plate height: 18’ max
- Accessory structure: 18’ max
- Ground floor elevation: 0’ min

**Courtyard**
- Area: 3,000 SF min
- Width & Length: 40’ min
- Additional site area per dwelling unit beyond 5 units: 600 SF min
- Courtyard cannot be parked or driven upon, except for emergency access and permitted temporary events

**Pedestrian Access**
- Entrance facing primary street: Required for units facing street

**Building Elements Allowed**
- Balcony: see Sec. 8.17.3
- Porch: see Sec. 8.17.6
- Stoop: see Sec. 8.17.7

**Parking Location**
- Parking provided on site: Required
- Front/corner yard: Not allowed
- Garage door restrictions: see Sec. 8.18.1
Art. 8.5. Duplex: Side by Side

8.5.1. Description

Definition
A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.

Districts Allowed
<table>
<thead>
<tr>
<th>Districts</th>
<th>Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS-7</td>
<td></td>
</tr>
<tr>
<td>RS-5</td>
<td></td>
</tr>
<tr>
<td>RS-3</td>
<td></td>
</tr>
<tr>
<td>RM-1</td>
<td></td>
</tr>
<tr>
<td>RM-2</td>
<td></td>
</tr>
</tbody>
</table>

8.5.2. Lot and Placement

Lot
Area Set by district
Width Set by district
Dwelling units per lot 2 min / 2 max
Coverage
Lot coverage set by district

Building and Structure Setbacks
Primary street set by district
Side street set by district
Side interior set by district
Rear set by district

Build-to Zone (BTZ)
Building facade in primary street BTZ (% of lot width) Does not apply
Building facade in side street BTZ (% of lot width) Does not apply

8.5.3. Height and Form

Height
Principal building 30' max
Accessory structure 24' max
Ground floor elevation 0' min
Pedestrian Access
Entrance facing primary street Required

Building Elements Allowed
Balcony see Sec. 8.17.3
Porch see Sec. 8.17.6
Stoop see Sec. 8.17.7

Parking Location
Front/corner yard restrictions see Sec. 8.18.1
Garage door restrictions see Sec. 8.18.1
8.6.1. Description

Definition
A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.

Districts Allowed

<table>
<thead>
<tr>
<th>District</th>
<th>RS-7</th>
<th>RS-5</th>
<th>RS-3</th>
<th>RM-1</th>
<th>RM-2</th>
</tr>
</thead>
</table>

8.6.2. Lot and Placement

<table>
<thead>
<tr>
<th>Lot</th>
<th>&quot;Set by district&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Width</td>
<td>&quot;Set by district&quot;</td>
</tr>
<tr>
<td>Depth</td>
<td>125'</td>
</tr>
<tr>
<td>Dwelling units per lot</td>
<td>2 min / 2 max</td>
</tr>
<tr>
<td>Coverage</td>
<td>&quot;Lot coverage set by district&quot;</td>
</tr>
</tbody>
</table>

Building and Structure Setbacks

| Primary street | "set by district" |
| Side street | "set by district" |
| Side interior | "set by district" |
| Rear | "set by district" |

Build-to Zone (BTZ)

| Building facade in primary street BTZ (% of lot width) | Does not apply |
| Building facade in side street BTZ (% of lot width) | Does not apply |

8.6.3. Height and Form

Height

| Principal building | 30’ max |
| Accessory structure | 24’ max |
| Ground floor elevation (front unit only) | 0' min |

Pedestrian Access

| Entrance facing primary street (front unit only) | Required |

Building Elements Allowed

| Balcony | see Sec. 8.17.3 |
| Porch | see Sec. 8.17.6 |
| Stoop | see Sec. 8.17.7 |

Parking Location

| Front/corner yard restrictions | see Sec. 8.18.1 |
| Garage door restrictions | see Sec. 8.18.1 |
### 8.7.1. Description

**Definition**
A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line. A common facilities agreement must be submitted at time of building permit.

**Districts Allowed**
- RS-7
- RS-5
- RS-3
- RM-1
- RM-2

### 8.7.2. Lot and Placement

<table>
<thead>
<tr>
<th>Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
</tr>
<tr>
<td>Width</td>
</tr>
<tr>
<td>Dwelling units per lot</td>
</tr>
</tbody>
</table>

**Coverage**
- Lot coverage set by district

**Building and Structure Setbacks**
- Primary street set by district
- Side street set by district
- Side interior set by district
- Rear set by district

**Build-to Zone (BTZ)**
- Building facade in primary street BTZ (% of lot width) Does not apply
- Building facade in side street BTZ (% of lot width) Does not apply

### 8.7.3. Lot and Placement

<table>
<thead>
<tr>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal building</td>
</tr>
<tr>
<td>Accessory structure</td>
</tr>
<tr>
<td>Ground floor elevation</td>
</tr>
</tbody>
</table>

**Pedestrian Access**
- Entrance facing primary street Required

**Building Elements Allowed**
- Balcony see Sec. 8.17.3
- Porch see Sec. 8.17.6
- Stoop see Sec. 8.17.7

**Parking Location**
- Front/corner yard restrictions see Sec. 8.18.1
- Garage door restrictions see Sec. 8.18.1
8.8.1. Description

**Definition**
A building type that accommodates 3 to 4 dwelling units vertically or horizontally integrated.

**Districts Allowed**
- RM-1
- RM-2
- NX

8.8.2. Lot and Placement

**Lot**
- Area: 7,000 SF min
- Width: 65 min
- Dwelling units per lot: 3 min / 4 max

**Coverage**
- Lot coverage: set by district

**Building and Structure Setbacks**
- Primary street: set by district
- Side street: set by district
- Side interior: set by district
- Rear: set by district

**Build-to Zone (BTZ)**
- Building facade in primary street BTZ (% of lot width): set by district
- Building facade in side street BTZ (% of lot width): set by district

8.8.3. Height and Form

**Height**
- Principal building: 35' max
- Accessory structure: 24' max
- Ground floor elevation: 0' min

**Transparency**
- Ground story: 20% min
- Upper story: 20% min
- Blank wall area: 35' max

**Pedestrian Access**
- Entrance facing primary street: Required

**Building Elements Allowed**
- Awning/canopy: see Sec. 8.17.2
- Balcony: see Sec. 8.17.3
- Porch: see Sec. 8.17.6
- Stoop: see Sec. 8.17.7

**Parking Location**
- Front/corner yard: Not allowed
- Garage door restrictions: see Sec. 8.18.1
8.9.1. Description

**Definition**
A building type that accommodates 2 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.

**Districts Allowed**
- RM-2
- RX
- CX

8.9.2. Lot and Placement

**Site**
- Site area: 5,000 SF min
- Site width: 70’ min
- Dwelling units per lot: 1 min / no max

**Lot**
- Area: 1,500 SF min
- Width: 20’ min

**Coverage**
- Lot coverage: set by district

**Site Development Setbacks**
- Primary street: set by district
- Side street: set by district
- Side interior: set by district
- Rear: set by district

**Build-to Zone (BTZ)**
- Building facade in primary street BTZ (% of lot width): set by district
- Building facade in side street BTZ (% of lot width): set by district

**Height and Form**

**Height**
- Principal building: 3 stories / 35’ max
- Accessory structure: 24’ max
- Ground floor elevation: 6’ min

**Building Dimensions**
- Unit width: 20’ min
- Number of units permitted in a row: 6 max

**Transparency**
- Ground story: 20% min
- Upper story: 20% min
- Blank wall area: 35’ max

**Pedestrian Access**
- Entrance facing primary street (each ground floor unit): Required

**Building Elements Allowed**
- Awning/canopy: see Sec. 8.17.2
- Balcony: see Sec. 8.17.3
- Porch: see Sec. 8.17.6
- Stoop: see Sec. 8.17.7
- Parking Location:
  - Front/corner yard: Not allowed*
  - Garage door restrictions: see Sec. 8.18.1

*Allowed if located on an Arterial road, and front yard landscaping is applied per 11.2.3.E.
Art. 8.10. Apartment

8.10.1. Description

Definition
A building type that accommodates 5 or more dwelling units vertically and horizontally integrated.

Districts Allowed

8.10.2. Lot and Placement

Lot
Area set by district
Width set by district
Dwelling units per lot 5 min / no max

Coverage
Lot coverage set by district

Building and Structure Setbacks
Primary street set by district
Side street set by district
Side interior set by district
Rear set by district

Build-to Zone (BTZ)
Building facade in primary street BTZ (% of lot width) set by district
Building facade in side street BTZ (% of lot width) set by district

Courtyard
Courtyard/Open Space Area min 15% of lot area

8.10.3. Height and Form

Height
All buildings and structures set by district
Ground floor elevation 0’ min

Building Dimensions
Length 120’ max

Transparency
Ground story 20% min
Upper story 20% min
Blank wall area 35’ max

Pedestrian Access
Entrance facing primary street Required
Entrance spacing along primary street 100’ max

Building Elements Allowed
Awning/canopy see Sec. 8.17.2
Balcony see Sec. 8.17.3
Forecourt see Sec. 8.17.4
Porch see Sec. 8.17.6
Stoop see Sec. 8.17.7
Parking Location
Front/corner yard Not allowed
Art. 8.11. Live Work

8.11.1. Description

Definition
A building type that accommodates 3 or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.

