



# County of Santa Cruz

## DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

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August 3, 2022

**Agenda Date: August 10, 2022**

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**Subject: Public hearing to review and provide recommendations to the Board of Supervisors regarding amendments to SCCC 13.10 regarding tiny homes on wheels and CEQA Notice of Exemption. Amendments to SCCC 13.10 are amendments to the Local Coastal Implementation Plan and will require Coastal Commission certification after County adoption.**

### **Recommended Actions:**

- 1) Conduct a public hearing to review proposed amendments to the Santa Cruz County Code (SCCC) that would add regulations for tiny homes, with associated CEQA Notice of Exemption
- 2) Adopt the attached resolution (Exhibit A), recommending that the Board of Supervisors
  - a. Direct staff to file the California Environmental Quality Act (CEQA) Notice of Exemption (Exhibit B) with the Clerk of the Board; and
  - b. Adopt the ordinance (Exhibit C) adding regulations to the County Code for tiny homes on wheels; and
  - c. Direct staff to transmit the amendments to the California Coastal Commission.

### **Executive Summary**

Staff received direction from the Board of Supervisors to develop regulations regarding tiny homes on wheels (THOWs) and has conducted a large amount of community outreach, study sessions, surveys, and related research. The Planning Commission and Housing Advisory Commission conducted study sessions on this subject and provided recommendations on the scope and content of proposed regulations. The proposed ordinance incorporates this background work and is presented to the Planning Commission for review and recommendation to the Board of Supervisors.

### **Background**

A THOW is a house on a trailer that can be towed on public roads with a special permit from the DMV and is registered annually as a park trailer with the DMV. They are no larger than 400 square feet and no taller than 14 feet. Generally, they are designed to look like a tiny house

using various design and materials options. They can be constructed off site on the trailer by a third party to an established national standard for park trailers and inspected and certified by a qualified inspector. The THOW must comply with the standards set forth in California HSC 18027.3 and must be certified by a recognized national certification body as complying with these standards with a certified label placed on the moveable tiny house to demonstrate compliance. In these cases, the local building inspector is not inspecting the actual construction of the unit but would be inspecting its installation on the property and proper connection to utilities. They could be constructed on site by an owner builder according to locally approved plans and inspected by the local building inspector to meet California Residential Building Code standards and Appendix Q of that Code that contains special exceptions to some standards for tiny houses.

The Planning Commission staff report from February 9, 2022 available at this link: <https://www.sccoplanning.com/PlanningHome/ZoningDevelopment/AgendasHearings/PlanningCommission.aspx> provides a detailed summary of the planning process regarding THOW, including study sessions before the Board of Supervisors, Planning Commission and Housing Advisory Commission, several community meetings, public input and survey, consultation with other agencies, and additional research.

### **Analysis**

There are several overall considerations to highlight regarding THOWs as introduction to a more detailed analysis of a proposed ordinance:

- The proposed regulations do not address tiny homes on a foundation because these types of structures are already allowed and the permit process for a tiny home on a foundation is the same as for any new single-family dwelling in the County. Therefore, the proposed regulations only address THOWs.
- The proposed regulations cannot and do not authorize alternatives to the Fire Code or sewage disposal or water supply requirements, or requirements to address environmental resources and constraints that may affect the site. To develop a site with a THOW would require meeting all fire agency requirements for access and water supply for fire protection purposes; meeting all requirements of the Environmental Health Department regarding water supply and an individual sewage disposal system in rural areas and connections to water supply and the sewer system in urban areas; and meeting all requirements of the Environmental Planning section of the CDI Department regarding environment resource protection and addressing any geologic or geotechnical hazards that may affect the site.
- According to the County Assessor's office, because THOWs are registered with the DMV and pay annual DMV registration fees as a "park trailer", they are not treated as improvements to land for the purposes of real property taxation. Determinations regarding other property taxes associated with a THOW or related improvements would be made by the County Assessor.
- According to the State Department of Housing and Community Development, THOWs can count toward the County's Regional Housing Need Allocation (RHNA) under certain circumstances. The THOW must be permitted by the local jurisdiction; meet the census definition of a housing unit (ADUs meet the definition); must have new hookups to services and utilities and other features to demonstrate a sense of permanence (without being placed on a permanent foundation); and the local jurisdiction must monitor the THOWs to ensure the unit has not been moved to another location.

At the most recent study session on February 9, 2022, the Planning Commission provided comments, concerns, and recommendations regarding several aspects of regulations that would address THOWs. The following analysis takes into consideration the feedback received from the Planning Commission study session, additional research on THOWs, consultation with other local and state agencies, and review of existing local regulations. The analysis addresses the

issues as presented and discussed at the Planning Commission study session and describes how the issues are addressed in the proposed ordinance. The proposed ordinance was presented to the Housing Advisory Commission on July 13, 2022 and their recommendation is further described at the end of this staff report.

Geographic Location. To the extent a THOW would be considered a single-family dwelling, the Planning Commission indicated it may be appropriate to allow THOWs anywhere residential use is allowed and that all fire agency requirements should apply to a THOW. There was also discussion of different requirements for specific areas such as urban and rural areas, the coastal zone, and the CZU fire area. The ordinance is structured in a way that defines a THOW as a single-family dwelling or ADU and requires a THOW to go through the same permit process as any other single-family dwelling or ADU. Thus, a THOW would be allowed anywhere a single-family dwelling is currently allowed, all fire agency requirements would have to be met, and any specific requirements that apply to a single-family dwelling or ADU in the urban area, rural area, coastal zone, or CZU fire area would apply equally to a THOW.

Configuration of THOW on Parcels. The Planning Commission expressed a willingness to allow a THOW to function as a primary dwelling or one of the allowed ADUs on a parcel (ADU or JADU, or both). However, at the time of the Planning Commission study session there was a lack of definitive information regarding if or how THOWs would be assessed property taxes. It has been confirmed that because a THOW is not affixed to land and would be registered through the DMV, THOWs would not be treated as improvements to land for the purposes of real property taxation. However, THOWs may be subject to other taxes, and related improvements to land (e.g., a parking pad and utility connections) may be assessable for tax purposes as determined by the County Assessor. Should this determination cause the Planning Commission to reconsider the willingness to allow a THOW to function as a primary dwelling on a property, staff has prepared two alternative versions of the ordinance for consideration that reduce the scope of the ordinance. These two options are further described later in this staff report.

Development Standards. Consistent with the Planning Commission discussion, the proposed Ordinance is structured such that a THOW would be subject to all the same development standards as a single-family dwelling or ADU based on the zoning designation of the property and any environmental resources and constraints that may affect the property. There was a concern regarding allowing THOW in driveways in terms of interference with required parking and visual impacts. Therefore, a provision is included in the proposed Ordinance that a THOW may be located in an existing driveway only if the THOW meets required setbacks and is not located in a required parking space and does not block access to required parking for other dwelling units. Separate addressing would be required just like any other additional unit on a property.

Design. Consistent with the desire that a THOW look like a tiny house and not a recreational travel trailer, the ordinance contains simple, generalized design criteria intended to achieve this result while still allowing some flexibility in the design. Mechanical equipment would not have to be completely contained with the THOW but would have to be screened from public view. Electrical and plumbing hookups would also have to be screened from public view. Skirting will be required.

