



**Board of Commissioners Work Session  
June 20, 2016**

**Subject:** Tiny Houses

**Prepared By:** Bob Narracci

**Department:** Community Development

**Policy Issue:** How does Eagle County accommodate the Tiny Houses movement?

**Strategic Plan Goal/Objective:** Eagle County is a Great Place to Live for All - Encourage more affordable housing choices, including types and price levels.

**Background:** The Tiny House movement is becoming increasingly popular across the country due to the affordability and freedom of lifestyle they provide. Inquiries are now being received by Eagle County for both individual Tiny Homes and Tiny Home communities.

The purpose of this report is to delineate how the Eagle County Land Use Regulations and Building Resolution would apply to Tiny Houses.

**Analysis:**

- 1) Tiny Houses are treated like any other residence, regardless of size, in that they need to be on a legally subdivided parcel, constructed on a permanent foundation with an approved source of potable water and wastewater. Please be aware that many residential communities in Eagle County have private covenants and DRB restrictions which are more rigorous than the county's zoning standards. In other words, private covenants often specify minimum residential size, for instance.
- 2) If the Tiny Houses are on wheels, then they need to go into approved campgrounds, or RV Parks.
- 3) If they are on wheels and are to be located on a legal building site on a private property, then they will still need to meet all applicable building codes, fire codes, etc. and be properly anchored to the ground with an approved source of potable water and wastewater. The same is true if the tiny home were to be parked in an approved Mobile Home Park.
- 4) The Eagle County Land Use Regulations prevent the use of RV's on private properties for more than 5 days in a 30 day period. This would apply to Tiny Houses unless they are installed per number 1 or 3, above.



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- 5) The only Eagle County Land Use Regulation that is inconsistent with and not accommodating of Tiny Houses is the definition of ‘Family’, as follows:

***“FAMILY means one (1) or more persons who occupy a single dwelling unit and act as a single housekeeping unit, together with their customary household servants; or a group of not more than four (4) persons who occupy a single dwelling unit and who do not act as a single housekeeping unit. In no event shall a family occupying one dwelling unit exceed the size of one person for each 300 square feet of space in the living quarters of the dwelling unit.”***

The minimum square footage per person occupying the living quarters is antiquated and has never been enforced. The logistics of enforcing this provision make it virtually unenforceable .

- 6) Another concern with Tiny Houses on wheels is that they are typically constructed on a trailer platform in a manner that does not meet either building code or state/federal requirements for legally roadable RV's. Tiny Houses are not licensable as motor vehicles, RVs or campers, and should not be on public roads and highways. This is not a Planning matter, but staff is aware of this related substantive concern.
- 7) Assuming that a Tiny House on wheels can be legally conveyed to its final destination, then numbers 2 and 3 above are applicable.
- 8) From a building code perspective, the biggest hurdle for Tiny Houses is to make sure they meet the State Division of Housing standards, as all mobile homes/manufactured homes in the State of Colorado are required to do. The State will affix the certification insignia on the home prior to final inspection. This is different than and in addition to the licensing/certification that would be necessary for a roadable vehicle.
- 9) If a Tiny House development is ever proposed in unincorporated Eagle County, then the likely review procedure will be Planned Unit Development. The Planned Unit Development process affords the flexibility necessary to create customized development standards unique to Tiny House communities.

**Alternatives:** Amend the ECLUR's to eliminate the minimum living quarter square footage per person restriction. Also could amend the provision that prohibits the use of RV's on private property to no more than 5-days per 30-day period.

**Staff Recommendation:** Staff believes that Tiny Houses can be accommodated in unincorporated Eagle County given the existing ECLURs. It would be cleaner to eliminate the square footage per person limitation from the ECLURs; although it has never been enforced.

Staff recommends against allowing unrestricted use of RVs on private property due to unpermitted wastewater disposal, or approved and improved source of potable water. Additionally, no opportunity



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would exist to review ingress/egress, or building (parking) site relative to avoid any natural or man-made hazards.

**Attachment(s):** None