

Chapter 2

RESIDENTIAL ZONING DISTRICTS

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Sec. 2-1. Purpose.

The residential zoning districts created by this Chapter are established to promote the orderly development and maintenance of livable and attractive neighborhoods where residents can live their home life with minimal disturbance and disruption. The residential zoning districts established herein vary in the intensity of development allowed and level of activity accommodated. Application of each particular residential zoning district will be determined by consideration of a number of factors including but not limited to: physical character of the land, availability of public services and utilities, current land use in the area, access via the transportation network of the community, and community development policies as stated in the Plan.

Sec. 2-2. Agriculture/Forestry Zoning District (AF).

- A. Intent: The purpose of the Agriculture/Forestry (AF) zoning district is to foster agriculture and forestry land uses while providing for limited, low-density residential land

uses which will not conflict with farm and forest practices nor place inappropriate demands on rural public services nor promote the indiscriminate conversion of farm and forest land to other uses.

B. Permitted Principal Uses and Structures:

1. Agriculture, including the raising, harvesting, and selling of crops; on-site storage of grain and seed; the raising and sale of livestock or poultry; dairying and sale of dairy products; and other similar agricultural, horticultural, or animal husbandry uses, excluding feedlots with more than twenty (20) animals.
2. Accessory building and uses normal and incidental to the buildings and uses permitted, including dwellings for persons engaged for farm or forestry labor provided such dwelling units are located on the farm owned or operated by the employer.
3. Forestry, including the raising, harvesting, and sale of timber and other forest products.
4. Small sawmills operated as a short-term or subsidiary use on farms or woodlots.
5. Home occupations.
6. Single family dwelling.
7. Family day care facility and group day care facility.
8. Bed and breakfast inn.
9. Boarding house.

C. Conditional Uses:

1. Self-service Storage Facility.
2. Commercial stables, golf courses, parks and gun clubs, and recreational resorts.
3. Antenna towers.
4. Airports, landing fields, and heliports.
5. Carnivals and circuses, except those in conjunction with a county fair or other governmentally-sponsored outdoor event.
6. Wastewater treatment plants.

7. Churches, convents, monasteries, synagogues, mosques and other similar places of worship and religious practice.
 8. Schools, commercial schools and educational institutions.
 9. Meeting halls, community and neighborhood center, grange halls, and similar gathering places not for commercial use.
 10. Small and large day care facility.
 11. Feedlots with twenty (20) to two hundred (200) animals shall be permitted only after issuance of a conditional use permit by the Board of Adjustment. Feedlots with more than two hundred (200) animals shall not be allowed in this district.
 12. Rural Businesses, subject to the following limitations:
 - a. No retail sales shall be permitted on site, except as permitted by other provisions of the AF zoning district.
 - b. The number of on-site employees shall be limited to four (4).
 - c. All material related to the business shall be stored indoors with the exception of a maximum of four (4) business-related vehicles.
 - d. The area within a building devoted to the business use shall be limited to a maximum of two thousand four hundred (2,400) square feet.
- D. Special Uses:
1. Recreational vehicle parks and campgrounds subject to the development standards of Code Title 6, Chapter 4.
 2. Public service and utility facilities not listed as permitted uses in this zoning district, such as fire stations, police stations, telephone switching facilities, fairgrounds, cemeteries, national guard armories, fire training facilities, pumping stations, electric substations, and similar public service facilities necessary to the neighborhood or community, including signage and other necessary accessory structures.
3. Cemeteries.
- E. Minimum Lot Area Requirements: Forty Acres.
1. Exception to minimum forty (40) acre lot size: No more than one (1) parcel of land less than forty (40) acres may be divided from an existing parcel of forty (40) acres or more in the AF zoning district (a 1/4-1/4 section or full Government Lot shall be treated as a forty (40) acre parcel for the purposes of this Zoning Code). The small parcel shall be at least one (1) acre in area and must be registered with the Office of the Latah County Clerk and the City Community Development Department. Such exceptions must be reviewed and approved by the Council and the Board of Latah County Commissioners.
 2. No parcel shall be eligible for a building permit unless the owner demonstrates that:
 - a. Adequate access is provided by parcel frontage to a public road. If either parcel does not front a public road, the parcel must contain a recorded easement of at least thirty (30) feet in width which connects to a public road. Access to a public road, either direct or by easement, will require written approval from the jurisdiction maintaining the accessed public road.
 - b. Adequate sewage disposal facilities can be located on the parcel as evidenced by written approval from the North Central District Health Department.
 - c. A legal description and map have been prepared by the applicant and reviewed by the Latah County Surveyor. The map should contain a vicinity map, dimensions of the boundary and proposed lot lines, north arrow, scale, adjacent property owners and width of any easements.
- F. Minimum Yard Requirements:
1. Front yard: Twenty (20) feet from the public right-of-way.

