

Tiny Homes in San Juan County



“Tiny Homes” have become a big part of popular culture and there are many different types of “Tiny Homes”. San Juan County code does not have a definition for “Tiny Home”, so in order to determine permit requirements and agencies with permit jurisdiction, a proposed “Tiny Home” must be categorized as one of the following:

- 1) Conventional building**, permitted under the International Residential Code (IRC), permitted and inspected by San Juan County;
- 2) Manufactured home or Factory-Assembled Structure**, permitted and inspected by Washington state department of Labor and Industries (San Juan County permits and inspects the location and the foundation); or
- 3) Recreational Vehicle**, permitted and inspected by Washington state department of Labor and Industries.

In all cases, the location of a “Tiny Home” must meet requirements San Juan County regulations for land use, including use, setbacks and density; and the County requirements for water and sewage disposal. The standards for the construction of the structure itself will be different depending on what kind of “Tiny Home” is proposed. Included here are some definitions from the SJC code that provide insight in reading the regulations, followed by WAC and RCW references, US Code, and a brief description of the above three tiny home categories.

SAN JUAN COUNTY CODE 18.20 DEFINITIONS

“Dwelling unit” means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A principal residence and an ADU that meets the requirements of SJCC 18.40.240 constitute a single dwelling unit. Recreational vehicles are not dwelling units.

“Mobile home” means a structure that is (1) designed to be transportable in one or more sections; (2) built on a permanent chassis; (3) designed to be used as a dwelling unit, with or without permanent foundation; and (4) connected to the required utilities, including plumbing, heating, septic, and electrical systems (RCW 43.22.340).

“Mobile home park” means a development with two or more improved pads or spaces with required improvements and utilities designed to accommodate mobile homes, according to RCW 59.20.030 (4).

“Motor home” means a motor vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging, cooking, and sewage disposal, and enclosed within a solid body shell with the vehicle, but excluding a camper or similar unit constructed separately and affixed to a motor vehicle (RCW 46.04.305).

“Recreational vehicle (RV)” means a vehicle designed primarily for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle, including travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes (RCW 43.22.335).

“Recreational vehicle park” means a commercially developed tract of land in which two or more recreational vehicle sites are established as the principal use of the land

“Single-family residence” means a dwelling unit designed for and occupied by no more than one family.

1) “TINY HOME” AS A CONVENTIONAL BUILDING PERMITTED UNDER THE IRC

San Juan County has jurisdiction to permit and inspect “Tiny Homes” that are permitted as buildings under the IRC. There are variety of ways that “Tiny Homes” can be permitted under the IRC, including with conventional foundations or engineered foundation solutions. The IRC has minimum area, dimensions and height requirements for rooms used for living, cooling, eating or sleeping that must be met for a conventional permit.

For the purposes of land use regulations, a “Tiny Home” permitted under the IRC that contains facilities for living, sleeping, eating, cooking and sanitation permitted under the IRC is a “dwelling unit”.

2) “TINY HOME” AS A MANUFACTURED OR FACTORY-BUILT STRUCTURE

A “Tiny Home” is a manufactured home or factory-built structure if it meets the definition of manufactured home in WAC 296-150M-0020 or is a factory-built structure if it meets the definition in RCW 43.22.450(3). A manufactured home or factory-built structure is considered to be a “dwelling unit” for the purpose of land use regulations. San Juan County does not have jurisdiction over permitting or inspection of the construction of manufactured homes or

factory-built structures. The Washington State Department of Labor and Industries reviews and inspects these structures and affixes an “insignia” to them when approved. San Juan County issues a permit and inspects the foundation or blocking set-up and the location of these structures. San Juan County verifies that there is an L & I insignia on the unit.

WAC 296-150M- Manufactured Housing

“**Manufactured home**” is a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

- Includes plumbing, heating, air conditioning, and electrical systems;
- Is built on a permanent chassis; and
- Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).

Note: Total square feet is based on exterior dimensions measured after installation using the longest horizontal projections. Dimensions may not include bay windows but may include projections containing interior space such as cabinets and expandable rooms.

Exception: A structure that meets the requirements of a manufactured home as set out in 24 C.F.R. 3282.7(u), except the size requirements is considered a manufactured home, if the manufacturer files with the secretary of HUD a certificate noted in C.F.R. 3282.13.

“**Mobile home**” is a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes

Chapter 296-150F WAC and Chapter 43.22.455 RCW

Factory-built housing and commercial structures, RCW 43.22.450(3)

“**Factory built housing**” means any structure designed primarily for human occupancy other than a manufactured or mobile home the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.

RCW 43.22.455

No factory built housing or factory built commercial structure shall be installed on a building site in this state after the effective date of the regulations adopted pursuant to RCW 43.22.480 unless it is approved and bears the insignia of approval of the department (Labor and Industries).

3) “TINY HOME” AS A RECREATIONAL VEHICLE

Washington State requires recreational vehicles to be permitted and inspected by the Washington State Department of Labor and Industries under WAC 296-150R Recreational Vehicles (RVs). San Juan County does not have jurisdiction over permitting or inspection of RVs. The Washington State Department of Labor and Industries reviews and inspects these vehicles and affixes an “insignia” to them when approved.

RVs are not included in the definition of a dwelling unit, and are not permitted as a permanent (more than 180 days) primary use of land by the land use tables in San Juan County Code (SJCC) 18.30.040. An RV that is licensed as a vehicle is allowed to be parked on a property where there is a single family residence as a vehicle accessory to the single family use for any length of time. An RV may be inhabited for up to 180 days in a calendar year.

A “Tiny Home” is a recreational vehicle if it meets the definition of a recreational vehicle in the WAC 296-150R (below). Signs that a “Tiny Home” meets the definition of a recreational vehicle include:

- It is licensed as a vehicle or is on a trailer that requires a vehicle license and is designed to be pulled behind another vehicle;
- It is designed to be used on a road or highway and does not require a special permit for operations on the highway; or
- It will not be permanently (less than 6 months) affixed to a site.

WAC 296-150R Recreational Vehicles

296-150R-0020 Definitions

“**Recreational Vehicle**” is a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive power or is mounted on, towed by, another vehicle or as defined by NFPA 1192 Standard on Recreational Vehicles, current edition. Recreational vehicles include: Camping trailers, fifth wheel trailers, motor homes, travel trailers, and truck campers.

NFPA 1192, 2015 Edition

3.3.50 Recreational Vehicle (RV). A vehicular-type unit that is primarily designed as temporary living quarters for recreational, camping, or seasonal use; has its own motive power or is mounted on or towed by another vehicle; is regulated by the National Highway Traffic Safety Administration as a vehicle or vehicle equipment; does not require a special highway use permit for operation on the highways; and can be easily transported and set up on a daily basis by an individual.

MOTOR VEHICLE SAFETY, TITLE 49, UNITED STATES CODE CHAPTER 301 (ADMINISTERED BY THE NHTSA)

Purpose – to prescribe motor vehicle safety standards for motor vehicles and motor vehicle equipment in interstate commerce...

Definitions

“**Motor vehicle**” means vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated on a rail line.

“**Motor vehicle equipment**” means (A) any system, part, or component of a motor vehicle as originally manufactured; (B) any system, part or component of a motor vehicle as originally manufactured; (C) any device or article or apparel, including a motorcycle helmet and excluding medicine or eye-glasses prescribed by a licensed practitioner.



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT