

## **Ordinance 2022-XXX**

**Adopted by the City of South Lake Tahoe  
City Council**

**March 1, 2022**

### **Ordinance Amending Chapter 6.85 (Residential Development and Design Standards) of the South Lake Tahoe City Code to Establish Requirements for Movable Tiny Homes**

#### **FINDINGS**

- A. The City General Plan Housing Element (2014) and the South Shore Region Housing Needs and Opportunities Report (2019) identified a general disparity between wages and the cost of housing in South Lake Tahoe. There is a need for new housing construction, especially housing to serve moderate, low, very low, and extremely low income residents.
- B. On March 2, 2021 the City Council adopted Ordinance 2021-1152 amending the City Code to allow for the development of accessory dwelling units on parcels zoned for single family and multi-family land uses.
- C. The City has since engaged the public in a discussion on whether to allow movable tiny homes to be installed within the City as single-family, multi-family and accessory dwelling units. The Planning Commission held a public meeting and discussion on August 2, 2021 and the City Council held a public meeting and discussion on October 19, 2021 regarding policy direction on the issue.
- D. On December 16, 2021 the City Planning Commission held a public hearing and adopted Resolution 2021-16 recommending adoption of an ordinance that would allow movable tiny homes to be utilized as single-family and accessory dwelling units.
- E. On January 18, 2022 the City Council held a public hearing and directed staff to make revisions to the draft ordinance for City Council consideration at the February 1, 2022 meeting.

**Now, Therefore, the City Council of City of South Lake Tahoe does ordain as follows:**

**SECTION 1.**

1. That the action taken on this matter and recommendations made after consideration of the whole administrative record are consistent with Government Code Section 65853 et seq.; and
2. That the 2030 General Plan EIR adequately addresses the potential environmental impacts of the proposed ordinance and that no further environmental analysis is required to comply with the California Environmental Quality Act, Statue and Guidelines under CEQA Guidelines section 15162 because the proposed Ordinance is within the scope of the previous EIR and there are no substantial changes to the project or the circumstances that require major revisions to the previous EIR due to new significant environmental effects and no new information of substantial importance that shows the project will have significant effects not discussed in the previous EIR, significant effects previously examined would be more severe, or mitigation measures or alternatives previously found not to be feasible would substantially reduce one or more significant effects.

**SECTION 2.** Section 6.85.030.A.2.p (Permanent Foundations) is hereby amended to read as follows:

Permanent Foundations. A manufactured home, tiny home, factory built home or similar dwelling unit designed for occupancy as a permanent dwelling shall be allowed as a dwelling on those parcels where single-family dwellings are permitted in compliance with the requirements of the applicable zoning district, and subject to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject to. Mobile homes shall be allowed as a dwelling in compliance with the requirements of the applicable plan area statement. The following standards apply to both types of homes:

- i. Permanent Foundation. Except when located in a mobile home park, or approved as a movable tiny house (Section 6.85.060), a dwelling unit shall be placed on a permanent foundation system and shall be subject to the same provisions, regulations and restrictions as a conventionally constructed single-family residence.

ii. Prior-to-Installation Requirements. Prior to installation of a manufactured home on a designated foundation system, the owner or a licensed contractor shall obtain a building permit. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the Health and Safety Code, as may be amended from time to time.

SECTION 3. Section 6.85.050.F.4 (Permanent Foundations) is hereby amended to read as follows:

Permanent Foundations.

a. All accessory dwelling units shall be permanently attached to a permanent foundation as described in SLTCC 6.85.030(A)(2)(p) unless approved as a movable tiny house (Section 6.85.060).

b. A recreational vehicle, commercial coach, trailer, motor home, camper, camping trailer, or boat shall not be used as an accessory dwelling unit. Movable tiny houses (as defined in Section 6.85.060) may be used as accessory dwelling units subject to the requirements of Section 6.85.060.

