



City of McCall

COMMUNITY DEVELOPMENT

www.mccall.id.us

216 East Park Street
McCall, Idaho 83638

Phone 208-634-7052

Main 208-634-7142

Fax 208-634-3038

Subject: AD-22-01 – Administrative Determination Regarding Requirements for Building Plans Stamped by an Idaho Licensed Architect

From: Brian Parker, City Planner

Date: July 20, 2022

The intention of this Memorandum is to clarify when residential dwelling units are required to be designed by an Idaho licensed architect.

Determination

All residential dwellings with total structure sizes greater than 3,500 square feet shall be designed by an Idaho licensed architect, or a licensed architect of another state which has an agreement with Idaho.

Background

A proposed residential structure has less than 3,500 square feet of occupied, conditioned space, but a total structure size greater than 3,500 square feet. Does the proposed residence need to be designed by an Idaho licensed architect, or a licensed architect of another state which has an agreement with Idaho?

Code Sections of Interest

McCall City Code Section 3.1.02: Purpose of Zoning Regulations:

The purpose of this title (title III) shall be:

(A) To maintain and promote the small town character and attraction of the planning jurisdiction, and the natural beauty of the surrounding lands and lakeshore, present and future, for residents and visitors.

(B) To ensure that all physical growth is carried out in an orderly way and in a way which complements the landscape, ecology and existing urban character of McCall.

(C) To regulate the use of land, and the use, height, location and size of buildings and structures.

(D) To implement the McCall area comprehensive plan.

(E) To facilitate the provision of public services and to promote and protect the health, safety and welfare of all residents and visitors.

McCall City Code Section 3.2.02: Meaning of Terms or Words:

DWELLING, SINGLE-FAMILY: A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space; when considered in the context of enforcement of restrictions, any space so used.

SCALE, PEDESTRIAN: The size, texture, and articulation of a structure that matches the size and proportions of humans. Building details, pavement texture, street trees, and street furniture are all physical elements contributing to pedestrian scale.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, decks, patios, satellite dishes, billboards, fuel tanks, refuse enclosures, and piers or any other construction erected to connect docks to the shore; "structure" does not, for purposes of setbacks from the lot lines, include:

- (A) Paths, steps, and sidewalks of less than forty nine inch (49") width; and driveways from access streets to automotive vehicle storage areas;
- (B) Inground patios;
- (C) Detached planter boxes, walls not more than thirty inches (30") in height, or other landscaping features, which landscaping features are not more than thirty inches (30") above the natural terrain, or lot line fences except as otherwise provided in section 3.7.023 of this title; and
- (D) Docks and retaining walls otherwise permitted by this title.

STRUCTURE SIZE: The square footage of all floors, conditioned and unconditioned, and habitable attics, and including covered porches, decks, and other usable areas under roofs as measured to the outside of the exterior walls; excluding eaves unless intended to cover useable space.

McCall City Code Section 3.3.09: Residential Zone Design Review Standards:

- (A) Purpose: To ensure that the McCall area's built environment complements McCall's natural environment, scenic mountain setting, and historic, small town character.
 - 1. To support development that is residential in character and compatible with its surrounding neighborhood.
 - 2. To preserve natural features, including waterways, open space, trees, native vegetation, and wildlife habitat and corridors.
 - 3. To promote active and safe streetscapes in residential neighborhoods that are conducive to walking and biking.
- (B) Applicability: The design standards apply to accessory dwelling units, multifamily residential developments of two (2) or more units and single-family residential dwelling units greater than three thousand five hundred (3,500) square feet.
- (C) Residential Design Standards:
 - 1. Building Scale: The building shall be in scale with the site conditions and surrounding structures. Appropriate scale can be accomplished through the following:

-
- a. The principal structure on the site is the dominant element.
 - b. Building massing and scale is responsive to the site conditions, including views through and of the site, and existing vegetation. Development that is designed to complement rather than dominate the natural landscape.
 - c. Variations in wall planes and roof lines are incorporated to minimize the apparent scale of the building.
 - d. Porches, balconies, decks and terraces that strengthen the residential scale and character of the building.
2. Building Design: Building designs shall enhance and/or continue the styles found in the McCall area with allowance for new interpretations of historic details. Local natural building materials, roof overhangs, covered porches and entrances, simplicity of design, and segmented windows are elements of the McCall style. Building designs that are in keeping with the McCall style include the following:
- a. Materials:
 - i. Natural looking exterior materials including siding and decking materials that resist heat and flames, including: composite decking, cement, plaster, stucco, masonry (such as stone brick or blocks) and fiber-cement siding, soffit, and trim products.
 - ii. Use of stones that convey the appearance of a structural element rather than a veneer facing.
 - iii. Metal when used in combination with natural materials.
 - b. Roofs:
 - i. Roofs that compliment and respond to the mountain setting and heavy snow environment.
 - ii. Hipped, pitched, shed and gabled roofs.
 - iii. Roofs designed to prevent snow or ice from shedding directly onto a pedestrian walkway, access or adjacent property.
 - iv. Class A fire rated roof assemblies.
 - c. Exterior Color:
 - i. Exterior wall colors that tend toward earthy warm hues, with accent colors kept to a minimum of two (2) and used to highlight entrances.
 - ii. No harshly contrasted color combinations, brilliant, luminescent or day-glow colors on exterior finishes.
 - d. No blank walls shall face street frontages, including blank or unarticulated garage doors.
 - e. Decks and balconies shall be designed to handle snow and drift loads including snow shedding from roof overhangs above.

McCall City Code Section 3.16.06(D): Design Review Application:

An Idaho licensed architect, or a licensed architect of another state which has an agreement with Idaho shall prepare all design review plans and drawings for public projects, industrial, commercial projects;

and residential projects containing three (3) or more dwelling units, or residential dwelling with living area greater than three thousand five hundred (3,500) square feet.

