

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: October 7, 2020	PREPARED BY: Derrick Braaten
Meeting Date Requested: October 13, 2020	PRESENTED BY: Derrick Braaten
ITEM: (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 10 minutes	
SUBJECT: Closed Record Hearing (Quasi-Judicial Item) - A Conditional Use Permit (CUP) to allow an a second address for the lower portion of an existing residence. (File # CUP 2019-08 and SEPA 2019-14)	
FISCAL IMPACT: None	
BACKGROUND: <i>(In accordance with Franklin County Code Section 17.14.040: A proposed use of this type is most analogous to item E - "...child day-care center" regarding intensity of use).</i> The applicant proposes to assign a second address to the lower floor of the existing residence located at 2211 Road 80, Pasco, WA, to accommodate a second "Adult Family Home" on the property. The property where the project is proposed is zoned RS-20 and carries a "Low Density Residential" Land Use designation.	
RECOMMENDATION: The Planning Department staff provided the Planning Commission with a written recommendation to deny the request for the new address, to allow for a second "Adult Family Home, but recommended approval for the proposed 6-bed expansion, provided it meets the DSHS requirements for an "Assisted Living Facility". Subsequently, at their meeting on February 4, 2020, the Planning Commission held a duly advertised open-record public hearing and unanimously passed a motion (6-0) to forward a recommendation of denial of the second address to the BoCC, with 6 suggested findings of fact, as amended by the Planning Commission. <u>Suggested Motion:</u> I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and deny CUP 2019-08, based upon the written findings of fact. If the board wishes to further review the item, no action should be taken to pass the resolution, and instead the Planning and Building department will schedule and advertise a future "closed record appeal hearing."	
COORDINATION: The Building & Planning Dept. processed the application, coordinated for agency comments, and reviewed the application per FCC 17.82. The application was advertised to the public via adopted procedures; a SEPA DNS was issued. Public comment included 1 letter and 4 speakers (representing 3-households), in opposition. One (1) letter, and 3 speakers were in support of the proposal.	
ATTACHMENTS: (Documents you are submitting to the Board) (1) (1) Summary, (2) Staff Report to the P.C. including public notices, attachments, and comment letters (3) Draft P.C. Minutes (2/4/2020), and (4) Proposed Resolution	
HANDLING / ROUTING: To the Clerk of the Board: 1 Original Resolution To Planning: 1 Copy Res.	

I certify the above information is accurate and complete.

 Derrick Braaten

FRANKLIN COUNTY RESOLUTION _____
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

***Conditional Use Permit (CUP) 2019-08 to establish a second address for the lower floor
of an existing residence to allow for a second Adult Family Home.***

WHEREAS, on October 13, 2020, the Board of Franklin County Commissioners, via public meeting, considered the negative recommendation of the Franklin County Planning Commission on a conditional use permit for the proposed use under file CUP 2019-08; and

WHEREAS, at the public meeting the Board has found that the County Planning Commission, after an open record public hearing and consideration on CUP 2019-08 did recommend denial of the Conditional Use Permit with several suggested findings of fact, as amended; and

WHEREAS, there was no appeal filed; and

WHEREAS, four (4) comments were received in support of the proposal, and five (5) comments were received in opposition to the proposal; and

WHEREAS, it appears to be in the public use and interest to **deny** the conditional use permit; and

NOW, THEREFORE, BE IT RESOLVED that CUP 2019-08 is hereby **denied** in accordance with the provisions of the Franklin County Development Regulations and as recommended by the Planning Commission.

APPROVED THIS 13th DAY OF OCTOBER, 2020.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**

Chair

Chair Pro-Tem

Attest:_____
Clerk of the Board

Member

FACT SHEET/STAFF SUMMARY
Meeting before the Franklin County Planning Commission

THIS IS A QUASI-JUDICIAL ACTION
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2019-08 (Conditional Use Permit) and SEPA 2019-14

PC Meeting Date: February 4, 2020

See the staff report for the application details, description, explanation of public notice, etc.

SUMMARY OF THE PUBLIC HEARING:

The request for a separate address to be assigned to an existing single-family residence operating as an Adult Family Home, under file CUP 2019-08, was presented by Staff at an open record public hearing (regular Planning Commission meeting) on February 4, 2020. The request for the separate address is to allow for the assigning of a separate address to the lower floor of an existing "daylight basement" single-family residence, in order to allow for a six (6) bed expansion of the facility, creating a separate Adult Family Home on the lower floor of the structure. Five (5) comment letters were received in advance of the hearing. Four (4) of the letters contain comments in support of the proposal. One (1) expressed concerns relating to traffic and emergency services. Please see attached comments.

The applicant spoke about the proposal and time was allowed for clarification by the Planning Commission. The Commission then heard testimony in opposition to the proposal from four (4) individuals, representing three (3) households. The reasons given for opposition include concerns for increased noise and lights from emergency vehicles and visitors, traffic, access not being appropriate for emergency vehicle access and turn-arounds, and setting precedence that will change neighborhood character and property values – duplex structures in a single-family zone.

There was no neutral testimony and three (3) people presented public testimony in favor of the proposal. The testimony in support of the proposal primarily focused on the high quality of care provided by the existing facility, the need for more of these facilities, and the fact that the facility was close-by and easy for family to visit residents. *(See draft minutes)*

Findings of Fact Criteria Used by Planning Commission: The Planning Commission made and entered findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
2. The proposal will adversely affect public infrastructure;
3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;

4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

Neither Adult Family Homes, nor Assisted Living Facilities are listed, or prohibited, uses in the RS-20 zone. Staff reviewed the allowed, accessory, and conditional uses listed in the RS-20 zone, and found that the listed conditional use of a "child daycare center" to be the most analogous use to an Assisted Living Facility.

Adult Family Homes must be treated as single-family residences, and do not require special permits. Assisted Living Facilities do require a special permit (CUP) to locate in most zones in Franklin County. Whether the facility, with the 6-bed expansion, would be classified as an Adult Family Home or Assisted Living Facility is contingent on whether the lower floor received a separate address. Staff's preliminary recommendation to the Planning Commission was to deny the request for the second address, but to recommend approval of the six (6) bed expansion, provided the facility met the requirements of an Assisted Living Facility. *(Please see attached Staff Report for additional information)*

At the February 4th meeting, the Planning Commission discussed the proposal, the comments made, the record as provided, and findings of fact. A motion was made for a recommendation that the Franklin County Board of Commissioners deny the request for a second address, regarding Application CUP-2019-08, with alternative findings of fact (as provided below).

Findings of Fact – Planning Commission: The Planning Commission (with assistance from Planning Staff) made and entered the following findings from the record, and conclusions thereof:

1. The proposed use **IS NOT** in accordance with the goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. Assigning a separate address to the lower floor of an existing single-family home would create a duplex structure, which is prohibited in the RS-20 zone.
 - b. As provided for in FCC 17.66.210, the Planning Commission makes a determination as to whether the proposed use is "similar to and not more objectionable than the use specifically permitted".
 - c. The Planning Commission has determined that an expanded Adult Family Home and/or an Assisted Living Facility, as proposed, will be more intense of a use than a "child daycare center", due to its 24-hour, 7-days a week operations, and the need for increased emergency services to the site.
2. The proposal **WILL** adversely affect public infrastructure.
 - a. Access for emergency services is not adequate, as proposed.

3. The proposal **WILL NOT BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. Residential activity is the primary use in the area.
 - b. Activities generating higher than average emergency response calls, creating lights and noise that disturb the surrounding residences, are not compatible with the expectations of residential use and hobby farming in the area.
 - c. Assigning of a second address would create a duplex structure, which is prohibited in the RS-20 zone.
4. The location and height of the proposed structures and site design **WILL** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. Area uses are primarily single-family residential and hobby farming
 - b. Activities generating more than residential traffic levels will negatively impact the quality of residential life in the area.
 - c. Activities generating more than residential levels of emergency vehicle traffic will negatively impact the quality of residential life in the area.
5. The operation in connection with the proposal **WILL** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. The Planning Commission has determined that assigning the separate address, and therefore the 6-bed expansion, will be more intense of a use than a child daycare center, as proposed.
 - b. Activities generating more than residential levels of emergency vehicle traffic will negatively impact the quality of residential life in the area.
6. The proposal **WILL** endanger the public health, safety, or general welfare if located where, and as, proposed.
 - a. Emergency service access and egress is not adequate.

Suggested Motion: "I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and deny CUP 2019-08, based upon the written findings of fact."

**FRANKLIN COUNTY
PLANNING COMMISSION
MINUTES
February 4, 2020**

MEMBERS PRESENT:

Claude Pierret, Mike Vincent, Layton Lowe, Mike Corrales, Roger Lenk & Kent McMullen

MEMBERS ABSENT:

Melinda Didier

STAFF PRESENT:

Derrick Braaten, Planning & Building Director

Rebeca Gilley, Julie Michel and Aaron Gunderson were present from the Planning and Building Department.

The Franklin County Planning Commission was called to order at approximately 6:30 pm. by Planning Commission Chairperson **Claude Pierret**. A quorum was present.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES / AGENDA:

Chair **Pierret** asked for a motion to approve the Agenda.

Commissioner Lowe made a motion to approve Agenda.

Commissioner McMullen seconded.

Motion carried.

Chair Pierret asked for a motion for approval of two (2) sets of minutes.

November 12, 2019 - Meeting minutes:

Commissioner Lenk made a motion to approve.

Commissioner Vincent seconded.

December 3, 2019 - Meeting minutes:

Commissioner Lenk moved to approve minutes.

Commissioner Lowe seconded.

PUBLIC HEARING INTRODUCTION:

Chair Pierret read the following:

*"It is now time for the Public Hearing Portion of our Meeting"
Good evening and welcome:*

Here are the ground rules for tonight's hearing:

- 1. All speakers must come forward, speak into the microphone, giving their names and addresses for the record and please sign the sign in sheet. No testimony will be taken from anywhere except at the podium. These proceedings are required by law to be recorded and the recording equipment cannot pick up comments that are not given at the microphone;*
- 2. All comments and questions shall be addressed to the Planning Commission, should be relevant to the application and not be of a personal nature;*
- 3. Each speaker shall have THREE minutes to provide testimony;*
- 4. Avoid repetitive comments;*
- 5. If there are a large number of speakers who are part of a group or organization, please select a representative to speak on behalf of the group;*
- 6. Behavior such as clapping, booing, hissing or remarks is prohibited. Every citizen here tonight should have the opportunity to testify without such distractions.*

Are there any questions regarding the Public Hearing ground rules?"

Chair Pierret asked the Commission members to keep in mind that the Planning Commission is prohibited by law from communicating with members of the public on the subject matter of these hearings except in these hearings. Chair Pierret also stated that the Planning Commission may not participate in a decision in which there is an appearance of conflict of interest to the average person. He asked,

"As to the matters which are before us today has anyone:

- Had any ex parte communications,
- Have any ownership interests in the properties,
- Have any business dealings with proponents or opponents of the matters, or
- Have business associates or immediate family who may be either benefited or harmed by a decision in these matters?"

Chair Pierret asked if any Commission Member had declaration regarding any of the items on the agenda. There were no declarations.

Chair Pierret asked if anyone in the audience would object to any Commission Member hearing any of the items on the agenda. There were no objections. He proceeded by stating,

"The order of the hearing shall be as follows:

1. Planning staff shall provide a staff report; the Commission may ask questions of staff;
2. The applicant or applicant's representative(s) presentation;
3. Other testimony in favor of the request;
4. Testimony either neutral or against the request;

5. Final Staff comments;
6. Clarification of public statements that occurred during the testimony portion of the public hearing;
7. Close the Public Hearing and Planning Commission discussion of the proposed action."

Chair Pierret then asked,

"Are there any procedural questions before we begin the public hearing?" There were none.

OPEN THE PUBLIC HEARING FOR THE REGULAR PLANNING COMMISSION MEETING:

Public Hearing opened at 6:39 pm.

ITEM #1 – CUP 2019-08 / SEPA 2019-14

An application for a Conditional Use Permit to consider a request for a separate address to be assigned for the bottom floor (daylight basement) of an existing single-family home currently being used as an Adult Family Home. In addition, the applicant plans to add six (6) new beds to the lower level, for a total of 12 beds in the structure: 6-beds on the ground level, and 6-beds on the lower level.

APPLICANT: Jessica Gow-Lee, 26118 NE 139th Ave, Battle Ground WA 98604

OWNER: Jessica & Guillermo Gow-Lee, 2211 Road 80, Pasco WA 99301

STAFF REPORT

Mr. Braaten provided a summary of the written staff report. He stated the application is to allow a second address for the lower level (daylight basement) of the single family home comprising of approximately 3,560 sq. ft. allowing for 6 more beds to be added to the existing facility.

Mr. Braaten shows a site plan of the property. He speaks about access and the issuance of a separate address for the home. He goes on to say that the home is not designed as a duplex (this would happen only if a second address is assigned). Mr. Braaten has a negative recommendation for the second address but a positive recommendation for the addition of 6 more beds. This change would take the "Adult Family Home" to an "Assisted Living Facility".

Mr. Braaten closed the report to the Planning Commission suggesting a **Negative recommendation** to the Franklin County Board of County Commissioners regarding the request for a separate address for each floor of the structure and a **Positive recommendation** to the Franklin County Board of County Commissioners to allow for the 6-bed expansion of the facility, provided it meets the requirements of the Washington State Department of Social & Health Services (DSHS) for an Assisted Living Facility with six (6) suggested findings of fact and sixteen (16) suggested conditions of approval.

Mr. Braaten gave a summary of the findings of facts and conditions of approval.

Chair Pierret asked if any Commissioner had questions for the staff.

Commissioner Lowe asked how long the Conditional Use Permit would be in effect.

Mr. Braaten goes on to explain there is no time limit.

Chair Pierret asked about entrance for the lower floor.

Mr. Braaten explains that the residences would be brought in through the back door. As of now there is a stairway connecting the two floors. Home was designed for a single family with a daylight basement and the 6 bed expansion could be achieved, however he goes on to state that a separate address would signify a duplex and a duplex is not allowed per the zoning.

Commissioner Lenk asked if the home has a Conditional Use Permit for what is existing now. Mr. Braaten said no that the adult facility is in compliance and explains.

Commissioner Vincent asked with the expansion, would there have to be a fire suppression system in place. Mr. Braaten said yes and is not aware of all that would entail. That would be up to the State Fire Marshall for an Assisted Living Facility.

Commissioner Lenk asked a question about whether it was a private facility, or were there State payments to the facility. Mr. Braaten explains he does not get into that portion of the facility.

Commissioner Lowe explains this is a land use issue. There was more discussion into the matter.

Chair Pierret asked if the applicant or anyone would like to speak in favor of the project.

APPLICANT: Jessica Gow-Lee, 2211 Road 80, Pasco, WA. Ms. Gow-Lee explains her reasons why she would like to have a second address. She goes on to say her Adult Family Home is just like living in a single family home and if she were to have to add the beds without the separate address for the lower level, her home would have to be classified as an "Assisted Living Facility" and goes on to explain the difference between the two.

Chair Pierret asked if anyone else would like to speak in favor.

PROPONENTS

Karen Parton: Ms. Parton strongly suggests the second address for the property. Ms. Parton's mother stayed in the home and states it was very good.

Christina Franklin: Ms. Franklin runs the "Amazing Grace Home" and strongly urges the Commission to allow the second address.

Margaret Chase: Ms. Chase said her mother was one of the first residents at this home and urges the Commission to allow the second address.

Commissioner Corrales would like to get back to the question at hand and that is giving the facility a second address. Mr. Braaten goes on to explain that a second address cannot be issued due to the zoning and explains.

Chair Pierret asked if anyone would like to speak neutral or against the project.

OPPONENTS:

Melanie & Ryan Bassett: Mr. and Mrs. Bassett spoke about access limitations, the concern for employee parking. They also have concerns about residents wondering off the property and emergency vehicles using a portion of their property for turning around.

Nicholas Wright: Mr. Wright spoke of his concerns with the access and the blocked off Road 80 barricade. He explains that emergency vehicles have to line up on Road 80 and there is no place for them to turn around.

Lloyd Reitz: Mr. Reitz concerns are the access, the barricade and shows pictures from different views of the property and vehicles. Mr. Reitz also has concerns about a 12 bed single family residence and the precedence that may set for the neighborhood.

Chair Pierret asked if there are any final staff comments.

Mr. Braaten spoke about the access. Will look into. Comments have been heard and notes have been taken. He goes on to say that staff will investigate before going forward.

Public testimony is closed at 7:57 pm.

Commissioner McMullen has some concerns with parking. Mr. Braaten explains that is what is in the Zoning Code and that is all that can be required. Mr. Braaten shows the site plan.