- 2. Rear yard: Thirty-five (35) feet for a principal building; ten (10) feet for a detached accessory building.
- 3. Side yard: Thirty-five (35) feet for a principal building; ten (10) feet for a detached accessory building.
- 4. Street Side Yard: Twenty (20) feet.
- G. Signs: Pursuant to the Moscow Sign Code.

Sec. 2-3. Farm, Ranch, and Outdoor Recreation Zoning District (FR).

- A. Intent: This classification is intended to permit current agricultural, outdoor recreation and other open land uses to be maintained and at the same time to set minimum standards for the development of similar new uses in order that this open zoning district be protected against spasmodic, disorderly and indiscriminate development until such time as another appropriate use of the land in this zoning district has been determined. It is also intended that newly annexed areas of the City be placed in this classification until land use studies determine the character and appropriate use of such areas.
- B. Permitted Principal Uses and Structures:
 - 1. One (1) single family dwelling per lot.
 - 2. Growing and harvesting field, tree or bush crops.
 - 3. Hatching, raising and marketing poultry, provided no building pertaining to this use shall be closer than fifty (50) feet to any property line.
 - 4. Horse, cattle, goat and sheep pastures and enclosures.
 - 5. Public parks and public recreation facilities.
 - 6. Plant nurseries and greenhouses provided that all sales are of produce grown on site.
 - 7. Group day care facility.

- C. Permitted Accessory Uses and Structures:
 - 1. Barns and other accessory structures commonly associated with farming, ranching or outdoor recreation.
 - 2. Temporary sales stands for the sale of farm and ranch products.
 - 3. Private garages designed to accommodate no more than four vehicles.
 - 4. Parking lots for uses permitted in the FR zoning district.
 - 5. Family day care facility.
 - 6. Uses, buildings and structures that utilize electricity and/or water and are accessory to a single family or duplex residence shall be serviced by the same electrical and/or water meter as the single family or duplex residence.
- D. Conditional Uses:
 - 1. Home occupations.
 - 2. Churches, convents, monasteries, synagogues, mosques and other similar places of worship and religious practice.
 - 3. Schools, commercial schools and educational institutions.
 - 4. Small day care facility.
 - 5. Veterinary offices, kennels, animal training centers, and animal hospitals.
 - 6. Feed lots for horses, cattle, goats and sheep, provided that such activities are on a parcel of land of not less than twenty (20) acres, and provided that buildings of feed lots are no closer than five hundred (500) feet from the nearest property line.
 - 7. Driving tees and ranges and miniature golf courses.
 - 8. Barbed wire and other fences constructed in a manner that, without special consideration to the specific location and site characteristics, may be hazardous to persons.
 - 9. Antenna towers.
 - 10. Bed and breakfast inn.
 - 11. Boarding house.