SECTION 4. Section 6.85.060 (Park Model Recreational Vehicle Tiny Homes: Use as Dwelling) is added to Chapter 6.85 (Residential Development and Design Standards) of the South Lake Tahoe City Code as follows:

6.85.060 – Park Model Recreational Vehicle Tiny Homes: Use as Dwelling

- A. “Moveable tiny house” means a Park Model Recreational Vehicle functioning as a separate, independent dwelling unit that is no larger than 400 square feet (excluding lofts) providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation; is mounted on a wheeled trailer chassis; and is titled and registered to tow with the California Department of Motor Vehicles.
- B. “Park Model Recreational Vehicle” means a towable recreational vehicle designed to provide temporary living quarters for recreational, seasonal, camping or travel use. Park Model Recreational Vehicles are built on a single trailer chassis, mounted on wheels and have a gross trailer area not exceeding 400 square feet. A Park Model Recreational Vehicle shall be considered a moveable tiny house for the purpose of Section 6.85.060 if it otherwise satisfies all requirements of this Section.
- C. Movable tiny houses shall not be used as vacation home rentals or hosted rentals.
- D. Development Standards. Moveable tiny houses shall conform with the requirements for a new detached accessory dwelling unit, a new primary single-family residence, or a new multi-family residential development, as

applied to the proposed use and Plan Area Statement, Community Plan or Area Plan in which the site of the proposed moveable tiny house is located, except as modified by this subsection.

1. Number. Movable tiny houses are limited to the following number per parcel:
  - a. Single-family residence: 1 per parcel.
  - b. Accessory Dwelling Unit: 1 per parcel.
  - c. Multi-family residences: Maximum density allowed by applicable Plan Area Statement, Community Plan or Area Plan.
2. Maintenance. The property shall be maintained as set forth in the International Property Maintenance Code as adopted by reference in Section 6.15.010(K).
3. Location. The moveable tiny house shall be located in conformance with setback requirements of a single-family, multi-family or accessory dwelling unit as applicable. In addition, movable tiny houses shall maintain a 10-foot setback from other structures on the parcel.
4. Size. The maximum square footage or habitable floor space for a moveable tiny house shall be 400 square feet, as measured by exterior wall dimensions (lofts shall not be counted toward the maximum square footage). The moveable tiny house shall have at least 100 square feet of first floor interior living space.
5. Design. The design of a tiny house shall resemble the general appearance, exterior materials and features of a traditional home including pitched roof, eaves, and residential windows. Zero clearance eaves with minimal overhang are acceptable. Exterior materials shall not include aluminum or fiberglass, typical of a recreational vehicle.
6. Living area Extensions. The roof and all exterior walls shall not be fixed with slide-outs, tip-outs or other forms of room area extensions.
7. Energy Efficiency. Applications submitted for tiny houses shall include documentation that the tiny house has been constructed to exceed ANSI energy and insulation standards by including insulation with values of R13 for the walls and R19 for the floor and ceiling.
8. Parking Spaces. Moveable tiny houses shall comply with parking requirements for single-family residences, multi-family residences, or accessory dwelling units as applicable to the proposed use.
9. Replacement Parking. Where a moveable tiny house occupies a required parking space, a replacement parking space is required. A replacement parking space may be located in any configuration on the same lot as the moveable tiny house, in compliance with Chapter 6.85.
10. Mechanical Equipment. All mechanical equipment for a moveable tiny house shall be incorporated into the structure, screened from view from public right of way, and shall not be located on the roof.
11. Utility Connections and Requirements. A movable tiny house shall be connected to water supply and sewage disposal facilities approved by the County's Environmental Health Department, utility provider and

City Building Division. Utility connection features may require protective bollards at the discretion of the Building Official.

