

Tiny Houses:

Title 5, Chapter 1, Section 2-1 [Add or Amend the following Definitions:]

DWELLING:

A building, or portion thereof, containing one or more dwelling units, and which complies with the structural requirements of the adopted building code, [including permanent provisions for living, sleeping, eating, cooking and sanitation](#). The term "dwelling" does not include any temporary mobile home, trailer, motel, hotel, guest house or boarding house as defined herein.

DWELLING, TINY HOUSE:

A dwelling that is 400 square feet or less in floor area, excluding lofts.¹ This does not include recreational vehicles, park trailers, or tiny houses on wheels.

LOFT, TINY HOUSES:

A floor level located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches and used as a living or sleeping space.

5-1-4-3: OFF-STREET PARKING DESIGN AND DIMENSIONAL TABLES

<u>Type of Use</u>	<u>Parking Spaces Required</u>
5. Park Models in RV Park	Two (2) for each unit
6. Tiny Houses	Two (2) for each unit

5-1-9A-2: SCHEDULE OF ZONING REGULATIONS ADOPTED:

[Changes to Zoning Chart-Residential Section.]

RESIDENTIAL	RA	R-1	C	I-L	PL
Manufactured Home Park	C	C	C	C	
Recreational Vehicle Park		C	C	C	
Single Family Dwelling/Duplex	P	P	P	P	
Tiny House (see Standards, 5-1-16-32)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

SECTION 16: PERFORMANCE STANDARDS [amend to add the following subsection.]

5-1-16-32: TINY HOUSES:

No tiny house or park model will be placed on any property, except as permitted by Albion City Code. In addition to such other applicable terms as set out in Albion City Code, the following regulations will also apply to tiny houses:

1. Tiny houses shall be allowed in zoning districts where single family dwellings are permitted.
2. Each tiny house must be sited on its own individual lot, and is subject to specific development, design, and performance standards set out in Albion City Code.
3. Each tiny house will require building permits and must meet residential building code standards.
4. All tiny houses must be installed on a permanent foundation, and will be connected to City water, sewer and electrical utilities.
5. Tiny houses must comply with setbacks and other requirements of the zone in which they are sited.
6. Each tiny house must contain off-street parking spaces as designated elsewhere in this code for this type of dwelling unit.
7. Each tiny house must comply with all adopted standards of the International Fire Code, and must provide fire access required to protect each residence.
8. Each tiny house will comply with all adopted City standards for location and width of utility easements.
9. Recreational vehicles, park models or tiny houses on wheels, that are used for any residential purpose, must be located in an approved recreational vehicle park. [See ACC 5-1-16-26.]

ⁱ The 2018 International Residential Code, Appendix Q, defines "Tiny House" as: "A dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts."

3.6 Natural Resources

This plan recognizes the importance of Natural Resources in the City of Albion and provides implementation tools necessary to utilize, conserve and protect them. The natural resources component of the plan consists of an analysis of the utilization of the natural resources that exist in or in connection to the City of Albion. One of the most important ongoing planning challenges, however, is to adequately conserve and balance the use of natural resources of the City of Albion with population growth and the protection of the lifestyle that makes the City an attractive place to live.

Suitable development will be encouraged to encourage residential building in and near the City to protect the vast recreational opportunities in the Albion Valley.

Subdivisions and planned unit developments will be required to connect to central water, sewer, and where possible to the City's electrical system to protect scenic vistas, recreational opportunities, agricultural pursuits and to protect precious water quantity and quality.

All reasonable efforts will be expended to have land uses be reasonably harmonious with this plan and its various components. This is important to insure that proposed uses will not "be hazardous or result in disturbances of existing neighborhood uses; should not create excessive requirements at public cost for facilities and services; should not produce excessive traffic, smoke, noise, fumes, or odors; should not interfere with existing traffic on public thoroughfares; should not result in loss, or damage of natural, scenic, or historic features; and should meet other criteria deemed important by the City Council."

The City should have an objective to develop some high density housing to ensure adequate housing for local residents without need for expansion of City limits.

Water is the life-blood of the City of Albion and all efforts to protect, enhance, conserve and maintain the quality and quantity of ground and surface water resources of the City must be taken for the benefit of providing drinking water, fire suppression water, and irrigation water.

Wind and solar power generation are more in demand to offset rising power costs from more traditional sources. The City will plan and develop regulations to insure that wind and solar generation schemes will fit well with the City's infrastructure and will be done in a safe and prudent manner.