- 12. Libraries, galleries and museums which are open to visitation by the general public during regular, established business hours.
- E. Special Uses:
Public service and utility facilities not listed as permitted uses in this zoning district, such as fire stations, police stations, telephone switching facilities, fairgrounds, cemeteries, national guard armories, fire training facilities, pumping stations, electric substations, and similar public service facilities necessary to the neighborhood or community, including signage and other necessary accessory structures.
- F. Limitations On Uses:
All products sold on the premises at retail shall be those made incident to a permitted use, unless permitted under Code Section 4-2-2(C) as a conditional use.
- G. Lot Requirements:
 - 1. Minimum Lot Area - three (3) acres.
 - 2. Minimum Lot Width - eighty (80) feet.
- H. Minimum Yard Requirements:
 - 1. Front - twenty-five (25) feet.
 - 2. Street side yard - seventeen (17) feet.
 - 3. Any other side - five (5) feet; but the sum of the two side yards shall not be less than fifteen (15) feet.
 - 4. Rear - twenty (20) feet.
- I. Required Open Space: None specified.
- J. Maximum Height Of Buildings: Twenty (20) feet, unless the side yard minimum specified in Code Section 4-2-3(H) is exceeded. An additional one (1) foot of building height, as measured at the adjacent side property line, is permitted for each one (1) foot by which side yard minimums are exceeded. However, in no case shall the total height of a structure exceed thirty-five (35) feet.
(Ord. 97-12, 4/7/97)
- K. Signs: Pursuant to Moscow Sign Code.
- L. Fences:

- 1. No fence shall exceed six (6) feet in height, except fences located on school grounds or in public parks.
- 2. Fences constructed within required front and street side yards shall not exceed the following heights:
 - a. Solid fences - three (3) feet.
 - b. Open rail fences and other open fences where the posts and material constitute not more than one-third (1/3) of the fence area - four (4) feet, six (6) inches.
- 3. Barbed wire fences, or similar fences may be permitted as a conditional use.
- 4. Solid fences installed on top of or within five (5) feet of fill retaining walls that are built at side or rear property lines shall not exceed a height of six (6) feet minus one-half the elevation difference between the high and low sides of the wall.
(Ord. 97-33, 11/3/97)

Sec. 2-4. Suburban Residential Zoning District (SR).

- A. Intent: This classification is to create and protect a permanent single family residential neighborhood at a very low density. Where properly located and controlled, specified rural uses, including pasturage of livestock, may be allowed. Because large areas are contained within lots in this zoning district, the demand for parking is to be satisfied by spaces located entirely on private property. Public improvements are to be designed to serve the rural, low intensity uses permitted in this zoning district; for this reason and because some uses permitted in the SR zoning district may not be compatible with more intensive zoning districts, the following conditions shall apply to the designation of land in the SR zoning district.
 - 1. Local streets developed to a reduced standard specially applicable in the SR zoning district shall not provide primary access to development

with a higher density than permitted in the SR zoning district.

2. The minimum size of an SR zoning district shall be ten (10) acres.

3. The SR zoning district shall be located only in areas specifically designated A or A/LR on the Comprehensive Plan Map. Because the SR zoning district may interfere with higher density, more efficient land use, it should be applied where such interference would be unlikely, such as in areas primarily rural in character and not close to schools, public facilities and shopping areas. The SR zoning district should not be applied where the reduced street standards permitted would interfere with present or future transportation needs for the area in which the SR zoning district is proposed.

4. After zoning and development of land in the SR zoning district occurs, changes from this zoning district can only take place concurrently with or after redevelopment of streets and utilities to standards applicable in the proposed zoning district for which the person is applying.

B. Permitted Principal Uses and Structures: In the SR zoning district the following uses only are permitted and as hereinafter specifically provided and allowed by this Chapter, subject to the off-street parking requirements and the general provisions and exceptions set forth in this Zoning Code.

1. Single family dwelling.

2. Any principal use or structure permitted in the single family R-1 classification.

C. Permitted Accessory Uses and Structures: In the SR zoning district only the following accessory uses are permitted and as hereinafter specifically provided and allowed by this Chapter, subject to the general provisions and exceptions set forth in this Zoning Code.

Any accessory use or structure permitted in the single family R-1 zoning district.

D. Conditional Uses:

1. Pasturage of horses, cattle, goats and sheep, subject to the grant of a conditional use permit. In evaluating a proposal, the applicant must demonstrate to the Board of Adjustment that the following standards are or will be met:

a. Provision of at least one-half (1/2) acre of adequately fenced open area per animal.

b. No building pertaining to this use shall be located closer than fifty (50) feet to the nearest property line.

c. Suitability of the physical characteristics of the property, including shape, topography, soils and drainage, for the intended use.

d. Levels of noise, odor and other potential impacts of the proposed use will not be a nuisance to neighboring properties.