12. Foundation Requirements. Once sited, moveable tiny houses shall meet the following foundation requirements:
  - a. The moveable tiny house shall not have its wheels removed, and all wheels and leveling/support jacks shall sit on a paved surface sufficient to support its weight. Plans for pad construction shall include certification from a California registered engineer that the pad design is sufficient to support the weight of the movable tiny house.
  - b. The undercarriage including wheels, axles, tongue and hitch shall be concealed from view by skirting that is solid and fixed at all times and other necessary physical screening.
  - c. The movable tiny house shall be tied down with anchors or otherwise stabilized as designed by the manufacturer.
13. Emergency and Rescue Openings. Moveable tiny houses shall meet the requirements of Section R310 of the California Building Code for emergency escape and rescue openings.
14. Defensible Space. Installation of a moveable tiny house requires approval of a defensible space plan and inspection by the Fire Department.
15. Movable tiny houses shall be constructed with ignition-resistant materials and glazed openings in compliance with Section R337 of the California Residential Code.
16. Movable Tiny houses shall be constructed to withstand minimum snow and wind loads for the proposed location as described in Section 6.15.160. Certification from the manufacturer or a California registered engineer is required.
17. Movable tiny houses shall be designed to address snow shed impact areas as described in section 6.15.160.O.
18. Structures such as porches, decks and other associated structures associated with the movable tiny house shall be designed to be detached from the movable tiny house at all times and shall meet the requirements of the California Building Code.
- E. A building permit shall be obtained for installation of a subpanel appropriately sized for the movable tiny house's amperage, electrical pedestal, and approved exterior outlets in the location the movable tiny house will be installed, unless otherwise designed to be self-contained to provide equal electrical accommodations (e.g. fully relying on solar power and battery backup). Separate electric meters may be permitted if approved by the Building Official and utility provider. Protective bollards may be required at the discretion of the Building Official. Movable tiny houses relying on a generator for permanent power are prohibited.
- F. Addresses. Moveable tiny houses shall include separate addressing posted in compliance with SLTCC 6.15.160 J. Building Address.

- G. Access roads shall meet state and local fire code standards as determined by the City Fire Department.
- H. Permit Required. A movable tiny house shall be approved through an accessory dwelling unit, single-family residence, or multi-family residence permit as applicable to the proposed use. In addition to applicable requirements associated with those permits the following additional information is required for a movable tiny house.
1. Proof that the proposed moveable tiny house is licensed and registered with the California Department of Motor Vehicles;
  2. Proof that the proposed moveable tiny house has been certified by a qualified third-party inspector as meeting ANSI, 119.2 or 119.5 requirements or comparable standards;
  3. Proof that the applicant is the property owner, or has sufficient written permission from the property owner, of the intended location of the proposed moveable tiny house;
  4. Proof of Tahoe Regional Planning Agency approval;
  5. Plans and supporting documents as required by Development Services Department submittal checklist to demonstrate compliance with this Section;
  6. Prior to the issuance of building permits, a covenant agreement shall be recorded which discloses the status as a permitted movable tiny house and agreeing that the property will be owner-occupied and not utilized as a vacation home rental or hosted rental. This agreement shall be recorded in the office of the County Recorder to provide constructive notice to all future owners of the property. The covenant agreement also may contain authorization for inspections for compliance with the agreement and to verify continued compliance with requirements of this section and state health and safety codes.
  7. Movable Tiny House Replacement. Replacement or installation of a new movable tiny house shall require approval of a new permit. No more than one permit for a movable tiny house or houses on one parcel shall be issued within one year.
  8. All multi-family projects that include a movable tiny house shall be reviewed by the City Planning Commission. The Planning Commission may grant a design review permit for a multi-family movable tiny house project provided that the project is found to:
    - a. Be compatible with the surrounding development pattern;
    - b. Comply with Multi-family Residential Development Standards of Section 6.85.030.B;
    - c. Comply with standards of Section 6.85.060 – Park Model Recreational Vehicle Tiny Homes: Use as Dwelling
    - d. Be designed with a high degree of quality;

Adopted by the City of South Lake Tahoe City Council on March 1, 2022 by the following vote:

Yes:  
No:  
Absent:  
Abstain:

Date:\_\_\_\_\_

\_\_\_\_\_  
Devin Middlebrook, Mayor

Attest:

\_\_\_\_\_  
Susan Blankenship, City Clerk

*The presence of electronic signature certifies that the foregoing is true and correct copy as approved by the South Lake Tahoe City Council.*

First Reading: February 15, 2022

Published:

Second Reading:

Effective: