

## Exhibit 2

# STANDARDS NEZ PERCE TERRACE PLANNED UNIT DEVELOPMENT

## INTRODUCTION

The purpose of this Nez Perce Terrace Planned Unit Development (PUD) is to establish a zone in order to:

- Establish a business and technology park for the City of Lewiston.
- Provide for the development of a business, commercial, and residential (low and high) environments centrally located and synergistic.
- Encourage flexibility in design and development that will encourage a more creative approach in the development of land by placement of buildings, use of open spaces, circulation, off-street parking areas and otherwise better utilize the potentials of sites characterized by special features of geography, topography, size or shape and to avoid the disruption of natural drainage patterns, which will result in a more efficient, economic, aesthetic and desirable use of the land;
- Provide a greater diversity of living environments by allowing a variety of housing types and residential densities and allowing more flexibility with lot dimensions and building setback;
- Provide a concept for the areas inside the PUD, and not to provide specific location of areas, in order for the City of Lewiston to determine that future developments are in substantial conformance with the proposed PUD

## GENERAL OVERVIEW

The variety of land uses shall be so located as to complement the Nez Perce Terrace PUD. This shall consist of the following environments:

- LDR LOW DENSITY RESIDENTIAL
- HDR HIGH DENSITY RESIDENTIAL
- BTP BUSINESS AND TECHNOLOGY PARK
- LC LOCAL COMMERCIAL
- RC REGIONAL COMMERCIAL
- LP LINEAR AND OPEN SPACE

## PURPOSE

- LDR The Low Density Residential area purpose is to provide transition between areas and to provide area for single family homes, duplex and condominium development.
- HDR The High Density Residential area purpose is to group the living units together into one or more buildings to allow more open space and to increase land efficiency.
- BTP The Business and Technology Park area purpose is to allow business/technology related industry with supporting features to develop in a designed area of the City of Lewiston. Utilizing the view from each site in a campus setting.
- LC The Local Commercial area purpose is to capitalize on the transient motor vehicle based trade along the major streets by encouraging businesses with drive up convenience to develop the area.
- RC The Regional Commercial area purpose is to support the establishment of varied types of major destination commercial uses having the common characteristic of dispensing commodities to meet the needs of the regional market.
- LP The Linear Park and Open Space area purpose is to provide a 20 to 50 foot greenbelt between the business and technology parcels and to help provide a campus setting. The open space is nondeveloped parcels which could be used for City of Lewiston parks and/or incorporated with adjacent parcels.

## LIMITATIONS ON USES

The following are restrictions and limitations within the Nez Perce Terrace PUD. These include but are not limited to:

- No operation conducted on the premises shall constitute a public nuisance beyond the property lines of each individual lot by reason of smoke, fumes, odor, steam, gasses, lighting, vibration, noise, hazards, or other causes.
- All service, processing, manufacturing, and storage of materials or equipment on property shall be wholly within an enclosed building and exterior doors shall not be left open.
- Materials shall be stored, and grounds maintained in a manner which will not attract or aid in the propagation of insects or rodents or otherwise create a health hazard.
- Building entrances or other openings to a residential or commercial area shall be prohibited if they caused glare, excessive noise or otherwise adversely affect the use or value of the adjacent property.
- All electric lines, telephone and cable facilities, street light wiring and other wiring conduits and other similar facilities shall be placed underground by the developer. Satellite dishes may be used provided they are screened from view as much as possible through strategic location or landscaping.
- Signs shall be subject to the restrictions enumerated in the sign ordinance of the City of Lewiston Code relative to the designated use. Temporary signs permitted are limited to:
  - One "for sale" or "for rent" sign per principal structure on the offered site. Limited to a maximum area of thirty-two (32) square feet each.
  - One ground or building-attached sign per principal structure identifying apartments and occupants of offices located on the site. Such signs may be illuminated only by indirect lighting, shall not exceed thirty-two (32) square feet in size, must be found to be compatible with the neighbor's view, and shall not obstruct intersecting street visibility.
- Off street parking shall meet the requirements of the City of Lewiston Code.
- Portland cement concrete sidewalks shall be required in all commercial areas and in the Business Technology Park.
- Any lights illuminating any parking area or building shall be arranged to direct the light onto the ground of the premises. Lighting shall be shielded from residential areas.
- Truck or semi/tractor trailers (three axle vehicles or larger) shall not load nor unload within the public right-of-way.