Districts Allowed

8.11.2. Lot and Placement

Site
Site area 4,000 SF min
Site width 55' min
Units per lot 1 min / no max

Lot
Area 1,100 SF min
Width 15' min

Coverage
Lot coverage set by district

Building and Structure Setbacks
Primary street set by district
Side street set by district
Side interior set by district
Rear set by district

Build-to Zone (BTZ)
Building facade in primary street BTZ (% of lot width) set by district
Building facade in side street BTZ (% of lot width) set by district

8.11.3. Height and Form

Height
All buildings and structures 35' max
Ground story height 10' min
Ground floor elevation 0' min

Building Dimensions
Unit width 15' min / 30' max
Number of units permitted in a row 6 max

Transparency
Ground story 40% min
Upper story 20% min
Blank wall area 25' max

Pedestrian Access
Entrance facing primary street (each ground floor unit) Required

Building Elements Allowed
Awning/canopy see Sec. 8.17.2
Balcony see Sec. 8.17.3
Porch see Sec. 8.17.6
Stoop see Sec. 8.17.7

Parking Location
Front/corner yard restrictions Not allowed
Garage door restrictions see Sec. 8.18.1
8.12.1. Description

**Definition**
A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.

**Districts Allowed**

<table>
<thead>
<tr>
<th>District</th>
<th>NX</th>
<th>CX</th>
<th>CC</th>
</tr>
</thead>
</table>

8.12.2. Lot and Placement

**Lot**

<table>
<thead>
<tr>
<th>Area</th>
<th>set by district</th>
</tr>
</thead>
<tbody>
<tr>
<td>Width</td>
<td>set by district</td>
</tr>
</tbody>
</table>

**Coverage**

| Lot coverage | set by district |

**Building and Structure Setbacks**

| Primary street | set by district |
| Side street | set by district |
| Side interior | set by district |
| Rear | set by district |

**Build-to Zone (BTZ)**

| Building facade in primary street BTZ (% of lot width) | set by district |
| Building facade in side street BTZ (% of lot width) | set by district |

8.12.3. Height and Form

**Height**

| All buildings and structures | 3 stories / 35' max |
| Ground story height | 10' min |

**Building Dimensions**

| Length | 50' max |
| Depth | 75' max |

**Transparency**

| Ground story | 40% min |
| Upper story | 20% min |
| Blank wall area | 35' max |

**Pedestrian Access**

| Entrance facing primary street | Required |

**Building Elements Allowed**

| Awning/canopy | see Sec. 8.17.2 |
| Balcony | see Sec. 8.17.3 |
| Porch | see Sec. 8.17.6 |
| Stoop | see Sec. 8.17.7 |

**Parking Location**

| Front/corner yard restrictions | Not allowed |
| Garage door restrictions | see Sec. 8.18.1 |
8.13.1. Description

Definition
A single-story building type that typically accommodates retail or commercial uses.

Districts Allowed
CX  DX  CC  CH  DE

8.13.2. Lot and Placement

Lot
Area set by district
Width set by district
Coverage
Lot coverage set by district
Building and Structure Setbacks
Primary street set by district
Side street set by district
Side interior set by district
Rear set by district
Build-to Zone (BTZ)
Building facade in primary street BTZ (% of lot width) set by district
Building facade in side street BTZ (% of lot width) set by district

8.13.3. Height and Form

Height
All buildings and structures* 1 story / 24’ max
Ground story height* 10’ min
Building Dimensions
Length 150’ max
Transparency
Ground story 60% min
Building footprint 20,000 sf or more 30% min
Blank wall area 25’ max
Building footprint 20,000 sf or more 75’ max
Pedestrian Access
Entrance facing primary street Required
Entrance spacing along primary street 75’ max
Building footprint 20,000 sf or more 125’ max
Building Elements Allowed
Awning/canopy see Sec. 8.17.2
Forecourt see Sec. 8.17.4
Gallery see Sec. 8.17.5
Parking Location
Set by district

*See Sec. 5.4.4 for DX height standards
8.14.1. Description

**Definition**
A building type that typically accommodates ground floor commercial uses with upper-story residential or commercial uses. Ground floor residential is permitted provided it does not front upon the main street.

**Districts Allowed**
CX  DX  CC

8.14.2. Lot and Placement

<table>
<thead>
<tr>
<th>Lot</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>set by district</td>
</tr>
<tr>
<td>Width</td>
<td>set by district</td>
</tr>
<tr>
<td>Coverage</td>
<td>set by district</td>
</tr>
</tbody>
</table>

**Building and Structure Setbacks**

| Primary street | set by district |
| Side street    | set by district |
| Side interior  | set by district |
| Rear           | set by district |

**Build-to Zone (BTZ)**

| Building facade in primary street BTZ (% of lot width) | set by district |
| Building facade in side street BTZ (% of lot width)   | set by district |

8.14.3. Height and Form

<table>
<thead>
<tr>
<th>Height</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All buildings and structures</td>
<td>set by district</td>
</tr>
<tr>
<td>Ground story height</td>
<td>10’ min</td>
</tr>
</tbody>
</table>

**Building Dimensions**

<table>
<thead>
<tr>
<th>Length</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>120’ max</td>
<td></td>
</tr>
</tbody>
</table>

**Transparency**

| Ground story | 60% min |
| Upper story  | 20% min  |
| Blank wall area | 25’ max |

**Pedestrian Access**

| Entrance facing primary street Required |
| Entrance spacing along primary street 75’ max |

**Building Elements Allowed**

| Awnings/canopy see Sec. 8.17.2 |
| Forecourt see Sec. 8.17.4 |
| Gallery see Sec. 8.17.5 |

**Parking Location**

Set by district
Art. 8.15. General Building

8.15.1. Description

Definition
A building type that typically accommodates commercial, office or industrial uses.

Districts Allowed
CC  CC  CHI  DH  EX

8.15.2. Lot and Placement

Lot
Area set by district
Width set by district
Coverage
Lot coverage set by district

Building and Structure Setbacks
Primary street set by district
Side street set by district
Side interior set by district
Rear set by district

Build-to Zone (BTZ)
Building facade in primary street BTZ (% of lot width) set by district
Building facade in side street BTZ (% of lot width) set by district

8.15.3. Height and Form

Height
All buildings and structures set by district
Ground story height 10’ min
Building Dimensions
Length 120’ max

Transparency
Ground story 40% min
Upper story 15% min
Blank wall area 50’ max

Pedestrian Access
Entrance facing primary street Required
Entrance spacing along primary street 125’ max

Building Elements Allowed
Awning/canopy see Sec. 8.17.2
Forecourt see Sec. 8.17.4
Gallery see Sec. 8.17.5
Parking Location
Set by district
ART. 8.16. INDUSTRIAL BUILDING

8.16.1. Description

**Definition**
A building type that primarily accommodates industrial uses.

**Districts Allowed**

<table>
<thead>
<tr>
<th></th>
<th>CH</th>
</tr>
</thead>
</table>

8.16.2. Lot and Placement

<table>
<thead>
<tr>
<th><strong>Lot</strong></th>
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<tbody>
<tr>
<td>Area</td>
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</tr>
<tr>
<td>Width</td>
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<tr>
<td>Coverage</td>
<td></td>
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<tr>
<td>Lot coverage</td>
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**Building and Structure Setbacks**

<table>
<thead>
<tr>
<th><strong>Primary street</strong></th>
<th>set by district</th>
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<tbody>
<tr>
<td>Side street</td>
<td>set by district</td>
</tr>
<tr>
<td>Side interior</td>
<td>set by district</td>
</tr>
<tr>
<td>Rear</td>
<td>set by district</td>
</tr>
</tbody>
</table>

**Build-to Zone (BTZ)**

| **Building facade in primary street BTZ (% of lot width)** | set by district |
| **Building facade in side street BTZ (% of lot width)**   | set by district |

8.16.3. Height and Form

<table>
<thead>
<tr>
<th><strong>Height</strong></th>
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<tbody>
<tr>
<td>All buildings and structures</td>
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<tr>
<td>Ground story height</td>
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**Building Dimensions**

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<td>Blank wall area</td>
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<tr>
<td>Parking Location</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Set by district</strong></th>
<th></th>
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</thead>
</table>

8-34 Land Development Code | Driggs, Idaho
June 2017

8-35 Land Development Code | Driggs, Idaho
June 2017
8.17.1. Intent
The following standards are intended to ensure that certain building elements, when added to a street-facing facade, are of sufficient size to be both usable and functional and be architecturally compatible with the building they are attached to.

8.17.2. Awning/Canopy
A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.
A. An awning/canopy must be a minimum of 8 feet clear height above the sidewalk.
B. An awning/canopy may extend into a primary or side street setback.
C. An awning/canopy may encroach into the public right-of-way up to a distance of 2/3 (two-thirds) the width of the sidewalk measured from the building. The encroachment must be at least 2 feet inside the curb line or edge of pavement.

8.17.3. Balcony
A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.
A. A balcony must be at least 4 feet deep.
B. A balcony must have a clear height above the sidewalk of at least 8 feet.
C. A balcony may be covered and screened, but cannot be fully enclosed.
D. A balcony may extend into a primary or side street setback.
E. A balcony may encroach up into the public right-of-way at a distance of 1” (inch) of encroachment for every 1” (inch) of clear height above 8’ (feet). The encroachment must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

8.17.4. Forecourt
An open area at grade, or within 30 inches of grade, that serves as an open space, plaza or outdoor dining area.
A. A forecourt must be no more than one-third of the length of the building face, and in no case longer than 35 feet in width.
B. The depth of the forecourt must not exceed the general width. A forecourt may be no more than 35 feet in depth.
C. A maximum of one forecourt is permitted per lot.
D. A forecourt meeting the above requirements is considered part of the building for the purpose of measuring the build-to zone.

8.17.5. Gallery
A covered passage extending along the outside wall of a building supported by arches or columns and open on 3 sides.
A. A gallery must have a clear depth from the support columns to the building’s facade of at least 8 feet and a clear height above the sidewalk of at least 9 feet.
B. A gallery must be contiguous and extend over at least 75% of the width of the building facade from which it projects.
C. A gallery may extend into a primary or side street setback.
8.17.6. Porch
A raised structure attached to a building, forming a covered entrance to a doorway.

A. A front porch must be at least 6 feet deep (not including the steps).
B. A front porch must be roofed and may be screened, but cannot be fully enclosed.
C. A front porch may extend up to 9 feet, including the steps, into a required front setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
D. A front porch may not encroach into the public right-of-way.

8.17.7. Stoop
A small raised platform that serves as an entrance to a building.

A. A stoop must be no more than 6 feet deep (not including the steps) and no more than 6 feet wide.
B. A stoop may be covered, but cannot be fully enclosed.
C. A stoop may extend up to 6 feet, including the steps, into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
D. A stoop may not encroach into the public right-of-way.

8.18.1. Residential Parking Location
A. Parking in the Front or Corner Yard
1. In all detached house, duplex and attached house lots, and cottage courts parking in the front or corner yard is allowed only on a hard-surfaced driveway (i.e., asphalt, concrete, gravel, or if approved by the Planning & Zoning Administrator, a turf-reinforced driveway). No parking is allowed in grass or lawn areas.
2. Combined parking and driveway area cannot constitute more than 40% of the front or corner yard.
3. Any parking in the front or corner yard must have sufficient depth so that parked cars do not encroach in the right of way. Garage doors must be set back at least 20 feet from the right of way.

B. Tandem Parking
1. Tandem parking is allowed for residential uses.
2. Two parking spaces in tandem must have a combined minimum dimension of 9 feet in width by 36 feet in length.
3. Both parking spaces in tandem must be assigned to the same dwelling unit.
4. Tandem parking may not be used to provide guest parking.
## Chapter 9 - Special Districts

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<td>Art. 9.5. Area of Impact Airport Overlay</td>
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<tr>
<td>Art. 9.5. Area of Impact Airport Overlay</td>
<td>9.5.3. Airport Overlay District Provisions</td>
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9.1.1. Purpose

A. Statutory Authority
The Legislature of the State of Idaho in I.C. 46-1020 through I.C. 46-1024 authorized local government units to adopt a floodplain map and floodplain management ordinance that identifies floodplains and sets forth minimum development requirements in floodplains that are designed to promote the public health, safety, and general welfare of its citizenry.

