

Tiny Housing

A Comprehensive Overview



What are tiny houses and
what do they look like?



- The Tiny House Movement is a social movement to downsize the space people live in.
- While the typical American home is ~2100 square feet, the typical small or tiny house is 100 – 400 square feet.
- **Statistics:**
 - 68% of tiny house tenants have no mortgage, compared to 29.3% of all U.S. homeowners
 - 78% of tiny house tenants own their home, compared to 65% of homeowners with traditional houses.
 - **Cost:** The average cost to build a tiny house: \$23,000 (if built by the owner). The average cost of a standard-sized house is ~\$272,000, combined with \$209,704 interest on a 4.25% 30-year loan: \$481,704.
 - **Age:** Approximately 2 out of 5 tiny home owners are over 50 years of age.
 - **Education:** Tiny house tenants are twice as likely to have a masters degree, while they are on par with the average college graduation rates.
 - **Per Capita income of tiny house tenants:** \$42,038 – earning \$478 more annually than the average American.
- Source: <http://thetinylife.com/what-is-the-tiny-house-movement/>





Tiny House Movement

Appeal and Challenges

1. The tiny house movement appeals to homeowners who:
 1. Want affordable homeownership/rental housing
 2. Want to reduce their carbon footprint
 3. Embrace a minimalist lifestyle
 4. Are looking for a true alternative to traditional housing for the homeless and special needs populations, veterans, retirees
2. Social Challenges:
 1. Economic Impact on traditional homes if tiny home communities are moved near residential communities
 2. The concentration of hundreds of tiny homes, especially if occupied by the homeless, may give rise to American *Favelas* (impoverished areas)
3. Legal Challenges:
 1. Land use and zoning ordinances
 2. Minimum square footage ordinances – building codes
 3. Issues associated with mobile home parks and RV parks
 4. Fire safety codes
 5. Insurance

Legal Challenges

Zoning, Codes, and other Legal Issues

○ Two types of Tiny Homes:

- Tiny house on wheels (**THOW**) (legally considered an RV)
- Tiny house on a foundation (legally considered an accessory dwelling unit (ADU))
- **Some jurisdictions are coining new terms** (e.g. In Madison, Wisconsin, "**portable shelter**" is defined as "any movable living quarters less than 150 square feet in area that is a permanent place for habitation; "**Portable Shelter Community**" is defined as "any site, lot, parcel, or tract of land designed, maintained, or intended or used for the purpose of supplying a location or accommodations for more than three shelters and shall include all buildings included or intended for use as part of the Portable Shelter Community.

○ Typically, tiny home owners have four options to live:

1. Own, purchased land – most difficult to accomplish due to zoning regulations
2. Backyard – either as camping (**THOW**) or an **ADU**
3. RV Parks – tiny homes on wheels are gaining acceptance in RV parks
4. Tiny house Community or ecovillage – tiny homes on foundations

○ Lawrence County, Arkansas Zoning Fears: "I'm not against tiny houses. I'm against having them in a residential area next to large or average-size houses" – Alderman Joe Walter

- Lawrence County now issues **conditional use permits**, which do not apply to manufactured or mobile homes, but would prevent living structures from being built on site or on a utility-trailer without a conditional use permit.
(See <http://www.thetd.com/freepages/2015-05-20/news/story1.php>)

Tiny House on Wheels (THOW)

- If a tiny house has wheels, it is legally an RV and will need to be registered as an RV with the Department of Motor Vehicles.
 - Self-built RV will need to be inspected before the DMV will issue a license plate.
 - If the tiny house is purchased from a builder, then the builder will generally provide a Vehicle Identification Number and a title so that the tiny house may be registered. DMV will still likely inspect the home.
 - If the builder is a member of the Recreational Vehicle Industry Association (RVIA), then the tiny house should have a RVIA decal, making it easier to be accepted by RV parks and obtain RV insurance.
- **ZONING** In order to live legally on your own land, zoning regulations must allow for year round camping. Most towns restrict camping on one's own land to 30 days while some towns prohibit it altogether.
- Source: <http://tinyhousecommunity.com/faq.htm#wheretolive>

THOW Park Model RV Standard Requirements and other requirements: Florida

1. State and Citation: Florida F.S.A. § 320.8231 (1) Establishment of uniform standards for recreational vehicle-type units and park trailers; F.S.A. § 320.822 (1)(b) and (18)(b)
 - Required Standard: ANSI A119.5
 - Terms used for Park Model RVs: Park Trailer
 - Provision for 3rd Party Inspection: No
 - Required Seal: No
 - Law or Regulation: Law
 - Notes: Park Model RVs less than 400 sq. ft. must be built to ANSI A119.5. Park Model RVs greater than 400 sq. ft. must be built to HUD standards. Park Model RVs built to HUD standards may not exceed 500 sq. ft.
2. Maximum dimensions: Total length: 65 feet (excludes safety devices approved by the state); trailer length: 40 feet (excludes safety devices approved by the state); width: 102 inches (excludes mirrors and safety devices); height: 13 feet 6 inches.
(See <http://drivinglaws.aaa.com/laws/trailer-dimensions/>)

Additional guidelines for building a THOW

- **Plumbing** must be vented through either the roof or a side wall (just below the roof line with an RV wall vent cap), in accordance with NFPA 1192, Chapter 7.6. However, unvented sinks are acceptable with HepVo traps.
- **Electric heating systems** must be approved (UL listed) and installed in accordance with the manufacturers instructions and local codes.
- **Wood stoves:** Wood stoves must be EPA approved and use EPA approved piping. A CO (carbon monoxide) detector is required in the general living area and each bedroom.
- **Fire safety:** THOWs must be built to NFPA 1192 Chapter 6 standards that specify fire safety requirements, including egress (doors and windows that enable you to get out of the THOW in case of fire).
- **Composting and incinerating toilets are acceptable**, and when present, must be installed according to the manufacturer's specifications.
- **Be built for earthquake Zone 4 and able to withstand winds of 130 mph**, as specified in the ASCE/SEI 7 Minimum Design Loads For Buildings and Other Structures.
- **See the entire list of guidelines**
(available at <http://tinyhousecommunity.com/guidelines.htm#unique>)

THOW vs. RV vs. Manufactured Homes

- **RV:** recreational vehicle intended for non-permanent living.
- **Park Model RV (PMRV):** also known as "park model mobile home," a park model is a type of RV and is intended for permanent living. According to the RVIA, " Park model RVs are actually titled and registered just like any other RV. Due to their design, small size and use as recreation, vacation and seasonal units, PMRVs are explicitly excluded from being considered or used as a manufactured home under the codes and regulations of the U.S. Department of Housing and Urban Development (HUD) specifically because they are a type of recreation vehicle (Title 24 § 3282.8(g))."
- **Manufactured Home (formerly known as a mobile home):** Manufactured homes are built in a factory and are greater than 320 square feet. Furthermore, a manufactured home is built to the Manufactured Home Construction and Safety Standards (HUD Code). National manufactured home standards specify that manufactured homes must be at least 8 by 40 feet for a footprint of at least 320 square feet.
- Source: <http://tinyhousecommunity.com/guidelines.htm#unique>

Tiny House on a foundation

- In order to be a legal residence, a structure must be built in accordance with local building codes and a building permit is usually required.
 - Most States have codes modeled after the International Residential Code (IRC) for One- and Two- Family Dwellings. The 2015 IRC has eliminated the requirement for a house to have at least one room of 120 square feet or more. States will ultimately need to adopt the new code in order for it to be effective. But, the IRC still requires rooms (except for bathrooms and kitchens) to be 70 square feet and ceiling height to be 7 feet.
- In most towns, a building permit is not required for a structure of 120 square feet or less. But because these small structures are considered sheds or workshops, full-time living in a tiny building is generally not allowed.
 - If the home does not require a building permit, then it will likely be considered an "auxiliary building". An auxiliary building is usually not permitted unless there is already a legal residence on the property. While it may be possible to get a variance for a shed or other outbuilding, it will not be considered a residence precluding a street address for the building.
- **Alternative Solutions:**
 - Asking for an individual exception from the regulations
 - Working toward an exception for an entire neighborhood (e.g. overlay district)
- Source: <http://tinyhousecommunity.com/faq.htm#wheretolive>

