



**AMMON CITY COUNCIL MEETING
THURSDAY, OCTOBER 7, 2021 – 7:00 P.M.
2135 SOUTH AMMON ROAD**

*LIMITED SEATING WILL BE AVAILABLE IN THE CITY BUILDING
THE MEETING WILL ALSO BE AVAILABLE VIA ZOOM:*

<https://us02web.zoom.us/j/2086124000?pwd=d1NFl1QvM0NPRmV3VTRsYmNrbitUZz09>

Meeting ID: 208 612 4000

Passcode: 26666

AGENDA

A. CALL TO ORDER

Mayor Sean Coletti at 7:00 p.m.
Pledge of Allegiance – Council Member Wiscombe
Prayer – Council Member Slack

B. CONSENT AGENDA

1. Accounts Payable Report: Exhibit A
2. Minutes:
 - i. September 16, 2021 – Regular Meeting

C. PROCLAMATIONS AND ANNOUNCEMENTS

D. DISCUSSION ITEMS

1. Bonneville County Historical Society Presentation

E. PUBLIC HEARING

F. PUBLIC COMMENT REGARDING ITEMS NOT ON AGENDA (5-minute limit)

G. ACTION ITEMS

1. **Comprehensive Plan Land Use Map Amendment** Pearl Properties (*Cindy Donovan, City Planner*)
2. **Rezone** Pearl Properties from PB to R-2 (*Cindy Donovan, City Planner*)
3. **Final Plat** Founder's Pointe Division 2 (*Cindy Donovan, City Planner*)
4. **Development Agreement** Founder's Pointe Division 2 (*Cindy Donovan, City Planner*)
5. **Findings of Fact** Village Green Division 2 (*Cindy Donovan, City Planner*)
6. **Conditional Rezone Agreement** Village Green Division 2 (*Cindy Donovan, City Planner*)
7. **Ordinance 671** Village Green Division 2 (*Cindy Donovan, City Planner*)
8. **Preliminary Plat** Hillcrest Ranch (*Cindy Donovan, City Planner*)

H. DISCUSSION ITEMS

I. ADJOURN



**AMMON CITY COUNCIL MEETING
THURSDAY, SEPTEMBER 16, 2021 – 7:00 P.M.
2135 SOUTH AMMON ROAD**

AGENDA

A. CALL TO ORDER

Mayor Sean Coletti at 7:00 p.m.
Pledge of Allegiance – Council Member Slack
Prayer – Council Member Tibbitts

B. CONSENT AGENDA

1. Accounts Payable Report: Exhibit A
2. Minutes:
 - i. September 2, 2021 – Regular Meeting
 - ii. September 9, 2021 – Work Session

C. PROCLAMATIONS AND ANNOUNCEMENTS

1. Constitution Week

D. PUBLIC HEARING

1. 2021-034 2021 Fee Resolution

E. PUBLIC COMMENT REGARDING ITEMS NOT ON AGENDA (5-minute limit)

F. ACTION ITEMS

1. Resolution 2021-0012R 2021 Fee Schedule (*Micah Austin, City Administrator*)
2. Comprehensive Plan Land Use Map Amendment Midway Avenue Townhomes (*Cindy Donovan, City Planner*)
3. Rezone Midway Avenue Townhomes (*Cindy Donovan, City Planner*)

G. DISCUSSION ITEMS

1. High Density Guidelines

H. ADJOURN

MINUTES

City Officials Present:

Mayor Sean Coletti
Council President Russell Slack
Councilmember Josh Wheeler
Councilmember Rex Thompson
Councilmember Byron Wiscombe (via Zoom)
Councilmember Craig Tibbitts
Councilmember Scott Wessel
City Attorney Scott Hall
City Administrator Micah Austin
City Planner Cindy Donovan



City Engineer Tracy Bono (via Zoom)
City Clerk Kristina Buchan

- A. CALL TO ORDER:** Mayor Sean Coletti opened the meeting at 7:00 p.m. at the Ammon City Hall located at 2135 South Ammon Road. Council Member Wheeler led the Pledge of Allegiance and Council Member Thompson offered a prayer.

B. CONSENT AGENDA

1. Accounts Payable Report: Exhibit A
2. Minutes:
 - i. September 2, 2021 – Regular Meeting
 - ii. September 9, 2021 – Work Session

It was moved by Council Member Slack and seconded by Council Member Wheeler to approve the Consent Agenda. Motion passes unanimously with vote by roll call

C. PROCLAMATIONS AND ANNOUNCEMENTS

1. **Constitution Week**

PROCLAMATION

Whereas, September 17, 2021 marks the two hundred and thirty- fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

Now, Therefore I, Sean Coletti, Mayor of the City of Ammon, do hereby proclaim the week of September 17 through 23 as CONSTITUTION WEEK and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties remembering that lost rights may never be regained.

PROCLAIMED AND SIGNED this 16th Day of September 2021

D. PUBLIC HEARING

1. **2021-034 2021 Fee Resolution**

Mayor Coletti reviewed the instructions for participating in the public hearing and opened the hearing.

Seeing no residents present or on Zoom to testify, Mayor Coletti closed the public hearing.

E. PUBLIC COMMENT REGARDING ITEMS NOT ON AGENDA (5-minute limit)

There was no public comment

F. ACTION ITEMS

1. Resolution 2021-0012R 2021 Fee Schedule (Micah Austin, City Administrator)

Administrator Austin reviewed the fee changes being proposed with Council noting that no changes had been made since the resolution had been brought forward to Council and the notice had been published.

It was moved by Council Member Slack and seconded by Council Member Wessel to approve Resolution 2021-012R. Motion passes unanimously with vote by roll call

2. Comprehensive Plan Land Use Map Amendment Midway Avenue Townhomes (Cindy Donovan, City Planner)

Donovan reviewed the application for Map Amendments noting that Planning and Zoning had recommended disapproval of the amendment. Council reviewed the discussion that had been held in August.

It was moved by Council Member Slack and seconded by Council Member Wessel to deny. Motion passes with vote by roll call with Council Member Wiscombe voting no – property owner rights supersede

3. Rezone Midway Avenue Townhomes (Cindy Donovan, City Planner)

It was moved by Council Member Slack and seconded by Council Member Wessel to Deny. Motion passes unanimously with vote by roll call with Council Member Wiscombe voting no

G. DISCUSSION ITEMS

1. High Density Guidelines

Austin reviewed the standards as they had been discussed and amended at the previous meeting. Council continued their discussion to edit the document. Council spent considerable time discussing the locations of high-density developments and how they would exist in relation to grocery and other shopping facilities. Staff clarified whether these guidelines would replace the 80/20 mentions in the Comprehensive Plan and how the guidelines would better help guide future developments. Council directed Staff to make additional edits and return the guidelines to Planning and Zoning for adjusting before it returns to Council for approval.

H. ADJOURN

The meeting adjourned at 9:00pm

Sean Coletti, Mayor

Kristina Buchan, City Clerk



Ammon City Council Meeting

October 7, 2021

Mayor Coletti and Ammon City Council Members:

Pearl Properties Comprehensive Plan Land Use Map Amendment

Staff Presenting:

Cindy Donovan – Planning Director

Recommendations: Administration recommends that commercial property not be rezoned to residential property

Compliance

- This action is in compliance with the bulk of the Comprehensive Plan narrative (see below)
- This request is in compliance with Chapter 10 of the Comprehensive Plan.

Summary of Analysis

1. Approval of the amendment from Heavy Commercial to Medium High Density Residential will result in the loss of commercial property.
2. Request to amend the Comprehensive Plan Land Use Map to High Density Residential was amended at the public hearing to Medium High Density Residential.
3. Surrounding areas on the Comprehensive Plan Land Use Map are: Heavy Commercial, Low Density Residential, and High Density Residential
4. Comprehensive Plan Chapter 6: Comprehensive Plan is based on projections, assumptions and predictions about future conditions. Future conditions may deviate from expectations and the City should review and amend this plan to meet actual conditions.
5. Comprehensive Plan Chapter 9 Population, Page 19: Some concerns were expressed by residents about the increase of multi-family developments and the numbers in each development. In general, the public feels the City has enough multi-family housing but recognizes that overall additional housing may be needed. In discussions during the public input process it was expressed that the City should keep the balance of single family to multi-family housing units relatively the same as it is now which is approximately 80% single family compared to 20% multi-family. Variances occur when large multi-family build developments are built which may require a few years for the single-family residences to reach a balance. The Commission recommends a balance of 80% to 20% on average. Placement of multi-family housing developments should take into account the size of the development. Those with a large number of apartments or condos should be located near arterial roadways. Other locations for smaller multi-family developments could be considered based on specific location and traffic flows.
6. Comprehensive Plan Chapter 10: Ammon's land use goal should be to foster a community which continues to recognize and respect its rural roots yet provides a variety of housing types and styles for its residents.
7. Comprehensive Plan Chapter 10: Page 22, Figure 3, recommended land use patterns at the intersection of major and minor arterial streets.
8. Comprehensive Plan Chapter 10: Page 23, Item 9 – Establish land use patterns which build on existing water and sewer facilities.
9. Comprehensive Plan Chapter 10: Page 24, Item 14 – Locate commercial and higher density residential uses at or near intersections of major roads.
10. Comprehensive Plan Chapter 10: Page 25, Item 16 – Encourage land uses which generate major traffic to locate near major and minor arterial streets.
11. Comprehensive Plan Chapter 10: Page 26, Medium High Density Residential - The maximum density is 12 dwelling units per acre. Developments should be located near or provide for transit

pickups as they are available. Convenient pedestrian access should be available through the development and to schools, parks, and neighborhood commercial uses.

Parcel Characteristics

- Acreage: 15.7 acres
- Located north of East 49th South, east of South 25th East, south of Judy Street, and west of Wackerli Ave

Applicant's Request

- To amend the Comprehensive Plan Land Use Map from Heavy Commercial to Medium High Density Residential
- Presented by Zak Warren, Pearl Health Clinic, Eric Wall, Construction Solutions, Chalmers Haas, Chalmers Realty Group

Planning and Zoning Commission

- Public Hearing #2021-031 was held on Wednesday, September 1, 2021
- Testimony: 4 people spoke in favor of the application; 1 person was neutral and had a question regarding improvements to 25th East, 1 person was opposed prior to the change in application from High Density to Medium High Density.
- Commission recommended approval, 7 in favor, 2 opposed due to loss of commercial property
- Reasoned Statement:
 - Creates buffer/transition
 - Development is better
 - Fits page 22 of the Comprehensive Plan
 - Single story with masonry wall as buffer on the east side
 - Limited 15% rental or non-owner occupied
 - Provide affordable housing

Notice

- Published in the Post Register on Friday, August 13, 2021
- Mailed letters to 20 public entities on Friday, August 13, 2021
- No sign posting required, was posted with public hearing #2021-029 on August 19, 2021
- Public comment: None received by the deadline

Motion

Approve

I move to approve the Comprehensive Plan Land Use Map amendment, finding it is in compliance with the Comprehensive Plan and meets the City ordinance.

Deny

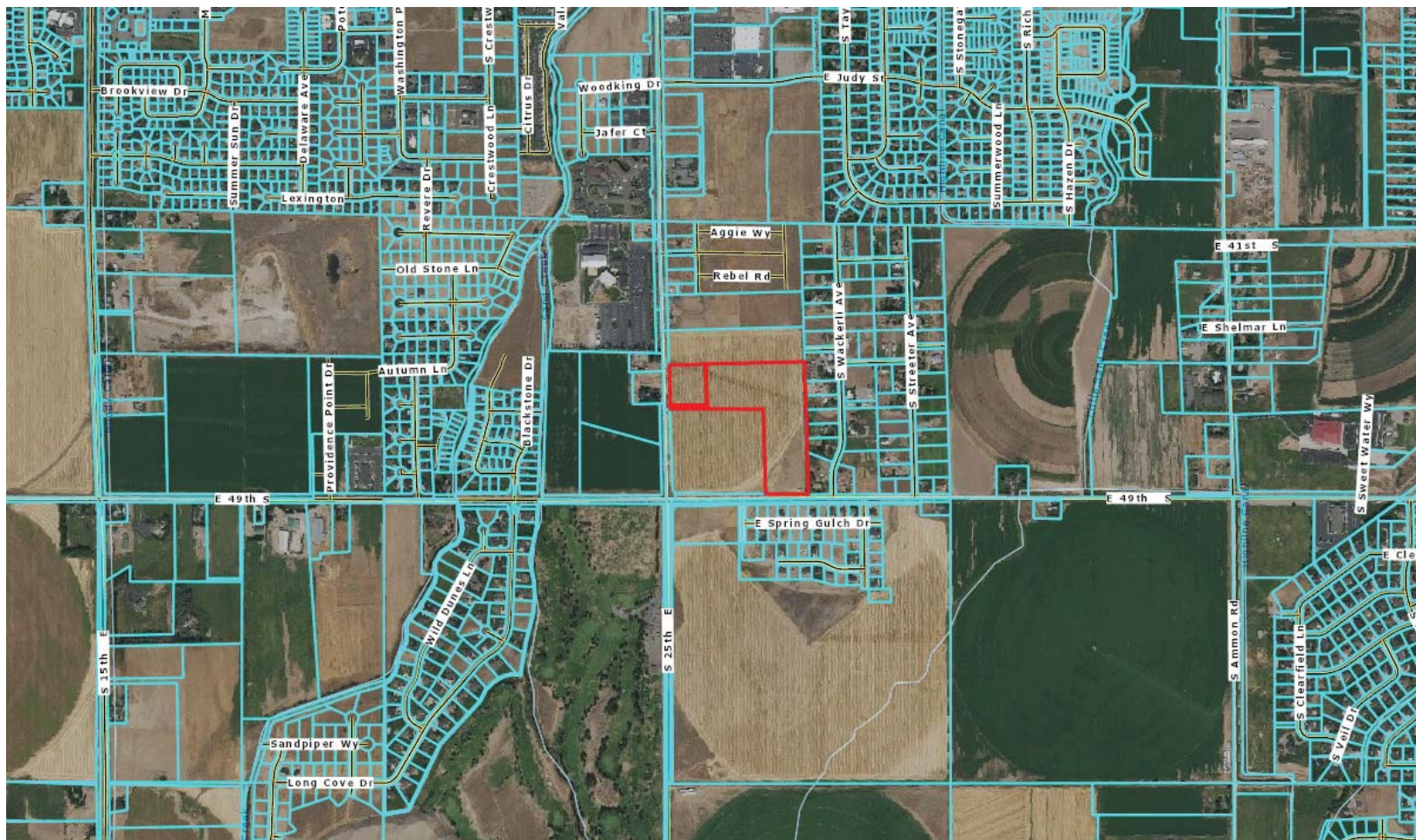
I move to deny the Comprehensive Plan Land Use Map amendment, finding it does not comply with the Comprehensive Plan or City ordinance.

Continue

I move to continue the Comprehensive Plan Land Use Map amendment until further details can be attained.

Attachments:

1. Vicinity Map
2. Reasoned Statement from Public Hearing #2021-031 before the Planning and Zoning Commission
3. Comprehensive Plan Land Use Map
4. Comprehensive Plan Chapter 10 Land Use



REASONED STATEMENT FOR HEARING #2021-031

(Scriber should put the results of the motion to approve or deny here).

