

DRAFT 2.7 (9/26/16) Port Townsend EcoVillage Tiny House Requirements

Please note that the following requirements are a work in progress, many of which are particular to the PT ecovillage. Once finalized, we will post a user-friendly version with additional resource information. This version is intended for our official documents.

The following tiny house requirements are proposed as Appendix N to the Port Townsend EcoVillage Regulations pursuant to our agreement to locate three tiny houses on lot 9 that serve the PTEV's intention to provide low-cost affordable housing opportunities.

This proposal modifies the C, C and R's Section 2 Paragraphs b and d; and Section 6 Paragraphs b, e and f (see background for specific modifications). The Low-Impact Development Checklist in the Regulations also does not apply to tiny houses.

Proposal:

The Regulations shall be amended to include Appendix N, Tiny House Requirements as referenced in Section VI of the Regulations, DWELLING DESIGN APPROVAL PROCESS INCLUDING LOW IMPACT DEVELOPMENT (LID) CHECKLIST AND AGREEMENT, as follows: Tiny House Owners wishing to locate a tiny house at the PTEV will meet the requirements laid out in Appendix N, Tiny House Requirements.

APPENDIX N: Tiny House Requirements

The following Design Regulations, Paragraphs a through k, are specific to tiny houses. Starred regulations are based on building codes for Port Townsend/Washington State.

Regulations Specific to Tiny Houses

A. Number of Dwelling Units

Residential Site 9 may have three (3) dwelling units. The offset on the North side of lot 9 (PTEV imposed) will be reduced from 10 ft to 5 ft.

B. Building Plans

The Site team of the Association must approve tiny house plans prior to the location of the tiny house at the PTEV.

C. Standards

All tiny houses must meet the relevant sections of the State of Washington building and electrical codes (including the starred items below).

D. Permitting

Tiny houses located at PTEV must be permitted for occupancy in one of the following ways:

- a) Through the City of PT building department inspection and permitting process.
- b) Through the State of Washington License and Industry Inspection (L&I) process for "factory built structures". Typically, dwellings permitted through the L&I process are fully engineered (i.e. stamped by a professional engineer), built in an inspected facility, and a minimum of 320 square feet.

c) Tiny houses that are not built and permitted per one of these two processes will be considered for PTEV on a case-by-case basis. At minimum, PTEV will require full documentation and third party inspection and the house owners must work with the city to be permitted for permanent occupancy. Please note that the permanent occupancy permitting requirement may be prohibitive for tiny houses not built to a permanent occupancy standard.

E. Dwelling Size, Length and Width

The maximum total allowable exterior footprint of the tiny house is 400 square foot. Maximum wall length of any house with side facing street without modulation is 20 feet. The maximum exterior width of a tiny house is 15 feet.

F. Dwelling Height and Solar Access Rights

Building height limits are in feet from top of foundation to the top of highest roof ridge and are 13'6". There are no restrictions on slope of roof.

G. Minimum (Interior) Area*

Every dwelling unit shall have at least one habitable room of not less than 120 square feet of gross floor area. Other habitable rooms shall have a floor area of not less than 70 square feet. A habitable space is a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

H. Foundation and Seismic:

Tiny houses may be built on either a trailer (chassis) or a skid. Both must be secured with anchor bolts to a pier foundation. (see diamondpier.com). The PTEV will provide up to six piers for each house. If additional piers are required, the homeowner will provide. Homeowner is also responsible for connecting the pier to the trailer or skid.

I. Bathrooms

The requirement for an ADA bathroom is waived for tiny houses.

J. Low Impact Development:

The Low Impact Development checklist from the Regulations is waived.

K. Storage and Other Miscellaneous Structures

Additional structures such as storage sheds, decks, sun rooms, sheds that are not permanently attached to the tiny house will be allowed to be sited on the lot provided the Site Team and the other tiny house residents agree. The combined square footage of the structures and the house will not exceed 400 square feet.

Regulations Applicable to All PTEV Dwelling Units

L. Prohibited Materials

Prohibited red materials list (from the Living Building Challenge): These materials may only be used in special circumstances, if proven to be non-toxic, and the Association must approve their use on a case-by-case basis: Added formaldehyde, Halogenated Flame Retardants, PVC, Mercury, CFC's, HCFC's, Neoprene (chloroprene), Cadmium, Chlorinated Polyethylene and Chloro-sulfonated Polyethylene, Wood treatments containing Creosote, Arsenic or Pentachlorophenol, Polyurethane, Lead, Phthalates.

