

The City of Seattle

Construction Codes Advisory Board (CCAB)

Minutes of September 15, 2016

Board Members present:

Greg Gilda	Lachlan Foss
Judy Tucker	Eric Vander Mey
Rob Lane	Jim Safranek
Allan Wakeling	Joseph Malaspino
Lily Iftner	Len Whalen

Board Members absent:

Charlie Beck	Steve Simpson
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City Staff:

Jenifer Gilliland	Jon Siu
Kathleen Petrie	Nathan Torgelson
Leslie Price, Mayor's Office	

Public:

Dave Neiman
Alan Durning

Item 1: Review July 7, 2016 CCAB meeting minutes

Action: CCAB approved the minutes of the July 7, 2016 meeting.

Item 2: Update on strategy to reappoint expiring board

Jenifer Gilliland told the board that SDIC would wait until spring of 2017 to nominate new board members and deal with expired board member terms.

Action: Informational, no action needed at this time.



Item 3: Update on adoption of the Seattle construction codes

Kathleen Petrie provided an update about the effort to adopt the 2016 Seattle construction codes. The codes were to be reviewed by the PLUZ committee later that afternoon and would be up for Council approval in a few weeks. The codes will be effective January 1, 2017.

Action: Informational, no action needed at this time.

Item 4: Discussion of minimum habitability requirements of the Seattle Building Code

The group did introductions. Nathan Torgelson, SDIC Director expressed his thanks to the board for working on getting the codes adopted. Greg Gilda stressed that the point of meeting was to develop a framework for future discussion not to solve the issue in this meeting.

Minimum habitability standards for residences and HALA. Leslie Price discussed HALA (Housing Affordability and Livability) regulations. HALA focuses on the entire spectrum of housing, from affordable to market rate housing. The development of HALA included a review of housing policy and all types of tools to achieve affordable housing. Even SRO's were discussed. All rules, even director's rules, need to be examined for their effect on affordable housing. Changes in the City's regulations, interpretations and rules have made it more difficult for these projects to be approved. The City wants to be careful not to impose further restrictions on Small Efficiency Dwelling Units (SEDU's).

Changes coming in design review requirements. Nathan Torgelson spoke about changes to design review requirements coming after the first of the year. The requirement to undergo design review will be based on the size of the building and not the number of units.

History of smaller units in Seattle. Jon Siu described the City of Seattle's history with smaller units. In the late 1980's, the City of Seattle adopted a Director's rule on small efficiency units. It was not used much until the last few years. Land use changes, land use incentives and the economics of the area have resulted in numerous requests for the approval of smaller units of various types and configurations. The original rule has been updated, but not much has really changed. An interpretation to complement the rule describing what counts towards the minimal square footage was developed. To be considered part of the space a habitable room has to be 70 square feet or larger with no dimensions less than 7 feet and a square 7' x 7' must fit within the room.



Problems with the 7' 70' rule. Dave Neiman discussed the 7' 70' rule and how it discounts the square footage found in the “neck” of some spaces and is difficult to meet in corner units. This increases the total size of the units from just under 250 square feet to 280-290 square feet leaving fewer units to sell or rent. The building code represents minimum requirements. Some of the building code language around habitable space has more to do with middle class norms than with safety. That is why the National Healthy Housing Standard eliminated many of these requirements because they didn't line up with a real safety issue.

The group discussed the difference between congregate residences and the typical parking requirements (none) for these types of residences.

National Healthy Housing Standard. Alan Durning related that he became interested in how small a unit could be and still be safe and livable. He took a look at what public health standards said about minimum space requirements. No one appeared to be paying attention to the old standards originally written in the 1980's. He found a few studies, spoke with some contacts and wrote an article about it. The 2014 update eliminated many minimum measurements, except for the requirement for 70 square feet of habitable space, no exit through someone else's bedroom to get to a bathroom, and some others.