Idaho Code 54-302: Legislative Intent:

The practice of architecture in the state of Idaho is hereby declared to affect the public health, safety and welfare and to be subject to regulation and control in the public interest to protect the public from the unprofessional, improper, unauthorized and unqualified practice of architecture and from unprofessional conduct by persons licensed to practice architecture. This act should be liberally construed to carry out these objectives and purposes.

Idaho Code 54-304: Architect's Seal:

- (1) Every licensed architect shall have a seal, the impression of which must contain the name and Idaho architect license number of the architect and the words "licensed architect" and "state of Idaho," with which he shall seal all technical submissions issued from his office.
- (2) The seal, signature and date may be manually or electronically applied. Whenever the seal is applied to a technical submission, the signature of the architect and the date thereof shall be written adjacent to or across the seal. The signature, date and seal shall appear on all technical submissions prepared by the architect or that meet the requirements set forth in subsection (4) of this section. Only the title page of reports, specifications and like documents must bear the date and the seal and signature of the architect. It is the responsibility of the architect sealing the document to provide adequate security when documents with electronic seals are distributed. Electronically produced documents distributed for informational uses, such as for bidding purposes or as working copies, may be issued with only the architect's seal if:
 - (a) The copy includes a notice that the original document is on file with the date and architect's signature;
 - (b) The words "original signed by" and "date original signed" are placed adjacent to or across the seal on the electronic document; and
 - (c) The storage location of the original document is identified.

The design and use of the seal shall be as required by board rule.

- (3) Technical submissions involving the practice of architecture that are submitted to any public or governmental agency for the purpose of obtaining a building permit that are not clearly identified by the affixed seal of the architect and the signature of the architect and date thereof shall be deemed unacceptable submissions for the purpose of obtaining a building permit.
- (4) An architect may sign and seal technical submissions only if the technical submissions were:
 - (a) Prepared by the architect;
 - (b) Prepared by persons under the architect's responsible control;
 - (c) Prepared by another architect licensed in Idaho if the signing and sealing architect has reviewed the other architect's work and either has coordinated the preparation of the work or has integrated the work into his own technical submissions; or
 - (d) Prepared by another architect licensed in any state and holding the certification issued by the national council of architectural registration boards if:

-
- (i) The signing and sealing architect has reviewed the other architect's work and has integrated the work into his own technical submissions; and
 - (ii) The other architect's technical submissions are prototypical building documents.
 - (5) An architect may sign and seal drawings, specifications or other work that is not required to be prepared by an architect if the architect has reviewed the work and has integrated it into his own technical submissions.
 - (6) Any licensed architect signing or sealing technical submissions not prepared by that architect but prepared under the architect's responsible control by persons not regularly employed in the office where the architect is resident shall maintain and make available to the board upon request, for at least five (5) years following the signing and sealing, adequate and complete records demonstrating the nature and extent of the architect's control over and detailed knowledge of the technical submissions throughout their preparation. Any licensed architect signing or sealing technical submissions integrating the work of another architect into the registered architect's own work, as permitted under subsection (4)(c) or (d) of this section, shall maintain adequate and complete records demonstrating the nature and extent of the registered architect's review of and integration of the work of the other architect into his own technical submissions and that such review and integration met the required professional standard of care. Such records shall be maintained and made available to the board, upon request, for at least five (5) years following the signing and sealing of the technical submissions.

Idaho Code 54-309: Qualifications for Licensure:

- (1) An applicant shall be eligible to be licensed as an architect if the applicant:
 - (a) Passes all examination divisions of the architectural registration examination (ARE) or an examination that is approved by the board; and
 - (b) Has completed an architectural experience program deemed satisfactory to the board indicating that the applicant is competent to practice architecture.
- (2) A person is eligible to take the ARE if that person:
 - (a) Holds a professional degree in architecture from a program that is accredited by the national architectural accrediting board or that is approved by the board; and
 - (b) Has started or completed an architectural experience program deemed satisfactory to the board.
- (3) In lieu of holding a professional degree in architecture as required by subsection (2)(a) of this section, an applicant may provide to the board satisfactory evidence of knowledge and skill approximating that attained through graduation from an approved architectural curriculum by showing a specific record of eight (8) or more years of experience in architectural work of a character deemed satisfactory to the board. This experience may also include that necessary to satisfy the architectural work experience program requirements of subsections (1)(b) and (2)(b) of this section.

Discussion

The intent of requiring plans designed by a licensed architect for specific, large-scale developments is to ensure that the design is enhancing the public realm, and that there is a level of accountability in that the designer could lose accreditation in the event of gross negligence. The factors described in the Residential Design Review Standards defined in McCall City Code Section 3.3.09 are generally indifferent to conditioned vs. unconditioned space, with the following exceptions:

- Porches, balconies, decks, and terraces require special attention to ensure that they strengthen the residential scale and character of the building.
- Garage doors require special attention to avoid creating blank walls facing street frontages
- Decks and balconies require special attention to handle snow and drifting snow loads.

As unconditioned space is generally more difficult to design appropriately with regard to the aesthetic quality of the public realm, it is reasonable to require proof of experience and qualifications to do so.

By utilizing the square footage of living area as the metric that determines whether a structure requires design by a licensed architect, an obvious loophole of constructing an oversized garage then converting to conditioned space is created. Utilizing the total structure size as the metric closes this loophole.

This requirement does not create an undue burden on applicants as it does not require that an architect design a residence completely from scratch. As stated in Idaho Code 54-304(5), a licensed architect may apply his or her seal to work prepared by an unlicensed architect so long as they have reviewed it and are willing to incorporate it into their own portfolio.

Prepared by:

Brian Parker, City Planner