

APPROVED

ORDINANCE NO. 201

Tiny Houses

AN ORDINANCE OF THE CITY OF STANLEY, CUSTER COUNTY, IDAHO:

AMENDING TITLE 15 BUILDINGS AND CONSTRUCTION, CHAPTER 15.04 BUILDING PERMITS, SECTION 15.04.020, APPLICATION; DEFINING THE APPLICATION PROCESS FOR TINY HOUSE PARKS

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.08 DEFINITIONS; SECTION 17.08.040 TO CHANGE THE DEFINITION OF "DWELLING"

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.08 DEFINITIONS; ADDING A NEW SECTION TO DEFINE "LOFT"

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.08 DEFINITIONS; ADDING A NEW SECTION TO DEFINE "PARK MODEL RECREATIONAL VEHICLE"

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.08 DEFINITIONS; ADDING A NEW SECTION TO DEFINE "TINY HOUSE"

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.08 DEFINITIONS; ADDING A NEW SECTION TO DEFINE "TINY HOUSE PARK"

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.08 DEFINITIONS; ADDING A NEW SECTION TO DEFINE "TINY HOUSE PERMANENT PLACEMENT"

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.24 COMMERCIAL DISTRICT; SECTION 17.24.010 PERMITTED USES; TO ADD "TINY HOUSE PARK" AS A PERMITTED USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.24 COMMERCIAL DISTRICT; SECTION 17.24.030 MINIMUM LOT AREA AND WIDTH; TO CLARIFY THE DEFINITION OF PARCEL

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.26 COMMERCIAL A DISTRICT; SECTION 17.26.010; TO ADD "TINY HOUSE PARK" AS A PERMITTED USE

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.26 COMMERCIAL A DISTRICT; PERMITTED USES; SECTION 17.26.030 MINIMUM LOT AREA AND WIDTH; TO CLARIFY THE DEFINITION OF PARCEL

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.27 LIMITED COMMERCIAL DISTRICT; SECTION 17.27.040 MINIMUM LOT AREA; TO CLARIFY THE DEFINITION OF PARCEL

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.27 LIMITED COMMERCIAL DISTRICT; SECTION 17.27.050 MINIMUM LOT WIDTH; TO CLARIFY THE DEFINITION OF PARCEL

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.44 RESIDENTIAL C DISTRICT; SECTION 17.44.010 PERMITTED USES; TO ADD "PARK MODEL RECREATIONAL VEHICLES" AS A PERMITTED USE

AMENDING TITLE 17, ZONING REGULATIONS, CHAPTER 17.44 RESIDENTIAL C DISTRICT; TO ADD NEW SECTION "PARK MODEL RECREATIONAL VEHICLES"

AMENDING TITLE 17 ZONING REGULATIONS; TO ADD CHAPTER 17.71 "TINY HOUSES"

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.010 SINGLE FAMILY DWELLINGS WITH A TINY HOUSE PARK

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.020 LEASED SPACE REQUIREMENT FOR TINY HOUSES IN A TINY HOUSE PARK

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.030 TINY HOUSE APPEARANCE

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.040 TINY HOUSE PARK ACCESS, OFF-STREET PARKING, AND STORAGE

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.050 TINY HOUSE PARK BUILDING SETBACKS

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.060 ATTACHMENT OF EXTERNAL STRUCTURES TO TINY HOUSES IN A TINY HOUSE PARK

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.070 LIGHTING, LANDSCAPING, AND FENCES WITHIN A TINY HOUSE PARK

AMENDING TITLE 17 ZONING REGULATIONS; CHAPTER 17.71; TO ADD SECTION 17.71.080 TINY HOUSE CONSTRUCTION STANDARDS

WHEREAS, the City of Stanley, Custer County Idaho (the "City"), is a municipal corporation organized under the laws of the State of Idaho and is authorized and required by the Constitution and laws of the State of Idaho to adopt land use regulations and classifications; and,