M. Minimum Room Widths*

Habitable spaces, other than a kitchen, shall be not less than 7 feet in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet between counter fronts and appliances or counter fronts and walls.

N. Minimum Ceiling Heights*

Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet. Beams, girders, ducts or other obstructions may project to within 6 ft. 4 inches of the finished floor.

O. Sanitation*

All plumbing fixtures shall be connected to Port Townsend’s sanitary sewer. Homeowner is responsible for installing piping connecting the house to the sewer riser.

P. Insulation*:

Tiny house will have insulation meeting the following R-Values from the Washington State Energy Code: Floor – 30; Walls – 21; Ceiling – 49.

Q. Insurance

Tiny house owners must obtain appropriate insurance coverage for damage, loss and liability.

R. Variance Requests

Any variance to the above regulations must be approved by the site team. Any variance to the Residential Guidelines or the adopted Site Plan must be approved by the PTEV as a whole.

Existing PTEV Regulations Applicable to Tiny Houses

Burning of Wood (Paragraph 2.g, C,C&R’s/PUDA)

Outdoor Lighting (Paragraph 3.d, C,C&R’s/PUDA)

Site Team Authority (Paragraph 5.e, C,C&R’s/PUDA)

Additional Residential Site Restrictions (Paragraph 6.a, C,C&R’s/PUDA)

PTEV Building Approval Process (Section VI, Regulations)

Laundry (Paragraph VII.I.5, Regulations)

Existing ADU Regulations Applicable to Tiny Houses*

The front of the house may have only one exterior entrance.

The tiny house may not be used as a transient accommodation.

Smoke detectors shall be installed throughout the dwelling units in compliance with International Residential Code.

Entrances may be no closer than five feet to neighboring property (or lot) lines.

All components of the required exit systems shall comply with code requirements in effect at the time of application is made for permits, especially with regard to escape in all rooms used for sleeping.

Each dwelling unit must have its own hot water appliance.

Each dwelling unit will have its own separate address. The address must be posted on the ADU with 5-inch tall house numbers in contrasting color to the building background.

Background from Documents

Note this repeats Summary above but with specific language from documents

I. C,C&R's/(PUDA)

Section 2: Uniform General Requirements that may be amended WITHOUT City approval.

b) Building Plans: The Site team of the Association, in conformance with Article VIII of this Master Declaration entitled Architectural Control, must approve the plans for any structure that is planned for construction prior to submittal to the City of Port Townsend for a building permit.

New Amendment: The Site team of the Association must approve tiny house plans prior to the location of the tiny house at the PTEV.

- i. If the tiny house has already been constructed, the owner shall submit design plans and as-builts.
- ii. If the tiny house is not yet constructed, the owner is advised to submit design plans in advance of construction.

d) Solar Access Rights: Buildings and trees may not shade neighboring dwellings from passive winter solar access. Anyone designing or building a structure, planting vegetation, or in any way engaging in actions which may affect solar access for present or possible future neighboring structures must consult with the Site team and make efforts to minimize or mitigate adverse impacts on solar access before applying for permits, commencing any construction, or planting. The Association must approve plantings of trees or shrubs that can grow to over 12 feet in height or that have the potential for being destructive to infrastructure, like sewer lines, etc. Any house with a roof slope that is less than 6:12, or with a highest roof ridge that is not roughly in the center of the dwelling footprint (as in a shed roof), must be approved by the Association.

New Amendment: The height limit for the tiny house is 13'6". No restrictions on slope of roof.

g) Burning of Wood: The burning of wood creates significant local pollution and health hazards. Wood stoves, fireplaces or open fires are not permitted in any private residence or on any private Residential Site. The burning of anything other than candles or cigarettes on private Residential Sites is only permitted with Association permission.

This paragraph applies.

Section 3: Uniform General Requirements.

