



© Liberation Tiny Homes

# TINY HOMES

01

Community Planning Tool #01  
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LANCASTER COUNTY  
**PLANNING  
COMMISSION**

# ***TABLE OF CONTENTS***

About This Series .....ii

Tiny Homes .....1

Tiny Home Regulatory Questions.....2

Regulatory Amendments That Would Allow Tiny Homes .....4

Suggested Tiny Home Zoning Ordinance Language .....6

Suggested Tiny Home Subdivision and Land Development Ordinance Language.....7

Miscellaneous Tiny Home Information .....7

## ***ABOUT THIS SERIES***

This report is one in a series of Community Planning Tools that have been created to assist municipal officials in a variety of planning topics, and to craft tools to implement the goals of local plans and the seven catalytic goals of the Lancaster County Comprehensive Plan, places 2040. It is the intent of this series to provide timely discussion and recommendations for specific planning issues relevant to many County municipalities.

The format of each of these reports begins with a general background of the topic, including past planning and regulatory approaches followed in both Lancaster County and elsewhere, as well as some new planning challenges that have arisen. This general discussion will be followed by a series of questions directed at municipal officials to gauge local opinions on specific topics.

The final part of the report is to use the decisions made by local officials to craft implementable planning and regulatory language. Sample ordinance provisions will be recommended for consideration by the municipality. The Lancaster County Planning Commission staff is also always available to assist municipal officials and to tailor the recommendations of the Community Planning Tool to local needs.

# TINY HOMES

Rising home ownership and rental costs, job insecurity and the acceptance of job hopping, growing student loans and personal debt, housing needs after a natural disaster, reduction in family size, and a lack of retirement savings all point to a need to allow a range in housing types within your community in the coming years. Allowing flexibility in housing types is critical as families have different housing needs as their life cycle and financial needs change. Young adults moving into their own home for the first time and retirees downsizing both typically have less income than a two-income family and need less space. The predominant housing type constructed in the future can no longer be a 4 bedroom, 2 bath single family home on an acre lot. Duplexes, townhouses, apartments, manufactured homes, accessory dwelling units (ADU), and yes, even Tiny Homes can help certain people meet their changing housing needs.

Lancaster County municipalities have typically allowed accessory dwelling units (ADUs). Landowners built them for many reasons but the most typical has been for housing elderly family members or more recently, for a second income. We have called them Dawdy House, Granny Flat, In-law Units, Echo Housing, Family Accessory Dwellings/ Apartments, Accessory Employee Dwellings, and Accessory Dwelling Units, to name only a few. Whatever term your municipality uses, they are simply a second smaller dwelling on the same grounds (or attached to) a principal dwelling unit. They have been located as apartments above a garage, as a basement apartment, a stand-alone modular house placed adjacent to a dwelling, or small house built on a foundation either attached or detached from the principal dwelling unit.

While most municipalities are comfortable with ADUs that are Tiny Homes, the Tiny Homes that are not ADUs are a

growing unknown. ADUs are not a Tiny Home when the dwelling unit is placed on its own lot as a principal dwelling and of a smaller square footage than 'normal.' Municipalities may also have concerns if the growing movement of Tiny Homes on Wheels will meet building codes and will not become a burden on municipal services.

Historically, municipalities that have allowed Accessory Dwelling Units learn that not all landowners wish to construct this housing type. Like mobile homes of old, not everyone wishes to live in such a dwelling unit. Providing for this land use will move towards implementation of the housing needs stated in places 2030 and municipal comprehensive plans. Allowing Tiny Homes will not create a proliferation of them in a community. It is just not a housing style most Americans could live in, with such close proximity to each other beside or stacked above their neighbor. When regulated correctly, you can lower the concerns on allowing them within your municipality. When regulated correctly, they provide an affordable housing alternative without public subsidies as infill development and/or a high density housing option making efficient use of infrastructure.

