

INFORMATIONAL MEMORANDUM

TO: **Planning and Community Development**

FROM: **Nora Gierloff, DCD Director**

CC: **Mayor McLeod**

DATE: **April 8, 2024**

SUBJECT: **Zoning Code Updates for Tiny Home Villages and Emergency Housing**

ISSUE

Should Tukwila enact specific regulations for Tiny Home Villages and modify Zoning Code regulations for emergency shelter, emergency housing, permanent supportive housing, and transitional housing uses?

BACKGROUND

In 2021 Tukwila amended its Zoning Code to address the State requirement in HB 1220 that indoor emergency shelters and indoor emergency housing be permitted in any zones where hotels are allowed and that permanent supportive housing and transitional housing be permitted in all zones that allow residences or hotels.

TMC 18.06.255 Emergency Housing shall have the meaning listed in RCW 36.70A.030.

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

(01) Emergency Shelter shall have the meaning listed in RCW 36.70A.030.

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

(02) Permanent Supportive Housing shall have the meaning listed in RCW

36.70A.030. "Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter [59.18](#) RCW.

- (03) **Transitional Housing** means a facility that provides housing, case management, and supportive services to homeless persons or families and that has as its purpose facilitating the movement of homeless persons and families into independent living.

In addition to adding the new uses to our Zoning Code definitions and use table, the Council adopted local standards controlling occupancy, spacing, and intensity of use to proactively address potential concerns and conflicts with these uses. The Council is now being asked to consider edits to these standards.

At the time the HB 1220 Ordinance was adopted we did not develop specific regulations for Tiny Home Villages, which are clusters of sleeping structures up to 120 square feet in size with common hygiene and kitchen facilities. The City has since permitted two Villages using the emergency shelter regulations but the proposal is now to have specific regulations tailored to this housing type. Proposed definition:

“Tiny Home Villages” means temporary shelter comprised of two or more sleeping structures up to 120 square feet in size with common hygiene and kitchen facilities managed by a host organization which provides on-site services.

The City has considered but not acted on a proposal to regulate temporary homeless encampments which must be permitted on sites owned or controlled by religious organizations per the requirements and definitions of RCW 35A.21.360. Encampments do not fall within the definitions above as the “housing” provided is not within a building.

DISCUSSION

Tiny Home Villages

Cities may enact reasonable occupancy, spacing, and safety requirements for temporary tiny home villages to protect public health and safety so long as the conditions do not preclude the siting of these villages by religious institutions per RCW 35A.21.360. The proposal is to use a similar framework to the standards Tukwila has adopted for other types of emergency housing. This is a residential model where clients are screened, admitted, and assigned a space for the duration of their stay rather than a day or night shelter model where people must leave with their belongings each day. On-site services would be limited to residents and not offered for drop in use. The stability offered by this model has better outcomes for the clients and fewer impacts on the surrounding neighborhood.

Therefore, staff is suggesting the following standards:

1. It must be a 24-hour-a-day facility where tiny homes are assigned to specific residents for the duration of their stay.
2. On-site services such as laundry, hygiene, meals, case management, and social programs are limited to the residents of the facility and not available for drop-in use by non-residents.
3. The facility must be located within a half mile walking distance of a bus or rail transit stop.
4. The maximum number of units permitted on a site is 45.
5. A Memorandum of Agreement between the host organization and the city per TMC 18.50.270 must be executed prior to the start of construction.

Transit Access

The requirement that villages be located within a half mile walking distance of a bus or rail transit stop is intended to allow these transit dependent populations to reach services and employment.

Unit Count

Setting a unit count of 45 would allow potential expansions of the two existing villages in Tukwila. Miracle Village has 30 units and Riverton Village has 22.

In addition, the following standards contained in RCW 35A.21.360 would also apply:

1. The duration of the village will be for a minimum of a one-year term that is renewable according to the terms of a memorandum of understanding agreed to by the host organization and City.
2. The maximum unit square footage is one hundred twenty square feet each, with units set at least six feet apart.
3. Electricity and heat must be provided and inspected by the City.
4. Space heaters, if provided, must be approved by the local fire authority.
5. Doors and windows must be included and be lockable, with the managing agency and host organization also possessing keys.
6. Each unit must have a fire extinguisher.
7. Adequate restrooms and hygiene facilities must be provided, including restrooms solely for families if present, along with handwashing and potable running water to be available if not provided within the individual units, including accommodating black water.

An additional policy question is whether villages should also be allowed on sites not owned or controlled by a religious organization, such as a government agency or a non-profit organization.

Emergency Shelter, Emergency Housing, Permanent Supportive Housing, and Transitional Housing

The zones where residential dwelling units or hotels are allowed, and therefore emergency and supportive housing are allowed, encompass nearly every zone in Tukwila, see use table in Attachment A. HB 1220 did allow cities to develop reasonable occupancy, spacing, and intensity of use requirements to protect public health and safety so long as the conditions do not prevent the siting of a sufficient number of facilities to accommodate the cities' projected needs. The King County Countywide Planning Policies set Tukwila's 20-year target for net new emergency housing, emergency shelters and permanent supportive housing at 1,242 people.