Commissioner BOND moved to provide the following findings to the City Council as the reasoning for the recommendation to Approve (approve/deny), Commissioner PATRICK seconded the motion. Vote was (detail of the vote here) 9 in favor, 0 opposed, 0 abstention the motion PASSED. (passed/failed)

Findings for Recommendation: Creates a Butler/Traxion. Development
is a better. Fits Page 22 of comp plan. Single
story with masonry wall as Butler on east
side. Limited 15% Rental or non owner occupied
provide affordable housing

This action was taken pursuant to section 10-4-5 of the Ammon City Code in relationship to the Idaho State Code 67-6535 the above findings be approved regarding the recommendation from this Commission to the City Council and that the Planning and Zoning Commission finds that regarding Hearing #2021-031 above written information shall be provided to the City Council for consideration as per what has been stated and discussed.

Comprehensive Land Use

Adopted May 17, 2018 - Resolution 2018-005R, Hearing 2018-006
Adopted January 16, 2020 - Resolution 2020-001R, Hearing 2020-001
Adopted October 1, 2020 - Resolution 2020-012R, Hearing 2020-018

General Location

Legend

- Impact Boundary
- Ammon Boundary
- Railroad
- Street
- Mixed Use
- Cemetery
- Park/Green Space
- Church
- School
- Industrial
- Light Commercial
- Heavy Commercial
- Low Density Residential
- Med Density Residential
- Med-High Density Residential
- High Density Residential



Date: 12/1/2020

Chapter 10. Land Use

This section of the Comprehensive Plan lays out the policies to be used in Ammon's future land use decisions. This section also contains the future land use map. The future land use map is a graphic representation of the policies within this chapter. The map is created by using the policies, existing land use patterns, proposed transportation systems, natural features such as the foothills and flood hazard areas/floodplains, population projections, and the ideas and opinions contributed during the citizen participation process. The comprehensive land use map can be found at www.cityofammon.us. Since the future land use map is a generalized representation of the following policies, the policies are controlling. The policies outlined in this chapter are to be consulted and used when staff, the Planning and Zoning Commission and the City Council are reviewing:

- Requests for zoning changes,
- Requests for annexations and initial zoning,
- Plans and expenditures for expansion of major infrastructure such as water and sewer trunk lines and transportation facilities which encourage growth,
- Plans for new major infrastructure such as parks, schools, and fire stations which will channel growth to certain locations, and
- Requests or investments in major public buildings such as city halls, libraries, recreation centers or city center facilities.

Projected Population Growth

The Bonneville Metropolitan Planning Organization (BMPO) has projected an estimated growth rate of 1.88% annually from 2014 to 2040 for the metropolitan area in its 2040 Long Range Transportation Plan. The U.S. Census Bureau estimates the 2016 population of Ammon at 15,252 (Table 8). If this population is projected to 2040 using the BMPO estimated growth rate of 1.88%, the 2040 population of Ammon is projected to be 24,297. If the densities of Ammon do not increase beyond their 2016 densities, the amount of land required to hold the 2040 population and businesses ranges from approximately 3,900 acres to 4,700 acres. Today Ammon contains 4,831 acres, of which almost one-half is vacant. Although it appears as if the future growth until 2040 may be accommodated within the present boundaries of the city, not all of this vacant land may be easily or economically developed. Therefore, it is likely future annexations may be required to ensure both public and private investments are made in locations where private investments and public costs, including maintenance, are economically sound.

Table 8. Projected Ammon Population, 2040.

	2010 Population	2016 Population Estimate	2014-2040 Annual Growth Rate	Projected 2040 Population
Ammon	13,816	15,252	1.88%	24,297

SOURCE: U. S. Census Bureau and BMPO 2040 Long-Range Transportation Plan. Census count of 7,016 for 2000 population.

The area of impact contains over 11,000 acres and has sufficient land for growth beyond 2040. However, as with the presently annexed lands within Ammon, not all lands within the area of impact may be suitable for economic and efficient future municipal development. As Ammon grows into its area of impact, the natural features of the land, proximity to the existing infrastructure, the cost of maintenance of existing or proposed public facilities, the cost of development, and impact on neighboring land uses should be considered prior to approval of annexation and new development.

TABLE 9. 2017 ACRES BY LAND USE CATEGORIES AND 2040 ANTICIPATED DEMAND.

Land Use and (Zone)	Developed Acres, 2017	Vacant Acres, 2017	Percentage Vacant, 2017	Additional Acres Needed to Meet 2040 Demand, 24,297	Additional Acres Needed to Meet 2040 Demand, 29,598
Residential (R1, R1A, R2, R2A, R3, R3A, RE, RMH, RP, RPA)	1,958	1,347	41%	1,123	1,782
Commercial (C1, CC1, GC1, HC1)	291	355	55%	172	272
Office (PB)	26	17	65%	5	8
Industrial (IM1)	149	105	44%	140	223
Parks/Schools/Churches	188	4.5	3%	-	-

SOURCE: Table of acres in zones, City Administrator, City of Ammon, January, 2018.

Ammon's land use goal should be to foster a community which continues to recognize and respect its rural roots yet provides a variety of housing types and styles for its residents; encourages shopping opportunities for the region, community, and neighborhood; continues to support and enhance the infrastructure necessary to work and live successfully in the 21st Century; works to attract tech and professional businesses to the community; uses its natural features for open space and recreation; and through a public/private partnership, builds a city center or gathering place which provides a walkable environment of mixed-uses including community event space, small shops, public buildings, and mixed housing types housing and offices.

Policies Based on Existing Land Use Patterns

The land use policies and, therefore, future land use map reflect these existing patterns in land use in Ammon:

1. Regional and community commercial uses line 25th East and portions of 17th Street, one a major arterial street and the other a minor arterial street.
2. In limited and newer locations, high density residential uses buffer medium residential uses from commercial uses (Figure 3).
3. Community and neighborhood commercial uses have been channeled to the intersections of major or minor arterial streets.
4. Secondary school facilities buffer medium density residential uses from regional commercial uses.

5. Elementary schools are generally located in the center of the residential neighborhoods they serve.
6. In certain limited locations, parks reflect natural features or limitations to development.
7. Development on the foothills is generally proposed to be lower density; therefore, residential densities generally decrease further from regional commercial land uses and 25th East. Densities decrease as one travels farther from commercial land uses.
8. Residential densities are predominantly less than four units per acre.

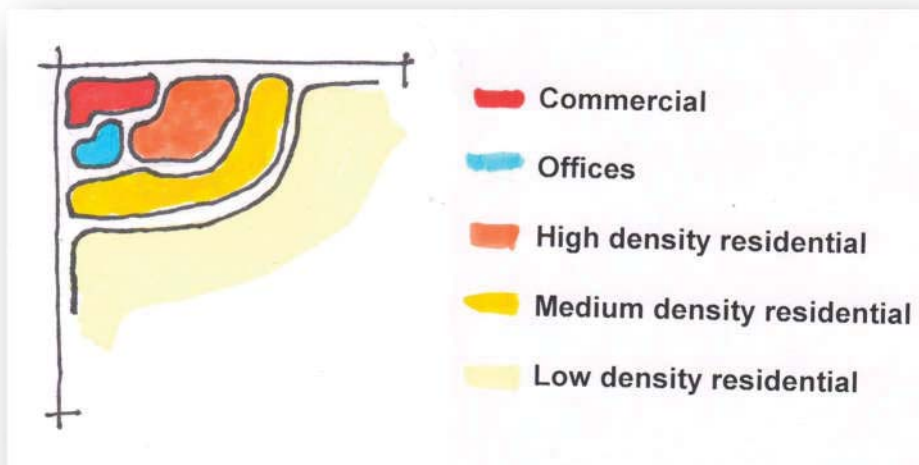
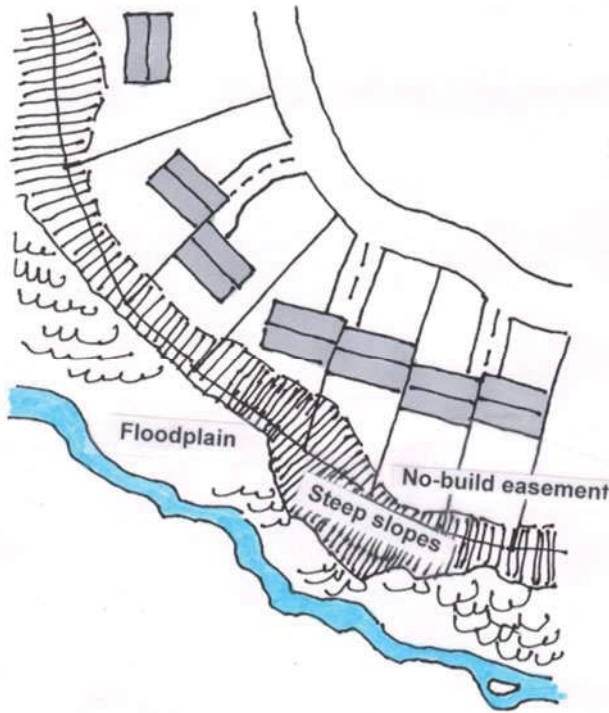


FIGURE 3. RECOMMENDED LAND USE PATTERNS AT THE INTERSECTION OF MAJOR AND MINOR ARTERIAL STREETS.

Ammon's land use policies and strategies should be to accomplish the following:

1. Recognize natural features, such as topography, floodplains, drainage areas, and wildlife corridors, may be amenities to development and may be used to enhance the community and neighborhood (Figures 4 and 5).
2. Encourage completion and submission of site analysis, including topography, hydrology including water table, soil suitability, drainage patterns, slope and similar natural features, prior to submission of preliminary development designs.
3. Protect life and property from natural hazards through, but not limited to, identification of such areas, open space and park plans and acquisition, reduction of densities in such areas, and enforcement of construction codes.
4. Preserve and protect the major transportation corridors in Ammon and enhance the experience of the visitor and resident by ensuring such corridors are attractive and inviting.
5. Protect the public investment in major transportation corridors through land use decisions which discourage strip commercial development; discourage mid-block commercial uses except on designated arterial roadways; require, when necessary due to anticipated traffic demand, traffic studies and related improvements; control highway access; and use landscaping to beautify as well as control traffic movement.



This sketch illustrates one approach to steep slopes and a floodplain. The private lots encompass a portion of the steep slopes and are partially covered with a no-build easement. The floodplain may be owned and included as a part of a platted lot with a no-build easement within the floodplain portion, in common by the homeowner association or is a natural park owned by the city. Another approach is to extend the lot lines to the stream and encompass the steep slopes and the floodplain within the no-build easement. SOURCE: Based on Figure 25 from Land Development 2.

FIGURE 4. ONE APPROACH TO LAND USE ASSOCIATED WITH STEEP SLOPES AND FLOODPLAINS.

6. Recognize the benefits of different residential street layouts and encourage the use of the one which is most beneficial to the public in the proposed location. Grid layouts disperse local traffic, enhance walkability, and connect neighborhoods. Circular street layouts reduce costs for construction and maintenance, reduce the amount of impermeable cover, discourage through traffic, and encourage layouts which protect sensitive lands. Cul-de-sacs share the benefits of circular street layouts but should be used only when staff, Planning and Zoning and the City Council agree it to be in the best interest of the residents. Cul-de-sacs, while providing benefits, also provide significant issues when considering parking and snow removal.
7. If developments are constructed with circular street layouts or cul-de-sacs, pedestrian pathways should be provided to ensure neighborhood connectivity and to ensure convenient pedestrian access to schools, parks, and open space. Such paths might also provide access to small commercial facilities needed for daily goods.
8. Encourage infill development to ensure development is compact, economic and efficient.
9. Establish land use patterns which build on existing water and sewer facilities.
10. Link homes, schools, parks and shopping areas with bicycle and pedestrian paths. Consider using sensitive lands in such linkages.
11. Continue to require adequate storm water management for new development and explore methods to safely allow multi-use of such facilities.

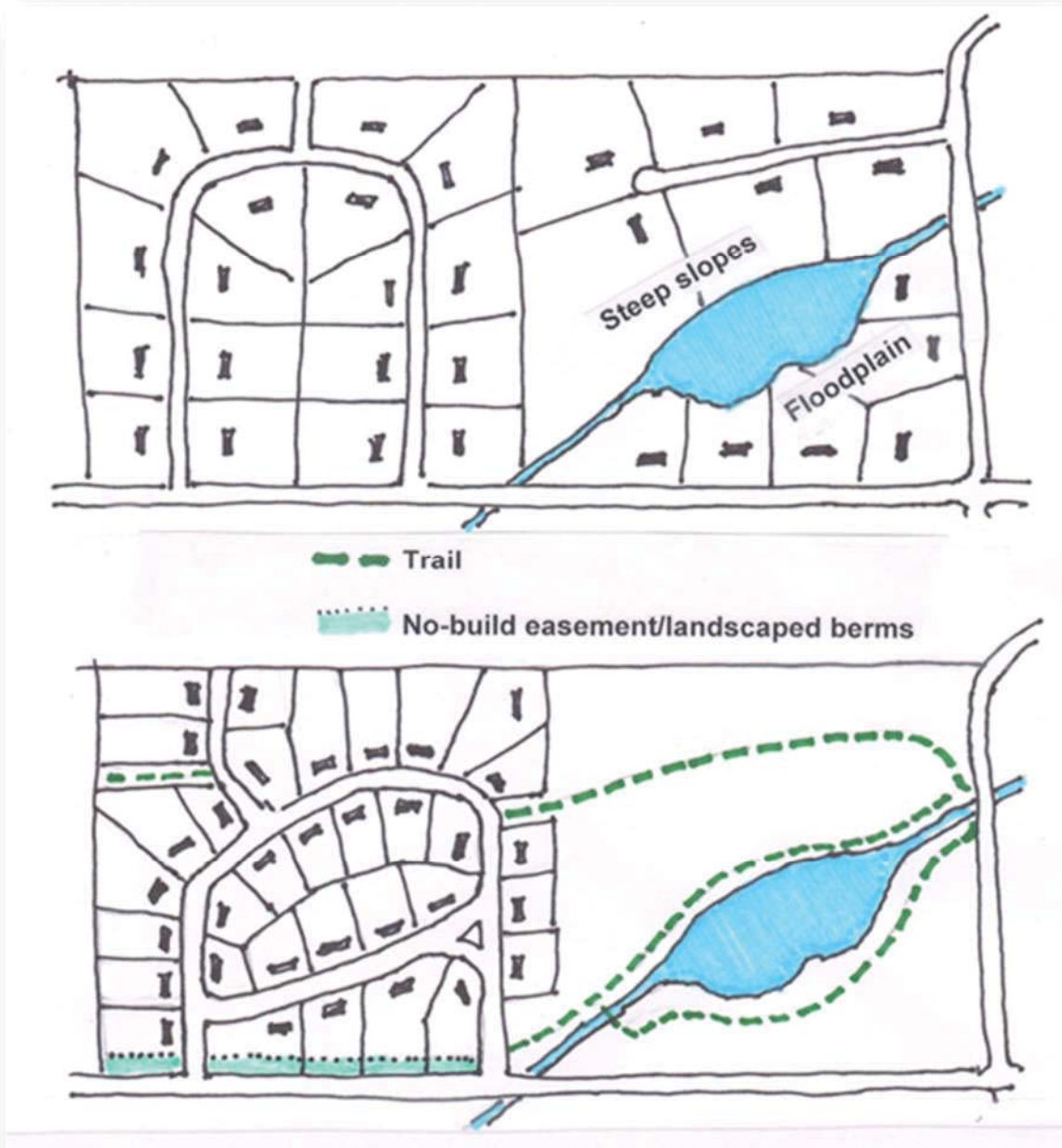


FIGURE 1. TWO APPROACHES TO DEVELOPING A SITE WITH STEEP SLOPES AND A FLOODPLAIN.

