

21A.46 TEMPORARY SMALL HOUSE SITES

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21A.46.010 Definitions (expires May 25, 2022*). The definitions in RCW 36.01.290(6) and in this section apply throughout this chapter and to K.C.C. 20.20.020 unless the context clearly requires otherwise. The definitions in this section shall apply if there is a conflict with the definitions in RCW 36.01.290(6).

A. "Temporary small house" means a housing unit that is one hundred and twenty square feet or less in size and is constructed or prefabricated of wood, metal or other durable materials but is not permanently affixed in the ground and does not use underground utilities except for electricity. A "temporary small house" does not include an area for the preparation or storage of food. A "temporary small house" is not considered a building under the building codes in K.C.C. Title 16 and fire codes in K.C.C. Title 17.

Item A: LIHI complies with this definition of a "temporary small house." Our homes are ninety-six (96) square feet and not permanently affixed. Houses are not connected to underground utilities such as water and sewer, but they are connected with electrical utilities as permitted.

B. "Temporary small house site" means a site containing temporary small houses for a limited duration for individuals experiencing homelessness; the purpose of which is to help individuals make the transition from homelessness to placement in permanent housing. "Temporary small house site" may include the following accessory facilities:

1. Shared kitchen facilities;
2. Shared sanitation facilities;
3. Shared laundry facilities;
4. Shared communal or meeting facilities; and
5. Office or administration facilities. (Ord. 19291 § 5, 2021).

Item B: Our purpose matches the above stated purpose of a temporary, limited duration respite/shelter for people experiencing homelessness, with the goal of permanent housing. All of the above accessory facilities are incorporated into the village design. Please refer to Exhibit 01.B Site Plan - 04.20.21.

***Reviser's note: "This ordinance expires one year after the effective date of this ordinance." (Ord. 19291 § 10, 2021).**

21A.46.020 Approval of sites - time limit for locations - application (expires May 25, 2022*).

A. The director may approve a temporary small house site as a Type 2 decision and may authorize the use for up to three years from the date of permit issuance. A temporary small house site may be located at the same site no more than once every five years.

B. In addition to the application requirements for a Type 2 decision, the application shall include:

1. A site plan that shows the layout and arrangement of the temporary small house site, including, but not limited, to the location of:
 - a. temporary small houses, including the number of units;
 - b. common or shared facilities and all existing structures on site, if any;
 - c. entry and exit points;
 - d. fencing;
 - e. ground surface materials, including indication the type of materials;
 - f. significant vegetation;
 - g. garbage storage and collection areas;
 - h. exterior lighting;
 - i. parking, if any;
 - j. connections to electrical utilities;
 - k. potable water connections;
 - l. graywater disposal locations; and
 - m. sewer or on-site sewage system connections.

Item B1: LIHI has a site plan included that indicates all of the above mentioned layout features. Please refer to documents contained in Exhibit 01 - Complete Plan Set and Exhibit 02 - Site Accessibility Plan.

2. Operating standards for the temporary small house site for the management, maintenance, operations and security of the site to ensure the safety and welfare of occupants, staff and volunteers, consistent with K.C.C. 21A.46.040;

Item B2: LIHI has a management plan that includes all of the managerial responsibilities and activities of the staff and managers of the tiny house village. This includes the security and safety of the occupants, staff, and volunteers. Please refer to Exhibit 09.A WG Management Plan 2022.

3. A copy of a written code of conduct for occupants to abide by specific standards of conduct to ensure health and safety within the site and in the adjoining neighborhood, consistent with K.C.C. 21A.46.040;

Item B3: LIHI has a code of conduct, agreed to by all residents of the village, which outlines rights and responsibilities of all residents of the village and clearly outlines standards of conduct related to the site and the neighborhood. Please refer to Exhibit 08.A THV Code of Conduct 2022.

