

# Article 2 Measurements & Exceptions

# Article 2 - Measurements and Exceptions

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## 2.1.1. 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 of transfer of ownership, or possession, or for development, whether immediate or for the future.

### 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 Rural 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 treatment is required, Eastern Idaho Public Health standards will determine whether minimum lot area must be increased to accommodate the on-site waste 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 Depth

Lot depth is the distance between the front and rear property lines measured from the primary street property.

### D. Lot Frontage

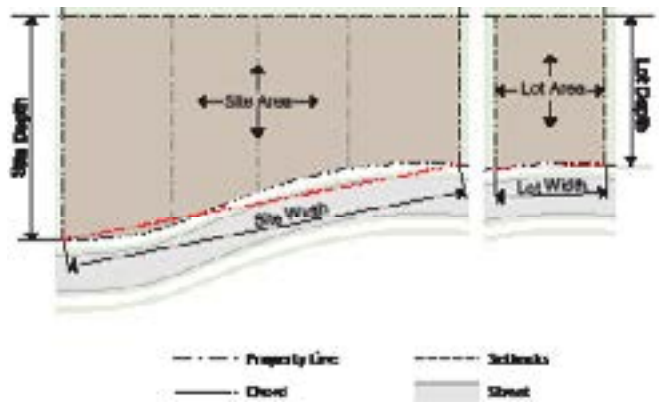
Every new lot/parcel must abut a public or private street, or a courtyard, specifically for a cottage court building type (see Div. 8.4). An access easement may be granted in situations where abutting a public or private street is not feasible, such as lack of frontage on a public or private street or to preserve agricultural or sensitive lands.

### E. Lot, Flag

A lot with less length of property on a public street than is normally required, with no less than 30 feet abutting a public or private street generally intended to make deeper property accessible.

### 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, roof overhangs of over 2 feet, driveways, walkways, steps, terraces, and uncovered decks.



### 2.2.1. Type of Setbacks

There are four types of standard lot setbacks and seven types of sensitive land setbacks:

A. Standard Setbacks

1. Primary Street
2. Side Street
3. Side Interior
4. Rear

B. Sensitive Land Setbacks

1. Teton River
2. Stream/Creek
3. Irrigation Canal
4. Irrigation Ditch
5. Wetlands
6. Floodplain
7. Lake, Pond

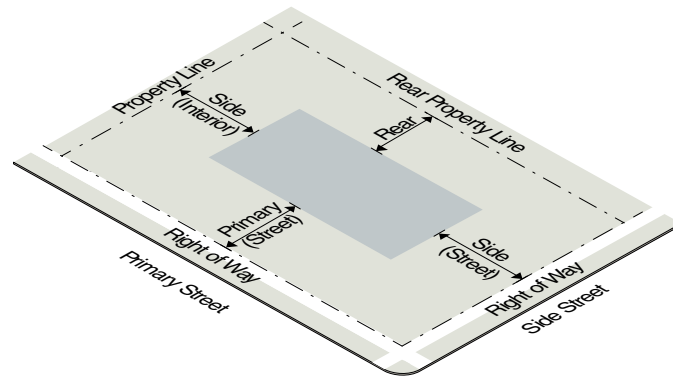
Building setbacks apply to both principal and accessory buildings or structures, except where it explicitly states otherwise.

### 2.2.2. Measurement of Standard 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. The rear property line is the property line opposite to the primary street property line. Where there is more than one primary street, the Administrator will determine the rear property line based on the criteria in Div. 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. Measurement of Setbacks from Sensitive Lands (See Div. 13.3.1)

- A. Teton River: Setbacks are measured from the Ordinary High Water Mark..
- B. Stream/Creek: Setbacks are measured from the Ordinary High Water Mark.
- C. Irrigation Canal/Ditch: Setbacks are measured from the top of the bank of the canal/ditch.
- D. Wetlands: Setbacks are measured from the edge of the boundary line established by the National Wetland Inventory Map or the line established by a detailed delineation approved by the U.S. Army Corps of Engineers.
- E. Floodplain: Setbacks are measured from the closest edge of the Special Flood Hazard Area (SFHA) as depicted on the adopted FIRM.
- F. Lake/Pond: Setbacks are measured from the Ordinary High Water Mark.

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## 2.2.4. Irregular Shaped Lots

The Planning Administrator will determine setbacks for irregularly-shaped lots.