Commissioner Vincent asked why the second address and questions why this is even in front of the Planning Commission. Mr. Braaten speaks to the issue and explains that more beds will trigger additional requirements for the home.

Chair Pierret asked for a motion.

Commissioner Lenk makes a motion for a **negative** recommendation to the Franklin County Board of County Commissioners regarding the request for a separate address.

Commissioner Lowe seconded.

Mr. Braaten makes some changes to the recommended findings of fact and conditions of approval.

Vote:

Claude Pierret – yes

Mike Vincent – yes

Layton Lowe – yes

Mike Corrales – yes

Roger Lenk – yes

Kent McMullen – yes

The motion has passed.

CUP 2019-08
**CONDITIONAL USE
PERMIT**
GOW-LEE



FRANKLIN COUNTY PLANNING COMMISSION
Tuesday, February 4, 2020

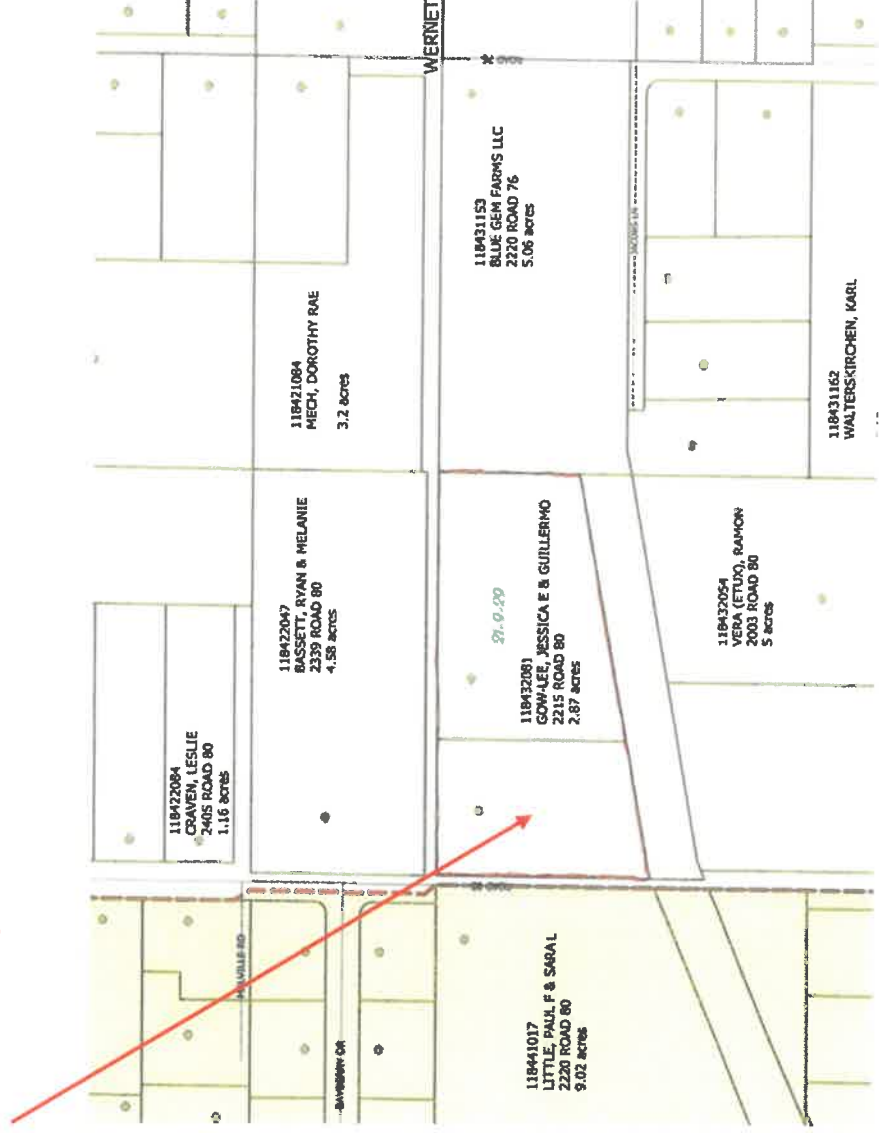
CUP 2019-08



- CUP 2019-08 is a request for a separate address to be assigned to the bottom floor (daylight basement) of an existing single-family home, currently being used as an Adult Family Home.
- The property address is 2211 Road 80, Pasco, WA. The parcel is bounded to the north by the west extension of Wernett Dr., and Road 80 to the west.
- The Parcel Number for the property is 118-432-072.

Vicinity Map

Subject Property



CUP 2019-08 Description



- ❑ This is a Conditional Use Permit (CUP) application to request a separate address for the bottom floor (daylight basement) of an existing single-family home currently being used as an Adult Family Home.
- ❑ In addition, the applicant plans to add six (6) new beds to the lower level, for a total of 12 beds in the structure: 6-beds on the ground level, and 6-beds on the lower level.
- ❑ Such a request can only be granted through a Conditional Use Permit.

CUP 2019-08 Information

- **Property Size:** The parcel is approximately 1.8 acres, net
- **Property to be used:** Approx. 3,560 sq. ft., the lower floor, of an existing approx. 7,120 sq. ft., daylight basement, single-family home. Space for parking is to be located in the SE quarter of the property.
- **Comp. Plan:** Low Density Residential (*Within the City of Pasco UGA*)
- **Zoning:** Residential Suburban 20 (RS-20)
- **Critical Areas:** None mapped
- **Request:** Conditional Use Permit
- **SEPA Determination:** Determination of Non-Significance (DNS)

CUP 2019-08 Notes

- Under Washington State law, an Adult Family Home (AFH) is defined as follows:
 - An AFH is a residential home licensed to care for two to six adults not related by blood or marriage to the person or persons providing the services.
 - The AFH provides room and meals, laundry, supervision, assistance with activities of daily living and personal care. Some homes provide nursing or other special care.
 - A licensed AFH is generally at a residential home address.
 - An adult family home is a single family residence, a duplex unit, or other type of dwelling for one or two families [per IRC #R101]. Each unit must have:
 - a. Separate staffing;
 - b. Separate call systems;
 - c. Separate living quarters;
 - d. Separate addresses;
 - e. Either a fire wall or floor separating the two units; and
 - f. No internal door in common.

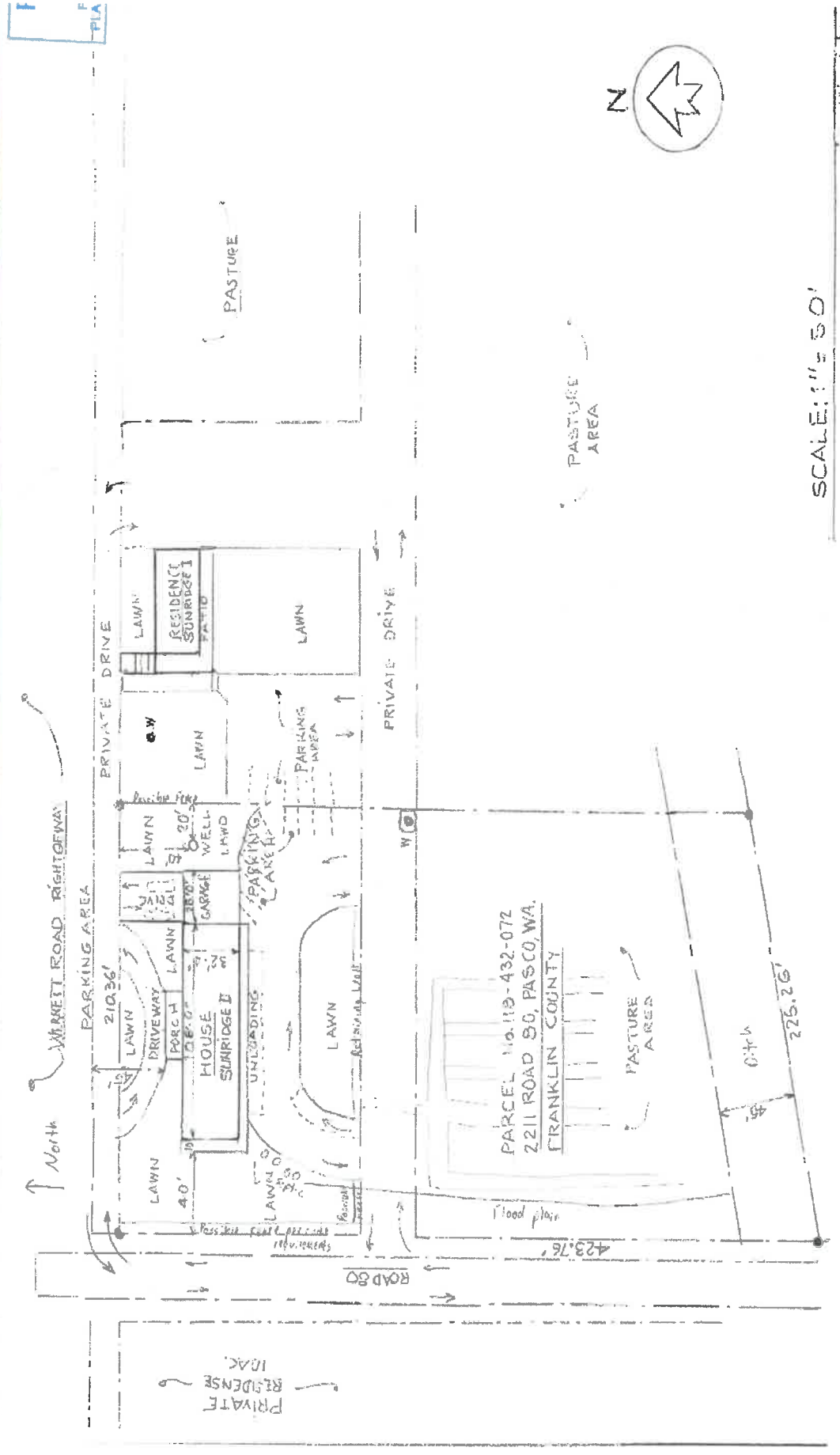
CUP 2019-08 Notes

- An AFH consisting of two (2) to six (6) beds, must be treated by the local authority as a single-family home, and Adult Family Homes can be located in any residential zones. (RCW 70.128.140)
- DSHS is the authorizing and licensing agency for these types of homes.
- The license required from the Washington State Department of Social and Health Services (DSHS) includes site inspections to ensure the facility meets the state licensing requirements, before such a license is approved, or renewed.

CUP 2019-08 Notes

- An adult care facility with 7 or more beds is considered an Assisted Living Facility (ALF), and is held to a higher standard of review and approval than an adult family home.
- In Franklin County, an ALF is considered the equivalent of a Group Home/Therapeutic Center.
- DSHS is the authorizing and licensing agency for ALFs.
- ALFs are inspected by DSHS to ensure compliance with state standards, including health and safety, before approving an Assisted Living Facility.

CUP 2019-08 Site Plan



CUP 2019-08 Comments



1. Five (5) comment letters have been received. Four (4) of the letters contain comments in support of the proposal. One expressed concerns relating to traffic and emergency services.
2. Fire District 3: Comply with all fire code requirements.
3. BFHD stated that the proposed use can be accommodated, with modification to the proposed access routes. As currently proposed, there are access routes crossing over septic system drain fields.
4. Public Works stated the proposal will not have a significant impact on County transportation facilities.

CUP 2019-08 Staff Analysis

- The application seeks to be allow a separate address be assigned for the lower and upper floors of the structure.
- Whether this facility is defined as an AFH or an Assisted Living Facility will be contingent on whether the separate addresses are assigned.
- Assigning a separate address to the different floors conflicts with a number of Franklin County codes, including:
 1. Assigning a separate address would create a duplex, residential structure, in the RS-20 zone. Duplex residential structures are not permitted in the RS-20 zone. (FCC 17.28.020, Permitted Uses)
 2. The existing structure was designed and built as a single-family home. It was not structurally designed to be a duplex structure.
 3. Attached Accessory Dwelling Units (ADUs) are permitted in any residential zone. (FCC 17.66.050) However, an attached ADU cannot exceed 800 sq. ft. (FCC 17.66.050(E)). The proposed space is approximately 3,560 sq. ft.
 4. Attached ADUs cannot exceed 40% of the principal dwelling's square foot total. (FCC 17.66.050 (E)) As proposed, the new space equals 50% of the principal dwelling's total square footage.
 5. Attached ADUs shall not be assigned a separate address than the principal dwelling. (FCC 17.66.050 (K))

CUP 2019-08 Staff Analysis

- Assisted Living Facilities are defined as adult care facilities with seven (7) or more beds. Under Franklin County Code, an Assisted Living Facility is considered a “group home or therapeutic center”.
- Though not specifically listed as an allowed conditional use in the RS-20 zone, an ALF would be similar to, but less impacting, than a “child day care center”.
- The Planning Department is not aware of any complaints regarding the existing facility, except initially, when neighbors thought an increase in vehicular traffic in the area was due to shift changes at the home. It turned out that the traffic was actually students, etc., from Chiawana High School.
- Adding six beds to the lower floor will not change the overall aesthetics of the structure, or character of the neighborhood.

CUP 2019-08 Staff Recommendation



- The Franklin County Planning Department recommends that the Planning Commission forward a **NEGATIVE** recommendation to the Franklin County Board Commissioners regarding the request for a separate address for each floor of the structure, and a **POSITIVE** recommendation to the Franklin County Board of Commissioners to allow for the 6-bed expansion of the facility, provided it meets the requirements of the Washington State Department of Social & Health Services (DSHS) for an Assisted Living Facility, for Application CUP-2019-08 with the suggested findings of fact, and provided the suggested conditions of approval in the staff report are met.

Suggested Findings of Fact (Summary)



1. The proposed use in the RS-20 Zoning District IS in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Low-Density Residential.
 - b. The County Zoning map designates the land as RS-20.
 - c. The structure does not look “institutional”. It is a “daylight basement” single-family home, meeting the same general appearance as other homes in the area.
 - d. The use “child day care center” (most analogous use to an Assisted Living Facility) is allowed with a Conditional/Special Use Permit in the RS-20 Zoning District.
 - e. The applicant has applied for a Conditional Use Permit to allow the proposed use.

Suggested Findings of Fact (Summary)

2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Access to the parcel is from Road 80.
 - b. The use will not have a significant impact on the County Road System.
3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing character of the immediate area consists of single family homes, and farms to the south. The proposal is located within the City of Pasco Urban Growth Area;
 - b. The proposed use will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is a mix of low-density properties (1/2 acre lots) and large lot single-family residences (1-acre, plus). The site is within a Low-Density Residential area designated by the Franklin County Comprehensive Plan. The Low-Density Residential area is intended to contain a mix of single-family and customary accessory structures. Certain public facilities and institutions may also be permitted, provided their nature and location are not detrimental to the intended suburban residential environment.
 - d. The zoning of the site and most of the parcels near the site is RS-20.
 - e. The current parcel size is approximately 1.8 acres (net) which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses.
 - f. Conditions are required to ensure that impacts of noise, traffic, and signage are adequately mitigated.

Suggested Findings of Fact (Summary)

- 4. The location and height of the proposed structure and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. No new permanent structures are proposed as a part of the project at this time. The structure will continue to look like an ADA accessible, single-family residence.
- 5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. Traffic of passenger vehicles and employees to the site will be limited, primarily during shift changes or during visiting hours.
 - b. Conditions are required to ensure that impacts of noise, traffic, and signage are adequately mitigated.

Suggested Findings of Fact (Summary)

- The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
 - a. The project is subject to the County's Right to Farm ordinance.
 - b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
 - c. The project site is less than 1/2 mile from a public fire station.
 - d. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received **FOUR COMMENTS** in support of the application, and **ONE COMMENT**, expressing concerns regarding traffic and emergency services.

Suggested Conditions of Approval



1. Notification from the Fairview Water purveyor that it can accommodate the expansion.
2. All proposed modifications to the existing structure require a building permit.
3. Structure must meet all licensing requirements of DSHS.
4. Max number of resident beds shall be 12 residents.
5. Shall comply with all fire code requirements.
6. The CUP is not transferable to another party or property.

(There are 16 Suggested Conditions of Approval)

CUP 2019-06

Recommended Motion

- “I move to forward CUP 2019-08 to the Board of Commissioners a **NEGATIVE** recommendation regarding the request for a separate address for each floor of the structure, and a **POSITIVE** recommendation to allow for the 6-bed expansion of the facility, provided it meets the requirements of the Washington State Department of Social & Health Services (DSHS) for an Assisted Living Facility, with the following six (6) suggested findings of fact and sixteen (16) suggested conditions of approval.”