Unanswered Questions

- Land use / zoning
- Building codes
- Fire safety codes
- Insurance
- Utilities
- Impact fees
- Parking
- Hurricane shelters, community facilities with bathrooms, kitchen, laundry

Zoning

- Regulations have failed to keep pace.
- Accessory Dwelling Units
 - Pros – Income source, reduces urban sprawl, allows infill, increased sense of security, singles can stay in better neighborhoods
 - Cons – Transforms neighborhoods, more traffic, parking difficulties, impacts to schools, more pressure to police / fire, parks, water, wastewater

Other Considerations for Accessory Dwelling Units

- Maximum percentage lot coverage
- Many cities address parking concerns by allowing these near public transportation
- Hard to get loans / appraisals / foreclosures / clear title

California, Vermont, Washington State

- Santa Cruz – Requires a minimum lot 5000 sq. feet, owner has to live in main house or ADU in designated residential zones. If made available to low income household then development fees are waived.
- Cape Cod – Encourage ADU's as long as adequate septic capacity exists. Also, if commits to affordable rate, get tax relief.
- Washington State – Cities over 20,000 have to encourage ADU development in single family zones.

Performance and Siting Standards

Article 3.6 Residential Use Siting Standards

RESIDENTIAL USES

Items listed in the Residential Use Category of the Use Tables that are permitted but may be subject to the following siting standards within the zoning districts.

A. Accessory living unit / Guest home / Temporary residence

Accessory living units which are rented out are only permitted in a Village Infill Development or PD zoning districts as an accessory structure otherwise accessory living units / guest homes or temporary residences are permitted as indicated in the Use Table subject to the following:

1. Accessory living unit or Guest Home

- a. All applications for guest homes or accessory living units shall provide architectural drawings of both the existing single family home as well as the proposed structure. In addition, all development plans shall provide a property survey performed by a Florida registered land surveyor. The survey must show lot area and location of all existing and proposed structures.
- b. All such dwelling units shall be on a conforming lot, with a minimum lot area as prescribed in these regulations or agreed to under a VID or PD zoning application and shall meet all other applicable building setback requirements unless otherwise exempted by this Code.
- c. Minimum building size 450 square feet, if detached from the principal structure; Maximum building size shall not exceed 60% of the total conditioned floor area of the existing single family home unless variance is approved by the Board of Adjustment.
- d. Accessory living unit, guest homes or temporary residence shall be architecturally compatible with the primary residential structure.
- e. Accessory living units may be either attached to the primary residential structure or detached from the primary residential structure.

Performance and Siting Standards

2. Temporary Residence

- a. Deviations from the siting standards for a temporary residence, including the use of a recreational vehicle as such, must be approved as a variance by the Board of Adjustment. Manufactured homes and mobile homes are approved as a temporary residence and shall comply with the following standards. Shall be located a minimum of fifteen (15) feet from the principal dwelling.
- b. Manufactured homes shall be skirted.
- c. The setback requirements of the zoning district shall be met.
- d. A building permit must be issued for the set-up of the temporary residence.
- e. For a temporary residence while constructing a Principal Single Family Residence or while repairing a Principal Single Family Residence damaged by fire, flood, hurricane or other catastrophes to the extent the Principal Single Family Residence is no longer able to be occupied the following standards shall apply:
 - i. Requires the issuance of a building permit for the principal single family dwelling. The required site plan shall show the location, size and description of the temporary residence.
 - ii. Shall be approved for one (1) year or until the remodeling is complete whichever is the shorter period, with a maximum extension of one additional year. The temporary residence shall be removed from the property within thirty (30) days upon issuance of the Certificate of Occupancy for the principal single family dwelling regardless of the approval time period.
- f. Temporary residence as a security residence within agricultural, commercial, institutional or industrial zoning district.
 - i. The applicant shall provide evidence that a security residence, as opposed to use of periodic security patrols, is necessary to protect the property.
 - ii. A security residence shall not be transferred to another owner or lease of the property unless the identical conditions exist and all site conditions remain the same.
 - iii. Shall be approved for one (1) year and may be renewed upon application.