4. The name of the managing agency including the name and telephone number of the contact person available to immediately respond to an on-site problem and whose telephone number is posted at the entrance and visible from one hundred feet outside the site;

Item B4: This is and will be maintained.

5. The plan for disposal of garbage and debris during operation of the temporary small house site and prior to vacating the site at the end of the permit period;

Item B5: LIHI currently has a garbage disposal service plan that meets Waste Management pickup requirements. We have a verbal agreement with the property owner that LIHI assumes all responsibility for cleanup of the site at the end of program operation.

6. A rodent prevention plan, including pest control services to be provided;

Item B6: This is currently in place and well-functioning, and it is outlined in our management plan. Please refer to Exhibit 09.A WG Management Plan 2022 - Health and Public Health on page 4.

7. A hygiene facility maintenance plan, including contracts for repair, cleaning and routine servicing; and

Item B7: This is currently in place and well-functioning, and is outlined in our management plan. Please refer to Exhibit 09.A WG Management Plan 2022 - Maintenance and Repairs on page 6.

8. A wastewater disposal plan that includes, but is not limited to, wastewater disposal for kitchen, hygiene and laundry facilities if not directly plumbed into sewer or on-site sewage system (Ord. 19291 § 6, 2021).

Item B8: Wastewater is disposed of through an inspected and permitted side sewer.

***Reviser's note: "This ordinance expires one year after the effective date of this ordinance." (Ord. 19291 § 10, 2021).**

21A.46.030 Site allowed on specific property in Skyway-West Hill community service area subarea geography - site standards - inspections (expires May 25, 2022*).

A. A temporary small house site is allowed on a property owned or controlled by a religious organization in any zone in the Skyway-West Hill community service area subarea geography.

Item A: This village is sponsored by the Progressive Skyway Church, who is the land-owner, and our relationship with the church is governed by a lease agreement. The church is heavily engaged in the success of the village and in our community engagement. Please refer to Exhibit 11.A Skyway Lease Agreement with Word of God Church.

B. A temporary small house site is subject to the following standards:

1. The maximum number of occupants at a temporary small house site shall be determined taking into consideration site conditions, but shall not be greater than one hundred occupants at any one time;

Item B1: Village occupancy will not exceed 60 people.

2. The managing agency shall comply with applicable fire safety regulations as determined by the King County fire marshal and public health regulations, including, but not limited to, the following:

a. spacing and maintaining fire extinguishers as required by the fire marshal;

Item B2a: Fire extinguishers will be placed throughout the site at the recommendation of the fire marshal. The current placement at the Village was previously approved by the fire marshal.

b. providing and maintaining a first-aid kit capable of serving one-hundred persons;

Item B2b: A medical kit is provided on-site capable of serving the required number of people.

c. providing and maintaining safe collection and disposal of sharps waste;

Item B2c: Sharps collection containers will be provided to ensure hazardous waste is properly disposed of. LIHI staff are responsible for sharps disposal in partnership with the Seattle Needle Exchange Program.

d. establishing and maintaining access aisles between temporary small houses or facilities that are free of obstructions as required by the fire marshal;

Item B2d: Tiny houses are spaced a minimum of 4' apart as directed by the fire marshal. Per the Village Code of Conduct, villagers are not permitted to store personal belongings outside of the perimeter of any resident's tiny house. Violations may result in disposal of a resident's belongings outside of the perimeter of their house. Please refer to Exhibit 08.A THV Code of Conduct 2022 - Cleanliness - Item 1 on page 3.

e. ensuring that electricity and heat, including portable heaters, is provided and maintained in a safe manner;

Item B2e: Only LIHI approved heaters will be used in the village, and heaters will be inspected routinely. Electrical work was conducted by a bonded and licensed electrician and inspected by Seattle City Light. Please refer to Exhibit 08.A THV Code of Conduct 2022 - Safety - Item 4 on page 3.

f. designating and maintaining a smoking area to be located at least twenty five feet away from any interior lot line, and posting no smoking signage in areas where flammables are stored;

