



Movable Tiny Homes as Accessory Dwelling Units Issue Summary 1.10.19

Background

The "tiny house" movement is a description for the architectural and social movement that advocates living simply in small homes. The definition of a tiny home is subjective, but generally speaking, it's a home under 400 square feet, either on wheels or a foundation.ⁱ



According to the California Department of Housing and Community Development, tiny homes on wheels generally are only allowed in mobile home parks. This has created a challenge for communities throughout California that are looking to utilize tiny homes on wheels as one of their strategies to increase availability of affordable housing. By their small size, tiny homes on wheels are inherently "affordable by design". Construction costs for building tiny homes are about \$25,000 to \$95,000ⁱⁱ and infrastructure is required for siting tiny homes in backyards so there is a significant investment required. However, the total cost to build and site a tiny home is still much lower than the cost to build a new permanent apartment, condominium, or house. They are a good solution to improve land use efficiency and increase housing options and may be used as guest suites, ADU's, a micro pocket neighborhood and even placed on underutilized commercial parking.

In response to community and Town Council interest in allowing tiny homes on wheels, staff in the Cities of Fresno and San Luis Obispo have focused on how regulations might be crafted to accommodate tiny homes on wheels in backyards of single-family homes as a housing alternative. The critical issues for tiny homes on wheels revolve around how to address basic health and public safety considerations: wastewater connections/disposal, electric power/natural gas provision, and potable water.

Government Code, Section 65852.2, subdivision g, allows cities to adopt less restrictive requirements than the State-mandated minimums for accessory dwelling units.ⁱⁱⁱ Both Fresno and San Luis Obispo drafted updates to their development codes to include moveable tiny houses as an additional type of accessory dwelling unit, allowed as an accessory use to single unit residential dwelling unit.

Fresno's ordinance went into effect January 3, 2016 and has become a template that can be used by other cities and counties for permitting tiny homes and tiny homes on wheels. The City of San Luis Obispo just passed their ordinance at their November 2018 Council meeting and it will go into effect February 2019. In our region, Placer County has developed a zoning text amendment to consider tiny homes on wheels as primary



and secondary dwelling units and be permissible in zones that allow those uses. The zoning text amendment is scheduled to be heard by the Placer County Board of Supervisors in the Fall of 2018. To our knowledge, Nevada County, Town of Truckee, and Tahoe Regional Planning do not have ordinances in the works to allow tiny homes on wheels as secondary dwelling units.

City of Fresno

A "Tiny Home" is considered as an Accessory Dwelling Unit and falls under the "Backyard Cottage" category. It is allowable if it meets the following requirements:

- Is a detached self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry.
- Minimum lot size of 6,000 square feet (interior lot) or 5,000 square feet (corner lot).
- Has at least 100 square feet of first floor interior living space, but no more than 440 square feet floor area.
- Is designed and built to look like a conventional building structure.
- Must be located behind the primary dwelling unit, unless attached and integral to the primary dwelling unit.
- Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and cannot move under its own power.
- When sited on a parcel, the wheels and undercarriage shall be skirted.
- Is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements.
- A concrete pad is required in the location where the tiny home will be parked.
- A grading permit is required.
- No additional parking required.
- Connected to sewer and water. Utility permits are required for these connections.
- An indemnity agreement holding the City harmless is required.
- A covenant verifying owner occupancy of at least one of the two units is required.
- Official documentation from Pacific West Associates or National Organization of Alternative Housing or similar agency or certified entity, verifying that ANSI standards have been met.

City of San Luis Obispo

Movable tiny houses are allowed in homeowners' backyards if they meet the following requirements:

- Has at least 100 square feet of first floor interior living space, but no greater than 400 square feet total living area.
- Only allowed in certain residential zones.



- Requires a Director's Action Application for design review. Application must include proof that:
 - Tiny house is licensed and registered with the California Department of Motor Vehicles.
 - Tiny house has been certified by a qualified third-party inspector as meeting ANSI 119.2 or 119.5 requirements or comparable standards, or was built to meet ANSI 119.2 or 119.5 requirements.
 - Inspection to verify that the unit is in good working order for living, sleeping, eating, cooking, and sanitation, including the absence of any exterior shell water leaks.
 - The applicant is the property owner, or has sufficient written permission from the property owner.
 - Prior to the issuance of building permits, a covenant agreement shall be recorded which discloses the structure's approved floor plan and status as a movable tiny home and agreement that the property will be owner-occupied.
- Development Standards: Shall conform with the requirements for new detached accessory dwelling units, including but not limited to setbacks, height, and other applicable zoning requirements of the zone.
- Time Limit: The approval of a movable tiny house through a Director's Action shall automatically expire after a 12-month period, unless a longer period is specified in the approval up to a maximum of three years, or unless an extension is granted by the Director.
- Location: The moveable tiny house shall be located toward the rear of the property screened from view from any public right-of-way.
- Replacement Parking: Where a moveable tiny house occupies a required parking space, a replacement parking space is required.
- Design: The design of a tiny house shall resemble the general appearance, siding, and roofing of a traditional home.
- Foundation: The moveable tiny house shall not have its wheels removed. All wheels and leveling/support jacks shall sit on a concrete, paved, or compacted gravel surface sufficient to support its weight, and the wheels, leveling/support jacks or undercarriage must be skirted and not visible.
- Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and is designed not to and cannot move under its own power.
- Is a detached self-contained residential dwelling unit which includes facilities and functional areas for living, sleeping, eating, cooking, and sanitation.
- The owner of the property shall occupy either the primary residence or the accessory dwelling unit.

ⁱ www.curbed.com/2017/7/18/15986818/tiny-house-zoning-adu-affordable-housing

ⁱⁱ www.realtor.com/advice/buy/cost-to-build-a-tiny-house/

ⁱⁱⁱ leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=65852.2



Tiny Homes on Wheels Allowed as Accessory Dwelling Units Policy Summary



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