



CITY OF FORT BRAGG

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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