## **LDR - LOW DENSITY RESIDENTIAL**

### **PURPOSE**

The Low Density Residential (LDR) is designed to accommodate a compatible residential use as a transition. Such uses generally serve as a buffer between major streets or major developed areas and residential districts.

### **DEVELOPMENT STANDARDS**

In an LDR the minimum lot size shall be as follows:

- Lot area shall be a minimum of five thousand (5000) square feet per dwelling unit.
- Lot width shall be a minimum of fifty (50) feet.
- Lot depth shall be a minimum of one hundred (100) feet.
- Maximum number of residential units shall be eight (8) residential units per acre.
- Maximum number of residential units shall be six (6) per lot.

### **USES PERMITTED OUTRIGHT**

In the Nez Perce Terrace PUD LDR, the following uses and their accessory uses are permitted outright subject to all other requirements of the City of Lewiston ordinances:

- Single-family dwellings, site built home.
- Multi-family dwelling, including townhouses.
- Private garages. Such garages or parking structures shall not exceed two (2) stories, or a maximum of twenty (20) feet above mean finished grade.

### **YARDS**

LDR minimum yard requirements shall be as follows:

- A front yard shall be twenty (20) feet or thirty-five (35) feet from the centerline of the public right-of-way, whichever is greater.
- A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty-five feet (35) from the centerline of the street, whichever is greater. Except no side yard is required for structures with a common wall on the common wall side only.
- A rear yard shall be a minimum of twenty (20) feet.
- Off street parking shall not be located in required front yards.

### **LOT COVERAGE**

In an LDR, buildings shall not cover more than fifty (50) percent of the lot.

### **HEIGHT OF BUILDINGS**

In an LDR no building shall exceed a height of twenty-eight and one half (28.5) feet as measured from the lowest elevation on the southerly property line of each individual residential unit.

## FENCES

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 post and materials constitute not more than one-third ( $1/3$ ) of the fence area: Four feet, six inches (4'6").

## **HDR - HIGH DENSITY RESIDENTIAL**

### **PURPOSE**

The High Density Residential (HDR) is designed to accommodate a compatible mixture of residential uses in proximity to major community facilities, employers, arterial and commercial developments. Such uses generally serve as transition or buffer areas between major streets or major developed areas and residential districts.

### **DEVELOPMENT STANDARDS**

In an HDR the minimum lot size shall be as follows:

- Lot area shall be a minimum of five thousand (5000) square feet and shall not be less than eight hundred (800) square feet per dwelling unit.
- Lot width shall be a minimum of fifty (50) feet.
- Lot depth shall be a minimum of one hundred (100) feet.
- Maximum number of residential units shall be twenty-two (22) residential units per acre.

### **USES PERMITTED OUTRIGHT**

In the Nez Perce Terrace PUD HDR the following uses and their accessory uses are permitted outright subject to all other requirements of the City of Lewiston ordinances:

- Single-family dwelling with minimum 1,600 square feet (one level), site built home.
- Two-family dwelling.
- Multifamily dwelling.
- Assisted living facility.
- Private garages. Such garages or parking structures shall not exceed two (2) stories, or a maximum of twenty (20) feet above mean finished grade.
- Parking as provided for uses permitted in the HDR district.
- Recreation facilities, provided, however, that any facility shall be maintained no closer than fifty (50) feet to a property line or a street frontage.
- Non-commercial private recreation facilities, including golf courses.
- Group day care facility.
- Accessory uses such as mini storage building, recreational vehicle storage, and boat storage for adjacent dwellings.
- Bed and Breakfast, limited to a maximum of four bedrooms, with the conditions that adequate off street parking is provided and that the use will not change the character of the neighborhood.
- Temporary RV hook ups for guests for a maximum of fourteen (14) days per year for adjacent dwellings.