Proposed changes:

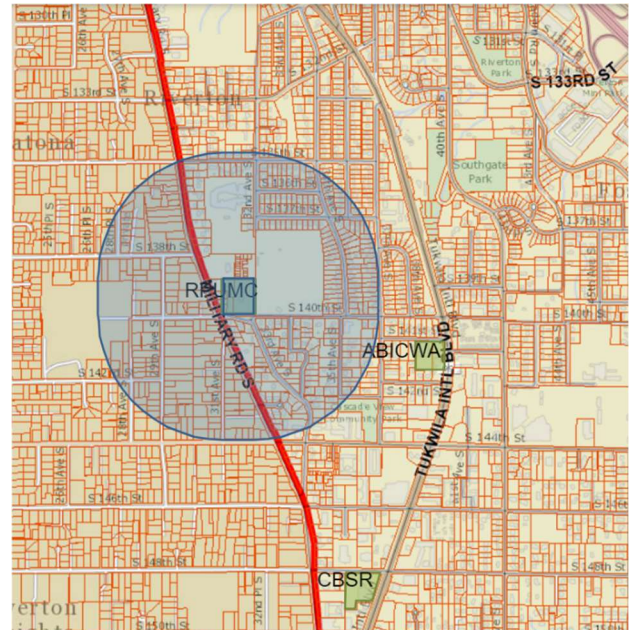
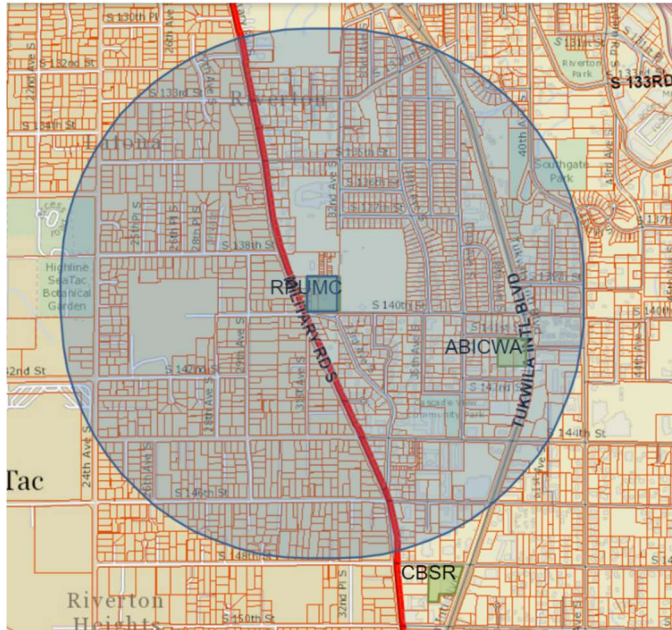
Unit Access

The code currently has a requirement that buildings must have secure entrances staffed 24/7 with individual units only accessible through interior corridors. A policy question is whether the interior corridor requirement should be applied only to newly constructed buildings, allowing existing motels or apartments to be converted to emergency shelters or supportive/transitional housing. The City's only permanent supportive housing, Pacific Court, has exterior unit entrances similar to many older buildings.

Facility Spacing

The code currently has a requirement that to avoid a concentration of uses shelters be at least a half mile from any other shelters, and supportive or transitional housing be at least a half mile from any other supportive or transitional housing. The map below shows a half mile and quarter mile radius from Riverton Park United Methodist Church. Group homes and adult family homes are regulated differently and are not subject to the spacing standard.

Staff is suggesting that the City revisit the half mile spacing requirement. The growing need for emergency and supportive housing in our area has led to a situation where the right of religious organizations to provide this type of housing under RCW 35A.21.360 could conflict with Tukwila's spacing standard.



Half mile versus quarter mile radius from Riverton Park United Methodist Church

Maximum Size

The number of residents in a facility is limited by life safety regulations in the building and fire codes. In addition, our current code allows a maximum of 45 residents for shelters and a maximum number of residents that varies by zone for transitional/supportive housing.

- 15 in Low Density Residential,
- 30 in Medium Density Residential, and
- 45 in High Density Residential or other zones.

These sizes are within the range of existing shelters and transitional/supportive housing developments in King County but the low numbers may make it infeasible for new facilities to be located in existing buildings. Pacific Court in Tukwila has 32 units with a maximum number of 50 residents in the HDR zone. Should we regulate transitional/supportive housing by number of units rather than number of residents as the number of couples or families within the units can fluctuate?

FINANCIAL IMPACT

Passage of the ordinance would not result in any direct costs to the City.

RECOMMENDATION

The Committee is being asked to send this issue to the Planning Commission for a recommendation. It will then return to Council in ordinance form for a hearing and decision.

ATTACHMENTS

- A. Excerpt of Zoning Code Use Table

Exhibit A – Table 18-6: Land Uses Allowed by District

See Table 18-2 for uses allowed in TUC and Figure 18-1 for uses allowed in Shoreline.

For properties zoned LDR, MDR and HDR that are designated as Commercial Redevelopment Areas (see figure 18-9 or 18-10), the uses and development standards of the adjacent commercial zone are permitted and shall apply, subject to the specific criteria and procedures defined in TMC 18.60.060

P = Permitted outright; A = Accessory (customarily appurtenant and incidental to a permitted use); C = Conditional (subject to TMC 18.64); U = Unclassified (subject to TMC 18.66); S = Special Permission (Administrative approval by the Director)	LDR	MDR	HDR	MUO	O	RCC	NCC	RC	RCM	C/LI	LI	HI	MIC/L	MIC/H	TVS	TSO	PRO	
Emergency Housing									P37	P37	P37	P37	P37	P37	P37	P37	P37	
Emergency Shelter									P37	P37	P37	P37	P37	P37	P37	P37	P37	
Permanent Supportive Housing	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	
Transitional Housing	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	P38	
Religious facilities with an assembly area less than 750 sq.ft.	C	C	C	P	P	P	P	P	P	P	P	P				P	P	
Religious facilities with an assembly area greater than 750 sq.ft. and associated community center buildings	C	C	C	C	C	C	C	C	C	C	C	C				C	C	