Agenda Item # 1

STAFF REPORT

CUP 2019-08

Jessica Gow-Lee – Separate Address/Adult Family Home Expansion

FACT SHEET/STAFF REVIEW

Hearing before the Franklin County Planning Commission

NOTE TO PLANNING COMMISSIONERS:
THIS IS A QUASI-JUDICIAL PUBLIC HEARING
PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2019-08 (Conditional Use Permit) and SEPA 2019-14

Hearing Date: February 4, 2020

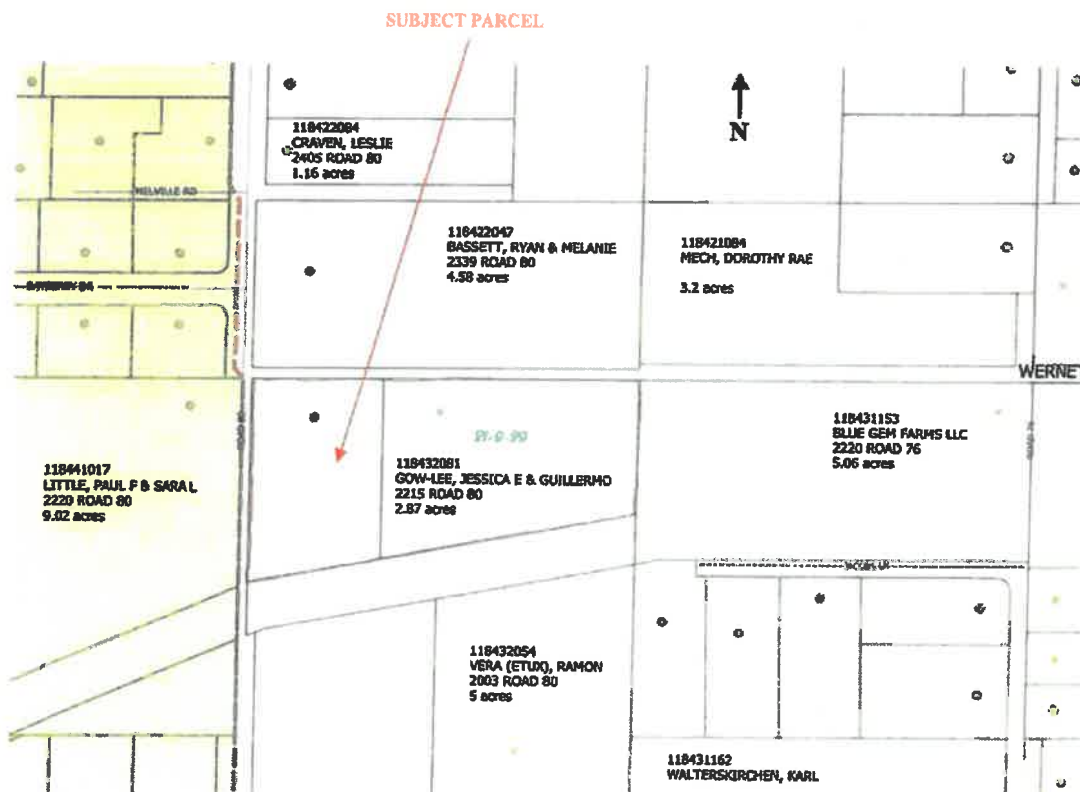
Applicant: Jessica Gow-Lee, 26118 NE 139th Ave., Battle Ground, WA 98604

Owner: Guillermo & Jessica Gow-Lee, 26118 NE 139th Ave., Battle Ground, WA 98604

Location: The property address is 2211 Road 80, Pasco, WA. The parcel is bounded to the north by the west extension of Wernett Dr., and Road 80 to the west (Parcel Number 118-432-072).

Legal description: W235.3' OF W2NESW 21-9-29 LY NLY OF US GOVT TRACT XX-3568 EXC W15' FOR RD PURPOSES, located within the SW ¼ of Section 21, Township 9, Range 29 E.W.M.

VICINITY MAP:



Staff Report
CUP 2019-08

2

- Property size:** The current property (parcel) size is approximately 1.8 acres, net.
- Property to be used:** This property is an existing 6-bed Adult Family Home facility, which is requesting the County assign a separate address to the daylight basement area of the house, comprising approximately 3,560 sq. ft., and to allow for 6-beds to be added to the existing facility in the basement of the unit.
- Comp. Plan:** Low Density Residential (*within the City of Pasco UGA*)
- Zoning:** Residential Suburban 20 (RS-20)
- Suggested Recommendation:** Positive recommendation *with six (6) suggested findings of fact and sixteen (16) suggested conditions of approval*
- Suggested Motion:** I move to forward CUP 2019-08 to the Board of Commissioners a NEGATIVE recommendation regarding the request for a separate address for each floor of the structure, and a POSITIVE recommendation to allow for the 6-bed expansion of the facility, provided it meets the requirements of the Washington State Department of Social & Health Services (DSHS) for an Assisted Living Facility, with the following six (6) suggested findings of fact and sixteen (16) suggested conditions of approval.

APPLICATION DESCRIPTION:

Said application is to request a separate address for the bottom floor (daylight basement) of an existing single-family home currently being used as an Adult Family Home. In addition, the applicant plans to add six (6) new beds to the lower level, for a total of 12 beds in the structure: 6-beds on the ground level, and 6-beds on the lower level. Such a request can only be granted through a Conditional Use Permit.

The following information about the project was provided by the applicant:

- Approximately 12 to 16 people will work or reside at the site.
- 2-3 shift changes will occur, as it is a 24-hour facility.
- The top floor is approximately 3,560 sq. ft., and currently being used as a licensed 6-bed Adult Family Home.
- The bottom floor is approximately 3,560 sq. ft., and is intended to be used for the addition of 6-beds in the structure.
- Each floor would have 6-rooms, a cooking area, as well as ADA compliant accesses, restrooms, and hallways.
- The structure is connected to an existing Group B water system.
- The site has an existing septic system, designed to accommodate up to 24-people.

The applicant provided a **site plan** which shows the location of the following features:

- Existing and proposed access drives.

Staff Report
CUP 2019-08

3

- The existing home, garage, septic system, and well.
- Existing and proposed parking areas.
- Please see attached site plan.

PUBLIC NOTICE:

- The Planning Staff emailed technical review requests to Technical Agencies on **January 9, 2020.**
- The Planning staff mailed notices to Property Owners within 500' on **January 9, 2020.**
- A Public Notice was published in the *Tri-City Herald* and *Franklin County Graphic* on **January 9, 2020.**
- A sign was posted on the property on **January 9, 2020.**

SEPA:

- A SEPA Checklist was included in the application. Planning Staff [Lead Agency Responsible Official] reviewed the checklist and issued a Determination of Non-Significance (DNS) on **January 9, 2020**, under WAC 197-11-340(2) which was published on **January 9, 2020.**
- The Washington State Department of Ecology filed the notice under **SEPA #202000143** in the statewide SEPA register.
- Comments on the DNS Threshold Determination were due by **January 23, 2020.**
- As of the date of this staff report, no SEPA specific comments or appeals have been received.

APPLICABLE STANDARDS/CODES:

1. County Zoning-- County Code:
 - a. Chapter 17.28 RS-20, Residential Suburban 20
 - b. Chapter 17.82 Special Permits
 - c. Chapter 18.04 State Environmental Policy Act Guidelines (SEPA)
2. Franklin County Comprehensive Plan
3. Benton Franklin District Board of Health Rules and Regulations No. 2
4. Under Washington State law, an Adult Family Home (AFH) is defined as follows:
 - An AFH is a residential home licensed to care for two to six adults not related by blood or marriage to the person or persons providing the services.
 - The AFH provides room and meals, laundry, supervision, assistance with activities of daily living and personal care. Some homes provide nursing or other special care.
 - A licensed AFH is generally at a residential home address.
 - An adult family home is a single family residence, a duplex unit, or other type of dwelling for one or two families [per IRC #R101]. Each unit must have:
 - a. Separate staffing;
 - b. Separate call systems;
 - c. Separate living quarters;
 - d. Separate addresses;

- e. Either a fire wall or floor separating the two units; and
- f. No internal door in common.

Also, an AFH consisting of two (2) to six (6) beds, must be treated by the local authority as a single-family home, and Adult Family Homes can be located in any residential zones. (RCW 70.128.140) The license required from the Washington State Department of Social and Health Services (DSHS) includes site inspections to ensure the facility meets the state licensing requirements, before such a license is approved, or renewed. DSHS is the authorizing and licensing agency for these types of homes. *Please see attached "AFH Information Sheet" provided by DSHS.*

An adult care facility with 7 or more beds is considered an Assisted Living Facility, and is held to a higher standard of review and approval than an adult family home. In Franklin County, such a facility generally needs a conditional use permit to be allowed, especially if located within a residential zone. Again, such a facility is inspected by DSHS to ensure compliance with state standards, including health and safety, and DSHS is the authorizing and licensing agency for these types of facilities.

The property where the project is proposed is zoned RS-20 and carries a "Low Density Residential" Land Use designation.

PUBLIC COMMENT:

Five (5) comment letters have been received, as of the preparation of this staff report. Four (4) of the letters contain comments in support of the proposal. One expressed concerns relating to traffic and emergency services. *Please see attached comments.*

STAFF ANALYSIS

The application seeks to be allow a separate address be assigned for the lower and upper floors of the structure. However, whether this facility is defined as an AFH or an Assisted Living Facility will be contingent on whether the separate addresses are assigned. Assigning a separate address to the different floors conflicts with a number of Franklin County codes, including:

1. Assigning a separate address would create a duplex, residential structure, in the RS-20 zone. Duplex residential structures are not permitted in the RS-20 zone. (FCC 17.28.020, Permitted Uses)
2. The existing structure was designed and built as a single-family home. It was not structurally designed to be a duplex structure.
3. Attached Accessory Dwelling Units (ADUs) are permitted in any residential zone. (FCC 17.66.050) However, an attached ADU cannot exceed 800 sq. ft. (FCC 17.66.050(E)). The proposed space is approximately 3,560 sq. ft.
4. Attached ADUs cannot exceed 40% of the principal dwelling's square foot total. (FCC 17.66.050 (E)) As proposed, the new space equals 50% of the principal dwelling's total square footage.
5. Attached ADUs shall not be assigned a separate address than the principal dwelling. (FCC 17.66.050 (K))

Assisted Living Facilities are defined as adult care facilities with seven (7) or more beds. Under Franklin County Code, an Assisted Living Facility is considered a "group home or therapeutic center". Though not specifically listed as an allowed conditional use in the RS-20 zone, it would be similar to, but less impacting, than a "child day care center". Also, the Planning Department is not aware of any complaints regarding the existing facility, except initially, when neighbors thought an

increase in vehicular traffic in the area was due to shift changes at the home. It turned out that the traffic was actually students, etc., from Chiawana High School. Adding six beds to the lower floor will not change the overall aesthetics of the structure, or character of the neighborhood.

Based on this, the Planning Department does not recommend approval of assigning a separate address for the bottom floor. However, the Planning Department does support a recommendation to allow for the 6-bed expansion, provided all requirements for an Assisted Living Facility are met.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

1. **Public Works Department:** Public Works has concluded that the proposed use will not have a significant impact on the County Road System and provides the following general comments:
 1. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 2. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
2. **Franklin PUD:** *No comments received.*
3. **Health District:** *No comments received.*
1. **Fire District #3:** 24 hour care facilities with more than 5 and less than 16 persons will need plans submitted for fire code review. The facility is either going to be classified as I-1 or R-4 under the 2015 edition of the International Building Code. Since this is a care facility with limited nursing staff providing 24 hour care of non-ambulatory adults. Review of the International Building Code and International Fire Code for sprinklers, range hood for cooking, fire separations, and areas of refuge may apply. *Please see attached comment.*
2. **Franklin Irrigation District:** *No comments received.*
3. **Planning and Building Department:** The Planning Department has determined the following suggested findings and provided comments for this application:
 - a. A "group home or therapeutic center" is not specifically listed as an allowed conditional use in the RS-20 zone. Therefore, as required under FCC 17.66.210, Staff has reviewed the proposal and has determined the intensity of use from a group home or therapeutic center, as proposed, would be similar to, but less impacting, than a "child day care center", with regard to impacts to the transportation and utility infrastructure, and regarding noise and traffic.
 - i. FCC 17.66.210 further requires that Staff's determination of any proposed use not specifically listed as prohibited, or permitted, within a zone must be reviewed for concurrence by the Planning Commission before being allowed.

- ii. If the request for a separate address for the lower floor is approved, then this facility must be considered as a duplex structure, and each floor of the structure would be considered to be a separate Adult Family Home. Duplex structures are not permitted within the RS-20 zone. (FCC 17.28.020, Permitted Uses)
 - iii. Assigning a separate address to the lower floor is not required for the applicant to add the proposed six (6) beds to the lower floor. However, it would change the DSHS licensing requirements for the facility, as well as the application of Franklin County Code, changing it from an Adult Family Home to an Assisted Living Facility.
 - iv. New permanent structures are not proposed as part of this application.
- b. The Comprehensive Plan designation for the property is Low Density Residential. The property is located at the SE intersection of Road 80 and the west extension of Wernett Road, currently a designated ROW, but no road is installed.
- c. There are no mapped critical areas on or near the project site.
- d. The project site is located within the City of Pasco UGA.
- e. This is a 365 day, 7-days a week, 24-hour facility. Traffic will primarily be from visitors during visitor hours and 2-3 shift changes.
- f. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- g. At a minimum, one parking space per 3-beds, plus one parking space per two employees, , shall be provided. ADA compliant parking shall be provided, as applicable. Standard parking spaces and ADA parking shall be designated with proper signage and markings, and shown on the submitted site plan.
- h. Separate building permits are required for any proposed modifications to the existing structure:
 - i. A Building application is required with the submittal for building permits.
 - ii. A detailed plot plan, including, but not limited to, distances to all lot lines, easements and adjacent structures, access, well and septic, parking and ADA, as applicable.
 - iii. An updated access permit is required from the Franklin County Public Works office.
 - iv. Architect/Engineered Plans for alterations, firewall separation, etc.
 - v. WA Dept. of Social and Health Services Approval of the facility.
 - vi. WA State Fire Marshal approval, as may be applicable.

- vii. Water availability notification.
- viii. Septic Permit.
- ix. Fire Suppression System Plans, as applicable.
- x. Fire Alarm Plans, as applicable.
- xi. Completed WA State NREC (Non-Residential Energy Code Reports), as applicable.

According to the Franklin County Code, Chapter 17.82 Special Permits, the Planning Commission shall:

1. Make and enter findings of fact from the record and conclusions thereof;
2. Shall render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

Findings of Fact Criteria by Planning Commission: The planning commission shall make and enter findings from the record and conclusions thereof as to whether or not:

1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
2. The proposal will adversely affect public infrastructure;
3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

Planning and Building Department Staff Assistance: Planning Staff will assist the Planning Commission with the determination of findings and conditions for CUP-2019-08.

Recommendation: The Franklin County Planning Department recommends that the Planning Commission forward a **NEGATIVE** recommendation to the Franklin County Board Commissioners regarding the request for a separate address for each floor of the structure, and a **POSITIVE** recommendation to the Franklin County Board of Commissioners to allow for the 6-bed expansion of the facility, provided it meets the requirements of the Washington State Department of Social &

Health Services (DSHS) for an Assisted Living Facility, for Application CUP-2019-08, with the following suggested findings of fact and suggested conditions of approval:

Suggested Findings of Fact:

1. The proposed use in the RS-20 Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Low-Density Residential.
 - b. The structure does not look "institutional". It is a "daylight basement" single-family home, meeting the same general appearance as other homes in the area.
 - i. Parking is provided in the back of the facility for staff.
 - c. There are no critical areas present on the project site.
 - d. The County Zoning map designates the land as RS-20.
 - e. The use "child day care center" (most analogous use to an Assisted Living Facility) is allowed with a Conditional/Special Use Permit in the RS-20 Zoning District.
 - f. The applicant has applied for a Conditional Use Permit to allow the proposed use.
2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Access to the parcel is from Road 80.
 - b. The use will not have a significant impact on the County Road System.
3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing character of the immediate area consists of single family homes, and farms to the south. The proposal is located within the City of Pasco Urban Growth Area;
 - b. The proposed use will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is a mix of low-density properties (1/2 acre lots) and large lot single-family residences (1-acre, plus). The site is within a Low-Density Residential area designated by the Franklin County Comprehensive Plan. The Low-Density Residential area is intended to contain a mix of single-family and customary accessory structures. Certain public facilities and institutions may also be permitted, provided their nature and location are not detrimental to the intended suburban residential environment.