### **YARDS**

HDR minimum yard requirements shall be as follows:

- A front yard shall be twenty (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.

- A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty-five feet (35) from the centerline of the street, whichever is greater.
- A rear yard shall be a minimum of twenty (20) feet.
- Side and rear yards shall be increased by one foot for each foot by which a building exceeds thirty-five (35) feet in height.
- Off street parking shall not be located in required front yards.

### **LOT COVERAGE**

In an HDR, buildings shall not cover more than forty-five (45) percent of the lot.

### **HEIGHT OF BUILDINGS**

In an HDR no building shall exceed a height of (60) feet.

### **FENCES**

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 post and materials constitute not more than one-third (1/3) of the fence area: Four feet, six inches (4'6").

## **BTP - Business Technology Park**

### **PURPOSE**

The purpose of the Business Technology Park (BTP) is to provide a business office, research, technology, assembly and accessory warehouse uses and to provide for supporting retail and service uses while minimizing their impacts on nearby residential uses.

No operation conducted on the premises shall constitute a public nuisance beyond the building by reason of smoke, fumes, odor, steam, gasses, lighting, vibration, noise, hazards, or other causes. All service, assembly, processing and storage of materials or equipment on property shall be wholly within an enclosed building and exterior doors shall not be left open.

### **DEVELOPMENT STANDARDS**

- Maximum lot size: None.
- Minimum lot size: None.
- Vegetation limited in height to building height.
- A unifying image for the BTP will be established through the use of common design elements. Design consistency created through these Guidelines, establishes the design theme for the BTP. The design objectives specified below are intended to convey a general tone and ambiance desired for the BTP.
- The general design character expressed on each site shall be in keeping with the campus-like setting of the BTP. The building theme shall be of high quality but natural appearing, emphasizing the outdoor environment.
- The architecture should make use of design details which express a campus-like image and could include such elements as steeply pitched roofs, strong horizontal features, the use of terraces, wide overhangs, louvers, trellises and other design details.
- Where more than one building is constructed on a site, all buildings shall reflect the same design expression, finish materials and color.
- Establish a development that is visually distinctive and memorable to the occupants, visitors and passers-by. Building materials shall be of high quality, and craftsmanship should be emphasized.
- Promote ease of pedestrian accessibility and safety.
- Create a pedestrian scale in the design of streetscapes, parking areas, buildings and spaces between buildings.
- Soften and enhance the appearance of the buildings and structures.
- Exterior walls shall be finished in concrete stucco, wood, brick, metal, block, glass or combination thereof. Metal buildings will be permitted provided their compatibility with the intent of these guidelines can be satisfactorily demonstrated.



- Use of color-tinted glazing is encouraged in all buildings. Reflective glazing will be permitted provided that glare will not adversely affect surrounding properties or be a traffic hazard.
- Roofing materials visible from adjacent lots shall be metal or tile. Other materials may be permitted if the building design is enhanced and the character of the BTP is maintained.
- The color tones of the building shall be subtle. Color contrast for accent and articulation of building appearance features should be moderate, not severe. Color schemes will be consistent throughout the exterior of the building. Super graphics and decorative painting that do not relate to architectural features will not be permitted.
- For non-building improvements, high quality, soft-textured materials that complement the building and convey a campus-like image should be used where possible; textured concrete or tile gravel pathways, natural lava stone walls, wooded decks and benches, and craftsmanship should be emphasized.