Performance and Siting Standards

- g. Temporary residence for a medical hardship
 - i. The applicant shall provide proof, in the form of a letter from an attending physician that a medical hardship exists which requires that the infirm resident have continuous supervision.
 - ii. Shall be approved for one (1) year and may be renewed upon re-application without limitation. If for any reason the infirm resident ceases to reside in the principal dwelling or temporary residence, the applicant shall notify the Planning and Zoning Office and remove the temporary residence from the property within thirty (30) days upon notification.

B. Ancillary uses incidental to the primary structure

Uses to be considered ancillary are permitted as indicated in the Use Tables such as but not limited to: canopies, pools, screen rooms, bonus room, rumpus room, garages, storage/tool sheds, work rooms, skateboard ramps, sport courts, playing fields, boat houses and shall meet the ancillary structure yard setback requirements of the district if not listed below, in which they are located. Similar ancillary uses may be permitted upon approval by the County Manager. Specific uses as outlined shall be subject to the following standards

- 1. Skateboard Ramps located in a residential district:
 - a. Shall be located on lots that have a minimum size of 7,500 sf

4.3.12 MANUFACTURED HOMES

A. General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this Article.

B. Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the Florida Building Code Residential Section R322.2 and this Article.

C. Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

D. Elevation. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 4.3.12.E or F of this Article, as applicable.

E. General elevation requirement. Unless subject to the requirements of Section 4.3.12.F of this Article, all manufactured homes that are placed, replaced, or substantially improved on sites located:

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1. Outside of a manufactured home park or subdivision;
2. In a new manufactured home park or subdivision;
3. In an expansion to an existing manufactured home park or subdivision; or
4. In an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A).

F. Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to Section 4.3.12.E of this Article, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

1. Bottom of the frame of the manufactured home is at or above the elevation required in the Florida Building Code, Residential Section R322.2 (Zone A); or
2. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

G. Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322 for such enclosed areas.

H. Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322.

4.3.13 RECREATIONAL VEHICLES AND PARK TRAILERS

A. Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall

1. Be on the site for fewer than 180 consecutive days; or
2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

B. Permanent placement. Recreational vehicles and park trailers that do not meet the limitations herein for temporary placement shall meet the requirements of this Article for manufactured homes.

Sample Building Codes – Pinellas County, FL.

1c Sec. 22-300 Dwelling Space

No person shall occupy as owner-occupant, or let or sublet to another person for occupancy, any dwelling or dwelling unit designed or intended to be used for the purpose of living, sleeping, cooking or eating therein, nor shall any vacant dwelling building be permitted to exist, which does not comply with the following requirements:

1. **Required space in dwelling unit.** Every dwelling unit shall contain **at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor area per additional occupant.** The floor area shall be calculated on the basis of the total area of all habitable rooms.
2. **Required space in sleeping rooms.** **In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space,** and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof.
3. **Minimum ceiling height.** Every habitable room, foyer, bathroom, hall or corridor shall have a **ceiling height of at least seven feet.** If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half the area thereof, but the floor area of that part of any room where the ceiling height is less than seven feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

Sample Building Codes – Hollywood, FL.

Chapter 157.16 SPACE.

Requirements for space shall be as follows:

(A) Each dwelling and each dwelling unit shall have a minimum gross floor area of **not less than 150 square feet for the first occupant** and not less than 100 square feet for each additional occupant.

(B) Every room in a dwelling, dwelling unit, hotel or rooming house occupied for sleeping purposes shall:

(1) **Have a gross floor area of not less than 70 square feet**; and when occupied by more than one occupant, it shall have a gross floor area of not less than 50 square feet for each occupant. Unless licensed as a dormitory, the maximum number of occupants for each room used for sleeping purposes shall be four.

(2) Have a minimum width of eight feet.

(C) Gross area shall be calculated on the basis of total habitable room area, and those exclusions appearing in the definition of “habitable room” shall not be considered in calculation of such floor areas.

(D) Every habitable room in a dwelling, dwelling unit, hotel and rooming house shall have a ceiling height of not less than seven feet for at least half the floor area of the room. Any portion of a habitable room having a ceiling height of five feet or less shall not be included in calculating the total floor area of such room.