- d. The zoning of the site and most of the parcels near the site is RS-20.
 - e. The current parcel size is approximately 1.8 acres (net) which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses.
 - f. Conditions are required to ensure that impacts of noise, traffic, and signage are adequately mitigated.
4. The location and height of the proposed structure and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
- a. No new permanent structures are proposed as a part of the project at this time. The structure will continue to look like an ADA accessible, single-family residence.
5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
- a. Traffic of passenger vehicles and employees to the site will be limited, primarily during shift changes or during visiting hours.
 - i. Peak travel times will be 8 am and 5 pm.
 - ii. Applicant states approximately 3 trips per day.
 - b. Conditions are required to ensure that impacts of noise, traffic, and signage are adequately mitigated.
6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
- a. The project is subject to the County's Right to Farm ordinance.
 - b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
 - c. The project site is less than ½ mile from a public fire station.
 - d. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received FOUR COMMENTS in support of the application, and ONE COMMENT, expressing concerns regarding traffic and emergency services. *Please see attached comments.*

Suggested Conditions of Approval:

- 1. The project shall comply with the requirements and recommendations of the **Benton-Franklin Health District**:
 - a. The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.

- b. The facility shall provide approval from the "Fairview" Group "B" water supplier that it approves of the requested expansion.
2. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department**:
- a. The development standards of FCC 17.14.050 will apply to the project. No building shall be closer than 25 feet from a road right-of-way (or 55 feet from the centerline of the adjoining road, whichever is greater). The side setbacks are 10 feet (providing that the side yard on a corner lot shall not be less than 25 feet wide, or 55 feet wide from the centerline of an existing/future road, access easement, or whichever is greater) and the rear yard setback is a minimum of 25 feet.
 - b. All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, french-drains or other means as approved by the county engineer.
 - c. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
 - d. The current parcel size is approximately 1.8 net acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.
 - e. Separate building permits are required for any proposed modifications to the existing structure:
 - f. A Building application is required with the submittal for building permits.
 - g. A detailed plot plan, including, but not limited to, distances to all lot lines, easements and adjacent structures, access, well and septic, parking and ADA, as applicable.
 - h. An updated access permit is required from the Franklin County Public Works office.
 - i. Architect/Engineered Plans for alterations, firewall separation, etc.
 - j. WA Dept. of Social and Health Services Approval of the facility.
 - k. WA State Fire Marshal approval, as may be applicable.
 - l. Water availability notification.
 - m. Septic Permit.
 - n. Fire Suppression System Plans, as applicable.
 - o. Fire Alarm Plans, as applicable.
 - p. Completed WA State NREC (Non-Residential Energy Code Reports), as applicable.

3. The project shall comply with the requirements and recommendations of the **Franklin County Public Works Department**:
 - a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - b. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
4. Comply with the following conditions for **Access and Parking**:
 - a. At a minimum, one parking space per 3-beds, plus one parking space per two employees, shall be provided. ADA compliant parking shall be provided, as applicable. Standard parking spaces and ADA parking shall be designated with proper signage and markings, and shown on the submitted site plan.
 - a. All parking areas shall be set back an appropriate distance to allow for ingress / egress and as to not hinder driver's vision triangles as they leave or access the site. An internal access driveway shall be established and access shall not be blocked at any time to provide safe ingress/ egress for emergency vehicle access. Parking shall not be allowed along the interior driveways.
 - b. Any new approaches onto County roads will require an approach permit from Public Works.
 - c. A handicapped parking area is to be designated, meeting ADA requirements, and appropriate ADA signage installed.
 - d. Any signage used to locate the facility must meet the provisions of the Franklin County Sign Code, FCC 15.16. No sign shall obstruct any roadways.
5. Comply with the following conditions regarding **Occupancy and Uses**:
 - a. The use on the entire property is limited to 12 residents, plus staff levels required to meet the requirements of an Assisted Living Facility, at any given time.
6. The business operator shall apply for and receive a business registration on an annual basis. In addition, an annual Fire & Life Self Inspection Survey Form is required to be completed. The applicant shall apply for and receive a County Business License on an annual basis.
7. The applicant shall commence the authorized conditional use (obtain a business registration with Franklin County) within one year after the effective date of this permit, or the permit shall expire.

8. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.
9. **RIGHT TO FARM:** Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed to be a public or private nuisance as it relates to the activities associated with this land use approval
10. Comply with all **fire code** requirements: 24 hour care facilities with more than 5 and less than 16 persons will need plans submitted for fire code review. The facility is either going to be classified as I-1 or R-4 under the 2015 edition of the International Building Code. Since this is a care facility with limited nursing staff providing 24 hour care of non-ambulatory adults. Review of the International Building Code and International Fire Code for sprinklers, range hood for cooking, fire separations, and areas of refuge may apply.
11. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.
12. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.
13. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
14. In accordance with the County's Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
15. This permit applies to the described lands and shall be for the above named individual. The permit may not be transferred to other individual(s) or entities, or to another site. Any changes, or proposed changes, in ownership or operation will require the application of a new Conditional Use Permit.
16. By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence at this location; Permit Holder(s) further agree(s) to indemnify and hold the County harmless and agree that the County is in no way negligent in relation to granting this permit, or operations or negligence that occur at this location or on surrounding properties caused by operations or negligence on this property; Permit Holder(s) further agree(s) to

Staff Report
CUP 2019-08

13

accept full responsibility for any future cleanup needed due to activities conducted at this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.

Agenda Item #1

APPLICATION, SEPA DETERMINATION & SEPA CHECKLIST

CUP 2019-08

Jessica Gow-Lee – Separate Address/Adult Family Home Expansion



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY:	FILE #: CUP 2019-08	Reviewed by: Hearing Date:	STAMP HERE: RECEIVED DEC 11 2019 FRANKLIN COUNTY PLANNING DEPARTMENT
	Total Fees: \$ 400-		
	Receipt #: PL19-00835		
	Date of Pre-App meeting:		
	Date deemed complete:		

CHECK ALL THAT APPLY AND ATTACH THE SUPPLEMENTAL FORM(S):	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Boundary Line Adjustment
	<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline Substantial Development
	<input type="checkbox"/> Variance	<input type="checkbox"/> Shoreline Conditional Use Permit
	<input type="checkbox"/> Rezone	<input type="checkbox"/> Shoreline Variance
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Shoreline Exemption
	<input type="checkbox"/> Zoning Interpretation / Administrative Decision	<input type="checkbox"/> Shoreline Non-Conforming
	<input type="checkbox"/> Short Plat	<input checked="" type="checkbox"/> SEPA Environmental Checklist
	<input type="checkbox"/> Subdivision (Long Plat)	<input type="checkbox"/> Appeal (File # of the item appealed _____)
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Critical Areas Determination / Review / Reasonable Use Exemption
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Alteration / Vacation	<input type="checkbox"/> Home Occupation
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> H2A Farm Worker Housing (zoning review)
	<input type="checkbox"/> Other:	

<input checked="" type="checkbox"/> for contact person:	CONTACT INFORMATION
<input type="checkbox"/>	Property Owner Name: Guillermo + Jessica Gow-Lee Mailing Address: 26118 NE 139th Ave. Battle Ground, WA 98604 Phone: 509-857-7976 Email: jgowlee@gmail.com
<input type="checkbox"/>	Applicant / Agent / Contractor (if different) same as above Company: Name: Address: Phone: Email:
<input type="checkbox"/>	Surveyor / Engineer Company: Name: Address: Phone: Email:

BRIEF DESCRIPTION OF PROJECT OR REQUEST:

Giving lower floor of existing residence at 224 Road 80 Pasco, Wa. a separate address, with the intent to pursue the ability to obtain an adult family home license downstairs.

PROPERTY INFORMATION:

Parcel number(s) (9-digit tax number):

118432072

Legal Description of Property: The West 235.30 feet of that portion of the west half of the northeast quarter of the southwest quarter of section 21, township 9 north, range 29 east, W. M., lying northerly of the United States Government tract XX-3564 (90 feet drainage easement) as recorded under auditor's file number 142813, records of Franklin County, Washington, except the west 15 feet thereof for road purposes.

Site Address (describe location if no address is assigned):

224 Road 80 Pasco, Washington 99301

- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current fee totals.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Ensure that all required information is submitted along with this application form.
- If the property is owned by a corporation or LLC please attach documentation showing that the person signing as the "owner" has the authority to sign on behalf of the corporation or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning/Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

- ☐ This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

Owner Jessica D. Bell 11-18-17 Date

Applicant/Representative _____ Date

Print Name: Jessica D. Bell

Print Name: _____

PLANNING AND BUILDING DEPARTMENT
502 W. Boeing St.
Pasco, WA 99301
509-545-3521

Receipt Number: PL19-00835

Payer/Payee: CORNERSTONE RENTALS LLC
26118 NE 139TH AVE
BATTLE GROUND WA 98604-6628

Cashier: Julie Michel

Date: 12/11/2019

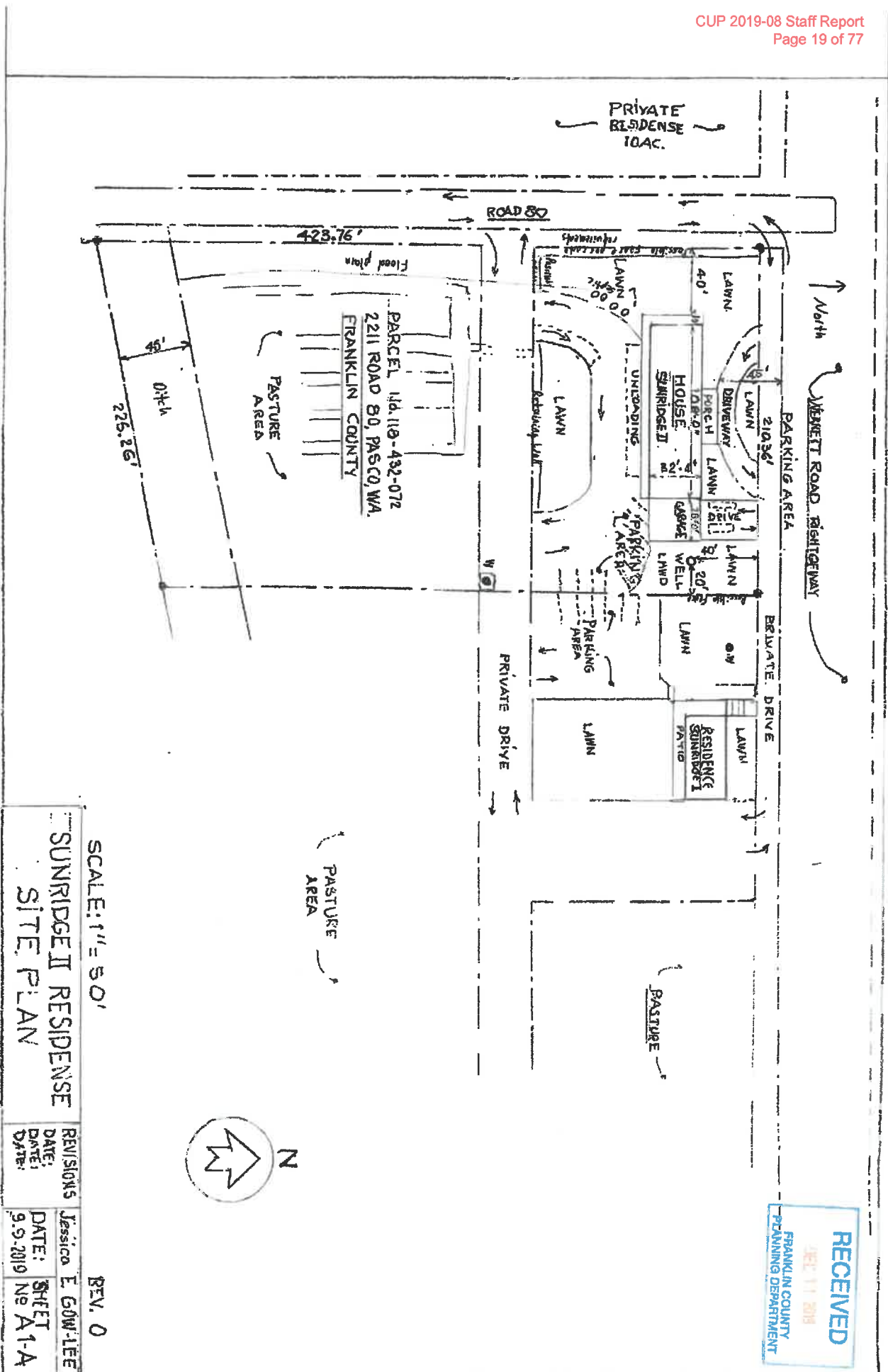
CUP-2019-08 CONDITIONAL USE PERMIT 2211 ROAD 80

Fee Description

Conditional Use Permit

<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
\$400.00	\$400.00	\$0.00
\$400.00	\$400.00	\$0.00

Payment Method	Reference Number	Payment Amount
CHECK	1372	\$400.00
Total Paid:		\$400.00



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FRANKLIN COUNTY CONDITIONAL USE PERMIT (CUP) APPLICATION SUPPLEMENT

Submittal Checklist:

<input checked="" type="checkbox"/>	General Land Development Application
<input checked="" type="checkbox"/>	\$400.00 Conditional Use Permit Fee: Check made payable to the Franklin County Planning and Building Department.
<input checked="" type="checkbox"/>	\$150.00 SEPA Fee: Check made payable to the Franklin County Planning and Building Department.
<input type="checkbox"/>	SEPA Checklist: A completed State Environmental Policy Checklist shall be completed and submitted with this application.
<input checked="" type="checkbox"/>	<p>\$80.00 Variance Report Fee: Check made payable to the Franklin County Assessor's Office. An applicant <u>does not</u> need to contact the Assessor's Office to obtain this report. At the time of application, the Planning Division will request the report from the Assessor's Office. The report includes the Adjoining Property Owners' Names and Addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary). As an alternative to the Assessor's Office, an applicant may also obtain this report from a licensed title company.</p> <p><i>Please note....the typical review period will not begin until this Variance Report is completed.</i></p>
<input type="checkbox"/>	<p>Site Plan: Provide a site plan on 8.5" x 11" or 11" x 17" paper, drawn neatly and to scale, that includes:</p> <ul style="list-style-type: none"> • North arrow, Legend stating the Owner/Applicant name, date the site plan was drawn, tax parcel number, and scale; • Exterior property lines and any adjacent public street or alley rights-of-way; • Existing and proposed buildings and other structures; • Existing and proposed retaining walls or fences (<i>indicate material, if the fencing provides visual screening, the height of the fence, and if there is barbed wire</i>); • Existing and proposed points of ingress and egress, drives and driveways and circulation pattern; • The location of existing and proposed parking areas with each parking space shown and surface type indicated and lighting noted; • Existing and proposed open spaces and landscape areas; • Water (Location of well or water systems within 100 feet of the subject property or within a 100 foot well control zone and the distance from any structures within the well control zone) and sewerage facilities (Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines); • Storm water drainage; • Sidewalks and streetlights; • Fire protection devices, with sufficient water storage and flows; • Facilities or improvements to address compatibility with adjacent dissimilar land uses; • Location of structures on the adjoining lots, which may cause compatibility issues; • All major man-made and natural physical features such as railroads, canals, streams, creeks, drainage ditches, hills, depressions, steep slopes, lakes, shorelines, floodplains*, floodways,

	<p>the 100-year base flood elevations etc. on-site or adjacent to the site;</p> <ul style="list-style-type: none"> • Proposed contours and grading as they affect lot layout, streets, and drainage ways; and • Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines.
<input type="checkbox"/>	Property information: Covenants, Conditions and Restrictions (CC&Rs) or deed restrictions pertaining to or affecting the property (if any).
<input type="checkbox"/>	Written approval from the Benton-Franklin Health District. The Health District is located at 7102 West Okanogan Place, Kennewick, WA – (509) 460-4205.

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FRANKLIN COUNTY
PLANNING DEPARTMENT**CONDITIONAL USE PERMIT INFORMATION**

ZONING: RS-20

PROJECT NAME: no name - providing address

WHAT ARE YOU PROPOSING? (ex: Accessory Dwelling Unit, Bed and Breakfast, Commercial Agriculture, Church, Dairy, Accessory Building deviating from standards, Wireless Communication Facility, etc.)
Using lower floor of existing house for adult family home - for that need a separate address

LOT/PARCEL SIZE: 1.8 acres

SIZE OF THE AREA TO BE USED FOR THE PROPOSED USE OR BUILDING: 100 x 30?

PRESENT USE OF THE LAND AND STRUCTURES, IF ANY: Residence - adult family home

DETAILED DESCRIPTION OF THE PROPOSED USE / DEVELOPMENT PROPOSAL (ATTACH ADDITIONAL SHEETS IF NEEDED): Provision of a separate address so that can pursue licensure by the state to use the lower floor as an adult family home.

