



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802

Meeting Agenda Community Development Committee

Tuesday, January 25, 2022

3:00 PM

Via Video Conference

MEETING CALLED TO ORDER

ROLL CALL

PLEASE TAKE NOTICE

Due to state and county health orders and to minimize the spread of COVID-19, Committee Members and staff will be participating in this meeting via video conference. The Governor's executive Orders N-25-20, N-29-20, and N-15-21 suspend certain requirements of the Brown Act and allow the meeting to be held virtually.

The meeting will be live-streamed on the City's website at <https://city.fortbragg.com/> and on Channel 3. Public Comment regarding matters on the agenda may be made by joining the Zoom video conference and using the Raise Hand feature when the Chair calls for public comment. Any written public comments received after agenda publication will be forwarded to the Committee Members as soon as possible after receipt and will be available for inspection at City Hall, 416 N. Franklin Street, Fort Bragg, California, during normal business hours. All comments will become a permanent part of the agenda packet on the day after the meeting or as soon thereafter as possible, except those written comments that are in an unrecognized file type or too large to be uploaded to the City's agenda software application. Public comments may be submitted to Sarah Peters, speters@fortbragg.com.

ZOOM WEBINAR INVITATION

You are invited to a Zoom webinar.

When: Jan 25, 2022 03:00 PM Pacific Time (US and Canada)

Topic: Community Development Committee

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/86576695048>

Or One tap mobile :

US: +17207072699,,86576695048# or +12532158782,,86576695048#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 865 7669 5048

International numbers available: <https://us06web.zoom.us/j/86576695048>

TO SPEAK DURING PUBLIC COMMENT PORTIONS OF THE AGENDA VIA ZOOM, PLEASE JOIN THE MEETING AND USE THE RAISE HAND FEATURE WHEN THE CHAIR OR ACTING CHAIR CALLS FOR PUBLIC COMMENT ON THE ITEM YOU WISH TO ADDRESS.

1. APPROVAL OF MINUTES

- 1A. [22-023](#) Approve the Community Development Committee Minutes of the January 11, 2022 Meeting

Attachments: [Approve Minutes of the January 11, 2022 Community Development Committee](#)



City of Fort Bragg

416 N Franklin Street
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Phone: (707) 961-2823
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Text File

File Number: 22-023

Agenda Date: 1/25/2022

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Committee Minutes

Agenda Number: 1A.

Approve the Community Development Committee Minutes of the January 11, 2022 Meeting



City of Fort Bragg

416 N Franklin Street
Fort Bragg, CA 95437
Phone: (707) 961-2823
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Meeting Minutes Community Development Committee

Tuesday, January 11, 2022

3:00 PM

Via Video Conference

Special Meeting

MEETING CALLED TO ORDER

Chair Norvell called the meeting to order at 3:00 P.M.

ROLL CALL

Present: 2 - Bernie Norvell and Jessica Morsell-Haye

1. APPROVAL OF MINUTES

1A. [22-007](#) Minutes of the July 27, 2021 Community Development Committee Meeting

This Committee Minutes was approved for Council review

Aye: 2 - Committee Member Norvell and Committee Member Morsell-Haye

2. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

3. CONDUCT OF BUSINESS

3A. [22-009](#) Regular Oral Update Regarding Implementation of Central Business District Economic Development Strategy

Assistant to the City Manager McCormick presented the prepared report to the Committee. The Committee asked clarifying questions. Vice Chair Morsell-Haye expressed her appreciation for the work staff did to take the Public Restrooms item off Hold and get it assigned to Assistant City Engineer Huerta. At Chair Norvell's request, Code Enforcement Officer Stump gave a brief update on the code enforcement program. Chair Norvell expressed appreciation for all her hard work on it.

Public Comments

None.

3B. [22-011](#) Update on Community Development 2021 Workload Measure Performance

Assistant Director O'Neal presented the prepared report to the Committee. The Committee asked a clarifying question about the increase in the number of Planning Commission staff

reports and O'Neal provided a response. Discussion included appreciation for staffs' hard work during a tumultuous year and under difficult circumstances.

Public Comments

*Jacob Patterson

3C. [22-013](#) Grants Update

Grants Manager Bond presented an oral update to the Committee, highlighting some systems improvements and grants that are currently being worked on. Chair Norvell welcomed Bond to the team and stated that staff will be bringing regular grants updates to the public through Community Development.

Public Comments

*Jacob Patterson

4. MATTERS FROM COMMITTEE / STAFF

Associate Planner Gurewitz provided a brief update on the State Parks per Capita Program grant. She said she received confirmation today that the award of \$177,000 has been approved. She said we were not successful in securing the Bainbridge Park SPP grant program funds for the renovation of Bainbridge Park, due to not ranking high enough on the poverty scale, the fact that we are not making an acquisition, and the extreme amount of competition for this grant. She said one of the components of the project was to install a half soccer court. Discussion included plans for it's implementation and funding going forward.

ADJOURNMENT

Chair Norvell adjourned the meeting at 3:32 P.M.



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Phone: (707) 961-2823
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Text File

File Number: 22-039

Agenda Date: 1/25/2022

Version: 1

Status: Business

In Control: Community Development Committee

File Type: Staff Report

Agenda Number: 3A.

Receive Report and Provide Direction to Staff Regarding a Proposed Tiny Home Ordinance.