Utilities. Hook up to utilities would have to meet current plumbing and electrical code standards meaning no reliance on extension cords or water hoses for providing water and power to the THOW. Just like development of a single-family dwelling or ADU, utility hook ups would have to be extended to the tiny home underground with direct connection at or next to the parking pad. A THOW would not necessarily be required to have an electrical connection to utility power and the proposed Ordinance includes a provision for THOWs, wherever they are located, to be

powered by a solar power system, including battery storage, properly sized for the anticipated electrical loads of the THOW. For such an off-grid situation, the ability to connect to a generator would be required and the generator's use would only be anticipated to be needed after a prolonged period of too little solar power to keep the batteries adequately charged. Such a situation would typically only be likely to occur during a prolonged winter storm.

Ownership. The Planning Commission discussed several concerns related to ownership of the THOW. Because it is moveable, the THOW permitted as an ADU could be conveyed separately from the primary residence. Use of a THOW as a short-term rental of less than 30 days would be prohibited and a THOW would be subject to impact fees just like any other single-family dwelling.

Permits and Approvals. As noted, a THOW would be subject to all the same permit processing requirements that apply to a single-family dwelling or ADU, as the case may be. Although THOWs would not be assessable as an improvement to real property for taxation processes, a THOW would be subject to all the same impact fees that apply to a single-family dwelling or ADU as the case may be. To reinforce the fire safe requirements, however, and because a THOW may be constructed by a third party for sale to the THOW owner/occupant, the proposed ordinance does include a provision reinforcing the requirement for construction with fire safe exterior material depending on the property location with respect to the Wildland Urban Interface (WUI). The proposed Ordinance includes a three-year permit term supported by the Planning Commission.

Structure of Regulations. The proposed Ordinance takes a relatively simple and straightforward approach to regulating THOWs in that it mimics existing permit processing requirements for a new single-family dwelling or an ADU and refers to those processes by reference, including permit processing requirements in the Coastal Zone. The proposed Ordinance language is limited to elements specifically addressing the unique aspects of THOWs. In addition, the structure of the proposed Ordinance allows for changes to be made relatively easily to change the scope of the Ordinance according to the will of the Planning Commission or the Board of Supervisors.

CZU Fire Rebuilding. Allowing a THOW to serve as the primary unit on a property would have clear benefits for those attempting to rebuild after losing their homes in the CZU fires by allowing for a lower cost option for an actual housing unit when other rebuilding expenses have depleted financial resources. In addition, by allowing a THOW to replace a new construction ADU, this option would have potential benefits for those that lost their homes in the CZU fires in that the ADU regulations allow the construction of an ADU prior to the primary dwelling in the case of rebuilding after a disaster. The only requirement in the ADU regulations in this case is that the location for the development envelope for the future primary dwelling must be indicated on the plans submitted for the tiny home as an ADU. There is no requirement or timeline for actually building the primary dwelling shown on the plans. This provision is already in the ADU regulations and can be utilized now to build an ADU on a conventional foundation. The proposed THOW regulations would allow a THOW in place of the ADU under the same circumstances.

The proposed Ordinance as contemplated would allow a tiny home on wheels to function as a single-family primary dwelling, as the ADU, or as the JADU such that the total number of units does not exceed what is currently allowed on the property per state and local regulations, or up to three units in the simplest case. However, as noted, the proposed Ordinance may be easily edited to change its scope. Because some of the information and analysis in this staff report has been updated since the previous Planning Commission study session, staff is providing additional options for consideration regarding the scope of the proposed Ordinance.

A second option would limit the scope of the proposed Ordinance such that a THOW would substitute for only the otherwise allowed new construction ADU or JADU. Under this option the property would already be developed with a pre-existing conventional single-family dwelling subject to property taxes on the existing improvements.

A third option would allow a THOW in place of only the otherwise allowed new construction ADU on the property. Allowing a THOW in place of the otherwise allowed JADU could potentially conflict with the definition in state law that a JADU be contained within an existing single-family dwelling and this option would avoid that potential conflict.

All three Ordinance options and the information in this staff report was presented to the Housing Advisory Commission (HAC) on July 13, 2022. Commissioners expressed concern about the proposed term limit of 3 years and thought it would be more appropriate, if there is a permit term at all, that it be consistent with other permit terms such as the vacation rental permit term of 5 years. However, members of the HAC also expressed disagreement with any permit term at all as a fairness issue in that the large investment to prepare a site for a tiny home argues for the expectation that the permit be issued with no term limit or renewal requirement consistent with any other permit for a single-family dwelling. Absent a permit term or renewal requirement, which would facilitate the monitoring required to count THOWs toward the County's RHNA requirement, there was discussion by the HAC and by members of the public of alternative means of monitoring to ensure the continued presence of the THOW on the property, such as an annual fee or checking DMV records for annual registration of the THOW. The Commission voted to support a motion recommending an ordinance allowing a THOW to function as a single-family dwelling as the primary unit, the ADU, and the JADU along with a 5-year permit term. The vote was a split vote of five in support and four opposed and based on the discussion it appears the split vote is reflecting the lack of full support for a permit term limit or renewal requirement. An additional alternative the Planning Commission may want to consider is clarifying the permit renewal requirement in the proposed ordinance with an affirmative statement that the permit shall be renewed unless a site inspection by County staff identifies a violation of the County Code related to the THOW, in which case, the permit could still be renewed if the violation is resolved concurrently. This would facilitate monitoring while retaining a sense of permanence related to the THOW, so that the unit can count toward the County's RHNA.

### **California Environmental Quality Act**

The proposed ordinance would not change the overall number of dwelling units allowed on any parcel and would treat a THOW just like a single-family dwelling or ADU. Therefore, no potential for significant environmental impacts is anticipated and these regulations would be exempt from environmental review per CEQA §15061(b)(3) and Section CEQA Guidelines Section 15303 because the amendments provide regulations for the future construction of single-family dwelling units and accessory dwelling units and do not authorize any increase in density under existing state and local regulations. In addition, to the extent the proposed Ordinance treats a THOW just like an ADU, it would be exempt from environmental review per CEQA §15282(h): "adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code."

### **Local Coastal Program Consistency**

The proposed Ordinance will require a Local Coastal Program Amendment because SCCC Chapter 13.10 is an implementing ordinance of the Santa Cruz County Local Coastal Program. After Board of Supervisors approval, the proposed Ordinance will be reviewed at a Coastal Commission public hearing and will become active after certification by the California Coastal Commission.

The proposed Ordinance treats THOWs just like a single-family dwelling or ADU in terms of the allowable zone districts, and all requirements of the County Code that apply to similar types of development including requirements for a Coastal Development Permit. An application for a THOW permit would be reviewed the same way an application for a single-family dwelling is reviewed in terms of environmental resources, including coastal resources, and environmental constraints that may affect the property or be affected by the THOW. Therefore, the proposed regulations would not create any inconsistency with the Local Coastal Program. County staff has reviewed the proposed Ordinance with local Coastal Commission staff and made some minor clarifications as a result of those discussions. Therefore, County staff is confident the proposed ordinance will be found consistent with the Local Coastal Program when reviewed by the Coastal Commission.

### **Strategic Plan**

The proposed amendments advance the County Strategic Plan's "Affordable Housing" and "Local Inventory" goals within the "Attainable Housing" focus area by creating an additional relatively low-cost housing option in the County and creating a relatively simple and straightforward approval process and development standards related to THOWs. These housing units are affordable by design to owners and renters due to their small size, and the income generated by THOWs as a rental enable property owners to remain in Santa Cruz County amid increasing housing costs.