WILL THE PROJECT BE CONDUCTED ENTIRELY WITHIN A STRUCTURE? ☒ YES ☐ NO

A. IF NO, DESCRIBE THE OUTDOOR ACTIVITIES (E.G., OUTDOOR EATING, PLAYGROUND, PARK):

B. WHAT IS THE APPROXIMATE SQUARE FOOTAGE, OR SEATING CAPACITY OF YOUR OUTDOOR USE AREA(S)? unknown, but have patio

C. WHAT TYPE OF NOISES WILL THE OUTDOOR USE GENERATE (E.G. MUSIC, MACHINERY, VEHICLES)?
None

PROPOSED HOURS OF OPERATION/DAYS OF THE WEEK (INDICATE MONTHS, IF SEASONAL):

24 hours per day, 7 days per week, 12 months of the year of living in the house

PROPOSED STRUCTURES AND USE (SIZE, HEIGHT, ETC.):

Use of already existing structure

HOW WILL THE PROPOSED DEVELOPMENT BE COMPATIBLE WITH THE USES PERMITTED IN THE SURROUNDING ZONE(S)?

Will be used for residence as in surrounding zones

DESCRIBE HOW THE SUBJECT PROPERTY IS PHYSICALLY SUITABLE FOR THE TYPE, DENSITY AND/OR INTENSITY OF THE USE BEING PROPOSED:

The site is ideal due to quiet country setting, yet near to town & freeway. The building downstairs is proposed to have individual rooms, handicap accessible bathrooms, wide hallways, handrails, grab bars as needed to serve a frail/elderly population

PROPOSED MEASURES TO ENSURE COMPATIBILITY WITH PERMITTED USES IN THE SURROUNDING ZONE (EXAMPLE: FENCES, LANDSCAPE BUFFERS, BERMS, ETC):

Plan to use a retaining wall, and probably eventually a fence

DESCRIBE ANY EXISTING ZONING ORDINANCE VIOLATION:

Need permission to have separate address for the lower floor.

IRRIGATION SOURCE:

☐ NONE ☒ PRIVATE ☐ SCBID ☐ FCID

DOMESTIC WATER SUPPLY:

☒ ON-SITE WELL ☐ COMMUNITY WELL (Well ID # and location): *Group B small commercial water system "Fairview"*

☐ OTHER (SPECIFY):

SEWAGE DISPOSAL:

☒ ON-SITE SEPTIC ☐ OTHER (SPECIFY):

LIST UTILITY PROVIDERS:

Power – *Franklin County PUD*

Telephone – *Century Tel*

Natural Gas – *Cascade*

Cable / Broadband – *NA*

Sanitary waste disposal – *Waste Management*

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

☐ This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

Jessica Dow-lee 11-18-17
Owner Date

Applicant/Representative Date

Print Name: Jessica Dow-lee

Print Name: _____

Rev. Jan 2019

November 13, 2019

Franklin County Planning and Building Dept.
Attention: Derrick Braaten, Director
502 West Boeing Street
Pasco, Wa. 99201



Dear Director Braaten:

I am writing to ask for a Conditional Use Permit for my house located at 2211 Road 80 in Pasco, Wa, parcel #118-432-072. This residence is a two-story building, with six bedrooms upstairs and an unfinished daylight basement that was designed to have six additional bedrooms. The building has a septic system that has been cleared by the Benton-Franklin County Health Department for use as an adult family home and was built to accommodate 24 people. The well has been approved as a Group B water system and has a high capacity flow pump so that there will be plenty of both water and septic services for utilization at its fullest capacity.

As you may know, statistics from TRIDEC show that the number of people in the Tri-Cities who are 65 and over is increasing at a fast rate. These baby boomers will continue to need some kind of assisted living care at some time in their lives. Nationally, the US Census Bureau estimates that the number of Americans age 65 and older is projected to nearly double from the present level of 52 million in 2018 to nearly 95 million by 2060.

Assisted living facilities play a vital part in providing our seniors with a place to live once they are in need of a low level of care. However, once these individuals need moderate to full care, they are forced to find somewhere where they can get individualized care that requires a higher level of caregiver assistance. An adult family home gives these people a home-like atmosphere with a limited number of residents, allowing them to get the special care they need. This is why I built Amazing Grace Adult Family Home, to provide this high-quality level of special care to people as their needs have grown.


Amazing Grace Adult Family Home was built in 2017 and became licensed in March, 2018. The completed upstairs has six private bedrooms, which are usually all occupied. It is my goal to complete the second and final phase of this home by finishing the lower level for use by six more residents. This home is located in a wonderful country setting, giving those who live there a daily view of animals such as horses, cows, goats, and birds. It is conveniently located for visits by family members, this keeping residents in closer contact with their community.

In order to complete the lower six rooms of this residence an offer these additional rooms to others in need, I am asking that Franklin County provide me with a Conditional Use Permit, which would allow for a separate address for the planned rooms on the lower level. This permit, if provided, would satisfy the State requirements that I show a separate address for the six bedrooms on the lower level of this house. I respectfully ask that you consider my request. There is no question of the growing need of rooms to care for those with personal health issues.

I believe Amazing Grace and the potential adult family home downstairs has been and will continue to provide for this need, and my sincere hope is that you will allow my request so that more rooms can be made available to others who are in need of them.

Thank you very kindly for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Jessica Gow-Lee". The script is cursive and fluid, with the first name "Jessica" and last name "Gow-Lee" clearly distinguishable.

Jessica Gow-Lee
2211 Road 80
Pasco, Washington 99301
Tel: 509-851-7976



**ALTERNATIVE ON-SITE SEWAGE DISPOSAL SYSTEM
ACCEPTANCE OF CONSTRUCTION CERTIFICATION
ENVIRONMENTAL HEALTH**

7102 W. Okanogan Pl.
Kennewick, WA 99336
(509) 460-4205



PERMIT NUMBER: 22797 COUNTY: Franklin CITY/AREA: Pasco
TYPE OF ALTERNATIVE SEWAGE SYSTEM: Sand Lined Trenches
TYPE OF PERMIT: NEW X REPAIR 2 COMPONENT REPAIR ALTERATION/EXPANSION
TYPE OF STRUCTURE: SINGLE FAMILY HOME X (Site Built X Manufactured) Number of bedrooms 12
NON-RESIDENTIAL TYPE OF BUSINESS DESIGN CAPACITY Gpd
BUILDING SEWER CONNECTED TO SEWAGE DISPOSAL SYSTEM: YES X NO Section 21 Township 09 Range 29
PERMITTEE'S NAME: Jessica Gow-Lee BUILDER/CONTRACTOR
PARCEL IDENTIFICATION NUMBER 118-432-072
PROPERTY ADDRESS (Include nearest County road) 2211 N Rd. 80 Pasco WA 99301
LEGAL DESCRIPTION OF PROPERTY W235.3 of W2 NE SW 21-9-29

SEWAGE SYSTEM DATA

- SEPTIC TANK 3000 gallons CONCRETE X OTHER (specify)
- GPS coordinates N46.24874° W119.19561°
- PUMP CHAMBER 2000 gallons 90 dose volume 4 doses per day /per zone
- ABSORPTION SYSTEM 1980 square feet OTHER square footage

SYSTEM INSTALLER Four Point Construction CERTIFYING ENGINEER AE Consulting

TYPE OF WATER SYSTEM:

SINGLE FAMILY WELL X MUNICIPAL WATER SYSTEM

This office has received a final construction as-built drawing(s), engineer certifications, and the operations/maintenance manual for the above referenced project, installed under above referenced permit. The submitted documents appear to be in order and indicate the system design, construction, and maintenance procedures have been reviewed by the Design Engineer and certified in compliance with the permit requirements. The system construction is hereby **ACCEPTED** for use within the permitted design parameters.

 DATE OF ACCEPTANCE 11/1/16
Environmental Health Specialist

MAIL REPORT TO:

Jessica Gow-Lee
26118 NE Rd. 80
Battle Ground, WA 98604

Four Point Construction
586 S 38th Ave #28
West Richland WA 99353

AE Consulting
4507 Indian Ridge Dr.
Pasco WA 99301

The Benton-Franklin Health District recommends this system be maintained as indicated in the operation and maintenance manual

CAUTION: Damage can easily occur if vehicular traffic takes place over the system.

NOTE: Copies of the certification of construction, as-built drawing and maintenance and operation manual should be supplied by the certifying engineer. An additional copy of this information will be maintained at the Benton-Franklin Health District.

cc: City of Pasco

FRANKLIN COUNTY, WASHINGTON

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of proposal: The proposal is for the approval of a Conditional Use Permit, requesting a new address for lower half of an existing single-family home. The top floor of the structure is currently being used as a six (6) bed, 24/7 live in adult care facility. The bottom floor is proposed to become a second six (6) bed, 24/7 live in, adult care facility.

File Number: SEPA 2019-14 (CUP 2019-08)

Proponent Jessica Gow-Lee

Location: The property is addressed as 2211 Road 80, Pasco, WA. The parcel is bounded to the north by Wernett Road, and to the west by Road 80. (Parcel Number 118-432-072).

Legal Description: W235.3' OF W2NESW 21-9-29 LY NLY OF US GOVT TRACT XX-3568 EXC W15' FOR RD PURPOSES, located within the SW ¼ of Section 21, Township 9, Range 29 E.W.M.

Lead agency: Franklin County, Washington.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of publication (January 9, 2020). Comments must be submitted by: January 23, 2020.

Responsible official: Derrick Braaten

Position/title/Phone: Planning and Building Director — (509) 545-3521

Address: 502 Boeing Street, Pasco, WA 99301

Date/Signature: 1/9/2020 - Derrick Braaten

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than January 23, 2020. Contact the responsible official to read or ask about the procedure for SEPA appeals.

SEPA 2019-14

Gow-Lee

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FRANKLIN COUNTY
PLANNING DEPARTMENT

SEPA ENVIRONMENTAL CHECKLIST FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

For guidance on completing this form or assistance in understanding a question, visit
<http://www.ecy.wa.gov/programs/sea/sepa/ChecklistGuidance.html>

The SEPA Handbook is available online at:
<http://www.ecy.wa.gov/programs/sea/sepa/handbk/hbintro.html>

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Separate address for the basement at 2211 Road 80 Pasco

2. Name of applicant: Jessica Gow-Lee

3. Address and phone number of applicant and contact person:

Jessica Gow-Lee
2211 Road 80
Pasco, WA 99301

4. Date checklist prepared:

11-18-19

5. Agency requesting checklist:

Franklin County

6. Proposed timing or schedule (including phasing, if applicable):

Finishing of project within 1-3 years

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *No*

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. *Not aware of any*

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. *Not aware of any*

10. List any government approvals or permits that will be needed for your proposal, if known.
Permit by Franklin County to let the basement have a separate address for the purpose of licensing the basement (lower floor) as an adult family home.

FCP 12/10/2019: Conditional Use Permit, WA State Group Home License, USPS Approval

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) *The plan is to finish the property as has already been given permission, and then, with a separate address for the lower floor, to pursue licensure on the bottom floor as an adult family home.* FCP 12/10/2019
Increase bed count from 6 beds to 12 beds

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. *2211 Road 80 Pasco, WA,*

The west 235.30 feet of that portion of the west half of the northeast quarter of the southwest quarter of section 21, Township 9 North, range 24 east, W.M., lying northerly of the United States Government tract XX-3565 (90 foot drainage easement) as recorded under Auditor's file number 142213, records of Franklin County, Washington, except the west 15 feet thereof for road purposes.

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

flat with small incline

b. What is the steepest slope on the site (approximate percent slope)?

1:3

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Loamy soil with river rock

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No further fill or altering

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No

g. About what percent of the site will be covered with impervious surfaces after project

construction (for example, asphalt or buildings)? Maybe 5-10, including what is already covered with the building that is already existing. Will plan to put asphalt on driveways possibly at some point - other wise will put gravel

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Retaining wall at south end of lawn

2. Air

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. *None more than any ordinary house - not aware of any emissions*

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, *No* **FCP 12/10/2019: This property is in a Right to Farm area.** generally describe.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: *None*

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. *No surface water*
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. *No*
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. *N/A none*
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. *N/A none*

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. *No*

6) Does the proposal involve any discharges of waste materials to surface waters? If so, *No*
describe the type of waste and anticipated volume of discharge.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. *Will use existing Group B water system*
FCP 12/10/2019: Approval from Water Purveyor required for additional 6 beds.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. *Existing septic system, permit # 22797, date of acceptance 11-17-16, built to accommodate 24 people*

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. *No runoff.*

2) Could waste materials enter ground or surface waters? If so, generally describe. *No*

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. *No*

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: *Should not have runoff water, drainage, and do not have surface water*

4. Plants

a. Check the types of vegetation found on the site:

- ☒ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☒ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered? *None.*

c. List threatened and endangered species known to be on or near the site. *None Known*

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: *Retaining wall at south end of lawn, planting possibly a couple of shade or fruit trees or hedge*

e. List all noxious weeds and invasive species known to be on or near the site. *None Known*

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site? *Crows, Canada Geese fly over, Magpies have been seen in the past*

Examples include:

birds: nawks, heron, eagle, songbirds, other:

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

mammals: deer, bear, elk, beaver, other: *no wild mammals have been seen*
fish: bass, salmon, trout, herring, shellfish, other: *None*

b. List any threatened and endangered species known to be on or near the site. *None known*

c. Is the site part of a migration route? If so, explain. *no* **FCP 12/10/2019: All of Columbia River Basin part of a migratory bird route.**

d. Proposed measures to preserve or enhance wildlife, if any: *none*

e. List any invasive animal species known to be on or near the site. *none*

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. *Electric, natural gas, solar. Used to heat the building, light the interior, power normal appliances, cook, refrigerate*

b. Would your project affect the potential use of solar energy by adjacent properties? *no*
If so, generally describe.

c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any: *Insulation, use of solar power that is already in place*

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? *no*
If so, describe.

1) Describe any known or possible contamination at the site from present or past uses. *None known*

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. *None known*
- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. *None known*
- 4) Describe special emergency services that might be required. *Normal household emergency services - fire, ambulance, police, that any house will need.*
- 5) Proposed measures to reduce or control environmental health hazards, if any: *None*

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: *None* traffic, equipment, operation, other)?
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. *1-3 cars per day driving on Road 80 so that a contractor can get to the house.*
- 3) Proposed measures to reduce or control noise impacts, if any: *NA*

8. Land and Shoreline Use

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. *Site is used as a residence and pastureland. Adjacent properties are homes + some pastureland. Giving an address to the lower floor will have no impact on nearby properties*
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? *Not that I am aware of*
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: *Will not affect or be affected by any farm or forest business operations*
- c. Describe any structures on the site. *House and garage*
- d. Will any structures be demolished? If so, what? *NO*
- e. What is the current zoning classification of the site?
RS-20
- f. What is the current comprehensive plan designation of the site?
See enclosed drawing
- g. If applicable, what is the current shoreline master program designation of the site? *N/A*
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. *NO*
- i. Approximately how many people would reside or work in the completed project? *12-16*
- j. Approximately how many people would the completed project displace?
None

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

k. Proposed measures to avoid or reduce displacement impacts, if any: *N/A*

l. Proposed measures to ensure the proposal is compatible with existing and projected land *None* uses and plans, if any:

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: *No impact*

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, mid- *2 units: upper & lower floors.* die, or low-income housing. *would be high, middle & low-income housing*

b. Approximately how many units, if any, would be eliminated? Indicate whether high, *None* middle, or low-income housing.

c. Proposed measures to reduce or control housing impacts, if any: *N/A*

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *The 2 story house is about 24 feet tall*
The exterior is stucco.

b. What views in the immediate vicinity would be altered or obstructed? *None- would remain exactly as they are.*

b. Proposed measures to reduce or control aesthetic impacts, if any: *None*

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day *About* would it mainly *One could see light from the windows and maybe from the porch* occur? *light at night.*

b. Could light or glare from the finished project be a safety hazard or interfere with views? *No*

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

c. What existing off-site sources of light or glare may affect your proposal? *None*

d. Proposed measures to reduce or control light and glare impacts, if any: *N/A*

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? *Not aware of any*

b. Would the proposed project displace any existing recreational uses? If so, describe. *none*

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: *N/A*

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. *Neighbor's house is over 45 years old. Not in any local preservation register*

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. *None*

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. *None*

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. *None*

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. *See enclosed site map.*
FCP 12/10/2019: Wernett Rd and Rd 80
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? *Not currently served by public transit. It is served by Dial-A-Ride that comes to the front door.*
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? *3-4 parking spaces. Does not eliminate any.*
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). *None*
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? *3 trips per day. Peak 8:00 AM, 5:00 PM*

To Be Completed by Applicant:

**Evaluation for
Agency Use Only:**

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. *No*

h. Proposed measures to reduce or control transportation impacts, if any:
None

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. *No increased need for public services. Would utilize already existing services.*

b. Proposed measures to reduce or control direct impacts on public services, if any. *None*

16. Utilities

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Will use already existing utilities that are at the site

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Jessica Dow-lee

Name of signee Jessica Dow-lee

Position and Agency/Organization _____

Date Submitted: 11-18-19

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

I think it would have no impact

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No impact

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

No depletion other than normal household use that is already taking place

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? *would have no effect*

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No affect

Proposed measures to avoid or reduce shoreline and land use impacts are: *NA*

6. How would the proposal be likely to increase demands on transportation or public services and utilities? *Would use already existing public services as any household and utilities as any house does.*

Proposed measures to reduce or respond to such demand(s) are: *use what is already in place*

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. *Need conditional use permit*

Agenda Item #1

PUBLIC NOTICE

PUBLIC COMMENTS

CUP 2019-08

Jessica Gow-Lee – Separate Address/Adult Family Home Expansion



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

MAILED
9/30/20 PC

NOTICE OF CLOSED RECORD HEARING RE: CUP 2019-08, Gow-Lee

NOTICE IS HEREBY GIVEN that there has been proposed an application by **Jessica Gow-Lee**, 2211 Road 80, Pasco, WA for a Conditional Use Permit, file # **CUP 2019-08** and **SEPA 2019-14**. The Franklin County Board of Commissioners will hold a closed-record hearing and take final action regarding this item at its regularly scheduled meeting on **October 13, 2020 at 9:00 a.m.** in the **Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301**. As a closed record hearing, **no additional public comments regarding this action will be taken.** However, the public may view the meeting via the Franklin County AV-Capture system.