Two different approaches to developing a site with steep slopes and a floodplain. The first approach uses large lots to avoid the difficult portions of the site. The second approach clusters the homes and dedicates the steep slopes and floodplain to either the use of the homeowners or the public. SOURCE: Based on Figure 14-10 from *Rural by Design* by Randall Arendt.

FIGURE 5. TWO DIFFERENT APPROACHES TO ADDRESSING STEEP SLOPES AND A FLOODPLAIN.

12. Develop site and design review standards to increase depth of yards adjacent to major streets and railroad. Encourage design treatments such as building orientation, height limitations, fencing, and landscaping to reduce land use conflicts, especially adjacent to major streets, the railroad, or heavier commercial and industrial areas.
13. To ensure open space on sensitive lands or to reduce conflicts with neighboring land uses, consider encouraging clustering of homes. Clustering reduces the cost of site preparation, provision of streets and utilities, and maintenance of streets and utilities. Housing clusters of 40 to 80 homes are safer for residents and offer the developer an economic unit.
14. Locate commercial and higher density residential uses at or near intersections of major roads, provided the layout of such uses allows sufficient land for safe ingress and egress not interfering with traffic flow near intersections.
15. Explore the development of a tech/research park to increase employment opportunities in Ammon.
16. Encourage land uses which generate major traffic to locate near major and minor arterial streets, provided the design of such uses reduces the impact on the street system by controlling access.
17. To retain the rural nature of Ammon, discourage lot splits in established subdivisions and protect existing farm operations from land use conflicts with proposed developments.

The policies by land use categories found on the future land use plan are as follows:

High Density Residential

1. The maximum density for high density residential is twenty dwelling units per acre.
2. High density land uses are proposed adjacent to or near major roadways and commercial areas.
3. High density residential uses offer flexibility in design. Parking, garages, storm water retention areas, landscaping, outdoor amenities, and larger yards can be used to buffer the dwelling units from the noise of neighboring land uses. Such buffering techniques should be encouraged in new high-density development.
4. Developments built at these densities should be walkable and, when available, can be served by transit. Site design should ensure such developments have walkways which connect housing with neighboring uses such as shopping areas, offices, schools, churches, and public facilities.
5. A mixture of housing types should be encouraged that may include, walk-up buildings, twin homes and/or duplexes, town homes and/or row houses, and condominiums and/or apartments within one development which broadens the occupant mix, fosters a neighborhood environment, and reduces the monotony of multiple buildings of the same exterior design and scale. If done on a smaller scale or mixed, different housing types do not overwhelm one another.
6. To create a walkable neighborhood, destinations should be within ¼ mile or five minutes walking time, sidewalks in residential areas should be at least five feet in width and wider in commercial areas, sidewalks should be separated from public roadways by a six to seven-footwide planting strip, and vehicle speeds should be 15 to 25 MPH. Traffic calming measures such

as narrow traffic lanes, gateways, landscaping, and corner flares also create a pleasant environment.

7. High density residential should be located near or provide for transit pickups as they are available. As high density developments are created in the City, there should be a review of the current transit stops for the potential of offering pickup on site or near the high density developments

Medium High Density Residential

1. The maximum density for medium high density is twelve dwelling units per acre.
2. Apartments and town houses offer flexibility in design. Parking, garages, storm water retention areas, landscaping, fencing, outdoor amenities, and larger yards can be used to buffer the dwelling units from the noise of neighboring uses. Such buffering techniques should be encouraged in proposed medium high-density development.
3. Clustering buildings also offers the ability to buffer dwellings from major roads and neighboring land uses as well as offering an opportunity to create open space on sensitive lands.
4. As with high density, medium high-density developments should be located near or provide for transit pickups as they are available.



5. Convenient pedestrian access should be available through the development and to schools, parks, and neighborhood commercial uses.

Medium Density Residential

1. The maximum density is four units per acre.
2. Medium density is envisioned to consist of single-family detached homes on smaller lots as well as single-family attached twin-homes. Often homes built at such densities will be a buffer between residential developments of higher densities and single-family homes on large lots or will be located on entrance ways to residential subdivisions.

Low Density Residential

1. The maximum density is 2.5 units per acre.
2. Low density residential consists of single-family detached homes on larger sized lots with wider side yard setbacks.

Institutional Uses (Schools and Churches)

1. Institutional uses such as elementary schools and churches should be located in residential neighborhoods on collector streets. Secondary schools should be located near minor or major arterial streets.
2. Shared use agreements should be pursued with schools to allow the playgrounds to be used outside of school hours by the surrounding neighborhood as park and open space.
3. A line of communication should be maintained between school and city personnel to regularly discuss population projections and anticipated growth patterns, needs for school facilities, and impacts of school location on municipal utilities and facilities. Discussions should also include potential requirements by the City as placement of schools are considered.

Heavy Commercial

Table 10. shows the general characteristics associated with heavy commercial developments. Not all numbers in this table fit eastern Idaho. These numbers are based on national numbers. Locally the market area is likely to be larger than found in the tables below while the population served is often smaller. As a result of a larger market area and longer distance to the shopping centers both the minutes of driving time and the distance in miles will likely be increased for this market.

TABLE 10. CHARACTERISTICS OF REGIONAL AND SUPER-REGIONAL SHOPPING CENTERS

Types of Shopping Center	Site Area	Population Served	Radius of Market Area		Leading Tenant	Number of Stores
			Minutes of Driving Time	Distance in Miles		
Regional	10 - 60 acres 50-acre average	150,000	20-30	8+	Full-line department store	40-80
Super-regional	15-100 acres	300,000	30+	12+	Three or more department stores	100+

SOURCE: Kaiser, Edward J. and others, Urban Land Use Planning, Chicago: University of Illinois Press, 1995.

1. Regional and super-regional shopping areas should be located on major and minor arterial streets (Figure 6).
2. Access from such shopping areas shall meet the standards of the Bonneville Metropolitan Planning Organization Access Management Plan, July 2012.
3. The clustering of major commercial developments should be encouraged at intersections. The continuation of commercial development along the frontage of arterial roadways should maintain low access egress for businesses along the frontage at major points or roadway intersections. A shared access traffic aisle should be required throughout developments along the entirety of the arterial roadway. Landscaping within all commercial developments should meet the requirements of Ammon Code Title 10, Chapter 5, Section 24.
4. Require perimeter landscaping for new commercial development. Landscaping not only reduces the visual impact of parking lots; it also directs traffic movement through the parking area and defines access to the neighboring street network. The Urban Land Institute states a reasonable amount of landscaping is 10% of the total site and 20% of the parking area. Such landscaping can be used for storm water retention and snow storage.
5. Shopping areas should buffer adjacent residential areas from the lights and noise of commercial areas by landscaping, fencing, and building placement.
6. Professional offices offer an effective buffer between major commercial areas and apartments and homes. If high density residential is located next to major commercial areas, the location of parking areas, garages, landscaping and fences for such residential uses should buffer the dwelling units from the noise and light of the commercial areas.

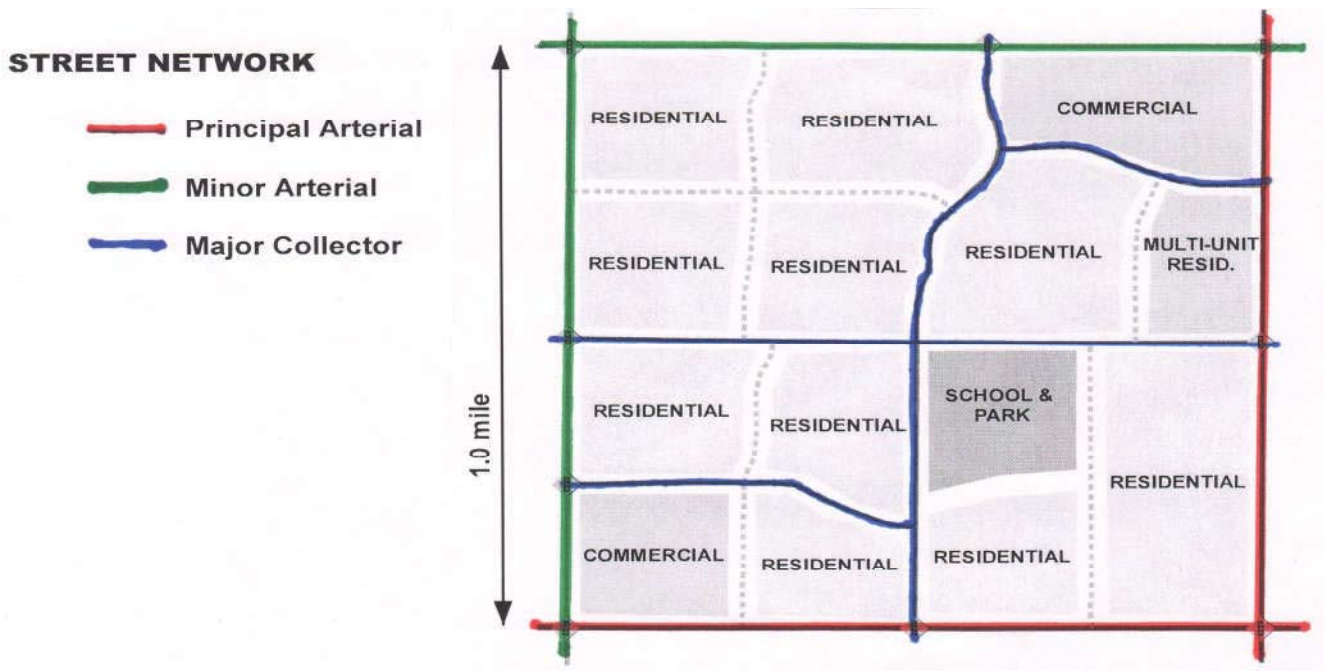


FIGURE 6. RECOMMENDED LOCATIONS FOR SITING COMMERCIAL DEVELOPMENT AT THE INTERSECTIONS OF ARTERIAL STREETS.

Light Commercial

Community and Neighborhood Shopping Areas and Professional Offices

As with the table above under regional shopping areas, not all the numbers fit eastern Idaho. These numbers are based on national numbers. Locally the market area is likely to be larger than found in the tables above while the population served is often smaller. As a result of a larger market area and longer distances to shopping centers, both the minutes of driving time and the distance in miles will likely be increased for this market.

However, the table still provides a framework for commercial locations and provides fairly realistic numbers for the site area necessary for stores and shopping centers (Table 11).

TABLE 11. CHARACTERISTICS OF COMMUNITY AND NEIGHBORHOOD SHOPPING CENTERS.

Types of Shopping Center	Site Area	Population Served	Radius of Market Area		Leading Tenant	Number of Stores
			Minutes of Driving Time	Distance in Miles		
Community	10 - 30 acres	40,000 - 150,00 50,000 average	10-20	3-5	Variety store	15-40
Neighborhood	2.5 - 10 acres	2,500-40,000 10,000 average	5-10	1.5	Grocery store	5-20

SOURCE: Kaiser, Edward J. and others, Urban Land Use Planning, Chicago: University of Illinois Press, 1995.

1. Neighborhood centers should be located in clusters at the intersections of arterial streets. Since they serve the immediate residential area, they may be located at intersections with minor arterials or with major collectors.
2. If neighborhood centers are located at the major arterial intersections, pedestrian access to the neighboring residential areas should be provided to allow residents to shop without having to use the arterial street to access the shopping area.
3. Access from such shopping areas shall meet the standards of the Bonneville Metropolitan Planning Organization most current Access Management Plan.
4. Shopping areas adjacent to residential areas should be required to use exterior lighting designs that shield the residential area from light pollution, as well as using fencing and landscaping to reduce noise from commercial areas.



Industrial

1. When reviewing requests by heavy industries that may have major off-site impact costs and infrastructure needs beyond what is available at the time of the request, those cost should be included as part of any approval and passed on to the developer as a required development cost.
2. When zoning for industrial uses, consider the predominant wind patterns from the southwest.
3. Locate industrial lands near major arterials with good access to highways, and/or adjacent to railroad facilities. Regional airport access is available by accessing the east and west arterial roadways and accessing either I-15 or Highway 20.
4. Buffer residential areas from industrial lands by roadways, office and shopping areas, open space, landscaping, berms, and fencing. Such buffering should be tailored to the industrial use. The buffering required for a food processing plant is likely to be different than the buffering required for a research laboratory or light assembly plant.

Parks and Open Space

1. The existing parks are shown on the future land use map as parks.
2. Future parks are shown symbolically on the future land use map to suggest a park or open space needed to serve the neighborhood as it develops.
3. Sensitive lands such as floodplains, wetlands, steep slopes, and drainages, plus exhausted gravel pits, may be shown as open space.

Land Use Categories and Applicable Zones

TABLE 12. LAND-USE CATEGORIES AND APPLICABLE ZONES.

Land Use Category	Applicable Zones
High Density Residential	R3, R3A, MU
Medium High Density Residential	R2, R2A, MU, RMH
Medium Density Residential	R1, R1A, MU
Low Density Residential	RPA, RP, RE, MU
Institutional uses	By Conditional Use Permit and/or allowed by zone
Heavy commercial	C1, HC1, CC1, GC1, MU
Light commercial	PB, LC/PB, RSC, MU, M-1
Industrial	I&M1, I&M2
Parks, open space	Residential, MU



Ammon City Council Meeting

October 7, 2021

Mayor Coletti and Ammon City Council Members:

Pearl Properties Rezone from PB to R-2

Staff Presenting:

Cindy Donovan – Planning Director

Recommendations: Administration recommends that commercial property not be rezoned to residential property

Compliance

- The request is in compliance with the bulk of the Comprehensive Plan narrative (see below) but this request is not compliant with the Comprehensive Plan Land Use Map.
- The applicant has made a request to amend the Comprehensive Plan Land Use Map.

Summary of Analysis

1. Property is currently zoned PB
2. Rezone would result in a loss of commercial property.
3. Rezone request was amended from R3-A to R-2 at the public hearing before the Planning and Zoning Commission.
4. Rezone would allow for the construction of multi-family housing with up to 8 units per acre and up to 8 attached dwelling units
5. Maximum units allowed would be 125, requesting 110 units
6. Surrounding area includes zone HC-1 and low density residential properties to the East, in Bonneville County, and the Granite Creek subdivision, in Ammon, to the South
7. Provides buffer between the commercial to the west and residential to the east
8. Comprehensive Plan Chapter 6: Comprehensive Plan is based on projections, assumptions and predictions about future conditions. Future conditions may deviate from expectations and the City should review and amend this plan to meet actual conditions.
9. Comprehensive Plan Chapter 9 Population, Page 19: Some concerns were expressed by residents about the increase of multi-family developments and the numbers in each development. In general, the public feels the City has enough multi-family housing but recognizes that overall additional housing may be needed. In discussions during the public input process it was expressed that the City should keep the balance of single family to multi-family housing units relatively the same as it is now which is approximately 80% single family compared to 20% multi-family. Variances occur when large multi-family build developments are built which may require a few years for the single-family residences to reach a balance. The Commission recommends a balance of 80% to 20% on average. Placement of multi-family housing developments should take into account the size of the development. Those with a large number of apartments or condos should be located near arterial roadways. Other locations for smaller multi-family developments could be considered based on specific location and traffic flows.
10. Comprehensive Plan Chapter 10: Ammon's land use goal should be to foster a community which continues to recognize and respect its rural roots yet provides a variety of housing types and styles for its residents.
11. Comprehensive Plan Chapter 10: Page 22, Figure 3, Recommended land use patterns at the intersection of minor and major arterial streets.
12. Comprehensive Plan Chapter 10: Page 23, Item 9 – Establish land use patterns which build on existing water and sewer facilities.