(’72 Code, § 15-4(a)A.) (Ord. O-81-78, passed 11-4-81; Am. Ord. O-89-53, passed 9-6-89; Am. Ord. O-90-52, passed 11-7-90)

Tiny Housing vs. Homelessness

- **Purpose: Housing First Approach** is designed to end homelessness with tiny housing by providing the homeless with a permanent shelter (as opposed to a temporary stay at a shelter).
 - Los Angeles, for instance, spends \$100 million on homelessness each year but \$87 million of that is spent on arrests, patrolling skid row, and mental health interventions
- A better alternative: the cost of providing an apartment and social work for Utah's **housing first** clients is about \$11,000 per year, while the cost for the homeless living on the street is \$17,000 per year because of hospital visits and jail costs.
- **Concerns:**
 - Location for hundreds of tiny houses, and creating shantytowns. How do you regulate it so it doesn't become an American favela?
 - Having the homeless move into nicer communities
- Source: <http://www.cbsnews.com/news/can-tiny-houses-solve-the-homeless-problem/>

Tiny Housing Initiatives for the Homeless

- Tiny home initiatives are being taken across the country implementing or considering tiny home communities as an effective way to fight homelessness:
 - **Madison, Wisconsin:** Tiny House village **built by and for** the homeless with the help of Wisconsin-based activist group: Occupy Madison. (See <http://america.aljazeera.com/articles/2014/11/16/madison-homelessoccupy.html>)
 - **Portland, Oregon:** "Portland is preparing to endorse the construction of communities of tiny houses on publicly owned land to get homeless people off the street and offer low-income residents safe, clean and cheap places live." The City is partnering with Multnomah County to create micro-community vision a reality. (See http://www.oregonlive.com/portland/index.ssf/2014/08/tiny_houses_for_homeless_peopl.html)
 - **Newfield, New York:** Organizers plan 14 to 18 tiny houses on private land with private donations.
 - **Austin, Texas:** The plan is to build a village of tiny houses and small shelters for 200 people on 27 acres. "The village will bring dignity. We will have a fence and we will have community" (See http://www.huffingtonpost.com/2014/05/12/tiny-homes-homeless_n_5300716.html)

Community Land Trusts for Tiny Housing

- 1. Tiny House Collective Kansas City (THCKC)** is a non-profit community land trust developing sustainable, affordable housing in Kansas City's urban core.
 - Acquired land by donation or from the Missouri Land Trust
(See <http://tinyhousebuild.com/tiny-house-collective-kansas-city/>)
 - **Legal Issues:**
 - "The biggest problem for the TH movement in Kansas City is that THOW's (tiny houses on wheels) are not allowed unless they are parked in an RV Park or on mobile home park. So primarily, I have dealt with talk with good people in zoning, codes, permits, approvals, etc."
- 2. Lopez Community Land Trust (LCLT)** is a 501(c)(3) non-profit with a diverse, sustainable Lopez Island community.
 - As of May 2014, there are 37 single-family homes, 2 studio rentals, and an LCLT owned and managed office and resource room on the island.
 - **Eligibility to a be a resident leaseholder:** leaseholder must demonstrate limited financial assets, regular adequate income, and agree to the terms of the Cooperative By-laws and LCLT Ground lease. The LCLT retains ownership of the land and subsidies, and offers a 99 year ground lease with a one-time renewal option. (See <http://www.lopezclt.org/>)

Tiny Housing in Florida

- **Rockledge City Council** in Brevard County, FL has made a unanimous motion to move forward with new zoning regulations that would allow the creation of tiny house developments. (See <http://tinyhousetalk.com/florida-city-approves-tiny-house-community/>)
- **Florida: Communities and villages designed for tiny homes:**
 - Orlando Lakefront at College Park is a lakefront, year-round tiny house community/RV park in Orlando.
(See <http://www.orlandolakefrontth.com/index.html>)
 - Sunshine Ranch is an ecovillage in Osteen that is expanding to offer a tiny house community.
(See <http://artisantinyhouse.com/tiny-house-communities/>)