NOTICE IS FURTHER GIVEN that said application was properly heard and considered by the Franklin County Planning Commission at its regularly scheduled February 4, 2020 meeting. After a review of the record, staff's report, comments received, and public testimony provided at said meeting, the Planning Commission forwarded a recommendation to the Franklin County Board of Commissioners that it deny CUP 2019-08, a request to assign a separate address to the lower level of an existing single-family residence, located at 2211 Road 80, Pasco, WA.

The subject parcel is described as follows:

LEGAL DESCRIPTION:

W235.3' OF W2NESW 21-9-29 LY NLY OF US GOVT TRACT XX-3568 EXC W15' FOR RD PURPOSES, located within the SW ¼ of Section 21, Township 9, Range 29 E.W.M.

NON-LEGAL DESCRIPTION:

The property is addressed as 2211 Road 80, Pasco, WA. The parcel is bounded to the north by Wernett Road future alignment, and to the west by Road 80. (Parcel Number 118-432-072). The property is zoned RS-20 Suburban.

Due to Washington State Governor Jay Inslee's emergency orders regarding Covid-19, social distancing protocols are in place at the Franklin County Courthouse building. The public may view closed-record hearings and other public meetings held before the Franklin County Board of Commissioners, through Franklin County's AV-Capture system:

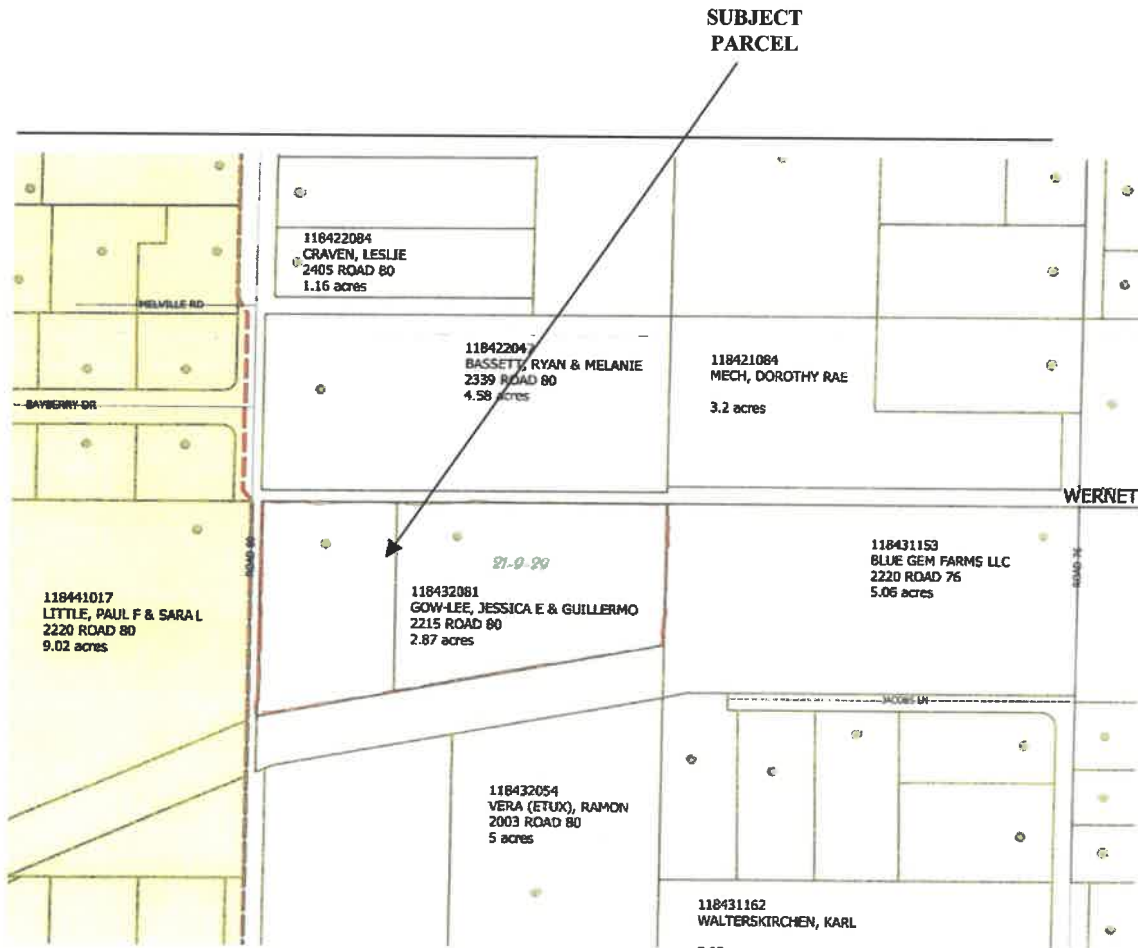
<http://www.co.franklin.wa.us/commissioners/meeting.php>

To call-in to the meeting, or to provide public comment for open-public hearings and other actions before the Board soliciting public comments, please dial 509-546-5859. Your call will be placed in a queue and answered as we receive them. If you reach a busy signal, please call back.

Information concerning the proposal can be obtained at the Franklin County Planning Department, 502 Boeing Street, Pasco, Washington 99301, or by calling (509) 545-3521.

CUP 2019-08

VICINITY MAP:



DATED AT PASCO, WASHINGTON ON THIS 13th DAY OF OCTOBER, 2020

PUBLISH:

Franklin County Graphic: October 1, 2020

Tri-City Herald: October 1, 2020


Derrick Braaten, Planning and Building Director

BASSETT, RYAN & MELANIE
2339 ROAD 80
PASCO, WA 99301-1858

BLUE GEM FARMS LLC
8707 CORD DR
PASCO, WA 99301-7996

CRAVEN, LESLIE
2405 N ROAD 80
PASCO, WA 99301-1686

GILBERT (JR), BOBBY G
2413 ROAD 80
PASCO, WA 99301-1686

GOW-LEE, JESSICA & GUILLERMO
2211 ROAD 80
PASCO, WA 99301-1812

GOW-LEE, JESSICA & GUILLERMO
26118 NE 139TH AVE
BATTLE GROUND, WA 98604-6628

HANSON, STEVEN L & MARY
2400 N ROAD 80
PASCO, WA 99301-1810

CITY OF CONNELL, MAYOR
PO BOX 1200
CONNELL, WA 99326-1200

~~HANSON, STEVEN L & MARY L
2400 N ROAD 80
PASCO, WA 99301-1810~~

HOBSON II, PHIL LANCE & TRACIE
PO BOX 2073
PASCO, WA 99302-2073

LITTLE, PAUL F & SARA L
2220 N ROAD 80
PASCO, WA 99301-1811

MECH, DOROTHY RAE
2320 N ROAD 76
PASCO, WA 99301-1823

MICHEL, SEAN R & DIANA N
8008 BAYBERRY DR
PASCO, WA 99301-6884

MOON, THOMAS W & TERRI
7720 JACOBS LN
PASCO, WA 99301-2457

OLIN, ROLAND C & M IRENE
9301 NE 117TH AVE
VANCOUVER, WA 98662-2414

REITZ, LLOYD J & KRISTIN J
PO BOX 5378
PASCO, WA 99302-5502

RICHARDSON, THOMAS & PAULA
2007 N ROAD 80
PASCO, WA 99301-1813

RUSSELL, DAVID L & TRACIE L
8105 BAYBERRY DR
PASCO, WA 99301-6881

TIJERINA, ADAN F & NORFILIA E
8007 BAYBERRY DR
PASCO, WA 99301-6884

USA-CORPS OF ENGINEERS
201 N 3RD AVE
WALLA WALLA, WA 99362-1876

VERA (ETUX), RAMON
2003 ROAD 80
PASCO, WA 99301-1813

WRIGHT, NICHOLAS & ASHLEY
10217 WILLOW WAY
PASCO, WA 99301-6568

BARRON, EDWARD & JANICE
2613 N ROAD 80
PASCO, WA 99301-1808



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by **Jessica Gow-Lee**, 2211 Road 80, Pasco, WA for a Conditional Use Permit, file # **CUP 2019-08** and **SEPA 2019-14**.

Said application is for the approval of a Conditional Use Permit, requesting a new address for lower half of an existing single-family home. The top floor of the structure is currently being used as a six (6) bed, 24/7 live in adult care facility. The bottom floor is proposed to become a second six (6) bed, 24/7 live in, adult care facility.

The subject parcel is described as follows:

LEGAL DESCRIPTION:

W235.3' OF W2NESW 21-9-29 LY NLY OF US GOVT TRACT XX-3568 EXC W15' FOR RD PURPOSES, located within the SW $\frac{1}{4}$ of Section 21, Township 9, Range 29 E.W.M.

NON-LEGAL DESCRIPTION:

The property is addressed as 2211 Road 80, Pasco, WA. The parcel is bounded to the north by Wernett Road future alignment, and to the west by Road 80. (Parcel Number 118-432-072). The property is zoned RS-20 Suburban.

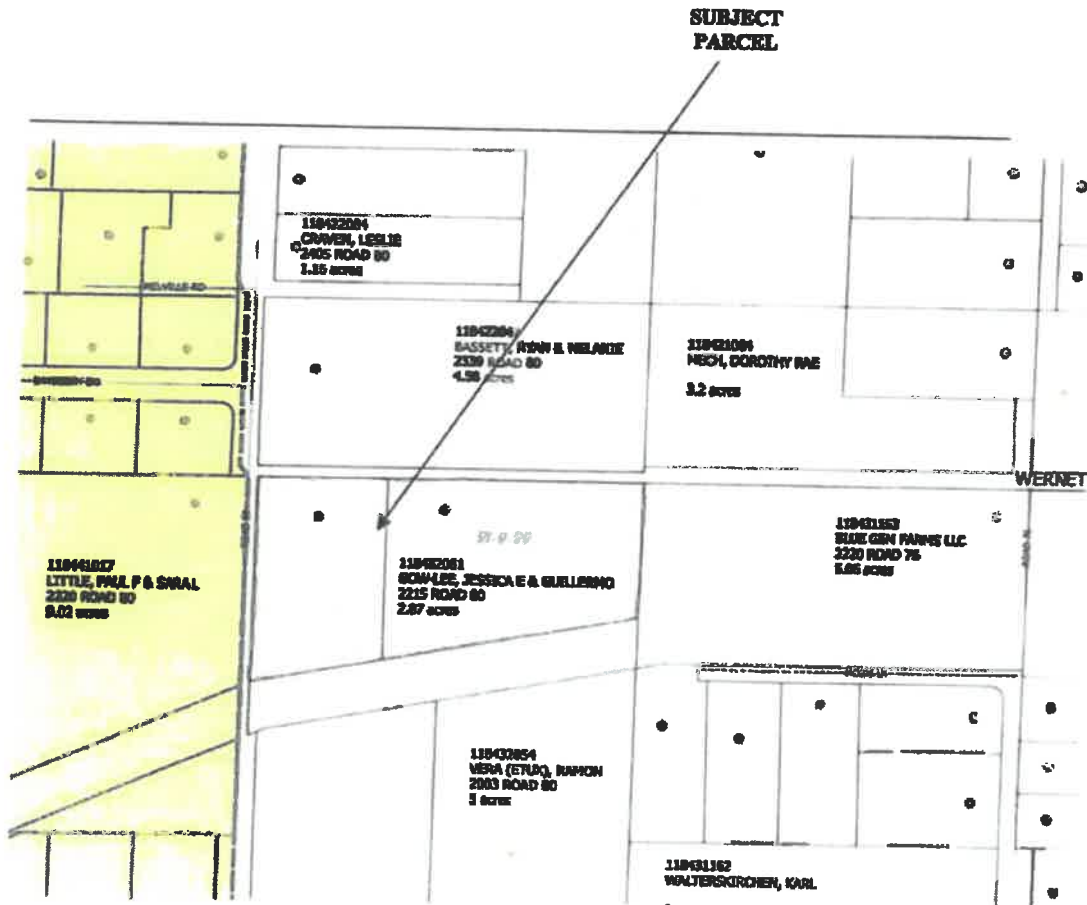
NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. Said consideration will be a public hearing on February 4, 2020 at 6:30 p.m. in the Franklin County Courthouse, Commissioners Meeting Room, 1016 North 4th Avenue, Pasco, WA 99301 and all concerned may appear and present any support for or objections to the application. Written comments are accepted prior to the public hearing and those comments shall be submitted to the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Determination of Non-Significance (DNS)** has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on January 9, 2020 and comments regarding the determination and the environmental impacts of the proposal can be made to the Planning Department by Thursday, January 23, 2020.

Information concerning the proposal can be obtained at the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301, or by calling (509) 545-3521.

CUP 2019-08

VICINITY MAP:



DATED AT PASCO, WASHINGTON ON THIS 3rd DAY OF JANUARY 2020.

PUBLISH:

Franklin County Graphic: January 9, 2020

Tri-City Herald: January 9, 2020


Derrick Braaten, Planning and Building Director



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

AGENCY COMMENTS (CUP 2019-08/SEPA)

DATE: December 20, 2019
RE: CUP 2019-08
TO: County Engineer
Benton-Franklin Health Dist.
Fire Code Official
Assessor/GIS
County E-911
Irr. Dist.(FCID X SCBID X)
Fire Dist. # 3
Elec.Utility (PUD X BBEC)
County Building Official
Bureau of Reclamation
FROM: Derrick Braaten
CC: Matt Mahoney; Nicole Stickney

Agency Representative:

Enclosed is a copy of a proposed Conditional Use Permit application.

We would appreciate your review and comments **within ten (10) working days of the above listed date, if possible.** If it will take longer to review the CUP, please contact this office at (509) 545-3521.

Sincerely,

Derrick Braaten
Planning & Building Director

See attached for additional information

REPLY:

24 hour care facilities with more than 5 and less than 16 persons will need plans submitted for fire code review. The facility is either going to be classified as a I-1 or R-4 under the 2015 edition of the International Building Code. Since this is a care facility with limited nursing staff providing 24 hour care of non-ambulatory adults. Review of the International Building Code and International Fire Code for sprinklers, range hood for cooking, fire separations and areas of refuge may apply

Signed Michael Harris Date: Jan 17, 2020
Title: Fire Chief, Franklin Co Fire District #3

Memo



Public Works Department

To: Derrick Braaten, Planning & Building Director
From: John Christensen, County Surveyor
cc: Craig Erdman, County Engineer
Date: January 13, 2020
Re: CUP 2019-08

Derrick,

Public Works has concluded that the proposed use will not have a significant impact on the County Road System. However, we have the following general comments:

1. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
2. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).

Please let me know if you have any questions.