Submitted by:

David Carlson  
Resource Planner  
Policy Section

Reviewed by:

Stephanie Hansen  
Assistant Director  
Policy, Housing & Code Enforcement

Exhibits:

- A. Planning Commission Resolution
- B. Draft CEQA Notice of Exemption
- C. Proposed ordinance
- D. Proposed ordinance option 2 (strikethrough-underline relative to proposed ordinance)
- E. Proposed ordinance option 3 (strikethrough-underline relative to proposed ordinance)
- F. Correspondence (since 2-9-2022 Planning Commission study session)

BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Commissioner  
duly seconded by Commissioner  
the following Resolution is adopted:

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY  
OF SANTA CRUZ RECOMMENDING ADOPTION OF AMENDMENTS  
TO SANTA CRUZ COUNTY CODE ADDING SECTION 13.10.680 AND  
AMENDING SECTIONS 13.10.700 REGARDING TINY HOMES ON  
WHEELS AND RECOMMENDING THE FILING OF A CEQA NOTICE OF  
EXEMPTION**

WHEREAS, the County of Santa Cruz (“County”) is experiencing a housing crisis of both affordability and supply; and

WHEREAS, the Santa Cruz County Code (“County Code” or “SCCC”) includes regulations allowing temporary occupancy of mobile homes and recreational vehicles by a property owner or watchman as a temporary residence during construction of permanent buildings on the same site; and

WHEREAS, a tiny home on wheels is an independent dwelling unit on wheels, maximum 400 square feet, which provides complete independent living facilities for one or more persons and towable by a hitch mechanism and cannot move under its own power, and is designed with materials features resembling a tiny house and not a recreational vehicle; and

WHEREAS, several jurisdictions in the State have adopted regulations allowing a tiny homes on wheels to function as a single family dwelling and the California Department of Housing and Community Development supports such regulations; and

WHEREAS, the County wishes to amend SCCC 13.10 to all allow and regulate tiny homes on wheels as single family dwellings and provide a relatively lower cost housing option in the County and for those rebuilding after losing their house in the 2020 August CZU Lightning Complex Fires; and

WHEREAS, SCCC 13.10 is a Local Coastal Program implementing ordinance; and

WHEREAS, the Planning Commission has reviewed the County’s proposed County Code amendments and finds that they are appropriate to regulate tiny homes on wheels as single-family dwellings, are consistent with all elements of the General Plan/Local Coastal Program, and comply with the California Coastal Act; and

WHEREAS, the proposed County Code amendments are exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3) because the amendments present no possibility of a significant impact on the environment and Section CEQA Guidelines Section 15303 because the amendments provide regulations for the future construction of single-family dwelling units and accessory dwelling units and do not authorize any increase in density under existing state and local regulations and, additionally, to the extent the proposed ordinance treats a tiny home on wheels just like an accessory dwelling unit, it would be exempt from environmental review per CEQA §15282(h): “adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.”

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the proposed amendments to the Santa Cruz County Code as presented on this date.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors confirm that a Notice of Exemption is appropriate under CEQA.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this tenth day of August, 2022 by the following vote:

AYES:           COMMISSIONERS:  
NOES:           COMMISSIONERS:  
ABSENT:        COMMISSIONERS:  
ABSTAIN:       COMMISSIONERS:

\_\_\_\_\_  
Chairperson

ATTEST: \_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
ASSISTANT COUNTY COUNSEL

cc:   County Counsel  
      Community Development and Infrastructure Department



# County of Santa Cruz

## PLANNING DEPARTMENT

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## NOTICE OF EXEMPTION

**To:** Clerk of the Board  
Attn: Emiko White  
701 Ocean Street, Room 500  
Santa Cruz, CA 95060

**Project Name:** Ordinance providing regulations for tiny homes on wheels

**Project Location:** Countywide

**Assessor Parcel No.:** N/A

**Project Applicant:** County of Santa Cruz Planning Department

**Project Description:** The project updates the Santa Cruz County Code to allow tiny houses on wheels as single family dwelling units.

**Agency Approving Project:** County of Santa Cruz Board of Supervisors

**County Contact:** David Carlson

**Telephone No.** 831-454-3173

**Date Completed:** \_\_\_\_\_

This is to advise that the County of Santa Cruz *Board of Supervisors* has approved the above described project on \_\_\_\_\_ (date) and found the project to be exempt from CEQA under the following criteria:

Exempt status: (*check one*)

- The proposed activity is not a project under CEQA Guidelines Section 15378.
- The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
- Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).  
Specify type: 15282(h)
- Categorical Exemption**

### Reasons why the project is exempt:

The proposed County Code amendments are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) because the amendments present no possibility of a significant impact on the environment and Section CEQA Guidelines Section 15303 because the amendments provide regulations for the future construction of single-family dwelling units and accessory dwelling units and do not authorize any increase in density under existing state and local regulations. In addition, to the extent the proposed ordinance treats a tiny home on wheels just like an accessory dwelling unit, it would be exempt from environmental review per CEQA §15282(h): "adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code"

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Environmental Coordinator

## SECTION I

The Santa Cruz County Code is hereby amended such that SCCC 13.10.680 shall be added as follows:

### **13.10.680 Tiny Homes on Wheels**

- (A) Purpose. The purpose of this section is to provide for and regulate Tiny Homes on Wheels in order to provide needed housing for County residents and to further the housing goals of the Housing Element of the County General Plan.
- (B) Definitions. For the purposes of this section, terms shall be defined as follows:
- (1) "Tiny Home on Wheels (THOW)" shall be defined per SCCC 13.10.700-T: An independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with permit issued pursuant to Vehicle Code Section 35780.
- (C) General Requirements.
- (1) A THOW may function as a single-family dwelling as the primary unit, in place of an accessory dwelling unit (ADU), or in place of a junior accessory dwelling unit (JADU), such that the total number of dwelling units on a parcel does not exceed the total number of dwelling units allowed on that parcel per provisions of state and local regulations.
  - (2) THOWs that function as the primary unit shall be subject to all provisions of this code that apply to single family dwellings.
  - (3) THOWs that function as an ADU or JADU in conjunction with an existing primary unit shall be subject to all provisions of SCCC 13.10.681 as they apply to new construction ADUs and JADUs in addition to the requirements in this section.
  - (4) For purposes of compliance with SCCC 13.10.681, the first THOW permitted as an ADU on a parcel shall be designated a new construction ADU and the second THOW permitted as an ADU on the same parcel shall be designated a JADU. For purposes of this section, a THOW may be considered a JADU even if it is detached from the primary unit.
  - (5) THOWs that do not meet the standard for exemption or exclusion under SCCC 13.20.050 or 13.20.051 require issuance of a coastal development permit (CDP) with noticing and appeal requirements per SCCC 13.20.107 and 13.20.108, and subject to findings per SCCC 13.20.110. CDPs for THOWs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314(A) and (B).
- (D) Site Requirements.
- (1) THOW Location on a Parcel.

- (a) The THOW as an ADU or JADU shall be detached from the primary dwelling unit.
- (b) A THOW may be located in an existing driveway only if the THOW meets required setbacks, and the parking pad meets the requirements of subsection (c) and is not located in a required parking space and does not block access to required parking for other dwelling unit(s).
- (c) Parking Pad.
  - (i) Bumper guards, curbs, or other installations shall be adequate to prevent movement of the THOW.
  - (ii) The wheels shall not be removed, and the parking pad shall be a level surface paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water

(2) Access.

- (a) The THOW parking pad shall be accessible by a path of travel such that the THOW is towable onto and off the property

(3) Size.

- (a) The maximum size is as required to allow for towing on public roadways, but not to exceed 400 square feet.

(3) Development Standards.

- (a) Meet all development standards in 13.10.681 and the maximum height of a THOW shall be as established by the California Department of Motor Vehicles for towing on public roads, but not to exceed 14 feet.

(E) Utilities.

