

**TOWN OF MALABAR
PLANNING AND ZONING ADVISORY BOARD
REGULAR MEETING
WEDNESDAY MARCH 14, 2018
7:30 PM
MALABAR COUNCIL CHAMBER
2725 MALABAR ROAD
MALABAR, FLORIDA**

AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE**
- B. ROLL CALL**
- C. ADDITIONS/DELETIONS/CHANGES**
- D. CONSENT AGENDA :**

- 1. **Approval of Minutes**
 - Planning and Zoning Meeting – 10/11/2017
 - Planning and Zoning Meeting – 11/08/2017
 - Planning and Zoning Meeting – 12//13/2017
 - Planning and Zoning Meeting – 02/28/2018 (not ready)

Exhibit: Agenda Report No.1
Recommendation: Request Approval

- E. PUBLIC HEARING: none**
- F. ACTION: none**
- G. DISCUSSION:**

- 2. **Discuss the Land Development Regulations about “Tiny House” Construction within the Town of Malabar**

Exhibit: Agenda Report No. 2
Recommendation: Discussion

- H. ADDITIONAL ITEMS FOR FUTURE MEETING:**

Next Regular Meeting- March 28, 2018

- I. PUBLIC:**
- J. OLD BUSINESS/NEW BUSINESS:**

OLD BUSINESS:

- Status of R/LC Public Hearing (Council)
- Update on SR-514 (widening of Malabar Road) from Public Meeting on 2/28/2018 (City of Palm Bay)
(Wayne Abare & George Foster attended this meeting)

NEW BUSINESS:

- K. ADJOURN**

NOTE: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIALS ATTENDING THIS MEETING.
If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to ensure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service in compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: March 14, 2018

Prepared By: Denine M. Sherear, Planning and Zoning Board Secretary

SUBJECT: Approval of Minutes

BACKGROUND/HISTORY:

The minutes must reflect the actions taken by the Board:

- Who made the Motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS:

Draft minutes of P&Z Board Meeting of 10/11/2017
Draft minutes of P&Z Board Meeting of 11/28/2017
Draft minutes of P&Z Board Meeting of 12/13/2017
Draft minutes of P&Z Board Meeting of 02/28/2018 (not ready)

ACTION OPTIONS:

Secretary requests approval of the minutes.

“The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board.”

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
OCTOBER 11, 2017 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:36 P.M. Prayer and Pledge led Chair Liz Ritter.

B. ROLL CALL:

CHAIR: LIZ RITTER
VICE-CHAIR: WAYNE ABARE, EXCUSED
BOARD MEMBERS: BUD RYAN, EXCUSED
DOUG DIAL
GEORGE FOSTER
ALTERNATE: ALLEN RICE, EXCUSED
ALTERNATE: MARY HOFMEISTER
BOARD SECRETARY: DENINE SHEREAR

ADDITIONAL ATTENDEES:

COUNCIL MEMBER: LAURA MAHONEY

C. ADDITIONS/DELETIONS/CHANGE:

Hofmeister will be voting in place of Ryan.

D. CONSENT AGENDA:

- 1. Approval of Minutes** Planning and Zoning Meeting – 09/27/2017
Exhibit: Agenda Report No. 1
Recommendation: Request Approval

**Motion: Dial/ Hofmeister to Approve Minutes for September 27, 2017 as presented, All Vote
; Aye**

Public:

Laura Mahoney 2475 Malabar Road suggested for consideration that at the PZ level that the PZ be involved with the new construction, and to consider a storm water plan to come to PZ for review so that there are more eyes and new residents are considered along with existing structures and existing arterial roads. Mahoney suggested that the amount of run-off stormwater from properties be connected to the arterials and this could help make the structures have a pre plan for solutions to drainage issues. Mahoney said that there have been many complaints on stormwater.

Ritter added that when there is new construction if things are reviewed, it would not affect existing residents. Sherear explained that when new houses or commercial projects come in for permits the Town Engineer reviews it for drainage, and before a CO (Certificate of Occupancy) is given, a final inspection is done by the Engineer for drainage.

PZ Board discussed reviewing stormwater.

Dial asked Mahoney if she was asking the PZ Board to reevaluate the stormwater activity. Mahoney suggested if the PZ Board reviews what we already have in place, maybe the Town could be a little proactive and be preventative.

Foster said that he talked to Doug Hoyt a dozen times and stormwater is one of his primary concerns throughout the Town. It is a two-part issue and the solution to many of these stormwater projects is the revenue to do the work. Foster added that having commercial businesses on our arterial roads would promote more revenue to fund some of these projects. Mr. Hoyt discussed with Foster that funds are just not available to do these big stormwater projects, and that there is barely enough funds to do maintenance on what the Town has presently.

Foster said that Doug Hoyt and the Engineer are spending an enormous amount of time and effort doing all that they can do reviewing the Storm drainage issues. They might have a very good plan and be involved in a plan to handle drainage, with a lack of revenue to perform the actual work. Sherear added that this issue with the Stormwater drainage has not happened overnight. There was a working plan in place for drainage throughout the Town by the engineer but things get side tracked when emergency issues occur, ie, failed culverts, etc.

Foster said that he thought Doug Hoyt was looking at getting funding through the state funding for stormwater.

Hofmeister suggest to educate the residents about yard waste locations and be aware of the drainage ditches to keep water flowing.

Ritter recommended for future meeting to discuss Stormwater Committee, etc. and talk to Council. Foster said that is a great suggestion.

E. ACTION:

F. DISCUSSION:

2. Continue Discussion To Review & Revise Table 1-19.18 "Zoning District Sign Regulations" including Table 1-19.18

Exhibit: Agenda Report No. 2

Recommendation: Discussion

Ritter did a presentation about illuminated signs and the refreshing rate; 30,20,15,10, and 5 seconds Board had discussed at a previous meeting that 30 seconds was too long of a period.

Foster suggested 20 sec is a good refresh rate. Ritter said that 20 sec is a good refresh rate; this is to prevent a hazard and a safety issue as far as distractions on the roadway. There needs to be guideline that people have to follow. Dial said that these digital signs are popular and in some areas in Brevard County, the signs are streaming video, he understands being conservative for safety purposes.

Hofmeister said we need to figure what is going to be in our Town code for refresher time of digital signs.

Laura Mahoney 2475 Malabar Road said Doug Hoyt suggested considering a specific study, suggested to be conservative in the use of refreshing rate.

The PZ Board consensus for refresher time for digital signs:

Foster 20 sec

Ritter 20 sec

Doug 15 sec (20 sec)

Mary 15 sec

Ritter said to plan everything and be ready for everything & air on the side of caution and safety.

Foster left early 8:45PM

The Board discussed "Sign Regulations within Non-Residential Zoning Districts" clarifying numbers and designations in sign types & Construction Class.

PZ Board went through sign pictures and noted town signs with classifications.

Possible add category for "informational" sign under sign definitions. (1b)

Outdoor display to sign type?

The Board reviewed Town Signs with pictures that were presented.

G. ADDITIONAL ITEMS FOR FUTURE MEETING

- Discuss Land Development Regulations about "Tiny Homes" (Future Meeting)
- Discuss Storm water & committee to review town water flow

H. PUBLIC

I. OLD BUSINESS/NEW BUSINESS:

Old Business:

New Business:

Dial/Ritter discussed what Mahoney brought to the PZ about drainage. Dial said this should be discussed with whoever is currently making changes now with stormwater/drainage Doug Hoyt and Morris Smith Town Engineer. Ritter said it has to be according to code.

The Board discussed being involved with what the codes are now for culvert and drainage issues and if things need to be addressed or changed, the PZ could be involved with doing this.

Don Krieger 2345 Lineberry Lane discussed drainage & stormwater if more than 1,000 sq. ft. of dirt is being disturbed you have to ask about a permit. The PZ should deal with the codes autonomously.

Reminder: Next Meeting – October 25, 2017 cancelled
Next regular meeting Nov 8 & Nov 22 (day before Thanksgiving) cancelled & Nov 29 & Dec 13

J. ADJOURN

There being no further business to discuss, MOTION: Hofmeister /Dial to adjourn this meeting.

Vote: All Ayes. The meeting adjourned 9:51 P.M.

BY:

Liz Ritter, Chair

Denine Sherear, Board Secretary

Date Approved: as presented/corrected

“The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board.”

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
NOVEMBER 08, 2017 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led Chair Liz Ritter.

B. ROLL CALL:

CHAIR: LIZ RITTER
VICE-CHAIR: WAYNE ABARE
BOARD MEMBERS: BUD RYAN
DOUG DIAL ABSENT
GEORGE FOSTER
ALTERNATE: ALLEN RICE, EXCUSED
ALTERNATE: MARY HOFMEISTER
BOARD SECRETARY: DENINE SHEREAR

ADDITIONAL ATTENDEES:

COUNCIL MEMBER: MAYOR PAT REILLY

C. ADDITIONS/DELETIONS/CHANGE:

Hofmeister will be voting in the absence of Doug Dial.

NOMINATION FOR PZ CHAIR AND VICE CHAIR

Chair Ritter opens the nominations for Chair:

There are two nominations for Chair Liz Ritter & Wayne Abare.

Motion: Foster To Nominate Wayne Abare for Chair. Roll Call Vote: Foster; Aye, Abare; Aye

Motion: Ryan To Nominate Liz Ritter for Chair. Roll Call Vote: Ritter; Aye, Hofmeister; Aye, Ryan; Aye.

Motion Carried 3 to 2 for Liz Ritter for PZ Chair

Motion: Foster To Nominate Wayne Abare for Vice Chair Roll Call Vote: Foster; Aye, Abare; Aye, Ryan; Aye

Motion Carried 2 for Wayne Abare for PZ Vice Chair

No other nominees for Vice Chair.

D. CONSENT AGENDA:

1. Approval of Minutes

Planning and Zoning Meeting – 10/11/2017(not ready)

Exhibit:

Agenda Report No. 1

Recommendation:

Request Approval

E. ACTION:**F. DISCUSSION:****2. Continue Discussion To Review & Revise Table 1-19.18 "Zoning District Sign Regulations" including Table 1-19.18****Exhibit:** Agenda Report No. 2**Recommendation:** Discussion

Ritter explained at the last meeting on 10/11/2017 the Board reviewed the Table for Sign Regulations Within Non Residential Zoning Districts and labeled pictures of Town signs to correspond with Town Code. The Board reviewed the Table before recommending to Council.

The Board placed note under Special Regulations, "not allowed" for #9 Billboards.

Provide to Council the working documents showing where clarifications occurred.

Abare asked about the annual signage fees & inspection. Debby Franklin proved information (email) that staff will address the annual fees and get a legal opinion before anything would be reinstated for annual signage fees. Abare said he had heard it was dropped when Phelps was Building Official.

Motion: Abare/Ryan To Recommend to Council as corrected Vote: All Ayes

G. ADDITIONAL ITEMS FOR FUTURE MEETING

- Discuss Land Development Regulations about "Tiny Homes" (Future Meeting)
- Discuss Storm water & committee to review town water flow

H. PUBLIC**I. OLD BUSINESS/NEW BUSINESS:**

Old Business:

New Business:

Pat Reilly 1985 Howell Lane, Malabar. Reilly talked about a Code of Conduct that Council suggested for the Boards, Committee's, and Council to read and sign. It was a 3 to 2 Vote by Council.

Ritter asked if government employees have to do this Code of Conduct.

The Board discussed this Code of Conduct with Pat Reilly. Hofmeister asked where this all came from and Reilly explained that it came from trouble that different Municipalities were having with their Boards and it was discussed at a Mayors luncheon and all the Towns all agreed that it was a good thing to corporate to make sure you have rules to follow to enforce.

Reilly also explained that if you refuse to sign this it is grounds for dismissal as stated in the "Code of Conduct"

Ryan asked Reilly if this conflicts with the first amendment. Reilly responded and explained as a Board you have to have consistency, even if you do not vote for something.

The Board discussed that you can express an opinion about something but you have to go with majority vote as part of that Board.

Abare said that there is control of staff because if they (staff) are not doing something properly they can just be fired, where as a Board is not a paid employee.

Reminder: Next PZ Meeting – November 22,2017cancelled
Next regular meeting – November 29, 2017

J. ADJOURN

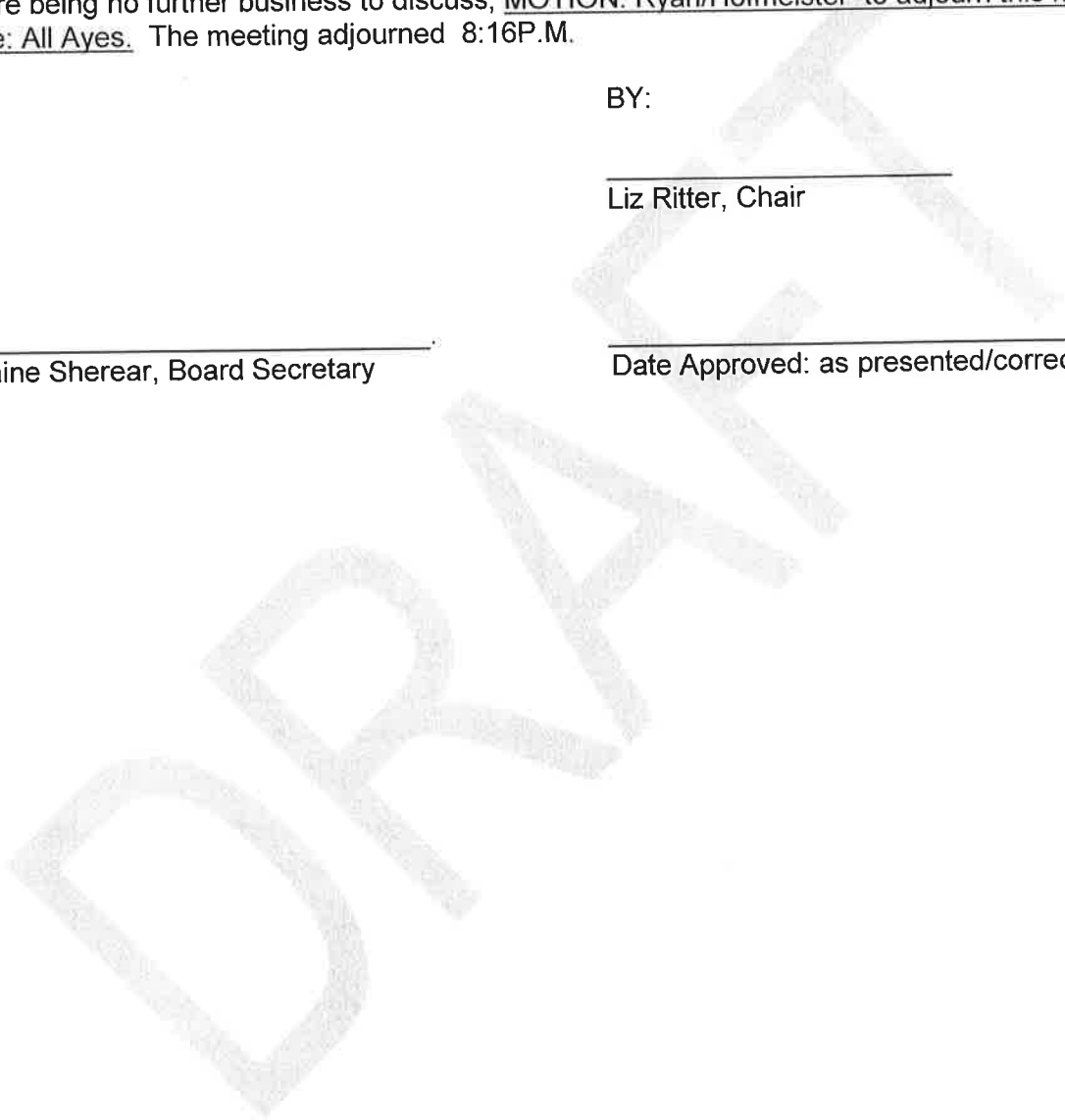
There being no further business to discuss, MOTION: Ryan/Hofmeister to adjourn this meeting.
Vote: All Ayes. The meeting adjourned 8:16P.M.

BY:

Liz Ritter, Chair

Denine Sherear, Board Secretary

Date Approved: as presented/corrected



“The following draft minutes are subject to changes and/or revisions by the Planning and Zoning Board and shall not be considered the official minutes until approved by the P&Z Board.”

**MALABAR PLANNING AND ZONING BOARD REGULAR MEETING
DECEMBER 13, 2017 7:30 PM**

This meeting of the Malabar Planning and Zoning was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE:

Meeting called to order at 7:30 P.M. Prayer and Pledge led Chair Liz Ritter.

B. ROLL CALL:

CHAIR: LIZ RITTER
VICE-CHAIR: WAYNE ABARE
BOARD MEMBERS: BUD RYAN
DOUG DIAL
GEORGE FOSTER
ALTERNATE: ALLEN RICE, EXCUSED
ALTERNATE: MARY HOFMEISTER
BOARD SECRETARY: DENINE SHEREAR

ADDITIONAL ATTENDEES:

COUNCIL MEMBER: LAURA MAHONEY

C. ADDITIONS/DELETIONS/CHANGE:

D. CONSENT AGENDA:

- 1. Approval of Minutes** Planning and Zoning Meeting – 10/11/2017(not ready)
Planning and Zoning Meeting – 11/08/2017(not ready)

Exhibit: Agenda Report No. 1
Recommendation: Request Approval

E. PUBLIC HEARING: NONE

F. ACTION:

G. DISCUSSION:

- 2. Review Draft District Sign Regulations (including Table 1-19.18) Language Revised by Town Attorney Karl Bohne (11/30/2017)**

Exhibit: Agenda Report No. 2
Recommendation: Discussion

The Board is reviewing the Attorneys draft revision of Signage, comparing changes. Chair explained the Attorney made many changes due to Supreme Court rulings and he had to eliminate anything that related to any specific language content. Sherear added that sign content could not be regulated.

