



AGENDA REPORT
May 8, 2018

SUBJECT:

Discussion RE: Tiny Houses

FISCAL IMPACT:

None

DEPT/OFFICE:

Planning and Development

REQUESTED ACTION:

It is requested that the Board of County commissioners provide direction to staff regarding the implementation of code revisions to address Tiny Houses on foundations and Tiny Houses on Wheels (THOW's)

SUMMARY EXPLANATION and BACKGROUND:

The Board of County Commissioners, on February 21, 2017, requested that staff bring a report to the Board to provide information for discussion on "Tiny Houses". The concern being that some of the Tiny Houses on Wheels (THOW's) were being parked in neighborhoods. There are questions as to where they should be allowed and how THOW's are regulated in the County. In response to the 2017 Board direction, staff created and currently utilizes a *Tiny House Information Guide Sheet* to assist customers with tiny house inquiries.

The attached *Tiny house Report* addresses key issues for Board consideration, beginning with defining what tiny houses are; evaluating where they are permissible in the nation, state and within Brevard; then discussing tiny house construction standards; and finally presenting information concerning the locations where tiny houses could be allowed within Brevard County.

Staff is seeking direction regarding revisions to the code which would address:

1. Expansion of locations to allow Tiny Houses on foundation.
2. Should THOW's be allowed as permanent residences, and;
 - a. The degree of construction regulation for THOW's used as permanent residences ranging from no regulation to adopting construction standards as noted in Section IV of the Tiny House Report.
 - b. Where THOW's used as permanent residences should be located. i.e. Tiny House developments in a PUD or the creation of new zoning classifications, and/or allow THOW's as infill within existing zoning classifications as outlined in Section V of the Tiny House Report.

ATTACHMENTS:

Description

- **Tiny House Staff Report**
- **PowerPoint Presentation**

REVIEWERS:

Department	Reviewer
Planning and Development	Calkins, Tad
ACM Development	Denninghoff, John
County Manager	Abbate, Frank
Planning and Development	Calkins, Tad
ACM Development	Denninghoff, John
County Manager	Abbate, Frank



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May 9, 2018

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

RE: Item V.A., Board Discussion for Tiny Houses

The Board of County Commissioners, in regular session on May 8, 2018, authorized you to work with each Commissioner for ideas, using Option 3, for looking at other Zoning classifications of how Tiny Houses can be properly zoned, and for you to report back to the Board at your convenience.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

cc: Assistant County Manager Denninghoff
Each Commissioner
County Attorney



BOARD OF COUNTY COMMISSIONERS

Planning & Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

Tiny House Report

I. Report in Brief:

This report has been created in response to Board request for information and options concerning “Tiny Houses” provided at the February 21, 2017 Commission meeting. County staff has researched how other jurisdictions across the nation and within Florida are handling the subject, as well as County and State laws and rules affecting tiny houses. The purpose of this report is to provide information for the Board when considering tiny houses as permanent residences, construction regulations, and where they could be located within Brevard County.

In response to the 2017 Board direction, staff created and currently utilizes the *Tiny House Information Guide Sheet (Attachment A)* to assist customers with tiny house inquiries. Within this *Tiny House Report*, key issues are raised for Board consideration, beginning with defining what tiny houses are; evaluating where they are permissible in the nation, state and within Brevard; then discussing tiny house construction standards; and finally presenting information concerning the locations where tiny houses could be allowed within Brevard County.

II. What is a Tiny House?

Tiny houses are generally considered residential structures between 100 to 400 square feet and rarely exceeding 500 square feet in floor area. There are two basic types of tiny houses: those without wheels that are built on a permanent foundation, and those with wheels that are built on a chassis, commonly referred to as “Tiny Houses on Wheels” or “THOWs”.

- 1. Tiny Houses on Foundations:** A site-built house that is constructed on a permanent foundation and a factory-built manufactured residential building that is set on a permanent foundation are both considered single-family dwelling units. Their placement and construction must comply with all Florida Building Code standards and Brevard County permitting, Land Development, and Zoning regulations for dwelling units. Compliance is verified through the permitting/plan review and inspection process. Smaller “Tiny House” versions of single-family dwelling units are required to meet identical construction standards as their larger counterparts.
- 2. Tiny Houses on Wheels (THOWs):** Within the state of Florida, THOWs are currently considered recreational vehicles (RVs) which must abide by Florida laws and Florida Department of Motor Vehicles regulations concerning registration and taxation. Currently within Brevard County, THOWs are only permissible when considered must also meet all Zoning regulations for placement and use of RVs.

Consideration of THOWs intended for use as full time residences or year round rental properties present additional challenges, some not currently addressed by State or local

laws or rules. Additionally, due to an absence of regulations today, THOWs are typically constructed as Do-It-Yourself custom construction on a wheeled trailer or built by small shop type operations, without any regulatory oversight or inspection for compliance with recognized building and safety standards. THOWs frequently do not meet the minimum Florida Building Code construction standards and can even be built in another state or county and towed into Brevard County.