CITY OF FORT BRAGG

416 N. FRANKLIN, FORT BRAGG, CA 95437
PHONE 707/961-2823 FAX 707/961-2802

COUNCIL COMMITTEE ITEM SUMMARY REPORT

MEETING DATE: JANUARY 25, 2022
TO: COMMUNITY DEVELOPMENT COMMITTEE
FROM: KEVIN LOCKE, ASSISTANT PLANNER
TITLE: Receive Report and Provide Direction to Staff Regarding a Proposed Tiny Home Ordinance

BACKGROUND AND OVERVIEW:

The construction of Accessory Dwelling Units (ADUs) brings much needed housing to our community. ADUs, commonly referred to as “second units” or “in-law units”, are additional attached or detached residential dwellings that provide complete independent living facilities for one or more persons; ADUs are regulated in the cities Inland Land Use & Development Code (ILUDC) section 18.42.170 “Second Units – Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)”.

The City of Fort Bragg Inland General Plan, Element 9 Goal H-1 seeks to “provide a range of housing, including single-family homes, townhouses, apartments, and other housing types to meet the housing needs of all economic segments of the community”. Furthermore, Program H-1.3.5 provides direction to “Allow tiny homes as second units”. Tiny homes are small, independent, livable dwelling units that are less than 400 Sq. Ft., excluding lofts. These units can be categorized into two types, ones with a foundation, and moveable mobile residences that maintain the appearance of a single-family residence. Tiny homes on foundation are currently regulated through ILUDC section 18.42.170 as they are considered very small ADU’s, but moveable tiny homes are unpermitted outside of mobile home parks.

Deliverables associated with SB2 grant funding through SB2, included the creation of a tiny home ordinance to address program H-1.3.5. Building on Fort Bragg’s existing ADU code provisions, the primary focus of the proposed ordinance is to treat movable tiny houses as an alternative ADU rather than stand-alone housing. However, inherent differences between moveable tiny houses and traditionally constructed ADU’s present special circumstances which a proposed ordinance would attempt to address compatibly to integrate the units into the City of Fort Bragg.

DISCUSSION

Staff are seeking input on a variety of standards related to tiny homes. The list below includes proposed standards for a tiny home ordinance. This list is subject to CDC and community input. Regulations may be added, removed, and/or changed. The standards used were pulled from multiple jurisdictions of similar size and rural nature. Additional staff comments are found below each section, which may include questions for the committee, staff concerns, and/or general comments.

A. Limitation on location.

- a. Moveable Tiny homes are permitted on any parcel that is zoned for residential units.

B. Development Standards. A moveable tiny home shall conform with the requirements for a new detached accessory dwelling unit as listed in ILUDC section 18.42.170 (Second Units – Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU), except as modified by this subsection.

- a. **Height.** A movable tiny home shall have a maximum height of 13' 6" to comply with Department of Motor Vehicles (DMV) towing requirements.
- b. **Location.** A moveable tiny home shall be located toward the rear of the property.
- c. **Size.** The minimum square footage of a moveable tiny home shall be 150 square feet to comply with California Health & Safety Code. The maximum size shall be 400 square feet.

Staff Comment: Moveable tiny homes, as an alternative ADU would generally follow the development standards set forth in section 18.42.170. The standards listed here are different from 18.42.170 due to the special circumstances related to moveable tiny homes. Based on existing and proposed development standards, are there any other development standards that should be considered?

C. Design Standards. A moveable tiny home shall maintain the following design standards.

- a. **Skirting.** The undercarriage (wheels, axles, tongue and hitch) shall be hidden from view.
- b. **Foundation or Pad.** If the wheels are removed so the unit may sit on a foundation, the tiny home shall comply with all standards listed in ILUDC section 18.42.170 (Second Units – Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU). If the wheels are not removed, a paved parking pad shall still be required and include bumper guards, curbs, or other installations adequate to prevent movement of the unit. Alternative paving methods may be permitted at the discretion of the Community Development Department.
- c. **Mechanical Equipment.** Mechanical equipment shall be incorporated into the structure and not located on the roof. Generators are not allowed except for use during emergencies.
- d. **Materials.** Materials used as exterior wall covering shall be natural or man-made, and non-reflective.

- e. **Windows.** Windows shall be at least double pane glass and labeled for building use, and include an exterior trim.
- f. **Roof.** Roof shall have a minimum of a 1:12 pitch for greater than 50% of the roof area.
- g. **Utility Connections.** Moveable tiny homes may use off-grid sustainable electricity through use of solar panels. For the purposes of providing service for water and sewer, moveable tiny homes shall not be required to install separate connections.

Staff Comment: By allowing moveable tiny homes, the expectation should be that they maintain the appearance and functionality of a second unit. The proposed standards are similar to those listed throughout other jurisdictions. Staff are seeking guidance as to whether the proposed standards are enough. Should there be more standards related to the exterior to ensure it maintains the appearance of a single-family residence?

D. Ownership. The landowner of a proposed tiny home shall not be required to own the tiny home as well.

Staff Comment: Separate ownership of tiny homes has received mixed responses in other jurisdictions. Since moveable tiny homes are generally considered personal property as opposed to land and buildings on foundation which are “real property”, it allows for separate ownership. Staff have numerous concerns related to tenant rights, abandonment of units, and eviction proceedings. Having separate ownership may create numerous issues if not regulated properly. Staff plan to reach out to other jurisdictions for more detail, but are seeking initial guidance from CDC.

E. Short Term Rentals. Moveable tiny homes shall not be used as short-term rentals as defined by section 18.42.190 – Vacation Rental Units.

F. Applicable Codes.

- a. Moveable tiny homes shall meet either the provisions of ANSI 119.5, NFPA 1192, or the provisions of the California Building Code, including 2019 CA Residential Code Appendix Q.
- b. Moveable tiny homes shall be licensed and registered with the California Department of Motor Vehicles.

Staff Comment: Tiny home building standards can be regulated in a variety of different ways as listed above. Staff have not chosen a standard to use, and the codes listed in section (a) are examples of what could be used. The County of Mendocino serves as the City’s Building Department, and staff are working with them to determine which standard (or standards) are best for these homes.

G. Additional Permitting.

- a. A proposed tiny home on wheels located in the Coastal Zone shall require a coastal development permit.

Staff Comment: The proposed ordinance at this time would only be for the ILUDC, but based on Coastal Commission guidance a Coastal Development Permit will be necessary for moveable tiny homes. This section is solely for reference and will only be added when a CLUDC amendment is proposed.

RECOMMENDATION & NEXT STEPS:

The Community Development Committee should provide feedback to staff regarding introducing an ordinance to Planning Commission, adding “tiny homes” regulations into the City of Fort Bragg Land Use & Development Code.

ENVIRONMENTAL DETERMINATION:

The proposed moveable tiny homes shall be treated as an alternative to accessory dwelling units. Therefore, the proposed ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), under Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), adoption of an ordinance regarding second units in areas zoned to allow single-family or multifamily dwelling residential use by a city or county.

ATTACHMENTS:

Att. 1: Moveable Tiny Home PowerPoint

Att. 2: ILUDC Section 18.42.170



Tiny Homes Study Session

Community Development Committee

January 25, 2022

What is a “tiny home”?

- ▶ A tiny home is a small house with independent living quarters with space for cooking, sleeping, and sanitation.
- ▶ Tiny Homes can be a small house on a foundation or moveable by towing.
- ▶ Can be as small as 150 Sq. Ft.



Current City Regulations

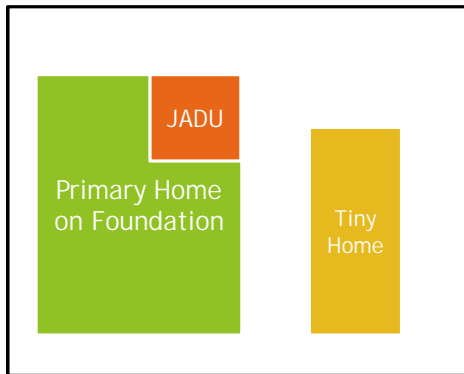
- ▶ Tiny homes on foundation
 - ▶ Complies with Residential building code
 - ▶ Currently allowed by ILUDC & CLUDC

- ▶ Tiny homes on wheels: RV's
 - ▶ Considered vehicles - Registered with DMV
 - ▶ Allowed in designated trailer parks

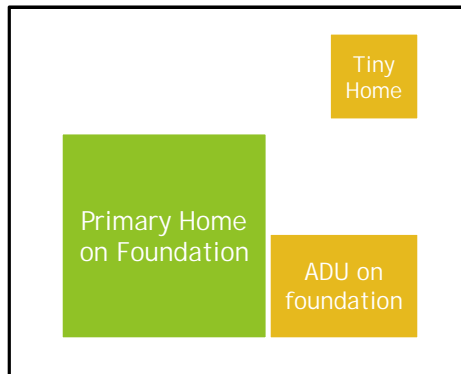
Configuration Types

- Based on existing Single- Family Parcels of 6000 Sq. Ft.
- Smaller lots authorized by SB 9 only allow two units which reduce the possible configurations.

