

## Task Force for the Homeless



### Tiny Homes & Accessory Dwelling Units

While there is no standard for what constitutes a tiny home, in general they will fall somewhere in the range of 200-400 square feet. For comparison, most Accessory Dwelling Unit regulations limit size to 800 square feet or less. So a tiny home can be thought of in some sense as a “micro-ADU”, although not every ADU is a tiny home, and not every tiny home is an ADU.

Historically, the issue with these units is that they have trouble meeting building code, not specifically because of their size, but because of other building code standards regarding loft space, stairs, and the like. To avoid being subject to building code, the approach has been to put these homes on wheels. This means that they are no longer subject to building code and are regulated instead as recreational vehicles. However, most jurisdictions place restrictions on recreational vehicles, only allowing them to be occupied on private property for a certain number of days per year. Typically, an exception to this standard is made for sanctioned RV parks. While this standard might seem unfair, it is a health, safety, and welfare issue. RVs are not on a permanent foundation, and do not have connections to sanitary sewer.

Some of you asked about existing tiny home developments in Oregon like Opportunity Village in Eugene. While Opportunity Village (first conceived of based on a recommendation from the Eugene Council’s Task Force on Homelessness) does have small sleeping units of about 80 square feet, they do not include restroom or kitchen facilities, and so are not technically tiny homes. They are in effect single-room occupancy (SRO) sleeping units with communal bathroom and kitchen facilities. The city of Eugene regulates those units as temporary structures, and extended the 180-day limit for temporary structures based on a demonstrated need. While the units help fill a gap, they are considered transitional housing.

The Oregon legislature in its last session passed a bill (HB 2737) requiring the state Department of Consumer and Business Services to develop and adopt construction standards for tiny homes that will be incorporated into the state building code. These standards are required to: a) allow sleeping lofts and b) allow ladders as a legal means of egress from the lofts. This change will allow tiny homes to be placed on permanent foundations and be regulated as a building, not an RV. The new standards are not required to take effect until January 1, 2018.

Taken in tandem with an administrative rule allowing use of the 2015 IRC building code, which removed the requirement for at least one room of 120 square feet, the new bill will allow development of permanent tiny home villages like the Emerald Village complex planned in Eugene. These units will include a kitchenette and bathroom facilities. I believe that Emerald Village is already under construction, but the new law will provide a clear path for building code compliance without any need for subjective interpretation to pass inspection.

If you have any further questions please contact Schuyler Warren - [schuylerw@tigard-or.gov](mailto:schuylerw@tigard-or.gov).