### **USES PERMITTED OUTRIGHT**

In the Nez Perce Terrace PUD BTP, the following uses and their accessory uses are permitted outright subject to all other requirements of the City of Lewiston ordinances and when in conformance with the limitations on use and development standards of this district:

- Personal service uses such as computer repair, mail boxes or archive storage.
- Professional offices such as attorney, doctor, dentist, accountant.
- Research and development establishments, including the manufacture or creation of prototype products or processes.
- Biotechnology.
- Processing including data processing.
- Robotics.
- Telecommunications.
- Public or governmental offices or semi-public uses which uses are similar to other uses permitted outright in this area.
- Assembly.
- Electronics.
- Pharmaceuticals.
- Printing and publishing houses, including newspaper publishing.
- Day care center.
- Financial institutions.
- Precision instruments.
- Other uses of similar nature or general character to those specifically permitted in the district, provided they are deemed fitting or compatible by determination of Planning and Zoning with the purpose, uses permitted outright, and limitations on uses as stated in this document.

### **ACCESSORY USE PERMITTED**

In the BTP, the following uses and their accessory uses are permitted when authorized:

- Other neighborhood, business, commercial or technology services which are not permitted outright but which are consistent with the purpose of the BTP, and are not

- detrimental to any of the outright permitted uses or other nearby residential uses.
- Supporting retail services such as dry cleaning service, barber/beauty shop, eating establishment, coffee bar, and sandwich shop. These services shall be limited to four thousand square feet per fifteen acres.
  - Accessory uses may not be established until the primary use of the property is established.

### **USES NOT PERMITTED**

- Warehousing.
- Truck terminals.
- Tire recapping.
- Metal fabrication.
- Storage of materials.
- Contractors shops and yards.
- Motor vehicle sales and repair.
- Rock crushing.
- Asphalt and cement plants.
- Slaughter houses.
- Food processing.
- Grain storage.

### **YARDS**

BTP minimum yard requirements shall be as follows:

- A front yard shall be twenty (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.
- A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty-five (35) feet from the centerline of the street, whichever is greater.
- A rear yard shall be a minimum of twenty (20) feet.
- Side and rear yards shall be increased by one foot for each foot by which a building exceeds thirty-five (35) feet.
- Off street parking shall not be located in required front or street side yards.

### **LOT COVERAGE**

In a BTP, buildings shall not cover more than forty-five (45) percent of the lot.

### **HEIGHT OF BUILDINGS**

In a BTP maximum height for buildings: None except thirty-five (35) feet when on a lot abutting a residential area.

### **FENCES**

No fences shall be constructed within required front yards or street side yards. However, vegetation dividers will be permitted.

## **LC - LOCAL COMMERCIAL**

### **PURPOSE**

The purpose of the Local Commercial (LC) is to permit the establishment of commercial business along a major street while minimizing their impacts on nearby residential uses. This classification is intended to provide for the location and grouping of compatible uses having similar operation as they involve enterprises which depend primarily on the transient motor vehicle-based trade. By concentration of such uses, this PUD intends to increase public convenience when utilizing such services and to allow such activities to render the maximum service.

### **DEVELOPMENT STANDARDS**

In a LC the lot size shall be as follows:

- Maximum lot size: None.
- Minimum distance between driveway access along Nez Perce Drive shall be three hundred (300) feet.

### **USES PERMITTED OUTRIGHT**

In the Nez Perce Terrace PUD LC the following uses and their accessory uses are permitted outright subject to all other requirements of the City of Lewiston ordinances:

- Retail enterprises dispensing food or commodities including on-premise sales, sales requiring delivery of goods, and drive-up facilities such as shopping centers and malls, grocery stores, gasoline service stations, sales or rental lots for automobiles, mobile homes, trailers, boats and heavy duty equipment.
- Convenience food stores.
- Financial institutions.
- Retail sales and service.
- Small animal hospital or clinic.
- Mail boxes, postal service.
- Small animal hospital, clinic or kennel.
- Medical or dental clinic.
- Car wash.
- Eating, drinking, entertainment, dancing and recreation establishments, including restaurants, bars, theaters, video arcades, dance halls and physical fitness center.
- Public off-street parking facilities, whether publicly or privately owned or operated.
- Hotels and motels.
- Laundries, Laundromats and dry cleaning services.
- Recreational vehicle parks.