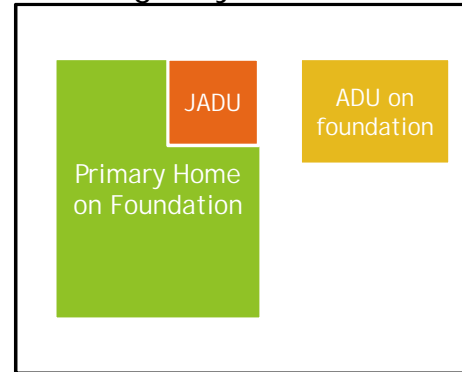
Tiny Home as ADU



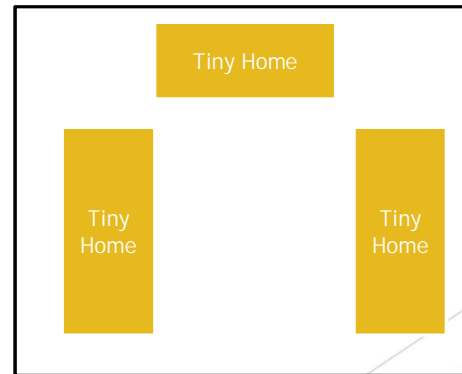
Tiny Home in addition to ADU



Existing City Code

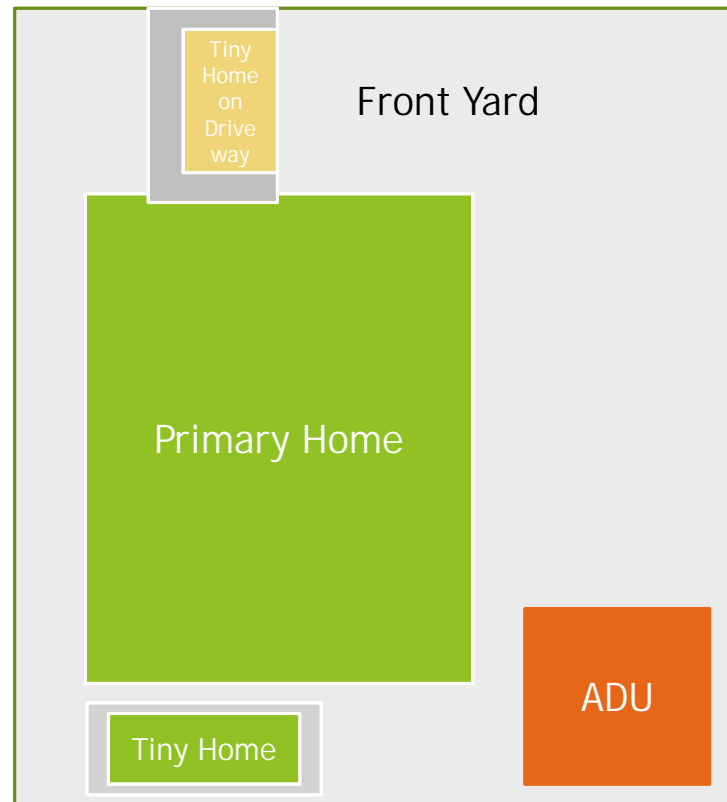


Tiny Home Group



Development Standards

- ▶ Location on a parcel
 - ▶ Setbacks?
 - ▶ Driveway?
- ▶ Parking (Replacement Parking)
- ▶ Unit Size (Min/Max?)
- ▶ Height (DMV towing restrictions)



Geographic Location

- ▶ Zoning District Limitations?
- ▶ Certain portions of the City?

Other Considerations:

- ▶ Privacy
- ▶ Utility Requirements
- ▶ Development Restrictions



Design Considerations

- ▶ Architectural Style
- ▶ Roof Pitch
- ▶ Siding
- ▶ Windows/Doors
- ▶ Slide-outs
- ▶ Wheel Skirting
- ▶ Mechanical Equipment



Utilities & Ownership

Utilities

- ▶ Require permanent sewer/water connections?
- ▶ Off-grid electric?
- ▶ Allow off-grid water/sewer?

Ownership

- ▶ Should we allow separate ownership of tiny homes and land?

Required Permitting

- ▶ DMV Certification
- ▶ Discretionary Review
 - ▶ Coastal Development Permits
- ▶ Building permits
 - ▶ Follow Appendix Q?
 - ▶ Link to Appendix Q:

<https://codes.iccsafe.org/content/IRC2018/appendix-q-tiny-houses>



Next Steps

- ▶ Receive direction from the Community Development Committee.
- ▶ Receive input from the public through various means.
- ▶ Bring a proposed ordinance to Planning Commission for review.

Questions & Discussion

18.42.170 - Second Units - Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU)

This Section establishes standards for 2 types of residential second units: (A) accessory dwelling units (ADU); and (B) junior accessory dwelling units (JADU), where allowed by Article 2 (Zoning Districts and Allowable Land Uses). An application for a second unit that complies with the standards of this Section shall be approved ministerially. “Accessory dwelling unit” means an attached or a detached residential dwelling unit that provides complete independent living facilities for 1 or more persons. ADUs shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single residential unit or multifamily dwelling is or will be situated. An “accessory dwelling unit” also includes the following: (A) an efficiency unit; and (B) a manufactured home, as defined in Section 18007 of the Health and Safety Code. “Junior accessory dwelling unit” means a living space not more than 500 square feet in size and contained entirely within the walls of a single residential unit. A JADU shall include permanent provisions for living, sleeping, eating, cooking, and sanitation; sanitation facilities may be separate, or may be shared with the primary unit.

A. Limitation on location.

- 1. Accessory dwelling unit.** ADUs are allowed on any parcel that is zoned for a single residential unit or multifamily residential development.
- 2. Junior accessory dwelling unit.** JADUs are allowed on any parcel that is zoned for a single residential unit.

B. Limitation on number of units. No more than 1 ADU and 1 JADU shall be approved on a single parcel with a single residential unit. Two detached ADUs are allowed on any parcel that is zoned for residential development that has multifamily development, and no more than 25% of the number of existing units, but at least 1 unit, shall be permitted as accessory dwelling units constructed (in compliance with all applicable building codes) within the non-livable space of the existing multifamily building (i.e., storage rooms, attics, basements, and garages).

C. Density. Both ADUs and JADUs shall be exempted from the calculation of the maximum allowable density for the lot on which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designation for the lot.

D. Relationship to primary use.

- 1. Accessory dwelling unit.**
 - a. An ADU may be incidental and subordinate to the primary single residential unit use of the site in terms of size and location. It can be: (i) a remodeled portion of a primary dwelling unit; (ii) attached to a primary dwelling unit; (iii) one of the units of a duplex; or (iv) a detached unit. An ADU may be constructed simultaneously with or after the primary dwelling. In addition, an existing dwelling that

complies with the standards for second units in Subsection (E) of this Section may be considered a second unit, and a new primary unit may be constructed which would then be considered the primary dwelling unit.

b. ADUs constructed under the provisions of Government Code Section 65852.2(c)(2)(c) may not be rented for less than 31 days.