13. Comprehensive Plan Chapter 10: Page 24, Item 14 – Locate commercial and higher density residential uses at or near intersections of major roads.
14. Comprehensive Plan Chapter 10: Page 25, Item 16 – Encourage land uses which generate major traffic to locate near major and minor arterial streets.
15. Comprehensive Plan Chapter 10: Page 26, Medium High Density Residential - The maximum density is 12 dwelling units per acre. Developments should be located near or provide for transit pickups as they are available. Convenient pedestrian access should be available through the development and to schools, parks, and neighborhood commercial uses.

Parcel Characteristics

- Located north of East 49th South, east of South 25th East, south of Judy Street, and west of Wackerli Ave
- Acreage: 15.7 acres
- Density: 7 units per acre

Applicant's Request

- Request to rezone 15.7 acres from PB to R-2
- Application being presented by Zak Warren, Pearl Health Clinic, Eric Wall, Construction Solutions, Chalmers Haas, Chalmers Realty Group

Planning and Zoning Commission

- Public Hearing #2021-031 was held on Wednesday, September 1, 2021
- Testimony: 4 people spoke in favor; 1 person was opposed prior to zone being amended to R-2
- Commission recommended approval, 7 approve, 2 opposed due to loss of commercial property
- Reasoned Statement:
 - Creates buffer/transition
 - Development is better
 - Fits page 22 of the Comprehensive Plan
 - Single story with masonry wall as buffer on the east side
 - Limited 15% rental or non-owner occupied
 - Provide affordable housing

Notice

- Published in the Post Register on Friday, August 13, 2021
- Mailed letters to 20 public entities and 30 property owners within 300 feet of the property on Friday, August 13, 2021
- Property was posted on August 19, 2021
- Public Comment: No written testimony received by the deadline

Motion

Approve

I move to approve the rezone request from PB to R-2 for the Pearl Properties project finding it is in compliance with City Ordinance and the Comprehensive Plan.

Deny

I move to deny the rezone request from PB to R-2 for the Pearl Properties project finding it is not in compliance with City Ordinance and the Comprehensive Plan.

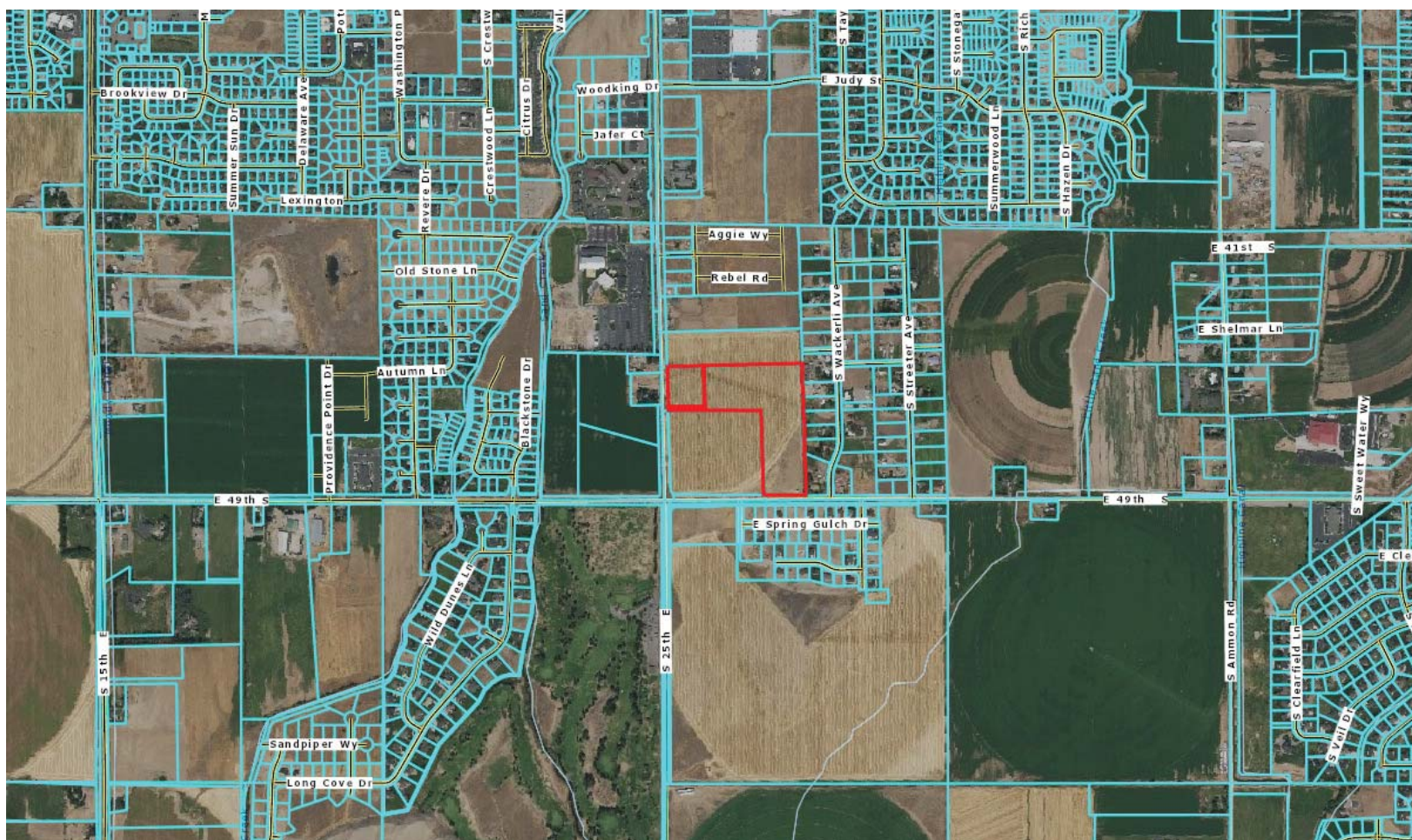
Continue

I move to continue the rezone request from PB to R-2 for the Pearl Properties project until further information can be obtained.

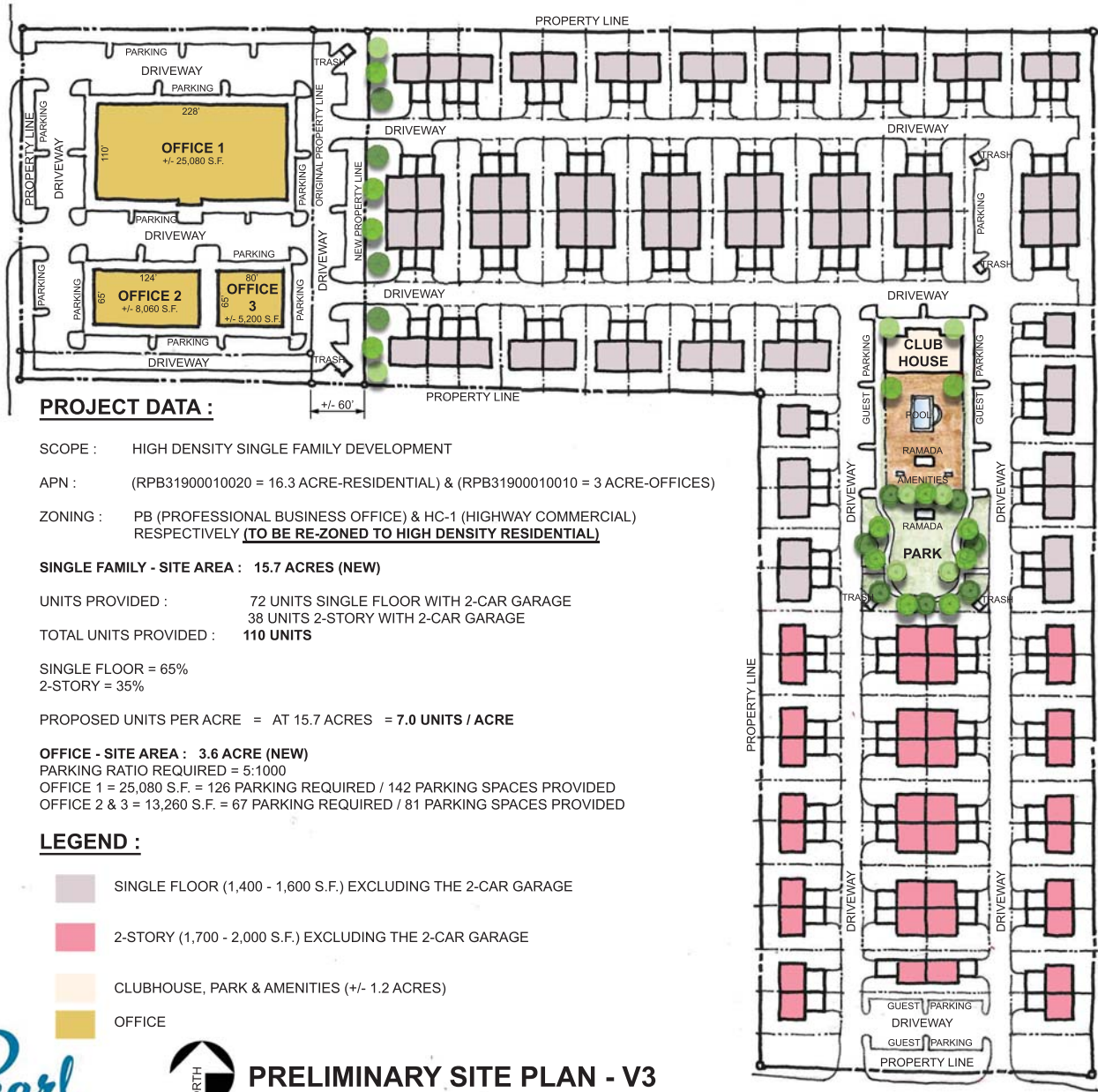
Attachments:

1. Vicinity Map
2. Concept Plan
3. Reasoned Statement for Public Hearing #2021-029 before the Planning and Zoning Commission

-
4. Title 10 Chapter 15 R2 Residence Zone
 5. 10-37-2(A) Residential District Uses



S. 25TH E. (S. HITT ROAD)



PROJECT DATA :

SCOPE : HIGH DENSITY SINGLE FAMILY DEVELOPMENT
 APN : (RPB31900010020 = 16.3 ACRE-RESIDENTIAL) & (RPB31900010010 = 3 ACRE-OFFICES)
 ZONING : PB (PROFESSIONAL BUSINESS OFFICE) & HC-1 (HIGHWAY COMMERCIAL)
 RESPECTIVELY **(TO BE RE-ZONED TO HIGH DENSITY RESIDENTIAL)**

SINGLE FAMILY - SITE AREA : 15.7 ACRES (NEW)

UNITS PROVIDED : 72 UNITS SINGLE FLOOR WITH 2-CAR GARAGE
 38 UNITS 2-STORY WITH 2-CAR GARAGE
 TOTAL UNITS PROVIDED : **110 UNITS**

SINGLE FLOOR = 65%
 2-STORY = 35%

PROPOSED UNITS PER ACRE = AT 15.7 ACRES = **7.0 UNITS / ACRE**

OFFICE - SITE AREA : 3.6 ACRE (NEW)

PARKING RATIO REQUIRED = 5:1000
 OFFICE 1 = 25,080 S.F. = 126 PARKING REQUIRED / 142 PARKING SPACES PROVIDED
 OFFICE 2 & 3 = 13,260 S.F. = 67 PARKING REQUIRED / 81 PARKING SPACES PROVIDED

LEGEND :

- SINGLE FLOOR (1,400 - 1,600 S.F.) EXCLUDING THE 2-CAR GARAGE
- 2-STORY (1,700 - 2,000 S.F.) EXCLUDING THE 2-CAR GARAGE
- CLUBHOUSE, PARK & AMENITIES (+/- 1.2 ACRES)
- OFFICE



PRELIMINARY SITE PLAN - V3

SCALE : 1"=100'-0"

E. 49TH S. (COTTON ROAD)



**STEWART + REINDERSMA
 ARCHITECTURE**
 8145 E. INDIAN BEND ROAD
 SCOTTSDALE, AZ 85250
 P: (480) 515-5123

05-10-2021
 PROJ. # 21-061

AMMON SINGLE FAMILY DEVELOPMENT

NEC E.49th S. (Cotton Road) & S. 25th E. (S. Hitt Road)
 Ammon, Idaho 83406

REASONED STATEMENT FOR HEARING #2021-031

(Scriber should put the results of the motion to approve or deny here).

Commissioner BOND moved to provide the following findings to the City Council as the reasoning for the recommendation to Approve (approve/deny), Commissioner PATRICK seconded the motion. Vote was (detail of the vote here) 9 in favor, 0 opposed, 0 abstention the motion PASSED. (passed/failed)

Findings for Recommendation: Creates a Butler/Traxion. Development
is a better. Fits Page 22 of comp plan. Single
story with masonry wall as Butler on east
side. Limited 15% Rental or non owner occupied
provide affordable housing

This action was taken pursuant to section 10-4-5 of the Ammon City Code in relationship to the Idaho State Code 67-6535 the above findings be approved regarding the recommendation from this Commission to the City Council and that the Planning and Zoning Commission finds that regarding Hearing #2021-031 above written information shall be provided to the City Council for consideration as per what has been stated and discussed.

CHAPTER 15

R-2 RESIDENCE ZONE

SECTION:

- 10-15-1: *General Objectives and Characteristics of Zone*
- 10-15-2: *Location of Accessory Structures*
- 10-15-3: *Lot Coverage*
- 10-15-4: *Special Provisions Regarding Single-Family Attached Dwellings*

10-15-1: GENERAL OBJECTIVES AND CHARACTERISTICS OF ZONE: The objective in establishing the R-2 Residence Zone is to encourage the creation and maintenance of residential areas within the City which are characterized by smaller dwellings, somewhat more compact and denser residential development. This zone does not allow density that will exceed eight (8.0) dwelling units per acre.

The principal permitted uses in the R-2 Residence Zone shall be single-family detached dwelling units, buildings containing two (2), three (3), or four (4) zero lot line single-family attached dwelling units, and certain other public facilities which are necessary to promote and maintain stable residential areas.

In order to accomplish the objectives and purposes of this ordinance and to promote the essential characteristics of this zone, the following regulations shall apply in the R-2 Residence Zone (see also §10-5 Supplementary Regulations to Zones, §10-7 Special Provisions Applying to Miscellaneous Uses, §10-29 Subdivision Regulations, and §10-37 District Use Matrix).

10-15-2: LOCATION OF ACCESSORY STRUCTURES:

- (A) Side yard requirements for accessory buildings shall be the same as for main buildings. Any accessory building placed in the calculated side yard of the main building shall maintain the side yard requirements of the zone in which it is in. The distance between the main building and the accessory building shall be subject to the requirements in the most recently adopted version of the International Building Code or International Residential Code as they may apply.
- (B) No side yard shall be required for accessory buildings which are located more than twelve (12) feet in the rear of the main building (calculated from the furthest point of extension of any part of the foundation), provided that the auxiliary building's drip line remains within the property.

10-15-3: LOT COVERAGE:

- (A) **Maximum Lot Coverage.** Lot coverage, including all areas under roofs and paved or concrete surfaces, shall not exceed seventy percent (70%) of the total lot and parking area. The maximum lot coverage of single-family attached dwelling units shall be sixty-five percent (65%) for interior lots and fifty percent (50%) for corner lots. The remaining lot area shall be landscaped in accordance with provisions of this ordinance. All landscaping outside of that immediately between any main building and any public street shall be located, designed, and developed for the benefit and enjoyment of the residents of the dwelling(s), including appropriate play areas for children.
- (B) **Lot Coverage Exemption.** The landscaped area on a lot will be considered to include such hard-surface outdoor recreation facilities as tennis courts, basketball courts, shuffleboard courts, and swimming pools, provided that:
 - 1. The hard-surface outdoor recreation facilities make up no more than forty percent (40%) of the required landscaped area, and
 - 2. Those facilities are available for the use of all residents of the development.
- (C) **Required Buffers.** Wherever a development in the R-2 Zone adjoins land zoned RP, RP-A, R-1, R1-A or RMH, or unincorporated land designated for single family residential use in the City's Comprehensive Plan, a minimum ten (10) foot wide landscaped buffer shall be provided. This buffer may be included in the thirty percent (30%) minimum landscaped area required in (A) above.

10-15-4: SPECIAL PROVISIONS REGARDING SINGLE-FAMILY ATTACHED DWELLINGS.

- (A) All lots upon which a single-family attached dwelling is located shall have vehicular access to and frontage upon a dedicated street or upon a granted easement of access of not less than twenty-five (25) feet in width and of a distance from the public dedicated street of no longer than approved by the planning and zoning commission.
- (B) No single-family attached dwelling shall be located above another dwelling unit, either in whole or in part.
- (C) Each single-family attached dwelling shall have at least one direct pedestrian access from the interior of the dwelling to the exterior boundaries of the lot and no pedestrian access may be held in common with another single-family dwelling unit.
- (D) No more than four (4) single-family attached dwellings may be attached together.
- (E) Except as noted below, a single-family attached dwelling shall have no facilities or property in common with another single-family attached dwelling and all dwellings shall be structurally and functionally independent from each other. All single-family attached

dwelling shall have separate electrical service, water service lines, and sanitary sewer service lines. Common facilities or property are allowed for the following:

1. Common party walls constructed in accordance with the International Building Code or International Residential Code as they may apply.
 2. Foundations supporting attached or party walls.
 3. Flashing at the termination of the roof covering over any attached walls.
 4. Roofs.
 5. Vehicular access to a dedicated street for off-street parking facilities or detached garages.
- (F) No certificate of occupancy shall be issued for a single family attached dwelling unless a common facility or party wall agreement or Declaration of Condominium, together with a separate legal description for each dwelling unit has been filed with the Bonneville County Recorder's Office and a copy provided to the City of Ammon, for each such dwelling unit which shares common facilities with another unit. Such agreement shall include a legal description of the individual dwelling units sharing common facilities and shall allocate responsibility as and between the owners of such lots for the use, maintenance, and ownership of all common facilities.

10-37-2 (A) RESIDENTIAL DISTRICT USES																		
Zones	Maximum Units Per Acre	Minimum Lot Area (Square Feet)	Minimum Lot Width	Minimum Open Space	Front Setback Minimum	Side Setback Minimum (except zero lot line properties)	Rear Setback Minimum	Minimum Square Footage (Single Story, Above Grade)	Minimum Square Footage (Multi-Story, Above Grade)	Maximum Building Height	Access Width	Accessory Structure	Accessory Dwelling Unit (ADU)	Attached Units Allowed	Minimum Landscape Strip	Required Buffers	Child Care Facilities Require a Home Occupation License	Assisted Living Center
RE	1.00	43,560	125'	70%	50'	20'	25'	1,500	2,600	35'	30'	P	P	1.00				
RP	2.50	12,000	100'	70%	30'	10'	25'	1,400	2,400	35'	30'	P	P	1.00			P6, P7	
RP-A	2.50	10,000	90'	70%	30'	10'	25'	1,200	2,000	35'	30'	P	P	1.00				
R-1	4.00	5,000	50'	70%	30'	8'	25'	1,000	1,500	35'	30'	P	P	1.00			P6, P7	
R-1 prior to 6-27-13	4.00	8,000	80'	70%	30'	8'	25'	1,000	1,500	35'	30'	P	P	1.00			P6, P7	
R1-A	4.00	5,000 sq ft/unit	100'	70%	30'	P1, 8'	25'	1,000	1,500	35'	30'	P	P	2.00			P6, P7	
RS	6.00	4,000	50'	50%	25'	14' total with a minimum of 4' on one side	20'	800	1,200	35'	20'	P		1.00				
R-2	8.00	P2	100'	65%	30'	P1, 8'	25'	900	1,300	35'	30'	P		4.00	10'		P6, P7	
R2-A	12.00	P3	100'	65%	30'	P1, 8'	25'	1,100		40'	30'	P		up to 8.00	10'	Fence	P6, P7	P
R-3	16.00	P4	100'	65%	30'	P1, 8'	25'	1,000		40'	30'	P		up to 16.00	10'	Fence	P6, P7	P
R3-A	20.00	P5	100'	65%	30'	P1, 8'	25'	1,000		40'	30'	P		up to 20.00	10'	Fence	P6, P7	P
RMH	4.00	8,000 sq ft	50'	70%	30'	P1, 8'	25'	1,000		35'	30'	P		1.00				
MU					20'													
	Not Permitted																	
P	Permitted																	
P1	There shall be no side yard requirement for the property line between zero lot line single family attached dwellings where the dwelling units are attached by party wall/common walls with the following requirements: a) At the point at the rear of any party wall/common wall where an attached dwelling becomes detached along the zero lot line, the side yard requirement shall be no less than four (4) feet from the foundation of the detachment to the property line. b) For detached portions that are at the front of an attached dwelling, there shall be no less than four (4) feet from the foundation of the detachment to the property line and there shall be no more than four (4) feet running front to back of the dwelling that shall be detached from the dwelling sharing the party wall/common wall. c) There shall be an attached party wall/common wall of no less than twelve (12) feet between any attached dwellings permitted within this chapter or any subsequent chapter allowing single family attached dwellings.																	
P2	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For each building containing three or four dwelling units the minimum lot area is 18,000 square feet.																	
P3	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For each building containing three to eight dwelling units the minimum lot area is 5,000 sq. ft. plus 3,000 sq. ft. for each dwelling unit.																	
P4	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For buildings containing three (3) or more dwelling units, an area of not less than twelve thousand seven hundred fifty (12,750) square feet, plus an additional two thousand seven hundred fifty (2,750) square feet per dwelling unit for each dwelling unit above three (3) shall be required.																	
P5	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For each building containing three or more dwelling units the minimum lot area is 12,200 sq. ft. plus 2,200 sq. ft. for each dwelling unit.																	
P6	Family Child Care Facility - five (5) or fewer children																	
P7	Group Child Care Facility - six (6) to twelve (12) children																	
																#####		

Ammon City Council Meeting

October 7, 2021

Mayor Coletti and Ammon City Council Members:

**Village Green Division 2 Conditional Rezone Agreement,
Findings of Fact, Ordinance 671**

Staff Presenting:

Cindy Donovan – Planning Director

Compliance

- This application is in compliance with the Comprehensive Plan, Comprehensive Plan Land Use Map, and City Ordinance.

Summary of Analysis

1. This is a continuation of the Village Green subdivision located to the north of this project
2. Rezone request was approved by the City Council on August 5, 2021 subject to a Conditional Rezone Agreement
3. Conditional Rezone Agreement includes:
 - A cap of 18 units
 - Participation in intersection improvements which may include a traffic signal, based upon a traffic study
 - Concept Plan as presented on August 5, 2021 to the City Council

Parcel Characteristics

- Located north of East 17th Street, east of Curlew Drive, south of Chasewood Drive and west of Trailwood Drive.
- Acres: 1.853 acres
- Zone: Request to zone R2-A, this zone allows up to 12 units per acre
- R2-A zone would allow 22 units, Development is being capped 18 units
- Density: 9.714 unit per acre

Applicant's Request

- Request to rezone 1.853 acres from CC-1 to R2-A
- Application being presented by Brandt Monette, Kade Clinger, Concordia Development, and Kurt Roland, Eagle Rock Engineering

Motion – See provided script for Ordinance #671, motion for Findings of Fact on the final page of the document.

Approve

I move to approve the Conditional Rezone Agreement.

Deny

I move to deny the Conditional Rezone Agreement.

Attachments:

1. Vicinity Map
2. Concept Plan
3. Conditional Rezone Agreement
4. Ordinance 671 Rezone from CC-1 to R2-A
5. Findings of Fact, Conclusion of Law



VICINITY MAP

CORNER OF SECTION 22
NORTH, RANGE 38 EAST,
BOISE MERIDIAN
DOCUMENT NO. 1006768

IN THE STATE OF IDAHO DO HEREBY CERTIFY THAT THE SURVEY OF THIS SUBDIVISION DESIGNATED AS VILLAGE GREEN TOWNHOMES, WAS MADE UNDER MY DIRECTION, AND THAT SAID SUBDIVISION IS TRULY AND CORRECTLY STAKED AS PROVIDED BY LAW AND IN ACCORDANCE WITH THE ACCOMPANYING PLAT AS DESCRIBED HEREON.



NORTH
POINT C
TO THE
OF LOT
LINE OF
LINE OF
NO. 1,
COUNT
NORTH
LINE OF
SAID LO
WEST L

SUBJEC

CONTA

IN RE:)	AMMON CITY COUNCIL
)	
CONCORDIA DEVELOPMENT)	
)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION
VILLAGE GREEN DIVISION 2)	
)	OCTOBER 7, 2021
)	

APPLICANT: CONCORDIA DEVELOPMENT
OWNER: CONCORDIA DEVELOPMENT
PROJECT: VILLAGE GREEN DIVISION 2
APPLICANT REQUEST: Request to rezone property, 1.853 acres, from CC-1 to R2-A
LOCATION: North of East 17th Street, east of Curlew Drive, south of Chasewood Drive, west of Trailwood Drive
EXISTING ZONING: CC-1
SURROUND ZONING: C-1, CC-1, R3-A, R2-A, R-2
SURROUNDING USE: COMMERCIAL, HIGH DENSITY RESIDENTIAL
PARCEL SIZE: 1.853 ACRES

SECTION 1: BACKGROUND FACTS

Summary of Application

- This would be a continuation of the Village Green subdivision located to the north of this project. This development will provide affordable housing and be a buffer between commercial to the south and homes to the north.

Noticing

- Planning and Zoning Commission
 - On June 18, 2021 notice of the Planning and Zoning Commission public hearing on the forgoing application was published in the Post Register newspaper in Bonneville County.
 - On June 18, 2021 notice of the Planning and Zoning Commission public hearing was mailed to 20 public entities and adjoining property owners within 300 feet.

Planning and Zoning Commission Findings

- Public hearing was held on Wednesday, July 7, 2021.
- Findings:
 - There is a high demand for these units
 - No interest from commercial buyers
 - Finalize development in a cohesive way
 - Best use of property
 - Landlocked property

SECTION 2: FINDINGS OF FACT

Based upon the application, the findings of the Planning and Zoning Commission, the record and testimony presented, and the following additional findings of the City Council:

- Subject to a Conditional Rezone Agreement to include a density cap, possible contributions to required signal and parks

The Ammon City Council therefore finds as follows:

1. The City Council finds the request from CONCORDIA DEVELOPMENT for the project known as the VILLAGE GREEN DIVISION 2 to be in general compliance with the 2018 Comprehensive Plan. Table 1 (below) summarizes these findings.
2. The City Council finds the request from CONCORDIA DEVELOPMENT for the project known as the VILLAGE GREEN DIVISION 2 to be in compliance with the zoning ordinance and protects and improves the public health, safety and welfare. These findings are summarized in Table 2 (below).
3. If applicable: The City Council finds the request from CONCORDIA DEVELOPMENT for the project known as the VILLAGE GREEN DIVISION 2 to be in compliance with the Subdivision Ordinance.
4. The City Council finds the request from CONCORDIA DEVELOPMENT for the project known as the VILLAGE GREEN DIVISION 2 will not have a negative fiscal impact upon the existing citizens of the City of Ammon.

TABLE 1

Summary of General Compliance with the 2018 Comprehensive Plan	
General Compliance	<p>The application complies with the following applicable sections of the Comprehensive Plan:</p> <ul style="list-style-type: none"> - Chapter 10 Land Use Policies and Strategies: encourage infill development to ensure development is compact, economic and efficient, establish land use patterns which build on existing water and sewer facilities, link homes, schools, parks and shopping areas with bicycle and pedestrian paths, continue to require adequate storm water management for new development and explore methods to allow multi-use of such facilities.

TABLE 2

Summary of General Compliance with Title 10, Planning and Zoning	
General Compliance	<p>The application complies with the following applicable sections of Title 10:</p> <ul style="list-style-type: none"> - Chapter 4 Amendments <ul style="list-style-type: none"> • 10-4-1: ORDINANCE AND MAP MAY BE AMENDED: This zoning ordinance, including the map, may be amended, supplemented, changed or modified from time to time, consistent with Idaho Code Title 67, Chapter 65. <p>The official zoning map of the City shall be amended after any re-zone, annexation or other change to this title that may affect the official zoning map. It shall be the policy of the City to display and have available the most up to date zoning map as possible. Any change to the official zoning map shall be considered adopted after any ordinance effecting this Title as it relates to the official zoning map of the City has been published.</p>