Upon application of any neighboring property owner, the Board of Adjustment may reconsider any conditional use permit issued pursuant to this subsection and, if the evidence shows that such pasturage of livestock is causing a nuisance, may revoke the conditional use permit. Hearing procedure shall be the same as those applied to issuance of the original conditional use permit.

2. Barbed wire and other fences constructed in a manner that, without special consideration to the specific location and site characteristics, may be hazardous to persons.

3. Home occupations.

4. Small day care facility.

5. Antenna towers.

6. Bed and breakfast inn.

7. Boarding house.

8. Churches, convents, monasteries, synagogues, mosques and other similar places of worship and religious practice.

- 9. Libraries, galleries and museums which are open to visitation by the general public during regular, established business hours.
- E. Special Uses: None specified.
- F. Limitations On Uses: None specified.
- G. Lot Requirements:
 - 1. Minimum Lot Area - one (1) acre.
 - 2. Minimum Lot Width - one hundred fifty (150) feet.
 - 3. Minimum Lot Depth - one hundred fifty (150) feet.
- H. Minimum Yard Requirements:
 - 1. Front - forty (40) feet.
 - 2. Rear - sixty (60) feet.
 - 3. Side - twenty (20) feet.
- I. Required Open Space: None specified.
- J. Maximum Height of Buildings: Twenty (20) feet, unless the side yard minimum specified in Code Section 4-2-4(H) is exceeded. An additional one (1) foot of building height, as measured at the adjacent side property line, is permitted for each one (1) foot by which side yard minimums are exceeded. However, in no case shall the total height of a structure exceed thirty-five (35) feet.
(Ord. 97-12, 4/7/97)
- K. Signs: Pursuant to the Moscow Sign Code.
- L. Fences:
 - 1. No fence shall exceed six (6) feet in height, except fences located on school grounds or in public parks.
 - 2. Fences constructed within required front yards or street side yards shall not exceed the following heights:
 - a. Solid fences - three (3) feet.
 - b. Open rail fences and other open fences where the posts and material constitute not more than one-third (1/3) of the fence area - four (4) feet, six (6) inches.
 - 3. Barbed wire or similar fences may be permitted as a conditional use.

Sec. 2-5. Low Density, Single Family Residential Zoning District (R-1):

- A. Intent: The R-1 zoning district is a low density residential zone appropriate where the following circumstances are present:
 - 1. Single family dwellings predominate in the area.
 - 2. The physical character of the area does not lend it to more intense development, either by virtue of irregular topography, restricted access, division of the land into subdivision lots of a size greater than the minimum lot size required by this zoning district, or the application of the Plan policies to the land in question.
- B. Permitted Principal Uses and Structures:
 - 1. One (1) single family dwelling per lot.
 - 2. Public parks and recreation facilities, provided, however, that any service yard located within said park shall be maintained no closer than fifty (50) feet to a property line of an adjoining residence of a street frontage.
 - 3. Group day care facility.
- C. Permitted Accessory Uses and Structures:
 - 1. Private garages and workshops not to exceed one thousand (1,000) square feet.
 - 2. Private noncommercial greenhouses from which no products are sold to the public.
 - 3. Family day care facility.
 - 4. Parking lots for nonresidential uses permitted in the R-1 zoning district.
 - 5. Uses, buildings and structures that utilize electricity and/or water and are accessory to a single family or duplex residence shall be serviced by the same electric and/or water meter as the single family or duplex residence.
- D. Conditional Uses:
 - 1. Home occupations.
 - 2. Small day care facility.
 - 3. Large day care facility if within three hundred (300) feet of an elementary school.

