

SOUTHERN GEORGIA REGIONAL COMMISSION

**MODEL ORDINANCE
FOR THE DEVELOPMENT OF TINY HOUSES
IN A COTTAGE DEVELOPMENT**

RESOLUTION

**ORDINANCE No. _____
PROVIDING REGULATIONS FOR TINY HOUSES
IN A COTTAGE DEVELOPMENT**

WHEREAS, [local government] is permitted by Georgia state law to exercise zoning powers, pursuant to Title 36, Chapter 66, Official Code of Georgia Annotated, as amended;

NOW, THEREFORE, BE IT ORDAINED that the [Mayor and Council/Board of County Commissioners] of [local government], hereby adopts the following provisions:

**Chapter/Article/Division _____
TINY HOUSES IN A COTTAGE DEVELOPMENT**

1. Purpose

An ordinance of [local government], providing definitions relating to tiny houses and standards to guide the development of tiny houses in cottage developments to protect the public health, safety, and welfare and avoid unintended impacts on resources and adjacent uses.

By enacting this ordinance, it is the intent of [local government] to:

1. Provide for single-family detached residences with a smaller square footage floor plan to be permitted in a clustered development of similar tiny/cottage dwellings oriented around open space that is pedestrian-oriented and minimizes that visibility of off-street parking.

2. Enable the development of tiny house/cottage dwelling developments, to the extent possible, in areas where any potential adverse effects on the community will be minimized.
3. Encourage the utilization of established public infrastructure for the development of tiny house/cottage dwelling developments and discourage the expansion of public infrastructure to avoid the concomitant additional cost of new development in undeveloped areas.
4. Tiny house/cottage dwelling developments may permit higher residential density than is allowed by the underlying zoning district, at the discretion of the local government.

2. Definitions

Tiny House (also known as Micro House). A single-family home, 400 square feet or less, excluding lofts; which is subject to zoning requirements.

Residential Modular Building. A dwelling unit designed and constructed to comply with the Georgia State Residential Code.

Site-Built Residential Dwelling (Stick-Built). Residential buildings or structures that are built on the construction site and not designed or intended to be moved or relocated. Site-Built dwellings shall meet the following codes: International Residential Code (IRC), with Georgia Amendments; International Plumbing Codes (IPC), with Georgia Amendments; International Energy Efficiency Code (IECC) with Georgia Amendments; and the National Electrical Code (NEC).

Tiny House on Wheels (THOW). A manufactured mobile home which is intended as a full-time residence or year-round rental property and meets standards required by HUD.

Tiny House/Cottage Dwelling Development: A planned neighborhood of a minimum of 4 tiny homes and a maximum of 12 tiny homes.

3. Applicability

- 3.1. This ordinance shall apply to all tiny house/cottage dwelling developments installed, constructed, or modified after the effective date of this Ordinance.
 - 3.2. Tiny house/cottage dwelling developments in place before the effective date of this ordinance shall not be required to meet the requirements of this ordinance unless replacement, alteration, or expansion of home thereon is requested.
 - 3.3. All tiny houses shall be designed, erected, and installed following all applicable local, State, and Federal codes, regulations, and standards.
-

4. Standards for Tiny House/Cottage Dwelling Developments

- 4.1 A centralized common area shall be required of each development. The common area shall include usable public use spaces including lawns, gardens, and/or plazas. These areas shall be for the use of residents of the tiny house/cottage dwelling development.
- 4.2 Each dwelling unit shall be provided an area of private open space. The private open space shall contain a minimum of 200 square feet of usable space and shall be separated from the common open space with a small hedge, picket fence, or other similar visual separation.
- 4.3 All homes must have both front and rear porches.
- 4.4 Common areas are to be maintained through the establishment of either a condo or homeowners association. 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.
- 4.5 Each lot per dwelling unit shall contain a minimum of 5,000 square feet per dwelling unit.
- 4.6 The minimum width per lot shall be 18 feet.
- 4.7 The minimum depth per lot shall be 50 feet.
- 4.8 All tiny/cottage homes shall maintain a minimum separation of 10 feet from other homes within the development. Flexible setbacks are permitted from lot boundaries to enable creative site design and to ensure the preservation of trees on site. City/County staff shall determine the appropriate setbacks with the developer during the site development review process.

5. Application and Approval

- 5.1. No tiny house/cottage dwelling developments may be developed without site plan review and verification by the City/County that all requirements within this ordinance are met. Tiny house/cottage dwelling developments are allowable uses within the following zoning districts: _____.

6. Appeal

- 6.1. If the owner of a tiny house tiny house/cottage dwelling development is found to violate the provisions of this Ordinance, appeals should be made in accordance with the established procedures of the local government code.

7. Effectiveness, Interpretation, Separability

- 7.1. This Ordinance shall become effective immediately upon its adoption.
- 7.2. All other portions, parts and provisions of the Zoning Ordinance of [local government], as heretofore enacted and amended, shall remain in force and effect.
- 7.3. All Ordinances, or parts of Ordinances, in conflict herewith are replaced.
- 7.4. If any part of this Ordinance conflicts with any other applicable federal, state, or local regulation, the more restrictive regulation shall control.
- 7.5. If any section, clause, portion or provision of this Ordinance is found unconstitutional, such invalidity shall not affect any other portion of this Ordinance.