B. Findings of Fact
1. These flood losses are caused by structures in flood hazard areas, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.
2. Local government units have the primary responsibility for planning, adoption and enforcement of land use regulations to accomplish proper floodplain management as enabled by Idaho State Statute in I.C. 46-1020 through I.C. 46-1024.

C. Purpose
It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Require that development that is vulnerable to floods, including structures and facilities necessary for the general health, safety and welfare of citizens, be protected against flood damage at the time of initial construction;
2. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or that may increase flood hazards to other lands;
5. Preserve and restore the natural characteristics of floodplains, stream channels, and natural protective barriers which carry and store flood waters.

D. Objectives
The objectives of this ordinance are to:

1. Protect human life, health and property;
2. Minimize damage to public facilities and utilities such as water purification and sewage treatment plants, water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
3. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas;
4. Minimize expenditure of public money for costly flood control projects;
5. Minimize the need for rescue and emergency services associated with flooding and generally undertaken at the expense of the general public;

9.1.2. General Provisions

A. Lands to Which This Ordinance Applies
This ordinance applies to all Special Flood Hazard Areas within the jurisdiction of The City of Driggs, Idaho. Nothing in this Ordinance is intended to allow uses or structures that are otherwise prohibited by the zoning ordinance.

B. Basis for Area of Special Flood Hazard
The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS) for Teton County, Idaho and Incorporated Areas, dated August 4, 1988, with accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are adopted by reference and declared a part of this ordinance. The FIS and the FIRM are on file at the Planning & Zoning office at 60 S Main Street, Driggs, Idaho.

C. Establishment of Floodplain Development Permit
A Floodplain Development Permit is required prior to development activities in Special Flood Hazard Areas within the jurisdiction of The City of Driggs, Idaho. No permit shall be issued unless the applicant has obtained all necessary permits and approvals from all City, County, State or Federal agencies with jurisdiction.

D. Interpretation
In the interpretation and application of this ordinance all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body, and;
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

E. Warning and Disclaimer of Liability
The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Driggs or by any officer or employee thereof for flood damages that result from reliance on this ordinance or an administrative decision lawfully made hereunder.

9.1.3. Administration

A. Designation of Floodplain Ordinance Administrator
The City of Driggs Planning and Zoning Administrator is hereby appointed as the Floodplain Administrator who is responsible for administering and implementing the provisions of this ordinance.

B. Permit Procedures
Application for a Floodplain Development Permit shall be made to the Floodplain Administrator on forms furnished by the administrator or the administrator’s designee prior to starting development activities. Specifically, the following information is required:

1. Application Stage
a. Plans in duplicate drawn to scale with elevations of the project area and the nature, location, dimensions of existing and proposed structures, utilities and access, earth fill placement, watercourse alteration, storage of materials or equipment, and drainage facilities, including all existing drainage swales on the property.

b. Elevation in relation to the Flood Protection Elevation, or highest adjacent grade, of the lowest floor level, including crawlspaces or basement, of all proposed structures;
c. Elevation to which any non-residential structure will be flood-proofed;
d. Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria in Sec. 9.1.4.G.2;
e. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
f. Description of the extent to which other properties will be impacted as a result of the proposed development; and

2. Construction Stage

a. For all new construction and substantial improvements, the permit holder shall provide to the Floodplain Administrator an as-built certification of the floor elevation or flood-proofing level, using an appropriate FEMA elevation or flood-proofing certificate, immediately after the lowest floor or flood-proofing is completed. When flood-proofing is utilized for non-residential structures, the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

b. Certificate deficiencies identified by the Floodplain Administrator shall be corrected by the permit holder immediately and prior to work proceeding. Failure to submit certification or failure to make the corrections shall be cause for the Floodplain Administrator to issue a stop-work order for the project.

c. Technical Review

a. If the Floodplain Administrator does not have the expertise to evaluate the technical data that is part of the application, the Floodplain Administrator may contract for an independent engineering review or require a review by FEMA through the Letter of Map Revision process. The applicant will pay the costs of an independent technical review.

4. Expiration of Floodplain Development Permit

a. All floodplain development permits shall be conditional upon the commencement of work within 180 days. A floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and thereafter is pursued to completion.

C. Duties and Responsibilities of the Administrator

1. Review all floodplain development permit applications to assure that the permit requirements of this ordinance have been satisfied.

2. Review proposed development to assure that necessary permits have been received from governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334; the Endangered Species Act of 1973, 16 U.S.C. 1531-1544; and State of Idaho Stream Channel Alteration permits, I.C. 42 Chapter 38. Require that copies of such permits be provided and maintained on file.

3. When Base Flood Elevation data or floodway data are not available, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer the provisions of this ordinance.

4. When Base Flood Elevations or other current engineering data are not available, the Floodplain Administrator shall take into account the flood hazards, to the extent they are known, to determine whether a proposed building site will be reasonably safe from flooding.

5. Obtain, and record the actual elevation in relation to the vertical datum on the effective FIRM, or highest adjacent grade, of the lowest floor level, including basement, of all new construction or substantially improved structures.

6. Obtain and record the actual elevation in relation to the vertical datum on the effective FIRM to which any new or substantially improved structures have been flood-proofed.

7. When flood-proofing is utilized for a structure, the Floodplain Administrator shall obtain certification of design criteria from a registered professional engineer or architect.

8. Where interpretation is needed of the exact location of boundaries of the Areas of Special Flood Hazard, including regulatory floodway (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

9. All records pertaining to the provisions of this ordinance, including studies performed to determine Base Flood Elevation data and/or floodway data, shall be maintained in the office of the city/county clerk or his/her designee and shall be open for public inspection.

9.1.4. Provisions for Flood Hazard Reduction

A. Subdivision Standards

1. All subdivision proposals shall be consistent with the need to minimize flood damage.

2. All subdivision preliminary plans/development plans shall include the mapped flood hazard zones from the effective FIRM.

3. Base flood elevation data shall be generated and/or provided for subdivision proposals and all other proposed development, including manufactured home parks and subdivisions, greater than fifty lots or five acres, whichever is less.

4. All subdivisions shall have public utilities and facilities, such as sewer, gas, electric and water systems, located and constructed to minimize flood damage.

5. All subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

B. Construction Standards

In all areas of Special Flood Hazard the following provisions are required:

1. New construction and substantial improvements of an existing structure, including a structure that has been substantially damaged, shall be anchored to prevent flotation, collapse or lateral movement of the structure.

2. New construction and substantial improvements of an existing structure, including a structure that has been substantially damaged, shall be constructed with materials and utility equipment resistant to flood damage.

3. New construction or substantial improvements of an existing structure, including a structure that has been substantially damaged, shall be constructed...
4. All new construction or substantial improvements of an existing structure, including a structure that has been substantially damaged, that includes a fully enclosed area located below the lowest floor formed by the foundation and other exterior walls shall be designed to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater. Designs for complying with this requirement must be certified by a licensed professional engineer or architect or meet the following minimum criteria:

   a. Provide a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding:

      i. The bottom of all openings shall be no higher than one foot above the higher of the exterior or interior grade or floor immediately below the opening.

      ii. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

      iii. The operation of the enclosure must be automated and not manually operated.

   b. To comply with the "Lowest Floor" criteria of this ordinance, the unfinished or flood-resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area.

   c. The interior portion of such enclosed area shall be designed to minimize or eliminate infiltration of flood waters into the system.

   d. For crawlspace foundation types, construction must meet the flood vent requirements in FEMA TB 11-01, Crawlspace Construction for Structures Located in Special Flood Hazard Areas: National Flood Insurance Program Interim Guidance, specifically:

      i. Below grade crawlspaces are prohibited at sites where the velocity of floodwaters exceed 5 feet per second;

      ii. Interior grade of the crawlspace below the BFE must be no more than 2 feet below the lowest adjacent exterior grade (LAG);

      iii. Height of the below grade crawlspace, measured from the lowest interior grade of the crawlspace to the bottom of the floor joist, must not exceed 4 feet at any point;

      iv. Contain an adequate drainage system that removes floodwaters from the interior area of the crawlspace.

5. All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other facilities shall be designed and/or elevated to prevent water from entering or accumulating within the components during flooding.

6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

8. On-site waste disposal systems shall be located and constructed to avoid functional impairment, or contamination from them, during flooding.

9. Any alteration, repair, reconstruction or improvement to a structure that is not compliant with the provisions of this ordinance, shall be undertaken only if the nonconformity is minimal in order to meet health and safety standards.

C. Manufactured Home Standards

   In all Areas of Special Flood Hazard where the Flood Protection Elevation is established, these standards for manufactured homes and recreational vehicles that are an allowed use under the zoning ordinance shall apply: Plans in duplicate, drawn to scale with elevations of the project area and the nature, location, dimensions of existing and proposed structures, earthen fill placement, storage of materials or equipment and drainage facilities.

   1. Manufactured homes placed or substantially improved:

      a. On individual lots or parcels.

      b. In new or substantially improved manufactured home parks or subdivisions.

      c. In expansions to existing manufactured home parks or subdivisions, or on a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor, including basement, elevated to the Flood Protection Elevation.

   2. Manufactured homes placed or substantially improved in an existing manufactured home park or subdivision may be elevated so that either:

      a. The lowest floor of the manufactured home is elevated to the Flood Protection Elevation or one foot above the level of the base flood elevation, whichever is higher; or

      b. The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches above the highest adjacent grade.

3. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to, and consistent with, applicable state requirements.

4. Manufactured homes placed on solid perimeter walls shall meet the flood vent requirements in 9.1.4.B.

D. Accessory Structures

   Relief from the elevation or dry flood-proofing standards may be granted for an accessory structure containing no more than two hundred square feet (200 sf) of floor area. Such a structure must meet the following standards:

   1. It shall not be used for human habitation;

   2. It shall be constructed of flood-resistant materials;

   3. It shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;

   4. It shall be firmly anchored to prevent flotation;

   5. Services such as electrical and heating equipment shall be elevated or flood-proofed to or above the Flood Protection Elevation; and

   6. It shall meet the opening requirements of 9.1.4.B.
E. Recreational Vehicle Standards

In all Areas of Special Flood Hazard, Recreational Vehicles must either:

1. Be on the site for fewer than 180 consecutive days;

2. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached structures or addition; or

3. The recreational vehicle must meet all the requirements for “New Construction,” including the anchoring and elevation requirements.