- (1) Electricity. The THOW shall be connected to a source of electricity in compliance with the latest edition of the California Electrical Code and local ordinance. If not connected to the local electric utility power source, an off-grid system may be used that is designed to provide sufficient power based on the expected loads. All off-grid systems shall include solar panels, battery storage and provisions for connection to a generator and meet all requirements of the California Electrical Code and local ordinance.

- (2) Water and Sewer. The THOW shall be connected to the approved water source and sewage disposal facility in compliance with the latest edition of the California Plumbing Code and local ordinance.

(F) Design.

- (1) Incorporate design features and materials typically used for houses, such as siding or roofing materials, pitched roofs, eaves, and residential windows.

- (2) Windows shall be at least double pane glass and shall include exterior trim or other design features to mimic windows on a building.
  - (3) The roof and exterior walls shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating extensions that expand the interior space of the THOW.
  - (3) Mechanical equipment that is not incorporated within the structure shall be screened from public view and shall not be located on the roof. Electrical, and plumbing hook ups shall similarly be screened from public view.
  - (4) Skirting. When parked on its parking pad, the THOW shall include skirting to conceal the wheels and undercarriage.
  - (5) THOWs located in Wildland Urban Interface shall be designed with materials and construction methods for exterior wildfire exposure in compliance with Section R337 of the California Residential Code and local ordinance.
- (G) Occupancy. A THOW that functions as an ADU or JADU may be excepted from the sale restrictions of SCCC 13.10.681(G)(2) in that the THOW may be conveyed separately from the primary residence.
- (H) THOW Permit.
- (1) Prior to moving a THOW onto any property, a ministerial THOW building permit shall be obtained authorizing parking and occupancy of each THOW on the property pursuant to SCCC 12.01.
  - (2) The THOW permit shall expire when the THOW is conveyed to a new owner or upon permanent removal of the THOW from the property where it is permitted, whichever occurs first.
  - (3) On the property where it is permitted, the THOW permit shall be subject to renewal every three years or when the THOW is conveyed to a new owner, whichever occurs first. The permit renewal process shall include a site inspection by County staff.
  - (4) Inside the Coastal Zone, a THOW that functions as a primary unit shall be required to obtain a coastal development permit pursuant to the provisions of SCCC 13.20.
- (I) Application Processing. The following additional information shall be submitted with the required information for a building permit application for a THOW:
- (1) Certificate indicating that the THOW has been constructed to ANSI 119.5, NFPA 1192, or other acceptable recreational vehicle standard, OR submittal of plans for review by County staff for compliance with the California Residential Code, Appendix Q.
  - (2) Valid DMV registration for towing to parking location.

## **SECTION II**

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.681(B)(1) and (2) to read as follows:

(1) “Accessory Dwelling Unit” (ADU) shall be defined per SCCC 13.10.700-A: In compliance with California Government Code Section 65852.2, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation. A tiny home on wheels may be used as an ADU.

(2) “Junior Accessory Dwelling Unit” (JADU) shall be defined per SCCC 13.10.700-J: In compliance with California Government Code Section 65852.22, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (area meeting the definition of Efficiency Kitchen but not a standard Kitchen), and shared or separate sanitation facilities with the main dwelling unit. A tiny home on wheels may be used as a JADU.

### SECTION III

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.700-A to read as follows:

“Accessory Dwelling Unit” (ADU) means, in compliance with California Government Code Section 65852.2, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of Kitchen), and sanitation. A tiny home on wheels may be used as an ADU. See also Junior Accessory Dwelling Unit, Conversion ADU and New Construction ADU.

### SECTION IV

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.700-D to read as follows:

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the following restrictions: one Kitchen is allowed in each dwelling unit; interior connection shall be maintained throughout the home; and an interior stairway shall be provided between all stories. Dwelling units may include up to one additional Efficiency Kitchen in addition to one Kitchen. If a dwelling unit includes a Junior Accessory Dwelling Unit (JADU), then an additional Efficiency Kitchen outside the JADU is not allowed. A tiny home on wheels, as defined in SCCC 13.10.700-T, may be used as a dwelling unit.

### SECTION V

The Santa Cruz County Code is hereby amended by changing SCCC 13.10.700-J to read as follows:

“Junior Accessory Dwelling Unit” (JADU) means, in compliance with California Government Code Section 65852.22, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (area meeting the definition of Efficiency Kitchen but not

a standard Kitchen), and shared or separate sanitation facilities with the main dwelling unit. A tiny home on wheels may be used as a JADU. See also Accessory Dwelling Unit.

## **SECTION VI**

The Santa Cruz County Code is hereby amended by adding a definition of tiny home on wheels to SCCC 13.10.700-T to read as follows:

“Tiny Home on Wheels” (THOW) means, an independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with permit issued pursuant to Vehicle Code Section 35780.

DRAFT

## Ordinance Option 2 THOWs as just an ADU and/or JADU

### 13.10.680 Tiny Homes on Wheels

(A) Purpose. The purpose of this section is to provide for and regulate Tiny Homes on Wheels in order to provide needed housing for County residents and to further the housing goals of the Housing Element of the County General Plan.

(B) Definitions. For the purposes of this section, terms shall be defined as follows:

(1) “Tiny Home on Wheels (THOW)” shall be defined per SCCC 13.10.700-T: An independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with permit issued pursuant to Vehicle Code Section 35780.

(C) General Requirements.

(1) A THOW may function as a single-family dwelling ~~as the primary unit~~, in place of an accessory dwelling unit (ADU), or in place of a junior accessory dwelling unit (JADU), such that the total number of dwelling units on a parcel does not exceed the total number of dwelling units allowed on that parcel per provisions of state and local regulations.

~~(2) THOWs that function as the primary unit shall be subject to all provisions of this code that apply to single family dwellings.~~

~~(32)~~ THOWs ~~that function as an ADU or JADU in conjunction with an existing primary unit~~ shall be subject to all provisions of SCCC 13.10.681 as they apply to new construction ADUs and JADUs in addition to the requirements in this section.

~~(43)~~ For purposes of compliance with SCCC 13.10.681, the first THOW permitted ~~as an ADU~~ on a parcel shall be designated a new construction ADU and the second THOW permitted ~~as an ADU~~ on the same parcel shall be designated a JADU. For purposes of this section, a THOW may be considered a JADU even if it is detached from the primary unit.

~~(54)~~ THOWs that do not meet the standard for exemption or exclusion under SCCC 13.20.050 or 13.20.051 require issuance of a coastal development permit (CDP) with noticing and appeal requirements per SCCC 13.20.107 and 13.20.108, and subject to findings per SCCC 13.20.110. CDPs for THOWs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314(A) and (B).

(D) Site Requirements.

(1) THOW Location on a Parcel.

(a) The THOW ~~as an ADU or JADU~~ shall be detached from the primary dwelling unit.

(b) A THOW may be located in an existing driveway only if the THOW meets required setbacks, and the parking pad meets the requirements of subsection (c) and is not located in a required parking space and does not block access to required parking for other dwelling unit(s).

(c) Parking Pad.

(i) Bumper guards, curbs, or other installations shall be adequate to prevent movement of the THOW.

(ii) The wheels shall not be removed and the parking pad shall be a level surface paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water

(2) Access.

(a) The THOW parking pad shall be accessible by a path of travel such that the THOW is towable onto and off the property

(3) Size.

(a) The maximum size is as required to allow for towing on public roadways, but not to exceed 400 square feet.

(3) Development Standards.

(a) Meet all development standards in 13.10.681 and the maximum height of a THOW shall be as established by the California Department of Motor Vehicles for towing on public roads, but not to exceed 14 feet.