- 4. Churches, convents, monasteries, synagogues and mosques and other similar places of worship and religious practice .
 - 5. Noncommercial private recreation facilities, including golf courses.
 - 6. Accessory living quarters serving as a guest house or domestic servant quarters.
 - 7. Antenna towers.
 - 8. Boarding House or Bed and Breakfast Inn, limited to a maximum of one (1) bedroom, with the conditions that adequate off-street parking be provided and that the use will not change the character of the neighborhood.
 - 9. Schools, commercial schools and educational facilities.
 - 10. Libraries, galleries and museums which are open to visitation by the general public during regular, established business hours.
- E. Special Uses:
Public service and utility facilities not listed as permitted uses in this district, such as fire stations, police stations, telephone switching facilities, fairgrounds, cemeteries, national guard armories, fire training facilities, pumping stations, electric substations, and similar public service facilities necessary to the neighborhood or community, including signage and other necessary accessory structures.
- F. Limitations On Uses: All principal uses other than dwellings shall comply with the following standards:
- 1. No more than thirty-five percent (35%) of the lot area shall be covered by buildings.
 - 2. Off-street parking shall not be located in required front or street side yards.
 - 3. A type-A buffer yard shall be provided along any property line abutting property classified as zoning districts SR, R-1, R-2 or R-3.
(Ord. 2005-07, 02/07/2005)
- G. Lot Requirements:
- 1. Minimum Lot Area - nine thousand six hundred (9,600) square feet.
 - 2. Minimum Lot Width - eighty (80) feet, or seventy (70) feet for lots which are provided rear access from an alley.
(Ord. 97-14, 4/7/97)
- H. Minimum Yard Requirements:
- 1. Front - twenty-five (25) feet.
 - 2. Street Side - seventeen (17) feet.
 - 3. Any other side - five (5) feet; but the sum of the two (2) side yards shall not be less than fifteen (15) feet for lots seventy-five (75) feet or more in width and shall not be less than ten (10) feet for lots less than seventy-five (75) feet in width which have alley access.
(Ord. 98-13, 4/20/98)
 - 4. Rear - twenty (20) feet.
- I. Required Open Space: None specified.
- J. Maximum Height of Buildings: Twenty (20) feet, unless the side yard minimum specified in Code Section 4-2-5(H) is exceeded. An additional one (1) foot of building height, as measured at the adjacent side property line, is permitted for each six (6) inches by which all side yard minimums are exceeded. However, in no case shall the total height of a structure exceed thirty-five (35) feet.
(Ord. 97-12, 4/7/97)
- K. Signs: Pursuant to the Moscow Sign Code.
- L. Fences
- 1. No fence shall exceed six (6) feet in height, except fences located on school grounds or in public parks.
 - 2. Fences constructed within required front yards or on street side yards shall not exceed the following heights:
 - a. Solid fences - three (3) feet.
 - b. Open rail fences and other open fences where the posts and material constitute not more than one-third (1/3) of the fence area - four (4) feet, six (6) inches.
 - 3. Barbed wire fences or other fences constructed in a manner that may be

hazardous to persons or animals are prohibited.

4. Solid fences installed on top of or within five (5) feet of fill retaining walls that are built at site or rear property lines shall not exceed a height of six (6) feet minus one-half the elevation difference between the high and low sides of the wall.

(Ords. 97-33, 11/3/97; 2005-07, 02/07/2005)

Sec. 2-6. Moderate Density, Single Family Residential Zoning District (R-2).

A. Intent: The R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:

1. Single family dwellings predominate.
2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
3. Utilities and other public facilities are adequate for the densities allowed.
4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.

B. Permitted Principal Uses and Structures:

1. One (1) single family dwelling per lot.
2. Public parks and recreation facilities, provided, however, that any service yard located within said park shall be maintained no closer than fifty (50) feet to a property line of an adjoining residence or a street frontage.
3. Group day care facility.

C. Permitted Accessory Uses and Structures:

1. Private garages and workshops not to exceed one thousand (1,000) square feet.
2. Private noncommercial greenhouses from which no products are sold to the public.
3. Family day care facility.

4. Parking lots for nonresidential uses permitted in the R-2 zoning district.

5. Uses, buildings and structures that utilize electricity and/or water and are accessory to a single family or duplex residence shall be serviced by the same electric and/or water meter as the single family or duplex residence.

D. Conditional Uses:

1. Home occupations.
2. Small day care facility.
3. Large day care facility if within three hundred (300) feet of an elementary school.
4. Churches, convents, monasteries, synagogues and mosques and other similar places of worship and religious practice..
5. Noncommercial private recreation facilities, including golf courses.
6. Accessory living quarters serving as a guest house or domestic servant quarters.
7. Antenna towers.
8. Boarding House or Bed and Breakfast Inn, limited to a maximum of two (2) bedrooms, with the conditions that adequate off-street parking be provided and that the use will not change the character of the neighborhood.
9. Schools, commercial schools and educational institutions.
10. Libraries, galleries and museums which are open to visitation by the general public during regular, established business hours.