In order to consider THOWs as residences, a definition within Brevard County's land development code will be necessary. The following definition is suggested:

Definition: *Tiny House on Wheels* or *THOW*. A structure built on a single chassis and mounted on wheels which is intended for use as a full time residence or year round rental property that is not a mobile or manufactured home or park trailer as defined by Florida Statute Chapter 320.01 (**Attachment B**). THOWs must meet the following conditions:

- a) Towable by a vehicle with a bumper hitch, frame-towing hitch, or fifth wheel connection and cannot be nor be designed to be moved under its own power.
- b) In compliance with dimensional and weight limits established by the State of Florida for vehicles using public roads.

III. Tiny Houses – Nationally, Statewide and Locally:

Staff findings reveal that many jurisdictions and even other agencies, including the Florida Department of Motor Vehicles, treat tiny houses as Recreational Vehicles (RVs), similar to our current practices. Within the State of Florida, the City of Rockledge and Leon County have formal provisions for the consideration of tiny houses on foundations. Nationally, the City of Fresno, California has created regulations allowing THOWs as Accessory Dwelling Units (ADUs), such as guest cottages or mother-in-law suites accessory to existing single family residences.

The City of Rockledge created new zoning and land development code provisions for tiny houses and has approved a 1.377 acre, 15 unit subdivision plan for a "Tiny House Pocket Neighborhood." Leon County utilized existing land development code provisions and has a 20.75 acre, 130 unit site-built tiny house development currently under construction. While Leon County's code has historically has not identified minimum floor area requirements for residential dwelling units, the development of a tiny house multi-unit neighborhood is a first of its kind. Similarly, the City of Oviedo has no minimum floor area requirement for site built houses and has permitted tiny house development. The City of Wildwood recently adopted an ordinance to allow development of tiny house communities which allows for site-built Tiny House construction and requires that development obtain a Planned Development overlay. THOWs are only permitted within these communities upon removal of the trailer, and the base of the house must be permanently affixed to a foundation.

The Brevard County Code includes provisions for minimum property acreage, minimum floor area, and minimum lot size that affect where tiny houses may be permitted as allowed uses. Currently, site-built tiny houses are permissible in certain residential Zoning classifications as guest house units as buildings accessory to a primary residence. Current regulations for guest house units have no minimum floor area restrictions, but provide restrictions on separate electrical meters and on renting out the guest house. THOWs are not permitted for use as a guest house.

THOWs considered as Recreational Vehicles (RVs), and site-built tiny houses considered as cabins, are permissible within the Recreational Vehicle Park (RVP) Zoning classification, but have a 180 day time limit on stays. The Recreational Vehicle Park Destination Resort requires a 50 minimum acre in size, but does not have a time limitation on stays.

IV. Construction Standards:

This section provides a range of construction standards for consideration of tiny houses as permanent residences. The construction standards are separated by Tiny Houses on Foundations, currently regulated by the Florida Building Code, and Tiny Houses on Wheels, which lack construction standards. This report includes a brief list of Florida Building code regulations for Tiny Houses on Foundations. The Board may wish to consider whether additional construction standards should be defined for the regulation of THOWs, with options are defined within this section of the report.

1. Tiny Houses on Foundations: Some of the minimum Florida Building Code regulations for dwellings include but are not limited to the following list:

- Each dwelling must be provided with a water closet, lavatory, and bathtub or shower.
- Each dwelling must have kitchen area with a kitchen sink.
- At least one room or space used for living, eating, sleeping, or cooking must have a minimum 120 square feet in floor area. Other rooms or spaces used for living, eating, sleeping, or cooking must be at least 70 square feet in area.
- Rooms or spaces used for living, eating, or sleeping must be a minimum 7 feet in any horizontal dimension.
- Rooms or spaces used for living, eating, sleeping, cooking, or hallways must have a ceiling height not less than 7 feet. Rooms with sloped ceiling shall have a ceiling height of not less than 5 feet where at least 50% of the required floor area has a ceiling height of not less than 7 feet.
- Bathrooms and laundry rooms or spaces must have a ceiling height not less than 6 feet 8 inches.
- All plumbing fixtures must be connected to an approved sewage disposal system and approved potable water supply.
- Elevated rooms or spaces such as lofts used for sleeping purposes must be provided with a code compliant means of egress stairway. Egress stairways must be at least 36 inches in width, have landings at both top and bottom with minimum 6 foot 8 inches of headroom, and be provided with guardrails and

handrails. Ladders, ship ladders and similar alternating tread devices are not permitted as a means of egress.

- Electrical wiring, equipment and wiring methods must comply with the minimum standards of the National Electric Code (NEC).
- Must meet minimum structural standards including wind loads.

2. **Tiny Houses on Wheels (THOWs):** THOWs are built without regulatory oversight of or verification of compliance with construction standards associated with residential dwellings. The options included below outline potential regulations for consideration addressing construction standards for THOWs when considered as permanent residences. If the Board chooses to establish zoning regulations and construction standards for THOWs, the mechanism for verification of any construction standards would be through the building permit process.