Item B2f: A smoking area will be provided that meets the requirements of this item. Additionally, no smoking signage will be posted in accordance with this requirement.

g. maintaining refuse receptacles and emptying them at least once per week, keeping the site free of litter and garbage and preventing junk accumulation;

Item B2g: Refuse will be picked up multiple times per week and village staff will ensure that the site will be free of all junk and litter. Please refer to Exhibit 09.A WG Management Plan 2022 - Health and Public Health on page 4.

h. observing all requirements and standards from public health - Seattle & King County, including applicable permit and inspection requirements for plumbing and gas piping and in substantial conformance with the Sanitation and Hygiene Guide for Homeless Service Providers;

Item B2h: LIHI will observe all requirements and is in compliance with all permit procedures from King County. We have a good working relationship with King County Public Health. We work with Marta Lema to ensure compliance with Public Health standards.

i. posting and distributing copies of health or safety information provided by King County, public health - Seattle & King County or any other public agency with authority over the site to all occupants;

Item B2i: LIHI will be a supportive partner in the distribution of all public health information and education resources. We have a good working relationship with King County Public Health and will schedule an annual check in with our public health partners.

j. prohibiting any open flames except outdoor heat sources approved by the fire marshal;

Item B2j: No open flames will be permitted, other than approved heat sources for cooking per fire marshal approval. Open flames will be prohibited within the kitchen structures. Smoking and indoor cooking units are prohibited within individual tiny house structures. Please refer to Exhibit 08.A THV Code of Conduct 2022 - Safety - Items 2, 3, & 4 on page 3.

k. providing access to an adequate number of toilets maintained in good working condition and in an indoor location or providing and maintaining chemical toilets as recommended by a portable toilet service provider and meeting the following standards:

- (1) one toilet per twenty persons;
- (2) one handwashing sink per fifteen persons; and
- (3) one shower or bathing unit per fifteen persons;

Item B2k: The village has 5 toilets, 5 hand-washing sinks, and 5 showers. This corresponds to a capacity (per the above standards) of 100 people, 75 people, and 75 people respectively. This exceeds the number required given the 60 person max occupancy of the village as detailed in our response to 21A.46.030.B.1.

l. providing adequate potable running water for handwashing and showers in an indoor location or continuously maintaining outdoor running water and discharging the water to a location approved by the county;

Item B2l: LIHI will provide multiple sources, permitted by KC regulators, of potable water at indoor locations. Potable water will be available within the hygiene facilities and the indoor kitchen. Water is discharged directly to county sanitary sewers. For outdoor sink locations, please refer to Exhibit 01.B Site Plan - 04.20.21.

m. providing kitchen or food preparation facilities, which may be located indoors or outdoors, with access to a sink of sufficient size for dishwashing and a means to safely store food to prevent spoilage and to prevent access by rodents and insects;

Item B2m: The village has a communal food preparation area that is approved by King County Public Health and has a dishwashing sink that is of adequate size to maintain hygiene standards. There are multiple methods of safe food storage, which include closed plastic storage bins, shelves that are elevated off of the ground, and a refrigerator that King County Public Health reviews for temperature consistency. Please refer to Exhibit 09.A WG Management Plan 2022 - Health and Public Health on page 4 for food storage requirements.

n. providing contracted rodent control services adequate for the size of the site and serviced at least quarterly to prevent rodent infestation;

Item B2N: Rodent control services are provided via a contract that is paid for by King County. Rodent control information is located in Exhibit 09.A WG Management Plan 2022 - Health and Public Health on page 4.

o. using low volatile organic compound paint and other materials that are resistant to or inhibits the growth of mold and mildew; and

Item B2o: Low VOC paint and building materials that are resistant to mold are used in all sleeping units. This includes Kilz Primer, and residential low-VOC semi-gloss acrylic latex paint.

p. incorporating a passive ventilation system in each temporary small house that is no less than six square inches and no more than twelve square inches of vented surface to allow for continuous cross-ventilation;

Item B2p: A passive ventilation is provided in each small house, either through a passive roof vent or two 4 inch diameter IAQ vents on either side of the house.