2. Junior accessory dwelling unit.

a. A JADU shall be contained entirely within the walls of a single residential unit and shall not exceed 500 square feet.

b. A JADU shall include an efficiency kitchen including a food preparation counter, storage cabinets that are of reasonable size in relation to the size of the unit, and cooking appliances; have a separate entrance from the main entrance to structure; and may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

c. Owner-occupancy. The owner of a parcel proposed for a junior accessory dwelling unit shall occupy as a primary residence either the primary dwelling or the junior accessory dwelling. Owner-occupancy is not required if the owner is a governmental agency, land trust, or housing organization.

d. Sale prohibited. A junior accessory dwelling unit shall not be sold independently of the primary dwelling on the parcel.

e. Short-term rentals. The junior accessory dwelling unit shall not be rented for periods of less than 31 days.

f. Fire protection; utility service. For the purposes of any fire or life protection ordinance or regulation or for the purposes of providing service for water, sewer, or power, a junior accessory dwelling unit shall not be considered a separate or new unit, unless the junior accessory dwelling unit was constructed in conjunction with a new single residential unit. No separate connection between the junior accessory dwelling unit and the utility shall be required for units created within a single residential unit, unless the junior accessory dwelling unit is being constructed in connection with a new single residential unit.

g. Deed restriction. Prior to the issuance of a building permit for a junior accessory dwelling unit, the owner shall record a deed restriction in a form approved by the City that includes a prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single residential unit, requires owner-occupancy consistent with Subsection (D)(2)(c) of this Section, does not permit short-term rentals, and restricts the size and attributes of the junior dwelling unit to those that conform with

this section.

E. Second unit standards.

1. Accessory dwelling unit. An ADU shall comply with the following standards:

a. Height limit. A detached ADU shall be limited to 18 feet and 1 story. A second unit located over a residential accessory structure may be allowed with a maximum height of 25 feet with Minor Use Permit approval. An attached ADU shall comply with the height limit in the zoning district.

b. Setbacks. An ADU shall have a minimum rear and side setback of 4 feet, unless the second unit is located in a nonconforming structure as defined by § 18.90.020. No second unit may be permitted above a residential accessory structure unless the unit complies with the 4-foot setback requirement.

Notwithstanding the foregoing, no setbacks are required for ADUs that are conversions of existing living areas or existing accessory structures, or for any new structures in the same location and to the same dimensions as an existing structure.

c. Maximum floor area. The maximum floor area of an ADU shall not exceed 1,000 square feet.

d. Separate entrance required. An attached ADU shall have an entrance separate from the entrance to the primary dwelling.

e. Window placement. An ADU that is placed 20 feet or less from a residential unit on the same parcel or an adjacent parcel shall not have windows that directly face windows in the other unit. An ADU that is located over a residential accessory structure shall not have windows or balconies that directly face a neighboring yard. This limitation applies only to side yards, not to windows facing alleys.

f. Building code compliance. All new ADUs must satisfy the requirements contained in the building code and fire code as currently adopted by the City, including applicable energy efficiency standards associated with Title 24 of the California Code of Regulations. However, fire sprinklers shall not be required if they are not required for the primary residence.

g. Accessory dwelling units. Permitted regardless of compliance with other development standards and regulations. ADU permits shall be approved for the following types of accessory dwelling units, regardless of whether the application meets the development standards contained in this Zoning Code:

i. For lots with a single residential unit, one of the following:

a) One interior ADU or 1 JADU per lot constructed within an existing or proposed single

residential unit or accessory structure, including the construction of up to a 150-square-foot expansion beyond the same physical dimensions as the existing accessory dwelling structure to accommodate ingress and egress. The ADU or JADU must have exterior access and side and rear setbacks sufficient for fire safety; or

b) One new, detached ADU with minimum 4-foot side and rear setbacks, up to 800 square feet and no more than 16 feet high on a lot with an existing or proposed single residential unit. A JADU may also be built within the existing or proposed dwelling of such residence in connection with the ADU.

ii. On a lot with an existing multifamily dwelling:

a) ADUs may be constructed in areas that are not used as livable space within an existing multifamily dwelling structure (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages), provided the spaces meet state building standards for dwellings. The number of interior ADUs permitted on the lot shall not exceed 25% of the current number of units of the multifamily complex on the lot and at least 1 such unit shall be allowed. Units constructed pursuant to this Subsection shall not exceed 800 square feet in floor area; and

b) Up to 2 detached ADUs may be constructed, provided they are no taller than 16 feet, and they have at least 4 feet of side and rear yard setbacks. Units constructed pursuant to this Subsection shall not exceed 800 square feet in floor area.

c) ADUs approved under this Subsection (E)(1)(g) shall not be rented for less than 31 days.

iii. ADUs or JADUs approved under this Section shall not be required to correct legal nonconforming zoning conditions.

2. Junior accessory dwelling unit. A JADU shall comply with the following standards:

a. Maximum floor area. The living space shall not exceed 500 square feet in size and shall be contained entirely within the walls of a single residential unit.

b. Separate entrance required. A JADU shall have a separate entrance from the main entrance to structure, with an interior entry into the main living area.

c. Efficiency kitchen. A JADU shall include an efficiency kitchen, as follows:

i. Cooking appliances;

ii. A food preparation counter; and

iii. Storage cabinets reasonably sized in relation to unit.