F. Floodway Standards

The following provisions shall apply in a floodway:

1. A project in the regulatory floodway must undergo an encroachment review to determine its effect on flood flows. An encroachment analysis must include:

   a. Determination and documentation that the filing, grading or construction of a structure will not obstruct flood flows and will not cause an increase in flood heights upstream or adjacent to the project site;

   b. Determination and documentation that grading, excavation, channel improvements, bridge and culvert replacements that remove an obstruction do not cause increases in downstream flood flows;

   c. Certification and documentation by a licensed professional engineer that the project will not result in a rise in flood heights;

   d. The Administrator may make the encroachment determination for minor projects, such as projects that do not increase the natural grade (e.g., paving a driveway or parking lot at existing grade, open fences and small isolated obstructions such as a mailbox or telephone pole.

2. Upon demonstrating that there are no alternatives, the applicant may propose an encroachment in the floodway that will cause an increase in the base flood elevation in excess of the allowable level provided that the applicant obtain a Conditional Letter of Map Revision from FEMA before the development can be approved and permitted.

3. The recreational vehicle must meet all the requirements for “New Construction,” including the anchoring and elevation requirements.

G. Standards for Zones with Base Flood Elevations

In Special Flood Hazard Areas designated A1-30, AE, AH, A (with estimated BFE), the following provisions are required.

1. New construction and substantial improvements

   a. Where base flood elevation data are available, new construction or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, constructed at or above the community’s Flood Protection Elevation. If solid foundation perimeter walls are used to elevate a structure, openings sufficient to facilitate the unimpeded movement of flood waters shall be provided in accordance with the construction standards in 9.1.4.B.

2. Non-Residential Construction

   a. New construction or the substantial improvement of any non-residential structure located in zones A1-30, AE, or AH must be flood proofed if the new construction or improvement is not elevated. The structure and attendant utility and sanitary facilities must be designed to be water tight to the Flood Protection Elevation or to one (1) foot above the base flood elevation, whichever is higher, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting these provisions, and shall provide certification to the Administrator.

3. Where the floodway has not been determined, no new construction, substantial improvements, or other development (including fill) shall be permitted in Zones A1-30 and AE on the effective FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. Applicants of proposed projects that increase the base flood elevation more than one foot shall obtain a Conditional Letter of Map Revision preconstruction and a Letter of Map Revision post construction.

4. In AH Zones, drainage paths shall be provided to guide flood water around and away from proposed and existing structures.

H. Standards for Zones Without Base Flood Elevations and/or Floodway (A Zones)

These standards apply in Special Flood Hazard Areas where streams exist but no base flood elevation data have been provided (A Zones), or where base flood data have been provided but a floodway has not been delineated.

1. When base flood elevation or floodway data have not been identified by FEMA in a Flood Insurance Study and/or Flood Insurance Rate Maps, then the Floodplain Administrator shall obtain, review, and reasonably utilize scientific or historic base flood elevation and floodway data available from a federal, state, or other source, in order to administer this ordinance. If data are not available from any source, only then provisions 2 and 3 shall apply.

   a. Where the floodplain administrator has obtained base flood elevation data, applicants of proposed projects that increase the base flood elevation more than one foot shall obtain a Conditional Letter of Map Revision preconstruction and a Letter of Map Revision post construction.

   b. No encroachments, including structures or fill, shall be located within an area equal to the width of the stream or fifty feet, whichever is greater, measured from the ordinary high water mark, unless certification by a licensed professional engineer documents that the encroachment will not result in any increase in flood levels during the base flood.

   c. In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement or crawlspace) elevated no less than two feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movement of flood waters shall be provided in accordance with the construction standards in 9.1.4.B and C.

I. Alteration of a Watercourse

A watercourse is considered altered when any change occurs within its banks.
1. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and submit certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.

2. Adjacent communities, the U.S. Army Corps of Engineers and the Idaho Department of Water Resources Stream Channel Alteration program must be notified prior to any alteration or relocation of a watercourse. Evidence of notification must be submitted to the floodplain administrator and to the Federal Emergency Management Agency.

3. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of the watercourse so that the flood carrying capacity will not be diminished.

4. The applicant shall meet the requirements to submit technical data within six months of the date such information becomes available. These development proposals include:

   a. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
   b. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area in accordance with 9.1.4.A;
   c. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
   d. Subdivision or large-scale development proposals requiring establishment of base flood elevations according to 9.1.4.A.3.

2. It is the responsibility of the applicant to have technical data prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.

9.1.5. Variance and Appeal Procedures

A. Variance

1. An application for a variance must be submitted to the city clerk on the form provided by the City of Driggs, and include at a minimum the same information required for a development permit and an explanation for the basis for the variance request.

2. Upon receipt of a completed application for a variance, the variance request will be set for public hearing at the next regular city council meeting in which time is available for the matter to be heard.

3. Prior to the public hearing, Notice of the hearing will be published in the official newspaper of the city at least 15 days prior to the hearing. In addition to the newspaper publication, written notice shall be provided to all adjoining property owners.

4. The burden to show that the variance is warranted and meets the criteria set out herein is on the applicant.

B. Criteria for Variances

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.

2. Variances shall not be issued within a designated floodway without a No Rise Analysis, conducted in accordance with FEMA Region X guidelines, showing that no increase in flood levels during the base flood discharge would result.

3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

4. Variances may be issued upon:

   a. A showing by the applicant of good and sufficient cause;
   b. A determination that failure to grant the variance would result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws and ordinances.

5. Variances pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods.

C. Variance Decision

The decision to either grant or deny a variance shall be in writing and shall set forth the reasons for such approval and denial. If the variance is granted, the property owner shall be put on notice along with the written decision that the permitted building will have its lowest floor below the Flood Protection Elevation and that the cost of flood insurance likely will be commensurate with the increased flood damage risk.
D. Appeals

The city council shall hear and decide appeals from the interpretations of the Administrator.

1. An appeal must be filed with the city clerk within fourteen (14) days of the date of any permit denial or interpretation of the Administrator. Failure to timely file an appeal shall be considered a failure to exhaust the administrative remedies. The appeal must set out the interpretation of the Administrator, and a narrative setting forth the facts relied upon by the appellant and the appellant’s claim regarding the error in the interpretation.

2. Upon receipt of a completed appeal, the appeal will be scheduled for the next available regular city council meeting to be heard. The city council shall consider the following in ruling on an appeal:

   a. All technical evaluations, all relevant factors, standards specified in other sections of this ordinance, including:
      i. The danger that materials may be swept onto other lands to the injury of others;
      ii. The danger to life and property due to flooding or erosion damage;
      iii. The susceptibility of the proposed facility and its contents to flood damage and the effects of such damage on the individual landowner;
      iv. The importance of the services provided by the proposed facility to the community;
      v. The necessity of the facility to a waterfront location, where applicable;
      vi. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
      vii. The compatibility of the proposed use with existing and anticipated development;
      viii. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
      ix. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
      x. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
      xi. The cost of providing government services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

E. Decision

The city council decision on appeal shall be in writing and set out the facts, technical information and the legal basis for the decision.

9.1.6. Penalties for Violation

No structure or land shall hereafter be located, extended, converted or altered unless in full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction, be fined not more than $1,000 or imprisoned for not more than 180 days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Driggs from taking such other lawful actions as is necessary to prevent or remedy any violation.

9.2.1. Purpose

The purpose of the Airport Overlay Districts is to ensure that the uses established in the vicinity of and on the Driggs-Reed Memorial Airport will not be in conflict with the Driggs Comprehensive Plan, Airport Master Plan or Airport Layout Plan; that sensitive or vulnerable uses will be reasonably protected from airport related activities including noises, hazards and similar conditions; and that the airport and airport related activities are reasonably protected from the encroachment of uses incompatible with the operation of the airport.

9.2.2. Scope and Boundaries

The provisions of this Article shall apply to the land and structures within each of the following overlay districts:

A. Aircraft Traffic Pattern Overlay

Shown on the official City of Driggs Zoning Map, and defined as encompassing all land on and around the airport to a distance of 14,000 feet from the runway centerline surface, except on the southeast side, where the boundary is 3,700 feet from the runway centerline surface. This difference accounts for the prescribed turning movements being on the north side of the airport.

B. Airspace Protection Overlay

Shown on the official City of Driggs Zoning Map, and defined as the area under the Protection Envelope as specified by the city, will be a condition of any land use permit.

C. Airport Hazards Overlay

Shown on the official City of Driggs Zoning Map, and consisting of and defined by the following areas as established by the adopted Driggs-Reed Memorial Airport Master Plan and Airport Layout Plan.

1. Object Free Area: An area 400 ft in width either side of and parallel to the runway centerline. The purpose of the OFA is to enhance the safety of aircraft operations by remaining clear of objects.

2. Runway Protection Zone (RPZ): An area off the runway end used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline.

3. Lateral Safety Zone (LSZ): An area extending 1,000 feet either side of the runway centerline.

4. Outer Critical Zone (ICZ): An area rectangular in shape and centered about the extended runway centerline. The width of the ICZ is 2,000 feet and extends a horizontal distance of 5,000 feet from each end of the runway surface.

5. Outer Critical Zone (OCZ): An area rectangular in shape and centered about the extended runway centerline. The width of the OCZ is 1,000 feet and extends a horizontal distance of 4,000 feet from each end of the ICZ.

D. Airport Operations Overlay

Shown in approximation on the official City of Driggs Zoning Map, and defined as all properties within the airport security fence.

9.2.3. Airport Overlay District Provisions

A. Aircraft Traffic Pattern Overlay

1. Avigation Easement Required: Within the Airport Traffic Pattern Overlay, the execution of an Avigation Easement for the unobstructed passage of aircraft, as specified by the city, will be a condition of any land use permit.
B. Airspace Protection Overlay

1. Structure Height: No building permit will be issued within the Airspace Protection Overlay without acknowledgement from the FAA that a completed FAA Form 7460-1 has been received and that the proposed construction will either not encroach into the protected airspace or that acceptable mitigation has been agreed to.

C. Airport Hazards Overlay

1. Use Provisions: The following provisions restrict uses within the Airport Hazards Overlay, and are in addition to the use provisions contained in Article 9.4, Chapter 10 and those listed in the zone districts in the AOI. Uses not permitted below that existed at the time these regulations were adopted may be continued pursuant to section 14.12.2.

a. Object Free Area: No structures, storage, equipment or trees shall be located in the OFA except for objects needed for air navigation or aircraft ground maneuvering purposes. The only permitted land uses in the OFA are:
   i. Aircraft runways, taxiways, ramps.
   ii. Cropland or open space

b. Runway Protection Zone (RPZ): The only permitted land uses in the RPZ are:
   i. Cropland or open space
   ii. Navigational aids

2. Uses Allowed: Within the Airport Operations Overlay District, uses other than those listed and therein by regulating the uses within the airport’s utility of the airport and the public investment

3. Conditional Uses Permitted:

i. Accessory Apartment may only be used as permanent or temporary residences for flight crews, aircraft owners, guests or any other person.