The group asked if the commercial minimum habitable space requirements align with requirements in the residential code. Jon Siu said that there are limits what can be changed in residential code. The State of Washington has restricted the ability of the City to make amendments to the residential code.

Jim Safranek expressed concern about decreasing space requirements and protecting public welfare. Were other groups, like fire departments or the fire protection industry, involved in drafting the National Healthy Housing Standard at the national level? Alan indicated that he wasn't sure but that he thought they probably were. Greg asked staff to locate the code and to see who drafted the code and provide the information to the board.

The group discussed exiting requirements and whether increasing the number of people in the apartment would change the exiting requirements.

The Board and guests discussed and agreed on the following framework to set-up and guide the work of the committee:



Minimum Habitability Committee Framework

- What topics and code sections should be explored relating to minimum habitability requirements?
 - Alan's memo
 - Code Reference: SBC 1208
 - National Healthy Housing Standards (SDCI to order and look into who developed it and report to CCAB.
 - Director's Rule 7-2016
 - SDCI Interpretation on Habitable Space
- Will the full CCAB complete the review or will a committee of CCAB who reports back to CCAB be appointed? Who should be on the committee?
 - Full CCAB to participate; Judy Tucker as point person
- Who are natural stakeholders that should be asked to participate in this discussion?
 - Outreach in 2 phases
 - Phase 1: Create the initial committee including CCAB and key stakeholders representing all angles of the discussion. If changes to ordinances or other documents need to be drafted, then this group will create these materials with the assistance of SDCI.
 - Phase 2: Circulate materials developed by the committee to a larger circle of stakeholders for their input.
 - Potential first phase stakeholders:
 - Send survey to interested parties to identify interest in the subject, key issues and potential solutions (limited to building code issues).
 - Alan Durning
 - AIA
 - Rental Housing Association
 - David Neiman
 - Interested Architects that have reached out to Jon



- SDCI: Don Weissinger, Housing Zoning staff rep
 - Mike Perry (circle vs square)
 - Bill Endleman
 - Developer
 - Low income housing rep
 - Federal standards rep
 - Design Review Board
 - Parking Advocate
 - Advocate for counter-opinion “devil’s advocate”
- How will committee recommendations and conclusions be captured and to whom do we report conclusions of this review?
 - SDCI will staff committee and continue to create minutes
 - How many meetings need to be scheduled?
 - Proceed with meetings within framework of current CCAB meeting schedule
 - 6-7 meetings proposed; reassess time line/milestones if necessary
 - What is the target date for completion of this CCAB review?
 - Final recommendations to CCAB by first Thursday in February
 - Next steps and assignments?
 - SDCI to purchase 1 hardcopy of the National Healthy Housing Standards
 - SDCI to consult with Don Weissinger to confirm interested parties on this topic
 - SDCI to distribute:
 - Alan’s memo
 - SBC Section 1208
 - Director’s Rule 7-2016
 - SDCI Interpretation on Habitable Space
 - National Healthy Housing Standards e-version:
 - <http://www.nchh.org/Policy/NationalHealthyHousingStandard.aspx>



- First meeting Oct 6, 2016
 - Participants to have reviewed background documents prior to meeting
 - Committee to develop questions for survey and finalize survey recipient list (submit questions and potential committee names to Jenifer.gilliland@seattle.gov)
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Item 4: Agenda Items for next meeting

CCAB members suggested using the current CCAB meeting dates (1st and 3rd Thursdays from 12 to 1:30) for CCAB meetings to work on micro-housing regulations. The next board meeting will be scheduled for October 6, 2016 from 12 pm to 2 pm.

Item 5: Other business

Eric Vander May told the Board that a new TIP is on the City' website about ratings and opening protection in horizontal wood assemblies. Staff agreed to send out the link and to make sure that training is held for inspectors and plan reviewers. The new TIP applies to 2012 codes.

The Board discussed modular housing and a proposed temporary modular housing project which would be occupied only for three years.

Item 6: Meeting adjourned

Meeting Adjourned

The meeting adjourned at 1:30 p.m.