## 2.2.5. Primary/Side Street Designation

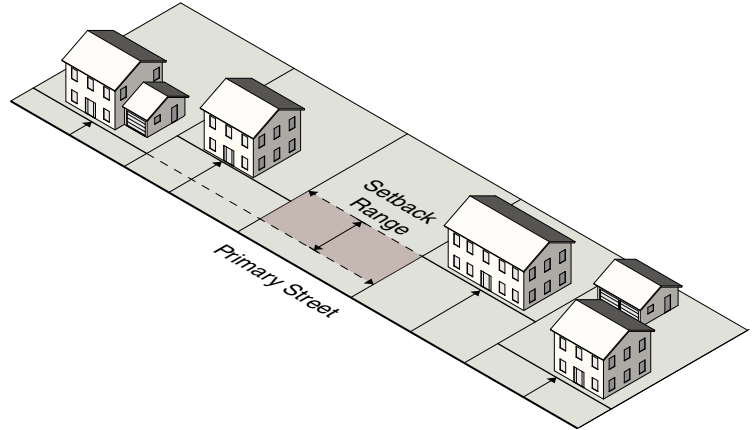
- A. Where only one street abuts a lot, that street is considered a primary street.
- B. A multiple street frontage lot must designate at least one primary street. A lot may have more than one primary street. The Planning Administrator will determine which streets are primary streets based on (where applicable):
  - 1. The street or streets with the highest classification (Article 12);
  - 2. The established orientation of the block;
  - 3. The street or streets abutting the longest face of the block; and
  - 4. The street that the lot takes its address from.

## 2.2.6. Primary Setback Averaging

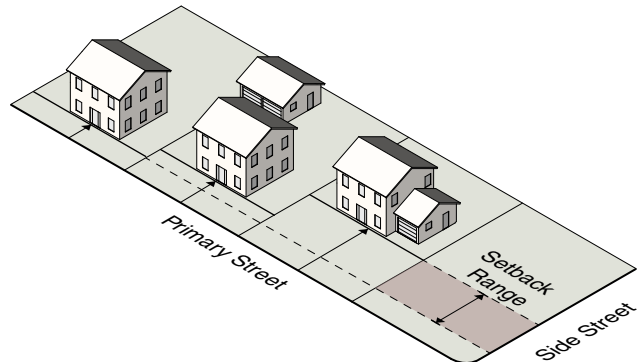
The primary street setback requirements for principal buildings in RS-16, RS-7, RS-5 and RS-3 must meet the following requirements:

- 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 recording.
- 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 2 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 3 closest lots along the block face.

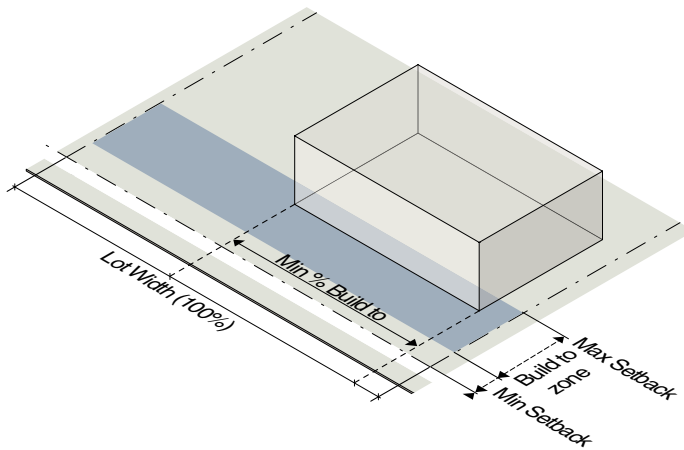


- E. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, the building must meet the district standards, i.e. when these lots are vacant.

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## 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.

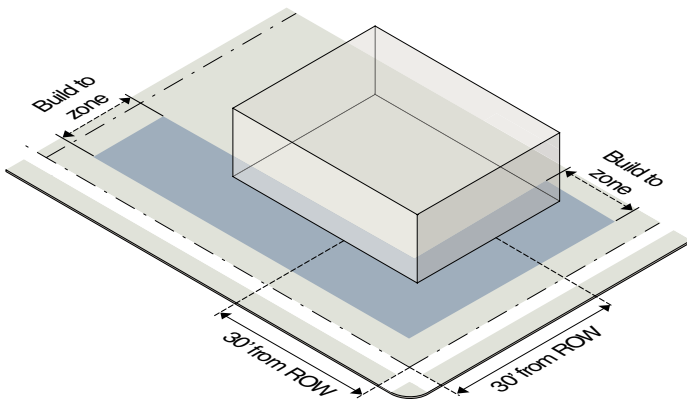


## 2.3.3. Uses Allowed

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.