Option 1. (Minimal Regulation) - Establish the suggested definition in County Code for Tiny Houses on Wheels (THOWs) intended for use as full time residence or year-round rental property. Require THOWs to comply with minimum health and safety standards to include:

- a) All plumbing fixtures must be connected to an approved sewage disposal system and approved potable water supply.
- b) Connection to electric utility provider must be made with equipment and wiring methods complying with the National Electric Code (NEC).

Option 2. (Moderate Regulation) - Modify County Code to define THOWs and adopt criteria for minimum construction and living standards, such as:

- a) All plumbing fixtures must be connected to an approved sewage disposal system and approved potable water supply.
- b) Connection to electric utility provider must be made with equipment and wiring methods complying with the National Electric Code (NEC).
- c) Must include basic functional area to support normal daily living activities to include living and sleeping area, a kitchen area with sink, and bathroom area with toilet, lavatory, bathtub or shower.
- d) Must be anchored to the ground to resist high winds per a foundation/anchoring plan designed by a professional engineer.

Option 3. (Most Regulation) - Modify County Code to define THOWs and adopt criteria for minimum construction and living standards:

- a) All plumbing fixtures must be connected to an approved sewage disposal system and approved potable water supply.

- b) Connection to electric utility provider must be made with equipment and wiring methods complying with the National Electric Code (NEC).
- c) Must be anchored to the ground to resist high winds per a foundation/anchoring plan designed by a Florida registered professional engineer.
- d) Adopt the 2018 International Code Council (ICC) Appendix Q Tiny Houses (**Attachment C**) into the County Code of Ordinances by reference as an alternative materials, design and methods of construction and equipment.
- e) THOW construction must be certified by a Florida registered professional engineer as being constructed in accordance with the adopted 2018 ICC Appendix Q and accepted engineering standards and practice, including meeting minimum design loads for buildings and structures established by the American Society of Civil Engineers (ASCE).

V. Tiny House Locations – Options for Consideration:

The tables below present options for consideration in locating Tiny Houses on Foundations and THOWs, to be implemented through new provisions within the Brevard County Zoning code. The following options delineate provisions that would allow for residential development within existing zoning classifications and through the creation of a new zoning classification.

Table 1. TINY HOUSE DEVELOPMENT	
Planned Unit Development (PUD) or Residential Planned Unit Development (RPUD)	Required
	Reduce or eliminate minimum floor area – from 900 sq. ft. in PUD and 800 sq. ft. in RPUD
	Options for Consideration
	Provide flexibility to allow THOWs
	Reduce minimum acreage from 10 acres (7 acres in MIRA) in PUD or from 7 acres in RPUD
Reduce minimum lot area from 5,000 sq. ft. in PUD or from 4,000 sq. ft. in RPUD	
Amend or remove the requirement that single-family lots directly abutting an existing single-family subdivision mirror the lot sizes of the surrounding properties in RPUD	

Table 1 provides information for consideration of tiny house residential development within the Planned Unit Development (PUD) and the Residential Planned Unit Development (RPUD) Zoning classifications. The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as industrial, commercial and institutional land uses.

The planned unit development is a concept which encourages and permits variation in development by allowing flexibility in development standards such as lot size, bulk or type of dwellings, density, lot coverage and open space from what is required in any one residential zoning classification. Currently, the both the PUD and RPUD Zoning classifications include single-family dwellings as a permitted use, subject to the PUD's 900 sq. ft. and RPUD's 800 sq. ft. minimum floor area requirement.

To allow for site-built tiny house development, the Board should consider whether the minimum floor area requirement should be reduced or eliminated. To allow for THOWs, the Board may wish to consider whether a THOW should be added to the list of permitted uses. Other options for consideration include a reduction in the minimum acreage requirements, a reduction in the minimum lot area requirements, and/or a change to the RPUD's requirement that single-family lots directly abutting an existing single-family subdivision mirror the lot sizes of the surrounding properties.

Table 2. TINY HOUSES IN EXISTING ZONING CLASSIFICATIONS	
Agricultural Residential (AU) or General Use (GU) LARGE LOT	Required
	Reduce or eliminate minimum floor area – from 750 sq. ft.
	Options for Consideration
	Add THOW to list of Permitted Uses
Single-Family Residential (RU-1-7) SMALL LOT	Required
	Reduce or eliminate minimum floor area – from 700 sq. ft.
	Options for Consideration
	Add THOW to list of Permitted Uses

Table 2 provides information for consideration of tiny houses as infill single-parcel development within various Zoning classifications that would allow for large lot and small lot infill development. In addition, subdivision development could occur in larger areas with the identified Zoning classifications. These Zoning classifications were evaluated due to their having the lowest minimum floor area requirements for single-family residential development.

The Agricultural (AU) and General Use (GU) Zoning classifications are generally isolated parcels that allow rural single-family residential development and have 2.5 acre or 5 acre minimum lot size requirements respectively. The Single-Family Residential (RU-1-7) Zoning classification allows for residential development normally compatible with residential surroundings and has a 5,000 sq. ft. minimum lot size requirement.