Ryan added that the Attorney is making changes to this language due to legal reasons. The Board discussed the changes that the Attorney provided vs what was submitted to Council. Ritter read over the changes that the Attorney provided for draft review and discussed with Board. It was suggested that the Attorney clarified this language to protect the Town.

The Board reviewed Section 1-19.1 Definitions and made *revisions* (Attached to these PZ Minutes 12/13/2017 is Exhibit “A” with suggested revisions)

The Board/Foster would like the staff to ask the Attorney what source he used to come up with verbiage for Sign Code Language that was put in Draft date 11/30/2017.

Foster said that the volunteers of this PZ Board spent a lot of time to streamline, simplify, and clarify this Sign Code Ordinance. Ritter said that PZ Board Non-Residential only and the Attorney did both (Non-Residential & Residential in his draft).

Ritter said that the Board asked about the annual sign inspection fee.

H. ADDITIONAL ITEMS FOR FUTURE MEETING

- Discuss Land Development Regulations about "Tiny Homes" (Future Meeting)
- Discuss Storm water & committee to review town water flow

I. PUBLIC

Laura Mahoney 2475 Malabar Road sent an email before she had come to this meeting, a list of suggestions from some citizens (attached to these PZ Minutes of 12/13/2017 Exhibit "B") a list of suggestions for PZ for more eyes to assist with stormwater/drainage. The Board discussed the suggestions.

Don Krieger 2345 Lineberry Lane discussed drainage committee. Krieger said that there used to be roads and drainage committee and when the Public Works Department was created the roads and drainage committee was dissolved and eliminated.

Abare explained that the Town Engineer produced topographical water flow maps showing direction for water drainage. The problem is the ditches, streams, and swales are on private property.

The Board discussed the ditches and flow of water and some of the ditches are not lined up for continuity.

Ryan said you have to have a plan and then you work on the drainage issues.

Ritter asked Sherear for a copy of Morris, Town Engineer's topographical map and the flow of stormwater/drainage.

Abare asked about the Grant for drainage, and has it been awarded yet? Abare asked about the Town Engineer Plan for eliminating the Town of the water.

J. OLD BUSINESS/NEW BUSINESS:

Old Business:

New Business:

Reminder: Next Regular Meeting – December 27, 2017 Cancelled
Next Regular meeting- January 10, 2018

K. ADJOURN

There being no further business to discuss MOTION: Ryan /Dial to adjourn this meeting. Vote: All Ayes. The meeting adjourned 9:38 P.M.

BY:

Liz Ritter, Chair

Denine Sherear, Board Secretary

Date Approved: as presented/corrected

DRAFT

PZ MEETING MINUTES OF 12/14/17

EXHIBIT “A”

PORTION ONLY

FOR NON-RESIDENTIAL SIGN CODE LANGUAGE

EXHIBIT "A" (PORTION)

Section 1-19.1. - Definitions.

For the purposes of this article certain words and terms shall be interpreted as follows:

Abandoned Sign. A sign is considered abandoned if a business advertised on that sign is no longer licensed, no longer has a certificate of occupancy, or is no longer doing business on that location.

Banner/Flag. A sign having characters, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind with only material for a backing. The term shall include any animated, rotating and/or fluttering device designed to attract attention.

District shall mean the various zoning districts established and described by the land development code.

Electric. Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.

Erect shall mean to build, construct, attach, hang, place, suspend, affix, print, or paint; this shall include the painting of wall signs.

Freestanding. A sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including ground mounted signs.

Government Sign. A government sign is a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

Ground Mounted. A sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground.

Height. Maximum height is the vertical distance between the uppermost portion of a sign and ground level and minimum height is the vertical distance between the lowermost point of a sign and ground level.

Highway Sign. A Freestanding sign, Integral Sign or Flat Mounted Sign that is erected and maintained within the view of motorists who are driving on a highway.

Integral. A sign that is embedded, extruded or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar material attached to the building façade.

Non-Conforming shall mean any existing sign which was lawful at the time of the enactment of the ordinance from which this article was derived but which does not conform to the provisions of this article and to the most recently enacted land development code of the Town.

Off site-sign. A sign which has no relation to the property it is located on.

Placement shall mean the location which a sign occupies on a lot or building.

Public Body shall mean any government or government agency of the Town, Brevard County, State of Florida, or the United States Government.

NO CHANGES

Replacing shall mean rebuilding, enlarging or any change in size, structure, or lettering other than repainting to an original status and repair of original electrical apparatus.

Sign shall mean any device or display consisting of letters, numbers, symbols, pictures, illustrations, announcements, cut-outs, insignia, trademarks, banners, or demonstrations; designed to advertise, inform, identify, or to attract the attention of persons, which is visible from outside the premises on which the device or display is located. A sign shall be construed to be a display or device containing elements related and composed to form a single unit. In cases where material is displayed in a random or unconnected manner without organized relationship of the components, each component or element shall be considered to be a single sign. A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business, and where sign area means the space enclosed within the extreme edges of the sign for each face, not including the supporting structure or where attached directly to a building wall or surface, the outline enclosing all the characters of the word. Signs located completely within an enclosed building, and not exposed to view from a street, shall not be considered a sign. Each display surface of a sign or sign face shall be considered to be a sign.

Period "

- REMOVE
- REMOVE

SPACED ENCLOSED

Sign Area shall mean that area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building; or part thereof, shall not be included in the sign area. In measuring the area of a double-faced sign, only one face shall be calculated to determine the total area.

Sign Construction Class shall mean the manner in which any sign type is constructed and/or located, and in this article shall include animated, beacon light, detached, flashing, marquee, portable, projecting, roof, snipe, and wall as defined below:

electronic, LED, AN DIGITALLY

(1) Animated, Spectacular or Intensely Lighted sign shall mean any sign of which all or any part thereof revolves, swings or moves in any fashion whatsoever, and any sign which contains or uses for illustration any light, lights or lighting device or devices which change color, flash or alternate, shows movement or motion, or change the appearance of said sign or any part thereof automatically, including wind operated devices, ~~LED operated devices and digitally operated devices.~~

(2) Beacon Light shall mean any light with one or more beams capable of being directed in any direction or directions, or capable of being revolved automatically, or capable of having any part thereof revolve automatically, or a fixed, flashing, or rotating high intensity light or beam, or light.

(3) Detached shall mean a sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall not a part of a building, shall be considered a detached sign.

(4) Flashing shall mean any sign on which the electrical lighting device or devices go on or off alternately, either all of such lights or lighting devices or part thereof. Any revolving illuminated sign shall be considered a flashing sign.

(5) Marquee shall mean any sign of fire resistant cloth, plastic or metal attached to or projecting from a building over any private thoroughfare or sidewalk, whether or

not such a sign is capable of being raised or lowered to a position flat against a wall.

- (6) *Portable* shall mean any sign which is not securely and permanently attached to the ground or a building or other approved structure.
- (7) *Projecting* shall mean any sign that is affixed to any building, wall, or structure extending more than twelve (12) inches beyond such building, wall or structure. The term projecting sign includes a marquee sign.
- (8) *Roof* shall mean a sign which is fastened to or supported by or on the roof, or painted on the roof of a building, or which extends over the roof of a building. Roof signs shall be prohibited in the Town.
- (9) *Snipe* shall mean any temporary sign of not over ~~one and one-half~~ four (1½ 4) square feet in area. ~~regardless of material, method of attachment, location, or subject matter.~~
- (10) *Wall* shall mean any sign which is erected on the wall of any structure or part of a structure and is not more than twelve (12) inches from that structure, including any sign which is painted or otherwise directly on the wall of any structure.

Sign, Double-Faced shall mean a sign with two (2) parallel or nearly parallel faces back to back and located not more than twenty-four (24) inches from each other at the nearest parts.

Sign, Directly Illuminated shall mean a sign designed to give forth artificial light itself and/or designed to reflect light from one or more sources of artificial light that are part of the sign erected for the purpose of providing light for the sign.

Sign, Indirectly Illuminated shall mean a sign which does not produce artificial light from within itself but which is opaque and backlit or illuminated by spot lights or floodlights.

Sign, Number shall mean for the purpose of determining the number of signs, a sign shall be considered to be a display and/or display device containing elements organized, related, and/or composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign. A double-faced sign shall be considered a single sign.

Sign Structure shall mean any construction designed to support or to provide a surface for a sign, and including any marquee, canopy, awning, or clock.

Sign Type shall mean any one of the various signs as differentiated by their purpose, and in this ordinance shall include accessory, billboard, construction, directional, directory, future improvement, general outdoor advertising, outdoor display, real estate, and subdivision as defined below:

Bold →

Sign TYPE :

- (1) *Accessory* shall mean a sign relating only to the uses of the premises on which the sign is located, or indicating the name and address of a building or the occupants or management of a building on the premises where the sign is located.
- (2) *Billboard* shall mean any sign or display which is not a directional sign, which has no relation to the property it is located on, is advertises, illustrates, demonstrates, or identifies product, service, or place of business at another location not within two hundred (200) feet of the property which it has relation to sign, and/or any sign and is of a size over sixty (60) square feet.

- (3) *Construction* shall mean a temporary sign erected on a building site between the time of the issuance of the building permit and the completion and/or occupancy. Such signs may display thereon any or all of the following: a designation of the job, the name of the owners, architect, general contractor, subcontractor, building or project under contraction [construction], and building permit.
- (4) *Directional* shall mean any sign less than three (3) square feet in area used for public direction and containing no advertising or commercial identification of any product, service, or place of business.
- (5) *Directory* shall mean signs which are located in close proximity to entrances of buildings generally used as a message board to assist visitors who desire to enter or use the building. give the name and/or occupation of the occupants of the building or gives the use of the building, including office building directories, church directories, and apartment house directories.
- (6) *Future Improvement* shall mean a temporary sign located on vacant land, parcel or lot prior to the issuance of a building permit announcing the construction of a facility in the near future relating to on the site on which the sign is located.
- (7) *General Outdoor Advertising* shall mean any sign which is not herein described or limited by these definitions and regulations.
- (8) *Outdoor Display* shall mean each piece or portion of any matter, merchandise, or device displayed outside a building with the intent of advertising, demonstrating, or identifying the nature of business or articles for sale or other merchandise inside or outside the building of the person doing business, which would not ordinarily be construed a sign, but rather as merchandise, [and] shall be considered a separate outdoor display sign.
- (9) *Real Estate* shall mean any sign used solely for the purpose of offering [for] sale, for lease, or for rent, the property and/or building on which the sign is located.
- (10) *Subdivision* shall mean any sign designed as a permanent structure to identify a subdivision or neighborhood. Such signs are not used for development or promotional purposes, but may also be used to identify mobile home parks, townhouse and other planned housing developments as defined by the zoning ordinance.
- (11) *Zone* shall mean the various zoning districts as established and described by the zoning ordinance of the Town.

make * (9) → (9) *Temporary*. A banner, pennant, poster, portable sign or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended to be displayed for a limited period of time. Snipe signs are prohibited. — TAKE OUT

Section 1-19.2. - Purpose and intent.

The purpose of these regulations is to promote the public safety, comfort, convenience, aesthetics, amenities, prosperity and general welfare of the Town. More particularly, these regulations which control the location, type, size, height, and

illumination of signage and displays are intended to establish compatible land use character, an orderly appearance and stabilize land values.

~~Abandoned Sign. A sign is considered abandoned if a business advertised on that sign is no longer licensed, no longer has a certificate of occupancy, or is no longer doing business on that location.~~

Section 1-19.3. - Exemptions.

The following are exempted from the provisions of these regulations which require a permit, certificate, license or fee for erection or maintenance. Such activities must abide, however, by the rules and regulations herein and all other laws and ordinances of the Town:

A. The following signs are authorized under in every District:

- (1) Signs not visible from areas other than the site on which they are located;
- (2) Integral decorative or architectural features of structures, except letter, trademarks, moving parts, or moving lights;
- (3) Memorial signs, tablets or plaques or names of buildings and date of erection; when the same are two (2) square feet or less in size and are cut into any masonry surface or when constructed of bronze or other incombustible material;
- (4) ~~Signs not exceeding one (1) square foot in area and bearing only property numbers, names of occupants of premises, and other identification or information concerning the premises not having commercial use or connotations, including no trespassing, posted, no hunting, private and similar prohibitions or limitations;~~
- (5) Legal notices, identification, informational or directional signs erected or required by government bodies;
- (6) ~~Noncommercial~~ Flags and insignia of any government when not displayed in connection with a commercial promotion or as an advertising device;
- (7) Changing the copy of a bulletin board, poster board, display encasement, or marquee provided, however, that the device upon which the copy is located meets all the requirements of this article;
- (8) Decals affixed to or signs painted on equipment used for dispensing retail products or services where such signs are not displayed in connection with a commercial promotion or as an advertising device;
- (9) Temporary signs as provided for in 1-19.3.1, within five (5) feet inside of a store window, not exceeding twenty (20) inches of the glassed area of the window in which the sign is located, which advertise a bona fide "going out of business" sale, or other service or merchandise sale, and which are erected for a period of not over fifteen (15) days;
- (10) Signs on motor vehicles while in use in the normal course of business. This section shall not be interpreted to permit parking of a vehicle on which signs are attached or painted in a manner or location where such signs are not permitted in order to avoid the requirements of this article. Similarly, this section shall not be

interpreted to permit parking of portable trailer signs in a manner or location where the signs are not permitted in order to avoid the requirements of the article.

- (11) Government signs in every zoning district which include the signs described and regulated in subsections (12), (13), (14) and (15) below.
- (12) Traffic control devices on private or public property must be erected and maintained to comply with the Manual on Uniform Traffic Control Devices adopted in this state and if not adopted by this state with the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration.
- (13) Each property owner must mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. Where required under this code or other law the identification must be on the curb and may be on the principal building on the property. This size and location of the identifying numerals and letters if any must be proportional to the size of the building and the distance from the street to the building. In cases where the building is not located within view of the public street, the identifier shall be located on the mailbox or other suitable device such that it is visible from the street.
- (14) Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property.
- (15) A flag that has been adopted by the federal government, this State or the local government may be displayed as provided under the law that adopts or regulates its use.
- (16) The signs described in subsections 11 through 14 above, are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property. The flags described in subsection 15 are permitted to serve a compelling governmental interest in promoting the rule of law by establishing symbolic representations of the governments who pass, protect and preserve those laws.

? →

Section 1-19.3.1 Regulations involving Temporary Signs:

- (1) One temporary sign per 0.25 acre of land may be located on the owner's property for a period of thirty (30) days prior to any election involving any referendum or political cause subject to election or candidates for a federal, state or local office that represents the district in which the property is located and any secondary primary or runoff election as to any such candidate who is subject to such election. Such signs shall be removed within five (5) days following the election. Any person erecting any sign during this time period shall be required to post with the clerk of the town a \$100.00 deposit before posting any such signs, which said sum shall be used to cover the cost of removal of said signs by town employees in the event they are not removed within the time frame set out above.
- (2) One temporary sign may be located on the owner's property when:

DEPOSIT?
? →

- a. that property is being offered for sale through a licensed real estate agent;
- b. if not offered for sale through a real estate agent, when that property is offered for sale through advertising in a local newspaper of general circulation; and
- c. for a period of 15 days following the date on which a contract of sale has been executed by a person purchasing the property.

Take out

- (3) One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public; provided, however, the owner may not use this type of sign in a Residential District on more than two days in a year and the days must be consecutive and may not use this type of sign in any non-residential district for more than 14 days in a year and the days must be consecutive. For purposes of this subsection (3) a year is counted from the first day on which the sign is erected counting backwards and from the last day on which the sign exists counting forward.
- (4) During the 26 day period December 15 to January 10, a property owner may place 2 temporary signs on the property.
- (5) A property owner may place and maintain one temporary sign on the property on July 4.
- (6) A property owner may place a sign no larger than 8.5 inches by 11 inches in one window on the property at any time.
- (7) A property owner may place one sign with a sign face no larger than two (2) square feet on the property at any time.
- (8) A person exercising the right to place temporary signs on a property as described in this subsection (B) must limit the number of signs on the property per 0.25 acre at any one time to 2 plus a sign allowed in subsection (7).
- (9) The sign face of any temporary sign, unless otherwise limited in this (B) must not be larger than four (4) square feet.
- (10) The signs identified herein shall not require a sign permit

Section 19.3.2 Prohibited Signs and Exceptions.

PZ Board suggests to strike 19.3.2

The following signs and message devices shall be expressly prohibited in all zoning districts, except as otherwise authorized by this chapter:

- (1). Signs are prohibited in all Districts unless:
 - (A) Constructed pursuant to a valid building permit when required under this Code; and
 - (B) Authorized under this Code.
- (2). The following signs are strictly prohibited:

PZ MEETING MINUTES OF 12/14/17

EXHIBIT "B"

LAURA MAHONEY EMAIL SUBMITTED

PZ MINUTES 12/13/17

EXHIBIT "B"

Laura
Mahony
12/13/17
email

Planning- first things first:

I would suggest a comparison of accepted roads versus Town owned RW be requested by the P&Z Board for their road evaluations. This would be a good beginning to finding a way of solving this dilemma.

Grant-Valkaria uses this:

<https://www.fws.gov/wetlands/data/mapper.html>

Principle elements for improvement of storm-water transport system

1. Road plan with current choke points for drainage (GPS).
2. Right-of-ways (RW) research specific to alleviating restricted water paths.
3. Review applicable codes for maintenance and replacement of culverts.
4. Review of Public works common practices and history of culvert replacement and water-path construction and maintenance.
5. Review record-keeping practices for permitted individual site plans and placement of fill-dirt.
6. Development of metrics to verify proof of concepts and results of corrective actions (did it work).
7. Implementing culvert blockage clearing schedules.

Priority list of corrective maintenance fixes

1. Hall Road swale system alignment.
2. Weber Road swale alignment enhancement (both west and east sides) between Atz Road and Hall Road.
3. Quarterman road and Eva Road swale system and alignment enhancement (both west and east sides).
4. Verify Jordan blvd. RW and existing swale system maintain and correct where required for the LaCourt/Atz intersection.
5. Verify Benjamin Road RW and swale system maintain and investigate possible connections to Goat Creek system.

TOWN OF MALABAR AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: March 14, 2018

Prepared By: Denine Sherear, Planning & Zoning Board Secretary

SUBJECT: Discuss the Land Development Regulations about “Tiny House” Construction within the Town of Malabar

BACKGROUND/HISTORY:

The Building Official, Daryl Munroe will be present to discuss “Tiny Homes” and offer his insight to the PZ Board concerning the Town of Malabar and “Tiny Homes”. The Staff has attached extensive research concerning the options referencing the “Tiny Homes”.

The PZ Board previously discussed “Tiny Homes” on October 12, 2016 at a PZ Meeting, due to inquiries by potential property owners in the Town of Malabar, asking if “Tiny Homes” are allowed per our town codes. Staff explained that there is presently nothing in our code with the square footage of a “Tiny Home” allowed. As always, we welcome anyone to attend a PZ Meeting and they can speak (by speaker card) informally.

ATTACHMENTS:

- City of Rockledge – Dennis Clements, BO (email)
- Information about a Tiny House on Vacant Land in Florida
- Can you put a Tiny House in your Backyard in Florida
- Tiny house zoning regulations- What you need to know (Florida page 4/6)
- Proposed International Building Codes Tiny Homes
- Big Demand for Tiny Homes in Tampa Bay area & Article Florida Today dated 2/4/2018
- Tiny House Movement in Central Florida
- Cornerstone Tiny Homes- Code Compliant Tiny House
- Town of Malabar Article III District Provisions Table 1-3.2 & Table 1-3.3(A)

ACTION OPTIONS: Discussion

PZ MEETING AGENDA ITEM 2

3/14/18

CITY OF ROCKLEDGE

DENNIS CLEMENTS

EMAIL

Reply all | Delete | Junk | ...
RE: Tiny Homes Information

DC

Dennis Clements <dclements@cityofrockledge.org>

Today, 4:17 PM

Denine Sherear

Reply all |

Inbox

Denine,

The City of Rockledge has passed Ordinance No. 1680 – 2015 regarding Tiny Houses. The Ordinance has not yet been codified. You can see the Ordinance on Municode.

Per our Ordinance, Tiny Houses can only be located in Pocket Neighborhoods and to date no proposed developments have been submitted for approval. If and when that happens then we will have to determine what permitting requirements will be required in order to obtain a building permit.

For further information please contact our Planning Director Alix Bernard abernard@cityofrockledge.org, Alix will be able to answer any questions.

Dennis

From: Denine Sherear [mailto:dsherear@townofmalabar.org]
Sent: Friday, March 9, 2018 2:21 PM
To: Dennis Clements <dclements@cityofrockledge.org>
Subject: Tiny Homes Information

Dear Mr. Clements,
I am inquiring about "Tiny Homes" in the City of Rockledge. Are they allowed in your city and what information can you provide to me about your codes concerning these homes?
I appreciate whatever assistance you can provide to me concerning this matter.

*Thank you,
Denine*

Denine Sherear, Admin. Assist. to Building Official
Town of Malabar
2725 Malabar Road, Malabar FL 32950
office: 321-727-7764 x 14
fax: 321-727-9997
Office Hours: 8:30AM to 5:00PM

Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing

ORDINANCE NO. 1669 - 2015

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS BY DELETING SECTION 60.05 AND REPLACING IT SO AS TO BETTER DEFINE AND IMPLEMENT REGULATIONS FOR PRE-EXISTING NONCONFORMING PROPERTIES; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

WHEREAS, the Rockledge Land Development Regulations, which define and establish the regulations for nonconforming property within the City, require changes to better define and regulate such properties; and

WHEREAS, over time, the application of the present regulations have caused some inequitable results to such properties; and

WHEREAS, the Rockledge City Council has received a recommendation from the Rockledge Planning Commission to make changes to Section 60.05 of the Rockledge Land Development Regulations to better define and implement the regulations regarding properties that have pre-existing nonconforming uses; and

WHEREAS, the Rockledge City Council finds that such changes would be in the interest of the citizens of Rockledge in general;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:

SECTION 1. That Section 60.05 of the Rockledge Land

Development Regulations is deleted in its entirety and replaced with the following:

60.05. Nonconforming uses of land.

(A) *Generally.* Where, at the time of adoption of this part, lawful uses of land exist which would not be permitted by the regulations imposed by this part, the uses may be continued so long as they remain otherwise lawful, provided:

(B) *Nonconforming Uses.*

(1) No such nonconforming uses shall be enlarged or increased, nor intended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this part.

(2) No such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this part.

(3) If any such nonconforming uses of land are discontinued or abandoned, either voluntarily or in accordance with the amortization requirements for that use, for a period of at least six (6) months, any subsequent use of such land shall conform to the regulations specified by this part for the district in which such land is located.

(4) No additional structure not conforming to the requirements of this part shall be erected in connection with such nonconforming use of land.

(C) *Reversion.* A nonconforming use which is changed to a conforming use shall not be permitted to revert to any nonconforming use.

(D) *Nonconformance not grounds for variance.* The presence of a nonconforming use or structure in a zoning district shall not in and of itself be allowable as legal grounds for granting of variances for other surrounding properties.

(E) *Nonconforming Commercial/Industrial Structures.*

- (1) Unsafe buildings or structures. Any structure or building or portion thereof declared unsafe may be restored to a safe condition provided that restoring it to a safe condition does not exceed more than sixty (60) percent of the market value of the structure on the date in which it was declared unsafe.
- (2) Alterations. A nonconforming building may be maintained, and repairs and alterations may be made, except that no structural alterations shall be made except those required by law including eminent domain proceedings. Repairs, as plumbing, electrical or changing of partitions or other alterations, are permitted.
- (3) Any portion of a structure that encroaches into the setback is considered a non-conforming building and will not be permitted to expand. Non-conforming buildings which do not encroach into current setbacks may be expanded.
- (4) No nonconforming building or structure may be reconstructed when sustaining substantial damage, which shall be defined as damage of any origin sustained by a structure whereby the cost of restoring the structure to its original pre-damaged condition would equal or exceed Sixty (60) percent of the market value of the structure (from the date on which it was damaged).

(F) *Nonconforming Residential Structures.*

- (1) Alterations. A nonconforming building or structure may be maintained, and repairs and alterations may be made, except that no structural alterations shall be made except those required by law including eminent domain proceedings.
- (2) Any portion of a structure that encroaches into the setback is considered a non-conforming residential building and will not be permitted to expand, with the following exception: expansion is permitted if the expansion complies with the current setback.

- (3) Any nonconforming residential structure which has been damaged may be reconstructed provided that the cost of restoring the structure to its original condition would not exceed sixty (60) percent of the market value of the dwelling from the date in which the damage occurred.
- (a) Market Value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both have reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.
- (4) Any residential duplex that was lawfully in existence on December 5th, 1957, and located on property that first became zoned in an R2 (Single Family Dwelling) zoning district of the City of Rockledge by Rockledge City Ordinance No. 60-57 adopted by the Rockledge City Council on December 4th, 1957, and which duplex was rendered a preexisting nonconforming use in an R2 (Single Family Dwelling) district by virtue of the enactment of said Ordinance No. 60-57, and has continuously been used as a residential duplex at all times since the property on which it is located was zoned R2 (Single Family Dwelling) zoning district by Ordinance No. 60-57 aforesaid, may, in the event of the partial or total destruction of said duplex, be repaired or reconstructed in whole or in part, in accordance with the following terms and conditions:
- (a) The building permit for the repair or reconstruction work is applied for within one year after the damage to or destruction of the duplex, and such work is progressed to completion with reasonable diligence after issuance of the building permit; and
- (b) Such repair or reconstruction work results in the restoration of the duplex in

substantially the same structural plan and configuration as the preexisting duplex, in the footprint of the preexisting duplex, and without enlargement or expansion of the preexisting duplex; and

- (c) Such repair or reconstruction work conforms to all applicable building codes in effect at the time the repair or reconstruction work is performed.

SECTION 2. The provisions of this Ordinance are severable, and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

SECTION 3. This Ordinance shall become effective ten (10) days following its adoption and signed by the Chairman of the City Council.

ADOPTED at a regular meeting of the City Council of the City of Rockledge, Florida, this 15th day of April 2015.

/s/ Thomas J. Price
Chairman, City Council of the
City of Rockledge, Florida

ATTEST:

/s/ Betsi Beatty Moist
City Clerk

1st Reading: 04-01-15

2nd Reading: 04-15-15

ORDINANCE NO. 1680 - 2015

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 7 OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO ADD A SECTION 70.90 PROVIDING FOR TINY HOUSES IN POCKET NEIGHBORHOODS AS A USE WITHIN THE REDEVELOPMENT MIXED USE (RMU) AND PLANNED UNIT DEVELOPMENT (PUD) DISTRICTS; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

WHEREAS, the Rockledge Planning Commission has reviewed the necessity for an ordinance creating a Land Development Regulation allowing and controlling Tiny House construction and uses within the City of Rockledge; and

WHEREAS, the Rockledge Planning Commission has recommended that a Tiny Houses in Pocket Neighborhoods category be added to the City's Land Development Regulations; and

WHEREAS, the Rockledge City Council has determined that an addition to the Rockledge Land Development Regulations be created to provide a category allowing and regulating Tiny House uses in Pocket Neighborhoods within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:

SECTION 1. The Rockledge Land Development Regulations are amended by adding a new Section 70.90 as contained in Exhibit "A" attached hereto.

SECTION 2. The provisions of this Ordinance are severable,

and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

SECTION 3. This Ordinance shall become effective ten (10) days following its adoption and signed by the Chairman of the City Council.

ADOPTED at a regular meeting of the City Council of the City of Rockledge, Florida, this 23rd day of September 2015.

/s/ Thomas J. Price
Chairman, City Council of the
City of Rockledge, Florida

ATTEST:

/s/ Betsi Beatty Moist
City Clerk

1st Reading: 09/09/15

2nd Reading: 09/23/15

Exhibit "A" to Ordinance No. 1680 - 2015

SECTION 70.90. TINY HOUSES IN POCKET NEIGHBORHOODS

- A. A tiny house shall be defined as a principal residential dwelling that has a square footage of between 170 and 1,100. Tiny Houses are only permitted within the Redevelopment Mixed Use district (RMU) or a Planned Unit Development (PUD) in a Pocket Neighborhood setting.
1. Each dwelling unit shall have a minimum gross floor area of not less than 170 square feet for the first occupant and not less than 100 square feet for each additional occupant.
 2. Required space in sleeping rooms. In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor space for each occupant thereof.
 3. Minimum ceiling height. Every habitable room, foyer, bathroom, hall or corridor shall have a ceiling height of at least seven feet. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half the area thereof, but the floor area of that part of any room where the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
 4. Structure width. The minimum width of a tiny house must be at least 8.5 feet, with a maximum of 20 feet.
- B. A tiny house on wheels (THOW), for the purposes of these Guidelines, is a structure which is intended as a full time residence or year-round rental property and meets these conditions:
1. Built on a trailer that is registered with the builder's local DMV.
 2. Towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection, cannot move (and was not designed to be moved) under its own power.

3. Is no larger than allowed by applicable state law. (The typical THOW is no more than 8'6" wide, 30' long, and 13'6" high. Larger tiny houses may require a special commercial driver license and/or special permits when being towed.)
 - a. Verify with the DMV that the THOW is within limits of the law.
 - b. Roof height is from bottom of tires to the top of the highest exterior point on the house, including any protrusions. The roof height may be taller when stationary, as long as it is collapsible for towing of the THOW. Chimney piping may need to be removed for travel and then reinstalled to meet clearance requirements for use.
 - c. Built to the standards of a Florida ASCE structural engineer's approved plans
4. Has at least 170 square feet of first floor interior living space.
5. Includes basic functional areas that support normal daily routines (such as cooking, sleeping, and toiletry).
6. The following documentation will be required to be submitted for building permit for a THOW in a pocket neighborhood:
 - a. Detailed structural plans illustrating the location of studs, joists, rafters, and engineered connectors (hurricane clips, tension ties, etc.). Plans should clearly address how the structure is secured to the trailer, and how the floors, walls, and roof are framed and sheathed. Plans should also include an illustration of a floor, wall and roof section, showing the building members, insulation, vapor barrier, moisture barrier, sheathing, siding and roofing.
 - b. Detailed diagram of the electrical plan.
 - c. Photographs of the framing, roof, insulation, rough plumbing, and rough electrical.

- d. A statement describing your construction methods along with the names and addresses of any subcontractors you may have hired.
- C. A tiny house will be permitted within a planned pocket neighborhood. A pocket neighborhood is defined as meeting the following requirements:
1. A minimum of 4 tiny houses and maximum of 12 tiny houses per pocket neighborhood. Twenty-five percent (25%) of these house sites may be for THOWs.
 2. Centralized common area. The common open space area shall include usable public spaces such as lawn, gardens, patios, plazas or scenic viewing area. Common tables, chairs and benches are encouraged, with all houses having access to it.
 - a. Four hundred square feet of common open space is required per unit.
 - b. Fifty percent of units must have their main entry on the common open space.
 - c. All units must be within five feet of each common open space(s). Setbacks cannot be counted towards the common open space calculation.
 - d. The principal common open space must be located centrally to the project. Additional common open space can only account for twenty-five percent of the total requirement with trails and pathways connecting the total development. Passive trails are allowed and may count towards the common open space requirement.
 - e. Community buildings or clubhouses can be counted towards the common open space calculation.
 - f. Tiny Houses must surround the common open space on a minimum of two sides of the green.
 - g. Common open space shall be located outside of stormwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten percent.

3. All houses must have both front and rear porches.
 - a. Porches shall be oriented towards common open space or street and designed to provide a sense of privacy between units. Porch shall be a minimum of (80) eighty square feet and a minimum of (8') eight feet deep on the common open space side of the building. The square footage of the porch may be reduced to (60) sixty square feet (six by ten feet deep) on units less than six hundred total gross square feet.
 - b. Secondary entrances facing the parking and sidewalk are required to have a minimum five-by-five-foot porch.
4. Pocket neighborhood communities must be part of a condo or homeowners association to maintain the common areas
5. Lot Requirements.
 - a. Area. The minimum lot area per dwelling unit shall be of (1,200) Twelve Hundred square feet. Maximum lot area per dwelling unit shall be (3,000) Three thousand square feet. Maximum lot coverage 40% for structure, porches and drives 30%
 - b. Width. Minimum width per lot shall be 18 feet. Maximum width per lot 30 feet.
 - c. Depth. Minimum length per lot 50 feet. Maximum length per lot 100 feet
6. Setbacks.
 - a. Front setback: shall be twenty feet to be used for front porch and parking.
 - b. Rear or next to common area the set back shall be five feet for the construction of a rear porch.
 - c. Side Setbacks: The sum of side setbacks shall be not less than ten feet. If the side setback adjoins public open space, these setback requirements may be reduced by an amount equal

to the distance from the property line to the centerline of the open space.

- d. A modified setback shall be endorsed upon the approved site plan. No portion of a building or appurtenance shall be constructed as to project into any commonly owned open space. No structure or portion thereof shall be closer than five feet to any structure on an adjacent lot.
7. Maintenance of open space and utilities. Before approval is granted, the applicant shall submit covenants, deeds and homeowners association bylaws and other documents guaranteeing maintenance and common fee ownership of public open space, community facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and accompanied by a certificate from an attorney that they comply with the requirements of this chapter prior to approval. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the county auditor as a condition precedent to the filing of any final plat of the property or division thereof, except that the conveyance of land to a homeowners association may be recorded simultaneously with the filing of the final plat.
 8. Tiny houses on wheels (THOW) in pocket neighborhoods must comply with the following:
 - a. THOWs must be placed in a designated area in the approved site plan of the pocket neighborhood.
 - b. All THOWs must be placed adjacent to common open space area.
 - c. Must meet the tie down and skirting requirements of the Mobile Home requirements of the Land Development Regulations. The Building Official may require additional standards to ensure the porches hide any hitches.

End Exhibit "A"

ORDINANCE NO. 1681 - 2015

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 62.170, PUD - PLANNED UNIT DEVELOPMENT DISTRICT, OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO ACCOMMODATE TINY HOUSES IN POCKET NEIGHBORHOODS AS A NEW USE WITHIN THE CATEGORY; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

WHEREAS, the Rockledge Planning Commission has recommended and the City Council has approved the use of "Tiny Houses in Pocket Neighborhoods" within the Planned Unit Development (PUD) District, which necessitated changes to facilitate the additional use; and

WHEREAS, the Rockledge City Council has determined the changes are necessary to accommodate the new uses within the District;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:

SECTION 1. That Subsection 62.173(A) of the Rockledge Land Development Regulations is amended by adding thereto a subsection (5) as follows:

- (5) Pocket Neighborhoods with Tiny Houses, pursuant to regulations adopted therefor.