## **YARDS**

LC minimum yard requirements shall be as follows:

- A front yard shall be (20) feet or thirty-five (35) feet from the centerline of the street, whichever is greater.
- A side yard shall be a minimum of five (5) feet and the total of both side yards shall be a minimum of fifteen (15) feet, except that on corner lots the side yard on the street side shall be a minimum of fifteen (15) feet from the property line or thirty-five feet (35) from the centerline of the street, whichever is greater.
- A rear yard shall be a minimum of twenty (20) feet.
- Side and rear yards shall be increased by one foot for each foot by which a building exceeds thirty-five (35) feet.

## **LOT COVERAGE**

In an LC, buildings shall not cover more than forty-five (45) percent of the lot.

## **HEIGHT OF BUILDINGS**

In an LC maximum height for buildings: None except thirty-five (35) feet when on a lot abutting a residential area.

## **FENCES**

No fences shall be constructed within required front yards or street side yards. However, vegetation dividers will be permitted.

## **RC - REGIONAL COMMERCIAL**

### **PURPOSE**

The purpose of the Regional Commercial (RC) is to permit the establishment of areas for varied types of commercial uses to meet the needs of the regional market area for commercial goods and services. Such uses shall be readily accessible from streets designated as principal or minor streets, while minimizing their impacts on nearby uses. By concentration of such uses this PUD intends to increase public convenience when utilizing such services and to allow such activities to render the maximum service. The regional commercial use is intended for large mall and individual style retail sales buildings that would share large parking lots.

### **DEVELOPMENT STANDARDS**

In a RC the lot size shall be as follows:

- Maximum lot size: None.

### **USES PERMITTED OUTRIGHT**

In the Nez Perce Terrace PUD RC the following uses and their accessory uses are permitted outright subject to all other requirements of the City of Lewiston ordinances:

- Shopping centers and malls.
- Grocery stores.
- Retail sales.
- Public off-street parking facilities, whether publicly or privately owned or operated.
- Hotels and motels.
- Eating, drinking, entertainment, dancing and recreation establishments, including restaurants, bars, theaters, video arcades, dance halls and physical fitness center.

### **YARDS**

RC shall have no minimum yard requirements.

### **LOT COVERAGE**

In an RC, buildings shall not cover more than fifty (50) percent of the lot.