Tiny Homes are a unique housing choice that the Lancaster County Planning Commission encourages municipalities to acknowledge as a viable housing type. We encourage municipalities to analyze and amend their regulations to allow Tiny Homes in applicable zoning districts. Ignoring this growing housing type can lead to unregulated, and unaccounted for dwelling units that can become a safety hazard to residents and pose a possible unnecessary burden on municipal services. Tiny Homes already exist, or will be coming soon to your community. This guidance paper hopes to address issues and concerns relating to Tiny Homes.

# Tiny Home Regulatory Questions

## QUESTIONS TO ASK YOUR MUNICIPALITY WHEN DISCUSSING TINY HOMES

***What concerns do you have regarding allowing Tiny Homes?***

1. Is the construction of a Tiny Home a safety concern?
  - A. How it is constructed can be regulated by requiring the dwelling either meet HUD, NOAH, or UCC standards or code depending on the style of the Tiny Home.
2. Are you concerned about emergency response?
  - A. Tiny Homes should be required to have addresses like any other dwelling unit.
  - B. Tiny Homes, if meeting building standards, should be as safe to enter for emergency service providers as any other modular home or RV.
3. Concern over declining home values and/or difficulty re-selling a Tiny Home.
  - A. Declining home values should not be a basis for rejection by a municipality. Tiny homes should be treated like any other manufactured dwelling unit.
  - B. If a Tiny Home does not sell based on the type of construction, they can either be relocated or easily be removed from the lot. Resell value should not be a basis for rejection by a municipality.
4. Concern over the reduction of neighboring property values.
  - A. Tiny Homes should be allowed in areas that have similar dwelling sizes or complement the current neighborhood character.
  - B. Tiny Homes should meet the same setback standards as other principal or accessory dwelling units within the zoning district.
  - C. Have your existing accessory dwelling units caused neighboring property values to be reduced?

***Do you currently allow Accessory Dwelling Units such as Dawdy Houses, Granny Flats, In-law Units, Echo Housing, Family Accessory Dwellings/ Apartments, Accessory Employee Dwellings, and Accessory Dwelling Units, etc.?***

***If you answered yes, then you already allow a version of Tiny Homes in your regulations.***

Do your regulations of Accessory Dwelling require the following?

1. Are they regulated as temporary dwelling or permanent dwelling?
2. Are they required to be contained within, or connected to, a single-family dwelling unit or can they be separate from the principal building?
3. Are they restricted to elderly, handicapped, or disabled persons or related by blood, marriage, or adoption to the occupants of the principal dwelling/building?

4. Are they regulated as a Permitted Use, Special Exception, or Conditional Use?
5. Are they restricted to specific Zoning Districts?

Does your Zoning Ordinance regulate minimum habitable floor area of some types of dwelling units?

6. Should these regulations be updated to reflect current housing preferences and standards?

Have you adopted a separate Property Maintenance Code?

7. Is the code you adopted the most up to date version?
8. The International Property Maintenance Code has not been adopted as part of the Uniform Construction Code except for dangerous buildings.
9. 9. If adopted, be aware that 2018 International Residential Code (IRC) now includes Appendix Q, with specific regulations for Tiny Houses on foundations (NOT on wheels). Attention is specifically paid to stairs, ceiling heights, lofts, and emergency escape and rescue openings. Provisions contained in the appendix are not mandatory unless specifically referenced in the adopting ordinance..

Do you allow Campgrounds as a land use?

10. Which Zoning Districts are they allowed in?
11. Do you allow for long-term living or are they restricted to a maximum duration?

Do you allow Mobile Home/Manufactured Home Parks as a land use?

12. Which Zoning Districts are they allowed in?
13. Do you require all apparatuses used to tow or transport the mobile home to be removed?
14. Do you require all mobile homes to be anchored?
15. Do you allow long-term parking of RVs on properties?