3. The temporary small house site shall be located within one-half mile of a public transportation stop or the managing agency shall provide access to the nearest public transportation stop through managing-agency-provided transportation. During hours when public transportation is not available, the managing agency shall also make transportation available to anyone who is ordered to leave the site;

Item B3: The site satisfies the stated required transit accessibility and proximity requirements.

4. All improvements and temporary small houses shall maintain a minimum ten-foot setback from any interior lot line that abuts the R-1 through R-48 zones and a five-foot setback from all other zones;

Item B4: Required setbacks are maintained for the mentioned zone types for all interior lot lines.

5. All improvements and temporary small houses shall be located outside of any critical area and required buffer. Use of reductions to buffers or buffer averaging as allowed elsewhere in this title is prohibited;

Item B5: The site is located outside of critical areas and buffers.

6. The siting of the temporary small house site shall not create a nonconformance, except that legally established on-site parking displaced by the temporary small house site does not need to be replaced for the duration of the temporary small house site;

Item B6: There is no nonconformance with existing zoning code.

7. The portion of the property used for the temporary small house site shall be screened from surrounding properties with a visual barrier of either established vegetation sufficiently dense to obscure view or a six-foot-high view-obscuring fence; and

Item B7: There is a minimum 6 ft. fence, made of solid wood, which covers the entire perimeter of the site.

8. Structures shall not be permanent nor affixed to or constructed in the ground without a building permit.

Item B8: Structures are assembled offsite and are placed upon risers to keep the structure level. The structures are not permanent, nor are they affixed to or constructed in the ground.

C. The managing agency shall allow officials of public health - Seattle & King County, the fire department or district serving the area and the department of local services to inspect areas of the temporary small house site that are located outdoors and plainly visible without prior notice to determine compliance with the standards in subsection B. of this section (Ord. 19291 § 7, 2021).

Item C: Public health officials are welcome and invited to inspect and report on the site and programs to ensure compliance. We have had multiple of such inspections and see them as resources to ensure we are safely meeting our community's needs.

***Reviser's note: "This ordinance expires one year after the effective date of this ordinance." (Ord. 19291 § 10, 2021).**

21A.46.040 Operating standards - occupant code of conduct - support services - services and resources (expires May 25, 2022*).

A. The managing agency shall establish operating standards for the management, maintenance, operation and security of the site to ensure the safety and welfare of occupants, staff and volunteers. The operating standards shall include the following:

1. A description of the governance model the temporary small house site will operate;

Item A1: LIHI's management plan outlines the governance model, including LIHI's role and management responsibilities, and the grievance procedure for any client or community member. Please refer to Exhibit 09.A WG Management Plan 2022 - Village Management on pages 1-2 and Internal Grievance Process on page 6.

2. A plan or program for ongoing community engagement and outreach to the surrounding areas;

Item A2: Community engagement is executed partially through our adherence to a Community Advisory Committee (CAC) that LIHI maintains and supports to solicit feedback and provide updates to members of the public and stakeholders. These meetings are monthly in perpetuity. Additionally, we welcome community input through direct contact with the Village Organizers or Village Operations Manager. Please refer to Exhibit 09.A WG Management Plan 2022 - Community Relations & Grievances on page 5 and Community Advisory Committee on page 6.

3. Provisions for security, enforcement, evacuation, accessibility, fire prevention and other standards appropriate for the health, safety and welfare of occupants, visitors, staff and volunteers;

Item A3: LIHI's staff training ensures that all staff are familiar with provisions for maintaining site safety in a variety of emergency situations. Please refer to Exhibit 09.A WG Management Plan 2022 - Village Security on page 3, Security Design on pages 3-4,

and Fire Department on page 4. Additionally, please refer to Exhibit 02.A Site Accessibility Plan 05.24.21.