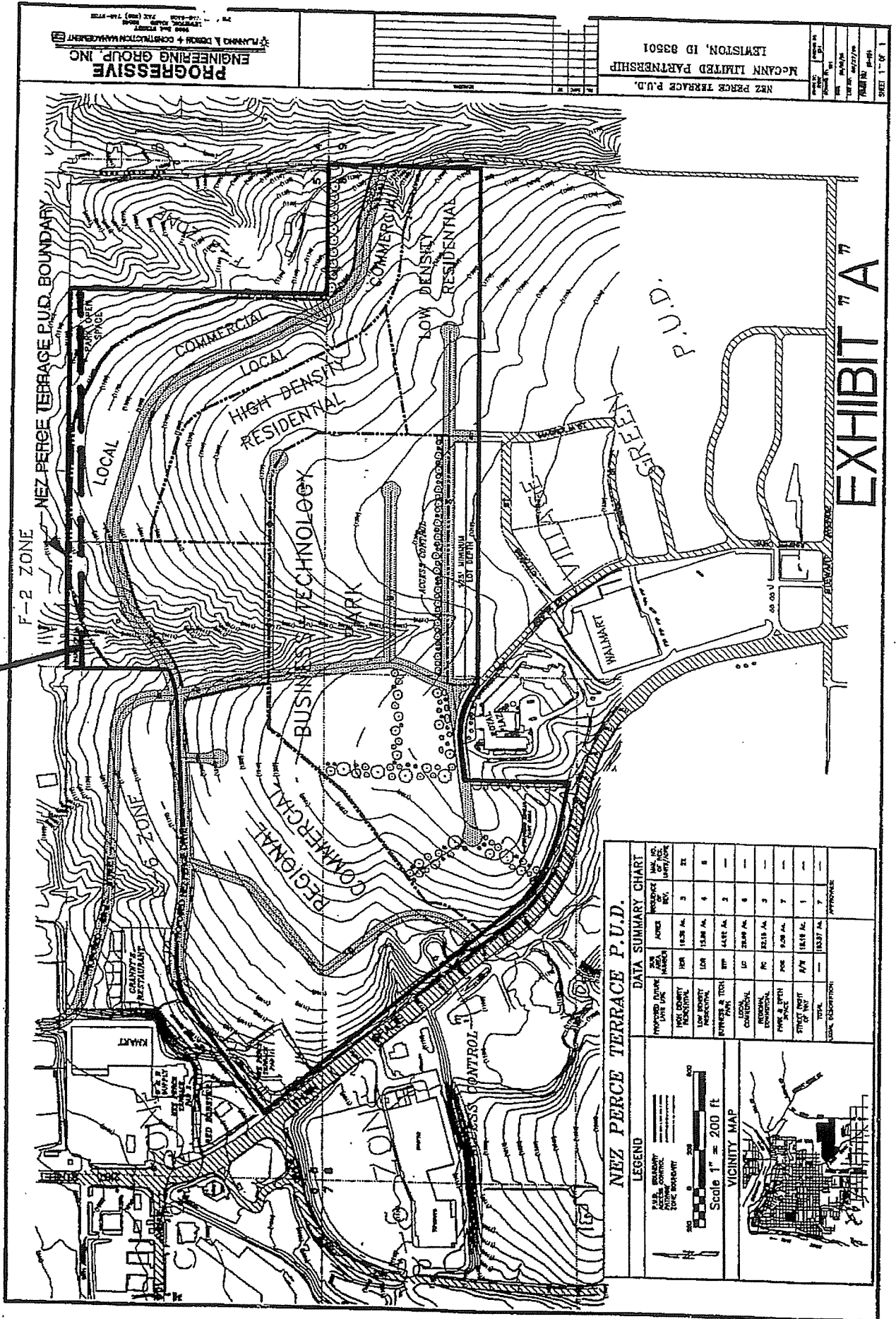
### **HEIGHT OF BUILDINGS**

In an RC no building shall exceed a height of sixty (60) feet.

### **FENCES**

No fences shall be constructed within required front yards or street side yards. However, vegetation dividers will be permitted.

Required 75  
Foot Bufferyard



**DATA SUMMARY CHART**

PROPOSED DEVELOPMENT	ACRES	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE
PROPOSED DEVELOPMENT	18.28	41	3	21	—	—	—	—	—
LOCAL RESIDENTIAL	13.00	30	4	8	—	—	—	—	—
LOW DENSITY RESIDENTIAL	14.92	33	2	—	—	—	—	—	—
COMMERCIAL	22.15	50	3	—	—	—	—	—	—
REGIONAL COMMERCIAL	8.08	18	7	—	—	—	—	—	—
PARK & OPEN SPACE	18.18	41	1	—	—	—	—	—	—
STREET FRONTAGE	143.37	—	7	—	—	—	—	—	—
TOTAL	—	—	—	—	—	—	—	—	—

**NEZ PERCE TERRACE P.U.D.**

**LEGEND**

- P.U.D. BOUNDARY
- LOCAL RESIDENTIAL
- COMMERCIAL
- REGIONAL COMMERCIAL
- PARK & OPEN SPACE
- STREET FRONTAGE
- LOCAL RESIDENTIAL
- COMMERCIAL
- REGIONAL COMMERCIAL
- PARK & OPEN SPACE
- STREET FRONTAGE

Scale 1" = 200 ft.

**VICINITY MAP**

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NEZ PERCE TERRACE P.U.D.  
MCGANN LIMITED PARTNERSHIP  
LEWISTON, ID 83501  
DATE: 06/27/98  
SCALE: AS SHOWN  
SHEET 1 OF 1

**EXHIBIT "A"**

PUD Traffic  
Mitigation  
Agreement