E. Special Uses:

Public service and utility facilities not listed as permitted uses in this district, such as fire stations, police stations, telephone switching facilities, fairgrounds, cemeteries, national guard armories, fire training facilities, pumping stations, electric substations, and similar public service facilities necessary to the neighborhood or community, including signage and other necessary accessory structures.

F. Limitations On Uses: All principal uses other than dwellings shall comply with the following standards:

1. No more than thirty-five percent (35%) of the lot area shall be covered by buildings.
2. Off-street parking shall not be located in required front or street side yards.
3. A type-A buffer yard shall be provided along any property line abutting property classified as zoning districts SR, R-1, R-2, or R-3 as residential.

(Ord. 2005-07, 02/07/2005)

G. Lot Requirements:

1. Minimum Lot Area - seven thousand (7,000) square feet.
2. Minimum Lot Width - sixty (60) feet, or fifty (50) feet for lots which are provided rear access from an alley.

(Ord. 97-14, 4/7/97)

H. Minimum Yard Requirements:

1. Front - twenty-five (25) feet.
2. Street side - seventeen (17) feet.
3. Any other side - five (5) feet; but the sum of the two (2) side yards shall be at least fifteen (15) feet for lots fifty-five (55) feet or more in width and shall not be less than ten (10) feet for lots less than fifty-five (55) feet in width which have alley access.

(Ord. 98-13, 4/20/98)

4. Rear - twenty (20) feet.

I. Required Open Space: None specified.

J. Maximum Height of Buildings: Twenty (20) feet, unless the side yard minimum specified in Code Section 4-2-6(H) is exceeded. An additional one (1) foot of building height, as measured at the adjacent side property line, is permitted for each six (6) inches by which all side yard minimums are exceeded. In no case shall the total height of a structure exceed thirty-five (35) feet.

(Ord. 97-12, 4/7/97)

K. Signs: Pursuant to the Moscow Sign Code.

L. Fences:

1. No fence shall exceed six (6) feet in height, except fences located on school grounds.

2. Fences constructed within required front yards or street side yards shall not exceed the following heights:

- a. Solid fences - three (3) feet.
- b. Open rail fences and other open fences where the posts and material constitute not more than one-third (1/3) of the fence area - four (4) feet, six (6) inches.

3. Barbed wire fences or other fences constructed in a manner that may be hazardous to persons or animals are prohibited.

4. Solid fences installed on top of or within five (5) feet of fill retaining walls that are built at site or rear property lines shall not exceed a height of six (6) feet minus one-half the elevation difference between the high and low sides of the wall.

(Ords. 97-33, 11/3/97; 2005-07, 02/07/2005)

Sec. 2-7. Medium Density Residential Zoning District (R-3).

A. Intent: The R-3 zoning district provides for an increase over the density allowed by the R-2 zoning district by permitting different types of housing construction. It is appropriate where activity levels are moderate, terrain permits construction of somewhat larger structures, and where public systems and neighborhood facilities can accommodate a greater intensity of land use as guided by the Comprehensive Plan.

B. Permitted Principal Uses and Structures:

1. Single family dwelling.
2. Two family dwelling.
3. Public parks and recreation facilities, provided, however, that any service yard located within said park shall be maintained no closer than fifty (50) feet to a property line or a street frontage.