NATURAL RESOURCES GOAL AND OBJECTIVES:

GOAL: PROTECT NATURAL RESOURCES AND ENCOURAGE THEIR WISE USE AND PROPER DEVELOPMENT.

OBJECTIVES:

1. Plan for types of development suitable for a city located within a valley surrounded by mountains with recreational potential, attempting whenever possible to use presently vacant land that is within or near the city limits.
2. Subdivisions within the area of city impact should be connected to the central sewer system if it is economically feasible to do so. It is expensive to provide city services to low density housing (one acre or larger land parcels with on-site sewer and domestic well) that typically develop in the-Area of City Impact. This difficulty can at least be minimized by cooperating with developers to encourage subdivisions that have smaller lots and are located near the city limits.
3. [Repealed, Ordinance 2015-09-01.]
4. Land uses should generally be harmonious with the components and provisions of the Comprehensive Plan. Proposed uses should not 'be hazardous or result in disturbances of existing neighboring uses; should not create excessive requirements at public cost for facilities and services; should not produce excessive traffic, smoke, noise, fumes, or odors; should not interfere with existing traffic on public thoroughfares; should not result in loss or damage of natural, scenic, or historic features; and should meet other criteria deemed important by the City Council.
5. Residential Objectives - Low density (0-4 dwellings per acre) should be encouraged. Proposed development of high density housing, such as condominiums or apartment complexes, would probably call for zoning ordinances dealing at a minimum with parking issues and grounds standards. The City presently has an intermingling of construction and architectural standards which is apparently acceptable to most residents.
6. Protect, enhance, conserve and maintain the quality and quantity of ground and surface water resources serving the City to provide drinking water and irrigation water.
7. Develop ordinances to govern standards for implementation of wind and solar generation facilities or accessories to create energy for self-use by residents and business establishments within the City.

TITLE 67: STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65: LOCAL LAND USE PLANNING

67-6508. PLANNING DUTIES. It shall be the duty of the planning or planning and zoning commission to conduct a comprehensive planning process designed to prepare, implement, and review and update a comprehensive plan, hereafter referred to as the plan. The plan shall include all land within the jurisdiction of the governing board. The plan shall consider previous and existing conditions, trends, compatibility of land uses, desirable goals and objectives, or desirable future situations for each planning component. The plan with maps, charts, and reports shall be based on the following components as they may apply to land use regulations and actions unless the plan specifies reasons why a particular component is unneeded.

(a) Property Rights — An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

(b) Population — A population analysis of past, present, and future trends in population including such characteristics as total population, age, sex, and income.

(c) School Facilities and Transportation — An analysis of public school capacity and transportation considerations associated with future development.

(d) Economic Development — An analysis of the economic base of the area including employment, industries, economies, jobs, and income levels.

(e) Land Use — An analysis of natural land types, existing land covers and uses, and the intrinsic suitability of lands for uses such as agriculture, forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities. A map shall be prepared indicating suitable projected land uses for the jurisdiction.

(f) Natural Resources — An analysis of the uses of rivers and other waters, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, watersheds, and shorelines.

(g) Hazardous Areas — An analysis of known hazards as may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in the known or probable path of snowslides and avalanches, and floodplain hazards.

(h) Public Services, Facilities, and Utilities — An analysis showing general plans for sewage, drainage, power plant sites, utility transmission corridors, water supply, fire stations and fire fighting equipment, health and welfare facilities, libraries, solid waste disposal sites, schools, public safety facilities and related services. The plan may also show locations of civic centers and public buildings.

(i) Transportation — An analysis, prepared in coordination with the local jurisdiction(s) having authority over the public highways and streets, showing the general locations and widths of a system of major traffic thoroughfares and other traffic ways, and of streets and the recommended treatment thereof. This component may also make recommendations on building line setbacks, control of access, street naming and numbering, and a proposed system of public or other transit lines and related facilities including rights-of-way, terminals, future corridors, viaducts and grade separations. The component may also include port, harbor and other related transportation facilities.

(j) Recreation — An analysis showing a system of recreation areas, including parks, parkways, trailways, river bank greenbelts, beaches, playgrounds, and other recreation areas and programs.

(k) Special Areas or Sites — An analysis of areas, sites, or structures of historical, archeological, architectural, ecological, wildlife, or scenic significance.