Currently, the both the AU and GU Zoning classifications include single-family dwellings as a permitted use, subject to a 750 sq. ft. minimum floor area requirement. The RU-1-7 Zoning classification also includes single-family dwellings as a permitted use, subject to a 700 sq. ft. minimum floor area requirement. To allow for site-built tiny house development, the Board should consider whether the minimum floor area requirement should be reduced or eliminated. To allow for THOWs, the Board may wish to consider whether a THOW should be added to the list of permitted uses within a specific Zoning classification.

If any traditional Zoning classification were amended to allow for tiny house development as a permitted use, no Board action would be required.

Table 3. NEW ZONING CLASSIFICATION	
Create New “Tiny House” Zoning Classification	Required
	Create new Zoning classification
	Define (or don’t define) minimum floor area
	Define minimum lot area
	Define minimum acreage

Table 3 provides information for the creation of a new “Tiny House” Zoning classification within the County’s land development regulations. This option would allow for the creation of specific provisions to appropriately control and restrict the land use and ensure the consistency and compatibility with the comprehensive plan and surrounding development. Creation a new Single-Family Residential Zoning classification would involve drafting an Ordinance to potentially include minimum lot area, acreage and perhaps the definition of reduced or the omission of floor area requirements. The Ordinance would necessitate public hearings and ultimately the approval by the Board of County Commissioners. Creation of a new Zoning classification would also require that every request for rezoning would come before the Board for approval.

VI. Summary

This report has defined the difference between Tiny Houses on Foundations and Tiny Houses on Wheels. Brevard County currently allows for the development of Tiny Houses on Foundations in RV Parks and RV Park Destination Resorts, subject to the Florida Building Code, and allows for THOWs in the same two Zoning classifications, but treats THOWs RVs, subject to only Florida Department of Motor Vehicle regulations.

Options have been presented that would allow for the expansion of Tiny Houses on Foundations and THOWs as permanent residences. While the Board should consider what locational criteria is appropriate for both product types, due to the lack of current guidelines, additional consideration should be given to construction standards for THOWs. The report has also identified options for tiny house developments and as infill development within existing neighborhoods.



“ATTACHMENT A”

**Planning & Development
Building Code Division**

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Tiny House Information Guide Sheet

DATE: May 3, 2017

PURPOSE: To provide information concerning the rules and laws for “Tiny Houses”

GENERAL: Although there is no set definition of what a Tiny House is, generally they are considered residential structures between 100 and 400 square feet and rarely exceeding 500 square feet in floor area. There are two basic types of tiny houses- those with wheels and those without wheels set on a foundation.

1. Tiny Houses on Wheels (THOWs) are considered recreational vehicles (RVs) and must abide by Florida laws and regulations concerning registration and taxation of RVs. THOWs must also meet all Brevard County Zoning regulations for placement and use of RVs.
2. Tiny Houses without wheels intended to be placed on permanent foundations are considered Dwelling Units and must abide by all Florida Building Code and Brevard County land development and zoning regulations for dwelling units. These regulations and buildings codes include, but are not limited to, minimum size requirements and minimum room area and ceiling heights, as well as being designed to resist high winds.

Tiny Houses without wheels can be further divided into two subtypes - Pre-Manufactured Tiny Houses and Site Built Tiny Houses.

- Pre Manufactured Tiny Houses are considered manufactured buildings and must comply with the minimum standards of the Florida Building Code including Chapter 458, Manufactured Buildings. The manufacturer must be certified by the Florida Department of Business and Professional Regulation (DBPR) in accordance with Florida Administrative Code (FAC) 61-41, which includes provisions for quality control and inspection for Florida Building Code compliance during the manufacturing/construction process and also includes a requirement for affixing of a DBPR insignia on the manufactured building upon completion at the manufacturing facility. Homemade or DIY Pre Manufactured Tiny Houses constructed without the aforementioned DBPR certification insignia cannot be permitted or approved for use.
- Site Built Tiny Houses constructed from the ground up require permitting, construction, and inspection like any other site built building and must meet all Florida Building Code construction standards as well as Brevard County land development and zoning regulations.

“ATTACHMENT B”

The 2017 Florida Statutes

Title XXIII MOTOR VEHICLES

Chapter 320 MOTOR VEHICLE LICENSES

320.01 Definitions, general.— As used in the Florida Statutes, except as otherwise provided, the term:

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, personal delivery devices as defined in s. 316.003, special mobile equipment as defined in s. 316.003, vehicles that run only upon a track, bicycles, swamp buggies, or mopeds.

(b) A recreational vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle-type units, when traveling on the public roadways of this state, must comply with the length and width provisions of s. 316.515, as that section may hereafter be amended. As defined below, the basic entities are:

1. The “travel trailer,” which is a vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use. It has a body width of no more than 8 1/2 feet and an overall body length of no more than 40 feet when factory-equipped for the road.

2. The “camping trailer,” which is a vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

3. The “truck camper,” which is a truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping, or travel use.

4. The “motor home,” which is a vehicular unit which does not exceed the length, height, and width limitations provided in s. 316.515, is a self-propelled motor vehicle, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

5. The “private motor coach,” which is a vehicular unit which does not exceed the length, width, and height limitations provided in s. 316.515(9), is built on a self-propelled bus type chassis having no fewer than three load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.