SECTION 2. That Subsection 62.174(a) of the Rockledge Land Development Regulations is amended by deleting same and

substituting therefor the following:

- (a) Area. The minimum lot area required is five (5) acres.

SECTION 3. That Subsection 62.176(B)(3) is amended by deleting same and substituting therefor the following:

| NUMBER OF BEDROOMS IN EACH DWELLING UNIT | MINIMUM LIVING AREA OF EACH DWELLING UNIT |
|---|--|
| Not more than one (1) Bedroom | 550 square feet |
| Two (2) or more bedrooms | 550 square feet, plus an additional 100 square feet for each bedroom exceeding one (1) |

SECTION 4. That Subsection 62.178(B)(2)(a) is amended by deleting same and substituting therefor the following:

- (a) The minimum average net lot size shall be four thousand (4,000) square feet. This shall not include any credit for streets, recreation areas, common open space or water bodies.

SECTION 5. That Subsection 62.178(B)(4)(a) is amended by deleting same and substituting therefor the following:

- (a) The total lot coverage permitted for all buildings on the site shall not exceed sixty-five percent (65%) of the lot area.

SECTION 6. The provisions of this Ordinance are severable, and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective,

such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

SECTION 7. This Ordinance shall become effective ten (10) days following its adoption and signed by the Chairman of the City Council.

ADOPTED at a regular meeting of the City Council of the City of Rockledge, Florida, this 21st day of October 2015.

/s/ Thomas J. Price
Chairman, City Council of the
City of Rockledge, Florida

ATTEST:

/s/ Betsi Beatty Moist
City Clerk

1st Reading: 10-07-15

2nd Reading: 10-21-15

ORDINANCE NO. 1682 - 2015

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, AMENDING SECTION 62.180 - REDEVELOPMENT MIXED USE DISTRICT, OF THE ROCKLEDGE LAND DEVELOPMENT REGULATIONS TO ACCOMMODATE TINY HOUSES IN POCKET NEIGHBORHOODS AS A NEW USE WITHIN THE CATEGORY; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES.

WHEREAS, the Rockledge Planning Commission has recommended and the City Council has approved the use of "Tiny Houses in Pocket Neighborhoods" within the Redevelopment Mixed Use (RMU) District, which necessitated changes to facilitate the additional use; and

WHEREAS, the Rockledge City Council has determined the changes are necessary to accommodate the new uses within the District;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:

SECTION 1. That Subsection 62.184(a)(1)(a) of the Rockledge Land Development Regulations is amended by deleting same and substituting therefor the following:

- a. Residential uses, in the form of attached or detached units, may be developed within a single structure or within a multi-use building. Unless otherwise stated or more units are earned through use of design features, the maximum density is fourteen (14) dwelling units per acre (DUPA). Maximum allowable density is twenty-five (25) DUPA with density bonuses.

- Units may be single family, multi-family, patio homes, garden apartments, or town houses, lofts, or pocket neighborhoods, with Tiny Houses or other styles of attached or detached dwelling units.
- Lots in areas that are to be platted shall depend on the type of residential dwellings.
- Residential uses may be contained within a single area of the development parcel, or may be included in a building with non-residential uses.
- All attached residential units shall have no less than 550 square feet of floor area.
- Any detached units shall be a minimum of one thousand two hundred (1,200) square feet, with the exception of Tiny Houses.
- Attached residential units in a mixed-use building must be located on the floors above the commercial uses. Balconies may be located on the front of attached dwellings located in the upper floors of a mixed-use building and shall contain decorative lighting and plant materials. In addition, balconies may be located elsewhere on the building.
- The style of architecture and site development characteristics shall incorporate design features found herein. Each development shall include a minimum of four (4) of the twelve (12) standards design features to promote diversity and aesthetics.
- If a proposed development incorporates eight (8) or more design elements into the proposed development, a minimum of five (5) and maximum of an additional eight (8) units per acre may be approved by the city council at the time of site plan approval. If all twelve (12) features are incorporated, the council, at the recommendation of the planning commission, may award up to four (4) more units. However, in no case shall the maximum allowable density exceed twenty-five (25) dwelling units per acre.
- Multi-family structures shall provide parking at a rate of two (2) spaces per unit, of which one

space shall be in an enclosed garage;

SECTION 2. That Subsection 62.184(a)(2) of the Rockledge Land Development Regulations is amended by deleting same and substituting therefor the following:

- (2) Neo-traditional single family detached developments on a minimum of three (3) acres, may be developed in the RMU district as a sole use of land, subject to the following minimum provisions:
- Streets must be laid out in a grid pattern, with sidewalks, street lights, street signs and other site amenities provided by the developer; such amenities shall be of a design acceptable to the city and approved by the city council; on-street parking areas shall be provided and designated.
 - Houses shall be constructed in a vernacular, historic Florida architecture, replete with front porches, wood finishes, metal roofs, and rear garages.
 - Lot sizes may be a minimum of forty (40) by one hundred (100) and shall be platted.
 - Minimum house size shall be one thousand two hundred (1,200) square feet.

SECTION 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, or phrase hereof is for any reason held to be unconstitutional, invalid, or ineffective, such holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without the inclusion therein of any invalid portion or portions.

SECTION 4. This Ordinance shall become effective ten (10)

days following its adoption and signed by the Chairman of the City Council.

ADOPTED at a regular meeting of the City Council of the City of Rockledge, Florida, this 21st day of October 2015.

/s/ Thomas J. Price
Chairman, City Council of the
City of Rockledge, Florida

ATTEST:

/s/ Betsi Beatty Moist
City Clerk

1st Reading: 10-07-15

2nd Reading: 10-21-15

PZ MEETING AGENDA ITEM 2

3/14/18

**INFORMATION ABOUT A TINY HOUSE
ON VACANT LAND IN
FLORIDA**

Can I Build a Tiny House on Vacant Land in Florida?

Whether a tiny house will be legal in Florida depends largely on the laws of the local jurisdiction.

By [Will Van Vactor](#),

Question:

I want to put a tiny house on rural land in Florida to use as a second home. In case I ever want to move the tiny house or sell it, I would prefer to have a tiny house on wheels. Are tiny houses on wheels legal in Florida? If so, can I buy any rural lot I like and put my tiny house on it, or will local rules limit my property rights?

Answer

In Florida, whether a tiny house on wheels (“THOW”) is lawful on any given piece of land will depend on the laws and regulations of your state and local government. Zoning and land use regulations vary from location to location, so what rural lot you choose to place your THOW on does matter. In fact, what is legal on one lot may not be legal on a neighboring lot.

Since every case is different, you will need to complete site-specific research before buying your Florida property. Hiring local experts, like a tiny house builder and a land use attorney, may be helpful.

Before Buying Any Florida Land, Complete Your Due Diligence

With tiny houses, it is critical to complete a thorough inspection of any property you are thinking of buying before you close on the sale. In a case like this, you want to make sure that a THOW, when used as a seasonal second home in Florida, is legal. To afford buyers time to make these determinations, most real estate sale agreements give buyers time to complete [due diligence](#).

How much time and money a buyer spends on due diligence will depend in large part on the value of the subject property and the importance the buyer places on being able to use the land in a specific way (such as for a seasonal dwelling). If you want to buy land to put a THOW to use as a second home, your due diligence should include, at a minimum:

- a thorough review of the local zoning code to confirm you can use a THOW as a seasonal dwelling on the subject property
- a detailed examination of the Florida building and safety standards that will apply to the construction of your THOW to make sure it is feasible to build on your selected lot
- an appraisal to confirm you are paying a fair price (if you are borrowing money, the lender will require this), and
- confirmation that the property has a legal method of access, adequate domestic water, no boundary line issues, and clear title.

Additional due diligence on your part may be prudent, such as a building inspection if there is an existing structure on the land or an environmental assessment if there was prior commercial or industrial use there. An experienced Florida real estate agent can help make sure your due diligence is thorough and when necessary, refer you to local experts, such as surveyors, builders, and attorneys. You do not want to buy land and then find out you cannot put your THOW on it like you plan to, so do a careful job with your due diligence.

Local Florida Land Use and Zoning Regulations Control Development

Land use and zoning regulations control how land can be used and developed. In Florida, local governments, including cities and counties, are required to regulate land use (Fla. Stat. § 163.3167(1)). These regulations are found in city and county land use development codes (also known as zoning ordinances or zoning codes).

Since rural land is most often located outside city limits, it is most likely you will be reviewing county regulations. To preserve farmland, some rural lands are more strictly regulated than others.

In Martin County, Florida, for instance, residential uses are allowed only on land zoned for agricultural use if certain conditions are met, including density requirements. For land zoned General Agricultural (AG-20A) in Martin County, the minimum lot size is 20 acres.

As you review the zoning code and map, look for:

- what the underlying zone is (for example, rural residential or agricultural)

Select Year: 2017 ▼ Go

The 2017 Florida Statutes

Title XI
COUNTY ORGANIZATION AND INTERGOVERNMENTAL
RELATIONS

Chapter 163
INTERGOVERNMENTAL
PROGRAMS

View Entire
Chapter

163.3167 Scope of act.—

- (1) The several incorporated municipalities and counties shall have power and responsibility:
- (a) To plan for their future development and growth.
 - (b) To adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth.
 - (c) To implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations or elements thereof.
 - (d) To establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of this act.

The powers and authority set out in this act may be employed by municipalities and counties individually or jointly by mutual agreement in accord with this act and in such combinations as their common interests may dictate and require.

(2) Each local government shall maintain a comprehensive plan of the type and in the manner set out in this part or prepare amendments to its existing comprehensive plan to conform it to the requirements of this part and in the manner set out in this part.

(3) A municipality established after the effective date of this act shall, within 1 year after incorporation, establish a local planning agency, pursuant to s. [163.3174](#), and prepare and adopt a comprehensive plan of the type and in the manner set out in this act within 3 years after the date of such incorporation. A county comprehensive plan shall be deemed controlling until the municipality adopts a comprehensive plan in accord with this act.

(4) Any comprehensive plan, or element or portion thereof, adopted pursuant to this act, which but for its adoption after the deadlines established pursuant to previous versions of this act would have been valid, shall be valid.

(5) Nothing in this act shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.

(6) The Reedy Creek Improvement District shall exercise the authority of this part as it applies to municipalities, consistent with the legislative act under which it was established, for the total area under its jurisdiction.

(7) Nothing in this part shall supersede any provision of ss. [341.8201-341.842](#).

(8)(a) An initiative or referendum process in regard to any development order is prohibited.

(b) An initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited unless it is expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.

(c) It is the intent of the Legislature that initiative and referendum be prohibited in regard to any development order. It is the intent of the Legislature that initiative and referendum be prohibited in regard to any local comprehensive plan amendment or map amendment, except as specifically and narrowly allowed by paragraph (b). Therefore, the prohibition on initiative and referendum stated in paragraphs (a) and (b) is remedial in nature and applies retroactively to any initiative or referendum process commenced after June 1, 2011, and any such initiative or referendum process commenced or completed thereafter is deemed null and void and of no legal force and effect.

(9) Each local government shall address in its comprehensive plan, as enumerated in this chapter, the water supply sources necessary to meet and achieve the existing and projected water use demand for the established planning period, considering the applicable plan developed pursuant to s. 373.709.

(10)(a) If a local government grants a development order pursuant to its adopted land development regulations and the order is not the subject of a pending appeal and the timeframe for filing an appeal has expired, the development order may not be invalidated by a subsequent judicial determination that such land development regulations, or any portion thereof that is relevant to the development order, are invalid because of a deficiency in the approval standards.

(b) This subsection does not preclude or affect the timely institution of any other remedy available at law or equity, including a common law writ of certiorari proceeding pursuant to Rule 9.190, Florida Rules of Appellate Procedure, or an original proceeding pursuant to s. 163.3215, as applicable.

History.—s. 4, ch. 75-257; s. 1, ch. 77-174; s. 3, ch. 85-55; s. 6, ch. 86-191; s. 1, ch. 87-338; s. 1, ch. 92-129; s. 5, ch. 93-206; s. 1, ch. 95-322; s. 23, ch. 96-410; s. 158, ch. 2003-261; s. 11, ch. 2004-5; s. 1, ch. 2004-37; s. 3, ch. 2004-372; s. 1, ch. 2004-381; s. 42, ch. 2010-102; s. 3, ch. 2010-205; s. 7, ch. 2011-139; s. 1, ch. 2012-99; s. 1, ch. 2013-115; s. 3, ch. 2013-213; s. 1, ch. 2014-178.

- what uses are allowed in that zone (for example, look to see whether camping or RVs are a legal use) and if so, whether you will need to apply for a permit
- what development standards apply, such as minimum lot sizes, minimum lot widths, and setbacks, and
- what building standards apply.

In Florida, like in most states, you will likely find that your THOW falls into a gray area of the law. It's possible that using a THOW as a second home or cabin will qualify as "camping" or similar recreational use.

Given the risk of hurricanes in Florida, you will likely find a requirement that your THOW be permanently affixed to the ground. For instance, in Sarasota County, a THOW (if it qualifies as a park trailer) kept in an RV park for more than 45 days must be placed on a permanent foundation. And in Rockledge, Florida, where THOWs are expressly allowed in pocket neighborhoods, a THOW must meet the tie-down requirements applied to mobile homes.

Your Tiny House May Need to Comply with Florida Safety Standards

Like a tiny house on a foundation that must comply with the local building code, tiny houses on wheels in Florida must meet certain safety standards. For example, if you buy a new park model recreation vehicle to use as your THOW, it must comply with American National Safety Institute standard 119.2. Fla. Stat. § 320.8231(1). Even in Rockledge, your THOW must be built to a structural engineer's approved plans and you must provide a detailed description of the construction of the THOW (including the location of studs, joists, rafters, and engineered connectors).

Check with your local government before buying or building your THOW to make sure it will comply with all safety standards that apply.

Do Not Ignore Florida Zoning Codes and Building Standards

If you fail to get the necessary land use and building permits you may be taking a big risk. If a nosy neighbor turns you in or a curious code enforcer becomes concerned about your THOW, you may be fined if you do not have the necessary permits. You may also have to remove the THOW, which will be a big deal if you have already permanently attached it to a foundation.

A Florida land use attorney can help you identify all applicable laws and determine whether your tiny house will be lawful.

Select Year: 2017 ▼ Go

The 2017 Florida Statutes

Title XXIII

MOTOR VEHICLES

Chapter 320

MOTOR VEHICLE LICENSES

[View Entire Chapter](#)**320.8231 Establishment of uniform standards for recreational vehicle-type units and park trailers.—**

(1) Each recreational vehicle-type unit, as defined in s. [320.01\(1\)\(b\)](#), manufactured in this state or manufactured outside this state but sold or offered for sale in this state shall meet the Uniform Standards Code ANSI book A-119.2 or A-119.5, as applicable, approved by the American National Standards Institute. Such standards shall include, but are not limited to, standards for the installation of plumbing, heating, and electrical systems and fire and life safety in recreational vehicle-type units and park trailers. However, those park trailers exceeding 400 square feet shall meet the Federal Manufactured Home Construction and Safety Standards and shall have a United States Department of Housing and Urban Development label.

(2) Trailer hitches or other trailer connecting devices manufactured, sold, or offered for sale in this state for use with any trailer governed by this section or for use in towing boats must conform to the certification standards in Vehicle Equipment Safety Commission Regulation V-5.

*History.—*s. 6, ch. 75-203; s. 35, ch. 77-357; s. 2, ch. 81-318; s. 3, ch. 84-182; s. 10, ch. 85-343; ss. 19, 20, ch. 88-147; s. 1, ch. 90-78; s. 4, ch. 91-429; s. 66, ch. 94-306; s. 1, ch. 96-358.

Copyright © 1995-2018 The Florida Legislature • [Privacy Statement](#) • [Contact Us](#)

PZ MEETING AGENDA ITEM 2

3/14/18

**CAN YOU PUT A TINY HOUSE IN YOUR
BACKYARD IN
FLORIDA**

Can I Put a Tiny House in My Backyard in Florida?

What to research before adding a tiny home to your Florida property.

By [Will Van Vector](#),
QUESTION???

I live in Florida and want to put a tiny house in my backyard. Eventually, I plan to use it as a residential rental, but for now, while my children are living at home, it sounds fun to use it as a playroom or art studio. I am unsure what laws apply in Florida. Under Florida law, is it legal to put a tiny house in my backyard?

Answer

Whether Florida law allows a tiny house in your backyard depends on several factors, including

- what the primary use of the tiny house is
- local policies and regulations of tiny houses, and
- the building and safety standards that will apply to the construction of your tiny house.

This answer provides basic information to help start your research. To fully understand how zoning regulations and building codes will impact your tiny house plans, you need to carefully review the applicable zoning ordinance, talk to staff at your local planning department, and maybe talk to a Florida land use attorney.

Why Knowing How You Will Use the Tiny House Is Important

Different uses of land will be subject to different rules. A dwelling, for example, (even a small one) will be subject to different regulations than a greenhouse. For this reason, it may help you to identify what you plan to use your tiny house for.

If you elect to use your THOW for something that involves lower regulatory standards now, such as an art studio, but then use it for residential purposes later, you will likely need to apply for a change of use with your local planning department. Through that process, your local government will confirm that the

tiny house meets the higher safety standards (see below) it imposes for residential use.

Local Florida Land Use and Zoning Regulations Determine What Uses Are Allowed in Your Backyard

Another preliminary consideration is what uses are legally allowed in your backyard. To figure this out, a good place to start is with the local zoning code. Some communities call this document a “land development code” (as it is in Orlando). Zoning plays an important role in how an owner's land can be used.