3. Conditional Uses Permitted:

a. Bulk storage of flammable or hazardous liquid above or below ground.

b. Crop spraying facilities and related facilities.
9.3.1. Intent and Purpose
A. Intent
The intention of the Design Review Overlay District for the city and the surrounding Area of Impact is to ensure that the appearance of structures and development of land is not in conflict with the Comprehensive plan, nor in conflict with any plan jointly adopted with the County.

B. Purpose
The purpose of the design regulations is to set base standards for new development and proposed improvements, other than single- and two-family residential, which:
1. Promote development that is harmonious with the character of each neighborhood or district and enhances a sense of community and identity within the city.
2. Preserve and enhance the historic character of downtown.
3. Enhance the pedestrian environment, safety and experience.
4. Protect and enhance natural amenities, including vegetation, wildlife and scenic views.
5. Protect the market value of adjacent property.

9.3.2. Standards and Applicability
A. All commercial, civic, mixed use projects, industrial buildings, and apartment buildings (with five or more units per building) within the Design Review Overlay, including temporary and seasonal vendors, must submit an application for design review per the review and approval process in Appendix A. Design Standards do not apply to airport hangars located in the IL Light Industrial zone.

B. Applications for permanent construction and seasonal vendors will be evaluated in accordance with the Design Standards and Guidelines in Appendix A.

C. Design review applications for temporary vendors will be evaluated by the Administrator, who must approve, conditionally approve or deny the application based on the standards below. The city will not issue a building permit or business registration for such projects until the design review application has been approved.

D. Temporary vendors must:
1. Provide parking in a quantity, location and design that meets the requirements in Art. 11.1.
2. Provide trash receptacles if vending food or beverages.
3. Provide a safe area for pedestrian circulation and queuing that is adequately separated from vehicular traffic.

9.4.1. Purpose and Process
A. Purpose
The purpose in this code of a stand-alone PUD district is to provide for the unique set of standards negotiated by the city and developer of a large planned unit development. The intent of the PUD-Tributary District and two subdistricts (PUD-T-R and PUD-T-C) is to provide unified regulations and standards for land use and development that are consistent with and facilitate Comprehensive Plan policies and conform to the approved Master Plan (Figure 14.3 Driggs Comprehensive Plan).

B. Application
The PUD-T district consists of two “sub-districts,” with each sub-district implementing different land use and urban design objectives. The sub-districts described below apply to properties as shown on the official City and Area of Impact Zoning Maps:

1. The PUD-T district consists of two “sub-districts,” with each sub-district implementing different land use and urban design objectives. The sub-districts described below apply to properties as shown on the official City and Area of Impact Zoning Maps:

a. PUD Tributary-R (PUD-T-R)
1. Residential lots, golf facilities, and recreation facilities

b. PUD Tributary-C (PUD-T-C)
1. Courthouse Commercial Area, Tributary Phase 1 Addition to the City of Driggs Plat Blocks 50-55
2. PUD-T sub-districts may be amended or new sub-districts established through the procedures in Art. 14.4, provided all of the following criteria are met:

a. The PUD-T sub-district must be designated as PUD-T on the Comprehensive Plan’s Future Land Use Map.

b. The PUD-T sub-district must contain five (5) or more contiguous acres.

c. A Framework Plan containing all information required for a Preliminary PUD application must be submitted with the Zone Change application (joint application for PUD and PUD-T rezone is encouraged). Once approved, a Framework Plan will be incorporated into the Zoning Ordinance and will be binding on the subject property.

9.4.2. PUD-T-R Tributary Residential, Golf, and Recreation Facilities
A. Intent
The intent of the PUD-T-R district is to provide standards for development and use of residential buildings, golf facilities, and recreation facilities shown on the approved Tributary Master Plan and consistent with the comprehensive plan. The standards also provide for additional housing options not currently contemplated by the Tributary PUD, but encouraged by the Comprehensive Plan.

B. Uses Allowed
Land use must be consistent with those uses in the approved Tributary Master Plan. Table 9A specifies allowed land uses for the PUD-T-R sub-district, as follows:

1. Uses identified with an “A” are allowed subject to section 9.4.2.D Framework Plan.
2. Uses designated with a “S” are allowed subject to section 9.4.2.C Special Uses and section 9.4.2.D Framework Plan.
3. Uses designated with a “C” are allowed subject to Art.14.7 Conditional Use Permit, and sections 9.4.2.C-D.
4. Uses designated with “C+S” are allowed subject to Art. 14.7 Conditional Use Permit and sections 9.4.2.C-D Special Uses and Framework Plan.
5. Uses designated “N” are not allowed.

C. Special Use Standards

Uses allowed as Special Uses per Table 9A are subject to the following requirements:

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

Accessory dwellings must conform to all of the following standards:

a. Floor Area

Accessory dwellings must not exceed 750 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. One Unit

A maximum of one accessory dwelling unit is allowed per lot.

c. Development Standards

The dwelling must conform to the development standards in Table 9B, except as modified below:

i. The height of a detached accessory dwelling must not exceed twenty-two (22) feet.

ii. An accessory dwelling must be setback not less than twenty (20) feet from the front property line, seven (7) feet from side property lines, and twenty (20) feet from the rear property line, except a five (5) foot setback may be allowed adjacent to an alley.

d. Design Review.

i. Administrative Design Review approval is required. A building permit application for an accessory dwelling must include elevations of the proposed building and the existing primary dwelling structure. The Planning & Zoning Administrator must review the plans for conformance with the following standard and will not issue an accessory dwelling building permit where it is determined that it would not conform with this standard:

   a. In order to maintain a consistent architectural character, similar building materials and architectural design must be used so that the accessory dwelling blends with the general appearance of the primary dwelling.

2. Attached Single Family (Townhouses)

Attached single family dwellings must conform to the following standards which are intended to control development scale, avoid or minimize impacts associated with traffic, parking, and design compatibility, and ensure management and maintenance of common walls and shared outside areas.

   a. Common Wall Agreement

No building permit will be issued for a single-family attached dwelling unless a condominium or townhome plat and common facilities agreement have been submitted to and approved by the city in accordance with the city subdivision ordinance (Chapter 14).
3. Duplexes

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

a. Corner Lots

On corner lots, each dwelling must 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.

b. Design Review

Design Review approval is required for all projects, including conversion of existing structures to cottage development. The project must conform to applicable design standards adopted by the city.

c. Design Review

Design Review approval is required for all projects, including conversion of existing structures to cottage development. The project must conform to applicable design standards adopted by the city.

d. Yards

Structures must be setback at least ten (10) feet from one another, at least ten (10) feet from the perimeter boundary of the cottage development, and at least ten (10) feet from any road right of way.

e. Design Review

Design Review approval is required for all projects, including conversion of existing structures to cottage development. The project must conform to applicable design standards adopted by the city.

5. Multiple Family Housing

Multi-family housing must 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. The project must conform to applicable design standards adopted by the city.

b. Building Separation

Where more than one multifamily building is built on a site, the buildings must be separated from one another by a landscaped courtyard that is not less than forty (40) feet wide.

c. Common Open Space

Multiple family developments must incorporate not less than ten (10) percent of the site area as common open space in accordance with the following criteria:

i. The site area is defined as the lot or parcel on which the development is located, after subtracting any required street right-of-way;

ii. The common open space must include one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees preserved), outdoor playgrounds, outdoor sports courts, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.
6. Bed and Breakfast Inns
Bed and Breakfast Inns may be approved with a conditional use permit, provided they conform to all of the following requirements (See also, Short-Term Vacation Rentals, which are different than Bed and Breakfast Inns)
   a. Accessory Use
      The use must be accessory to a household already occupying the structure as a residence.
   b. Maximum Size
      A maximum of four (4) bedrooms for guests, and a maximum of eight (8) guests are permitted per night on the entire site (i.e., including any accessory structure or guest house).
   c. Length of Stay
      Maximum length of stay is 29 days per guest. The Bed and Breakfast inn-keeper must maintain a guest registry.
   d. Food Service
      Morning meals may be provided only to overnight guests of the business.
   e. Owner-Occupied
      The primary dwelling must be owner-occupied.
7. Group Adult Care Facilities and Daycare Businesses
   These uses must comply with the following requirements:
   a. Design Review
      Design Review approval is required for new Adult Care or Child Care Facilities, or for the establishment of existing structures for Adult Care or Child Care Facilities. Any such project must conform to applicable design standards adopted by the city.
8. Short-Term Vacation Rentals
   Where allowed, short-term vacation rentals, those with twenty nine (29) or fewer days, continuous occupancy by the same tenant, must conform to the following requirements:
   a. Maximum Occupancy
      All short-term vacation rentals must have a maximum occupancy of one person per two hundred (200) square feet and not more than sixteen (16) people, whichever is more restrictive.
9. Schools and Religious Institutions
   a. Design Review
      Design Review approval is required for new Schools and Religious Institutions or the establishment of existing structures for new Schools and Religious Institutions. Any such project must conform to applicable design standards adopted by the city.
10. Live/Work
    Live/work units are limited to transitional portions of the development only, including Block 47, the lots fronting on the north side of Finch Ave, and must conform to the following requirements:
    a. Design Review
       Design Review approval is required. The project must conform to applicable design standards adopted by the city.
    b. Fire/Safety
       All live-work structures must be designated at the time of building permit and conform to any conditions of the county fire marshal.
11. Enclosed Storage
    a. Use Standards
       Enclosed storage shall only be used by homeowners and residential tenants within the PUD. Enclosed storage does not include the storage of commercial goods or the bulk storage of food items. No outdoor storage is allowed in association with an enclosed storage use.
    b. Design Review
       Design Review approval is required. The project must conform to applicable design standards adopted by the city.
12. Office
    a. Parking
       Off-street parking is required for office uses within the PUD, subject to the standards of Table 9B as well as Article 11.1 of this Land Development Code.
D. Framework Plan
The Tributary Residential, Golf, and Recreation Framework Plan applies to all portions of the Tributary Development that are designated as PUD-T-R. The Framework Plan is intended to guide development form within the context of a mixed use residential community, combining attached and detached housing types in close proximity to downtown Driggs.
  1. Applications for design review, conditional uses and other land use approvals must be subject to the Framework Plan contained in this Article. The reviewing authority must refer to the Framework Plan in this Article and apply it in conjunction with the applicable design standards adopted by the city.
  2. The Framework Plan will be interpreted and applied as follows:
   a. The Framework Plan Map and supporting graphics are used to illustrate standards and guidelines. They serve as guiding documents but are flexible. For example, the actual locations of streets, buildings and other features may be adjusted, provided the standards and intent of the Framework Plan are met.
   b. Standards contain dimensional requirements or use the words "must," "required," or similar terms, and are mandatory.
   c. Guidelines use the words "should," "may," "allowed," or similar terms, and are encouraged. Guidelines supplement the standards and provide examples of acceptable design. Guidelines also assist in reviewing requests for adjustments and may serve as the basis for approval, denial, or approval with modifications in such instances.
   d. Standards and guidelines both serve as approval criteria, but the reviewing authority is afforded greater discretion in applying guidelines. For example, where the word "should" is used, the applicant must demonstrate that the proposal is consistent with the guideline, or that applying an alternate design solution is consistent with the code's stated intent. Where a guideline conflicts with any code standard, the standard will prevail.
   e. In the case of a proposed adjustment to a code standard, the applicant must demonstrate how the adjustment results in equal or greater conformity to the Framework Plan and all other applicable standards and guidelines.
   f. Nullification of one standard or guideline by a court of competent jurisdiction must not cause any other standard or guideline to be nullified (severability).
E. Design Standards.