(E) Utilities.

(1) Electricity. The THOW shall be connected to a source of electricity in compliance with the latest edition of the California Electrical Code and local ordinance. If not connected to the local electric utility power source, an off-grid system may be used that is designed to provide sufficient power based on the expected loads. All off-grid systems shall include solar panels, battery storage and provisions for connection to a generator and meet all requirements of the California Electrical Code and local ordinance.

(2) Water and Sewer. The THOW shall be connected to the approved water source and sewage disposal facility in compliance with the latest edition of the California Plumbing Code and local ordinance.

(F) Design.

(1) Incorporate design features and materials typically used for houses, such as siding or roofing materials, pitched roofs, eaves, and residential windows.

(2) Windows shall be at least double pane glass and shall include exterior trim or other design features to mimic windows on a building.

(3) The roof and exterior walls shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating extensions that expand the interior space of the THOW.

(3) Mechanical equipment that is not incorporated within the structure shall be screened from public view and shall not be located on the roof. Electrical, and plumbing hook ups shall similarly be screened from public view.

(4) Skirting. When parked on its parking pad, the THOW shall include skirting to conceal the wheels and undercarriage.

(5) THOWs located in Wildland Urban Interface shall be designed with materials and construction methods for exterior wildfire exposure in compliance with Section R337 of the California Residential Code and local ordinance.

(G) Occupancy. A THOW ~~that functions as an ADU or JADU~~ may be excepted from the sale restrictions of SCCC 13.10.681(G)(2) in that the THOW may be conveyed separately from the primary residence.

(H) THOW Permit.

(1) Prior to moving a THOW onto any property, a ministerial THOW building permit shall be obtained authorizing parking and occupancy of each THOW on the property pursuant to SCCC 12.01.

(2) The THOW permit shall expire when the THOW is conveyed to a new owner or upon permanent removal of the THOW from the property where it is permitted, whichever occurs first.

(3) On the property where it is permitted the THOW permit shall be subject to renewal every three years or when the THOW is conveyed to a new owner, whichever occurs first. The permit renewal process shall include a site inspection by County staff.

~~(4) — Inside the Coastal Zone, a THOW that functions as a primary unit shall be required to obtain a coastal development permit pursuant to the provisions of SCCC 13.20.~~

(I) Application Processing. The following additional information shall be submitted with the required information for a building permit application for a THOW:

(1) Certificate indicating that the THOW has been constructed to ANSI 119.5, NFPA 1192, or other acceptable recreational vehicle standard, OR submittal of plans for review by County staff for compliance with the California Residential Code, Appendix Q.

(2) Valid DMV registration for towing to parking location.

## Ordinance Option 3 THOW as just a new construction ADU

### 13.10.680 Tiny Homes on Wheels

(A) Purpose. The purpose of this section is to provide for and regulate Tiny Homes on Wheels in order to provide needed housing for County residents and to further the housing goals of the Housing Element of the County General Plan.

(B) “Tiny Home on Wheels (THOW)” shall be defined per SCCC 13.10.700-T: An independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with permit issued pursuant to Vehicle Code Section 35780.

(C) General Requirements.

(1) A THOW may function as a single family dwelling ~~as the primary unit~~, in place of an accessory dwelling unit (ADU), ~~or in place of a junior accessory dwelling unit (JADU)~~, such that the total number of dwelling units on a parcel does not exceed the total number of dwelling units allowed on that parcel per provisions of state and local regulations.

~~(2) THOWs that function as the primary unit shall be subject to all provisions of this code that apply to single family dwellings.~~

~~(3) THOWs that function as an ADU or JADU in conjunction with an existing primary unit shall be subject to all provisions of SCCC 13.10.681 as they apply to new construction ADUs and JADUs in addition to the requirements in this section.~~

~~(4) For purposes of compliance with SCCC 13.10.681, the first THOW permitted as an ADU on a parcel shall be designated a new construction ADU and the second THOW permitted as an ADU on the same parcel shall be designated a JADU. For purposes of this section, A THOW may be considered a JADU even if it is detached from the primary unit.~~

~~(5) THOWs that do not meet the standard for exemption or exclusion under SCCC 13.20.050 or 13.20.051 require issuance of a coastal development permit (CDP) with noticing and appeal requirements per SCCC 13.20.107 and 13.20.108, and subject to findings per SCCC 13.20.110. CDPs for THOWs located in the Commercial Agricultural (CA) zone district shall be subject to additional findings per SCCC 13.10.314(A) and (B).~~

(D) Site Requirements.

(1) THOW Location on a Parcel.

(a) The THOW ~~as an ADU or JADU~~ shall be detached from the primary dwelling unit.

(b) A THOW may be located in an existing driveway only if the THOW meets required setbacks, and the parking pad meets the requirements of subsection (c)

and is not located in a required parking space and does not block access to required parking for other dwelling unit(s).

(c) Parking Pad.

(i) Bumper guards, curbs, or other installations shall be adequate to prevent movement of the THOW.

(ii) The wheels shall not be removed and the parking pad shall be a level surface paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water

(2) Access.

(a) The THOW parking pad shall be accessible by a path of travel such that the THOW is towable onto and off the property

(3) Size.

(a) The maximum size is as required to allow for towing on public roadways, but not to exceed 400 square feet.

(3) Development Standards.

(a) Meet all development standards in 13.10.681 and the maximum height of a THOW shall be as established by the California Department of Motor Vehicles for towing on public roads, but not to exceed 14 feet.

(E) Utilities.

(1) Electricity. The THOW shall be connected to a source of electricity in compliance with the latest edition of the California Electrical Code and local ordinance. If not connected to the local electric utility power source, an off-grid system may be used that is designed to provide sufficient power based on the expected loads. All off-grid systems shall include solar panels, battery storage and provisions for connection to a generator and meet all requirements of the California Electrical Code and local ordinance.

(2) Water and Sewer. The THOW shall be connected to the approved water source and sewage disposal facility in compliance with the latest edition of the California Plumbing Code and local ordinance.

(F) Design.

(1) Incorporate design features and materials typically used for houses, such as siding or roofing materials, pitched roofs, eaves, and residential windows.

(2) Windows shall be at least double pane glass and shall include exterior trim or other design features to mimic windows on a building.

(3) The roof and exterior walls shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating extensions that expand the interior space of the THOW.

(3) Mechanical equipment that is not incorporated within the structure shall be screened from public view and shall not be located on the roof. Electrical, and plumbing hook ups shall similarly be screened from public view.

(4) Skirting. When parked on its parking pad, the THOW shall include skirting to conceal the wheels and undercarriage.

(5) THOWs located in Wildland Urban Interface shall be designed with materials and construction methods for exterior wildfire exposure in compliance with Section R337 of the California Residential Code and local ordinance.

(G) Occupancy. A THOW ~~that functions as an ADU or JADU~~ may be excepted from the sales restrictions of SCCC 13.10.681(G)(2) in that the THOW may be conveyed separately from the primary residence.

(H) THOW Permit.

(1) Prior to moving a THOW onto any property, a ministerial THOW building permit shall be obtained authorizing parking and occupancy of each THOW on the property pursuant to SCCC 12.01.

(2) The THOW permit shall expire when the THOW is conveyed to a new owner or upon permanent removal of the THOW from the property where it is permitted, whichever occurs first.

(3) On the property where it is permitted, the THOW permit shall be subject to renewal every three years or when the THOW is conveyed to a new owner, whichever occurs first. The permit renewal process shall include a site inspection by County staff.