WHEREAS, the City wishes to establish, within TITLE 15 BUILDINGS AND CONSTRUCTION, and TITLE 17 ZONING REGULATIONS, of the SMC, procedures for the placement of "tiny houses" within the zoning districts of the City; and

WHEREAS, a public hearing was duly held, pursuant to public notice as required by law, upon such request by the City Council of the City on January 11, 2018 at 5:00 pm following which public hearing the City Council determine that the proposed changes to the SMC should be approved.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STANLEY, IDAHO, as follows:

Section 1: That Title 15, Chapter 04, Section 020 of the Stanley Municipal Code is hereby amended as follows:

15.04.020: APPLICATION:

Applications for building permits shall be submitted in the form specified by resolution of the city council and shall be accompanied by the application fee, a drawing showing the location of the proposed project on the applicant's property and location of property in the city, building plans and specifications, and proof of approval of the proposed project by the appropriate fire department and the appropriate sewer district or state health department. Applications which do not contain all of the foregoing shall not be considered complete. Development and construction drawings and technical support material shall be to scale or otherwise in sufficient detail to allow a technical or engineering review to determine whether the proposed development complies with all zoning requirements. Applicant is responsible for obtaining required permits and approvals from all federal, state and local agencies and departments with jurisdiction covering the proposed building permit actions. Applications for a tiny house park shall require a site plan to be submitted as part of a single building permit application. The placement of tiny houses within a tiny house park, and any associated accessory buildings, shall require separate building permit applications.

- A. Multi-family dwellings shall require a plan for permanently maintained off street parking. This plan shall provide for a minimum of one parking space for each living unit, and will use a formula that will allow for seventy percent (70%) of the parking lot to be used for parking and circulation, and the remaining thirty percent (30%) of the parking lot space to be used for snow storage.
- B. Multi-family dwellings shall require a site plan showing all existing and proposed buildings and outbuildings, as well as the proposed number of parking spaces to be constructed, showing snow storage areas, and showing entrances and exits to public streets.
- C. Tiny House Parks shall require a site plan showing:
 - 1. The size of tiny house leased spaces.
 - 2. The length of street or access road frontage.
 - 3. All existing and proposed buildings and accessory buildings.
 - 4. Private access roads
 - 5. The proposed number, size, and location of parking spaces to be constructed.
 - 6. Snow storage areas adequate to accommodate all expected snow accumulations.
 - 7. The entrances and exits to public streets.
 - 8. An outdoor lighting plan.
 - 9. Proposed landscaping.
 - 10. Proposed fencing.
 - 11. Setbacks of tiny houses from adjacent tiny house leased spaces.
 - 12. Setbacks of tiny houses from adjacent streets, access roads, and lots.

Section 2: That Title 17, Chapter 08 of the Stanley Municipal Code is hereby amended as follows:

17.08.040: DWELLING:

“Dwelling” means a building or portion thereof designed or used for residential occupancy, including tiny houses, but not including hotels, boarding houses and lodging houses, accessory buildings, trailers or mobile homes.

17.08.046: LOFT:

The definition of “Loft” from Appendix V: Tiny Houses contained in the 2012 International Residential Code and any subsequent amendments, as adopted by the State of Idaho, is hereby adopted

17.08.066: PARK MODEL RECREATION VEHICLE:

The definition of “park model recreational vehicle” contained in IC §49-117 (2) and any subsequent revisions is hereby adopted.

17.08.100: TINY HOUSE:

A Tiny House is a dwelling that is 400 or fewer square feet (37m²) in floor area, excluding lofts. This includes park model recreational vehicles, as defined by Idaho Code §49-117(2) that are permanently placed.

17.08.110: TINY HOUSE PARK:

A Tiny House Park is a grouping of permanently placed tiny houses on individual spaces leased from an owner(s) of an individual tax parcel or contiguous tax parcels. These spaces may be smaller than that required for dwellings required for each tax parcel.

17.08.120 TINY HOUSE PERMANENT PLACEMENT:

Tiny House permanent placement means placed onto at minimum a pier and beam foundation, with installed power, sewer, and water hookups.

Section 3: Title 17, Chapter 24, Section 010 of the Stanley Municipal Code is amended as follows:

17.24.010: PERMITTED USES: Permitted uses in the commercial district are:

- Banks.
- Beauty shops and barbershops.
- Daycare facilities.
- Doctor and dentist offices.
- Emergency services.
- Gas stations.
- Grocery stores.
- Hobby, gift and craft shops.
- Home occupations.
- Hotels, motels, lodges and apartments.
- Medical clinics.
- Multi-family dwellings.
- Municipal government.
- Municipal library.
- Offices.
- One-family dwellings.
- Restaurants, bars, and other eating and drinking establishments.
- Retail and general mercantile stores.
- Short term vacation rentals of one-family and multi-family dwellings
- Tiny house parks

Section 4: Title 17, Chapter 24, Section 030 of the Stanley Municipal Code is amended as follows:

17.24.030: MINIMUM LOT AREA AND WIDTH:

Minimum lot or tax parcel area for each dwelling erected or maintained shall be seven thousand two hundred (7,200) square feet with a minimum lot or tax parcel width of forty-eight (48) feet per building. "Lot or tax parcel width" shall refer to street or highway frontage when it exists, or to the minimum dimension of a lot without frontage.

Section 5: Title 17, Chapter 26, Section 010 of the Stanley Municipal Code is amended as follows:

17.26.010 PERMITTED USES: Permitted uses in the commercial A district are:

- Banks.
- Beauty shops and barbershops.
- Doctor or dentist offices.
- Gas stations.
- Grocery stores.
- Hobby, gift and craft shops.
- Home occupations.
- Hotels, motels, lodges and apartments.
- Medical clinics.
- Multi-family dwellings.
- Offices.
- One-family dwellings.
- Restaurants, bars, and other eating and drinking establishments.
- Retail and general mercantile stores.
- Short term vacation rentals of one-family and multi-family dwellings
- Tiny house parks

Section 6: Title 17, Chapter 26, Section 030 of the Stanley Municipal Code is amended as follows:

17.26.030: MINIMUM LOT AREA AND WIDTH:

Minimum lot or tax parcel area for each dwelling erected or maintained shall be five thousand (5,000) square feet, or such lesser square footage as shall be determined on a case by case basis by the city council, with a minimum lot or tax parcel width of forty-eight feet (48), or such lesser width as shall be determined by the city council on a case by case basis. "Lot or tax parcel width" shall refer to street or highway frontage when it exists, or to the minimum dimension of a lot without frontage.

Section 7: Title 17, Chapter 27, Section 040 of the Stanley Municipal Code is amended as follows:

17.27.040: MINIMUM LOT AREA: Minimum lot or tax parcel area shall be four thousand eight hundred (4,800) square feet.

Section 8: Title 17, Chapter 27, Section 050 of the Stanley Municipal Code is amended as follows:

17.27.050: MINIMUM LOT WIDTH: The minimum width of any lot or tax parcel shall be forth eight feet (48). No lot or tax parcel shall be divided or segregated in such a way as to result in any lot or tax parcel falling below either the minimum width or minimum area.

Section 9: Title 17, Chapter 44, Section 010 of the Stanley Municipal Code is amended as follows:

17.44.010 PERMITTED USES:

- Accessory buildings
- Mobile home spaces
- Mobile homes
- Multi-family dwellings
- Offices
- One-family dwellings
- Park-model recreational vehicles
- Recreational vehicle spaces
- Recreational vehicles unless otherwise prohibited by this chapter

Section 10: Title 17, Section 44 of the Stanley Municipal Code is amended as follows:

17.44.062: PARK MODEL RECREATIONAL VEHICLE:

A Park model recreational vehicle that is not permanently placed shall be considered a recreational vehicle for the purpose of this chapter.