***If you already allow a version of Tiny Homes,  
would you be willing to expand or modify your regulations?  
Are you comfortable allowing Tiny Homes built on foundations?  
Are you comfortable allowing Tiny Homes built on wheels?***

***Tiny Homes are not typically deeded structures unless built on a foundation on their own lot. Tiny Homes on Wheels constructed as a manufactured home or on a trailer are titled as vehicles.***

# **Regulatory Amendments That Would Allow Tiny Homes**

1. Add a definition of Tiny Home.
2. Reduce the square footage requirements within your Habitable Floor Area or Dwelling size for Tiny Homes to a minimum of 150 square feet and a maximum of 400 square feet.
3. Consider an amnesty period for landowners to get existing units registered as an accessory dwelling unit.
4. Allow Tiny Homes to be located as a principal use on a lot or an Accessory Dwelling Unit.

## Accessory Dwelling Units

1. Revise your definition of Accessory Dwelling Units to include the term Tiny Home.
2. Allow Accessory Dwelling Units as a permitted use.
3. Allow Accessory Dwelling Units as a permanent use.
4. Remove the restriction that an Accessory Dwelling Unit be occupied by elderly, handicapped, or disabled persons.
5. Remove the restriction that the Accessory Dwelling Unit be occupied by a person related by blood, marriage, or adoption to the occupants of the principal dwelling/building.

## Manufactured Homes

1. Remove the restrictions that all Manufactured Homes remove the apparatuses used to tow or transport be removed.
2. Remove the requirement for over-the-top or frame ties to ground anchors for Manufactured Homes when not located within a Hurricane Zone or Flood Plain.

## Recreational Vehicles

1. Remove the restriction that a Recreational Vehicle and/or Travel Trailer may not be designed for use as a permanent dwelling if over 150 square feet of habitable space.

***If you are not comfortable either allowing Tiny Homes on their own lot or as an Accessory Dwelling Unit, consider allowing Tiny Home Communities as a land use like existing Manufactured and/or Mobile Home Parks.***

#### Tiny Home Communities

1. Include a definition of Tiny Home Community in your definitions.
2. Include a definition of Tiny Home in your definitions.
  - A. Allowing either foundation and/or wheeled Tiny Homes.
3. Include Tiny Home Communities as a use within your highest density Residential zone and/or Mixed Use Zone.

#### Mobile Home Parks

1. Remove the requirement that within Mobile Home Parks, all apparatuses used to tow or transport the mobile home are to be removed.
2. Allow Mobile Home Parks in your highest density Residential Zone and/or Mixed Use Zone.

#### Campgrounds

1. Allow Campgrounds to be located in your highest density Residential Zone and/or Mixed Use Zone.
2. In Urban Growth Areas, allow permanent living in Campgrounds or don't reference either temporary or permanent living requirements.

# Suggested Tiny Home Zoning Ordinance Language

Tiny Home: A dwelling unit placed on a property for occupancy as either a principal or accessory dwelling unit with a habitable floor area between 150 square feet and 400 square feet constructed with a foundation or on wheels.

Tiny Home Park/Community: A parcel of land under single ownership, which has been planned and improved for the placement of two or more Tiny Homes for transient or permanent use.

1. The Tiny Home shall have a minimum of 150 square foot, and a maximum 400 square foot of habitable floor area.
2. The Tiny Home must be served by water and sewer. Connection to public water and/or sewer shall conform to the regulations of the Authority responsible for each utility. If public water and/or sewer is unavailable, the Tiny Home shall be physically connected to a sewage disposal and water supply system that does not exceed the total number of occupant's maximum capabilities for which the system was designed. Any connection to and/or expansion of an individual on-lot sewage disposal system shall be reviewed by the Municipal Sewage Enforcement Officer's and the applicant shall present evidence of such review and all necessary approvals.
3. The Tiny Home shall provide one (1) off-street parking space.
4. The maximum density of the underlying Zoning District may not be exceeded.
5. The setback requirements as a principal or accessory use of the underlying Zoning District shall be met.
6. A Tiny Home, placed as an Accessory Dwelling Unit shall not be counted as a dwelling unit or lot in the computation of the maximum number of dwellings which may be erected or lots which may be subdivided from a parcel in the Agricultural District.
7. Based on building type and occupancy of the Tiny Home, a certificate of occupancy permit is based on approval under the following building code requirements: UCC building codes, HUD building codes, NOAH, or RV building codes.

