

**ORDINANCE NO. 17-17 N.S.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
AMENDING CHAPTER 9.40 OF THE RICHMOND MUNICIPAL CODE  
ENTITLED "MISCELLANEOUS PROVISIONS" PROVIDING FOR A PILOT  
PROJECT TO EVALUATE THE USE OF TINY HOUSES ON WHEELS FOR  
TRANSITIONAL RESIDENTIAL OCCUPANCY BY HOMELESS PERSONS**

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**SECTION I**

Chapter 9.40. "Miscellaneous Provisions" of the Richmond Municipal Code is hereby amended as follows:

**Sections:**

**9.40.010 House trailers regulated.**

**9.40.015 Tiny Houses on Wheels Pilot Project.**

9.40.010 – House trailers regulated.

Except as described in 9.40.015, no person owning or controlling any trailer, house car, tent or similar structure shall cause or permit the same to be used as a dwelling habitation or sleeping accommodation within the City of Richmond except in trailer camps for which a conditional use permit granted under the provisions of the zoning ordinance of the City of Richmond is in effect. Provided, however, that a trailer, house car, tent or similar structure not in a trailer camp may be used as a temporary sleeping accommodation for periods of time totaling not more than twenty-one days in any calendar year, if all of the following conditions are met:

- (1) That no rent is paid or other consideration given to anyone for the use and occupancy of any site or parcel of land by the occupant of the trailer, house car, tent or similar structure;
- (2) That no cooking or bathing is permitted therein;
- (3) That no nuisance is created by such use;
- (4) That such trailer, house car, tent or similar structure complies with the requirements of size and lot location prescribed for accessory buildings in single-family districts by the zoning ordinance;
- (5) That such trailer, house car, tent or similar structure is located on a lot on which there is a single-family or duplex dwelling house in use as such;
- (6) That not more than one such trailer, house car, tent or similar structure is so used at any time on a single lot;
- (7) That a certificate of occupancy therefor is first obtained in the manner prescribed by 6.02.240 of the Building Regulations Administrative Code;
- (8) That all the requirements of Section 18000, et seq., of the Health and Safety Code of the state of California relating to mobile homes and mobile home parks are complied with.

As used herein, the word "lot" means a lot as defined in the zoning ordinance.

9.40.015 – Tiny Houses on Wheels Pilot Project.

A. Purpose. The purpose of this section is to evaluate the feasibility of allowing Tiny Houses on Wheels to be used as Accessory Dwelling Units as part of a pilot project under certain conditions.

B. Definition: Tiny House on Wheels. - a structure intended for separate, independent living quarters for one household that meets these six conditions:

- 1) Is licensed and registered with the California Department of Motor Vehicles and meets American National Standards Institute (ANSI) 119.2 or 119.5 requirements;

- 2) Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection. Cannot (and is designed not to) move under its own power.
- 3) Is no larger than allowed by California State Law for movement on public highways;
- 4) Has at least 100 square feet of first floor interior living space;
- 5) Is a detached self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry; and
- 6) Is designed and built to look like a conventional building structure.

B. For the purposes of this Section, the pilot project will allow not more than six Tiny Houses on Wheels to be occupied and issued a zoning compliance certificate. The time period for the pilot project shall begin 30 days following adoption of this Section and shall terminate 12 months thereafter.

C. Tiny Houses on Wheels that are part of the pilot project may be located in any zoning district where residential uses are allowed, with or without a conditional use permit, including non-residential districts where residential uses are allowed as an accessory use.

D. Tiny Houses on Wheels shall comply with standards of the Zoning code RMC 15.04.610.020 Accessory Dwelling Units.

E. Occupants of Tiny Houses on Wheels regulated by this section shall be limited to homeless individuals recognized as such by the Contra Costa County Health Services, Health, Housing & Homeless Services.

E. The director of planning and building shall review the design of the Tiny Houses regulated by this section to determine if the structure is compatible with the neighborhood.

F. At the conclusion of the pilot project, the director of planning and building shall prepare and submit an evaluation of the project to the City Council.

## **SECTION 2**

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

## **SECTION 3**

This Ordinance shall be effective 30 days after passage and adoption.

First read at a regular meeting of the Council of the City of Richmond held July 18, 2017, and finally passed and adopted at a regular meeting thereof held July 25, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, Willis, Vice Mayor Beckles, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: None.

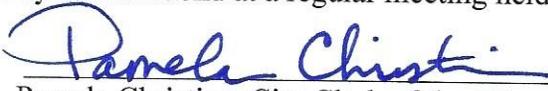
**PAMELA CHRISTIAN**  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:  
**TOM BUTT**  
Mayor

Approved as to form:  
**BRUCE GOODMILLER**  
City Attorney

State of California            }  
County of Contra Costa        }       : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Ordinance No. 17-17 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 25, 2017.

  
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Pamela Christian, City Clerk of the City of Richmond