4. Provisions for the routine maintenance, care and cleaning of the site; and
Item A4: Preventative maintenance plans are maintained, and communications are consistent any time there are concerns or needs for routine maintenance. Our maintenance team explicitly services this site with technical support and contractor support as needed. Please refer to Exhibit 09.A WG Management Plan 2022 - Community Self-Help on page 4, Health and Public Health on page 4, Coordination and Communication on pages 4-5, and Maintenance and Repairs on page 6.

5. Provisions stating that individuals under eighteen years old that are not accompanied by a parent or legal guardian shall not be permitted into the site.

Item A5: Unaccompanied minors are not permitted to live within the village. This is a stipulation of our contract with King County DCHS, which outlines the intake requirements and demographic information.

B. The managing agency shall establish and enforce an occupant code of conduct, which shall be distributed to occupants, with the following information at a minimum:

1. Expectations of occupant conduct within the temporary small house site and in the surrounding neighborhood;

Item B1: This is provided. Please refer to Exhibit 08.A THV Code of Conduct 2022.

2. Information on occupant rights;

Item B2: This is provided. Please refer to Exhibit 08.A THV Code of Conduct 2022 and Exhibit 09.A WG Management Plan 2022 - Program Participant Rights on page 2.

3. Information on connecting occupants with community resources;

Item B3: Community resources are provided through both the Operations Manager and the Case Manager, connecting residents with services for housing, health, education, resources, community, and other key resources. The code of conduct requires that occupants meet with the case manager on a regular basis to ensure that they have an opportunity to access these community resources. Please refer to Exhibit 08.A THV Code of Conduct 2022 - Case Management on page 4 and Exhibit 09.A WG Management Plan 2022 - Services, Case Management and Data Collection on page 5.

4. Program services, referral services and accommodations for occupants during their stay; and

Item B4: Referrals and services are outlined in the supportive services plan and intake paperwork, provided upon the required services intake meeting. Please refer to Exhibit 09.B WG Service Plan 2020 - Service Coordination on pages 1-2 and Referrals on pages 2-5.

5. A community grievance policy.

Item B5: Grievance policies are clearly outlined for all new residents upon intake. The community grievance policy is laid out within the management plan and is posted in the village common area with additional copies made available upon request. Please refer to Exhibit 09.A WG Management Plan 2022 - Internal Grievance Process on page 6 and Exhibit 08.E THV Exit and Appeal Process 2021.

C.1. The managing agency shall provide or partner with social service agencies to refer occupants to support services.

Item C1: LIHI is providing supportive services and also working closely with other agencies to ensure culturally appropriate case management services are being provided. Case management is provided by LIHI, as well as by the Silent Taskforce and rapid rehousing support from Muslim Housing Association.

2. Services and resources available on-site and off-site shall:
 - a. provide assistance in helping occupants create a personal stability and transitional plan to develop the skills necessary to obtain and maintain stable housing; and

Item C2a: Working towards permanent housing is the goal for every village resident and a critical part of the supportive services intake process that all residents must engage in. Every client works with the supportive services team to create a housing transition plan upon their enrollment into the village program. Please refer to Exhibit 09.A WG Management Plan 2022 - Services, Case Management and Data Collection on page 5 and Exhibit 09.B WG Service Plan 2020 - Program Goals on page 5.

- b. establish and build on partnerships with local homeless and housing providers to further ensure that services and resources are available on-site to respond to the comprehensive needs of occupants and support occupants in realizing success and overcoming obstacles to personal empowerment and housing stability.

Item C2b: This site has close connection with several local providers of housing and services, deeply rooted in the community through accountable connections. Those partners include the Progressive Skyway Church, the Skyway Coalition, the Silent Taskforce, and others.