6. The “van conversion,” which is a vehicular unit which does not exceed the length and width limitations provided in s. 316.515, is built on a self-propelled motor vehicle chassis, and is designed for recreation, camping, and travel use.

7. The “park trailer,” which is a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living

quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

8. The "fifth-wheel trailer," which is a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit, of gross trailer area not to exceed 400 square feet in the setup mode, and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

(2) (a) "Mobile home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. For tax purposes, the length of a mobile home is the distance from the exterior of the wall nearest to the drawbar and coupling mechanism to the exterior of the wall at the opposite end of the home where such walls enclose living or other interior space. Such distance includes expandable rooms, but excludes bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments that do not enclose interior space. In the event that the mobile home owner has no proof of the length of the drawbar, coupling, or hitch, then the tax collector may in his or her discretion either inspect the home to determine the actual length or may assume 4 feet to be the length of the drawbar, coupling, or hitch.

(b) "Manufactured home" means a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act.

(3) "Owner" means any person, firm, corporation, or association controlling any motor vehicle or mobile home by right of purchase, gift, lease, or otherwise.

(4) "Trailer" means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that no part of its weight or that of its load rests upon the towing vehicle.

(5) "Semitrailer" means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(6) "Net weight" means the actual scale weight in pounds with complete catalog equipment.

(7) "Gross weight" means the net weight of a motor vehicle in pounds plus the weight of the load carried by it.

(8) "Cwt" means the weight per hundred pounds, or major fraction thereof, of a motor vehicle.

(9) "Truck" means any motor vehicle with a net vehicle weight of 5,000 pounds or less and which is designed or used principally for the carriage of goods and includes a motor vehicle to which has been

added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers.

(10) "Heavy truck" means any motor vehicle with a net vehicle weight of more than 5,000 pounds, which is registered on the basis of gross vehicle weight in accordance with s. 320.08(4), and which is designed or used for the carriage of goods or designed or equipped with a connecting device for the purpose of drawing a trailer that is attached or coupled thereto by means of such connecting device and includes any such motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers.

(11) "Truck tractor" means a motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently.

(12) "Gross vehicle weight" means:

(a) For heavy trucks with a net weight of more than 5,000 pounds, but less than 8,000 pounds, the gross weight of the heavy truck. The gross vehicle weight is calculated by adding to the net weight of the heavy truck the weight of the load carried by it, which is the maximum gross weight as declared by the owner or person applying for registration.

(b) For heavy trucks with a net weight of 8,000 pounds or more, the gross weight of the heavy truck, including the gross weight of any trailer coupled thereto. The gross vehicle weight is calculated by adding to the gross weight of the heavy truck the gross weight of the trailer, which is the maximum gross weight as declared by the owner or person applying for registration.

(c) The gross weight of a truck tractor and semitrailer combination is calculated by adding to the net weight of the truck tractor the gross weight of the semitrailer, which is the maximum gross weight as declared by the owner or person applying for registration; such vehicles are together by means of a fifth-wheel arrangement whereby part of the weight of the semitrailer and load rests upon the truck tractor.

(13) "Passenger," or any abbreviation thereof, does not include a driver.

(14) "Private use" means the use of any vehicle which is not properly classified as a for-hire vehicle.

(15) (a) "For-hire vehicle" means any motor vehicle, when used for transporting persons or goods for compensation; let or rented to another for consideration; offered for rent or hire as a means of transportation for compensation; advertised in a newspaper or generally held out as being for rent or hire; used in connection with a travel bureau; or offered or used to provide transportation for persons solicited through personal contact or advertised on a "share-expense" basis. When goods or passengers are transported for compensation in a motor vehicle outside a municipal corporation of this state, or when goods are transported in a motor vehicle not owned by the person owning the goods, such transportation is "for hire." The carriage of goods and other personal property in a motor vehicle by a corporation or association for its stockholders, shareholders, and members, cooperative or otherwise, is transportation "for hire."

(b) The following are not included in the term "for-hire vehicle": a motor vehicle used for transporting school children to and from school under contract with school officials; a hearse or ambulance when operated by a licensed embalmer or mortician or his or her agent or employee in this state; a motor vehicle used in the transportation of agricultural or horticultural products or in transporting agricultural or horticultural supplies direct to growers or the consumers of such supplies or

to associations of such growers or consumers; a motor vehicle temporarily used by a farmer for the transportation of agricultural or horticultural products from any farm or grove to a packinghouse or to a point of shipment by a transportation company; or a motor vehicle not exceeding 11/2 tons under contract with the Government of the United States to carry United States mail, provided such vehicle is not used for commercial purposes.

(16) "Road" means the entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic.

(17) "Brake horsepower" means the actual unit of torque developed per unit of time at the output shaft of an engine, as measured by a dynamometer.

(18) "Department" means the Department of Highway Safety and Motor Vehicles.

(19) (a) "Registration period" means a period of 12 months or 24 months during which a motor vehicle or mobile home registration is valid.

