

Tiny Home Property Type: What is a Tiny Home?

According to the Planning Commission staff report, Movable Tiny Homes are a new housing typology that is a hybrid between a vehicle and a manufactured home. It is an accessory structure between 150 and 430 sq. ft. that provides independent living facilities for one or more persons. **LDC Sec. 142.0302 c (3)** treats Moveable Tiny Homes like vehicles, licensed and registered with the DMV. Once in place, the registration remains so the property may be independently sold or transferred off site. The license is no longer required. Like vehicles, **Sec. 142.0640 (b)(1)** exempts Moveable Tiny Homes from Development Impact Fees. Once installed on a concrete pad with required utilities, per **LDC Sec. 142.0560(h)(1)**, the Mobile Tiny Home must be stabilized with jacks. But, wheels cannot be removed and it may not be attached to a permanent foundation like a manufactured home. It must remain “moveable”.

Questions:

- What is the expected Mobile Tiny Home lifespan?
- Will Code Compliance enforce condition issues? Under what circumstances?
- What happens to them when they deteriorate?
- Are there requirements for removal?
- Since they are considered vehicles, where would they go?

Life/Safety Concerns: Mobile Tiny Homes are manufactured in accordance with the Mobile Home Construction and Safety Standards Act of 1974. Like vehicles, these units have a more limited life span than the standard residential construction currently allowed under the ADU & Companion Unit Ordinance. Of particular concern is their lower fire rating, where materials are only “ignition resistant” not “One Hour Fire Rated.” There are also no limitations on number, size and location of Tiny Moveable Home window openings. The proposed Municipal Code Amendment requires windows to be double pane glass. But, this has no effect on the transmission of radiant heat (eg. fire) energy through a window opening. The ADU Amendments allow Mobile Tiny Homes to be located next to an interior side property line within existing setbacks. Due to higher flammability and proposed locations within setbacks near side-yard property lines, Mobile Tiny Homes pose a higher fire risk both to occupants and to the adjacent property.

Questions:

- Considering Mobile Tiny Homes mobility, construction and materials standards, do these units more rightly belong in a manufactured housing/mobile home ordinance, rather than the ADU ordinance?

Do Tiny Homes belong in the SFR Zone?

Sec. 141.0302 (d) states: “Only one *companion unit* or *movable tiny house*, and one *junior unit* is permitted on a *premises*. Guest quarters and non-habitable structures shall be permitted **in addition to** the *companion unit* or *movable tiny house*, and *junior unit*.”

MOVEABLE TINY HOMES ORDINANCE ANALYSIS

Questions:

- Are these quarters counted as part of FAR or are they exempt?
- What is the maximum FAR allowed in SFR zones with Companion Units, Junior Units & Moveable Tiny Homes?
- What is maximum occupancy?
- What is maximum lot coverage when accessory uses are included? (LDC Sec. 131.0125)
- Does the city get any state fees from vehicle registration to support additional infrastructure load?

Land Use Compatibility with SFR Zone: The Land Use and Housing presentation envisions three separate audiences for this product:

- Homeowners: Office, Studio, Guest House, In-Law/Family Suite, Caregiver Unit
- Affordable Housing: Students, Transition Housing, Rental Units
- Disaster Relief

Questions

- Will these uses address the stated intent of providing more affordable housing?
- Are the uses compatible with SFR Zones?
- **Affordable dwelling space** is understandably attractive to homeowners; but, the office & studio scenarios do not add new housing, merely more living space to existing properties.
- **In-law Suite & Caregiver units:** This use adds housing for family members and employees. A short term CUP for move-on and time certain removal of Moveable Tiny Homes could meet a *bonafide* need in SFR zones.
- **Guest house:** The ADU ordinance Sec. 141.0302 (f) prohibits rentals for less than 30 days.
 - **Issue:** The guest house could be open to widespread abuse, as witnessed in the failure of Short Term Vacation Rentals regulation and the city's lack of enforcement of unpermitted rental use in SFR Zones. Although housing supply would increase, the targeted population may not benefit without regulatory oversight. [What regulatory measures can increase probability that targeted populations will be served with this proposal?](#)
- **Affordable rentals:** Tiny Homes would theoretically help address housing needs by encouraging housing supply, choice, and affordability and provide a lower-cost option when building a Companion unit. Many California communities have already adopted some version of this ordinance. The city's approach has also been favorably received by the California Department of Housing & Community Development.
 - **Issue:** [Is it likely that individual homeowners will provide these units for renters in need of transitional housing & affordable housing, many of whom need additional social support services not available in SFR Zones? Where might Tiny Mobile homes be situated to increase convenient access to these services?](#)

