

## Peters, Sarah

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**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](http://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](http://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](mailto: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](http://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
<b>SECTION A. PROPERTIES THAT QUALIFY</b>		
<p><b>1. Zoning.</b> Is the property a lot with one single-family home on it? &gt; <b>Outcome:</b> If yes, one THOW is allowed. If no, a THOW is not allowed.</p>		
<p><b>2. Presence of other ADUs (granny units).</b> 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? &gt; <b>Outcome:</b> If yes, a THOW is allowed. If no, a THOW is not allowed.</p>		
<b>SECTION B. PRELIMINARY CRITERIA</b> The THOW must meet ALL criteria below to qualify for a building permit		
<p><b>3. Qualifying Features.</b> 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? &gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>4. Registration.</b> Is your THOW licensed and registered with the California Department of Motor Vehicles? &gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>5. Certification.</b> 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. &gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>6. Towable.</b> Is your THOW towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and cannot move under its own power? &gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		

*continued >*

QUESTION	YES	NO
<b>SECTION C. PROPERTY DESIGNATIONS &amp; PLACEMENT ON THE LOT</b>		
<p><b>7. Easements.</b> 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 <a href="http://bit.ly/2ZhGjXc">http://bit.ly/2ZhGjXc</a>.</p> <p>&gt; <b>Outcome:</b> If yes, you must comply with the requirements of the easements, which may include no construction allowed within the easement area.</p>		
<p><b>8. Historic Designation.</b> Is the property located in a Historic District identified on the California Register of Historic Resources? Find historic designations: <a href="http://www.sanjoseca.gov/HistoricResourcesInventory">www.sanjoseca.gov/HistoricResourcesInventory</a>.</p> <p>&gt; <b>Outcome:</b> If yes, please contact a City Planner at <a href="mailto:ZoningQuestions@sanjoseca.gov">ZoningQuestions@sanjoseca.gov</a> for information on how to proceed.</p>		
<p><b>9. Distance from Primary Home.</b> Is the THOW to be located at least six feet from the primary home?</p> <p>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>10. Location and Setbacks.</b> Does the THOW location comply with these location and setback requirements?</p> <ul style="list-style-type: none"> <li>▪ 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</li> <li>▪ 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.</li> </ul> <p>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<b>SECTION D. SIZE &amp; DESIGN STANDARDS</b>		
<p><b>11. Floor Area.</b> 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>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>12. Height.</b> 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 <a href="#">Code Section 20.200.510</a>.</p> <p>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>13. Hidden Undercarriage.</b> Is the undercarriage (wheels, axles, tongue and hitch) hidden from view from the public right of way?</p> <p>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>14. Design Elements.</b> Does the THOW incorporate all of the following required design elements?</p> <ul style="list-style-type: none"> <li>, <b>Cladding and trim.</b> Materials used on the exterior of THOW shall exclude single piece composite laminates or interlocked metal sheathing.</li> <li>, <b>Windows and Doors.</b> Windows shall be at least double pane glass and include exterior trim. Windows and doors shall not have rounded corners.</li> <li>, <b>Roofing.</b> 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.</li> <li>, <b>No Extensions.</b> All exterior walls and roof shall be fixed with no slide-outs, tip-outs, nor other forms of mechanically articulating room area extensions.</li> <li>, <b>Mechanical equipment.</b> Must be incorporated into the structure and not located on the roof.</li> </ul> <p>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		

*continued >*

QUESTION	YES	NO
<b>SECTION E. PARKING STANDARDS</b>		
<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><b>15. Parking Pad.</b> 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>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<p><b>16. Wheels and Leveling Requirements.</b> 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"> <li>, 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</li> <li>, 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"> <li>a. Permeable interlocking concrete pavers and permeable pavers that have a minimum thickness of 80 mm (3.14 inches); and</li> <li>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.</li> </ul> </li> </ul> <p>&gt; <b>Outcome:</b> If yes, this THOW is allowed. If no, this THOW is not allowed.</p>		
<b>SECTION G. MISCELLANEOUS</b>		
<p><b>17. Tree Removal.</b> Will constructing the THOW require removal of an ordinance-size or heritage tree?</p> <p>&gt; <b>Outcome:</b> If yes, please first see the rules for removing trees: <a href="http://www.sanjoseca.gov/treepermit">www.sanjoseca.gov/treepermit</a></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](mailto: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

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**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](mailto:geri.morisky@gmail.com) shared a document with you from Google Docs.

Google™

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

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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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