	<ul style="list-style-type: none"> • 10-4-2: APPLICATION FOR AMENDMENT: Persons seeking an amendment of the zoning ordinance or map shall submit an application to the Administrator designating the change desired, the reasons therefor and wherein the proposed amendment would further promote the objectives and purposes of the zoning ordinance, together with such fee as may be established by the City Council. Upon the receipt of the application, the Planning Commission shall consider the request. The Planning Commission shall call a public hearing upon such matters as are required to be heard by the Planning Commission under law and may call a public hearing on other matters, in the commission's discretion before submitting its recommendations to the City Council. The Planning Commission may also recommend amendments to the ordinance and map to the City Council on its own initiative. • 10-4-3: AMENDMENTS BASED ON PRACTICAL APPLICATION OF THE COMPREHENSIVE PLAN: Before recommending an amendment to the ordinance, it must be shown that such amendment is founded upon sound reason and practical application of the Comprehensive Plan adopted by the City Council • 10-4-4: PUBLIC HEARING NOTICE: Applications for amending the zoning ordinance and zoning map shall comply with public hearing and notice requirements of Idaho Code Title 67, Chapter 65. <p>- Chapter 16 R2-A Residence Zone</p> <ul style="list-style-type: none"> • 10-16-1: GENERAL OBJECTIVES AND CHARACTERISTICS OF ZONE: The objective in establishing the R2-A Residence Zone is to designate appropriate areas within the City rental dwelling units, multiple family dwellings, and similar buildings where living accommodations for groups may be located. • In order to accomplish the objectives and purposes of this ordinance and to promote the essential characteristics of this zone, the following regulations shall apply in the R2-A Residence Zone (see also §10-5 Supplementary Regulations to Zones, §10-7 Special Provisions Applying to Miscellaneous Uses, §10-29 Subdivision Regulations, and §10-37 District Use Matrix). This zone does not allow density that will exceed twelve (12.0) dwelling units shall be permitted per acre. • 10-16-5: LOCATION OF ACCESSORY-STRUCTURES: • Any accessory structure placed in the calculated side yard of the main building shall maintain the side yard requirements of the zone in which it is in. The distance between the main building and the accessory building shall be subject to the requirements in the most recently adopted version of the International Building Code or International Residential Code as they may apply.
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	<ul style="list-style-type: none"> No side yard shall be required for accessory structures which are located more than twelve (12) feet in the rear of the main building (calculated from the furthest point of extension of any part of the foundation), provided that the auxiliary building's drip line remains within the property. 10-16-8: LOT COVERAGE: Maximum Lot Coverage. Lot coverage, including all areas under roofs and paved or concrete surfaces, shall not exceed seventy percent (70%) of the total lot and parking area. The maximum lot coverage of single-family attached dwelling units shall be sixty-five percent (65%) for interior lots and fifty percent (50%) for corner lots. The remaining lot area shall be landscaped in accordance with provisions of this ordinance. All landscaping outside of that immediately between any main building and any public street shall be located, designed, and developed for the benefit and enjoyment to the residents of the dwelling(s), including appropriate play areas for children. Lot Coverage Exemption. The landscaped area on a lot will be considered to include such hard-surface outdoor recreation facilities as tennis courts, basketball courts, shuffleboard courts, and swimming pools, provided that: The hard-surface outdoor recreation facilities make up no more than forty percent (40%) of the required landscaped area, and Those facilities are available for the use of all residents of the development. Required Buffers. Wherever a development in the R2-A Zone adjoins land zoned RE, RP, RP-A, R-1, R1-A or RMH, or unincorporated land designated for single family residential use in the City's Comprehensive Plan, a minimum ten (10) foot wide landscaped buffer and a minimum six (6) foot high site obscuring fence shall be provided. This buffer may be included in the thirty percent (30%) minimum landscaped area required in (A) above. If an open space of at least thirty (30) feet is provided between all buildings (whether main or auxiliary) and the adjacent zone the requirement of a fence can be waived. Said open space shall include some combination of planted trees, shrubs, vines, ground cover, flowers or lawns. 10-16-9: SPECIAL PROVISIONS REGARDING SINGLE-FAMILY ATTACHED TOWNHOUSE DWELLINGS: These provisions apply to single-family attached townhouse dwellings (those attached to adjacent units via zero lot lines) only. No single-family attached dwelling shall be located above another dwelling unit, either in whole or in part. Each single-family attached dwelling shall have at least one direct pedestrian access from the interior of the dwelling to the property line of
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	<p>the dwelling unit and no pedestrian access may be held in common with another single-family dwelling unit.</p> <ul style="list-style-type: none"> • No more than eight (8) single-family attached dwellings may be attached together. • Except as noted below, a single-family attached dwelling shall have no facilities or property in common with another single-family attached dwelling and all dwellings shall be structurally and functionally independent from each other. All single-family attached dwellings shall have separate electrical service, water service lines, and sanitary sewer service lines. Common facilities or property are allowed for the following: <ul style="list-style-type: none"> • Common party walls constructed in accordance with the International Building Code. • Foundations supporting attached or party walls. • Flashing at the termination of the roof covering over any attached walls. • Roofs. • Vehicular access to a dedicated street for off-street parking facilities or detached garages. • No building permit shall be issued for the construction of a single-family attached dwelling unless a common facilities or party wall agreement or Declaration of Condominium has been filed with the Bonneville County Recorder's office for each such dwelling unit which shares common facilities with another unit. Such agreement shall include a legal description of the lots sharing common facilities and shall allocate responsibility as between the owners of such lots for the use, maintenance, and ownership of all common facilities. • 10-16-10: VEHICULAR ACCESS: All lots upon which a dwelling is located shall have a vehicular access to and frontage upon a dedicated street or upon a granted easement of access of not less than twenty-five (25) feet in width and of a distance from the public dedicated street of no longer than approved by the planning and zoning commission.
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SECTION 3: CONCLUSION OF LAW

1. The City of Ammon is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code;
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 10;
3. If applicable, under Chapter 2, Title 50 of the Idaho Code, the City has passed an annexation procedures ordinance, Title 11.

-
4. The Council has authority to hear the applicant's request pursuant to the Ammon Municipal Code.
 5. The City of Ammon has provided adequate notice for the review of this application.
 6. The project meets the standards of approval under Title 10 Chapter 16 R2-A Residence Zone and the standards of approval under the Local Land Use Planning Act of Idaho Code, Title 67, Chapter 65

SECTION 4: DECISION

THEREFORE, the Ammon City Council approves the VILLAGE GREEN DIVISION 2 subject to the following conditions:

1. Compliance with requirements of the Conditional Rezone Agreement

SECTION 5: NOTICE TO APPLICANT OF RIGHTS

The City of Ammon hereby provides the following notice to all applicants: All applicants have a right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code. Any applicant denied an application or aggrieved by a final decision concerning matters identified in section 67-6521(1)(a), Idaho Code, may within twenty-eight (28) days after the date of this written decision and after all remedies have been exhausted under local ordinance, seek judicial review under the procedures provided by chapter 52, title 67, Idaho Code.

THEREFORE, the Ammon City Council approves the VILLAGE GREEN DIVISION 2 subject to conditions, if any, in Section 4 of this approval and all city, county, state, and federal laws.

The City Council of the City of Ammon hereby adopts these Findings of Fact, Conclusions of Law, and Decision this 7th day of October, 2021.

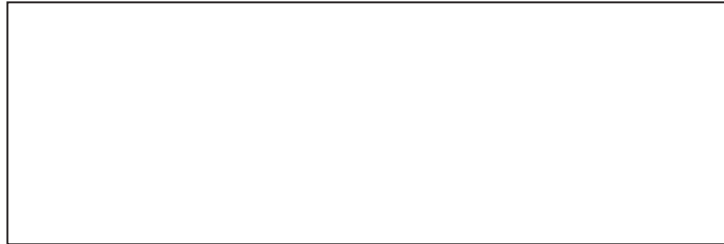
Mayor Sean Coletti

Attest: Kristina Buchan, City Clerk

CONDITIONAL REZONE AGREEMENT

VILLAGE GREEN DIVISION 2

(CITY OF AMMON/CHASEWOOD AMMON PROPERTY FUND, LLC)



THIS AGREEMENT, made and entered into this ____ day of ____, 2021, by and between the CITY OF AMMON, a municipal corporation, of the County of Bonneville, State of Idaho, Party of the First Part, hereinafter called the “City,” and CHASEWOOD AMMON PROPERTY FUND, LLC and/or assigns, hereinafter called the “Developer.”

RECITALS:

WHEREAS, the Developer is the sole owner, in law and/or equity, of a certain tract of land in Bonneville County, Idaho, more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Developer, as sole owner of said land, has made request to the City of Ammon to rezone the property described in Exhibit A from CC-1 to R2-A, and

WHEREAS, the tract of land described in Exhibit A is located within the City of Ammon; and

WHEREAS, on August 5, 2021, the Ammon City Council conditionally approved the request to rezone the property; and

WHEREAS, in accordance with Idaho Code 67-6511A, the Ammon City Council requires the Developer to agree to a Conditional Rezone Development Agreement as a condition of approving the rezone request; and

NOW THEREFORE, in consideration of the above recitals and the mutual covenants and agreements herein contained and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. **Incorporation of Recitals.** The Recitals set forth above are hereby incorporated into and made an integral part of this Agreement.
2. **Effective Date of Agreement.** This Agreement shall be effective as of the date approved by the City Council.

3. **Term of Agreement.** All rights related to this agreement, including all Developer's rights herein, shall expire if no building permit has been issued within five (5) years of the Effective Date.
4. **Developer.** The term "Developer" and the language of this agreement, whether it is more than one developer, shall be construed as plural, and if there are any parties that are feminine or are firms or corporations, the masculine shall include the feminine and the neuter. All terms and conditions of this agreement shall run with the land.
5. **Incorporation of Related Agreements, Approvals, Plans, Permits and other documents.** The following agreements, approvals, plans, permits and other documents are hereby incorporated into and made an integral part of this Agreement by reference as if restated herein in full.
 - a. Description of property, included as Exhibit A to this agreement.
 - b. DEVELOPMENT Concept Plan as presented to the City Council on August 5, 2021, included as Exhibit B to this agreement.
 - c. Findings of Fact, Conclusions of Law and Decision on Rezone Request: October 7, 2021 included as Exhibit C to this agreement.
 - d. Ordinance #671, approving the conditional rezoning of the property, approved on October 7, 2021 included as Exhibit D to this agreement.
6. **Breach of Agreement.** Any material failure to comply with the terms and conditions of this agreement and any of the above-referenced agreements, approvals, plans, permits and other documents shall constitute a breach of this Agreement. In the event of a Breach of Agreement, or failure to proceed under the Term of this agreement in Paragraph #3 above, the underlying zoning of Exhibit A shall revert back to CC-1.
7. **Governance.** In the event of any inconsistency between the terms and conditions of this Agreement and the agreements, approvals, plans, permits and other documents listed above, the terms and conditions of this Agreement shall govern.
8. **Conditions of Rezone Approval.** The following conditions are required of the Developer. Prior to approval of any building permit for the development, all of the following conditions shall be completed by the Developer:
 - a. **Traffic Improvements.**
 - i. **Minimum Improvements.** The Developer agrees to the following:
 1. Participation in intersection improvements, including a traffic signal shall be required, as determined by a Traffic Impact Study, for the intersections requested by the City Engineer. Prior to submitting a Preliminary Plat, the Developer shall submit the Traffic Study, prepared and stamped by a Professional Engineer licensed in the State of Idaho, to determine the traffic impacts generated by this development. The Traffic Study shall contain a cost estimate of constructing the necessary infrastructure to ameliorate the traffic impacts of this development.
 - b. ~~**Water Study.** A water study shall be completed showing how the development will be serviced with culinary water and irrigation water, the impact the development will have on existing groundwater rights, and the upgrades necessary to the Ammon city water system and irrigation system to fully service the development. The water study shall be completed by the City of Ammon at the Developer's expense. Prior to approval of a final plat, the Developer shall pay all costs associated with completing the water study.~~
 - c. ~~**Wastewater Study.** A wastewater study shall be completed showing how the development will be serviced for wastewater, the impact the development will have on existing wastewater systems, and the upgrades necessary to the Ammon~~

~~wastewater system to fully service the development. The wastewater study shall be completed by the City of Ammon at the Developer's expense. Prior to approval of a final plat, the Developer shall pay for all costs associated with completing the wastewater study.~~

- d. **Wastewater Connection Fee.** The Developer is required to pay for sewer connection fees due to 1) the Eastern Idaho Regional Wastewater Authority (EIRWWA) as constituted at the time of the building permit application; and 2) the City of Ammon, when submitting for a building permit. The City of Ammon cannot guarantee sewer capacity will be sufficient to handle the development and cannot award capacity on behalf of EIRWWA.
- e. **Architectural and Site Plan Design.** Prior to approval of a preliminary plat for the proposed development, the City Council shall approve the final project design including architectural plans, landscape plans, outdoor lighting plans, and circulation plans. The approval shall not be unreasonably withheld. The following shall be required in the final project design when submitted to the City Council:
 - i. Except as otherwise indicated in this agreement, the project design shall generally align with Exhibit B to this Agreement. Exhibit B represents the project concept as submitted to the City Council for consideration on August 5, 2021.
 - ii. ~~All outdoor lighting fixtures and luminaires shall comply with the outdoor lighting standards established by the International Dark Sky Association.~~
 - iii. A maximum of eighteen (18) dwelling units shall be permitted for the Development.
 - iv. The development plans shall allow for construction requirements or restrictions
- f. **Parks and Open Space.** The Developer shall pay \$480.00 per residential unit to be dedicated to parks and open space improvements within the general vicinity of the proposed development. This fee shall be paid prior to issuance of any building permit. In lieu of a payment, the Development may propose donation of real property or provide in-kind improvements to public parks at the direction of the City Administrator.
- g. **Maximum Density of Project.** The proposed development shall not exceed 18 dwelling units.
- h. **Fiber Optic.** The development shall be connected to the City of Ammon Fiber Optic network.
- i. **Development Agreement.** Upon approval of a final plat for the development, the Developer shall enter into an additional development agreement that specifies standard infrastructure requirements for all projects constructed in the City of Ammon and any special conditions specific to the development.

9. **Miscellaneous Provisions.**

- a. **Covenant Running with the Land/Successors and Assigns.** Unless this Agreement is modified by mutual written agreement of the Parties or terminated by City, this Agreement and all conditions, terms, duties and obligations included in this Agreement shall be binding upon the Owner, each subsequent owner of the Property and every person or entity acquiring any interest in the Property. This Agreement shall constitute a covenant running with the land burdening the Property in favor of the City and shall be binding upon the Owner, its successors in interest, personal representatives, heirs, vendees and assigns.

- b. **Waiver.** Any waiver of any of the terms or conditions of this Agreement by City or Owner must be in writing to be effective and shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of City or Owner of applying to any subsequent breach of any such or other covenants and conditions.
- c. **Notices.** Any and all notices, demands, requests, and other communications required to be given hereunder by either of the parties hereto shall be in writing and be deemed properly served or delivered if delivered by hand to the party to whose attention it is directed, or when sent, seven (7) days after deposit in the U.S. Mail, postage pre-paid, or upon the sending of a facsimile, followed by a copy sent by U.S. Mail as provided herein, addressed as follows:

City:

City of Ammon
c/o City Administrator
2135 South Ammon Road
Ammon, Idaho 83406
(208) 612-4051 Phone
(208) 612-4009 Fax

Owner:

Chasewood Ammon Property Fund, LLC
940 S 5th W #12308
Rexburg, ID 83440

Or at such other address, or facsimile number, or to such other party which any party entitled to receive notice hereunder designates to the other in writing as provided above.

- d. **Attorney Fees.** In the event either party to this Agreement is required to retain the services of an attorney to enforce its rights hereunder, the defaulting party shall pay to the non-defaulting party reasonable attorney fees and costs incurred as a result of such default whether or not litigation is commenced and including reasonable attorney fees and costs on appeal.
- e. **Time is of the Essence.** The parties hereto acknowledge and agree that time is hereby made expressly of the essence with respect to each and every term, condition, and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the party so failing to perform.
- f. **Requirement for Recordation.** Owner shall record this document, including all of the Exhibits, and submit proof of such recording to the City. Failure to comply with this section shall be deemed a default of this Agreement by Owner.
- g. **No Precedent.** Approval of the Development Agreement shall not be considered a binding precedent for the issuance of other development agreements. The Development Agreement is not transferable from one parcel of land to another.
- h. **Police Powers.** Nothing contained herein is intended to limit the police powers of the City. This Agreement shall not be construed to modify or waive any law, ordinance, rule, or regulation, including without limitation, applicable building codes, fire codes, zoning ordinances, subdivision ordinances, or comprehensive plan provisions, unless expressly provided herein.

- i. **Invalid Provisions.** If any provision of this Agreement is held not valid, such provision shall be deemed to be excised there from and the invalidity thereof shall not affect any of the other provisions contained herein.
- j. **Choice of Law.** This Agreement shall be governed by the laws and decisions of the state of Idaho.

IN WITNESS WHEREOF, the City has by motion duly passed, executed this agreement by the signature of the Mayor, attested by the City Clerk, and the Developer has caused this agreement to be duly executed the day and the year first above written.

ATTEST:

CITY OF AMMON, IDAHO

Kristina Buchan, City Clerk

Sean Coletti, Mayor

Brandt Monette

STATE OF IDAHO
County of Bonneville

On this ____ day of _____, 2021 before me the undersigned, a Notary Public in and for said State, personally appeared Sean Coletti, known or identified to me to be the Mayor of Ammon, the municipal corporation that executed the attached Conditional Rezone Agreement and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF: I have set my hand and affixed my official seal the day and year first above written.