(b) "Extended registration period" means a period of 24 months during which a motor vehicle or mobile home registration is valid.

(20) "Marine boat trailer dealer" means any person engaged in:

(a) The business of buying, selling, manufacturing, or dealing in trailers specifically designed to be drawn by another vehicle and used for the transportation on land of vessels, as defined in s. 327.02; or

(b) The offering or displaying of such trailers for sale.

(21) "Renewal period" means the period during which renewal of a motor vehicle registration or mobile home registration is required, as provided in s. 320.055.

(22) "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

(23) "International Registration Plan" means a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.

(24) "Apportionable vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and:

(a) Is a power unit having a gross vehicle weight in excess of 26,000 pounds;

(b) Is a power unit having three or more axles, regardless of weight; or

(c) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight.

Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be proportionally registered.

(25) "Commercial motor vehicle" means any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and which has a gross vehicle weight of 26,001 pounds or more, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,001 pounds gross vehicle weight. A

vehicle that occasionally transports personal property to and from a closed-course motorsport facility, as defined in s. 549.09(1)(a), is not a commercial motor vehicle if the use is not for profit and corporate sponsorship is not involved. As used in this subsection, the term "corporate sponsorship" means a payment, donation, gratuity, in-kind service, or other benefit provided to or derived by a person in relation to the underlying activity, other than the display of product or corporate names, logos, or other graphic information on the property being transported.

(26) "Motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, excluding a vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration for a motorcycle. The term "motorcycle" does not include a tractor or a moped.

(27) "Moped" means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(28) "Interstate" means vehicle movement between or through two or more states.

(29) "Intrastate" means vehicle movement from one point within a state to another point within the same state.

(30) "Person" means and includes natural persons, corporations, copartnerships, firms, companies, agencies, or associations, singular or plural.

(31) "Registrant" means a person in whose name or names a vehicle is properly registered.

(32) "Motor carrier" means any person owning, controlling, operating, or managing any motor vehicle used to transport persons or property over any public highway.

(33) "Motorized disability access vehicle" means a vehicle designed primarily for handicapped individuals with normal upper body abilities and designed to be fueled by gasoline, travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(34) "Resident" means a person who has his or her principal place of domicile in this state for a period of more than 6 consecutive months, who has registered to vote in this state, who has made a statement of domicile pursuant to s. 222.17, or who has filed for homestead tax exemption on property in this state.

(35) "Nonresident" means a person who is not a resident.

(36) "Electric vehicle" means a motor vehicle that is powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current.

(37) "Disabled motor vehicle" means any motor vehicle as defined in subsection (1) which is not operable under its own motive power, excluding a nondisabled trailer or semitrailer, or any motor vehicle that is unsafe for operation upon the highways of this state.

(38) "Replacement motor vehicle" means any motor vehicle as defined in subsection (1) under tow by a wrecker to the location of a disabled motor vehicle for the purpose of replacing the disabled motor vehicle, thereby permitting the transfer of the disabled motor vehicle's operator, passengers, and load to an operable motor vehicle.

(39) "Wrecker" means any motor vehicle that is used to tow, carry, or otherwise transport motor vehicles and that is equipped for that purpose with a boom, winch, car carrier, or other similar equipment.

(40) "Tow" means to pull or draw any motor vehicle with a power unit by means of a direct attachment, drawbar, or other connection or to carry a motor vehicle on a power unit designed to transport such vehicle from one location to another.

(41) "Low-speed vehicle" means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122.

(42) "Utility vehicle" means a motor vehicle designed and manufactured for general maintenance, security, and landscaping purposes, but the term does not include any vehicle designed or used primarily for the transportation of persons or property on a street or highway, or a golf cart, or an all-terrain vehicle as defined in s. 316.2074.

(43) For purposes of this chapter, the term "agricultural products" means any food product; any agricultural, horticultural, or livestock product; any raw material used in plant food formulation; and any plant food used to produce food and fiber.

(44) "Mini truck" means any four-wheeled, reduced-dimension truck that does not have a National Highway Traffic Safety Administration truck classification, with a top speed of 55 miles per hour, and which is equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, and seat belts.

(45) "Swamp buggy" means a motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

"ATTACHMENT C"

APPENDIX Q TINY HOUSES

This provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: Appendix Q relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

SECTION AQ101 GENERAL

AQ101.1 Scope.

This appendix shall be applicable to *tiny houses* used as single dwelling units. *Tiny houses* shall comply with this code except as otherwise stated in this appendix.

SECTION AQ102 DEFINITIONS

AQ102.1 General.

The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

EGRESS ROOF ACCESS WINDOW. A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a *loft*.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

TINY HOUSE. A *dwelling* that is 400 square feet (37 m²) or less in floor area excluding *lofts*.

SECTION AQ103 CEILING HEIGHT

AQ103.1 Minimum ceiling height.

Habitable space and hallways in *tiny houses* shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in *lofts* are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AQ104 LOFTS

AQ104.1 Minimum loft area and dimensions.

Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

AQ104.1.1 Minimum area.

Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AQ104.1.2 Minimum dimensions.

Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area.

Portions of a *loft* with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a *loft* with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.

AQ104.2 Loft access.

The access to and primary egress from *lofts* shall be of any type described in Sections AQ104.2.1 through AQ104.2.4.

AQ104.2.1 Stairways.

Stairways accessing *lofts* shall comply with this code or with Sections AQ104.2.1.1 through AQ104.2.1.5.

AQ104.2.1.1 Width.

Stairways accessing a *loft* shall not be less than 17 Inches (432 mm) in clear width at or above the handrail. The width below the handrail shall be not less than 20 Inches (508 mm).

AQ104.2.1.2 Headroom.

The headroom in stairways accessing a *loft* shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AQ104.2.1.3 Treads and risers.

Risers for stairs accessing a *loft* shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landing platforms.

The top tread and riser of stairways accessing *lofts* shall be constructed as a *landing platform* where the *loft* ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the *loft*. The *landing platform* shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the *loft*, and 16 to 18 inches (406 to 457 mm) in height measured from the *landing platform* to the *loft* floor.

AQ104.2.1.5 Handrails.

Handrails shall comply with Section R311.7.8.

AQ104.2.1.6 Stairway guards.

Guards at open sides of stairways shall comply with Section R312.1.

AQ104.2.2 Ladders.

Ladders accessing *lofts* shall comply with Sections AQ104.2.1 and AQ104.2.2.

AQ104.2.2.1 Size and capacity.

Ladders accessing *lofts* shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200-pound (75 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ inch (9.5 mm).

AQ104.2.2.2 Incline.

Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices.

Alternating tread devices accessing *lofts* shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AQ104.2.4 Ships ladders.

Ships ladders accessing *lofts* shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft Guards.

Loft guards shall be located along the open side of *lofts*. *Loft* guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

SECTION AQ105 EMERGENCY ESCAPE AND RESCUE OPENINGS

AQ105.1 General.

Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: *Egress roof access windows* in *lofts* used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the *loft* floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.



TINY HOUSES

Tiny Houses are generally considered residential structures between 100 to 400 square feet and rarely exceeding 500 square feet in floor area.

There are two basic types of tiny houses:

- Built on a permanent foundation,
- Tiny Houses on Wheels (THOWs)

V.A.

KEY CONSIDERATIONS FOR TINY HOUSES



- Determine if minimum floor areas in current zoning classifications should be reduced or eliminated to allow Tiny Houses on Foundations.
- Determine if THOWs should be allowed as permanent residences
- If yes, then:
 - Define Tiny House on Wheels (THOWs) in the Code.
 - Determine the degree of construction regulation desired.
 - Establish minimum construction standards for THOWs in the Code.
 - Determine where THOWs should be located.

TINY HOUSES ON WHEELS (THOWS) DEFINITION



Tiny Houses on Wheels or THOW. A structure built on a single chassis and mounted on wheels which is intended for use as a full time residence or year round rental property that is not a mobile or manufactured home or park trailer as defined by Florida Statue Chapter 320.01. THOWs must meet the following conditions:

- Towable by a vehicle with a bumper hitch, frame-towing hitch, or fifth wheel connection and cannot be designed to be moved under its own power.
- In compliance with dimensional and weight limits established by the State of Florida for vehicles using public roads.

CONSTRUCTION STANDARDS OPTIONS FOR THOWS



- **Option 1 – (Minimal):** Require connection to approved sewage disposal and potable water systems; connection to electric utility must comply with electric codes.
- **Option 2 – (Moderate):** Option 1 + establish minimum living and area standards, and engineering for anchoring.
- **Option 3 – (Most):** Options 1 & 2 + adopt 2018 International Code Council Tiny House provisions and require PE certification that construction meets said provisions, constructed to accepted American Society of Civil Engineers (ASCE) engineering standards.

TINY HOUSE LOCATIONS OPTION 1



“TINY HOUSE DEVELOPMENT” PUD or RPUD

- **Required Actions:**
 - Reduce or eliminate minimum floor area – from 900 sq. ft. in PUD and 800 sq. ft. in RPUD
- **Options for Consideration:**
 - Provide flexibility to allow THOWs
 - Reduce minimum acreage from 10 acres (7 acres in MIRA) in PUD or from 7 acres in RPUD
 - Reduce minimum lot area from 5,000 sq. ft. in PUD or from 4,000 sq. ft. in RPUD
 - Amend or remove the requirement that single-family lots directly abutting an existing single-family subdivision mirror the lot sizes of the surrounding properties in RPUD

TINY HOUSE LOCATIONS OPTION 2



EXISTING ZONING CLASSIFICATIONS

- **LARGE LOT** - Agricultural Residential (AU) or General Use (GU)
 - **Required Actions:** Reduce or eliminate minimum floor area – from 750 sq. ft.
 - **Options for Consideration:** Add THOW to list of Permitted Uses
- **SMALL LOT** - Single-Family Residential (RU-1-7)
 - **Required Actions:** Reduce or eliminate minimum floor area – from 700 sq. ft.
 - **Options for Consideration:** Add THOW to list of Permitted Uses