Local Florida Land Use and Zoning Regulations Determine What Uses Are Allowed in Your Backyard

Another preliminary consideration is what uses are legally allowed in your backyard. To figure this out, a good place to start is with the local zoning code. Some communities call this document a “land development code” (as it is in Orlando). Zoning plays an important role in how an owner's land can be used.

Zoning codes include two components: the text and the zoning map. The map will help you identify what zoning district your property is in. You can also contact the local planning department to identify the correct zoning district. The text in the zoning code will spell out what uses are allowed in each district. In a typical single-family residential zone, single-family residential uses will be allowed, but industrial uses will not.

The zoning code will also include development standards, like setbacks (how close to front, rear, and side property lines a structure can be) and minimum lot size requirements (the minimum size the underlying lot can be). For example, in Tallahassee, Florida, the single-family residential (R-2) zone, a typical lot will be subject to a minimum lot size of 9,000 square feet, front and rear yard setbacks of 25 feet, and side yard setbacks of 7.5 feet.

Some Communities Are More Accepting of Tiny Houses on Wheels Than Others

In Florida, tiny houses are treated differently from town to town. While some communities see tiny houses as a means to tackle affordable housing concerns, others see risks, including safety concerns.

Since every community is different, you will need to review your applicable code carefully to see whether your tiny house plan is legal. Keep your eyes

open for certain terms, like “tiny house” and “accessory dwelling unit” (“ADU”). In Rockledge, Florida tiny houses are specifically referenced. This is unusual, though. In a case like yours, a backyard tiny house might meet the definition of an ADU. In 2004, the Florida legislature passed a bill promoting ADUs as way to provide affordable housing.

It is important to review and understand the applicable zoning code as it applies to your proposal. Staff at the local planning department are usually happy to answer any questions you have about the code.

Consider Whether You Will Build on Wheels or a Permanent Foundation

Your question does not indicate whether you will build on a foundation or on wheels. Tiny houses are treated differently depending on whether they are built on a foundation or on wheels. While a tiny house built on a foundation might qualify as an ADU for permanent dwelling, a tiny house on wheels will likely be treated as a recreational vehicle (“RV”). Except in some RV and mobile home parks, typically counties and cities prohibit use of RVs for permanent residential use.

Safety and Building Standards Apply to Tiny Houses, Too

A tiny house built on a permanent foundation will be subject to the applicable building code. Among other requirements, if the tiny house will be used as a dwelling, a 120-square foot habitable room requirement may be imposed and any loft area will likely need an emergency escape.

~~RELATED ADS~~

Since a tiny house on wheels placed in a backyard will most likely be treated as an RV, it will need to comply with safety standards imposed on RVs. It is common for the American National Standards Institute (“ANSI”) rules for park trailers to apply. Also be aware, the Florida Department of Motor Vehicles may require you to register and license your tiny house on wheels since it will be built on a trailer.

If you plan to build your tiny house yourself, be sure to talk to the planning and building departments before you begin construction. If you are building on a trailer, you should also talk to the DMV. At some point, you may have to prove that your tiny house meets all applicable building and safety standards. The last thing you will want to do is tear your new tiny house apart to show you installed the right electrical and plumbing components.

Reasons to Research and Comply With Local Zoning Codes (And Other Applicable Florida Laws)

Some tiny house owners skip the land-use permitting process and just put the tiny house on their property. Or there may be loopholes in the process that some try to jump through.

If you fail to get the necessary approvals up front, you may face fines and a code enforcement action later. Before taking any shortcuts, or skipping the permitting process entirely, talk to a land use attorney licensed in Florida to help make sure your tiny house is lawful.

If your community does not allow tiny houses or ADUs, you can ask your attorney about the process for amending the zoning code. The process may be costly and time-consuming, but if there is enough political pressure, your local leaders may be willing to change your community's land use regulations to allow tiny houses. The efforts of the public led to [change in Rockledge](#).

PZ MEETING AGENDA ITEM 2

3/14/18

TINY HOUSE ZONING REGULATIONS

Tiny house zoning regulations: What you need to know

Find out which states are the most tiny house-friendly

By [Emily Nonko](#) Sep 22, 2016, 11:30am EDT

Despite the growing enthusiasm for [tiny houses](#), it still isn't easy to legally build them for full-time use. Zoning laws and building codes, by and large, require a minimum square footage for new-construction homes, and progress to reduce that square footage is slow.

"There are only a handful of cities across the country that directly address tiny houses," says Alexis Stephens, the national coordinator for the [Tiny House Association](#) and the producer of [Tiny House Expedition](#). Stephens is making a [three-part documentary](#) about living legally in a tiny home after she found that "there's a lot of interest [in tiny living], but people are confused by the zoning codes and regulations, and feel intimidated to go to the city government."

Cities and towns that have started to accommodate tiny homes have typically been pushed by grassroots organizers asking government officials for changes to local building and zoning codes. The result is that tiny house ordinances are "so darn specific," as Stephens says, to the town or city they're approved in.

In that vein, here you will find a breakdown of the states across America where it's actually feasible to build the tiny house of your dreams and what you need to know before you do it. If you don't see your state on the list, the American Tiny House Association [rounded up regulations](#) for many states, as well as contact info for state chapter leaders. And there's always the option to [petition your own city](#) for tiny house-friendly zoning changes.

Types of tiny homes

There are two types of tiny homes: a tiny house on wheels, legally considered a recreational vehicle (RV), and a tiny house on a foundation, legally considered an accessory dwelling unit, or ADU. If you're building a tiny house on wheels, you'll need to register it as an RV with your state; in most states, a self-built RV will be inspected before it gets a license plate. Building an accessory dwelling unit, however, is more complicated.

So where can I live?

If you've registered your tiny house on wheels as an RV and plan to travel with it, you aren't dealing with zoning or building code concerns—you just need to find a place to park it. You could stay in a friend's backyard or park on their driveway (with permission, of course), or pay to stay at a camping or RV site. The latter will dictate how long you're allowed to stay there. Most states prohibit RVs as full-time residences in zones other than RV parks—but the rule is really only enforced if your tiny house on wheels is reported or complained about.

Building a tiny house on a foundation is trickier. Zoning and building regulations across the country prohibit you from buying land and building your own tiny house on it. Instead, you'll have to build an accessory dwelling unit, which means a secondary residential dwelling unit located on a single-family lot. (These units can be referred to as a carriage house, granny flat, mother-in-law suite, auxiliary unit, English basement, or cottage; ADU is the technical term.)

A collection of ADUs built around one larger structure is known as a tiny house community. Both ADUs and tiny house communities are only allowed in certain states, which we're about to get to.

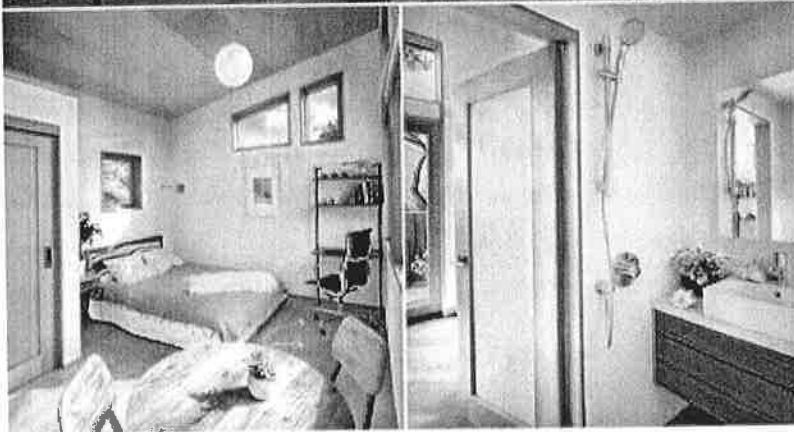
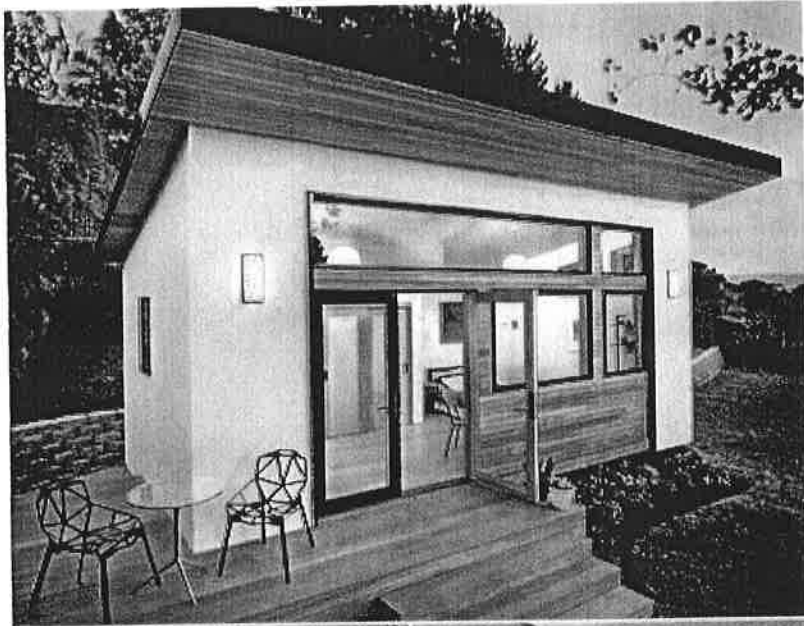
Building codes versus zoning

It's important to understand the difference between building codes and zoning—both of which dictate and limit the construction of tiny homes. "Construction codes tell you how to build your house," explains Andrew Morrison, of [Tiny House Build](#). "Zoning depends on where you'll build your house."

Most of the country's local building codes have been adopted from the [International Residential Code \(IRC\)](#) for one- and two-family dwellings, which contains size specifications like rooms (except bathrooms and kitchens) must be at least 70 square feet, while ceiling height must be at least 7 feet.

Zoning regulations are based off more local factors, and determine the size requirements of your home based on what zone it's located in. You will need to call your local zoning or planning department to find that info. Many cities and counties, however, have a minimum size requirement of 1,000 square feet or more for construction of a new home on its own land, according to [Tiny House Community](#).

States with flexible building codes or zoning regulations



A 264-square-foot tiny house designed by Avava Systems, located in Livemore, California. Photos via [Avava Systems](#).

Even though the IRC and local zoning regulations are in place, a citizen can still apply for a variance through the local planning commission to build outside the existing codes. The states listed below have most progressive building codes, or they are home to the most interesting tiny house projects.

California

California is one of the best states for being a tiny-house enthusiast. In the counties of Alameda, Contra Costa, Lake, Mendocino, Napa, Sacramento, and Sonoma, tiny houses on wheels are allowed as "caregiver dwellings" in the backyard of a person who needs assistance. Just this year, Fresno city zoning approved tiny houses on wheels as backyard cottages *without* the requirement for the tiny house dweller to serve as a caregiver. This created a "ripple effect," as Stephens put it, with the planning commission in the town of Ojai currently drafting amendments for the same type of allowance.

Los Angeles has proven to be less progressive. Earlier this year, the city agreed to return tiny houses that were built for homeless people and seized by the police. But the mayor said he didn't support the concept of a tiny house village.

Colorado

There are a few towns in Colorado that have been open to tiny house amendments. In 2013, Walsenburg became the first town in the state to amend zoning regulations for tiny houses between 120 and 600 square feet. In the mountain town of Durango, an ordinance to allow ADUs in the East Animas City neighborhood was approved in 2014.

Florida

Some of the most progressive tiny housing zoning ordinances in the country were approved in Rockledge, Florida, two years ago. A citizen-led initiative led the city to consider two appropriate zoning districts for tiny houses: redevelopment mixed use district (RMU) and planned unit development (PUD). The city also added definitions to distinguish tiny houses and tiny houses on wheels.

Today, both tiny houses on wheels and foundation are legal inside the city limits within two zoning districts that include community use. The Rockledge Tiny House Community will be a Pocket Neighborhood with homes ranging 150 to 700 square feet around shared park space.

Massachusetts

This year, a Nantucket resident started pushing for an amendment to the town's zoning bylaws for residents to start building tiny. The state's attorney general office is now expected to approve an amendment that would allow new residential construction under 500 square feet in several districts. (Tiny homes would need to include water, septic and electricity hookups and fitted to fixed foundations due to hurricane concerns.) If approved, Nantucket will officially be the first Massachusetts community to approve zoning that specifically allows for tiny houses.

Michigan

A tiny house population designed to house low-income residents is now under construction in Detroit. It is the first project of its type in the city, and required a community organization to work with the city on the appropriate zoning to build homes between 250 and 400 square feet. The first phase of construction is expected to wrap this fall.

New York

Although not a tiny *house*, New York City's first micro apartment building opened to residents this year. In effect, the mayor's office has relaxed zoning restrictions so that developers can now include apartments under 400 square feet in new development. While tiny cabins can be found throughout more rural areas of the state, no towns have officially adopted more lax zoning rules to allow for tiny house construction. Tiny houses that have made news in New York recently—three 160-square-foot modern "Getaway" cabins that can be rented out—are on wheels, meaning they would be registered as an RV.

Oregon

Consider Portland the best major city for tiny houses. The city allows for, and supports, the construction of accessory dwelling units. (Here's a site on how to build an ADU in Portland.) The allowance has allowed for everything from tiny house communities—in which a collection of tiny homes surround a larger structure—to a tiny house hotel.

Texas

Two years ago the town of Spur, Texas declared itself the tiny house capital of America, with the local government voting to do away with nearly all building restrictions. The town has since attracted tiny house buildings, who must submit their tiny house design for approval and agree to connect to the electrical grid, water supply, and sewage system. Houses on wheels must also be placed on concrete foundations due to tornados.

Rules on ADUs were recently relaxed in Austin, and in Fort Worth, the planning commission is flexible with ADUs so far as they meet the city rules. Dallas regulates that ADUs can only be built via a special exemption.

Texas also has what's known as "unrestricted zoning ordinances," which Stephens explains as "more like the 'wild west'... there are no, or very loose, zoning guidelines and you're able to build as you see fit."

As you might guess, this (lack of) zoning exists in mostly remote, rural areas throughout the country. The tiny house community Austin LiveWork is an exception, as it's located 15 minutes outside of the city and is under no zoning governance. Builders are currently planning for tiny resident living over 10 acres of land.

The future of tiny houses

There's plenty of momentum to continue changing zoning regulations at the local level. But there's movement on the national level, too. Tiny house advocates are currently pushing to include a tiny house code in the International Residential Code (IRC) that would become a model code for all tiny houses used as a primary residence within the United States.

"Issues like ceiling heights, emergency escape egress and lofts are almost impossible to pass through the existing IRC code," says Morrison, who is behind Tiny House Build and also spearheading this proposal. Morrison considers tiny houses on wheels and ADUs "great steps forward," but, he says, "We need a national-level code [for tiny house building regulations]." If included, this new code would be integrated into latest IRC codes, set to go into motion in 2018.

PZ MEETING AGENDA ITEM 2

3/14/18

**PROPOSED INTERNATIONAL BUILDING
CODES TINY HOMES**

Proponent : Andrew Morrison, representing Tiny House Enterprises, LLC (Andrew@TinyHouseBuild.com); Martin Hammer, representing Martin Hammer, architect (mfhammer@pacbell.net); Chris Keefe, representing OrganicForms Design (chris@organicformsdesign.com); Brandon Marshall, representing FOG Studio (brandon@fogprojects.com); Gabriella Morrison, representing Tiny House Enterprises, LLC (Gabriella@TinyHouseBuild.com); James Herndon, representing self (jamesmherndon@gmail.com); Tiffany Redding, representing FOG Studio (tiffany@fogprojects.com); Nabil Taha, representing Precision Structural Engineering, Inc. (bill@structure1.com) requests Approve as Modified by this Public Comment.

Replace Proposal as Follows:

2015 International Residential Code

APPENDIX V TINY HOUSES

CHAPTER PART AV101— GENERAL

AV101.1 Scope. This appendix shall be applicable to tiny houses used as single dwelling units. Tiny houses shall comply with this code except as otherwise stated in this appendix.

CHAPTER PART AV102— DEFINITIONS

AV102.1 General. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

EGRESS ROOF ACCESS WINDOW. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a loft.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor and open to it on at least one side with a ceiling height of less than 6 feet 8 inches (2032 mm), used as a living or sleeping space.

TINY HOUSE. A dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts.

CHAPTER PART AV103— CEILING HEIGHT

AV103.1 Minimum ceiling height. Habitable space and hallways in tiny houses shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting and other obstructions.

Exception: Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

CHAPTER PART AV104— LOFTS

AV104.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AV104.1.1 through AV104.1.3.

AV104.1.1 Minimum area. Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

AV104.1.2 Minimum dimensions. Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AV104.1.3 Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

Exception: Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

AV104.2 Loft access. The access to and primary egress from lofts shall be any type described in Sections AV104.2.1 through AV104.2.4.

AV104.2.1 Stairways. Stairways accessing lofts shall comply with this code or with Sections AV104.2.1.1 through AV104.2.1.5.

AV104.2.1.1 Width. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The minimum width below the handrail shall be not less than 20 inches (508 mm).

AV104.2.1.2 Headroom. The headroom in stairways accessing a loft shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

AV104.2.1.3 Treads and risers. Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus 4/3 of the riser height, or
2. The riser height shall be 15 inches (381 mm) minus 3/4 of the tread depth.

AV104.2.1.4 Landing platforms. The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches (457 to 559 mm) in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches (406 to 457 mm) in height measured from the landing platform to the loft floor.

AV104.2.1.5 Handrails. Handrails shall comply with Section R311.7.8.

AV104.2.1.6 Stairway guards. Guards at open sides of stairways shall comply with Section R312.1.

AV104.2.2 Ladders. Ladders accessing lofts shall comply with Sections AV104.2.1 and AV104.2.2.