~~(4) — Inside the Coastal Zone, a THOW that functions as a primary unit shall be required to obtain a coastal development permit pursuant to the provisions of SCCC 13.20.~~

(H) Application Processing. The following additional information shall be submitted with the required information for a building permit application for a THOW:

(1) Certificate indicating that the THOW has been constructed to ANSI 119.5, NFPA 1192, or other acceptable recreational vehicle standard, OR submittal of plans for review by County staff for compliance with the California Residential Code, Appendix Q.

(2) Valid DMV registration for towing to parking location.

Public comments since 2/9/2022 Planning Commission study session

**From:** Mike Hochleitner <mikehochleitner@gmail.com>  
**Sent:** Wednesday, February 16, 2022 4:44 PM  
**To:** David Carlson  
**Subject:** Fwd: Tiny Homes Ordinance Development: Next Steps

\*\*\*\***CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Hi David,

I would like to submit the following comment regarding the tiny homes ordinance.

According to county officials, tiny homes could provide an increase in affordable housing options within the county, which is critically needed. However, I worry that the requirements for tiny homes will be onerous enough that it will have little or no effect, because the county has a well-deserved reputation for placing onerous requirements on property owners for improvements, and this is one of the principal reasons we have one of the most unaffordable housing markets in the country.

I urge the county to show it is actually serious about creating affordable housing this time, by making it as easy as possible to add a tiny home, keeping regulations and restrictions to a minimum. In particular, I want to encourage the county to allow mobile living trailer units to qualify as tiny homes, or otherwise be allowed for occupancy on the same basis as a tiny home, as this would be the easiest (and likely cheapest) way for a homeowner to add a unit that can provide affordable accommodations.

I worry that efforts to overthink the tiny homes ordinance will make it ineffective when it comes to creating more affordable housing, as most previous efforts in the county have been. At least initially, granting wide latitude to homeowners to easily establish a tiny home (or tiny home on wheels) could jump start enough growth in cheap housing options to actually affect the market.

Thank you.

Mike Hochleitner  
County Resident

----- Forwarded message -----

**From:** Santa Cruz County Planning Department <[david.carlson@santacruzcounty.us](mailto:david.carlson@santacruzcounty.us)>  
**Date:** Wed, Feb 16, 2022 at 11:07 AM  
**Subject:** Tiny Homes Ordinance Development: Next Steps  
**To:** Mike Hochleitner <[mikehochleitner@gmail.com](mailto:mikehochleitner@gmail.com)>

**From:** Mike Pisano <mpisanoful@gmail.com>  
**Sent:** Wednesday, February 9, 2022 2:21 PM  
**To:** Daisy Allen  
**Subject:** Tiny Homes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Daisy,

Thank you for the Tiny Home discussion today.

### **Property Tax**

Property Tax is on real property, and not on personal property;  
For a Park RV unit there would be DMV fee's, and for mobile homes prior to 1980 there would be Department of Housing fee's.

I do not understand the need for Property Tax on a Tiny Home on Wheels (THOW) as property tax is not based on the number of people in the home.

I mean; how many kids still live at home past 18 years old, or other family members – we do not property tax the kids.

What is wrong with only charging Property Tax on the land, but no Property Tax on a Park RV unit or THOW (which is personal property).

Why not allow a THOW or Park RV unit for a family member on a property without adding property tax – it does not increase the value of the land.

Why not allow a THOW or Park RV unit to rent out to have more rental units in our county without adding property tax to the THOW.

### **Re-Permitting**

Please do not have a 3 year or 5 year re-permitting fee' on a THOW or Park RV unit. We don't do this on Mobile Homes.

Please do not try to permit price this out of reach for people already devastated by the CZU fire.

### **Utility Hook-Up**

Allow safe hooks up to existing properties utilities with proper screening & safety – similar to all RV parks in Santa Cruz County.

No extra Utility hook-up fee's, but proper hook-ups – similar to a RV park.

### **Drive Ways;**

We have many large properties in Santa Cruz County & in Live Oak.

I see lots of long driveways in Urban areas that could accommodate a THOW and still have parking.

Please allow Park RV's or THOW on drive ways in all areas of Santa Cruz County which were there is adequate room to do so.

Even some cul-de-sac's have a long driveway on a side yard with adequate setback with two parking spots in the front driveway with a two car garage – which does not impede parking. Please do not limit the ability to add affordable housing in the County.

**Park RV unit examples;**

Park RV units should be allowed in this THOW regulation.

Please show Park RV units in your power point presentations.

Park RV examples link;

<https://ld.parkmodelsdirect.com/>

Thank You

Michael Pisano - Soquel

**From:** T.N. Mc <toraun@gmail.com>  
**Sent:** Friday, February 11, 2022 10:21 AM  
**To:** Daisy Allen  
**Subject:** THOW'S Feedback

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hello Daisy,

Thank you for presenting the staff report on THOW's.

I loved staff report suggestions. Those recommendations show that you really listened to the input from survey respondents and the public. Thank you for hearing us.

I'm particularly supportive of allowing THOW's to be a primary dwelling/PD, or an ADU, or a JADU. Flexibility allows for changing needs to be met.

In the February 9, 2022 meeting, there wasn't detailed discussion about the obstacles faced by other Counties crafting PD ordinances for THOW's.

Per your Report: *"If the Commission is interested in allowing THOW as primary dwellings, staff intends to conduct additional research and coordination with the Department of Housing and Community Development (HCD) to understand the limits of state law and how the law is evolving currently. Staff learned from both Humboldt County and City of San Luis Obispo staff that in preparation of ordinances for those jurisdictions, the use of a THOW as a primary dwelling outside an RV park was constrained by state housing law, building code, RV and vehicle law, and property tax status."*

I'm curious about why this is a problem for a couple reasons:

- i) Current County code provides for virtually unlimited renewal of permission for an ag caretaker to live in an RV.
- ii) Current County code allows *only* for RV's for worker housing in ag work camps---as opposed to tents, yurts, etc.

How did the County get around state housing law, building code, RV and vehicle law, and property tax issues in order to allow living in RV's in certain (mostly ag) circumstances? Or to allow RV living in RV Parks? Or to allow people to live in mobile homes in MH Parks?

The other legit RV dwelling is while one is constructing or remodeling one's house, but this is temporary housing. Realistically, regardless of classification, Ag caretakers and work camps end up being permanent housing.

But the State allows people to live in RV parks permanently; mobile home parks as well. Mobile homes and RV's are not built to residential building code, are horribly inefficient re heating and cooling, & have almost no insulation or other green traits. They were designed to be lightweight and portable v. permanent housing. They carry widely recognized stigma ("trailer trash") that implies that low level humans occupy such undesirable places.

One could argue that limiting THOW's to designated parks contributes to the marginalization of alternative abodes, depending on the site.

And yet, being on a beautiful parcel of rural land in a fancy new Airstream is a much in-demand "experience" on Air B N B and VRBO. Coastanoa charges \$110/night for an RV site, and they do a brisk business seasonally with the well-off folk that don't need alternative housing provided by a permanent THOW. Permitting primary dwelling THOW's would be a serious game-changer.

As you know, THOW's are built with residential housing grade materials, i.e., energy efficient (ee) glazing, ee insulation, ee heating and cooling systems, less toxic materials (less off gassing) low water use systems, and separate black and grey water systems, making it a) simple to irrigate a garden with grey water and b) decreasing the "load" on an existing rural septic system.

In other words, far superior/greener/cleaner when compared to an RV or a mobile home. Plus, they can be utterly adorable. THOW's are a more Santa Cruz-esque answer to tight housing, rather than building up up up, as has occurred in formerly charming surf towns like Santa Monica and Venice.