F. Off-street parking requirements. Off-street parking is not required for either an ADU or a JADU. However, if parking is provided, the parking space shall comply with the location and design requirements of Chapter 18.36.

(Ord. 959, § 3, passed 02-10-2020)

Peters, Sarah

From: Johanna <Johanna@mcn.org>
Sent: Monday, January 24, 2022 4:01 PM
To: Peters, Sarah
Subject: Comments for Community Development Committee meeting
Attachments: Comments on Proposed Tiny Home Ordinance.docx; Bulletin291TinyHomeonWheel.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

In addition to my written comments, I'm sending a related document from the City of San Jose's Planning Department.

thanks!

Johanna Jensen

Comments on Proposed Tiny Home Ordinance

Johanna Jensen

January 24, 2022

I am writing in support of the proposed ordinance to allow homeowners to treat movable tiny houses as alternative ADUs.

I believe benefits of the ordinance include:

1. The process of providing ADUs will be easier, quicker and more affordable. The most expensive, time-consuming thing about an ADU is building or buying a small house. Since renting to a moveable tiny house means the homeowner is no longer responsible for providing the dwelling unit, they needn't secure financing, find an available contractor or wait on a lengthy build. This means most headaches are avoided and the majority of the cost is offloaded to the renter. The homeowner is now responsible for just the cost of the pad, skirting, utility connections, fees and permits. Depending on the site, these costs should be between \$10 - \$15,000... an investment the homeowner could recover in as few as 3 years.
2. There's documented demand. The North Coast's Housing Action Team (HAT) recently surveyed North Coast employees about how they are impacted by housing.

The survey showed that not everyone wants to live in a traditional house; 1/3 of the people said they'd be interested in a mobile home or tiny house. Of the people who would live in a moveable tiny house, many said they would like to rent space on a residential city lot.

A tiny house's small size is also attractive to many. 60% said they prefer small homes (a studio, 1 or 2 bedroom). 30% said they live alone, while 50% said they have 2 people in the home. This is the right demographic for tiny home dwellers.

3. It supports home-ownership. Cost is a significant barrier to owning a home. Adopting this ordinance could help people avoid joining the 43% of households with a mortgage in Mendocino County that are 'housing cost-burdened' (paying more than 30% of their income on housing). It could also allow people to escape the ranks of the 58.6% of County renters who are housing cost-burdened.
4. It's a less-expensive housing alternative. The prices of tiny houses vary, but the average monthly cost is about \$600. If a tiny house owner pays \$400 month to rent space on a residential lot, their total housing cost may be less than they'd pay to rent a studio or 1 bedroom apartment.

5. Notes on Staff's Report/Recommendations.

- Discussion Item C-b: Design Standards – consider modeling the ordinance after San Jose's Tiny Homes on Wheels Permit Checklist (attached)
- Discussion Item C-c: Foundation or Pad – recommend allowing paved *or gravel* parking pads, and in the interest of streamlining the process eliminate 'alternative paving method permitted at the discretion of the Community Development Department'.
- Discussion Item C-g: Utility Connections – recommend not allowing solar only. Instead require property owner to install a pedestal plug-in electrical connection.
- Discussion Item D: Ownership: *'Staff have numerous concerns related to tenant rights, abandonment of units, and eviction proceedings.'*

Based on my research, these concerns should not be significant in deciding whether to adopt the ordinance or not. Nolo Legal Services explains that when the owner of a moveable home falls behind in rent payments, the land owner typically sends a written eviction notice. Next, they usually file a lawsuit asking the court to order the tenant to remove the home from the site and leave. The tenant then has a certain number of days to respond to the suit; if they don't, the court will grant a default judgment in favor of the landlord and the tenant has to move the home. Even if the tenant responds to the lawsuit, the court may still decide in favor of the land owner and order the tenant to leave the site taking the home with them.

Tiny Home on Wheels Permit Checklist

A tiny home on wheels (THOW) may be installed on a property with a single-family home, subject to complying with Zoning Code standards and obtaining a building permit.

A THOW is considered a type of accessory dwelling unit (ADU), but it has different and specific requirements. This checklist pertains only to THOWs. For information on other types of ADUs, please visit www.sanjoseca.gov/ADUs.

Use this checklist to make sure your THOW project complies with the development standards of the City’s Zoning Code and as a guide to the permit process. To help avoid costly mistakes, homeowners and professionals providing services on installing the THOW should read this checklist before proceeding with the project.

As stated in the Zoning Code (www.sanjoseca.gov/MunicipalCode, Section 20.30.495 and Section 20.200.327), the development standards for a THOW are provided in this checklist.

Need help?

- We offer a no-fee consultation with a City Planner who can answer your questions and help with items on this checklist. Due to COVID-19, please email ZoningQuestions@sanjoseca.gov and a planner will respond with an email or will call you.
- For property designations on page 2, visit www.sjpermits.org and tap “Permits & Property Information”; enter your address; on the next screen, click on your property and select “Property Information.” A list of designations will appear.

QUESTION	YES	NO
SECTION A. PROPERTIES THAT QUALIFY		
<p>1. Zoning. Is the property a lot with one single-family home on it? > Outcome: If yes, one THOW is allowed. If no, a THOW is not allowed.</p>		
<p>2. Presence of other ADUs (granny units). The main dwelling may have either an attached accessory dwelling unit (ADU) or a junior accessory dwelling unit (JADU); a JADU is a unit less than 500 sq. ft contained fully within the primary dwelling. The property may NOT have a detached ADU on it. Does the property for the proposed THOW comply with these conditions? > Outcome: If yes, a THOW is allowed. If no, a THOW is not allowed.</p>		
SECTION B. PRELIMINARY CRITERIA The THOW must meet ALL criteria below to qualify for a building permit		
<p>3. Qualifying Features. Is your THOW a detached self-contained unit intended for separate, independent living quarters for one household, designed and built to look like a conventional building structure, and which includes basic functional areas that support normal daily routines such as cooking, sleeping, toilet, and bathing facilities? > Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>4. Registration. Is your THOW licensed and registered with the California Department of Motor Vehicles? > Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>5. Certification. Does your THOW meet the American National Standards Institute (ANSI) 119.5 requirements or the National Fire Protection Association (NFPA) 1192 standards, and is it certified for ANSI or NFPA compliance? Note: Certification must be made by a qualified third-party inspector. > Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>6. Towable. Is your THOW towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and cannot move under its own power? > Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		

continued >

QUESTION	YES	NO
SECTION C. PROPERTY DESIGNATIONS & PLACEMENT ON THE LOT		
<p>7. Easements. Does the property have a dedicated easement? Easements are described in the title report that came with the purchase of your home. Contact a title company if you need to obtain a report. Tract and parcel maps may show easements, but may be less accurate than a title report. Find these maps at the County Surveyor Record Index tool at http://bit.ly/2ZhGjXc.</p> <p>> Outcome: If yes, you must comply with the requirements of the easements, which may include no construction allowed within the easement area.</p>		
<p>8. Historic Designation. Is the property located in a Historic District identified on the California Register of Historic Resources? Find historic designations: www.sanJoseca.gov/HistoricResourcesInventory.</p> <p>> Outcome: If yes, please contact a City Planner at ZoningQuestions@sanJoseca.gov for information on how to proceed.</p>		
<p>9. Distance from Primary Home. Is the THOW to be located at least six feet from the primary home?</p> <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>10. Location and Setbacks. Does the THOW location comply with these location and setback requirements?</p> <ul style="list-style-type: none"> ▪ If a rear yard location - Minimum setback of 4 feet from any interior side or rear property line and minimum 10 feet from a corner property line ▪ If an interior side yard location - Minimum setback of 45 feet from the front property line and minimum setback of 4 feet from an interior side property line. An interior side does not face a street, such as may occur on a corner lot. <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
SECTION D. SIZE & DESIGN STANDARDS		
<p>11. Floor Area. Is the THOW at least 150 sq. ft. and no larger than 400 sq. ft., as measured within the exterior faces of the exterior walls?</p> <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>12. Height. Is the THOW no greater than two stories and has a maximum height of 16 feet? Note: Roof height shall be determined in accordance with San José Municipal Code Section 20.200.510.</p> <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>13. Hidden Undercarriage. Is the undercarriage (wheels, axles, tongue and hitch) hidden from view from the public right of way?</p> <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>14. Design Elements. Does the THOW incorporate all of the following required design elements?</p> <ul style="list-style-type: none"> , Cladding and trim. Materials used on the exterior of THOW shall exclude single piece composite laminates or interlocked metal sheathing. , Windows and Doors. Windows shall be at least double pane glass and include exterior trim. Windows and doors shall not have rounded corners. , Roofing. Roofs shall have a minimum of a 12:2 pitch for greater than 50 percent of the roof area and not be composed of wooden shingles. , No Extensions. All exterior walls and roof shall be fixed with no slide-outs, tip-outs, nor other forms of mechanically articulating room area extensions. , Mechanical equipment. Must be incorporated into the structure and not located on the roof. <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		

continued >

QUESTION	YES	NO
SECTION E. PARKING STANDARDS		
<p>Note: No additional parking is required for the THOW. Any displaced parking resulting from the construction of the THOW is not required to be replaced.</p>		
<p>15. Parking Pad. Will the THOW be parked on a paved or alternate pad that includes bumper guards, curbs, or other installations that adequately prevent movement of the THOW?</p> <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p>16. Wheels and Leveling Requirements. Do the wheels and leveling or support jacks sit on a paving surface that meets either of the following criteria:</p> <ul style="list-style-type: none"> , The parking area is paved with hard, durable asphaltic paving that is at least 2 inches thick after compaction, or with cement paving at least 3 inches thick; OR , The parking area is paved with alternative paving materials that may consist of porous asphalt; porous concrete; permeable interlocking concrete pavers; permeable pavers; decomposed granite, crushed rock or gravel; plastic or concrete grid system confined on all sides and filled with gravel or grass in the voids; or other similar materials that meet the following requirements: <ul style="list-style-type: none"> a. Permeable interlocking concrete pavers and permeable pavers that have a minimum thickness of 80 mm (3.14 inches); and b. Products and underlying drainage material are installed to meet manufacturers’ specifications. Sub-grade soils shall be compacted as required to meet the product installation specifications. <p>> Outcome: If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
SECTION G. MISCELLANEOUS		
<p>17. Tree Removal. Will constructing the THOW require removal of an ordinance-size or heritage tree?</p> <p>> Outcome: If yes, please first see the rules for removing trees: www.sanjoseca.gov/treepermit</p>		

PERMIT REQUIREMENTS

Installing a THOW requires that you obtain electrical and plumbing permits along with the necessary inspections. You will need to submit this form to the Building Division:

- Use [Form 310-Building Permit Application](#) to apply for the electrical and plumbing permits.