TINY HOUSE LOCATIONS OPTION 3



Create New “Tiny House” Zoning Classification

- **Required Actions:**
 - Create new Zoning classification
 - Define (or don’t define) minimum floor area
 - Define minimum lot area
 - Define minimum acreage

Discussion



Movable Roots

Less = More

Mike Cheatham

Co-Owner/Builder

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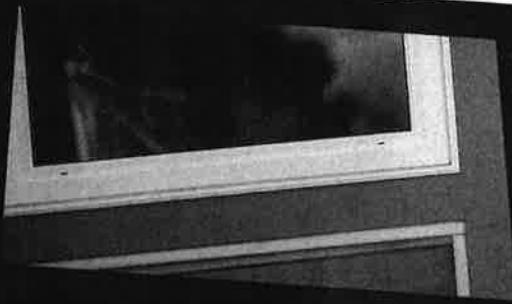
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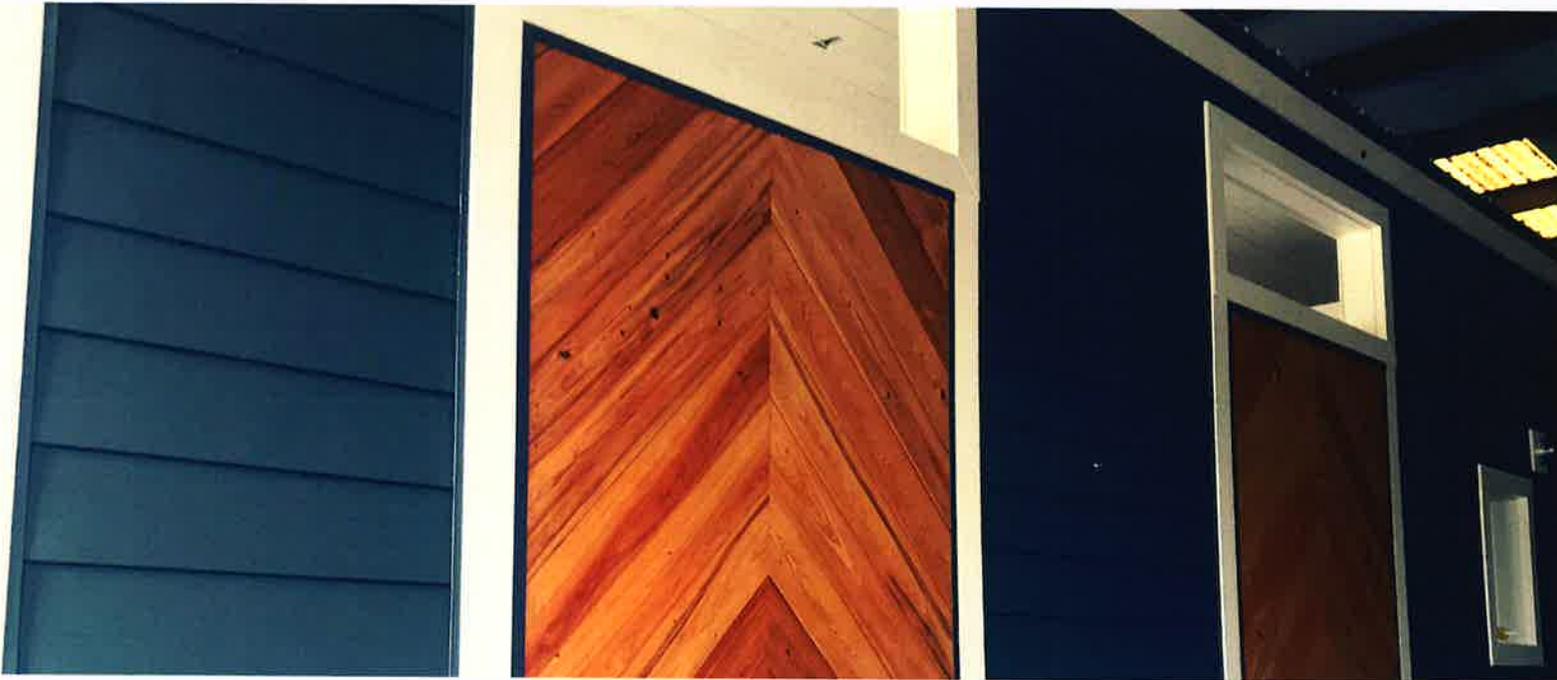


MOVABLE ROOTS
· TINY HOME BUILDERS ·



THE LEE

SHOW PRICE • \$89,999



THE LEE

This model sits on a Movable Roots 32' Trailer with a 2' extension making it 34'. We increased the living space while keeping a usable spacious kitchen. The Lee boast a main floor master bedroom as well as a second story loft with stairs leading to it. The use of quality materials and superior building methods will have this home lasting for generations.

KEY FACTS

- Main Floor Master
- Loft 2nd Bedroom
- Upgraded Oak Flooring
- Custom Lighting
- Spacious Bathroom
- Turn Key
- Full Appliance Package
- 330 Square Feet