

## **Building Permits**

In constructing Tiny Houses, we found that we were able to build them as an exception to the Seattle Building Code as long as they stayed a particular size. The Seattle Building Code states that a building permit is not required for one-story detached accessory buildings if they are under 120 square feet. We were able to advise all the groups who built the houses to stay under this threshold, ideally to create a structure that was 8 feet by 12 feet (96 square feet) to be an exception to the code:

From

[http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web\\_informational/s047860.pdf](http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/s047860.pdf)

(the Chapter 1, Administration section of the Seattle Building Code found here:

<http://www.seattle.gov/dpd/codesrules/codes/building/default.htm>)

**106.2 Work exempt from permit.** A building permit is not required for the work listed below. Exemption from the permit requirements of this code does not authorize any work to be done in any manner in violation of the provisions of this code or any other laws and ordinances of the City.

3. One-story detached accessory buildings used for greenhouse, tool or storage shed, playhouse, or similar uses, if:

3.1 The projected roof area **does not exceed 120 square feet**; and

3.2 The building is not placed on a concrete foundation other than a slab on grade.

However, in the case of the Tiny House Village at 22<sup>nd</sup> and Union, we had electrical wiring for the houses and the toilet pavilion, and we also had plumbing on site as well. These required electrical and plumbing inspections and permitting, under the typical codes. We had to ensure that every step of the electrical connection from installing the pole and panel, to wiring the houses, to then connecting them back to the panel were inspected and approved.

## **Land Use Permits**

Type I Master Use permits are required of us at the Interbay encampment, Ballard encampment, and at Othello Village (from the Land Use Code):

### **23.42.056 - Transitional encampment as an interim use**

A Type I Master Use Permit may be issued for a transitional encampment interim use according to the requirements of this [Section 23.42.056](#).

- A. The Director, in consultation with the Human Services Director, shall adopt a rule according to subsection 23.88.010.A that includes but is not limited to establishing:
  1. Community outreach requirements that include:
    - a. Community outreach standards that the encampment operator shall comply with before filing a transitional encampment interim use permit application, whether for a new transitional encampment or relocation of an existing transitional encampment. At a

minimum, outreach standards shall contain a requirement that the encampment operator convene at least one public meeting in the neighborhood where the transitional encampment interim use is proposed to be established, at least 14 days prior to applying for a permit;

- b. A requirement that the proposed encampment operator establish a Community Advisory Committee that would provide advisory input on proposed encampment operations including identifying methods for handling community complaints or concerns as it relates to the facility or facility clients. The committee shall include one individual identified by each stakeholder group in the geographic area where the proposed encampment would be located as best suited to represent their interests. The committee shall consist of no more than seven members. Encampment operator representatives shall attend committee meetings to answer questions and shall provide regular reports to the committee concerning encampment operations. City staff may attend the meetings; and
  2. Operations standards that the encampment operator is required to implement while an encampment is operating.
- B. Location. The transitional encampment interim use shall be located on property meeting the following requirements:
1. The property is:
    - a. Zoned Industrial, Downtown, SM, NC2, NC3, C1, or C2; except if the property is in a residential zone as defined in [Section 23.84A.048](#) or is in a special review district established by [Chapter 23.66](#); or
    - b. Within a Major Institution Overlay district.
  2. The property is at least 25 feet from any residentially-zoned lot.
  3. A property may be less than 25 feet from a residentially-zoned lot and used as an encampment site if:
    - a. All encampment facilities, improvements, activities, and uses are located at least 25 feet from any residentially-zoned lot. Access to the encampment site may be located within the 25-foot setback area; and
    - b. Screening is installed and maintained along each encampment boundary, except boundaries fronting on an opened public street. The screening shall consist of existing or installed vegetation that is sufficiently dense to obscure viewing the encampment site, or a 6-foot high view-obscuring fence or wall.
  4. The property is owned by the City of Seattle, a private party, or an Educational Major Institution.
  5. The property is within 1/2 mile of a transit stop. This distance shall be the walking distance measured from the nearest transit stop to the lot line of the lot containing the encampment site.
  6. The property is, as measured by a straight line, at least 1 mile from any other legally-established transitional encampment interim use including encampments accessory to a religious facility or accessory to other principal uses on property owned or controlled by a religious organization. This subsection 23.42.056.A.6 shall not apply to encampments on sites owned or controlled by religious organizations, or to any legally-established transitional encampment interim use that provides shelter for fewer than ten persons.
  7. The property is 5,000 square feet or larger and provides a minimum of 100 square feet of land area for each occupant that is permitted to occupy the encampment site.
  8. The property does not contain a wetland, wetland buffer, known and potential landslide designations, steep slope, steep slope buffer, or fish and wildlife habitat conservation area defined and regulated by [Chapter 25.09](#), Regulations for Environmentally Critical Areas, unless all encampment facilities, improvements, activities, and uses are located outside any critical area and required buffer as provided for in [Chapter 25.09](#).