(l) Housing — An analysis of housing conditions and needs; plans for improvement of housing standards; and plans for the provision of safe, sanitary, and adequate housing, including the provision for low-cost conventional housing, the siting of manufactured housing and mobile homes in subdivisions and parks and on individual lots which are sufficient to maintain a competitive market for each of those housing types and to address the needs of the community.

(m) Community Design — An analysis of needs for governing landscaping, building design, tree planting, signs, and suggested patterns and standards for community design, development, and beautification.

(n) Agriculture — An analysis of the agricultural base of the area including agricultural lands, farming activities, farming-related businesses and the role of agriculture and agricultural uses in the community.

(o) Implementation — An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

(p) National Interest Electric Transmission Corridors — After notification by the public utilities commission concerning the likelihood of a federally designated national interest electric transmission corridor, prepare an analysis showing the existing location and possible routing of high voltage transmission lines, including national interest electric transmission corridors based upon the United States department of energy's most recent national electric transmission congestion study pursuant to sections 368 and 1221 of the energy policy act of 2005. "High-voltage transmission lines" means lines with a capacity of one hundred fifteen thousand (115,000) volts or more supported by structures of forty (40) feet or more in height.

(q) Public Airport Facilities — An analysis prepared with assistance from the Idaho transportation department division of aeronautics, if requested by the planning and zoning commission, and the manager or person in charge of the local public airport identifying, but not limited to, facility locations, the scope and type of airport operations, existing and future planned airport development and infrastructure needs, and the economic impact to the community.

Nothing herein shall preclude the consideration of additional planning components or subject matter.

General proposition in making and amending zoning ordinances. Zoning Ordinances and amendments to Zoning Ordinances, by law, must be in accordance with the established Comprehensive Plan for the jurisdiction.

Tiny House amendments/Comprehensive Plan review of the Plan's components, goals and objectives that indicate the proposed tiny house ordinance is being proposed *in accordance with* those Comprehensive Plan provisions, as set forth below.

- 1) Section 3.1 Property Rights goal: To balance property rights of all individuals when making land-use and planning decisions.
 - a) Objective 3. Encourage the protection of the property rights of landowners, which include at least the following:
 - i) The right to own real property.
 - ii) The right to possess and use real property (according to local and state law).
 - iii) The right to invite others onto, or exclude others from real property.
 - iv) The right to dispose of an interest in the real property.
 - v) The right to enjoyment of the real property interest owned.
 - b) Objective 4. Recognize that within a zoning classification, property rights allow for the highest and best use of the land.
- 2) Section 3.2 Population goal: Albion's ability to absorb growth should be consistent with population increase.
 - a) Objective 3. Encourage and facilitate wise land use planning which will help to ensure that projected growth in the City will be managed to provide satisfactory living, business and commercial environments.
- 3) Section 3.5 Land Use. This section mentions the use of residential and agricultural land as being suitable for single family residential living. The goal of this section is to ensure orderly development and promote public health, welfare and safety.
 - a) Objective 2. Encourage residential growth and resulting developmental activity in areas where public infrastructure, service and facilities are available or where they are planned and will be provided in the near future.
 - b) Objective 3. Provide for residential living areas that are safe, convenient and attractive.

4) Section 3.6 Natural Resources.

- a) Objective 4. Land uses should generally be harmonious with the components and provisions of the Comprehensive Plan. Proposed uses should not 'be hazardous or result in disturbances of existing neighboring uses; should not create excessive requirements at public cost for facilities and services; should not produce excessive traffic, smoke, noise, fumes, or odors; should not interfere with existing traffic or public thoroughfares; should not result in loss or damage of natural, scenic, or historic features; and should meet other criteria deemed important by the City Council.
- b) Objective 5. Residential Objectives-Low density (0-4 dwellings per acre) should be encouraged. Proposed development of high density housing, such as condominiums or apartment complexes, would probably call for zoning ordinance dealing at a minimum with parking issues and grounds standards. The City presently has an intermingling of construction and architectural standards which is apparently acceptable to most residents.

5) Section 3.11 Housing goal is to provide a selection of adequate housing alternatives for all economic levels and age groups.

- a) Objective 1. Encourage single-family and multiple-family residential units. There is a significant need for rental properties in Albion.
- b) Objective 3. Strive to provide safe, sanitary and adequate housing according to the needs of city residents
- c) Objective 4. Support an open housing market free from discrimination as required by the Fair Housing Act.