If allowed to be entirely off grid, THOW's could be placed on "unbuildable" parcels, assuming there is appropriate emergency responder access, etc.

Think about that possibility. There are hundreds/thousands of relatively inexpensive parcels in the County that are cheap because they're not buildable for a variety of reasons, like septic constraints. Hundreds, if not thousands, of THOW's could provide housing in sites where it previously wasn't possible.

Also note that THOW's are typically designed to be off grid.

This means 12v backup systems, like an RV or a boat. When PG&E turns off the power, as is the new normal for California, a THOW dweller doesn't need to worry about their food going bad if they have a two-way (110v and 12v assisted propane) refrigerator. The lights, water pump, heater, & water heater, all work on 12v or 110v.

re State Housing Law, the State of California is, now more than ever, in the mood to work with municipalities to help house people.

Perhaps THOW dwellers can get exemptions from the various entities if they agree to indemnify the state and municipality in exchange for exemption from state housing law, building code, RV and vehicle law.

The THOW dweller could be required to carry liability insurance (Liability only for an RV is about \$80/year for \$500k of Liability coverage), just as autos are required to carry liability insurance.

re: Vehicle law/revenue. The THOW would be registered at purchase. Once at its site, the THOW can legitimately be Non-Op'ed until it needs to be on a public road again. The owner of the THOW will pay sales tax at purchase, and annual registration/non-op fee to the State Of California, all new sources of revenue.

re property taxes. The owner of the parcel is already paying property taxes, and THOW's can be treated like boats for assessment purposes.

The County assesses privately owned boats (a different kind of TH, without wheels) each year for property tax purposes. Because the registration fee paid to the DMV annually does not contain a portion based on the boat's

value, the boat is assessed on the Unsecured Roll annually. This system can be applied to THOW's to satisfy the property tax issue.

re safety and sanitation inspections. SCMU has an annual Backflow Testing requirement. It's a one page report, completed after testing by the SCMU approved professional, then submitted on behalf of the homeowner to SCMU.

Similarly, if one wants to determine the health of one's septic system, one hires a County approved professional to pump it out, and to stress test it to ensure proper functioning. It either passes or fails. It too, is a one page report.

So instead of having more County staff out in the field, THOW's could be inspected annually by County approved Licensed Home Inspectors and/or approved Licensed Contractors trained in THOW safety.

The THOW owner would be required to submit the annual (or even better, every 3-5 years) safety check to the County, just like my two examples (backflow and septic) above.

I cannot easily convey the anguish rural homeowners are facing because the State/County has been pushing for upgrading existing (even fully functional) septic systems to "enhanced" septic systems. They're absurdly expensive (\$60k and up).

Allowing composting toilets in THOW's, and allowing "pump outs", along with responsible irrigation of THOW grey water, would allow more rural property owners to accommodate a THOW. With grey water diversion to irrigation, it would take years for a two person THOW to fill a 1500 gallon septic tank, so it's no like the pump outs would happen all the time.

Also note that being able to move a THOW isn't limited to escaping a disaster. People move, lives change, jobs transfer, etc. It's far easier to pack up and move for, say, a better career, if one isn't glued to one's land. And packing? A dreamy non-issue.

I hope that our community could develop a volunteer THOW evacuation department, or the County/Cal Fire could develop a THOW evacuation department. Or perhaps a combination of all of the above.

There is a volunteer group that, bless them, races around evacuating horses/large animals when there is a fire or other impending catastrophe.

I would hope that a similar organization, public, volunteer, or some combination of all, could be assembled to assist in times of necessity. (I have a F350 diesel truck, and I would gladly commit to helping move THOW's to safe ground in an emergency.)

Thank you again, Daisy, for all of your hard work and patience to try to make THOW's viable in our County.

Kind Regards,  
Toraun McKinney  
530.412.0375

**From:** [Board Of Supervisors](#)  
**To:** [Jesseka Rodriguez](#)  
**Subject:** FW: Tiny Home and ADU legislation  
**Date:** Tuesday, March 15, 2022 1:55:46 PM

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**From:** James Cervelli [REDACTED]  
**Sent:** Tuesday, March 15, 2022 1:03 PM  
**To:** Board Of Supervisors <BoardOfSupervisors@santacruzcounty.us>  
**Subject:** Tiny Home and ADU legislation

**\*\*\*CAUTION:** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*

Hello,

I am a 20 plus year resident and homeowner of Santa Cruz County. I am writing to you to please support legislation for more affordable housing by making Tiny Homes and ADU's less restrictive and less expensive to build especially in the rural areas. This would create the quickest solution to affordable housing in Santa Cruz.

Thank you,  
James Cervelli

**From:** [Board Of Supervisors](#)  
**To:** [Jesseka Rodriguez](#)  
**Subject:** Fwd: Tiny homes  
**Date:** Tuesday, March 15, 2022 6:15:12 PM

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**From:** Philips Patton [REDACTED]  
**Sent:** Tuesday, March 15, 2022 2:18:26 PM  
**To:** Board Of Supervisors <BoardOfSupervisors@santacruzcounty.us>  
**Subject:** Tiny homes

\*\*\*\*CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Please consider that tiny homes are not trailers, not buses, and will not drop property values. With very simple legislation you can legalize and encourage a whole new way of solving the housing crisis. Thank you!

**From:** Greg Hoffmann <colehoff924@gmail.com>  
**Sent:** Monday, March 21, 2022 8:00 AM  
**To:** Daisy Allen  
**Subject:** Question about Tiny Homes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Daisy,

I was just reviewing the Planning Dept's tiny home website and want to throw my support behind the movement.

My question is whether yurts would be thought of in a similar way and allowed to be used as someone's main residence on their land?

Here's an example of one I've been looking at.

I appreciate any thoughts you have on yurts as well as what resources you'd advise for someone to get more educated on the subject of off-grid living in Santa Cruz County.

Thanks!



-Greg Hoffmann

**From:** Michael Lam  
**Sent:** Tuesday, July 12, 2022 11:38 AM  
**To:** Stephanie Hansen  
**Cc:** David Carlson  
**Subject:** RE: Important issue related to Santa Cruz County's upcoming Tiny Home on Wheels Ordinance

Will do – thanks!

-Mike

---

**From:** Stephanie Hansen <[Stephanie.Hansen@santacruzcounty.us](mailto:Stephanie.Hansen@santacruzcounty.us)>  
**Sent:** Tuesday, July 12, 2022 10:52 AM  
**To:** Michael Lam <[Michael.Lam@santacruzcounty.us](mailto:Michael.Lam@santacruzcounty.us)>  
**Cc:** David Carlson <[David.Carlson@santacruzcounty.us](mailto:David.Carlson@santacruzcounty.us)>  
**Subject:** RE: Important issue related to Santa Cruz County's upcoming Tiny Home on Wheels Ordinance

Hi Mike,

David can include this in the PC packet with the item. Perhaps you can let Mr. Schillings know. CCing David here.

---

**From:** Michael Lam <[Michael.Lam@santacruzcounty.us](mailto:Michael.Lam@santacruzcounty.us)>  
**Sent:** Monday, July 11, 2022 10:55 AM  
**To:** Stephanie Hansen <[Stephanie.Hansen@santacruzcounty.us](mailto:Stephanie.Hansen@santacruzcounty.us)>  
**Subject:** FW: Important issue related to Santa Cruz County's upcoming Tiny Home on Wheels Ordinance

Hi Stephanie,

I received this email regarding the Tiny Homes on Wheels ordinance – the sender requested that I forward this to the PC but it seems like it's not totally relevant at this point in time. Would you like me to forward it to them or how would you like me to proceed?

