

ORDINANCE NO. _____

**AMENDING WHATCOM COUNTY CODE 24.02, MOBILE HOME PARK REGULATIONS,
TO CREATE ADDITIONAL HOUSING OPTIONS WITHIN MOBILE HOME PARKS**

WHEREAS, Whatcom County’s vacancy rate fell to 0.2% in Q1 of 2019; and

WHEREAS, the City of Bellingham defines a balanced rental market as a vacancy rate between 5% - 7%; and

WHEREAS, a University of Washington market analysis published in 2019 reported that Whatcom County recorded the greatest decline in vacancy rates among the 18 counties studied in Washington State; and

WHEREAS, Whatcom County’s 2020 Point-In-Time (PIT) count found nearly 3,000 people required assistance with shelter or housing in 2019; and

WHEREAS, the median price of a home sold in Whatcom County increased from \$250,000 in 2010 to \$400,000 in 2019; and

WHEREAS, the Whatcom County Council would like to increase the availability of affordable housing options by expanding the number of housing units available; and

WHEREAS, Washington State adopted HB 1085 on June 7th, 2018; and

WHEREAS, HB 1085 authorizes local governments to adopt regulations eliminating any minimum gross floor area requirements for single-family dwellings; and

WHEREAS, HB 1085 expands the definition of factory-built housing in RCW 43.22.450 to include tiny houses and tiny houses with wheels, thereby incorporating prefabricated tiny houses into the L&I certification process for factory-built housing; and

WHEREAS, the International Code Council issued tiny house building standards, in 2018, under Appendix Q of the International Residential Code (IRC); and

WHEREAS, Washington State adopted ESSB 5383 on July 29th, 2019; and

WHEREAS, ESSB 5383 established a new zoning category for tiny houses allowing them to be distinguished separately from recreational vehicles and other types of housing; and

WHEREAS, ESSB 5383 expands RCW 58.17.040 to include tiny houses and tiny houses with wheels which allows the use of the local binding site plan process to create tiny house communities or villages; and

WHEREAS, ESSB 5383 extends protections of Chapter 59.20 RCW to tenants of tiny house communities.

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NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the amendments, as shown in Exhibit A, are hereby adopted into the Whatcom County Code.

ADOPTED this ____ day of _____, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

WHATCOM COUNTY EXECUTIVE
APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

Civil Deputy Prosecutor

Satpal Sidhu,
County Executive

() Approved () Denied

Date Signed: _____

1 EXHIBIT A

2 Chapter 24.02
3 MOBILE HOME PARK REGULATIONS

4 Sections:

5 24.02.010 Definitions.

6 24.02.020 New construction standards – Plans and specifications.

7 24.02.030 Water supply.

8 24.02.040 Plumbing.

9 24.02.050 Sewage disposal.

10 24.02.060 Toilet, lavatory and bathing facilities.

11 24.02.070 Operation and maintenance.

12 24.02.080 Park management.

13 24.02.090 Severability.

14 24.02.010 Definitions.

15 “Health officer” means the legally designated health officer as defined in RCW [70.05.010](#)(2) or the health
16 officer’s authorized representative.

17 “Mobile home” means a factory-assembled structure or structures constructed so as to be readily
18 movable as a dwelling unit on its own running gear and designed to be used as a dwelling unit without a
19 permanent foundation.

20 “Tiny house” means a factory-assembled structure or structures constructed so as to be readily moveable
21 as a dwelling unit on its own wheels without a permanent foundation or a structure which is built to be a
22 dwelling unit on a permanent foundation, that is 400 square feet (37 m2) or less in floor area excluding
23 sleeping lofts.

24 “Sleeping Loft” means a sleeping space on a floor level located more than 30 inches (726 mm) above the
25 main floor and open to the main floor on one or more sides with a ceiling height of less than 6 feet 8
26 inches (2032 mm).

27 “Mobile home park” means a parcel of land on which any combination of three or more mobile homes or
28 tiny houses are located for use as dwellings.

29 “Permanent-type sewer and water connections” means a durable pipe with tight-fitting connections.

30 “Person” means any individual, firm, corporation, partnership, association or an agent of any individual,
31 firm, corporation, partnership, association or an agency of state, county or municipal government.

32 “Service building” means a building within a park which contains toilet, lavatory and/or bathing facilities
33 and/or laundry facilities. (Ord. 90-10 Exh. A (part); Ord. 89-24 (part)).

1 **24.02.020 New construction standards – Plans and specifications.**

2 A. No person shall construct or establish a new park unless plans and specifications containing
3 information adequate to evaluate the proposal for compliance with these regulations shall have first been
4 submitted to and approved in writing by the health officer. Plans and specifications for additions,
5 extensions or modifications to an existing park must also be submitted to and approved by the health
6 officer if such changes are covered by provisions of this regulation. Any proposed deviations from said
7 approved plans and specifications must first be approved in writing by the health officer.

8 B. The content of plans and specifications submitted pursuant to this section shall include, but not be
9 limited to, the following information:

- 10 1. The area and dimensions of the tract of land;
- 11 2. The number, size and location of spaces;
- 12 3. The location of service buildings and other structures;
- 13 4. Specifications of the water supply, sewage disposal and solid waste management systems;
- 14 5. Specifications of all service buildings to be constructed.

15 C. Evaluation of land and specifications may include a site evaluation by health department personnel to
16 determine if there are site limitations relating to installation of sewage systems, water supplies or other
17 factors of environmental health concern which may make the site unsuitable for the proposed
18 development.

19 D. Within 30 calendar days following receipt of plans and specifications, the health officer shall issue a
20 written approval, disapproval, or inform the applicant in writing of any changes necessary to comply with
21 these regulations. (Ord. 90-10 Exh. A (part); Ord. 89-24 (part)).

22 **24.02.030 Water supply.**

23 A. Water supplies serving parks shall conform to the requirements of WAC [248-54](#), Rules and
24 Regulations of the State Board of Health governing public water supplies. Where an existing public water
25 supply of satisfactory quantity and quality is reasonably available, the health officer may require
26 connection to and exclusive use of, that supply.

27 B. Individual water service connections shall meet the following requirements:

- 28 1. Water riser pipes shall extend at least six inches above ground elevation. Surface drainage shall
29 be diverted away from the riser pipe.
- 30 2. Underground stop and waste valves shall be required and located so as to preclude sewage or
31 other contaminants from entering the stop and waste valve. (Ord. 89-24 (part)).

32 **24.02.040 Plumbing.**

33 Plumbing shall conform with current edition of the Uniform Building Code. (Ord. 89-24 (part)).

34 **24.02.050 Sewage disposal.**

35 A. All sewage shall be discharged into a sewage disposal system approved by the local health officer.
36 Where connection to a public sewer system is not feasible, the park shall have sewage disposal facilities
37 constructed in accordance with applicable state and local regulations.

38 B. All spaces shall have sewer connections.

1 1. The sewer riser pipe shall be so constructed as to be protected from damage and surface water
2 drainage. A concrete apron or equivalent shall be used.

3 2. The sewer riser pipe shall be capped in an approved manner when not in use. (Ord. 89-24
4 (part)).

5 **24.02.060 Toilet, lavatory and bathing facilities.**

6 A. Service buildings shall be well-lit and ventilated and constructed of materials which are easily cleaned.
7 Floors in service buildings shall be constructed of water-impervious material and sloped to a floor drain.

8 B. Walls and partitions around showers, lavatories and other plumbing fixtures shall be constructed of
9 nonabsorbent, waterproof material or covered with moisture-resistant material.

10 C. Toilet partitions shall be raised 12 inches from the floor and shall be so constructed as to be easily
11 cleanable.

12 D. All service buildings and sanitary facilities shall be kept clean and in good repair.

13 E. Buildings shall conform with the current edition of the Uniform Building Code.

14 F. Hot water shall be provided for lavatories, showers and other bathing units between the minimum
15 temperature of 100 degrees Fahrenheit and the maximum temperature of 130 degrees Fahrenheit.

16 G. If soap is provided, liquid or powdered soap in a suitable dispenser shall be used. Bar soap shall not
17 be provided. (Ord. 89-24 (part)).

18 **24.02.070 Operation and maintenance.**

19 All mobile home parks, newly constructed or existing on the effective date of the ordinance codified in this
20 title shall be required to meet all maintenance and operation standards.

21 A. Water Supply. Water supplies serving parks shall conform to the requirements of WAC [248-54](#), Rules
22 and Regulations of the State Board of Health regarding public water systems.

23 B. Sewage Disposal. Sewer riser pipe shall be capped in an approved manner when not in use. Sewer
24 line connections shall be tight-fitting.

25 C. Service Buildings/Sanitary Facilities. All service buildings and sanitary facilities shall be kept clean and
26 in good repair.

27 1. Existing lavatories, showers and other bathing units shall provide hot water between the
28 minimum temperature of 100 degrees Fahrenheit and the maximum temperature of 130 degrees
29 Fahrenheit.

30 2. If soap is provided, liquid or powdered soap in a suitable dispenser shall be used. Bar soap shall
31 not be provided.

32 D. Solid Waste Containers. Each park shall be equipped with adequate solid waste containers. All solid
33 waste containers shall be constructed so as to be insectproof and rodentproof, watertight and easily
34 cleanable.

35 E. Occupancy Limits. Occupancy of the park shall not exceed the capacity of the sanitary facilities serving
36 the park. (Ord. 89-24 (part)).

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24.02.080 Park management.

Any person operating a park shall operate in compliance with the rules and regulations provided by this title and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary manner. (Ord. 89-24 (part)).

24.02.090 Severability.

If any provision of this chapter or its application to any person or circumstance is held to be invalid, the remainder of this chapter or the application of the provision to other persons or circumstances is not affected. (Ord. 89-24 (part)).