Section 11: Title 17 of the Stanley Municipal Code is amended as follows:

17.71: TINY HOUSES

17.71.010: SINGLE FAMILY DWELLINGS WITH A TINY HOUSE PARK:

A Tiny House Park may be placed on a tax parcel in conjunction with a new or existing single-family dwelling so long as the single-family dwelling remains compliant with the

minimum lot area, width, and minimum setback requirements for the district within which the Tiny House Park is located.

17.71.020: LEASED SPACE REQUIREMENT FOR TINY HOUSES IN TINY HOUSE PARK:

Each tiny house in a Tiny House Park shall be placed on a leased space of at least 3,000 ft² with a minimum street or access road frontage of thirty (30) feet.

17.71.030: TINY HOUSE APPEARANCE:

A tiny house shall be placed on a permanent foundation. Sewer and water hookups shall be on the underneath side of the tiny house. Foundation and sewer and water hookups shall be screened from view with an exterior skirting that is attached to the frame of the tiny house and extends to the finished grade of the real property upon which the tiny house is placed. Any and all skirting must be similar in appearance to the exterior finishes of the tiny house and/or be in compliance with 17.08.080 and 17.40.020. Tiny houses that are classified as Park Model Recreational Vehicles by Idaho Code §40-117 (2) shall have their wheels removed. Tiny houses shall comply with building appearance requirements in 17.40.020.

17.71.040: TINY HOUSE PARK ACCESS, OFF-STREET PARKING, AND STORAGE:

Each tiny house shall have direct access to a city street or Tiny House Park private access road. If a private access road is utilized, it shall be no less than twenty-four (24) feet in width. Each tiny house shall have a driveway at least eight (8) feet wide to accommodate off-street parking for at least one non-commercial street-licensed vehicle. One accessory building of not more than 150 square feet on the leased space is permitted. Motor homes, snowmobiles, ATVs, motorcycles, other motorized recreational vehicles, off-vehicle campers, and trailers shall be stored in an accessory building. Parking is prohibited on private access roads.

17.71.050: TINY HOUSE PARK BUILDING SETBACKS:

Each tiny house shall be setback at least eighteen (18) feet from the centerline of a street or access road. Setback of each tiny house from adjacent leased spaces shall be a minimum of seven (7) feet.

17.71.060: ATTACHMENT OF EXTERNAL STRUCTURES TO TINY HOUSES IN A TINY HOUSE PARK:

No awnings, lean-tos or similar structures may be attached to tiny houses in a tiny house park. Porches of 100 sq. feet or less shall be permitted as a permanent part of the structure.

17.71.070: LIGHTING, LANDSCAPING, AND FENCES WITHIN A TINY HOUSE PARK:

Private access road lighting and lighting on tiny houses and accessory buildings shall comply with shielding and correlated color temperature outdoor lighting requirements of the International Dark Sky Association. Lighting, landscaping, and fencing proposals must be approved as part of the building permit.

17.71.080: TINY HOUSE CONSTRUCTION STANDARDS:

Tiny houses shall conform to the provisions of Appendix V of the 2012 International Residential Code, and any subsequent revisions of these provisions.

Section 12: SEVERABILITY:

If any section, subsection or clause or phrase of this ordinance is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance.

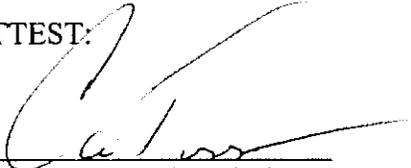
Section 13: This ordinance shall be published once in full and shall take effect and be in force from and after its passage, approval, and publication.

Passed this 11 day of January 2018.

CITY OF STANLEY
Custer County, Idaho


Steve Botti, Mayor

ATTEST:


Cari Tassano, City Clerk

[S E A L]