AV104.2.2.1 Size and capacity. Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm) and 10 inches (254 mm) to 14 inches (356 mm) spacing between rungs. Ladders shall be capable of supporting a 200 pound (75 kg) load on any rung. Rung spacing shall be uniform within 3/8-inch (9.5 mm).

AV104.2.2.2 Incline. Ladders shall be installed at 70 to 80 degrees from horizontal.

AV104.2.3 Alternating tread devices. Alternating tread devices accessing lofts shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

AV104.2.4 Ships ladders. Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).

AV104.2.5 Loft Guards. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

CHAPTER PART AV105— EMERGENCY ESCAPE AND RESCUE OPENINGS

AV105.1 General. Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

Commenter's Reason: During the Committee Action Hearings in Kentucky, IRC Committee members explained their disapproval of RB168-16, but

also their support for addressing the issue of small houses. In the published reasons the Committee stated "The issue of small houses and apartments is important," and that "The IRC needs to address them in some fashion." They encouraged further development of the proposal, stating "There needs to be a more comprehensive approach", and that "The concept of smaller houses may be more suited for an appendix."

This Public Comment follows the Committee's advice by replacing the original piecemeal proposal with a proposed appendix that takes a "more comprehensive approach". It also reduces the 500 square foot threshold for "small houses" in the original proposal to the widely accepted threshold of 400 square feet for "tiny houses". At that smaller size there is increased difficulty in meeting certain dimensional requirements of the IRC; however, through years of practice by tiny house advocates and years of extensive use of comparably sized "recreational park vehicles" governed by ANSI A119.5, safe alternative dimensions and other requirements have been established that are included in the proposed appendix.

In the published reasons the Committee finally noted that "Small houses are a growing concern, [and] the demand for them is increasing." The reasons for that growing demand are both environmental and financial in nature. Below are statistics illustrating problematic housing trends, the environmental impacts of construction, the cost of home ownership, and how tiny houses can be a part of the solution. That is followed by specific reasons for the code language in the proposed appendix.

- The average home size in the U.S. increased 61% since 1973 to over 2600 square feet. In that time period the average household size decreased, leading to a 91% increase in home square footage per inhabitant (1000 SF per person) (source: US Census Bureau).
- The average house in the U.S. uses approximately 17,300 board feet of lumber and 16,000 square feet of other wood products. A 200 square foot tiny house uses only 1,400 board feet of lumber and 1,275 square feet of additional wood products. The lifetime conditioning costs can be as low as 7% of a conventionally sized home.
- United States Green Building Council (USGBC), the California Energy Commission (CEC), and other entities are working hard to increase energy efficiency in the construction industry. This is a great start, however a reduction in home size is the easiest way to lower energy consumption.
- National home ownership fell to 63.7% in 2015, the lowest level in two decades. Increased housing cost is cited as the main reason for low ownership rate. (source: Joint Center for Housing Studies (JCHS) at Harvard University)
- The average home in the United States costs approximately \$358,000 to build, an increase of roughly \$200,000 since 1998, whereas the average annual income in the United States has remained unchanged for the last several years, lingering near \$52,000. (source: US Census Bureau)
- The average American spends roughly 27% of their annual income on housing (nearly 11 hours of every 40-hour work week). 48% of households making less than \$30,000 annually pay more than half of their income on housing, leaving these households less than \$15,000 a year to purchase food, health care, education, clothing, and anything else. (source: JCHS)
- The cost of new construction for a 200 square foot tiny house can be as low as \$35,000. A typical down payment on an average-sized house is \$72,000, more than twice the full cost of a tiny house.
- Cities benefit from tiny house ordinances. With significant need for affordable housing, cities are hard-pressed to find solutions that quickly expand their low-income housing stock without burdening an already burdened system. Tiny houses can be quickly installed in municipalities and set up at little or no cost to the cities.
- Although not addressed in the proposed code language of this public comment, it is important to recognize the need for codes pertaining specifically to movable tiny houses. For some people, home ownership is heavily impacted by the cost of land and even the construction of a fixed tiny house becomes unattainable. For those individuals, the presence of movable tiny houses in the building code may create their only path to home ownership. The flexibility of a movable tiny house allows individuals to locate their homes in areas of community living or on ancillary home sites, without the burdensome cost of a single-family lot. It also allows them to take their home with them should they need to relocate, thus eliminating many typical costs of moving.

Tiny houses can play an important role in minimizing the environmental impacts of housing while providing safe and healthy homes at affordable prices. Pride of ownership improves neighborhoods and community morale. Tiny houses enable more people to become homeowners and contribute to their communities.

REASONS FOR DEFINITIONS:

EGRESS ROOF ACCESS WINDOW. Most manufacturers use this term for their skylights and roof windows that are designed to satisfy the dimensional requirements of emergency escape and rescue openings in U.S. building codes.

LANDING PLATFORM: Landing platforms have been demonstrated in practice to allow for the safe transition between stairways and lofts. (See photos)

LOFT. This definition is a modified version of the definition of loft area in Section 1-3 of ANSI A119.5 Recreational Park Trailer Standard.

TINY HOUSE. This definition is based on the widely accepted maximum square footage for tiny houses in the construction industry.

REASONS PER SECTION:

AV103. CEILING HEIGHT: The minimum ceiling height for non-loft habitable spaces in this proposed appendix is 6 feet 8 inches. Though lower than the 7 foot minimum for habitable spaces in the IRC, it is higher than the minimum of 6 feet 6 inches in Section 5-3.5.4 of ANSI A119.5 Recreational Park Trailer Standard, that has proven to provide safe and adequate head room during the extended occupancy of recreational park trailers.

AV104 LOFT: Tiny houses have considerably smaller footprints and building height than conventional houses. As such, lofts are essential to maximize the use of space in tiny houses and make them viable shelter for many individuals and families.

It is common knowledge to many building inspectors that spaces labeled "non-habitable storage" in dwellings of all sizes are sometimes used for sleeping or other habitable purposes once the final inspection is complete. Rather than being unable to enforce a falsely stated use, building departments could regulate the health and safety of those spaces for their intended use with the proposed appendix, ensuring health and safety with minimum loft dimensions, requirements for access and egress, and proper emergency escape and rescue openings.

MINIMUM AREA and MINIMUM DIMENSIONS: Lofts in tiny houses are small by necessity; however, minimum dimensions are required for lofts used as a living or sleeping space, so as to not impose a risk to occupant health and safety.

HEIGHT EFFECT ON LOFT AREA: For most roof designs in tiny houses, a minimum ceiling height of 3 feet has proven adequate in sleeping lofts for consideration of their required floor area. For gable roofs with moderate to high slopes, the slope has an aggressive impact on the loss of ceiling height but makes up for it with higher areas under the ridge. Thus lofts under gable roofs with a minimum 6:12 slope have a lesser minimum ceiling height when calculating their required floor area.

STAIRWAY WIDTH: These dimensional requirements are identical to those in Section 5-10.4.1.1 of ANSI A119.5. This provision is considered and proven safe for extended occupancy of recreational park trailers.

STAIRWAY HEADROOM: Because tiny houses are limited in square footage and height, IRC compliant head heights for stairs serving lofts are often not achievable. Therefore the stair headroom requirement has been reasonably reduced to 6 feet 2 inches.

STAIRWAY TREAD/RISER: This is identical to the requirements for treads/risers in Section 5-10.4.1.1 of ANSI A119.5. This provision is considered and proven safe for extended occupancy of recreational park trailers.

LANDING PLATFORMS: Landing platforms have been demonstrated in practice to allow for the safe transition between stairways and lofts. The required range of dimensions allow for a simple transition between standing and kneeling when entering or exiting the loft. (See photos)

LADDERS: This is identical to the requirements for ladders in Section 5-10.5 of ANSI A119.5. This provision is considered and proven safe for extended occupancy of recreational park trailers.

ALTERNATING TREAD DEVICES: Alternating tread devices as described in the IRC, are allowed to provide access to and egress from lofts.

SHIPS LADDERS: Ships ladders as described in the IRC, are allowed to provide access to and egress from lofts.

LOFT GUARDS: The height requirement for loft guards is identical to that for guardrails in Section 5-10.7 of ANSI A119.5.

AV105 EMERGENCY ESCAPE AND RESCUE: Due to the considerably smaller footprints of tiny houses, ceiling heights in sleeping lofts therein are often necessarily lower than minimum ceiling heights required by the IRC for sleeping rooms in larger houses. Egress roof access windows (which are specifically designed to meet the dimensional requirements of emergency escape and rescue openings) can be installed with their openings within 44 inches of the loft floor, thus meeting the requirements of Section R310 when wall mounted windows meeting these requirements are not possible.

Bibliography: ANSI A119.5 Recreational Park Trailer Standard 2009 Edition

PZ MEETING AGENDA ITEM 2

3/14/18

**BIG DEMANDS FOR TINY HOMES IN
TAMPA BAY AREA**

&

FLORIDA TODAY ARTICLE

2/4/18

2018 Grant Applications - New Grant Applications

New Funding Released All the Time. Deadlines Approaching. Apply Now [NEWS.FUNDING.COM](#)

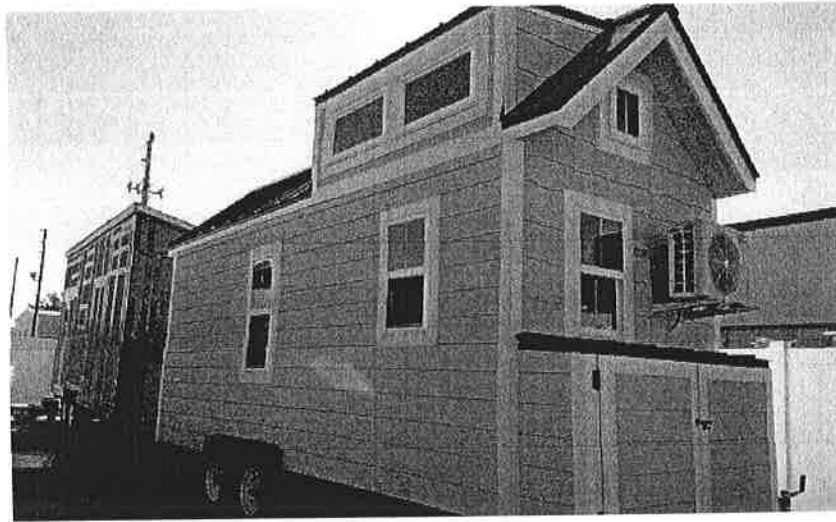


Big demand for tiny homes in Tampa Bay area



By [Meredyth Censullo](http://wfla.com/author/meredyth-censullo/)

Published: November 2, 2017, 2:09 pm | Updated: November 3, 2017, 7:37 am



TAMPA, Fla. (WFLA) — Brian Zmich is sold on tiny houses. The former house flipper's best sellers were small bungalows, which led him and his business partner to build a career crafting tiny homes in the Tampa Bay area. Their company is aptly named, Tampa Bay Tiny Homes.

"I think that what people are realizing is stuff is taking control of them and people want to take back control of their lives, so they're going tiny," Zmich says, in between text messages and phone calls. These days, he's pretty busy with demand for tiny house models rolling in.

Fortunately, a personalized tour of his model home doesn't take long.

Within 240 square feet, built on a 24-foot-long trailer, is a living space with seating area and wall-mounted television, a galley-style kitchen, a bathroom with a shower and a lofted bed.

"When you really start thinking about how we live it's efficient and it makes sense," says Zmich.

The model, furnished, would sell for about \$43,000. A tiny home built on a 35-foot-long trailer would start around \$80,000.

The custom built homes are made-to-order in St. Petersburg and generally take two or three months to complete.

Once the home is completed, the builders will get to work on a series of houses that will be displayed at the 2018 Valspar Championship golf tournament at Innisbrook Golf and Spa Resort in Palm Harbor.

Events like the popular tournament help the company get exposure, but Tampa Bay Tiny Homes doesn't really need it. Every day, someone stops by the company's headquarters to see what it might be like to live in pint-sized properties.

69/90

Despite the growing popularity of extreme downsizing and tiny living there's a big hurdle in Tampa Bay, where do you put a tiny home?

Some tiny homes are finding a place in RV parks, others on private property. But currently, there aren't many convenient neighborhoods to call home. Debbie Caneen wants to change that.

The Sun City woman and director of admissions at Sun Towers at Sun City Center, purchased a 210-square-foot tiny home created by University of South Florida architecture graduate Stephanie Henschen. The tiny home was featured on HGTV and resulted in Henschen landing a job on the West Coast. Caneen now uses it to drum up interest in tiny living.

Earlier this year, Caneen purchased an old trailer park in Ruskin, near the Hillsborough County Community college and Amazon fulfillment center and is developing the 4.5-acre property into what she's calling Circle Pond Tiny Community. Her vision is a neighborhood with space for 24 tiny homes, with amenities including utilities and WiFi service included.

"I'd like to keep the rent around \$400 a month," says Caneen, adding that she hopes to use the neighborhood to not only welcome tiny homes, but also to encourage others to build similar communities.

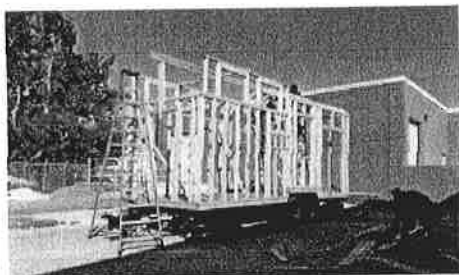
Caneen hopes to showcase tiny homes as an affordable option for the working class, millennials, and even older couples who've decided to downsize to the extreme.

Land clearing is underway, and when Circle Pond opens— by the end of 2017, she hopes —she's planning to become a resident herself. Ready to downsize, she and her husband, who is 6 '5" tall by the way, are already designing their perfectly petite living space.

"When you look at all of the clutter in your home, you think 'all that stuff used to be money.' And here I am spending time cleaning and dusting stuff. I don't want any more stuff!" she says.

Circle Pond Tiny Community and Tampa Bay Tiny Homes have teamed up to put on a tiny home show, Saturday, November 11th, at Hillsborough Community College — SouthShore, 551 24th Street N.E., Ruskin, Florida 33570. Caneen's tiny home, Tampa Bay Tiny Homes' model, and several other tiny homes, including several that have been featured on HGTV programs, will be featured at the event, and there are several speakers and presentations lined up to cover a number of aspects of tiny living. [Learn more about the event here. \(https://www.eventbrite.com/e/tiny-home-show-tickets-37986739360\)](https://www.eventbrite.com/e/tiny-home-show-tickets-37986739360)

[Follow Meredyth Censullo on Facebook \(https://www.facebook.com/WFLAmeredyth/\)](https://www.facebook.com/WFLAmeredyth/)





WHAT OTHERS ARE CLICKING ON RIGHT NOW:

- [Jury convicts Florida woman who 'starved and abandoned' dog](http://wfla.com/2017/11/03/jury-convicts-florida-woman-who-starved-and-abandoned-dog/) (<http://wfla.com/2017/11/03/jury-convicts-florida-woman-who-starved-and-abandoned-dog/>)
- [6 Lakeland police officers shoot, kill man armed with shotgun](http://wfla.com/2017/11/03/6-lakeland-police-officers-shoot-kill-man-armed-with-shotgun/) (<http://wfla.com/2017/11/03/6-lakeland-police-officers-shoot-kill-man-armed-with-shotgun/>)
- [Canadian angler sharing story of latest catch, warning for Tampa Bay area](http://wfla.com/2017/11/02/canadian-angler-sharing-story-of-latest-catch-warning-for-tampa-bay-area/) (<http://wfla.com/2017/11/02/canadian-angler-sharing-story-of-latest-catch-warning-for-tampa-bay-area/>)
- [Hero dad reacts when man drives into Tampa Home Depot](http://wfla.com/2017/11/02/hero-dad-reacts-when-man-drives-into-tampa-home-depot/) (<http://wfla.com/2017/11/02/hero-dad-reacts-when-man-drives-into-tampa-home-depot/>)
- [St. Pete dance coach accused of offering minor \\$50 in exchange for sex](http://wfla.com/2017/11/02/st-pete-dance-coach-accused-of-offering-minor-50-in-exchange-for-sex/) (<http://wfla.com/2017/11/02/st-pete-dance-coach-accused-of-offering-minor-50-in-exchange-for-sex/>)
- [Chuck Norris sues over MRI chemical he says poisoned wife](http://wfla.com/2017/11/03/chuck-norris-sues-over-mri-chemical-he-says-poisoned-wife/) (<http://wfla.com/2017/11/03/chuck-norris-sues-over-mri-chemical-he-says-poisoned-wife/>)
- [Seminole Co. woman accused of having sex with friend's son, 16](http://wfla.com/2017/11/02/seminole-co-woman-accused-of-having-sex-with-friends-son-16/) (<http://wfla.com/2017/11/02/seminole-co-woman-accused-of-having-sex-with-friends-son-16/>)

Related Posts



[110-year-old to be honored at Grandmothers Gala in Tampa](http://wfla.com/2018/02/07/110-year-old-to-be-honored-at-grandmothers-gala-in-tampa/) (<http://wfla.com/2018/02/07/110-year-old-to-be-honored-at-grandmothers-gala-in-tampa/>)



[Know these hot spots where the flu virus can hide in your home](http://wfla.com/2018/02/14/know-these-hot-spots-where-the-flu-virus-can-hide-in-your-home/) (<http://wfla.com/2018/02/14/know-these-hot-spots-where-the-flu-virus-can-hide-in-your-home/>)



[Charlie White talks Twitter trolls and previews Olympic ice dance competition](http://wfla.com/2018/02/17/charlie-white-talks-twitter-trolls-and-previews-olympic-ice-dance-competition/) (<http://wfla.com/2018/02/17/charlie-white-talks-twitter-trolls-and-previews-olympic-ice-dance-competition/>)

Show Comments

WFLA.com (<http://wfla.com/>)



(<http://www.nexstar.tv/>)

© 1998-2018 www.wfla.com | Nexstar Broadcasting, Inc. (<http://www.nexstar.tv/>) | All rights reserved.