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### 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 front or side setback as stated in Div. 8.19.
- B. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriels less than 10 feet wide, cornices, belt courses, sills, buttresses, 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.
- C. Chimneys or flues may encroach up to 4 feet, provided that such extension is at least 3 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 or rear setback up to 10 feet, 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.
- G. Exterior stairs of an open design are allowed; provided, that no such stairs shall project into a required front or side yard setback more than 3 feet and into any rear yard setback more than 6 feet.

### 2.4.3. Site Features

- A. Fences and landscaping walls up to six (6) feet in height may encroach into a required setback.
- B. On a corner lot, nothing shall be erected, placed, planted, or allowed to grow in any such manner as to materially impede vision between a height of 2 feet and 8 feet above the centerline grades of intersecting streets bounded by the property lines of the corner lots on a line joining points along said property lines for 30 feet.
- C. Sidewalks and driveways may encroach into a required setback.
- D. Required buffers may encroach into a required setback.
- E. Signs may encroach into a required setback as stated in Div. 11.3.

### 2.4.4. Low Impact Stormwater Features

- A. Low impact stormwater management features may encroach into a front 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 Administrator.
- B. Low impact stormwater management features listed above may encroach into a side or rear setback, provided they do not impact or encroach on a neighboring property.

## 2.4.5. Mechanical Equipment and Utility Lines

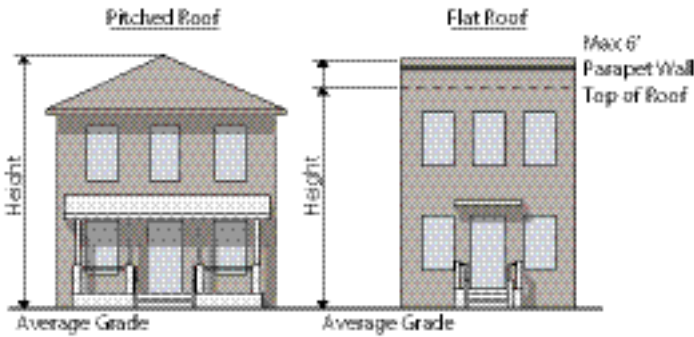
- A. Mechanical equipment associated with residential uses, such as HVAC units, swimming pool pumps or filters, and security lighting, may encroach into a side or rear setback up to 10 feet, provided that such extension is at least 3 feet from the vertical plane of any lot line.
- B. Minor structures accessory to utilities (such as hydrants, manholes, 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.



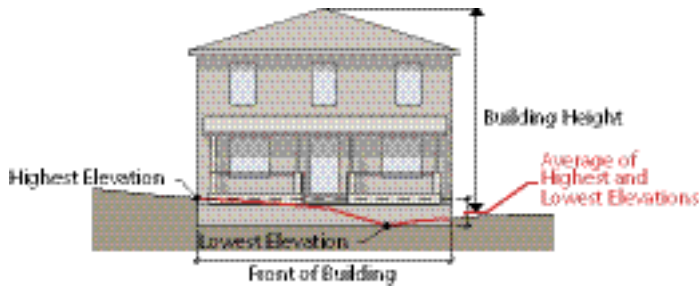
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## 2.5.1. Building Height

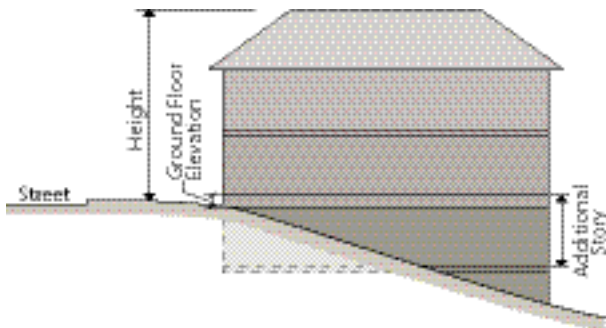
A. Building height is regulated in both number of stories and feet and is measured from the average grade to the highest point of roof surface.



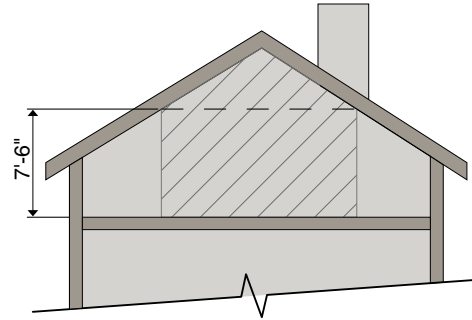
B. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the primary street setback line.



