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Index to: ORDINANCE

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BEFORE THE MAYOR AND CITY COUNCIL FOR THE CITY OF ALBION, IDAHO

ORDINANCE No. 2025-06-01

AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AMENDING ALBION CITY CODE TITLE 5, CHAPTER 1, TO-WIT: AMEND SECTION 2-1 DEFINITION OF "DWELLING" TO INCLUDED PERMANENT PROVISIONS FOR LIVING, SLEEPING, EATING, COOKING AND SANITATION; ADD DEFINITION OF "DWELLING, TINY HOUSE"; ADD DEFINITION OF "LOFT, TINY HOUSES"; ADD TO SECTION 5-1-4-3 TO PROVIDED ITEM 5 REQUIRING TWO PARKING SPACES FOR PARK MODELS IN RV PARK AND ITEM 6 REQUIRING TWO PARKING SPACES FOR TINY HOUSES; AMENDING SCHEDULE OF ZONING REGULATIONS, SECTION 5-1-9A-2 UNDER "RESIDENTIAL" TO ADD "TINY HOUSE (SEE STANDARDS, 5-1-16-32) AND FURTHER REQUIRING CONDITIONAL USE PERMITS FOR TINY HOUSES IN RA, R-1, C AND I-L ZONES; AMENDING TO ADD SECTION 5-1-16-32 AS PERFORMANCE STANDARDS FOR TINY HOUSES, INCLUDING ALLOWING SUCH, WITH CONDITIONAL USE PERMITS, IN ZONES WHERE SINGLE FAMILY DWELLINGS ARE ALLOWED; REQUIRING EACH TINY HOUSE TO BE SITED ON ITS OWN LOT AND MEETING OTHER DEVELOPMENT STANDARDS OF CITY CODE; REQUIRING BUILDING PERMITS UNDER RESIDENTIAL BUILDING CODE STANDARDS, MUST BE INSTALLED ON PERMANENT FOUNDATION AND

CONNECTED TO CITY UTILITIES; MUST COMPLY WITH SETBACKS; MUST CONTAIN OFF-STREET PARKING; MUST COMPLY WITH ADOPTED STANDARDS OF INTERNATIONAL FIRE CODE; MUST COMPLY WITH ADOPTED CITY STANDARDS FOR LOCATION AND WIDTH OF UTILITY EASEMENTS; RECREATIONAL VEHICLES OR PARK MODELS ON WHEELS MUST BE LOCATED IN AN APPROVED RECREATIONAL VEHICLE PARK; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND EFFECTIVE DATE.

WHEREAS, the City has received requests for information on siting of tiny houses in the City of Albion; and

WHEREAS, the Mayor and City Council conducted a review of City ordinances and policies relative to tiny houses; and

WHEREAS, the Mayor and City Council determined that the City's regulations were not sufficient to process the effective siting of tiny houses within the City; and

WHEREAS, the Mayor and City council caused efforts to be made to propose regulations with respect to siting tiny houses; and

WHEREAS, the Mayor and City Council brought those proposed regulations forward, after lawful notice was given, in a public hearing on Tuesday, May 6, 2025, to hear and consider public testimony on the matter; and

WHEREAS, having heard and considered public testimony, the Mayor and City Council deliberated on the proposed ordinance amending language and determined that the proposed amendments are in accordance with the City of Albion Comprehensive Plan and do not conflict with any policies of such plan; that the extent and nature of the proposed amendments are appropriate for regulating tiny houses in the jurisdiction; and that the proposed amendments will not have significant effect upon the delivery of services by the political subdivisions providing public services.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:

Section 1. That Title 5 Chapter 1, at Section 5-1-2-1 Definitions; Section 5-1-4-3 (5) and (6) parking requirements for park models and tiny houses; Section 5-1-9A-2 zoning charts to add the use of "Tiny House" requiring conditional use permits in RA, R-1, C,

and I-L zones; and adding Section 5-1-16-32 performance standards for tiny houses be, and hereby are, adopted and amended as set forth in Exhibit A, which is attached hereto and is incorporated by reference as though fully set forth herein, which Exhibit A consists of two (2) pages. The Exhibit A indicates language remaining the same in black ink, language being repealed in red ink, and amended language in blue ink.

Section 2. The provisions of this ordinance are severable, therefore, should any section or portion thereof be declared invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall continue in full force and effect.

Section 3. This ordinance specifically repeals any ordinance of the City of Albion that is in conflict herewith.

Section 4. This ordinance shall take effect, and be in full force, from and after its required reading, passage, approval and publication.

Section 5. The members of the City Council, by motion and vote and pursuant to Idaho Code § 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance, by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval and publication.