Powered by WordPress.com VIP (<https://vip.wordpress.com/>)

[utm_source=vip_powered_wpcom&utm_medium=web&utm_campaign=VIP%20Footer%20Credit&utm_term=wfla.com](https://www.wfla.com/?utm_source=vip_powered_wpcom&utm_medium=web&utm_campaign=VIP%20Footer%20Credit&utm_term=wfla.com))

Ⓜ

Micro housing advocates find big demand for living small

Richard Danielson
Tampa Bay Times

TAMPA — When Omar Garcia announced plans to transform a vacant downtown office building into 120 micro apartments of about 300 square feet each, the calls and checks poured in.

"We got 90 reservations like that," Garcia said, snapping his fingers at a Tampa Downtown Partnership panel discussion on micro housing, and 88 percent came from people who already worked downtown. "People were like, 'Yes!'"

But while interest in micro housing isn't hard to find, developers said local regulations and the availability of financing are still catching up to a market that evolved sooner in some cities (Seattle, Nashville) than in Tampa.

In Garcia's case, he learned that city codes required 120 parking spaces for 120 micro apartments.

If he didn't provide one parking space per unit, he would have had to pay a city fee of \$26,000 per unit — or about \$3 million.

So Garcia changed the plan to create 48 two-, three- and four-bedroom apartments of student housing. The payment-in-lieu-of-parking fee for those dropped to a more feasible \$300,000.

Garcia said he plans to start construction on the \$15 million project, called 220 Madison, in a couple of weeks. Students will pay \$769 per bedroom, and the No. 1 amenity they said they wanted was fast Internet connections, so the project will provide down-



David Bailey built this tiny house, shown Jan 23 in Ybor City, and plans to break ground on a second soon. It has 365 square feet on the ground floor and a small loft for a home office above. Rental demand through Airbnb has been strong, he says. RICHARD DANIELSON, TAMPA BAY TIMES/AP

load speeds of 300 megabits per second. It also will have a bicycle rack with room for 60 bikes and maybe a couple of dedicated parking spaces on the street for Zipcars.

One key assumption driving the micro housing trend is that residents will go carless — or at least they won't own cars.

Of Garcia's initial 90 reservations, 72 percent said they had a car, but 78 percent of those indicated they were willing to give up their car. And no wonder, he said, in light of AAA statistics that owning a car costs an average of \$724 a month.

Automakers, Garcia said, recognize that "the future's not going to be about people owning vehicles. It's going to be

about people using vehicles."

Seniors downsize

Another factor: the desire, especially among older homeowners, to scale down their living expenses, how much work they have to do to maintain a home and how much stuff they want to have.

"There's a tidal wave coming, and it's not climate change. It's seniors," said David Bailey, who grew up in Tampa and now splits his time between Ybor City and New York City, where he is a real estate advisor-broker for the Stan Johnson Company.

The nation will soon see 10,000 Baby Boomers a day turn 65, said Bailey, citing statistics published by Wired, and many people are living longer (though the opioid epidemic has caused life expectancy at birth to start dropping).

"You guys have to start thinking about where do you want to live and how do you want to live," Bailey said. "I personally do not want to live in a traditional nursing home."

So Bailey and his wife recently built a "tiny house," with 365 square feet on the

first floor, plus an 80-square-foot loft overhead, a couple of blocks south of E Seventh Avenue in Ybor City. The first floor, he said, consists of three 10-by-10-foot rooms: a living room up front, a kitchen and bathroom in the middle and a bedroom in the back.

He loves it, and so do guests who rent the place through Airbnb.

"If we don't reserve our own house a month in advance, we don't get in our own house," said Bailey, who plans to start building a second tiny house next to the first one in a couple of weeks.

Car consideration

Given the squeeze that Garcia faced, would Tampa ever consider doing away with required parking for downtown residential projects?

"We're going to listen to what the market is asking us," city urban development manager Rob Rosner said, but the city has to make decisions with a long view of likely demands and costs associated with meeting them.

"It's not all about the car anymore," Rosner said.

Micro housing advocates find big demand for living small

Richard Danielson
Tampa Bay Times

TAMPA — When Omar Garcia announced plans to transform a vacant downtown office building into 120 micro apartments of about 300 square feet each, the calls and checks poured in.

"We got 90 reservations like that," Garcia said, snapping his fingers at a Tampa Downtown Partnership panel discussion on micro housing, and 88 percent came from people who already worked downtown. "People were like, 'Yes!'"

But while interest in micro housing isn't hard to find, developers said local regulations and the availability of financing are still catching up to a market that evolved sooner in some cities (Seattle, Nashville) than in Tampa.

In Garcia's case, he learned that city codes required 120 parking spaces for 120 micro apartments.

If he didn't provide one parking space per unit, he would have had to pay a city fee of \$26,000 per unit — or about \$3 million.

So Garcia changed the plan to create 48 two-, three- and four-bedroom apartments of student housing. The payment-in-lieu-of-parking fee for those dropped to a more feasible \$300,000.

Garcia said he plans to start construction on the \$15 million project, called 220 Madison, in a couple of weeks. Students will pay \$769 per bedroom, and the No. 1 amenity they said they wanted was fast Internet connections, so the project will provide down-



David Bailey built this tiny house, shown Jan 23 in Ybor City, and plans to break ground on a second soon. It has 365 square feet on the ground floor and a small loft for a home office above. Rental demand through Airbnb has been strong, he says. RICHARD DANIELSON, TAMPA BAY TIMES/AP

load speeds of 300 megabits per second. It also will have a bicycle rack with room for 60 bikes and maybe a couple of dedicated parking spaces on the street for Zipcars.

One key assumption driving the micro housing trend is that residents will go carless — or at least they won't own cars.

Of Garcia's initial 90 reservations, 72 percent said they had a car, but 78 percent of those indicated they were willing to give up their car. And no wonder, he said, in light of AAA statistics that owning a car costs an average of \$724 a month.

Automakers, Garcia said, recognize that "the future's not going to be about people owning vehicles. It's going to be

about people using vehicles."

Seniors downsize

Another factor: the desire, especially among older homeowners, to scale down their living expenses, how much work they have to do to maintain a home and how much stuff they want to have.

"There's a tidal wave coming, and it's not climate change. It's seniors," said David Bailey, who grew up in Tampa and now splits his time between Ybor City and New York City, where he is a real estate advisor-broker for the Stan Johnson Company.

The nation will soon see 10,000 Baby Boomers a day turn 65, said Bailey, citing statistics published by Wired, and many people are living longer (though the opioid epidemic has caused life expectancy at birth to start dropping).

"You guys have to start thinking about where do you want to live and how do you want to live," Bailey said. "I personally do not want to live in a traditional nursing home."

So Bailey and his wife recently built a "tiny house," with 365 square feet on the

first floor, plus an 80-square-foot loft overhead, a couple of blocks south of E Seventh Avenue in Ybor City. The first floor, he said, consists of three 10-by-10-foot rooms: a living room up front, a kitchen and bathroom in the middle and a bedroom in the back.

He loves it, and so do guests who rent the place through Airbnb.

"If we don't reserve our own house a month in advance, we don't get in our own house," said Bailey, who plans to start building a second tiny house next to the first one in a couple of weeks.

Car consideration

Given the squeeze that Garcia faced, would Tampa ever consider doing away with required parking for downtown residential projects?

"We're going to listen to what the market is asking us," city urban development manager Rob Rosner said, but the city has to make decisions with a long view of likely demands and costs associated with meeting them.

"It's not all about the car anymore," Rosner said.

Want to see a doctor within 2 weeks?
Now accepting new patients

Christina Asch
Christina has been a practicing Registered Nurse since 1977 and a Nurse Practitioner since 1997. She attended Florida International University where she was a member of Phi Kappa Phi.

Want to see a doctor within 2 weeks?
Now accepting new patients

Christina Asch
Christina has been a practicing Registered Nurse since 1977 and a Nurse Practitioner since 1997. She attended Florida International University where she was a member of Phi Kappa Phi.

PZ MEETING AGENDA ITEM 2

3/14/18

**TINY HOUSE MOVEMENT IN CENTRAL
FLORIDA**

Tiny House Movement in Central Florida

A peek inside a Central Florida tiny home. (Photo: courtesy of Paul Henz)

Brooke Morton

What you don't know about the tiny house movement in Central Florida will surprise you. Find out if the lifestyle is right for you.

Granite kitchen countertops. Japanese soaking tubs. Bamboo flooring. Perhaps these aren't features you'd expect inside a tiny home, but they're among the more popular add-ons requested of Central Florida tiny homebuilder Brett Hiltbrand. The owner of Cornerstone Tiny Homes, based in Longwood, has constructed approximately 60 customized diminutive dwellings since 2014, and if there's one lesson gleaned from a walk through his warehouse, it's that moving into one means downsizing, not downgrading.

But bigger than just the summation of the details inside, tiny homes — and the tiny-home lifestyle — aren't always what people imagine. Most models Brett builds are 12 feet wide, but can be between 20 to 30 feet long, with 28 feet a popular choice. And those extra feet make a world of difference. At 20 feet, a space can feel limited, perhaps more like a school bus or RV. But add those extra feet and it's easy to forget that you're in a home stretching just 336 square feet.

Right now, Hiltbrand and his team are quickly fulfilling orders for their newest style of tiny house, called the code-compliant, which starts at roughly \$65,000 for a model that is 12 feet by 28 feet. It adheres to local building

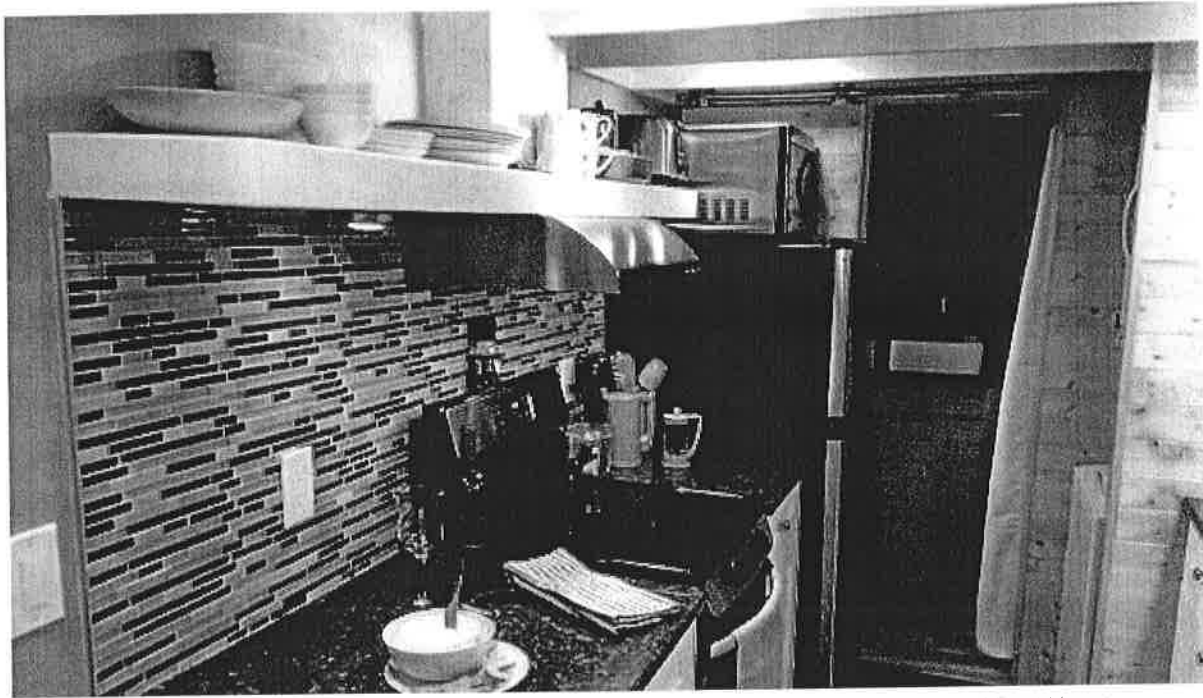
codes, and thus is treated as a house. These can be placed in many more locations than can the models that come with wheels.

“The Florida zoning requirements are tough on tiny homes,” says Hiltbrand of the models that come standard with wheels. “You can only put them in RV-zoned properties.”

Meaning that prior to the creation of the code-compliant models, Hiltbrand and his team had been building only mobile units, which, in most parts of Florida, are considered RVs — which limits placement. It’s illegal to live full-time in these units almost anywhere but an RV park. One such location, the Highbanks Marina and Camp Resort in DeBary, accepts these tiny homes, charging \$525-650 per month in rent, plus electric. It’s lovely and it’s scenic, but it may not be where every potential Central Florida tiny-house resident may want to put down roots.

So about a year ago, Hiltbrand and his team set out on a mission. “We have general contractors and engineers, so we knew we could conform a tiny house to fit with all of the needs of the Florida building codes,” says Hiltbrand. And they did, earlier this year.

“The plans examiner said that this is the first tiny-house plan that they have ever approved,” the builder points out. Which could open the door to many who seek this less-is-more lifestyle.



A well-designed tiled backsplash gives this tiny home its upscale appeal. (Photo: courtesy of Paul Henz)

LIVING SMALL

For those considering tiny, Paul Henz offers advice. The MRI technologist spends weekends at a tiny house in the Sabal Palm RV Resort in Palmdale, a community west of Lake Okeechobee, and about two and a half hours south of Orlando by car.

He advises, “Have a place to put it before you start the build process.” Do this, and you’ll discover if you can opt for code-compliant on private property, or if you’ll need the version with wheels and an RV park.

For code-compliant buyers, the list of location options could become a lot bigger very soon. The city of Rockledge, just south of Cocoa Beach, is developing an entire tiny-house community. It’s currently in the pre-construction phase, with updates shared on its Facebook page, Rockledge Tiny House Community.

After a buyer knows where he or she will live and in which model, the next phase is choosing what will be inside.

Henz was heavily involved in the design process of his unit, engaging with Hiltbrand over a series of nightly chats on Google Hangouts as they reviewed several designs together.

Henz opted for a Murphy bed, granite countertops and upgraded appliances. And he's quick to point out that doing so is extremely affordable. "For the counters, they use remnants, so it's not as expensive as it would be in a full house," he says.

And so far, he's had no trouble adjusting to a smaller floor plan. "I feel like I have everything I need — I have the cable on, a roast in the oven, the Blu-ray player going," he says. "Other than space, what are you missing?"

For Henz, the space is a weekend getaway, but for other Central Florida residents, tiny houses serve as a very affordable main dwelling. Plus, the homes qualify for mortgages.

Hiltbrand points out, "With a tiny house, you can cut payments to \$400 to \$500 a month, and that includes property." He's quick to add that this figure is a mere starting point.

That affordability has launched dozens of local residents more quickly into home ownership than if they had to save for the other 1,600 or so square feet.

I decided I wanted to live simply. But really, I'd say I just live simpler.— Ines Soto, tiny home owner



An example of a tiny home in the Sabal Palm RV Resort in Palmdale. Builders are hoping that new code-compliant tiny homes will be welcome in locations outside of RV resorts. (Photo: courtesy of Paul Henz)

HOW TO DOWNSIZE

That route to ownership was one that court interpreter Ines Soto couldn't say no to, downsizing from 1,900 square feet in south Orlando to about 300 in DeBary as of December 2015.

So far, she's not missing much by way of space either. "Although, because I work professionally and need to wear suits, I should have focused on a bigger closet," she admits, reflecting back on the planning stage.

Because of that, she offers this advice to potential tiny home newcomers: "Strongly consider the lifestyle you're in now, and build to that. Don't think that your lifestyle is going to drastically change" with the purchase of a smaller home.

In fact, Kim Hiltbrand, designer for Cornerstone Tiny Homes, shares that many tiny house buyers assume that they will be able to pare down belongings

enough to fit everything they own inside the new place immediately. Few folks manage this.

“They call it the tiny house shame,” she says. “Everybody has a storage unit when they first move in. Then they keep working through their belongings, getting rid of things until it all fits.”

Taking on the lifestyle is a process, Soto admits. “I learned not to overspend. Before, if I saw something pretty, I would buy it. But in the tiny house, it doesn’t fit. So you ask yourself, ‘Do I really need this?’ And if you do, you remove something else to make room for the new thing,” she explains.

Henz agrees that you have to alter shopping habits. “I see 12-packs of toilet paper inside photos of tiny homes. You can’t do that. You can’t bulk buy. When you live in a tiny house, you want to think about not having everything. That’s the point.”

And it’s this mindset that both tiny home owners Soto and Henz found appealing. Soto aptly describes it as “emotionally liberating.”

Indeed, the process of saying goodbye to excess material goods is only gaining popularity, especially when considering the runaway success of the book *The Life-Changing Magic of Tidying Up*, which reached No. 1 on *USA Today*’s bestseller list last year.

It seems we want to be less governed by material goods, and more in sync with nature and self. And perhaps a tiny house is the ticket to just such a soul shift.

Then again, maybe living in 300 square feet doesn’t instantly trigger enlightenment. Soto contently admits, “I decided I wanted to live simply. But really, I’d say I just live simpler.”

PZ MEETING AGENDA ITEM 2

3/14/18

**CORNERSTONE TINY HOMES- CODE
COMPLIANT**

Cornerstone Tiny Homes

Proud members of RVIA



Cornerstone Tiny Homes

Search...