Permit requirements include:

- , The THOW must have a flexible connection to electric, water, and sewer utilities. The City’s ordinance prohibits natural gas.
- , The THOW is not required to have fire sprinklers but must meet the ANSI A119.5 or NFPA 1192 standards relating to health, fire and life-safety.
- , If the wheels are removed and the unit is attached to a conventional foundation, the unit no longer qualifies as a THOW but instead becomes subject to permitting requirements for a detached ADU in accordance with with Municipal Code [Section 20.30.460](#).

HERE TO HELP YOU

Remember, a City Planner can provide a no-fee consultation and answer your questions or help with items on this checklist. Due to COVID-19, please email ZoningQuestions@sanjoseca.gov and a planner will respond with an email or will call you. To facilitate the consultation, please email a rough sketch of your site with parcel dimensions and mark the location of the primary home and the proposed location of the THOW.

Peters, Sarah


From: Geri Morisky (via Google Docs) <geri.morisky@gmail.com>
Sent: Tuesday, January 25, 2022 12:08 PM
To: Peters, Sarah
Subject: COMMENTS ON TINY HOMES ORDINANCE - January 25, 2022 Agenda - City of Fort Bragg
Attachments: COMMENTS ON TINY HOMES ORDINANCE - January 25, 2022 Agenda - City of Fort Bragg.pdf

geri.morisky@gmail.com attached a document



geri.morisky@gmail.com has attached the following document:

Attached are my comments in support of the proposed Tiny Homes Ordinance treating tiny homes as ADUs -- for today's Community Development meeting at 3:00.

 COMMENTS ON TINY HOMES ORDINANCE - January 25, 2022 Agenda - City of Fort Bragg

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because geri.morisky@gmail.com shared a document with you from Google Docs.



COMMENTS ON TINY HOMES ORDINANCE - January 25, 2022 Agenda - City of Fort Bragg

From Geri A. Morisky, P. O. Box 1605, Fort Bragg, CA

I am writing to support the proposed ordinance treating movable tiny homes as alternative ADUs:

My support is in response to our urgent need to provide available and affordable housing – and address the ongoing displacement of our elders, young people and workers who are often left homeless or take their needed skills and talents out of the area.

Quick Affordable Availability: Tiny Homes are far less costly than adding an ADU at current ever-rising cost per foot building prices. Treating Tiny Homes as ADUs allows the permitting process, the necessary pad, utility hook ups and other costs to be within reach of the average property owner and renter.

Community Stability: Tiny Homes can halt unnecessary homelessness as well as provide needed stability for our employees – and the employers who depend on them. When a major nonprofit interviewed thousands of residents throughout our coast and county, 99% said that their number 1 need was stable, safe and affordable housing. This was chosen over domestic violence, alcohol and drug abuse, unemployment, even child care. All these problems often stem from lack of a stable affordable home.

Desirability: Many homeowners have expressed their desire to house displaced friends and neighbors on their property in a tiny home, and in the recent HAT survey, 60% of employees expressed preference for a small home or studio. Most responders were single or a couple so a tiny home and its affordability make them a growing option.

Helps Solve the High Rent-Low Wage Equation: The average workers in our county who serve our hospitals, tourist industry, schools and local businesses are often on minimum wage – and many with no benefits – and based on the HAT survey – earning an average of \$20,000 to \$30,000 per year. Rents have jumped as high as \$2000 per month for a small apartment or old cabin. Tiny Homes will allow the majority of our community access to rental options that do not exceed 30% to 60% of their income.

Home Affordability: Our young people and most working families have no hope in today's market of building equity and having a stable home of their own – and the Real Estate Board recently announced a 49% increase in housing prices here on the Coast. The County's subcommittee on housing discovered that the average county employee earns about \$57,000 per year with health and retirement benefits, and the average minimum home price in the county has climbed to \$500,000. Banks would require \$80,000 per year income and 20% down. So "low income" means most of our county and coast. Tiny homes can offer hope and a better way of life for our entire community.

From: gordonbarbosa58@gmail.com
To: [Peters, Sarah](#)
Subject: Community Development Committee - Tiny Home Discussion
Date: Tuesday, January 25, 2022 1:57:53 PM

Dear Ms. Peters,

I am writing to show my support for the use of tiny homes as a means of providing affordable housing within the Fort Bragg community. Tiny homes on wheels are a reasonable alternative to an ADU on a foundation. They would allow homeowners an affordable means of providing desperately needed housing to those who have found themselves priced out of the conventional market.

In a recent survey by the Housing Action Team, participants showed a preference to having smaller 1 or 2 bedroom units. A tiny house on wheels fits this bill perfectly, allowing landowners to provide the land and the tiny house owner the opportunity to have a place they can call their own while having the portability to take it where they need it.

I strongly encourage the CDC to approve the use of tiny homes on wheels as an alternative to traditional ADUs.

Sincerely,

Gordon Barbosa

207 N Sanderson Way

Fort Bragg, CA 95437

209-324-5327



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