




City and Borough of Sitka


100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Mayor Paxton and Members of the Assembly
Hugh Bevan, Interim Municipal Administrator

Through: Amy Ainslie, Director, Department of Planning and Community Development 

From: Scott Brylinsky, Special Projects Manager 

Subject: **Code amendments to create a legal status for tiny houses and tiny houses on chassis, provide safety standards, and options for placement**

Date: January 21, 2020

Background

The request is to amend the building and zoning codes, and the code for mobile/manufactured home parks to:

- create a definition for tiny houses on permanent foundations;
- create a definition for tiny houses on chassis;
- establish safety requirements for tiny houses on permanent foundations and for tiny houses on chassis; and
- provide options for their placement in existing mobile/manufactured home parks and on individual lots.

Affordable housing is among the most challenging policy issues the community has faced in the last twenty years. Providing more options for affordable housing is a long-standing policy goal of the Assembly and various interested community groups.

This goal has been formally stated in the 2030 Comprehensive Plan and its supporting document, the Technical Plan (relevant excerpts attached). It was formally put forward as a component of the Assembly's economic development strategy (attached), to "pursue options regarding tiny homes and/or smaller dwellings."

And notably, the 2016 strategic plan of the Sitka Economic Development Association lists housing costs as the single greatest barrier to doing business in Sitka. (attached)

The policy intent is to promote economic development by providing a greater range of affordable housing options.

The topic appeared before the Planning Commission as a discussion/direction item at its November 20, 2019 meeting. There was no specific direction given or formal action taken. The draft ordinance was put before the Planning Commission at its next meeting on December 18, 2019. Action was postponed due to having only three commissioners present. It went before the Planning Commission at their next meeting on January 15, 2020. The Commission voted 3-2 in favor of recommending approval to the Assembly.¹ One of those ‘nay’ votes was from a Commissioner who was in strong support of the overall proposal, but did not support the particular motion to approve because it included an amendment to make it a conditional use, rather than allowed use, to install a tiny-home-on-chassis on a private lot in some zones.

Over a dozen members of the public testified on the measure. All but one were in support of the proposal. We would note that supporters included owners or managers of at least three mobile/manufactured home parks. The Planning Department also received numerous written comments, all in support, except for two which were generally supportive but did express concern about the installation of tiny houses on chassis on private lots. (attached)

Staff analysis

Tiny houses have generated considerable interest in recent years, not just in Sitka but nationally. They are embraced by many who see them as part of the solution to addressing ever higher housing costs. However, national norms have been slow to evolve as to how tiny houses fit into building and zoning codes. But some change is occurring. The 2018 International Residential Code² includes a new Appendix Q, which for the first time provides a definition for tiny houses, and sets certain code requirements specific to tiny houses. The two most significant provisions are 1) defining a tiny home as less than 400 square feet exclusive of sleeping lofts, and 2) allowing for ladders and modified stairs as means of accessing sleeping lofts.

Tiny-houses-on-chassis (with or without wheels) have yet to be addressed in a nationally accepted platform. They are neither manufactured home nor recreational vehicle. The proposed ordinance amendments before the Assembly take the innovative step of creating a legal status for tiny homes on chassis, provided they meet basic fire/life safety, and health/sanitation standards. They must:

- Be constructed under a building permit and be constructed in accordance with the International Residential Code.
- Be inspected by the Building Department during construction.

¹ M-Windsor/S-Weaver moved to recommend approval of the proposed ordinance changes with the exception that tiny houses on chassis to be placed in zones that allow a single manufactured home on a lot be a conditional rather than allowed use, recognizing that final housekeeping edits and formatting changes may be made during formal ordinance preparation. (minutes not yet final)

² The 2012 International Residential Code is the current code in effect. The 2018 IRC Appendix Q would be adopted as an “add-on” to existing code.

- Be anchored to resist wind and seismic loads, much like a manufactured home.
- Be skirted.
- Have frost-free connections to utilities.

In the interest of promoting durable affordable housing, the amendments also specify certain prohibited building materials in the construction of tiny-houses-on-chassis. These requirements are based on local experience that certain materials and methods normally allowed by code, such as oriented strand board and flat roofs, although cheaper in the short run, simply don't perform well over the long term in our region's climate.

Summary

Overall, the proposed amendments do two things:

1. Create a code framework for the construction of tiny houses and tiny houses on chassis.
2. Provide new options for their placement, as follows:
 - a. Tiny houses can be constructed on a permanent foundation in mobile/manufactured home parks.
 - b. Tiny houses on chassis can be placed in mobile/manufactured home parks much like manufactured homes.
 - c. Tiny houses on chassis can be placed on an individual lot in zones which allow a single manufactured home, under the conditional use permit process.

Note that tiny houses on permanent foundations are allowed under current code to be placed in any zone that allows a single family dwelling.

Although outside the scope of this proposed action, future work in this area will focus on exploring additional options for placement of tiny houses and tiny houses on chassis.

Recommendation

Motion to approve the ordinance.

Attachments

- Comprehensive plan excerpt
- Technical plan excerpt
- Assembly action plan
- SEDA Strategic Plan excerpt
- Excerpt from minutes of December 18, 2019 P&Z meeting
- 11Dec19 Staff report to Planning Commission, and 8Jan20 update memo
- 2018 International Residential Code Appendix Q
- Written public comments