- 4. Noncommercial private recreation facilities, including golf courses.
- 5. Group day care facility or small day care facility.
- C. Permitted Accessory Uses and Structures:
 - 1. Private garages and workshops not to exceed one thousand (1,000) square feet.
 - 2. Private noncommercial greenhouses from which no products are sold to the public.
 - 3. Family day care facility.
 - 4. Parking lots for uses permitted in the R-3 zoning district.
 - 5. Uses, buildings and structures that utilize electricity and/or water and are accessory to a single family or duplex residence shall be serviced by the same electric and/or water meter as the single family or duplex residence.
- D. Conditional Uses:
 - 1. Home occupations.
 - 2. Large day care facility.
 - 3. Accessory living quarters serving as a guest house or domestic servant quarters.
 - 4. Antenna towers.
 - 5. Boarding House or Bed and Breakfast Inn, limited to a maximum of three (3) bedrooms, with the conditions that adequate off-street parking be provided and that the use will not change the character of the neighborhood.
 - 6. Schools, commercial schools and educational institutions.
 - 7. Churches, convents, monasteries, synagogues, mosques and other similar places of worship and religious practice.
 - 8. Libraries, galleries and museums which are open to visitation by the general public during regular, established business hours.
- E. Special Uses:
 - Public service and utility facilities not listed as permitted uses in this zoning district, such as fire stations, police stations, telephone switching facilities, fairgrounds, cemeteries, national guard armories, fire training facilities, pumping stations, electric substations, and similar public service facilities necessary to the neighborhood or community, including signage and other necessary accessory structures.
- F. Limitations On Uses: All principal uses other than dwellings shall comply with the following standards:
 - 1. No more than thirty-five percent (35%) of the lot area shall be covered by buildings.
 - 2. Off-street parking shall not be located in required front or street side yards.
 - 3. A type-A buffer yard shall be provided along any property line abutting property classified as zoning district SR, R-1, R-2, or R-3 .
(Ord. 2005-07, 02/07/2005)
- G. Lot Requirements:
 - 1. Minimum Lot Areas:
 - a. Single family dwelling - six thousand (6,000) square feet.
 - b. Two family dwelling -seven thousand (7,000) square feet.
 - 2. Minimum Lot Width - sixty (60) feet, or fifty (50) feet for lots which are provided rear access from an alley.
(Ord. 97-14, 4/7/97)
- H. Minimum Yard Requirements:
 - 1. Front - twenty (20) feet.
 - 2. Street side - thirteen (13) feet.
 - 3. Any other side - five (5) feet; but the sum of the two (2) side yards shall be at least fifteen (15) feet for lots fifty-five (55) feet or more in width and shall not be less than ten (10) feet for lots less than fifty-five (55) feet in width which have alley access.
(Ord. 98-13, 4/20/98)
 - 4. Rear - twenty (20) feet.
- I. Required Open Space: None specified.
- J. Maximum Height of Buildings: thirty-five (35) feet.
(Ord. 97-12, 4/7/97)
- K. Signs: Pursuant to the Moscow Sign Code.
- L. Fences:

1. No fence shall exceed a height of six (6) feet, except fences located on school grounds.
2. Fences constructed within required front yards or street side yards shall not exceed the following heights:
 - a. Solid fences - three (3) feet.
 - b. Open rail fences and other open fences where the posts and material constitute not more than one-third (1/3) of the fence area - four (4) feet, six (6) inches.
3. Barbed wire fences or other fences constructed in a manner that may be hazardous to persons or animals are prohibited.
4. Solid fences installed on top of or within five (5) feet of fill retaining walls that are built at site or rear property lines shall not exceed a height of six (6) feet minus one-half the elevation difference between the high and low sides of the wall.
(Ords. 97-33, 11/3/97; 2005-07, 02/07/2005)

Sec. 2-8. Multiple Family Residential Zoning District (R-4).

- A. Intent: The R-4 zoning district provides for the most intense residential land uses permitted in the community. It is to be applied where activity levels are high and adequate public facilities are available, especially near the University of Idaho campus or the City Central Business Zoning District. Adequate transportation access should be given high priority in determining the appropriate location for R-4 zoning districts.
- B. Permitted Principal Uses and Structures:
 1. Single family dwelling.
 2. Two family dwelling.
 3. Multiple family dwelling.
 4. Public parks and recreation facilities, provided, however, that any service yard located within said park shall be maintained no closer than fifty

- (50) feet to a property line or a street frontage.
5. Non-commercial private recreation facilities, including golf courses.
6. Bed and breakfast inn.
7. Boarding house.
8. Group day care facility, small day care facility, or large day care facility.
9. Professional offices not exceeding two thousand (2,000) gross square feet of floor area, and which are structurally in harmony with adjoining residential buildings.
10. Mobile Home Parks which comply with Title 6 of the Code.
- C. Permitted Accessory Uses and Structures:
 1. Private garages and workshops. Such garages or parking structures shall not exceed two (2) stories, or a maximum of twenty (20) feet above mean finished grade. Private garages accessory to single family dwellings shall not exceed one thousand (1,000) square feet.
 2. Parking areas provided for uses permitted in the R-4 zoning district.
 3. Private noncommercial greenhouses from which no products are sold to the public.
 4. Family day care facility.
 5. Uses, buildings and structures that utilize electricity and/or water and are accessory to a single family or duplex residence shall be serviced by the same electric and/or water meter as the single family or duplex residence.
- D. Conditional Uses:
 1. Home occupations.
 2. Mortuaries, crematories, hospitals and similar commercial services deemed to be essential to the community.
 3. Fraternity, sorority, and cooperative houses.
 4. Motels, not including restaurants or food service.
 5. Antenna towers.

6. Schools, commercial schools and educational facilities.

7. Churches, convents, monasteries, synagogues, mosques and other similar places of worship and religious practice.

8. Libraries, galleries and museums which are open to visitation to the general public during regular, established business hours.

E. Special Uses:

1. Public service and utility facilities not listed as permitted uses in this district, such as fire stations, police stations, courthouses, jails, telephone switching facilities, fairgrounds, cemeteries, national guard armories, fire training facilities, pumping stations, electric substations, and similar public service facilities necessary to the neighborhood or community, including signage and other necessary accessory structures.

2. Public oriented commercial services such as nursing homes, convalescent and rest homes for the aged, retirement homes and hospitals, except alcoholic, mental and penal hospitals.

3. Recreational Vehicle Parks and campgrounds subject to the development standards of Code Title 6, Chapter 4. In evaluating a proposal, the applicant must demonstrate to the Planning and Zoning Commission that the recreational vehicle park will not generate traffic volumes that would be a nuisance to the neighborhood in which it is located.

(Ord. 97-33, 11/3/97)

F. Limitations On Uses:

All principal uses other than dwellings shall comply with the following standards:

1. No more than thirty-five percent (35%) of the lot area shall be covered by buildings.

2. Off-street parking shall not be located in required front or street side yards.

3. A standard type-A buffer yard shall be provided along any property line abutting any property classified as zoning district SR, R-1, R-2, or R-3.

(Ord. 2005-07, 02/07/2005)

G. Lot Requirements:

1. Minimum Lot Area - five thousand (5,000) square feet; eight hundred (800) square feet of lot area per dwelling unit.

2. Minimum Lot Width - fifty (50) feet.

H. Minimum Yard Requirements:

1. Front - twenty (20) feet.

2. Street side - thirteen (13) feet.

3. Any other side - five (5) feet; but the sum of the two (2) side yards shall be at least fifteen (15) feet for lots greater than fifty-five (55) feet in width and ten (10) feet for lots fifty-five (55) feet or less in width.

4. Rear - twenty (20) feet, or a rear yard equal to the height of the structure as measured at the rear of the structure, whichever is greater.

I. Required Open Space: A minimum of seventy-five (75) square feet of functional open space shall be provided per dwelling unit; a minimum of four hundred (400) square feet of functional open space shall be provided for each lot.

J. Maximum Height of Structures: forty (40) feet.

K. Signs: Pursuant to the Moscow Sign Code.

L. Fences:

1. No fence shall exceed a height of six (6) feet except fences located on school grounds.

2. Fences constructed within required front yards or street side yards shall not exceed the following heights:

a. Solid fences - three (3) feet.

b. Open rail fences and other open fences where the posts and material constitute not more than one-third (1/3) of the fence area - four (4) feet, six (6) inches.

3. Barbed wire fences or other fences constructed in a manner that may be hazardous to persons or animals are prohibited.

4. Solid fences installed on top of or within five (5) feet of fill retaining walls that are built at site or rear property lines shall not exceed a height of six (6) feet minus one-half the elevation difference between the high and low sides of the wall.

(Ords. 97-33, 11/3/97; 2005-07, 02/07/2005)