C. Where a lot slopes downward from the front property line, one story that is additional to the specified maximum number of stories may be built on the lower, rear portion of the lot.



D. A half story has less than 50% of the attic floor area with a clear height of 7½ feet or more; measured from the finished floor to the finished ceiling. Attic floor area or greater than 50% is considered a full story.



E. A basement with 50% or more of its perimeter wall area surrounded by natural grade is not considered a story.

## 2.5.2. Height Encroachments

Any height encroachment not listed below is prohibited, except where the Planning Administrator determines that the encroachment is similar to a permitted encroachment listed below.

- A. The maximum height encroachments for a spire, belfry, cupola, dome, or other similar feature that does not contain conditioned space and is not intended for human occupancy, or public utility facilities which by design or function may exceed the established height limits by 5 feet.
- B. 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, or patio;
  3. Flagpole;
  4. Vegetation associated with a rooftop garden or landscaping;

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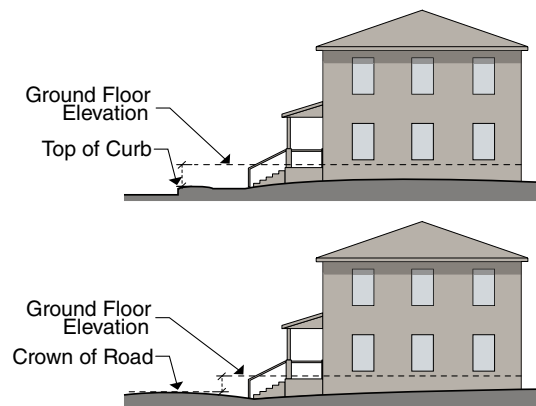
5. Skylights; and
  6. Residential solar systems, wind turbines, and rainwater collection systems.
- C. The following may exceed the established height limits provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:
1. Elevator or stairway access to roof;
  2. Mechanical equipment;
  3. Greenhouse associated with a rooftop garden; and
  4. Shade Structure.
- D. The maximum height encroachment for agricultural buildings, such as silos, barns, or granaries is 60 feet
- E. Wireless Communication Facilities and Public Utilities:

The following structures are exempt from the general height limits but are subject to individual review within a required conditional use permit review: distributed power facility, freestanding tower, water tower, fire and hose tower, observation tower, power line tower, solid waste transfer stations, television tower, and bridge tower.

- F. Miscellaneous structures:
1. Wind Energy Systems shall be no taller than one-hundred-twenty (120') feet and shall comply with all provisions of this Code (see Div. 10.6.11).
  2. Wireless Telecommunication Facilities shall not exceed the height standards established for the underlying zoning district, as defined in Div. 10.6.12 and shall comply with all provisions of this Code.

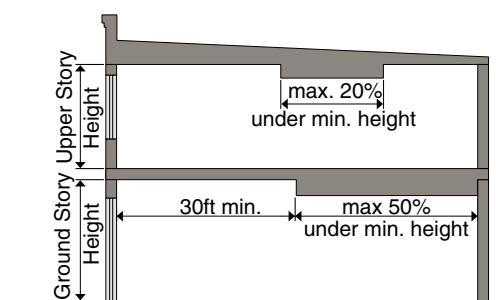
## 2.5.3. Ground Floor Elevation

- 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

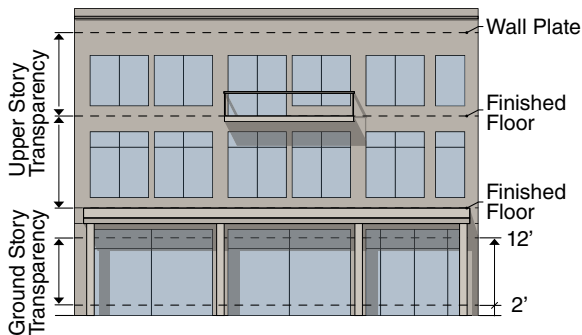
- A. Story height is the height of each story of building and it is measured from the top of the finished floor to the ceiling above.
- B. Minimum ground story height applies to the first 30 feet of the building measured inward from the interior wall of the primary street-facing facade. At least 50% of the ground story must meet the minimum height provisions.



