



ARTICLE 8: BUILDING TYPES

FROM: Kristin Owen, Planning Administrator
RE: Summary of Changes, Compliance with Goals, Related Public Comment
Prepared For: Planning & Zoning Commission Public Hearing of October 5, 2016
Report Date: October 1, 2016

Introduction

The purpose of Article 8 is to establish the categories for building types. This code relies heavily on design, or form, as opposed to just uses. Building design or building type is a piece to understanding this form. This section is not intended to standardize buildings so they all look the same, but to provide a basic template for which property owners and developers can build off of. This section also explains building elements and their measurements.

Applicable County Code Section(s)

Article 8 covers provisions found in the current Teton County Code.

- Title 8: Zoning Regulations (8-2)

General Changes/Comments

1. The current Teton County Code is very limited in terms of building types, with only a few definitions. This Article includes definitions, diagrams, and other images as examples for each building type.
2. A lot of the building types identified in this Article are not currently allowed in the County. They have been included in case we want to use them for the Area of Impacts. Any that are not used could be removed.
 - a. Minimal changes were made to the building types not currently identified for the Rural Districts. Some of these, like the mixed use type buildings, may need to be amended for the Area of Impact agreements.

Specific Changes/Comments

1. **STAFF RECOMMENDATION:** Strengthen and clarify the Agricultural Building definition in Div. 8.16.1. This would also apply to Article 15.
 - a. Agricultural Buildings are identified in Idaho State Code as being exempt from the building codes, and they may be permitted with an Ag. Exempt building permit, with reduced requirements and a reduced fee. Traditionally, this building type has never really been defined, and the default definition has been that from the building code. However, this building type is exempt from the building code, so that definition cannot be used unless it is incorporated into the Land Use Development Code. This definition is currently in Article 15. The problem with this definition is that it includes “human habitation”, which has different interpretations.
 - b. After having a meeting with the Building Department and the County Prosecutor, it was agreed that Agricultural Buildings should not have people in them because they are not required to meet any building codes and cannot be verified as safe. Because the building can be used for storage, we agreed it would be impractical to say that humans can never enter the structure. Because of this, it was agreed that an Agricultural Building could only include a structure that is not enclosed, like a pole barn, which would allow anything being stored to be placed under the roof without someone being stuck inside. Any other type of building used for agricultural purposes would be considered an Accessory Structure.

Goals for Draft Code

- 1. The Zoning Code is not always clear in regards to the process or the requirements.**
 - a. With the building types and building elements clearly defined and illustrated, it should provide clarity in the code which we do not currently have. This will make understanding and explaining the requirements very straight forward.
- 2. The existing Code does not provide usable options for developing or dividing land.**
 - a. This Article provides clear options for developing different housing types and structures on lots that were not available in the existing code.
- 3. The new code needs to do a better job of protecting and promoting the resources Teton County has.**
 - a. This Article does not address this goal.
- 4. The new code should allow for flexibility and creativity in the design.**
 - a. This Article accomplishes this goal by identifying and encouraging a variety of building types. It provides a basic form that property owners can use to build off of to create their own unique buildings.
- 5. The new code needs to provide a more useful mechanism for revising existing undeveloped subdivisions.**
 - a. This Article does not address this specific action.

Public Comments

1. Jolene Nissan: Written comment related to building types being limited by zoning district. Wants more options for families, such as duplexes.

In the existing code, detached, single family homes are the only building type permitted in the A-2.5 and A-20 zones. Accessory Dwelling Units are allowed on lots of 1 acre or more, with a size restriction if the lot is less than 5 acres (50% the primary dwelling or 900 ft², whichever is greater – max. 1500 ft²). The existing code also identifies an Accessory Dwelling Unit as Permitted with Conditions, which would require a separate permit approval. Two-family and multi-family unit, such as duplexes or townhomes, are only allowed in the R-1 zone, which is reserved for the Areas of Impact.

The proposed code continues to allow single family, detached homes in the Rural Districts, as well as Accessory Dwelling Units. Accessory Dwelling Units are defined more clearly as an attached apartment or a backyard cottage. The size restrictions are similar to the existing code (attached apartment – less than or equal to 50% of the primary, 900 ft² max; backyard cottage – 1500 ft² max, no size restriction if lot is 5 acres or more). Two-family and multi-family units are still reserved for the Areas of Impact and Cities, which have higher densities and more services available.

A lot could also be divided to create additional lots, which would increase the total number of homes possible.