Kristina Buchan
Notary Public for the State of Idaho
Residing in Bonneville County, Idaho
Commission Expiration Date: _____

STATE OF IDAHO
County of Bonneville

On this ____ day of _____, 2021 before me the undersigned, a Notary Public in and for said State, personally appeared _____, known or identified to me to be the individual that executed the attached Conditional Rezone Agreement and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF: I have set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho
Residing in Bonneville County, Idaho
Commission Expiration Date:

**EXHIBIT A
LEGAL DESCRIPTION**

**EXHIBIT B
DEVELOPMENT CONCEPT PLAN
AS PRESENTED TO THE CITY COUNCIL
ON AUGUST 5, 2021**

**EXHIBIT C
FINDINGS OF FACT, CONCLUSIONS OF LAW**

**EXHIBIT D
ORDINANCE #671**

PROCEDURES

PROCEDURE TO ADOPT AN ORDINANCE

Ordinance No. 671 introduced and read by title.

AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION AND THE ZONING MAP FOR CERTAIN LANDS LOCATED WITHIN THE CITY OF AMMON; PARTICULARLY DESCRIBING SAID LANDS AND DECLARING THE CLASSIFICATION OF ZONING FOR SUCH PARCEL OF LAND; PROVIDING FOR AN EFFECTIVE DATE.

(Groberg and Benton property west of Trailwood Drive, to be known as Village Green Division 2)

Councilperson moves:

“I move that the City Council dispense with the rule requiring the reading of the ordinance on three different days and that the three readings be waived.”

Councilperson seconds:

“I second the motion.”

Roll call vote on motion.

Ordinance again read by title and read in full.

AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION AND THE ZONING MAP FOR CERTAIN LANDS LOCATED WITHIN THE CITY OF AMMON; PARTICULARLY DESCRIBING SAID LANDS AND DECLARING THE CLASSIFICATION OF ZONING FOR SUCH PARCEL OF LAND; PROVIDING FOR AN EFFECTIVE DATE.

(Groberg and Benton property west of Trailwood Drive, to be known as Village Green Division 2)

Councilperson moves:

“I move the adoption of ordinance No. 671 and summary as an ordinance of the City of Ammon on its third and final reading.”

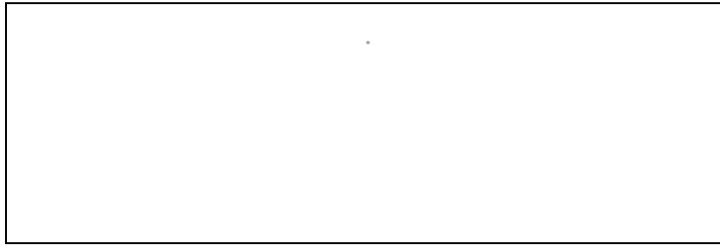
Councilperson seconds:

“I second the motion.”

Roll call vote.

CITY OF AMMON

ORDINANCE NO. 671



AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION AND THE ZONING MAP FOR CERTAIN LANDS LOCATED WITHIN THE CITY OF AMMON; PARTICULARLY DESCRIBING SAID LANDS AND DECLARING THE CLASSIFICATION OF ZONING FOR SUCH PARCEL OF LAND; PROVIDING FOR AN EFFECTIVE DATE.

**(Groberg and Benton property west of Trailwood Drive,
to be known as Village Green Division 2)**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AMMON, IDAHO THAT:

WHEREAS, certain lands and properties within the City of Ammon have been petitioned for a change of zoning and zoning classification; and,

WHEREAS, the City of Ammon Planning and Zoning Commission has duly held a hearing upon the application for change of zone and has given notice as required by law of the hearings thereon; and

WHEREAS, the City Council of the City of Ammon has determined that it is not necessary to hold a hearing before the City Council on the application for the change of zones,

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Ammon:

Section 1.

- a. A petition for change of zone from CC-1 to R2-A, relating to certain property located within Ammon, Bonneville County, Idaho and more particularly described hereafter was properly brought.
- b. That Public Hearing (#2021-016) was held before the Planning and Zoning

Commission of the City of Ammon and recommendations were received from the Planning and Zoning Commission

c. That the hearing followed proper legal requirements for advertisement of the hearings.

d. That the proposed zoning classification of R2-A shall be compatible with the comprehensive plan.

Section 2.

That the City Council does hereby amend the zoning map and the zoning classification to R2-A for the following described property:

LEGAL DESCRIPTION

0.990 acre Parcel together with Concordia Parcel - south of Village Green

A PARCEL OF LAND BEING SITUATED IN THE SOUTH HALF OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN, CITY OF AMMON, BONNEVILLE COUNTY, IDAHO AND FOR WHICH IS MORE SPECIFICALLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT THAT IS S.89°25'56"E. ALONG THE SECTION LINE 2577.26 FEET AND N.00°06'28"W. 389.00 FEET FROM THE SOUTHWEST SECTION CORNER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN, SAID POINT BEING THE NORTHEAST CORNER OF INSTRUMENT NO. 1369073 AND RUNNING THENCE N.89°25'56"W. 183.24 FEET THENCE N.00°04'51"W. 204.46 FEET TO THE SOUTH BOUNDARY OF VILLAGE GREEN TOWNHOMES INSTRUMENT NO. 1666660; THENCE ALONG SAID SOUTH BOUNDARY LINE S.89°47'17"E. 392.94 FEET TO THE WEST RIGHT OF WAY LINE OF TRAILWOOD DRIVE; THENCE ALONG SAID RIGHT OF WAY LINE S.00°12'52"W. 206.89 FEET; THENCE N.89°25'56"W. 208.64 FEET TO THE POINT OF BEGINNING.

SUBJECT TO: EXISTING EASEMENTS OF RECORD

CONTAINING 1.853 ACRES

Section 3. That the City Council does hereby amend the zoning map and the zoning classification for the property as described above.

Section 4.

This ordinance shall become effective upon its passage by the City Council, approval by the Mayor and due publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 7th day of
October, 2021.

Sean Coletti, Mayor
City of Ammon

ATTEST:

Kristina Buchan, City Clerk
City of Ammon

STATE OF IDAHO)
) ss.
County of Bonneville)

I, KRISTINA BUCHAN, CITY CLERK OF THE CITY OF AMMON, IDAHO, DO
HEREBY CERTIFY: That the above and foregoing is a full, true and correct copy of the
Ordinance entitled,

**AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION AND THE
ZONING MAP FOR CERTAIN LANDS LOCATED WITHIN THE CITY OF
AMMON; PARTICULARLY DESCRIBING SAID LANDS AND DECLARING
THE CLASSIFICATION OF ZONING FOR SUCH PARCEL OF LAND;
PROVIDING FOR AN EFFECTIVE DATE.**

**(Groberg and Benton property west of Trailwood Drive,
to be known as Village Green Division 2)**

Dated this 7th day of October, 2021.

Kristina Buchan, City Clerk

**CITY OF AMMON
BONNEVILLE COUNTY, IDAHO**

**SUMMARY OF
ORDINANCE NO: #671**

**AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION AND THE
ZONING MAP FOR CERTAIN LANDS LOCATED WITHIN THE CITY OF
AMMON; PARTICULARLY DESCRIBING SAID LANDS AND DECLARING
THE CLASSIFICATION OF ZONING FOR SUCH PARCEL OF LAND;
PROVIDING FOR AN EFFECTIVE DATE.**

**(Groberg and Benton property west of Trailwood Drive,
to be known as Village Green Division 2)**

The full text of this ordinance is available at the City Clerk's Office, Ammon City Office,
2135 S. Ammon Road, Ammon, Idaho.

ATTEST:

CITY OF AMMON

Kristina Buchan, City Clerk

Sean Coletti, Mayor

I have reviewed the foregoing summary and I believe that it provides a true and complete summary of Ordinance #671 and the summary provides adequate notice to the public of the contents of this ordinance.

DATED this 7th day of October, 2021

Scott Hall, City Attorney

Ammon City Council Meeting

October 7, 2021

Mayor Coletti and Ammon City Council Members:

Hillcrest Ranch Preliminary Plat

Staff Presenting:

Cindy Donovan – Planning Director

Compliance

- This application is in compliance with 10-29-7 Requirements of a Preliminary Plat, 10-14 R-1 Residence Zone and 10-15 R-2 Residence Zone

Summary of Analysis

1. Property rezone was approved by the City Council on April 22, 2021
2. Will have access from Ammon Road and will provide connectivity as the property to the north develops
3. Will have an additional emergency access onto Ammon Road, providing access to the south was not possible
4. PUD overlay allows for variations to lot sizes and will require ample green space
5. Any additional requirements of the PUD will be provided in the development agreement

Parcel Characteristics

- General Location: south of Sunnyside Road, west of Ross Avenue, north of 49th South and east of Ammon Road
- Acres: 24.3 acres total – R-1 is 22.74 acres and R-2 is 1.6 acres with a PUD Overlay
- Density: 3.6 units per acre

Applicant's Request

- Approval of Hillcrest Ranch Preliminary Plat
- Presented by Caden Fuhrman, Horrocks Engineers

Planning and Zoning Commission

- Preliminary Plat was reviewed by the Commission on Wednesday, September 1, 2021
- The Commission recommended approval subject to technical review

Motion

Approve

I move to approve the Hillcrest Ranch Preliminary Plat finding it is in compliance with City Ordinance, subject to technical review.

Deny

I move to deny the Hillcrest Ranch Preliminary Plat finding it is in compliance with City Ordinance.

Continue

I move to continue the Hillcrest Ranch Preliminary Plat until further information can be obtained.

Attachments:

1. Vicinity Map
2. Hillcrest Ranch Preliminary Plat
3. 10-29-7 Preliminary Plat requirements
4. 10-14 R-1 Residence Zone
5. 10-15 R-2 Residence Zone
6. 10-37-2 (A) Residential District Uses

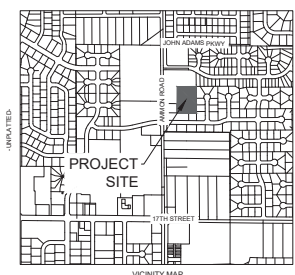
Hillcrest Ranch Vicinity Map



PRELIMINARY PLAT HILLCREST RANCH SUBDIVISION AN ADDITION TO THE CITY OF AMMON, BONNEVILLE COUNTY, IDAHO LOCATED IN THE NW ¼ OF SECTION 35, T.2N., R.38E., B.M., -2021-



- LEGEND**
- CALCULATED POINT
 - FOUND 5/8" REBAR WITH CAP STAMPED - P.L.S. 10944
 - SET 5/8" REBAR WITH PLASTIC CAP - P.L.S. 12457
 - PLUS CORNER
 - BOUNDARY LINE
 - LOT LINE
 - STREET CENTERLINE
 - SECTION LINE
 - TIE LINE
 - SIDEWALK EASEMENT AND P.U.E. AS NOTED
 - BLOCK DIVISION LINE
 - POINT OF BEGINNING
 - PUBLIC UTILITY EASEMENT
 - BLOCK NUMBER
 - LOT NUMBER



OWNERS/DEVELOPERS:
OLO CAPITAL
MATTHEW BISHOP
ENGINEER/PLANNER:
HORROCKS ENGINEERS
Clint Boyle, AICP
Caden Fuhrman, P.E.
SUITE 205
IDAHO FALLS, ID. 83402
(208) 522-1223

FIRE DISTRICT:
AMMON FIRE
SEWER AND WATER PROVIDER:
EIRWA (EAST IDAHO WATER REUSE ASSOCIATION)
ROADWAY JURISDICTION:
CITY OF AMMON
IRRIGATION DISTRICT:
PROGRESSIVE IRRIGATION DISTRICT
ACREAGE SUMMARY:
TOTAL 25.85 ACRES
LOT SUMMARY:
AVERAGE LOT SIZE - 8625 SF
SINGLE FAMILY LOTS - 94
TOWNHOUSE LOTS - 1
COMMON LOT - 1
ZONING:
R1 RESIDENCE (94 LOTS)
R2 RESIDENCE (24 TOWN HOMES)

NOTES

1. STORM DRAINAGE WILL BE DESIGNED IN ACCORDANCE WITH THE CATALOG OF STORM WATER BEST MANAGEMENT PRACTICES FOR IDAHO CITIES AND COUNTIES AND THE CITY OF AMMON SPEC'S.
2. PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENTS WILL BE AS SHOWN.
3. THE SITE IS LOCATED IN A FEMA DESIGNATED FLOOD PLAIN OR FLOODWAY ZONE.
4. SITE IMPROVEMENTS ARE SHOWN CONCEPTUALLY ONLY.
5. CROSS ACCESS TO BE PROVIDED BETWEEN LOTS. ALL LOTS TO BE PROVIDED ACCESS TO THE PUBLIC RIGHT-OF-WAY.
6. LANDSCAPING WILL BE INSTALLED ALONG THE ROADWAY BOULEVARDS.

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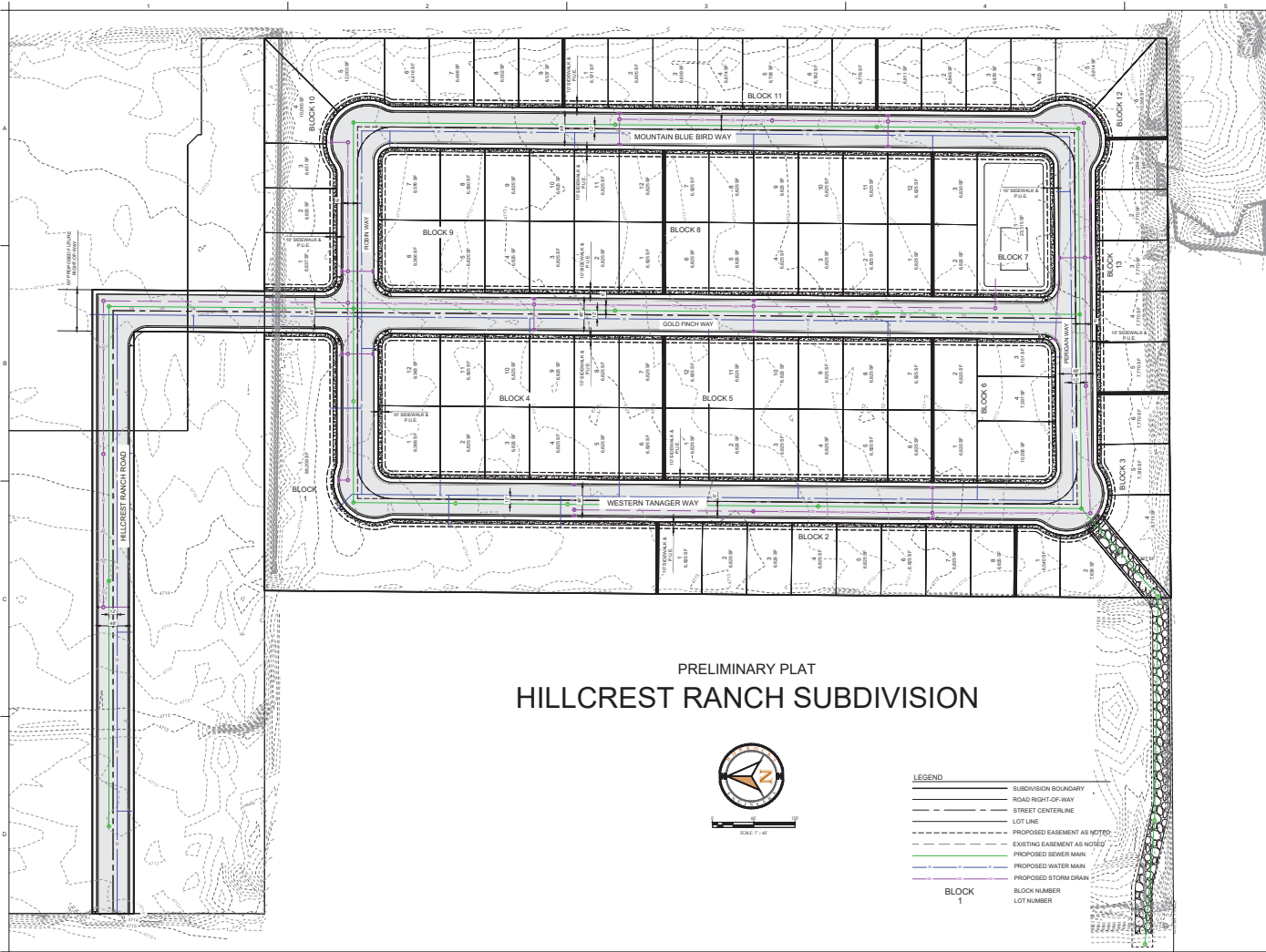
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SCALE	DATE	SCALE
AS SHOWN	10/07/2021	AS SHOWN