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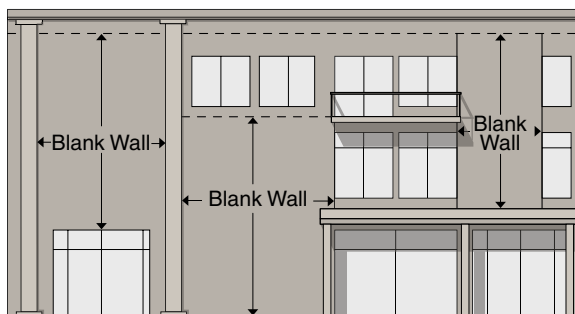
## 2.6.1. Transparency

- 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

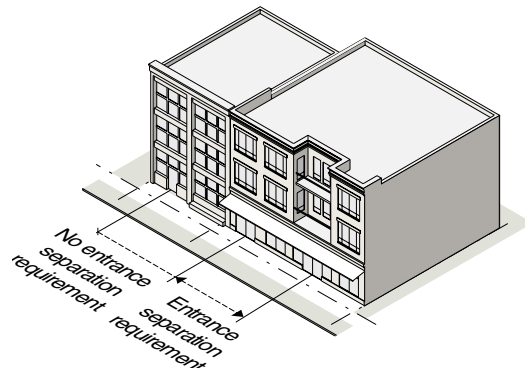
- A. Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors, columns, pilasters, or other articulation greater than 12 inches in depth or a substantial material change (paint color is not considered a substantial change).



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

## 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 the first 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.

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Unless a particular provision specifies otherwise, the following rules shall apply with respect to the precision of numbers used in this ordinance for measurement and calculation.

### 2.7.1. Lot Area Measurement

- A. Where lot area criteria are specified in numbers of acres, those numbers shall assume the precision of two (2) decimal places, whether or not they are expressly written out. This includes criteria applicable to subdivision and development density, as well as lot-area thresholds for specific uses or development standards.
- B. For example, a 2.5-acre density threshold shall therefore convey the same numerical precision as 2.50 acres. When a calculation results in a second (or more) significant digit to the right of a decimal, standard mathematical practices shall be employed for rounding (i.e., the decimal numbers 2.40 through 2.44 would round down to 2.40, and 2.45 through 2.49 round up to 2.50).
- C. Where regulations specify area in numbers of square feet, measurement and calculation shall round to the nearest whole square foot. A 20,000 square-foot minimum lot size requirement would therefore not allow the creation of a 19,999 square foot lot. Lots smaller than one gross acre shall be measured in square feet.

### 2.7.2. Linear Measurement

- A. Linear measurement for setbacks, height, building separation, lot dimensions, and similar zoning standards shall normally be measured in feet. Fractions of feet shall be converted to inches, and any necessary rounding shall be done to the nearest whole inch using standard rounding practices.
- B. For Example, 1.0 through 1.4 inches would round down to 1 inch and 1.5 through 1.9 inches would round up to 2 inches. Thus, where a 30-foot setback is required, 29 feet 11 inches does not satisfy that

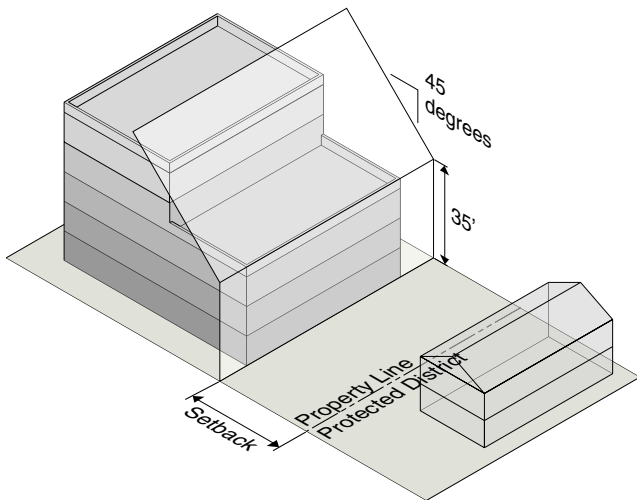
setback but 29 feet 11.5 inches does satisfy that setback.

### 2.7.3. Time Measurement

- A. Terms used to measure time shall be applied as calendar-based time units. The term “day” shall refer to a calendar day, such that a stipulated 90-day period shall end at 11:59 pm on the 90th day following the action precipitating the deadline. A six-month period that begins April 20 of a given year ends at 11:59 pm on October 19 of the same year.
- B. When referencing a filing deadline, a stipulated time limitation shall end at the close of business hours on the final day of the term. Should a filing deadline end on a day when the Planning Department is closed for business, the first business day that follows that day will be considered the final day to meet the filing deadline.

### 2.8.1. 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 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.



### 2.8.2. Property Line Buffer

A property line buffer may also be required (see Div. 11.2).

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