1. Minimum development standards in the PUD-T-R district is as provided in Table 9B.

<table>
<thead>
<tr>
<th>Table 9B</th>
<th>Standard PUD-T-R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density – Maximum Total Dwelling Units in District at full PUD platting and Build Out (Gross Density)</td>
<td>594</td>
</tr>
<tr>
<td>Density Bonus for Affordable Workforce Housing (section 9.4.2.G)</td>
<td>Up to 15%</td>
</tr>
<tr>
<td>Minimum Lot Area (square feet)</td>
<td></td>
</tr>
<tr>
<td>Single Family, not attached, access provided from street</td>
<td>3,500 sf</td>
</tr>
<tr>
<td>Single Family, not attached, access provided from alley</td>
<td>2,700 sf</td>
</tr>
<tr>
<td>Single Family, attached access provided from street</td>
<td>3,000 sf</td>
</tr>
<tr>
<td>Single Family, attached access provided from alley</td>
<td>2,000 sf</td>
</tr>
<tr>
<td>Villa/Cabin Sites</td>
<td>3,000 sf</td>
</tr>
<tr>
<td>PUD-T-R</td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td>7,000 sf</td>
</tr>
<tr>
<td>Multiple-Family or Cottage Cluster</td>
<td>9,000 sf for first 3 DU’s + 3000 sf for each add’l DU</td>
</tr>
<tr>
<td>Accessory Dwelling Units</td>
<td>5,000 sf</td>
</tr>
<tr>
<td>Non-Residential Uses, except tracts for open space and utilities where there is no minimum lot area</td>
<td>5,000 sf</td>
</tr>
<tr>
<td>Minimum Lot Width* at Front Setback</td>
<td></td>
</tr>
<tr>
<td>Detached Dwellings</td>
<td>35 ft</td>
</tr>
<tr>
<td>Interior Lot</td>
<td>45 ft</td>
</tr>
<tr>
<td>Corner Lot</td>
<td>30 ft</td>
</tr>
<tr>
<td>Attached Dwellings</td>
<td></td>
</tr>
<tr>
<td>Interior Lot</td>
<td>20 ft</td>
</tr>
<tr>
<td>Corner Lot</td>
<td>30 ft</td>
</tr>
<tr>
<td>Minimum Lot Depth*</td>
<td></td>
</tr>
<tr>
<td>*All applicable setbacks, lot area, coverage and other standards must also be met</td>
<td>45 ft</td>
</tr>
<tr>
<td>Building/Structure Height</td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td>35 ft</td>
</tr>
<tr>
<td>Fences, Retaining/Garden Walls*</td>
<td></td>
</tr>
<tr>
<td>Max. Height – Front Yard</td>
<td>3 ½ ft</td>
</tr>
<tr>
<td>Max. Height – Interior Side &amp; Rear</td>
<td>6 ft</td>
</tr>
<tr>
<td>Max. Height – Street Side or Reverse Frontage Lot (rear)</td>
<td>3 ½ ft, or 6 ft with 5 ft wide landscape buffer between fence/wall and sidewalk</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td></td>
</tr>
<tr>
<td>Percentage lot coverage by buildings and structures exceeding 30 inches above grade</td>
<td>60%</td>
</tr>
<tr>
<td>Min. Landscape Area (% site area)</td>
<td>All areas not covered by structures and impervious surfaces; not less than 12% of site</td>
</tr>
<tr>
<td>Additional usable open space area may be required for multifamily projects</td>
<td></td>
</tr>
<tr>
<td>Minimum Front/Street Setback (feet):</td>
<td></td>
</tr>
<tr>
<td>Primary Structure</td>
<td>10 ft</td>
</tr>
<tr>
<td>Garages and Carport Entries</td>
<td>20 ft</td>
</tr>
<tr>
<td>Accessory Structure</td>
<td>5 ft</td>
</tr>
<tr>
<td>Front Porch, Balcony, Portico, Patio/Garden Wall and similar architectural elements that are less than 50% enclosed</td>
<td>provided the structure does not conflict with vision clearance at intersections, utilities or easements</td>
</tr>
<tr>
<td>Minimum Side Setback (feet):</td>
<td></td>
</tr>
<tr>
<td>Exceptions:</td>
<td>7 ft</td>
</tr>
<tr>
<td>Common Walls where allowed</td>
<td>0 ft</td>
</tr>
<tr>
<td>Rear Setbacks</td>
<td>15 ft</td>
</tr>
<tr>
<td>Exceptions:</td>
<td></td>
</tr>
<tr>
<td>Alley minimum setback</td>
<td>3 ft</td>
</tr>
<tr>
<td>Common Walls when allowed</td>
<td>0 ft</td>
</tr>
<tr>
<td>*Platted Townhome (“Cabin”) lots have a maximum lot coverage of 95% and setbacks shall not apply</td>
<td></td>
</tr>
</tbody>
</table>
F. Street Frontages.
   a. All street improvements must conform to the City of Driggs Public Works Standards and the Tributary Master Plan and associated Development Agreement, as approved by the city.
   b. Sidewalks, civic spaces and pedestrian amenities placed between the public right-of-way and building sites must conform to the CC&Rs for Tributary and adopted city building codes. Where conflicts occur between city requirements and CC&Rs, city requirements will prevail.

G. Affordable Housing Incentive.
   The most acute housing problem in Teton County, Idaho is lack of affordable housing for the current and future local workforce to purchase. Increasing Idaho is lack of affordable housing for the current and future local workforce to purchase. Increasing

   a. Affordable Dwelling Unit Plan
      The city may grant a density bonus of up to fifteen percent (15%) upon finding that the Affordable Dwelling Unit Plan conforms to the criteria below:
      i. Deed-Restricted Affordable Dwellings must 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. Ten percent (10%), or more, of the dwelling units allowed on the subject property prior to the density bonus must be reserved for qualifying buyers or renters with incomes at or below one hundred twenty percent (120%) of Driggs area median family income; or
         b. Five percent (5%), or more, of the dwelling units allowed on the subject property prior to the density bonus must be reserved for qualifying buyers or renters with incomes at or below one hundred percent (100%) of Driggs area median family income; and
      c. Execution of a development agreement with the Teton County Housing Authority (TCHA) or City of Driggs to produce the requisite deed-restricted affordable units, or transfer of capital to the TCHA or City of Driggs, in a monetarily equivalent amount, as determined by the TCHA Commission or City of Driggs.
      ii. Affordable housing plans must provide a diversity of housing types and be well dispersed within the development.
      iii. The total number of affordable dwelling units described in this section will be determined by rounding down fractional answers to the nearest whole unit.
      iv. Affordable housing may be provided in lesser quantities, provided that the density bonus will be pro-rated accordingly.
   b. Density Bonus
   c. Execution of a development agreement with the Teton County Housing Authority (TCHA) or City of Driggs to produce the requisite deed-restricted affordable units, or transfer of capital to the TCHA or City of Driggs, in a monetarily equivalent amount, as determined by the TCHA Commission or City of Driggs.
      iv. Affordable housing may be provided in lesser quantities, provided that the density bonus will be pro-rated accordingly.

9.4.3. PUD-T-C Tributary Mixed Use Area

A. Intent
   The intent of the PUD-T-C district is to provide standards for development and use of the mixed use area shown on the approved Tributary Master Plan consistent with the comprehensive plan. The district allows a wide range of commercial, residential, civic, and limited industrial uses, and allows basic services and amenities, within the construct of a form-based code.

B. Objectives
   The specific objectives of the PUD-T-C sub-district are to:
   1. Facilitate a mixture of compatible land uses through regulations that emphasize development form over restrictions on use;
   2. Provide transitions from higher intensity developments in the downtown core to lower intensity development outside the core;
   3. Integrate living and working environments;
   4. Allow businesses to locate in a variety of settings, including locations with housing and complementary employment uses;
   5. Expand housing opportunities and encourage the provision of affordable workforce housing close to city services and amenities;
   6. Facilitate more intensive use of land through design-based regulations than would be possible under conventional zoning, while minimizing potentially adverse impacts to adjacent land uses;
   7. Reduce automobile reliance through pedestrian-oriented design;
   8. Encourage sustainability through compact, mixed-use development and green building practices.

C. Uses Allowed
   The PUD-T-C sub-district is intended to emphasize the form and function of development while allowing a broad range of mutually compatible land uses in each sub-district. Table 9C specifies allowed land uses for the PUD-T-C district, as follows:
   1. Uses identified with an “A” are allowed subject to section 9.4.3.E Framework Plan. Design Review is required.
   2. Uses designated with an “S” are allowed subject to section 9.4.3.D Special Use Standards and section 9.4.3.E Framework Plan. Design Review is required.
   3. Uses designated with a “C” are allowed subject to Art.14.7 Conditional Use Permit, and section 9.4.3 Framework Plan. Design Review is required.
   4. Uses designated with “C+S” are allowed subject to Art.14.7 Conditional Use Permit, Section 9.4.3.D Special Use Standards, and Section 9.4.3.E Framework Plan. Design Review is required.
   5. Uses designated with “N” are not allowed.