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- **Disaster Relief.** Small communities of Moveable Tiny Homes, similar to bungalow courts, appear to be workable for both affordable housing and disaster relief on a short term basis (eg. transitional housing). This scenario, advanced in the Land Use & Housing presentation, appears to provide both affordable housing and a mix of housing choices to the city's housing stock.
 - **Issue:** This is multi-family housing, not single family housing. Considering pad location, accessibility & construction, gas, electrical, water & sewer hook-up requirements, is the Tiny Mobile Home more suitable for mobile home parks, addressed in LDC Sec. 132.0701 & 143.0340?

Cumulative Impact:

The Planning Commission staff report both states, then assumes, there are no secondary or cumulative issues associated with this code amendment; but, there is no verification.

Questions

- What is the experience in other California communities that allow these units?
- Have any conditions for allowable uses been enacted?
- How are these enforced?

Overall Concerns

This ordinance uniformly allows manufactured housing in single family neighborhoods via ministerial permits, with no mechanism to address potential abuse. The assumption is that it will provide private incentives to handle a public issue the city is unwilling or unable to address.

There is no requirement that the targeted audience actually benefits from the effort and no feedback loop to determine if it works. This "building typology" has not been in use long enough to determine whether there are cumulative impacts to neighborhood character, increased life/safety risk, existing infrastructure load and public utility service levels when applied at the SFR zone, neighborhood and community level.

Discussion: Review potential remedies; amend, add or delete conditions as appropriate.

Conditions to mitigate cumulative physical impacts to SFR Zone:

- a. Use Pilot Program in selected communities, with wider product roll-out once program implications are understood and addressed.
- b. Allow Mobile Tiny Homes only on lots where:
 - their addition will not exceed maximum site FAR;
 - their delivery will not result in additional driveway cuts;
 - pad location meets fire safety standards; and
 - pad can be reached by required utilities.
- c. Require Program review at six months, one year, three years and five years to enable Code revisions as needed.

MOVEABLE TINY HOMES ORDINANCE ANALYSIS

- d. Require CIP fees for cumulative impacts to increased infrastructure load.
- e. Design & character of Mobile Tiny Home shall comply with Community Character provisions and Residential Land Use Element of adopted Community Plan
- f. Require CDP and Process 2 permitting in the Coastal Zone.

Conditions to direct increased housing supply to targeted affordable housing populations:

- g. Determine & allow uses that meet affordable housing program intent
- h. Require Conditional Use Permits that are renewed annually based upon long term affordable occupancy and residential use
- i. Prioritize locations where social/medical services and mass transit support low income housing population
- j. Enact Citywide 2-year moratorium on affordable housing demolition
- k. Prohibit Mobile Tiny Homes in Coastal Zone until current inventory of 1500 available STVRs converts to long term uses.
- l. Sunset program when affordable housing targets are reached

Conditions to address life/safety hazards

- m. Tighten/add Ordinance Standards to address increased fire risk in SFR & MFR Zones from reduced fire rated construction materials, unit design & potential risk of propane delivery & use
- n. Require minimum of 4 ft. setback from side & rear property line; minimum of 8 ft. distance from existing dwelling to reduce fire spread risk
- o. Require Mobile Tiny Homes located closer to property line to meet 2019 California Residential Building Code fire resistant construction requirements
- p. Locate ASME Propane Storage tanks using National Fire Protection Association NFPA Standard 58, Liquid Petroleum Gas Code
- q. Provide public information bulletin that clarifies what physical conditions comprise safety hazards and what standards are required for safe pad location & utility installation
- r. Allow Mobile Tiny Homes in SFR Zone where physical life/safety requirements are met
- s. Regulate Mobile Tiny Homes under Manufactured Housing/Mobile Homes Code provisions; allow only in Multi-Family Zones
- t. Increase Code Compliance budget and staff; Provide/enforce penalties, including fines, abatement and removal for non-compliance