CODE COMPLIANT TINY HOUSE

EMERGENCY

TINY HOUSE ON WHEELS

THE ROLL PROJECT

PARTNER

ACTIVITY

CODE COMPLIANT TINY HOUSE

Cornerstone Tiny Homes is proud to introduce a *Florida Building Code Compliant Tiny Home*

The Denali
The Kearney
The Fairweather

Sign Up For Our Mailing List

Check out what's happening with Cornerstone Tiny Homes, the Tiny House Movement and all things ti

Email Address *

First Name

Last Name

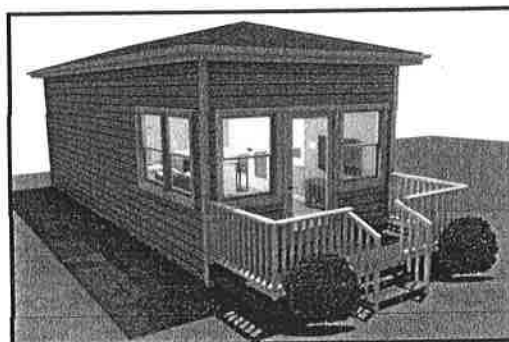
Phone

Sign Me Up

Legal Tiny House Living



- 2014 Florida Building Code, Residential Compliant Designs
- 2015 International Residential Code Compliant Designs
- Designed by Florida registered Professional Engineer (PE#70921)
- Built by Certified Building Contractor (CBC 1255395)



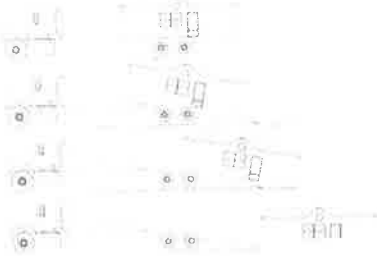
- Built within a State of Florida Approved Modular Manufacturing Facility (MFT 11224) Pending
- State of Florida Approved Designs by certified third party plans reviewers Pending
- State of Florida Inspected during fabrication by certified third party building inspectors
- Eased zoning restrictions, can be placed in most typical neighborhoods, not RV parks
- Perfect for narrow and profoundly narrow lot configurations
- Designed for hurricane prone coastal regions and the elevated Wind Borne Debris criteria

Building Standards

- Factory built to accelerate delivery, reduce waste and ensure the highest quality product will qualify for a mortgage
- Trained and closely supervised workforce
- Assembly with precision jigs
- Use of the highest quality, kiln-dried lumber
- Fabricated in a climate controlled facility with materials protected from the elements enhancing indoor air quality
- Construction standards that meet or exceed local and state building codes
- Unparalleled structural strength
- Superior energy efficiency
- Rigorous quality control systems



Delivery



- Delivered to your site
- Fastened to a foundation in accordance with the Florida Building Code
- Ready for plumbing and electrical hookups

A Variety of

- Single or multi-module r
- Architectural styles rang
- Optional carport, garage

al Styles

2 and 3 bedroom options.
 onial and cape cod to mid-century modern
 onents may be added during your design consultation.

The Denali

○

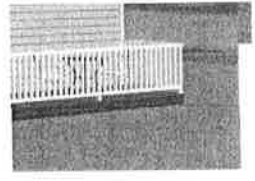
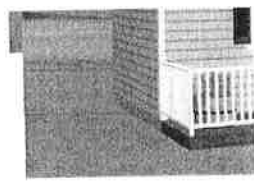
The Kearney

○

T



○



[Back to Top](#)

Cornerstone Tiny Homes

Proud members of RVIA. Cornerstone Tiny Homes is a division of Cornerstone Design/Build, Inc.

1687 Timocuan Way, Suite 101 Longwood, Florida 32750

Tel: (407) 413-9660

License #CBC1255395

Office Hours

Monday 8:30-4:30
Tuesday 8:30-4:30
Wednesday 8:30-4:30
Thursday 8:30-4:30
Friday 8:30-4:30
Saturday Closed
Sunday Closed

Copyright © 2018 **Cornerstone Tiny Homes**. All Rights Reserved. | Catch Responsive by **Catch Themes**

PZ MEETING AGENDA ITEM 2

3/14/18

TOWN OF MALABAR

ARTICLE III

DISTRICT PROVISIONS

TABLE 1-3.2 & 1-3.3(A)

DISTRICT PROVISIONS

§ 1-3.2

TABLE 1-3.2. LAND USE BY DISTRICTS

| | RR-65 | RS-21 | RS-15 | RS-10 | RM-4 | RM-6 | R-MH | OI | CL | CG | R/LC | IND | INS | CP |
|---|-------|----------------|-------|-------|------|----------------|----------------|-------------------|----|----|------|-----|-----|----|
| RESIDENTIAL USES | | | | | | | | | | | | | | |
| Duplex | | | | | P | P | P | | | | | P | | |
| Mobile Homes | | | | | P | P | P | | | | | P | | |
| Multiple Family Dwellings | | | | | P | P | P | | | | | P | | |
| Single Family Dwellings | P | P | P | P | P | P | P | | | | | | | |
| COMMUNITY FACILITIES | | | | | | | | | | | | | | |
| Administrative Services (Public and Not-for-Profit) | | | | | | | | P | P | P | P | P | P | C |
| Child Care Facilities | | | | | | | | C | P | P | P | P | P | P |
| Churches, Synagogues and Other Places of Worship | C | C | C | C | C | C | | P, A ¹ | P | P | P | P | P | P |
| Clubs and Lodges (Not-for-Profit) | | | | | | | | P | P | P | P | P | P | C |
| Cultural or Civic Activities | | | | | | | | C, A ¹ | | | | | | |
| Educational Institutions | | | | | | | | | C | | | | | C |
| Golf Course Facilities | | | | | | | | | | | | | | C |
| Hospital and other Licensed Facilities | | | | | | | | | | | | | | C |
| Nursing Homes and Related Health Care Facilities | | | | | C | C | C | C | C | C | C | C | C | C |
| Protective Services | | | | | C | C | C | C | C | C | C | C | C | C |
| Public Parks and Recreation | | C | C | C | C | C | C | C | C | C | C | C | C | C |
| Public and Private Utilities | | C | C | C | C | C | C | C | C | C | C | C | C | C |
| COMMUNITY RESIDENTIAL HOME | | | | | | | | | | | | | | |
| Level 1 (1 to 6 residents/beds) | | C ³ | | | | C | C | | | | | | | C |
| Level 2 (7 to 14 residents/beds) | | | | | | C | C | | | | | | | |
| ASSISTED CARE COMMUNITIES | | | | | | | | | | | | | | |
| I Assisted Living Facility | | | C | C | C | C ⁴ | C ⁴ | | | | | | C | |
| Level 1 (1 to 5 residents/beds) | | | | | | C ⁴ | C ⁴ | | | | | | | |
| Level 2 (6 to 15 residents/beds) | | | | | | C ⁴ | C ⁴ | | | | | | | |
| Level 3 (16 or more residents/beds) | | | | | | C ⁴ | C ⁴ | | | | | | C | C |
| II Adult Family-Care Homes (1 to 5 residents/beds) | | | C | C | C | C | C | C | C | | | | | |
| III Adult Day Care Centers | | | | | | C | C | | | | | | | |
| AGRICULTURAL ACTIVITIES | | | | | | | | | | | | | | |

TABLE 1-3.2. LAND USE BY DISTRICTS

| | RR-65 | RS-21 | RS-15 | RS-10 | RM-4 | RM-6 | R-MH | OI | CL | CG | R/LC | IND | INS | CP |
|--|-------|-------|-------|-------|------|------|------|----|----|----------------|----------------|-----|----------------|----|
| Noncommercial Agricultural Operations | P | | | | | | | | | | | | | |
| Wholesale Agricultural Activities | P | | | | | | | | | | | | | |
| Commercial Stables | C | | | | | | | | | C | | | | |
| COMMERCIAL ACTIVITIES | | | | | | | | | | | | | | |
| Adult Activities | | | | | | | | | | C | P ¹ | | | |
| Bars and Lounges | | | | | | | | | | | | | | |
| Bed and Breakfast | | | | | | | | P | P | P | P | P | P | |
| Business and Professional Offices | | | | | | | | | | P | | | | |
| Enclosed Commercial Amusement | | | | | | | | | | | | | | |
| Arcade Amusement Center/ | | | | | | | | | | C ² | | | | |
| Electronic Gaming Establishment | | | | | | | | | P | P | C | | | |
| Funeral Homes | | | | | | | | | | P | | | | |
| General Retail Sales and Services | | | | | | | | | | P | P | | | |
| Hotels and Motels | | | | | | | | | P | P | P | | | |
| Limited Commercial Activities | | | | | | | | | | C [*] | | | | |
| Marine Commercial Activities | | | | | | | | P | P | P | P | P | | |
| Medical Services | | | | | | | | | C | P | | | | |
| Medical Services | | | | | | | | P | P | P | P | | | P |
| Mini Warehouse/Storage | | | | | | | | | P | P | P | | | |
| Parking Lots and Facilities | | | | | | | | | | P | P | | | |
| Retail Plant Nurseries | | | | | | | | | | P | P | | | |
| Restaurants (Except Drive-Ins and fast food service) | | | | | | | | | P | P | P | | | |
| Restaurants (Drive-ins) | | | | | | | | | | C [*] | | | C [*] | |
| Service Station, Including Gasoline Sales | | | | | | | | | | C [*] | | | P | |
| Trades and Skilled Services | | | | | | | | P | P | P | C | | P | |
| Veterinary Medical Services | | | | | | | | | | C [*] | | | P | |
| Veterinary Medical Services | | | | | | | | | | P | | | P | |
| Vehicular Sales and Services | | | | | | | | | | C [#] | | | P | |
| Vehicular Services and Maintenance | | | | | | | | | | C [#] | | | P | |
| Wholesale Trades and Services | | | | | | | | | | C [*] | | | C | |
| INDUSTRIAL ACTIVITIES | | | | | | | | | | | | | | |
| Kennels | | | | | | | | | | | | | | P |
| Manufacturing Activities | | | | | | | | | | | | | | |

DISTRICT PROVISIONS

§ 1-3.2

TABLE I-3.2. LAND USE BY DISTRICTS

| | RR-65 | RS-21 | RS-15 | RS-10 | RM-4 | RM-6 | R-MH | OI | CL | CG | R/LC | IND | INS | CP |
|--|-------|-------|-------|-------|------|------|------|----|----|----|------|-----|-----|----|
| Manufacturing Service Establishments | | | | | | | | | | | | P | | |
| Vehicle and Other Mechanical Repair and Services | | | | | | | | | | C* | | P | | |
| Warehouse, Storage and Distribution Activities | | | | | | | | | | | | P | | |
| WATER DEVELOPMENT NONCOMMERCIAL ACTIVITIES | | | | | | | | | | | | | | |
| Noncommercial piers, boat slips, and docks | | | | | | | | | | | | | | C |

- C = Conditional Use
- P = Permitted Uses
- A = Accessory Use
- * = These uses are permitted only on sites abutting Babcock Street, US 1, and West Railroad Avenue.
- 1 = Allowing up to 1,000 square feet of a church or educational institution for the housing of a caretaker or security guard serving the church or educational institution. No such use shall be allowed unless administrative approval is granted by the Town.
- 1 Any Bed and Breakfast which is proposed to have more than five (5) living quarters shall only be approved as a conditional use in accordance with Article VI of the Land Development Regulations.
- 2 Any Arcade Amusement Center and Electronic Gaming Establishment as defined herein shall only be approved as a conditional use in accordance with Article VI of the Malebar Land Development Code.
- 3 Allowed in RR-65, (1 to 2 residents/beds) as defined in FS Title XXX Chapters 419 & 429
- 4 ALF Factor of "3" (see section 1-2.6.B.13.B, Part D) only applies to RM-4 & RM-6 for ALF's (Ord. No. 94-4, § 3, 4-3-95; Ord. No. 97-3, § 2, 3-17-97; Ord. No. 05-01, § 1, 3-7-05; Ord. No. 06-19, § 1, 1-11-07; Ord. No. 12-48, § 2, 1-23-12; Ord. No. 14-01, § 3, 2-3-14)

TABLE 1-3.3(A). SIZE AND DIMENSION REGULATIONS

| Zoning District | Maximum Lot (L) | | | Maximum Height (ft., stories) | Minimum Easing Area Req. (sq. ft.) | Setback (ft.) (S) | | | Maximum Impervious Surface Area (sq. ft.) | Maximum Building Coverage | Minimum Open Space (%) | Maximum Density (units per acre) with Central Water and Wastewater |
|--|----------------------------|-------------|-------------|-------------------------------|--|-------------------|----------|-----------------------|---|---------------------------|------------------------|--|
| | Site (sq. ft.) | Width (ft.) | Depth (ft.) | | | Front | Rear | Side (L) | | | | |
| Rural Residential Development | | | | | | | | | | | | |
| RR-65 | 65,340 | 150 | 250 | 35/3 | 1,500 | 40 | 30 | 30 | 20 | N/A | 80 | 0.65 |
| Traditional Single Family Residential Development | | | | | | | | | | | | |
| RS-21 | 21,780 | 120 | 150 | 35/3 | 1,800 | 35 | 20 | 15 | 15 | N/A | 65 | 2.00 |
| RS-15 | 15,000 | 100 | 120 | 35/3 | 1,500 | 30 | 20 | 15 | 15 | N/A | 55 | 2.004 |
| RS-10 | 10,000 | 75 | 100 | 35/3 | 1,200 | 25 | 20 | 10 | 10 | N/A | 50 | 4.00 |
| Multiple Family Residential Development | | | | | | | | | | | | |
| RM-4 | 5 Acres Minimum Site | 200 | 200 | 35/3 | 1 Bedroom: 900 2 Bedroom: 1100 3 Bedroom: 1300 Each Additional Bedroom: 120 | 60 | 40 | 40 | 40 | 50 | 50 | 4.00 |
| RM-6 | 5 acres Minimum Site | 200 | 200 | 35/3 | Single Family: Multiple Family: 1 Bedroom: 500 2 Bedroom: 700 3 Bedroom: 900 Each Additional Bedroom: 120 | 25 | 20 | 10 | 10 | n/a | 50 | 6 |
| Mixed Use Development | | | | | | | | | | | | |
| R/LC | 20,000 | 100 | 150 | 35/3 | Single Family: Multiple Family: 1 Bedroom: 500 2 Bedroom: 700 3 Bedroom: 900 Each Additional Bedroom: 120 Commercial: Min. Area: 900 Max. Area 4,000 | 25 50 | 20 25 | 10 10 ⁴ | 10 20 | 50 65 | 50 35 | 4 6 |
| Mobile Home Residential Development | | | | | | | | | | | | |
| R-MH | Site: 5 Acres Lot: 7000 | | | | | 10 | 8 | 8 | 10 | 50 | 50 | 6.00 |
| Office Development | | | | | | | | | | | | |

| Zoning District | Minimum Lot (1) | | | Maximum Height (ft./stories) | Minimum Living Area (sq. ft.) | Setback (ft.) (2) | | | Maximum Impervious Surface Ratio (%) | Maximum Buildings Coverage | Minimum Open Space (%) | Maximum Density: (units per acre) with Content Water and Wastewater | |
|---------------------------|--|-------------|-------------|------------------------------|---|-------------------------|-------------------------|--------------------------------------|--------------------------------------|----------------------------|---------------------------|---|----------|
| | Size (sq. ft.) | Width (ft.) | Depth (ft.) | | | Front | Rear | Side (1) | | | | | Side (C) |
| O1 | 20,000 | 100 | 150 | 35/3 | Minimum Floor Area: 1000 | 35/60 | 25 | 20 | 25 | 65 | 20 | 35 | N/A |
| Commercial Development | | | | | | | | | | | | | |
| CL | 20,000 | 100 | 150 | 35/3 | Minimum Floor Area: 900 | 50 | 25 | 10' ¹ 15' ³ | 20 | 65 | 0.20 | 35 | N/A |
| CG | 20,000 | 100 | 150 | 35/3 | Min. Area: 900 Max. Area: 4,000 Minimum Floor Area: 1200 Minimum Hotel/Motel Area: 300 Each Unit | 50 | 25 | 20' ¹ 15' ³ | 30 | 65 | 0.20 | 35 | N/A |
| Industrial Development | | | | | | | | | | | | | |
| IND | 20,000 | 100 | 150 | 35/3 | Minimum Floor Area: 1200 | 50 100' ⁶ | 25 100' ⁵ | 20 100' ⁵ | 30 100' ⁶ | 70 | 0.42 | 30 | N/A |
| Institutional Development | | | | | | | | | | | | | |
| INS | 20,000 | 100 | 150 | 35/3 | Minimum Floor Area: 1200 | 50 | 25 | 20 | 30 | 60 | 0.20 0.10 ⁶ | 40 | N/A |
| Coastal Preservation | | | | | | | | | | | | | |
| CP ⁷ | No Size or Dimension Standards Adopted | | | | | | | | | | | | |

¹Minimum size sites and lots include one-half of adjacent public right-of-way.
²Minimum setbacks determined from the existing right-of-way line where the yard abuts a public street pursuant to the above cited standards or from the center of the right-of-way pursuant to Table 1-3.3(E) whichever is most restrictive.
³Setback where rear lot line abuts an alley.
⁴Setback shall be greater where side property line abuts a district requiring a larger setback on the abutting yard. In such case the more restrictive abutting setback shall apply.
⁵Where any yard of industrial zoned property abuts a residential district, the building setback for such yard shall be 100 feet.
⁶Recreation activities maximum FAR shall be .10.