3. The services and resources may include permanent housing, personal hygiene or day center facilities, benefit assistance, healthcare services, crisis intervention services, chemical dependency treatment, literacy training, job training or employment (Ord. 19291 § 8, 2021).

Item C3: The above listed resources and services are all provided through our case managers, either on-site or via referral.

***Reviser's note: "This ordinance expires one year after the effective date of this ordinance." (Ord. 19291 § 10, 2021).**

21A.46.050 Community meeting in neighborhood of proposed site - notices - community advisory committee (expires May 25, 2022*).

- A. The managing agency shall conduct at least one community meeting in the neighborhood where the temporary small house site is proposed to be established at least thirty days before establishment of the temporary small house site. The purpose of the meeting or meetings is to provide a forum for discussion of related neighborhood concerns. The managing agency shall provide information regarding the planned duration and operation of the temporary small house site, management and maintenance policies, the grievance policy and contact information. The meeting or meetings shall provide time for questions and feedback from the community.

Item A: LIHI held two community meetings to provide a forum for discussion regarding the proposed tiny house village. Meetings were held on April 21, 2022 and April 28, 2022 at Skyway Park. Please refer to Exhibit 12.A Progressive Skyway Village Community Meeting Agenda - 4-21-22, Exhibit 12.B Progressive Skyway Village Community Meeting Agenda - 4-28-22, Exhibit 12.C 4.21.2022 - Attendees Photo, Exhibit 12.D 4.21.2022 - Sign In Sheet, Exhibit 12.E 4.28.2022 - Sign In Sheet, and Exhibit 12F PSV Community Meeting and Canvassing Notes.

B. The managing agency shall provide written notice of a meeting at least fourteen days before the meeting to all residences and businesses within five-hundred feet of the proposed site, which shall be expanded as necessary to provide notices to at least twenty different residences or businesses, as well as to parties of record for the site permit and any known homeowner association representing residents receiving the notice. The managing agency shall also post the notice at the temporary small house site and provide notice to the county at least one week before a meeting. The notice shall contain the following information:

1. The name and contact information of the managing agency and the religious organization;
2. The location, date, time and purpose of the meeting;
3. A description of the temporary small house site, its location, date that the site will be established, planned length of stay, the maximum number of occupants and the facilities and services provided; and
4. The responsibilities of the managing agency and the occupants in the surrounding neighborhood.

Item B: LIHI provided a community meetings flyer containing the required information to all residents and businesses within a 500 foot radius of the proposed tiny house village. Distribution was done fourteen days prior to each meeting. The notice was provided to King County in accordance with the requirements of this provision. Please refer to Exhibit 12.G Progressive Skyway Canvassing Map and Exhibit 12.H Progressive Skyway Village - Community Meetings Flier.

C. The department of local services shall provide notice of a meeting by posting the notice in subsection B. of this section on the county website.

D. The managing agency shall establish a community advisory committee that would provide advisory input on proposed temporary small house site operations, including identifying methods for handling community complaints or concerns as it relates to the site or occupants. The committee shall include individuals identified by stakeholder groups in the subarea geography where the proposed temporary small house site would be located as best suited to represent their interests. The committee shall consist of at least five and at most ten members. Managing agency representatives are not part of the committee but shall attend committee meetings to answer questions and shall provide regular reports to the committee regarding site operations. County staff may attend committee meetings. The committee meetings shall be open to the public. The location, date and time of committee meetings shall be posted at the temporary small house site at least twenty-one days in advance of the meeting (Ord. 19291 § 9, 2021).

Item D: LIHI has already set up a Community Advisory Committee to serve the proposed tiny house village and it has been in operation for a year. Please refer to Exhibit 13.A Progressive Skyway CAC Meeting Agenda and Exhibit 13.B Progressive Skyway Village CAC Roster.

***Reviser's note: "This ordinance expires one year after the effective date of this ordinance." (Ord. 19291 § 10, 2021).**