## A. Tiny Homes on Foundations

Regulated by the Uniform Construction Code (**UCC**) [[dli.pa.gov/ucc](http://dli.pa.gov/ucc)]. *'Stick-built' deeded single family dwellings requiring inspection of mechanical, electrical, plumbing rough-in inspections during field site phases of construction. The minimum habitable space under the current UCC Code is 150 square feet (sf) with minimum ceiling heights in habitable spaces.*

## B. Tiny Homes on Wheels

*Title vehicles as manufactured homes regulated by the Department of Community & Economic Development. Building permits are required for the installation on piers for stability and final mechanical, electrical, and plumbing connections. Accommodations must be made for sewage and water. Tiny Homes on Wheels should be regulated under one of the following:*

- i. Regulated as a manufactured home by **HUD** [[hud.gov](http://hud.gov)] *The U.S. Dept. of Housing and Urban Development provides certification for manufactured homes. In addition to an external certification label, a data plate is required to be affixed inside the home. The HUD Code, unlike conventional building codes, requires manufactured homes to be constructed on a permanent chassis.*





ii. Regulated by the **National Organization of Alternative Housing** [[noahcertified.org](http://noahcertified.org)]. NOAH is a national trade association for builders, manufacturers, and DIYers producing tiny houses suitable for permanent, full-time or part-time residential living. NOAH standards for certification incorporates safety, construction, and energy efficiency standards currently used by the Recreational Vehicle and Home Building Industries.



iii. Regulated as a temporary living space by the **Recreational Vehicle Industrial Association** [[rvia.org](http://rvia.org)]. RVIA is a national trade organization that exists to promote the RV industry as well as adopt and enforce safety standards for participating RV manufacturers. They define an RV in part as “a vehicle designed as temporary living quarters for recreational, camping, travel, or seasonal use...” Not included in their RV definition are manufactured housing for long term residences (manufactured and modular housing). RVIA does maintain an inspection and certification program but would only apply to Tiny Homes on Wheels as temporary, not permanent living quarters. Therefore, municipalities may not require certification by RVIA for Tiny Homes on Wheels used for permanent occupancy or any Tiny Homes on Foundations.



## Suggested Tiny Home Subdivision and Land Development Ordinance Language

Section 107 of the Pennsylvania Municipalities Planning Code (PMPC) defines a “land development” as:

- (1) The improvement of one lot or more contiguous lots, tracts, or parcels of land for any purpose involving:
  - (i) a group of two or more residential or non residential buildings, whether proposed initially or cumulatively.

Therefore, when a Tiny Home is a principal dwelling use on a lot, it is not considered a land development.

When a Tiny Home is a secondary dwelling on a lot, it will need to go through land development plan processing procedures.

If you allow accessory dwelling units to follow an expedited land development process, consider allowing Tiny Homes to follow the same procedure.

If you have a small projects procedure in your Stormwater Management regulations, consider allowing Tiny Homes to be submitted under the same procedure.

### Miscellaneous Tiny Home Information

- *Tiny Homes on Wheels over 8.5 feet in width, 13.5 feet in height, and over 26,000 lbs in weight require a permit to move them on state roads.*
- *Building homes on trailers is difficult beyond 450 total square feet. Homes proposed to be constructed larger than 450 square feet should not be constructed on a trailer nor considered “tiny.”*
- *In the United States, the realistic minimum dwelling size for living permanently in a Tiny Home is greater than 136 feet (16 foot long by 8.5 foot wide without a loft). The ability to access a sleeping loft is difficult at that size. To provide bathroom, kitchen, living, and sleeping space under that size may work as a travel/vacation option, but rarely succeeds for permanent living. In today’s culture, those wishing to build a Tiny Home under 136 square feet for permanent living are unrealistic*



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