D. Special Use Standards
   Uses allowed as Special Uses per Table 9C are subject to the following requirements:
   1. Dwellings, ground floor. Ground floor dwellings are allowed provided they do not occupy more than fifty percent (50%) of the ground floor space in any structure.
   2. Attached dwellings must conform to the following standards:
      a. No building permit will be issued for a single-family attached dwelling unless a condominium or townhome plat and common
facilities agreement have been submitted to and approved by the city in accordance with the city subdivision ordinance (Chapter 14).

b. A single-family attached dwelling shall have no side yard setback requirement at the property line separating the attached or party wall(s).

c. The maximum number of attached dwellings is five (5); and

d. The reviewing authority may approve dwellings fronting onto a park or civic space (instead of a public street) without a conditional use permit.

3. Commercial uses not fully enclosed in a building, including any portion of a site containing a drive-up or drive-through facility, must conform to all of the following requirements:

a. A conditional use permit is required;

b. No such use will front onto or be placed within one hundred (100) feet of the following streets (rights-of-way): Courthouse Drive, Depot Street, Front Street, Little Avenue, Highway 33/Main Street. Such uses must be setback twenty (20) feet or more from the right-of-way of all other streets.

c. The City of Driggs Commercial Design Standards and Guidelines apply.

d. Industrial uses, when allowed, must conform to all of the following requirements:

a. A Conditional Use Permit is required.

b. The industrial use must be incidental to or not exceed fifty percent (50%) of the floor area of an allowed commercial use;

c. The industrial use must be fully enclosed in a building, and not include any drive-up or drive-through facility;

d. Outdoor storage and other incidental activities not enclosed in a building are limited to levels customarily provided in an allowed commercial or residential use; and

e. The City of Driggs Commercial Design Standards and Guidelines apply.

E. Framework Plan

The Tributary Mixed Use Area Framework Plan applies to all portions of the Tributary development that are designated PUD-T-C. The Framework Plan is intended to guide development form within the context of a mixed-use community, combining elements of the downtown, the Teton County Courthouse complex, and Tributary resort.

1. Applications for design review, conditional uses and other land use approvals are subject to the Framework Plan contained in this Chapter. The reviewing authority must refer to the Framework Plan in this Chapter and apply it in conjunction with the City of Driggs Commercial Design Standards and Guidelines and other applicable ordinance requirements.

2. The Framework Plan must be interpreted and applied as follows:

a. The Framework Plan Map and supporting graphics are used to illustrate standards and guidelines. They serve as guiding documents and are mandatory.

b. Standards contain dimensional requirements or use the words "must," "required," or similar terms, and are mandatory.

c. Guidelines use the words "should," "may," "allowed," or similar terms, and are encouraged. Guidelines supplement the standards and provide examples of acceptable design. Guidelines also assist in reviewing requests for adjustments and may serve as the basis for approval, denial, or approval with modifications in such instances.

d. Standards and guidelines both serve as approval criteria, but the reviewing authority is afforded greater discretion in applying guidelines. For example, where the word "should" is used, the applicant must demonstrate that the proposal is consistent with the guideline, or that applying an alternate design solution is consistent with the code's stated intent. Where a guideline conflicts with any code standard, the standard will prevail.

e. In the case of a proposed adjustment to a code standard, the applicant must demonstrate how the adjustment results in equal or greater conformity to the Framework Plan and all other applicable standards and guidelines.

f. Nullification of one standard or guideline by a court of competent jurisdiction must not cause
any other standard or guideline to be nullified (severability).

3. Design Standards.
   a. All street improvements must conform to the City of Driggs Transportation Standards and the Tributary Master Plan, as approved by the city.
   b. All projects must be submitted for Design Review to the City of Driggs and conform to the standards found in the Driggs Design Standards (Appendix A) DX chapter, except for Blocks, Buildings & Structures and Vehicle Access & Parking Areas, which must conform to the standards and guidelines in this Framework Plan and in the approved Tributary Town Plaza Development Guidelines. Where conflicts occur between city and Tributary requirements, city requirements will prevail.

   c. Block Types:
      i. Courthouse Block
         Courthouse Block is the organizing block and central focus of the Tributary PUD-T district. It is the site of the Teton County Courthouse, and is defined by Courthouse Drive and West Little Avenue. Block standards and guidelines are as follows:
         a. Uses
            Allowed land uses are the same as those in Table 9C, except Lot 4, Block 53 is limited to Teton County Courthouse and ancillary public uses, consistent with the provisions of this section.
         b. Height
            45 feet maximum for the courthouse; 35 feet maximum for other structures, except 45 feet allowed where dwellings are provided in upper building story(ies) of such structures.

c. View Corridors. (See Framework Plan Map)
   i. The view corridor from Woodland Star Drive must be kept clear of structures, surface parking, storage, above-ground utilities, and other obstructions. Where trees are planted their placement should frame important views.
   ii. The grounds surrounding the courthouse should be landscaped with hardy trees, shrubs and grasses that complement the site and allow for public enjoyment of the Civic Green.
   iii. An open view corridor must be maintained “to and through” the Civic Green from Depot Street, allowing for views of the Big Hole Mountains from Depot Street (See Framework Plan Map). This area must be kept clear of structures, surface parking, storage, above-ground utilities, and other obstructions. Where trees are planted their placement should frame important views.

d. Civic Green. (See Framework Plan Map)
   A Civic Green must be improved in the area between the courthouse and the arc of Courthouse Drive.

   The Civic Green should contain an open space or plaza with a radial pattern of pathways and small gardens extending outward from the courthouse to the planned crosswalks on Courthouse Drive. Landscaping should frame important views and consist of hardy plant materials. See City of Driggs Commercial Design Standards and Guidelines.

   e. Courthouse Forecourt. (See Framework Plan)
   The main entrance to the courthouse should incorporate a forecourt that is large enough to accommodate public assemblies. The forecourt should be designed with pavers and stamped or scored concrete to set off the courthouse entrance from the adjacent parking area.

   f. Parking Areas. (See Framework Plan)
   i. All surface parking must be placed south of the parking line established on the Framework Plan Map. Underground parking may be placed north of the parking line if it is capped with the Civic Green described above.
   ii. Where structured parking is provided, it should be consolidated in the planned parking areas between the West Little Avenue buildings and the courthouse.
   iii. Parking areas must be interconnected and allow for internal vehicle circulation without requiring turning.
movements on adjacent streets. Except as restricted by lease agreement, parking in the Tributary development must be shared parking, available to all uses in the development.

iv. Parking area access points should be aligned with access points on opposing block faces (opposite side of the street).

v. Pedestrian walkways must be extended through the courthouse parking areas and connect to (or be stubbed to future) building entrances along West Little Avenue.

g. West Little Avenue Buildings. (See Framework Plan Map)

i. Buildings developed south of the courthouse must generally conform to the building envelopes as shown on the Framework Plan Map. The floor plate of a building occupied by a single use must not exceed 20,000 square feet, exclusive of parking structures.

ii. Buildings and their primary entrance(s) must be placed within ten (10) feet of the West Little Avenue right-of-way (“build-to line”) so that not less than sixty percent (60%) of the street frontage has buildings placed within ten (10) feet of it. The build-to line may be extended to accommodate civic spaces such as plazas and extra-width sidewalks.

iii. The buildings fronting onto West Little Avenue must have their primary entrances oriented to West Little Avenue, or placed not more than twenty (20) feet from the West Little Avenue right-of-way.

iv. Minimum side and rear setbacks must be zero, except where required by building code.

v. Lot coverage is not restricted, provided that buildings generally conform to the envelopes shown on the Framework Plan Map.

vi. Civic spaces must be provided in new commercial and mixed use developments, as specified by the City of Driggs Commercial Design Standards and Guidelines.

h. Building Envelopes. (See Framework Plan Map)

The building envelopes shown on the Framework Plan Map are approximate; they are intended to accommodate the parking requirements of planned land uses at buildout. The envelopes adjacent to West Little Avenue may be adjusted, for example, to allow for a continuous building wall along the street, or to better meet the intent of the Framework Plan. The building envelopes may expand considerably where additional parking can be provided underground or in multistory parking structures.

i. Landscaping. Areas not covered by impervious surfaces must be landscaped in conformance with the City of Driggs Commercial Design Standards and Guidelines.

j. Architectural Guidelines. Building designs must conform to the Tributary Town Plaza Development Guidelines. Any modification to the Tributary Town Plaza Development Guidelines is subject to prior review and approval by the city’s Planning and Zoning Administrator.

ii. Perimeter Mixed-Use Blocks

The Perimeter Block standards are intended to provide appropriate transitions in land use and development form where PUD-T-C abuts Driggs’s Central Business District and the residential and resort areas of Tributary.

a. Uses

Uses must be as provided in Table 9C, except as that retail uses, restaurants, delis, drinking establishments, entertainment-oriented uses, and similar uses that do not front directly onto Depot Street, Front Street or West Little Avenue must have hours of operation that begin no earlier than 6:00 a.m. and end no later than 11:00 p.m. This requirement is intended to avoid uses that would conflict with adjacent residential uses or inappropriately compete with the downtown visitor retail and entertainment core, to maintain the integrity of the courthouse district as a place for civic, professional and business support services, and to reinforce Depot, Front and West Little as part of the downtown retail and entertainment core.

b. Height

35 feet maximum, except 45 feet maximum where dwellings are provided in upper building stories.

c. Floor Plate

The floor plate of a building occupied by a single use must not exceed 20,000 square feet, exclusive of parking structures.

d. View Corridors. (See Framework Plan Map)

i. Buildings fronting Woodland Star Drive should frame street-ending views of the courthouse. Staggered building plans or offsets in building elevations, where practical, should be used to enhance the courthouse gateway and sense of arrival from the north and west.

ii. The view corridors from Woodland Star Drive must be kept clear of structures, surface parking, storage, above-ground utilities, and other obstructions. Where trees are planted their placement should frame important views.

iii. An open view corridor must be maintained “to and through” the Civic Green from Depot Street, allowing for views of the Big Hole Mountains from Depot Street. This area must be kept clear of structures, surface parking, storage, above-ground...
e. Parking Areas. (See Framework Plan Map)

i. All surface parking areas and driveway access points must be setback at least 100 feet from the Courthouse Drive right-of-way. Surface parking areas must be setback from all other streets, parks, and civic spaces behind a landscape buffer of not less than fifteen (15) feet in width. The buffer must contain an improved pedestrian walkway not less than six (6) feet in width, unless the reviewing authority determines that pedestrian connectivity is satisfied by other means.

ii. Where structured parking is provided, it must be setback at least 100 feet from Courthouse Drive, reserving the street frontage for allowed commercial and upper-story residential uses.

iii. Parking areas must be interconnected to allow for internal vehicle circulation without requiring turning movements on adjacent streets. Except as restricted by lease agreement, parking in the Tributary development must be shared parking, available to all uses in the development.