9. The encampment site is not used by an existing legally-permitted use for code or permit-required purposes including but not limited to parking or setbacks.
  10. The property is not an unopened public right of way; or designated as a park, playground, viewpoint, or multi-use trail by the City or King County.
- C. Operation. The transitional encampment interim use shall meet the following requirements:
1. The encampment may be operated by a private party that shall prepare an Encampment Operations Plan that shall address: site management, site maintenance, provision of human and social services, referrals to service providers that are able to provide services to individuals under the age of 18 who arrive at an encampment unaccompanied by a parent or legal guardian, and public health and safety standards. The operations plan shall be filed with the transitional encampment interim use permit application.
  2. The operator shall be included in the qualified encampment roster prepared by the Human Services Director. The transitional encampment interim use permit applicant shall include documentation as part of the permit application demonstrating that the encampment operator is on the qualified encampment operator roster.
- D. Additional requirements. The transitional encampment interim use shall meet the following requirements:
1. The requirements for transitional encampment accessory uses in subsections 23.42.054.B and 23.42.054.C.
  2. The operator of a transitional encampment interim use located on City-owned property shall obtain prior to permit issuance and maintain in full force and effect, at its own expense, liability insurance naming the City as an additional insured in an amount sufficient to protect the City as determined by the City Risk Manager from:
    - a. All potential claims and risks of loss from perils in connection with any activity that may arise from or be related to the operator's activity upon or the use or occupation of the City property allowed by the permit; and
    - b. All potential claims and risks in connection with activities performed by the operator by virtue of the permission granted by the permit.
  3. The operator of a transitional encampment interim use located on City-owned property shall, on a form approved by the Director, agree to defend, indemnify, and hold harmless the City of Seattle, its officials, officers, employees, and agents from and against:
    - a. Any liability, claims, actions, suits, loss, costs, expense judgments, attorneys' fees, or damages of every kind and description resulting directly or indirectly from any act or omission of the operator of a transitional encampment interim use located on City-owned property, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the operator's use or occupancy of the City property; and
    - b. All loss by the failure of the operator of a transitional encampment interim use located on City-owned property to perform all requirements or obligations under the transitional encampment interim use permit, or federal, state, or City codes or rules.
  4. A transitional encampment interim use located on City-owned property shall allow service providers to access the site according to the approved operations plan required by subsection 23.42.056.B.1.
- E. Duration and timing. The transitional encampment interim use shall meet the following requirements:
1. A permit for a transitional encampment interim use under this [Section 23.42.056](#) may be authorized for up to one year from the date of permit issuance. A permit for a transitional encampment may be renewed one time for up to one year by the Director as a Type I decision subject to the following:

- a. The operator shall provide notice of a request to extend the use in a manner determined by a Director's Rule. The notice shall be given to the Citizen's Advisory Committee and persons who provided the operator with an address for notice;
  - b. The encampment is in compliance with the requirements of [Section 23.42.056](#); and
  - c. The operator shall provide with the permit renewal application an Encampment Operations Plan that shall be in effect during the permit renewal period and consistent with subsection 23.42.056.A.
2. At least 12 months shall elapse before an encampment use may be located on any portion of a property where a transitional encampment interim use was previously located.
- F. Limit on the number of encampments. No more than three transitional encampment interim use encampments shall be permitted and operating at any one time, and each encampment shall not have more than 100 occupants. This limit shall not include transitional encampments accessory to a religious facility.