NOTE: This section may only be amended with prior City approval.

d) Outdoor Lighting: In order to protect the dark night sky and mitigate lighting impacts on neighbors, exterior illumination intensity shall be kept to a minimum and mercury vapor and halogen lights shall not be allowed. Lighting shall use average illumination levels and be designed so as not to cause glare of light spillage to adjacent streets and off-site properties. Exterior mounted fixtures shall not be mounted more than 8 feet high without Association permission (maximum 15 feet allowed) and shall be shielded and pointed downward and away from adjoining properties to prevent glare or light spillage beyond the private Residential Site boundaries as well as those of the Covered Property. Interior lighting must also be shaded so that bare light bulbs do not glare through windows.

This paragraph applies.

Section 5: Residential Site Restrictions.

NOTE: This Section may only be amended with prior City approval.

a) Site Team Authority: The Site Team must certify that house plans meet all PTEV limits, requirements and regulations before they are submitted to the City for permits. Solar access to and views from all Residential Sites will be safeguarded to the extent possible, with review of heights, orientation, and location of all structures, as more specifically described in Article VII below, Architectural Control.

This paragraph applies.

e) Number of Dwelling Units (DUs):

2) Any residential site may have on it up to two 2 (two) dwelling units (DUs), either as a duplex or as a single-family residence with an ADU (Accessory Dwelling Unit, either attached or detached).

New Amendment: Residential Site 9 may have three DU's.

Section 6: Additional Residential Site Restrictions

a) System Development Charges (SDCs): Each Residential Site shall have only one connection to utilities unless otherwise authorized by the Association. Residential Site owners are required to pay all System Development Charges related to the construction of any dwellings on their Residential Sites.

This paragraph applies.

b) Dwelling Size Limits:

(1) The maximum total allowable interior footprint of dwelling space(s) per Residential Site is 1,200 square feet, excluding exterior wall thickness, but including unheated entryways, greenhouses and covered porches.

(2) The maximum total allowable interior heated dwelling space per Residential Site is 1,200 square feet, excluding exterior wall thickness, areas that have a headroom of less than 5', and unheated areas such as entryways, greenhouses, root/fruit and other cellars, and covered porches.

(3) These size restrictions may be altered by the Association on a case-by-case basis, without approval by the City.

New Amendment: The maximum total allowable exterior footprint of the tiny house is 400 square foot. Maximum wall length of any house with side facing street without modulation is 20 feet.

- b) Dwelling Height Limits: Building height limits are in feet from average grade to the top of highest roof ridge and are 20'6" for all Residential Sites except Residential Sites #1, 2, 3, and 4, for which height limits are 28', except as otherwise authorized by the Association.

New Amendment: Building height limits are in feet from top of foundation to the top of highest roof ridge and are 13'6".

e) Bathrooms: The main ground floor bathroom of each dwelling shall be at least 48 square feet in size and must be visitable by those with disabilities, which is to say that a wheelchair user can enter and use the toilet, basin, and preferably shower as well. No more than 2 bathrooms are permitted in any one Dwelling Unit.

New Amendment: No requirement for ADU bathroom for tiny houses.

f) Prohibited red materials list (from the Living Building Challenge): These materials may only be used in special circumstances, if proven to be non-toxic, and the Association must approve their use on a case-by-case basis: Added formaldehyde, Halogenated Flame Retardants, PVC, Mercury, CFC's, HCFC's, Neoprene (chloroprene), Cadmium, Chlorinated Polyethylene and Chloro-sulfonated Polyethylene, Wood treatments containing Creosote, Arsenic or Pentachlorophenol, Polyurethane, Lead, Phthalates.

This paragraph applies.

Section 7: Other Insurance Requirements

- b) Owners of Residential Sites shall obtain insurance coverage for damage, loss and liability, as well as public liability insurance covering any liability of any Member to the extent not covered by any public liability and property damage insurance obtained and maintained by the Association, and must provide proof of insurance to the Association. The level of insurance obtained by residential site owners must be approved by the Association, which may require higher levels of insurance at its discretion.

II. **This paragraph applies. Regulations**

VI. DWELLING DESIGN APPROVAL PROCESS INCLUDING LOW IMPACT DEVELOPMENT (LID) CHECKLIST AND AGREEMENT

- F. Before construction begins:
1. The ST shall assess variance requests on a case-by-case basis
 2. Any variance to the Residential Guidelines or the adopted Site Plan must be approved by the PTEV as a whole.

This paragraph applies.