iv. Parking area access points should be aligned with access points on opposing block faces (opposite side of the street).

f. Building Orientation and Entrances. (See Framework Plan Map)

i. All building entrances on a site must be connected to one another by a network of pedestrian walkways.

ii. Buildings and their primary entrance(s) must be placed within ten (10) feet of a street right-of-way (“build-to line”) so that not less than sixty percent (60%) of the street frontage has buildings placed within ten (10) feet of it. Portions of a lot's frontage that do not have buildings placed within ten (10) of the street should be developed with civic spaces, such as outdoor seating areas or plazas.

iii. Where lots abut Courthouse Drive, buildings on those lots must orient to Courthouse Drive.

iv. Buildings on corner lots must orient to the street corner and have a primary entrance located not more than (20) feet from the corner.

v. Buildings on through lots need only orient to one street; for example, where a lot fronts Courthouse Drive and Finch Avenue, a building must orient to Courthouse Drive, or it may orient to both Courthouse Drive and Finch Avenue.

vi. On any street frontage, the build-to line may be extended to accommodate civic spaces such as corner plazas or seating.

vii. A continuous building wall along Courthouse Drive is encouraged but not required.

g. Pedestrian Shelters

Pedestrian shelters must be provided in conformance with the City of Driggs Design Standards and Guidelines. Any modification to the building envelopes shown on the Framework Plan Map.

h. Yards

Minimum front, side and rear setbacks must be zero, except as required to accommodate civic spaces or where required by building codes. Where yards are provided between buildings, pedestrian walkways should be extended through them to reach rear parking areas.

i. Building Envelopes. (See Framework Plan Map)

i. The building envelopes shown on the Framework Plan Map are approximate; they are intended to accommodate the parking requirements of planned land uses at buildout.

ii. Lot coverage is not restricted, provided that buildings generally conform to the envelopes shown on the Framework Plan Map.

iii. The building envelopes may be adjusted, for example, to allow for a continuous building wall along the street, or to better meet the intent of the Framework Plan. The building envelopes may expand considerably where additional parking can be provided underground or in multistory parking structures.

j. Civic Spaces

Civic spaces must be improved with new commercial and mixed use developments, as specified by the City of Driggs Commercial Design Standards and Guidelines.

k. Landscaping

Areas not covered by impervious surfaces must be landscaped in conformance with the City of Driggs Commercial Design Standards and Guidelines.

l. Architecture

Building designs must conform to the Tributary Town Plaza Development Guidelines. Any modification to the Tributary Town Plaza Development Guidelines must be subject to prior review and approval by the city’s Planning and Zoning Administrator.
### 9.5. Area of Impact Airport Overlay

#### 9.5.1. Purpose
The purpose of the Airport Overlay Districts is to ensure that the uses established in the vicinity of and on the Driggs Commercial Design Standards and Guidelines.

- **a. Uses**
  The Hotel Block is reserved for hotel and ancillary (e.g., resort) uses associated with Tributary. All other uses authorized for PUD-T-C (Table 9C) require conditional use approval, and must be secondary to an existing hotel use, except dwellings which are allowed subject to standards.

- **b. Height**
  The maximum allowable height is 45 feet for hotel building(s); ancillary resort uses are limited to 35 feet in height.

- **c. Building and Parking Envelopes**
  Adherence to the building and parking envelopes, and view corridor provisions, as illustrated on the Framework Plan Map, is required.

- **d. Drive-up/Loading and Unloading Facilities**
  Any drive-up loading and unloading facility (i.e., associated with a hotel) must not conflict with pedestrian safety, and must ensure adequate site distance is provided along Courthouse Drive and Woodland Star Drive.

- **e. Civic Spaces**
  Civic spaces must be provided as specified by the City of Driggs Commercial Design Standards and Guidelines.

- **f. Landscaping**
  Areas not covered by impervious surfaces must be landscaped in conformance with the City of Driggs Commercial Design Standards and Guidelines.

- **g. Architectural Guidelines**
  Building designs must conform to the Tributary Town Plaza Development Guidelines. Any modification to the Tributary Town Plaza Development Guidelines is subject to prior review and approval by the city’s Planning and Zoning Administrator.

- **h. Subdivision or Lot Split**
  The Hotel Block must not be further divided or split without amending the Framework Plan Map as per Art. 14.5. This provision does not apply to condominium plats.

#### 9.5.2. Scope and Boundaries
The provisions of this Article shall apply to the land and structures within each of the following overlay districts in the Driggs Area of Impact:

- **A. Aircraft Traffic Pattern Overlay**
  Shown on the official Driggs Area of Impact Zoning Map and defined as encompassing all land on and around the airport to a distance of 14,000 feet from the runway centerline surface, except on the southeast side, where the boundary is 3,700 feet from the runway centerline surface. This difference accounts for the prescribed turning movements being on the north side of the airport.

- **B. Airspace Protection Overlay**
  Shown on the official Driggs Area of Impact Zoning Map and defined as the area underneath the Approach and Transitional Surfaces designated on the adopted Driggs-Reed Memorial Airport Layout Plan and also applies to land in the Airport Hazards and Airport Operations Overlays. Generally speaking, the approach surfaces are sloped at 34:1 off the SW end of the runway, 20:1 off the NE end of the runway and 7:1 on each side, starting at the outer boundary of the Object Free Area.

- **C. Airport Hazards Overlay**
  Shown on the official Driggs Area of Impact Zoning Map, and consisting of and defined by the following areas as established by the adopted Driggs-Reed Memorial Airport Master Plan and Airport Layout Plan.

- **1. Object Free Area**
  An area 400ft in width either side of and parallel to the runway centerline. The purpose of the OFA is to enhance the safety of aircraft operations by remaining clear of objects.

- **2. Runway Protection Zone (RPZ)**
  An area off the runway end used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended runway centerline.

- **3. Lateral Safety Zone (LSZ)**
  An area extending 1,000 feet either side of the runway centerline.

- **4. Inner Critical Zone (ICZ)**
  An area rectangular in shape and centered about the extended runway centerline. The width of the ICZ is 2,000 feet and extends a horizontal distance of 5,000 feet from each end of the runway surface.

- **5. Outer Critical Zone (OCZ)**
  An area rectangular in shape and centered about the extended runway centerline. The width of the OCZ is 1,000 feet and extends a horizontal distance of 4,000 feet from each end of the ICZ.

- **D. Airport Operations Overlay**
  Shown in approximation on the Driggs Area of Impact Airport Overlay Map and defined as all properties within the airport security fence.

#### 9.5.3. Airport Overlay District Provisions

- **A. Aircraft Traffic Pattern Overlay**
  Within the Airport Traffic Pattern Overlay, the execution of an Avigation Easement for the unobstructed passage of aircraft, as specified by the City of Driggs, will be a condition of any subdivision or conditional use permit.

- **B. Airspace Protection Overlay**
  Structure Height: No building permit will be issued within the Airspace Protection Overlay without acknowledgement from the FAA that a completed
FAA Form 7460-1 has been received and that the proposed construction will either not encroach into the protected airspace or that acceptable mitigation has been agreed to.

C. Airport Hazards Overlay

1. Use Provisions: The following provisions restrict uses within the Airport Hazards Overlay and are in addition to the use provisions specified for the underlying zone district. Uses not permitted below that existed at the time these regulations were adopted may be continued pursuant to Chapter 3 of the Area of Impact zoning regulations.
   a. Object Free Area: No structures, storage, equipment or trees shall be located in the OFA except for objects needed for air navigation or aircraft ground maneuvering purposes. The only permitted land uses in the OFA are:
      i. Aircraft runways, taxiways, ramps.
      ii. Cropland or open space
   b. Runway Protection Zone (RPZ): The only permitted land uses in the RPZ are:
      i. Navigational aids
         ii. Cropland or open space
   c. Lateral Safety Zone (LSZ): The allowed and conditionally permitted land uses in the LSZ are those allowed or conditionally permitted in the underlying zoning district, with the exception that the following land uses are not permitted within the LSZ.
      i. Residential uses are prohibited, with the exception of the following:
         a. A single family residence associated with an aircraft hangar within the Sweetwater Fly-In and Frank Nipple Winkler subdivisions.
      ii. Hotel/Motel
      iii. Civic uses with public assembly (schools, libraries, churches, etc.)
      iv. Hospital
      v. Day care center
      vi. Recreation, special event facility or retail building larger than 5,000 square feet of net floor area
      vii. Outdoor spectator sport facilities
   d. Inner Critical Zone (ICZ): The allowed and conditionally permitted land uses in the ICZ are those allowed or conditionally permitted in the underlying zoning district, with the exception that the following land uses are not permitted within the ICZ.
      i. Hotel/Motel
      ii. Civic uses with public assembly (schools, libraries, churches, etc.)
      iii. Hospital
      iv. Day care center
      v. Recreation, special event facility or retail building larger than 5,000 square feet of net floor area
      vi. Outdoor spectator sport facilities

D. Airport Operations Overlay

1. Purpose: The purpose of the Airport Operations Overlay District is to preserve the safety and utility of the airport and the public investment therein by regulating the uses within the airport’s perimeter security fence.
2. Uses Allowed: Within the Airport Operations Overlay District, only the following uses are permitted:
   a. Aircraft runways, taxiways, ramps, parking areas.
   b. Aircraft operational facilities including, but not limited to, instrument landing systems, visual navigational aids and related equipment; communication facilities; weather service offices and equipment.
   c. Hangars and buildings which may only be used for the storage or maintenance of aircraft; airport snow removal, sweeping and other aviation or airport maintenance equipment, and other aviation-related or ancillary activities only.
   d. Offices and facilities for airport management, air charter, air taxi, crop spraying, aircraft sales or rentals, and air cargo processing facilities.
   e. Flight schools, flying clubs and other schools or training facilities relating to aviation or air-related transportation.
   f. Offices and facilities for the operation and maintenance of air rescue, emergency and firefighting services.
g. Aircraft or aviation related maintenance, manufacturing, and testing facilities.

h. Offices and facilities of Federal, State and local government entities.

i. Dwelling accessory to a use that is allowed in the Airport Operations Overlay District, provided that the dwelling's gross floor area does not exceed 20% of the hangar's ground floor area up to a maximum of 1250 square feet.

On Driggs City owned property, an Accessory Dwelling Unit may only be used as crew quarters for occasional overnight and resting periods for flight crew and not as permanent or temporary residences for flight crews, aircraft owners, guests or any other person.

3. Conditional Uses Permitted:

a. Bulk storage of flammable or hazardous liquid above or below ground.

b. Crop spraying facilities and related facilities.