For Othello Village, because the encampment square footage is greater than 12,000 square feet, we also had to undergo SEPA Review (State Environmental Policy Act) to ensure that our encampment would not have any negative impacts on the surrounding environment.

(Page on SEPA: <http://www.seattle.gov/dpd/permits/permittypes/landusesepa/default.htm>)

A different ordinance applies to our Tiny House Village because it is on religious property and is not a City of Seattle sanctioned encampment. Under the ordinance governing transitional encampments accessory to a religious facility we were not required to file for a land use permit:

- **23.42.054 - Transitional encampments accessory to religious facilities or to other principal uses located on property owned or controlled by a religious organization**
  - A. Transitional encampment accessory use. A transitional encampment is allowed as an accessory use on a site in any zone, if the established principal use of the site is as a religious facility or the principal use is on property owned or controlled by a religious organization, subject to the provisions of subsection 23.42.054.B. A religious facility site includes property developed with legally-established parking that is accessory to the religious facility. Parking accessory to a religious facility or located on property owned or controlled by a religious organization that is displaced by the encampment does not need to be replaced.
  - B. The encampment operator or applicant shall comply with the following provisions:
    - 1. Allow no more than 100 persons to occupy the encampment site as residents of the encampment.
    - 2. Comply with the following fire safety and health standards:
      - a. Properly space, hang, and maintain fire extinguishers within the encampment as required by the Fire Department;
      - b. Provide and maintain a 100-person first-aid kit;
      - c. Establish and maintain free of all obstructions access aisles as required by the Fire Department;
      - d. Install appropriate power protection devices at any location where power is provided;
      - e. Designate a smoking area;

- f. Keep the site free of litter and garbage;
  - g. Observe all health-related requirements made by the Public Health Department of Seattle & King County; and
  - h. Post and distribute to encampment residents, copies of health or safety information provided by the City of Seattle, King County, or any other public agency.
  - i. Prohibit any open flames except an outdoor heat source approved by the Fire Department.
3. Provide toilets, running water, and garbage collection according to the following standards:
- a. Provide and maintain chemical toilets as recommended by the portable toilet service provider or provide access to toilets in an indoor location;
  - b. Provide running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City; and
  - c. Remove garbage frequently enough to prevent overflow.
4. Cooking facilities, if they are provided, may be located in either an indoor location or outdoors according to the following standards:
- a. Provide a sink with running water in an indoor location or alternatively, continuously maintain outdoor running water and discharge the water to a location approved by the City;
  - b. Provide a nonabsorbent and easily-cleanable food preparation counter;
  - c. Provide a means to keep perishable food cold; and
  - d. Provide all products necessary to maintain the cooking facilities in a clean condition.
5. Allow officials of the Public Health Department of Seattle & King County, the Seattle Fire Department, and the Seattle Department of Construction and Inspections to inspect areas of the encampment that are located outdoors and plainly visible without prior notice to determine compliance with these standards.
6. Individuals under the age of 18 years that are not accompanied by a parent or legal guardian shall not be permitted in an encampment.
7. File a site plan with the Seattle Department of Construction and Inspections showing the arrangement of the encampment, including numbers of tents or similar sleeping shelters, all facilities that are separate from the sleeping shelters, and all existing structures on the property, if any. The site plan is for informational purposes and is not subject to City review or permitting requirements.
- C. A site inspection of the encampment by a Department inspector is required prior to commencing encampment operations.
- D. Parking is not required for a transitional encampment allowed under this [Section 23.42.054](#). (Ord. [124919](#), § 132, 2015; Ord. [124747](#), § 1, 2015; Ord. [123729](#), § 1, 2011.)