PRELIMINARY
NOT FOR CONSTRUCTION

HILLCREST RANCH SUBDIVISION
AMMON, IDAHO
LOT DIMENSIONS
PRELIMINARY PLAT

PP1.0
PAGE 1 OF 2



PRELIMINARY PLAT
HILLCREST RANCH SUBDIVISION



- LEGEND**
- SUBDIVISION BOUNDARY
 - ROAD RIGHT-OF-WAY
 - STREET CENTERLINE
 - LOT LINE
 - - - PROPOSED EASEMENT AS NOTED
 - - - EXISTING EASEMENT AS NOTED
 - PROPOSED SEWER MAIN
 - PROPOSED WATER MAIN
 - PROPOSED STORM DRAIN
 - BLOCK NUMBER
 - LOT NUMBER

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HILLCREST RANCH SUBDIVISION

AMMON, IDAHO

EXISTING FEATURES AND PROPOSED UTILITIES

PRELIMINARY PLAT

PP2.0

PAGE 2 OF 2

10-29-7: PRELIMINARY PLAT REQUIREMENTS: In seeking to subdivide land into building lots and to dedicate streets, alleys or other land for public use there shall be one scaled drawing submitted to the Planning and Zoning Director a minimum of 24" X 36" and 11" X 17" copies in the number directed by the Zoning Director. In addition all submittals shall also be submitted in electronic form. The preliminary plat shall be submitted at least ten (10) days before a Planning Commission meeting date. The Planning Commission shall review the application within ten (10) days from the first meeting at which the plan was formally presented unless an extension of time is agreed to by the subdivider. Prior to making a decision on the proposed preliminary plat the Planning Commission shall determine if a public hearing should be required for the proposed preliminary plat request. If the Planning Commission determines a hearing should be held, there shall be a hearing scheduled for the next available hearing date before the Planning Commission. Final approval of preliminary plats shall be by the City Council.

Any preliminary plat containing more than three (3) lots shall be submitted to the Planning Director at least fifteen (15) days prior to the deadline for submission of such plat to the Planning and Zoning Commission. The Planning Director shall submit the drawing for review by the City Engineer, Fire Chief, Building Official and Planning Director. Said review shall provide the developer with any issues needing to be addressed prior to a submission to the Planning Commission. Changes required by the staff review shall be reflected on the submitted preliminary plat.

The preliminary plat so prepared by the subdivider and formally filed with the Planning Director shall contain the following information.

- (A) The proposed name of the subdivision.
- (B) The location of the subdivision as forming a part of some larger tract or parcel of land referred to in the records of the County Recorder.
- (C) A vicinity map showing a radius of one-half (1/2) mile around the proposed development shall be provided. All existing roadways shall be shown, with names on the vicinity map.
- (D) A contour map at appropriate contour intervals to show the general topography of the tract.
- (E) The boundary lines of the tract to be subdivided shall be accurate in scale and bearing.
- (F) The location, widths and other dimensions of all existing or platted streets shall be shown on the preliminary plat. In addition, important features within one hundred (100) feet and contiguous to the tract to be subdivided and recorded as a legal document shall be shown on the preliminary plat. Examples of those features include but are not limited to railroad lines, water courses, easements and exceptional topography.
- (G) The approximate location of existing sanitary sewers, storm drains, water supply mains, fire hydrants, and culverts within the tract and immediately adjacent thereto.
- (H) The location, widths, and other dimensions of proposed streets, alleys, easements, parks, lots, and other open spaces.
- (I) All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated.

- (J) North point, scales, and dates.
- (K) The zoning requested for each area, if not already zoned.
- (L) The following items shall be printed on the preliminary plat:
 - 1. Density of subdivision in living units
 - 2. number of lots within the division
 - 3. average size of lots within the division
 - 4. total size of plat (in acres)
 - 5. A signature line showing approval date shall be provided for the Planning Director.
- (M) Mitigation of the impact of development on public facilities should be considered at this stage. Recommendations from staff and the Planning and Zoning Commission shall be directed to the City Council for consideration.
 - 1. Written record of staff and the Planning and Zoning Commission recommendations for mitigation shall be included in the staff presentation to the City Council for each preliminary plat presentation.
 - 2. Written record of the decision and motion of the City Council requirements for mitigation shall be incorporated into an annexation or development agreement prior to the final platting stage of said development.

The preliminary plat shall be drawn to a scale not smaller than one (1) inch to one hundred (100) feet. One (1) copy of the approved preliminary plat will be kept on file for public examination at the office of the Planning Director. Such approval of the preliminary plat shall be valid for a period of one (1) calendar year only.

CHAPTER 14

R-1 RESIDENCE ZONE

SECTION:

10-14-1: General Objectives and Characteristics of Zone

10-14-1: GENERAL OBJECTIVES AND CHARACTERISTICS OF ZONE: The objective in establishing the R-1 Residence Zone is to provide a residential environment within the City which is characterized by somewhat smaller lot width and a somewhat denser residential environment. Also characteristic of this zone are residential amenities adequate to maintain desirable residential neighborhoods. The principal permitted uses in the R-1 Residence Zone shall be single family dwelling units and certain other public facilities which are necessary to promote and maintain stable residential neighborhoods. This zone does not allow density that will exceed four (4.0) living units per acre.

In order to accomplish the objectives and purposes of this ordinance and to promote the essential characteristics of this zone, the following regulations shall apply in the R-1 Residence Zone (see also §10-5 Supplementary Regulations to Zones, §10-7 Special Provisions Applying to Miscellaneous Uses, §10-29 Subdivision Regulations, and §10-37 District Use Matrix).

CHAPTER 15

R-2 RESIDENCE ZONE

SECTION:

- 10-15-1: *General Objectives and Characteristics of Zone*
- 10-15-2: *Location of Accessory Structures*
- 10-15-3: *Lot Coverage*
- 10-15-4: *Special Provisions Regarding Single-Family Attached Dwellings*

10-15-1: GENERAL OBJECTIVES AND CHARACTERISTICS OF ZONE: The objective in establishing the R-2 Residence Zone is to encourage the creation and maintenance of residential areas within the City which are characterized by smaller dwellings, somewhat more compact and denser residential development. This zone does not allow density that will exceed eight (8.0) dwelling units per acre.

The principal permitted uses in the R-2 Residence Zone shall be single-family detached dwelling units, buildings containing two (2), three (3), or four (4) zero lot line single-family attached dwelling units, and certain other public facilities which are necessary to promote and maintain stable residential areas.

In order to accomplish the objectives and purposes of this ordinance and to promote the essential characteristics of this zone, the following regulations shall apply in the R-2 Residence Zone (see also §10-5 Supplementary Regulations to Zones, §10-7 Special Provisions Applying to Miscellaneous Uses, §10-29 Subdivision Regulations, and §10-37 District Use Matrix).

10-15-2: LOCATION OF ACCESSORY STRUCTURES:

- (A) Side yard requirements for accessory buildings shall be the same as for main buildings. Any accessory building placed in the calculated side yard of the main building shall maintain the side yard requirements of the zone in which it is in. The distance between the main building and the accessory building shall be subject to the requirements in the most recently adopted version of the International Building Code or International Residential Code as they may apply.
- (B) No side yard shall be required for accessory buildings which are located more than twelve (12) feet in the rear of the main building (calculated from the furthest point of extension of any part of the foundation), provided that the auxiliary building's drip line remains within the property.

10-15-3: LOT COVERAGE:

- (A) **Maximum Lot Coverage.** Lot coverage, including all areas under roofs and paved or concrete surfaces, shall not exceed seventy percent (70%) of the total lot and parking area. The maximum lot coverage of single-family attached dwelling units shall be sixty-five percent (65%) for interior lots and fifty percent (50%) for corner lots. The remaining lot area shall be landscaped in accordance with provisions of this ordinance. All landscaping outside of that immediately between any main building and any public street shall be located, designed, and developed for the benefit and enjoyment of the residents of the dwelling(s), including appropriate play areas for children.
- (B) **Lot Coverage Exemption.** The landscaped area on a lot will be considered to include such hard-surface outdoor recreation facilities as tennis courts, basketball courts, shuffleboard courts, and swimming pools, provided that:
 - 1. The hard-surface outdoor recreation facilities make up no more than forty percent (40%) of the required landscaped area, and
 - 2. Those facilities are available for the use of all residents of the development.
- (C) **Required Buffers.** Wherever a development in the R-2 Zone adjoins land zoned RP, RP-A, R-1, R1-A or RMH, or unincorporated land designated for single family residential use in the City's Comprehensive Plan, a minimum ten (10) foot wide landscaped buffer shall be provided. This buffer may be included in the thirty percent (30%) minimum landscaped area required in (A) above.

10-15-4: SPECIAL PROVISIONS REGARDING SINGLE-FAMILY ATTACHED DWELLINGS.

- (A) All lots upon which a single-family attached dwelling is located shall have vehicular access to and frontage upon a dedicated street or upon a granted easement of access of not less than twenty-five (25) feet in width and of a distance from the public dedicated street of no longer than approved by the planning and zoning commission.
- (B) No single-family attached dwelling shall be located above another dwelling unit, either in whole or in part.
- (C) Each single-family attached dwelling shall have at least one direct pedestrian access from the interior of the dwelling to the exterior boundaries of the lot and no pedestrian access may be held in common with another single-family dwelling unit.
- (D) No more than four (4) single-family attached dwellings may be attached together.
- (E) Except as noted below, a single-family attached dwelling shall have no facilities or property in common with another single-family attached dwelling and all dwellings shall be structurally and functionally independent from each other. All single-family attached

dwelling shall have separate electrical service, water service lines, and sanitary sewer service lines. Common facilities or property are allowed for the following:

1. Common party walls constructed in accordance with the International Building Code or International Residential Code as they may apply.
 2. Foundations supporting attached or party walls.
 3. Flashing at the termination of the roof covering over any attached walls.
 4. Roofs.
 5. Vehicular access to a dedicated street for off-street parking facilities or detached garages.
- (F) No certificate of occupancy shall be issued for a single family attached dwelling unless a common facility or party wall agreement or Declaration of Condominium, together with a separate legal description for each dwelling unit has been filed with the Bonneville County Recorder's Office and a copy provided to the City of Ammon, for each such dwelling unit which shares common facilities with another unit. Such agreement shall include a legal description of the individual dwelling units sharing common facilities and shall allocate responsibility as and between the owners of such lots for the use, maintenance, and ownership of all common facilities.

10-37-2 (A) RESIDENTIAL DISTRICT USES																		
Zones	Maximum Units Per Acre	Minimum Lot Area (Square Feet)	Minimum Lot Width	Minimum Open Space	Front Setback Minimum	Side Setback Minimum (except zero lot line properties)	Rear Setback Minimum	Minimum Square Footage (Single Story, Above Grade)	Minimum Square Footage (Multi-Story, Above Grade)	Maximum Building Height	Access Width	Accessory Structure	Accessory Dwelling Unit (ADU)	Attached Units Allowed	Minimum Landscape Strip	Required Buffers	Child Care Facilities Require a Home Occupation License	Assisted Living Center
RE	1.00	43,560	125'	70%	50'	20'	25'	1,500	2,600	35'	30'	P	P	1.00				
RP	2.50	12,000	100'	70%	30'	10'	25'	1,400	2,400	35'	30'	P	P	1.00			P6, P7	
RP-A	2.50	10,000	90'	70%	30'	10'	25'	1,200	2,000	35'	30'	P	P	1.00				
R-1	4.00	5,000	50'	70%	30'	8'	25'	1,000	1,500	35'	30'	P	P	1.00			P6, P7	
R-1 prior to 6-27-13	4.00	8,000	80'	70%	30'	8'	25'	1,000	1,500	35'	30'	P	P	1.00			P6, P7	
R1-A	4.00	5,000 sq ft/unit	100'	70%	30'	P1, 8'	25'	1,000	1,500	35'	30'	P	P	2.00			P6, P7	
RS	6.00	4,000	50'	50%	25'	14' total with a minimum of 4' on one side	20'	800	1,200	35'	20'	P		1.00				
R-2	8.00	P2	100'	65%	30'	P1, 8'	25'	900	1,300	35'	30'	P		4.00	10'		P6, P7	
R2-A	12.00	P3	100'	65%	30'	P1, 8'	25'	1,100		40'	30'	P		up to 8.00	10'	Fence	P6, P7	P
R-3	16.00	P4	100'	65%	30'	P1, 8'	25'	1,000		40'	30'	P		up to 16.00	10'	Fence	P6, P7	P
R3-A	20.00	P5	100'	65%	30'	P1, 8'	25'	1,000		40'	30'	P		up to 20.00	10'	Fence	P6, P7	P
RMH	4.00	8,000 sq ft	50'	70%	30'	P1, 8'	25'	1,000		35'	30'	P		1.00				
MU					20'													
	Not Permitted																	
P	Permitted																	
P1	There shall be no side yard requirement for the property line between zero lot line single family attached dwellings where the dwelling units are attached by party wall/common walls with the following requirements: a) At the point at the rear of any party wall/common wall where an attached dwelling becomes detached along the zero lot line, the side yard requirement shall be no less than four (4) feet from the foundation of the detachment to the property line. b) For detached portions that are at the front of an attached dwelling, there shall be no less than four (4) feet from the foundation of the detachment to the property line and there shall be no more than four (4) feet running front to back of the dwelling that shall be detached from the dwelling sharing the party wall/common wall. c) There shall be an attached party wall/common wall of no less than twelve (12) feet between any attached dwellings permitted within this chapter or any subsequent chapter allowing single family attached dwellings.																	
P2	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For each building containing three or four dwelling units the minimum lot area is 18,000 square feet.																	
P3	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For each building containing three to eight dwelling units the minimum lot area is 5,000 sq. ft. plus 3,000 sq. ft. for each dwelling unit.																	
P4	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For buildings containing three (3) or more dwelling units, an area of not less than twelve thousand seven hundred fifty (12,750) square feet, plus an additional two thousand seven hundred fifty (2,750) square feet per dwelling unit for each dwelling unit above three (3) shall be required.																	
P5	For each building containing one dwelling unit the minimum lot area is 8,000 square feet. For each building containing two dwelling units the minimum lot area is 10,000 square feet. For each building containing three or more dwelling units the minimum lot area is 12,200 sq. ft. plus 2,200 sq. ft. for each dwelling unit.																	
P6	Family Child Care Facility - five (5) or fewer children																	
P7	Group Child Care Facility - six (6) to twelve (12) children																	
																#####		