PASSED this 3rd day of June, 2025, by the City Council of the City of Albion, Idaho. Roll call vote of Council members in favor of said Ordinance being as follows:

Kevin Lloyd	Yea <u>✓</u>	Nay <u> </u>
Dallan Doc Carlson	Yea <u>✓</u>	Nay <u> </u>
Wayne Winder	Yea <u>✓</u>	Nay <u> </u>
Tyson Tolman	Yea <u>✓</u>	Nay <u> </u>

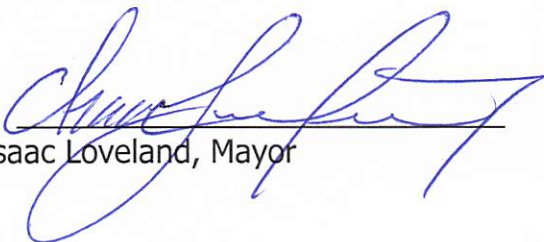
APPROVED this 3rd day of June, 2025, by the Mayor of the City of Albion, Idaho.

City of Albion, Idaho

ATTEST:

By:

Isaac Loveland, Mayor



Linda Hutchison, City Clerk

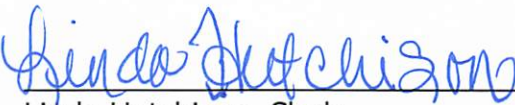


CLERK'S CERTIFICATION

I, Linda Hutchison, the duly appointed Clerk for the City of Albion, Idaho do hereby certify that the foregoing document is a true and correct copy of Ordinance No. 2025-06-01, adopted by the Mayor and City Council of Albion, Idaho, on the 3rd day of June, 2025 and that the original of said document is in my possession as part of the permanent minutes of the City Council of the City of Albion, Idaho.

Dated this 3rd day of June, 2025

Clerk of the City of Albion, Idaho



Linda Hutchison, Clerk

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.ⁱ 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	<u>C</u>	
Recreational Vehicle Park		C	C	C	
Single Family Dwelling/Duplex	P	P	P	P	
<u>Tiny House (see Standards, 5-1-16-32)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</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 can be allowed in zoning districts where single family dwellings are permitted, if a conditional use permit is obtained from the City.
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."

SUMMARY OF ORDINANCE NO. 2025-06-01
City of Albion, Idaho

This is the summary of City of Albion Ordinance No. 2025-06-01, an ordinance of the City of Albion, Cassia County, Idaho, amending Albion City Code Title 5, Chapter 1, to-wit: amend section 2-1 definition of "Dwelling" to included permanent provisions for living, sleeping, eating, cooking and sanitation; add definition of "Dwelling, tiny house"; add definition of "Loft, tiny houses"; add to section 5-1-4-3 to provided item 5 requiring two parking spaces for park models in RV park and item 6 requiring two parking spaces for tiny houses; amending Schedule of Zoning Regulations, section 5-1-9a-2 under "Residential" to add "Tiny house (see standards, 5-1-16-32) and further requiring conditional use permits for tiny houses in RA, R-1, C and I-L zones; amending to add section 5-1-16-32 as performance standards for tiny houses, including allowing such, with conditional use permits, in zones where single family dwellings are allowed; requiring each tiny house to be sited on its own lot and meeting other development standards of city code; requiring building permits under residential building code standards, must be installed on permanent foundation and connected to city utilities; must comply with setbacks; must contain off-street parking; must comply with adopted standards of international fire code; must comply with adopted city standards for location and width of utility easements; recreational vehicles or park models on wheels must be located in an approved recreational vehicle park; providing for severability; repeal of conflicting provisions; and effective date.

The full text of City of Albion Ordinance No. 2025-06-01 is available at the City Office, 225 South Main, Albion, Idaho. A copy of the full ordinance will also be provided to any citizen, upon personal request during usual City business hours as posted at the City Office, excepting City recognized holidays.

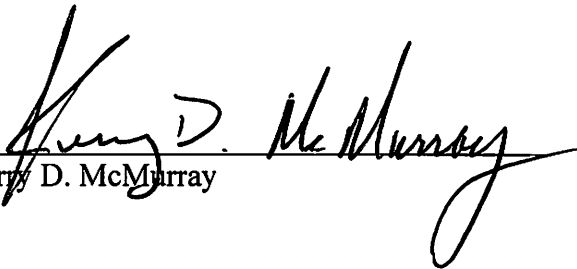
This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

CITY ATTORNEY'S STATEMENT

I, the undersigned City Attorney for Albion, Idaho hereby certify that the foregoing Summary of Ordinance 2025-06-01, an Ordinance of the City of Albion, Idaho amending provisions of the zoning regulations, Title 5, Chapter 1 regarding tiny house provisions is a true and complete summary of said ordinance, as is required by Idaho Code section 50-901, and provides adequate notice to the public of said provisions.

DATED this 3rd day of June, 2025.

City Attorney for Albion, Idaho


Kerry D. McMurray