-Mike

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**From:** Chuck Schillings <[chuck\\_schillings@hotmail.com](mailto:chuck_schillings@hotmail.com)>  
**Sent:** Sunday, July 10, 2022 4:54 PM  
**To:** Michael Lam <[Michael.Lam@santacruzcounty.us](mailto:Michael.Lam@santacruzcounty.us)>  
**Subject:** Important issue related to Santa Cruz County's upcoming Tiny Home on Wheels Ordinance

\*\*\*\***CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Dear Mr. Lam,

Please forward this email to the Santa Cruz County Planning Commissioners.

Dear Santa Cruz Planning Commissioners Dann, Gordin, Lazenby, Shaffer, and Shepherd,

This email is written to alert you to an important issue related to the County's upcoming Tiny Home on Wheels ("THOW") Ordinance. This issue will have a significant impact on the number of THOWs that are applied for, approved, and added to Santa Cruz County.

This issue is: *"The minimum distance a THOW may be located from another structure."*

In Senior Planner Daisy Allen's January 28, 2022 memo to the Planning Commission ([008.pdf \(santa-cruz.ca.us\)](#)), a table comparing California counties' THOW ordinances is included. Pages 17-18, "Design: location on a parcel", shows the minimum distance between a THOW and another structure adopted by counties varies between 6 to 10 feet. San Jose's minimum is 6 feet (page 18; "The THOW shall be located a minimum of six (6) feet away from the One- Family Dwelling.").

Typically, beach communities have small lots sizes. **Adopting a 6 foot or less minimum is critical to enabling homeowners in Santa Cruz beach communities to add THOWs to their properties.** Conversely, requiring a 10 foot minimum will prevent many, if not most, of those homeowners from applying for or having their THOW permit applications approved.

One idea may be to adopt a 6 foot or less minimum in Santa Cruz beach areas or more urban Districts with smaller lots, while more rural areas or Districts with larger lot sizes would be required to have a 10 foot minimum.

Please give careful consideration to this important issue when evaluating and advising on the County's new upcoming THOW ordinance. It will have a significant impact on whether many homeowners will be able to add THOWs to their properties.

Thank you.

Sincerely,

Chuck Schillings  
650 35<sup>th</sup> Avenue  
Santa Cruz, CA 95062  
Tel. 805.801.3694  
Email: [chuck\\_schillings@hotmail.com](mailto:chuck_schillings@hotmail.com)

## David Carlson

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**From:** Chuck Schillings <chuck\_schillings@hotmail.com>  
**Sent:** Sunday, July 10, 2022 6:06 PM  
**To:** Daisy Allen  
**Subject:** Re: Proposal for County's New Tiny Home Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hello Daisy,

I hope you are doing well.

I have a couple of quick questions and comments regarding your letter to the Planning Commission date January 28, 2022 ([008.pdf \(santa-cruz.ca.us\)](#)).

The comparison table of other county ordinances, pages 17 & 18, "Design: location on a parcel", pages 17 & 18, shows other Counties have adopted minimum distances between a THOW and other structures ranging from 6 to 10 feet. San Jose's is 6 feet.

Minimum distance between a THOW and another structure is extremely important in beach communities where lot sizes are typically smaller and may have a significant impact on the number of THOWs added in Santa Cruz. **Adopting a 6 foot or smaller minimum is critical to enabling homeowners in beach areas to add THOWs to their properties.** A 10 foot minimum will prevent many homeowners from having their permits approved.

One idea may be to adopt a 6 foot or less minimum in Santa Cruz beach areas or more urban Districts with smaller lots, while more rural areas or Districts with larger lot sizes would be required to have a 10 foot minimum.

Question 1. -- What is the staff's recommended minimum distance between a THOW and another structure in the County and/or in its beach areas (like Pleasure Point)?

On page 5, staff is recommending "...maximum THOW size and height shall not be more than that allowed per DMV regulations.". My understanding is that THOWs are typically available in two widths -- 8' 6" for which a permit is not required by CA DMV to move on CA roads and 10' 0" (commonly referred to "Park Models") for which a permit is required.

Question 2. -- Does the staff's recommendation mean 10 foot wide THOWs will be allowed under the Ordinance?

Thank you very much, Daisy!

Regards,

Chuck Schillings  
650 35<sup>th</sup> Ave.  
Santa Cruz, CA 95062  
Tel. 805.801.3694  
Email: chuck\_schillings@hotmail.com

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**From:** Chuck Schillings <chuck\_schillings@hotmail.com>  
**Sent:** Wednesday, December 22, 2021 1:26 PM  
**To:** Daisy Allen <Daisy.Allen@santacruzcounty.us>  
**Subject:** Re: Proposal for County's New Tiny Home Ordinance

Thank you, Daisy! I certainly will. B. Regards, Chuck.

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**From:** Daisy Allen <Daisy.Allen@santacruzcounty.us>  
**Sent:** Wednesday, December 22, 2021 1:25:02 PM  
**To:** Chuck Schillings <chuck\_schillings@hotmail.com>  
**Subject:** RE: Proposal for County's New Tiny Home Ordinance

Hi Chuck,

Thank you for this public comment, this will be added to the public record.

As we discussed, if you would like to send a message to the Planning Commission (including District 1 Commissioner Tim Gordon) please email Michael Lam at [michael.lam@santacruzcounty.us](mailto:michael.lam@santacruzcounty.us).

Best,  
Daisy

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**From:** Chuck Schillings <chuck\_schillings@hotmail.com>  
**Sent:** Wednesday, December 22, 2021 1:13 PM  
**To:** Daisy Allen <Daisy.Allen@santacruzcounty.us>  
**Subject:** Proposal for County's New Tiny Home Ordinance

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Dear Ms. Allen,

I am proposing that a Tiny House be allowed on a parcel with both a primary dwelling unit and ADU on foundation within the Live Oak District, including Pleasure Point. In the event the County is considering NOT allowing this, I request Tiny Houses be allowed in the circumstance where the combined square footage of the Tiny House and ADU does not exceed the maximum square footage allowable for ADUs in the County's current Ordinance.

Specifically, that language or concept similar to the following be included in the County's new ordinance:

***A Tiny House SHALL be allowed on a parcel with a primary dwelling unit and ADU on foundation, provided that the combined square footage of the ADU on foundation and the Tiny House does not exceed the current 1,000 sq. ft. maximum allowable for ADUs by the County, AND the Tiny House itself does not exceed 400 sq. ft.***

Please feel free to contact me with any questions or request for clarification.

Thank you.

Sincerely,

Chuck Schillings  
650 35th Avenue  
Santa Cruz, CA 95062

**From:** markus <markus@dynamitefarm.com>  
**Sent:** Wednesday, July 13, 2022 2:48 PM  
**To:** David Carlson  
**Subject:** THOW presentation / thank you

\*\*\*\***CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.\*\*\*\*

Dear David;  
Thanks for your presentation today. Very helpful and insightful.

Did / do I understand correctly that the Option #1 envisions a single family residence with an ADU and a THOW? I believe it does, but want to make sure I understood that (I support that idea).

Secondly, What would the front and side yard setbacks be for the THOW? I know it's the same as the ADU, but I don't have that information at the ready so thought I'd simply ask.

Lastly, I might offer a comment opposing any THOW as a primary residence is a residential zoned area.

Thanks for your work and sharing your expertise today.

Best,

Markus

[Markus@dynamitefarm.com](mailto:Markus@dynamitefarm.com)  
[dynamitefarm.com](http://dynamitefarm.com)

c: 510.612.2559