1-9-20

Building Department Comments –Gow-Lee: 2211 Rd. 80, Pasco, WA 99301. (CUP 20019-08)

1. WA State DSHS approval
2. WA State Fire Marshal approval as may be applicable
3. Building Application
4. Architect/Engineered Plans for alterations and firewall separations etc.
5. Plot Plan, including parking and ADA as applicable
6. Updated Access Permit
7. Water Availability Notification.
8. Septic Permit
9. Fire Suppression System Plans as applicable
10. Fire Alarm Plans as applicable
11. Completed WA State NREC as applicable (Non-Residential Energy Code Reports)

Darryl Brown
Building Official

Tri-City Herald
tricityherald.com
VOICE OF THE MID-COLUMBIA
WINE PRESS



AFFIDAVIT OF PUBLICATION

Rec'd 01/14/2020

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
448382	0004519385	NOTICE OF PUBLIC HEARING NOTICE IS HER	CUP 2019-08 and SEPA 2019-14	\$188.02	1	7.40 in

Attention: Derrick Braaten

FRANKLIN CNTY PLANNING & BUILDING/LEGALS
502 W BOEING ST.
PASCO, WA 99301

COUNTY OF BENTON)

.SS

STATE OF WASHINGTON)

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GAVEN that there has been proposed to the Franklin County Planning Commission an application by Jessica Gew-Lee, 2211 Road 80, Pasco, WA for a Conditional Use Permit, file # CUP 2019-08 and SEPA 2019-14.

Said application is for the approval of a Conditional Use Permit, requesting a new address for lower half of an existing single-family home. The top floor of the structure is currently being used as a six (6) bed, 24/7 live in adult care facility. The bottom floor is proposed to become a second six (6) bed, 24/7 live in adult care facility.

The subject parcel is described as follows:

LEGAL DESCRIPTION:
W255.3430N; OF W255.3430N LY
MAY OF US GOVT TRACT 14-3446 SW
W154.430N; FOR RD PURPOSES, located within the SW 1/4 of Section 21, Township 8, Range 20 E, W 1/2 N.

NON-LEGAL DESCRIPTION:
The property is addressed as 2211 Road 80, Pasco, WA. The parcel is bounded to the north by Wineset Road future alignment, and to the west by Road 80, (Parcel Number 119-132-072). The property is zoned RS-20 Suburban.

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. Said consideration will be by a public hearing on February 4, 2020 at 9:30 a.m. in the Franklin County Courthouse, Commission Meeting Room, 3015 North 9th Avenue, Pasco, WA 99301, and all concerned may appear and present any support for or objections to the application. Written comments are accepted prior to the public hearing and those comments shall be submitted to the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a Determination of Non-Significance (DNS) has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on January 9, 2020 and comments regarding the determination and the environmental impacts of the proposal can be made to the Planning Department by Thursday, January 23, 2020.

Information concerning the proposal can be obtained at the Franklin County Planning Department, 502 W. Boeing Street, Pasco, Washington 99301, or by calling (509) 545-3521.

DATED AT PASCO, WASHINGTON ON THIS 3rd DAY OF JANUARY 2020.

PUBLISHED:
Franklin County Graphic: January 8, 2020

Tri-City Herald: January 8, 2020

Victoria Rodela, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 01/09/2020, and ending on 01/09/2020, and that said newspaper was regularly distributed to its subscribers during all of this period.

2020

V Rodela
(Signature of Legals Clerk)

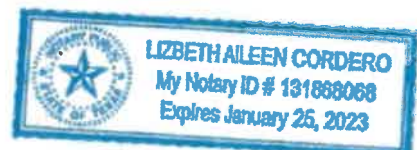
Submitted to be Paid - 130

Initial: *JBH* Date: *1-15-2020*

V001784
101132 4107

SUBSCRIBED AND SWORN BEFORE
ME THIS 9th DAY OF January, 2020

Notary Public in and for the State of Texas
residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

COUNTY OF FRANKLIN

CVP 19-08

Katherine M. Gurevich
Manager

January, 2020

**Notary Public in and for the
State of Washington, residing in Connell.
My Commission Expires: 01-09-2021**

Initial: Wm Date: 10/1/01

1-15-2020

DATED AT PASCO, WASHINGTON ON THIS 2nd DAY OF JANUARY 2020.
Derrick Braaten, Planning and Building Director
(Published January 9, 2020 in the Franklin County Graphic)



FRANKLIN COUNTY ASSESSOR

PETER MCENDERFER – ASSESSOR

PIPER MITCHELL – ADMINISTRATIVE ASSISTANT

VARIANCE REPORT

December 13, 2019

Order Number: #DEC132019-32

Parcel #: 118432072

Receipt #5408

Fee: \$80.00

**To: Franklin County Planning Department
502 W Boeing St
Pasco, WA 99301-7116**

The ownership of the real property is based upon an examination of all official records of Franklin County, Washington, and ownership is based upon the last known deed of record. The liability of the County under this certificate shall be limited to the amount of actual loss sustained by the addressee due to reliance on any incorrect information in the certificate up to and not to exceed the fee paid.

Records Examined To: December 2, 2019

Vesting:

JESSICA & GUILLERMO GOW-LEE

Legal Description:

THE WEST 235.30 FEET OF THAT PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., LYING NORTHERLY OF THE UNITED STATES GOVERNMENT TRACT XX-3568 (90 FOOT DRAINAGE EASEMENT) AS RECORDED UNDER AUDITOR'S FILE NUMBER 142213, RECORDS OF FRANKLIN COUNTY, WASHINGTON; EXCEPT THE WEST 15 FEET THEREOF FOR ROAD PURPOSES

Certified as true and accurate as of the above listed time and date:

A handwritten signature in black ink, appearing to read "Peter McEnderfer", written over a horizontal line.

Peter McEnderfer, Franklin County Assessor or **Deputy**

NOTE: Please see attached list of owners of record and addresses within the exterior boundaries of subject property, as requested. See below.

500 FEET

FRANKLIN COUNTY
CUP 2019- GOW-Let
PLANNING DEPARTMENT

CERTIFICATE OF OWNERSHIP AND
VARIANCE REPORT REQUEST

Tax Parcel Number(s):

118 - 432 - 072

Distance Requirement:

500 feet

1 Mile

Requested By:

Alvin K. Smith

FRANKLIN COUNTY ASSESSOR
1016 N 4TH
PASCO, WA 99301
(509)545-3506

DATE

12-13-19

NO.

5408

RECEIVED FROM:

Cornerstone Rentals

AMOUNT RECEIVED: \$

8000

METHOD OF PAYMENT

☐
☒
☐

CASH

CHECK

MONEY ORDER

1371

FOR

☐
☐
☐
☐

COPIES

OPEN SPACE APPLICATION

MAPS

COMPUTER SERVICES

OTHER

Variance

BY

RMiley

No Real Estate Excise Tax Paid
Instrument Exempt Under RCW 82.46
Treasurer, Franklin County
56962 11/02/2017

LEGAL DESCRIPTION:

THE WEST 235.30 FEET OF THAT PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M., LYING NORTHERLY OF THE UNITED STATES GOVERNMENT TRACT XX-3568 (90 FOOT DRAINAGE EASEMENT) AS RECORDED UNDER AUDITOR'S FILE NUMBER 142213, RECORDS OF FRANKLIN COUNTY, WASHINGTON; EXCEPT THE WEST 15 FEET THEREOF FOR ROAD PURPOSES

Assessor's Parcel Number: 118-432-072

Property Address is: 2211 ROAD 80 PASCO, WA 99301.

Prior instrument reference: _____

The real property described above is conveyed subject to and with the benefit of: All easements, covenants, conditions and restrictions of record; in so far as in force applicable.

The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; All legal highways; Zoning, building and other laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the grantees forever.

Executed by the undersigned on 10/27, 2017:

Jessica E. Gow-Lee
Jessica E. Gow-Lee

STATE OF Washington
COUNTY OF Franklin

The foregoing instrument was acknowledged before me on 10/27, 2017 by Jessica E. Gow-Lee who is personally known to me or has produced W.D.C. as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

SHERRY SIMPSON
State of Washington
NOTARY PUBLIC
CERT/LIC. 164837
Commission Expires
APRIL 13, 2021

Sherry Simpson
Notary Public

After Recording, Return To:
Nations Lending Services
9801 Legler Road
Lenexa, KS 66219

No Real Estate Excise Tax Paid
Instrument Exempt Under RCW 82.45
Treasurer, Franklin County
56962 11/02/2017

CASCADE TITLE COMPANY

CBF5041

QUITCLAIM DEED

This instrument prepared by:

Jay A. Rosenberg, Rosenberg LPA, Washington State Bar Number 50102; 3805 Edwards Road,
Suite 550, Cincinnati, Ohio 45209

Commitment Number: 17NL19943

UNOFFICIAL COPY

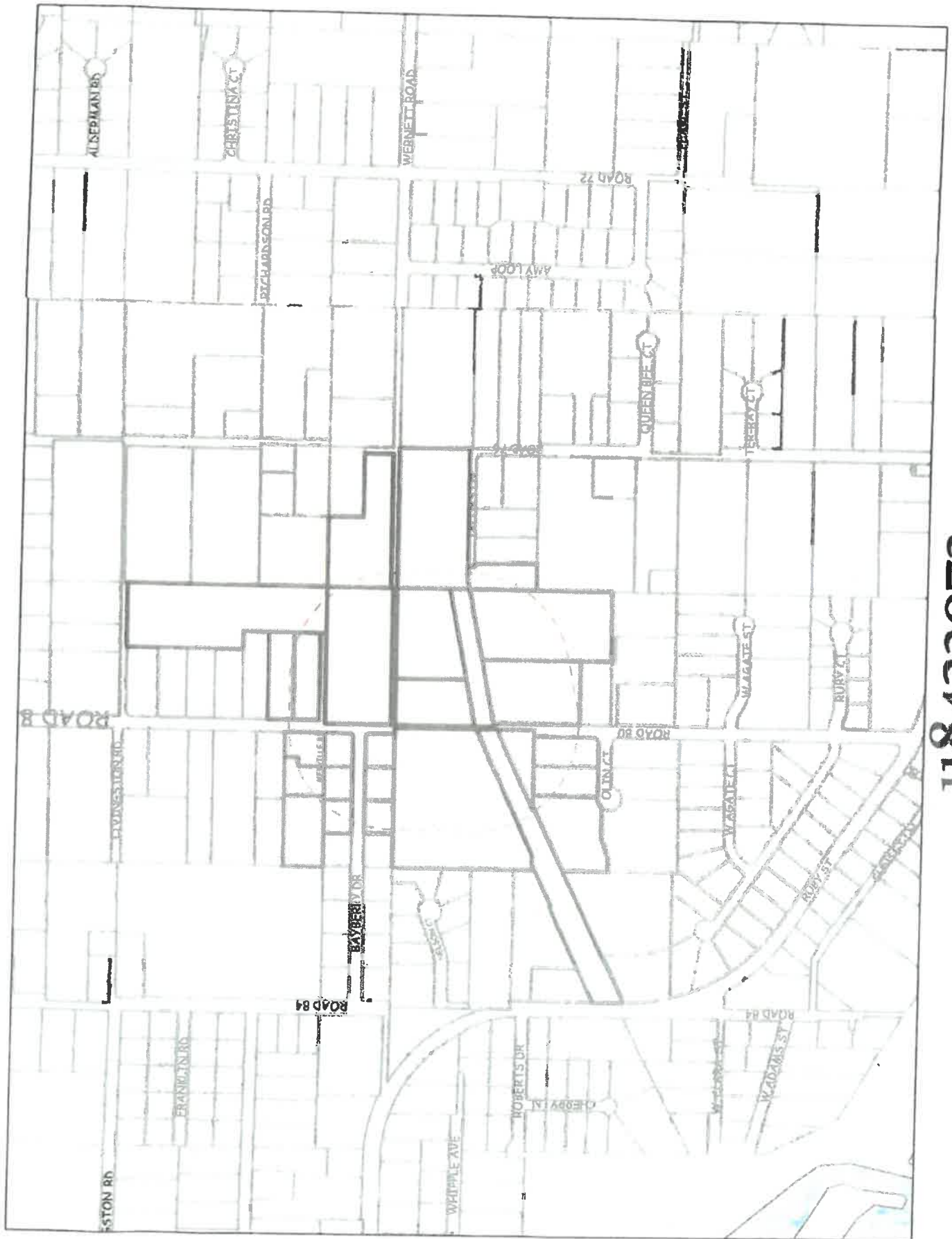
ASSESSOR PARCEL IDENTIFICATION NUMBER:
118-432-072

**ABBREVIATED LEGAL: THE WEST 235.30 FEET OF THAT PORTION OF THE
WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 29 EAST, W.M**

Jessica E. Gow-Lee, married to Guillermo Gow-Lee, hereinafter grantor, whose tax-mailing address is 2211 ROAD 80 PASCO, WA 99301, without consideration paid, conveys and quitclaims to Guillermo Gow-Lee and Jessica Gow-Lee, husband and wife, hereinafter grantees, whose tax mailing address is 2211 ROAD 80, PASCO, WA 99301, with quitclaim covenants, all right, title, interest and claim to the following land in the following real property:

1

PARCEL NO	OWNER	ADDRESS	CITY	ST	ZIP
118422075	GILBERT (JR)	2413 ROAD 80	PASCO	WA	99301-1686
118422084	CRAVEN	2405 N ROAD 80	PASCO	WA	99301-1686
118432054	VERA (ETUX)	2003 ROAD 80	PASCO	WA	99301-1813
118432107	RICHARDSON	2007 N ROAD 80	PASCO	WA	99301-1813
118422065	BARRON	2613 N ROAD 80	PASCO	WA	99301-1808
118441017	LITTLE	2220 N ROAD 80	PASCO	WA	99301-1811
118432072	GOW-LEE	2211 ROAD 80	PASCO	WA	99301-1812
118432081	GOW-LEE	26118 NE 139TH AVE	BATTLE GROUND	WA	98604-6628
118422047	BASSETT	2339 ROAD 80	PASCO	WA	99301-1858
118421084	MECH	2320 N ROAD 76	PASCO	WA	99301-1823
118431153	BLUE GEM FARMS LLC	8707 CORD DR	PASCO	WA	99301-7996
118442116	USA-CORPS OF ENGINEERS	201 N 3RD AVE	WALLA WALLA	WA	99362-1876
118431149	MOON	7720 JACOBS LN	PASCO	WA	99301-2457
118411166	HANSON	2400 N ROAD 80	PASCO	WA	99301-1810
118411165	HANSON	2400 N ROAD 80	PASCO	WA	99301-1810
118411164	HANSON	2400 N ROAD 80	PASCO	WA	99301-1810
118441048	OLIN	9301 NE 117TH AVE	VANCOUVER	WA	98662-2414
118441049	OLIN	9301 NE 117TH AVE	VANCOUVER	WA	98662-2414
118441050	OLIN	9301 NE 117TH AVE	VANCOUVER	WA	98662-2414
118412056	RUSSELL	8105 BAYBERRY DR	PASCO	WA	99301-6881
118412057	TIERINA	8007 BAYBERRY DR	PASCO	WA	99301-6884
118412058	WRIGHT	10217 WILLOW WAY	PASCO	WA	99301-6568
118412064	HOBSON	PO BOX 2073	PASCO	WA	99302-2073
118412065	MICHEL	8008 BAYBERRY DR	PASCO	WA	99301-6884
118412066	REITZ	PO BOX 5378	PASCO	WA	99302-5502



118432072

Marked 1-22-20
Rec'd 1-24-2020
CUP 2019-08

Lloyd Reitz
8004 Bayberry Drive
Pasco, WA 99301
January 19, 2020

Franklin County Planning Department
502 West Boeing Street
Pasco, WA 99301

RE: SEPA 2019-14 Application Comments

Franklin County Planning Department:

This letter presents comments on the Jessica Gow-Lee SEPA 2019-14 application for the property at 2211 Road 80 in Pasco, Washington. My comments to specific questions and the applicant's responses are presented below:

B. ENVIRONMENTAL ELEMENTS

5. Animals: Additional wild animals on or near the site not listed in the application include raccoons, skunks, and rabbits.

14. Transportation

d. Will the proposal require any new or improvements to existing roads...

The applicant states "none". The main access used to the site is Road 80 north of the Wernett right-of-way. This access was originally barricaded when Road 80 was constructed in the Willow Estates subdivision. Over time the barricade was gradually moved so vehicles could get around the barricade to the subject site, but an access has never been constructed compliant with Franklin County's Road Approach Policy or Design Standard. As a result, dirt and rocks from the subject site get tracked onto the paved portion of Road 80. Surface water on the paved road section drains to the ditch and drywell on the west side of the road, carrying the soil to these drainage structures. In the fall of 2019, the Wernett right-of-way was paved east of Road 80. However, the pavement did not extend all the way to Road 80. The access to Road 80 still does not comply with the road approach policy or design standards.

f. How many vehicular trips per day would be generated by the completed project...

**Franklin County Planning Department
January 19, 2020
Page 2**

The applicant states the project will generate 3 trips per day with peak times between 8 am and 5 pm. My periodic observations over the past three days noted 13 vehicle trips during 9 hours on day one, 6 vehicles trips during 5 hours on day two, and 9 trips during 9 hours on day three. These vehicle trip counts are likely low because they are just periodic observations. None of these vehicles were dial-a-ride vans or delivery vehicles which commonly access the site. The proposal will double the current bed count at the facility.

15. Public Services

a. Would the project result in an increased need for public services....

The applicant states no increase needed for public services, it would utilize already existing services. However, the existing facility utilizes emergency services at a much higher rate than any neighboring residence.

Please consider the above items when considering the environmental impacts from the proposed project

Sincerely,

A handwritten signature in blue ink, appearing to read "Lloyd Reitz", with a long horizontal flourish extending to the right.

Lloyd Reitz



Picture from Mr. Reitz





January 12, 2020



Looking East
June 19, 2019

September 11, 2019



Franklin County Planning Commission

As our aging population continues to grow, so does the need for assisted living.

There is a high demand for more bed space in Washington State's fastest growing community.

Due to a stroke, my dad was sent to Avalon Health and Rehabilitation Center. He spent a year and a half there before a bed became available at Amazing Grace Adult Family Home.

This home gives the family members the confidence their loved one are being well cared for.

Amazing Grace was built to house 12 residents. They started with 6 which is on the main level and now want to expand and fill the lower level with the remaining 6 bedrooms.

I am asking the Planning Commission to approve the application in order to give other families the opportunity to place their loved ones in a caring environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Hall".

Dennis Hall

2021 Cherry Lane

Pasco, WA 99301

November 15, 2019

Franklin County Building Department
502 West Boeing Street
Pasco, Washington 99301



Dear Franklin County Building Department:

I am writing to ask that Jessica Gow-Lee be allowed to have a conditional use permit for her property at 2211 Road 80 in Pasco. The house located at this address is being used for an adult family home. I have been renting pasture space at this property for years and have watched with interest the house being built. I was very happy when I was told that it was to be used for an adult family home, by the name of Amazing Grace.

My 30 year old daughter, Brooke, unfortunately suffered a traumatic brain injury in a car accident in 2004 and has been cared for at home by my wife and myself, with the help of hired caregivers, since shortly after her accident. She requires total care, feeding, dressing, personal hygiene needs, turning, lifting, and is medically very fragile, requiring frequent hospitalizations. I have approached Jessica, expressing interest in placing Brooke in Amazing Grace. In fact, Jessica came to my home to see our bath tub that we have installed for Brooke so that she can have such a system available for Brooke at Amazing Grace. Although Brooke's constant care is physically and emotionally taxing, we have not placed Brooke in the home due to my wife's dedication to having personal hour to hour oversight of her care. It is very important to me, however, that such a place as Amazing Grace be available, as it is the closest facility to our home, is built to accommodate people in Brooke's condition, and would make it possible for Brooke to have quality care, for my wife to have very frequent oversight, and for Brooke to essentially remain part of our day-to-day family life due to her proximity to us, all the while giving my dear wife a most welcome break from the constant demands of personal care and hiring, firing, and supervising of caregivers. It would give both of us a chance to focus more on Brooke's younger siblings while keeping her part of our daily life. I have seen other facilities that are in Pasco and have not been happy with the thought of Brooke being there due to being with very elderly, sometimes disruptive residents, and the institutionalized feeling that other facilities can have. An adult family home such as Amazing Grace, and the proposed home in the basement, is much more appropriate for Brooke.

I would very much like to encourage the County to give Jessica a permit to have a separate address in the bottom floor of her already existing house so that another adult family home can be opened there. Please do whatever is needed to facilitate this so that this property can be more fully utilized to serve people like Brooke and families like ours.

If you have any questions, you may call me at (907) 414-4649.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Beus". The signature is stylized with a large "K" and a long, sweeping underline.

Kyle Beus

December 15, 2019

Franklin County Planning & Building Department
Attention: Derrick Braaten, Director
502 West Boeing Street
Pasco, WA. 99301



Dear Director Braaten:

**SUBJECT: AMAZING GRACE ADULT FAMILY HOME'S
REQUEST TO RECEIVE A SPECIAL EXCEPTION FOR ADDING ON AN
ADDITIONAL ADDRESS**

Dear Director Braaten:

It has come to my attention that Amazing Grace Adult family Home at 2211 Road 80 in Pasco is experiencing some challenges in the process of expanding their facility in order to accommodate additional residences. My mother, Barb Harris, age 92, has lived there since it received its business license in March, 2018. I have spent a great deal of time visiting and observing the staff and facility at Amazing Grace Home. That is the reason I am writing you today about my opinion on the need for its expansion.

As I understand things, the State of WA only allows an adult family home to house six residences, which is the case with the current facility. I know it has always been the design and plan for their business to build a second extended set of residence rooms in the lower level of this home. Since the State only allows six rooms per adult home, it is necessary to have the new extended lower level be independent and have its own address. This is where I am asking for your consideration and help in allowing Amazing Grace to have an independent address for its planned building expansion. I realize that you may have to make an exception to current county policies/ordinances to make this happen, but please consider those people who will benefit by having such a wonderful home to live in as their needs increase.

You may ask why I am taking the time to write you this request for your consideration. My mother had previously lived in a well known facility in Richland. She did not and could not have received the individual attention, care and love she has received from Amazing Grace Home. My mother had a stroke. She cannot walk, talk, feed herself, or take care of any of her needs any longer. She is completely dependent on others. The loving staff and caregivers at Amazing Grace Home are like family to her and to me! I trust them completely with my mom's care and I never had that trust with any other facility before now.

Amazing Grace Home is a beautiful place to live in. Everyone has a spacious room; my mom's room overlooks the west Pasco countryside with horses, cows, goats, etc. to look out upon. The day I first walked in to this home and met some of the staff, I knew that this was the place I wanted for my mom. So bright and cheerful with such a home-like atmosphere. I want the chance for more people to find a home here too. Expanding their lower level into the same kind of adult family home would be a gift to those lucky enough to live there.

Please consider this simple request for the change that needs to take place from your office in order to create the ability of Amazing Grace Home to achieve an independent address to the lower level of this building so that others in need will have the opportunity to have a room in such a safe and loving home when they no longer can care for themselves. I recommend you drop by Amazing Grace Home and see for yourself all of the things I am telling you and all it has to offer our community.

To deny this request would deny six more needy people a chance to live in a beautiful country home with people who truly care.

Thank you in advance for your consideration. If you would like to speak to me about this either on the phone or in person, I would be happy to talk or meet with you personally.

Sincerely,



Barbara S Chase
40507 East Badger Road
Benton City, WA 99320
509-528-0109
email: cozycabin49@gmail.com



Agenda Item #1

DSHS DOCUMENTS

CUP 2019-08

Jessica Gow-Lee – Separate Address/Adult Family Home Expansion

“WHAT YOU NEED TO UNDERSTAND”

...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

This document contains information intended to help you decide if you want to become a licensed adult family home provider.

PROSPECTIVE PROVIDER INFORMATION

To be an adult family home provider you will be required to care for the most vulnerable members of our society, including persons with challenging behaviors, physical and developmental disabilities, mental illness and the elderly. If you become licensed, you assume a serious responsibility that will have a large impact on you and your family members' lives.

Adult family homes are heavily regulated. If you become licensed, you will have to meet all of the many licensing requirements. In addition, you will have to provide the care and services that your residents need day and night.

As an adult family home provider, you will find out that, while it can be a rewarding experience, it is also very tiring and stressful to work and be available to residents day and night. As a result, you may decide that you need to hire staff to be awake and available to care for residents at all times.

We know that a number of providers close their adult family homes after only one or two years. This is usually because they did not realize how difficult it would be to share their home with others, how hard the work would be, or how hard it may be to attract residents and operate a business. When a home closes, this negatively impacts residents and their families, as well as providers and their families.

Before you decide to apply to become an adult family home provider, you should consider why you want to become a licensed provider and how you will maintain your adult family home business over time. The self assessment at the end of this guide, along with the other information, may help you decide whether or not you want to go forward with the process to apply to become a licensed adult family home provider.

AFH DEFINITION

WHAT IS AN ADULT FAMILY HOME (AFH)?

- An AFH is a residential home licensed to care for two to six adults not related by blood or marriage to the person or persons providing the services.
- The AFH provides room and meals, laundry, supervision, assistance with activities of daily living and personal care. Some homes provide nursing or other special care.
- A licensed AFH is generally at a residential home address.
- An adult family home is a single family residence, a duplex unit, or other type of dwelling for one or two families [per IRC #R101]. Each unit must have:
 - Separate staffing;
 - Separate call systems;
 - Separate living quarters;
 - Separate addresses;
 - Either a fire wall or floor separating the two units; and
 - No internal door in common.

"WHAT YOU NEED TO UNDERSTAND"
...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

WHAT IS NOT AN ADULT FAMILY HOME (AFH)?

- An apartment in an apartment building or condominium cannot be licensed as an AFH because this type of dwelling is for more than two families.

LICENSE NEEDED

WHEN IS A LICENSE REQUIRED?

- You have to have an AFH license before you can provide personal care, special care, room and meals for two to six adults, unrelated to you, in your home.

WHEN IS A LICENSE NOT REQUIRED?

An AFH license is not required:

- To provide care for your own relatives in your home;
- To provide care for one person – unrelated to you – in your home;
- To take care of a relative (such as your mother) and one other person not related to you in your home; or
- If you are providing only room and meals in exchange for rent.

MANAGEMENT RESPONSIBILITIES

WHAT ARE SOME MANAGEMENT RESPONSIBILITIES FOR OPERATING AN ADULT FAMILY HOME?

The following is a partial list of some things the provider must do.

- Know and comply with all AFH applicable laws and rules;
- Meet the assessed care needs and preferences for each resident which may include, but is not limited to:
 - Assisting with personal hygiene, dressing, bathing, toileting, body care, walking and moving from one spot to another,
 - Providing nutritious meals,
 - Offering activities other than television,
 - Providing medication assistance or administration, and
 - Providing supervision to residents with challenging behaviors or at risk of falls;
- Be responsible for the care and services provided to residents 24 hours a day whether the provider is on site or not;
- Screen and hire responsible, dependable and qualified staff members;
- Ensure that staffing is adequate to meet all resident needs at all times (24 hours a day, seven days a week);
- Provide staff orientation and ongoing staff support and training;
- Maintain adult family home records such as individual resident records, staffing records, accounting, income tax and payroll records; and
- Ensure that each resident is protected from
 - abandonment,
 - verbal, sexual, physical, and mental abuse,
 - exploitation and financial exploitation,
 - neglect, and
 - involuntary seclusion.

"WHAT YOU NEED TO UNDERSTAND" **...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER**

SKILLS NEEDED

WHAT ARE THE SKILLS NECESSARY FOR OPERATING AN ADULT FAMILY HOME?

The provider must:

- Have the character, competence and suitability to operate an AFH;
- Have the ability to read, understand and meet all laws and rules related to AFHs;
- Protect resident rights first over the needs of yourself and your family; and
- Be able to communicate in the English language and ensure that there is staff on-site at all times who are capable of understanding and speaking English well enough to be able to respond appropriately in case of an emergency and implement resident care plans.

COSTS

WHAT ARE THE COSTS ASSOCIATED WITH OBTAINING AN ADULT FAMILY HOME LICENSE?

A non-refundable \$2,750 license and processing fee must be turned in with the license application. The following costs vary by instructor, county, location, fees and codes.

- 48-hour AFH Administrator training provided by community colleges (a list of community colleges is available on the department's website at <https://fortress.wa.gov/dshs/adsaapps/Professional/training/training.aspx>)
- First Aid and CPR training for applicants and all staff;
- Tuberculosis (TB) tests for applicants and staff;
- 75 hours of basic/long-term care worker training;
- Home Care Aide Certification Testing and Certification by DOH
- Specialty training if you plan to take residents with dementia, developmental disabilities, or mental illness;
- Building inspection by local building inspectors; and
- Structural changes to your home that may be needed to meet state or local building codes or safety issues.

ORIENTATION CLASS

WHAT IS REQUIRED BEFORE I CAN APPLY TO BE AN ADULT FAMILY HOME PROVIDER?

- You must attend a Prospective Provider Orientation class before applying for an AFH license, unless you are currently licensed, or have been licensed within the past year.
- This one-day class is held at six community colleges across the state; cost is \$29.
- Find a location near you and register online at <https://www.dshs.wa.gov/altsa/residential-care-services/afh-line-orientation-class-registration> by selecting the link in the right hand column that corresponds with the site where you are interested in attending class.

APPLICATION REQUIREMENTS

WHAT ARE SOME OF THE APPLICATION REQUIREMENTS THAT I MUST MEET TO BE LICENSED AS AN ADULT FAMILY HOME PROVIDER?

- \$2,750 non-refundable fee must be turned in with the license application;

"WHAT YOU NEED TO UNDERSTAND"
...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

- For a change of ownership (CHOW) for a currently licensed AFH, submit a written letter from the current licensee saying that they are willing to give up their license when and if your license is approved;
- Copy of your AFH Orientation Certificate taken within the last 12 months;
- Copy of Washington State Business License Number showing the Unified Business Identifier or UBI;
- Copy of document issued by the Internal Revenue Service (IRS) verifying the Employer Identification Number or EIN (Federal Tax ID Number);
- Copies of documents showing that the applicant provider, entity representative, and resident manager meet the minimum qualifications for licensure including: educational requirements, CPR certificate, first-aid card, TB screening test, and long-term care worker training and Home Care Aide Certificate;
- Meet the minimum education requirements that include a High School Diploma or GED, or any English-translated government document listed in WAC 388-76-10130;
- Completed Caregiving Experience Attestation Form verifying (proving) that you successfully completed 1000 hours of direct caregiving experience to a non-family member in the previous 60 months. This experience must be obtained after you were 18 years of age, and is only applicable if care was to vulnerable adults in a licensed or contracted setting.
- Certification for completing 48-hour Administrator training before applying for an AFH license;
- Copies of specialty training documents if you intend to care for residents with dementia, developmental disabilities, or mental illness;
- Completed Background Inquiry Authorization Forms for all providers, resident care managers, and all members of the household that are eleven years of age or older and others who will have unsupervised access to your residents;
- Copy of the completed AFH Building Inspection indicating "Passed" with the adult family home floor plan and printed directions to the AFH;
- A copy of your AFH admission agreement or private pay and Medicaid-eligible residents;
- A copy of the disaster plan; including the applicant's or entity representative's name and the name of the proposed adult family home;
- A copy of your nurse delegation certificate if you plan to perform delegated nursing tasks;
- Be 21 years of age or older and be able to understand and speak English; and
- A completed application and checklist – the department will not process your application if it is not complete.

EDUCATION ALTERNATIVES

IF I DO NOT MEET THE MINIMUM EDUCATION REQUIREMENTS, ARE THERE OTHER ALTERNATIVES?

SEE WAC 388-76-10130. THERE ARE NO EXCEPTIONS TO THESE REQUIREMENTS.

- Successful completion of government-approved public or private school education in a foreign country that includes an annual average of one thousand hours of instruction over twelve years or no less than twelve thousand hours of instruction (this is equivalent to grades 1-12 in the United States);

"WHAT YOU NEED TO UNDERSTAND"
...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

- Graduation from a foreign college, foreign university, or United States community college with a two-year diploma;
- Admission to, or completion of coursework at a foreign or United States university or college for which credit was granted;
- Graduation from a foreign or United States college or university, including award of a Bachelor's degree;
- Admission to, or completion of postgraduate coursework at a United States college or university for which credits were awarded; or
- Successful passage of the United States board examination for registered nursing, or any professional medical occupation for which college or university preparation was required. This does not include a certified nursing assistant (CNA).

WILL FOREIGN LANGUAGE EDUCATIONAL DOCUMENTS NEED TO BE TRANSLATED INTO ENGLISH?

- Yes, foreign language educational documents submitted with the AFH application must be translated into English by an approved language translation service that certifies the translation as correct.

WRITTEN VERIFICATION

WHAT IS AN ATTESTATION?

- An attestation is a legal and formal written statement. If you sign an attestation related to an application, you are saying and confirming that what you are signing is true.

CAREGIVING ATTESTATION

WHO CAN PROVIDE THE 1000 HOUR CAREGIVING NOTARIZED ATTESTATION OR VERIFICATION FOR YOU?

Only the following people may provide attestation or verification for you if they have observed you providing direct care:

- Supervisor;
- Employer;
- Co-worker;
- Client or resident if they are able to read, understand and sign the form in the presence of a notary, and be interviewed by telephone; or
- The resident's spouse or family member.

WHO CANNOT PROVIDE THE 1000 HOUR CAREGIVING ATTESTATION FOR YOU?

- Anyone related to you by blood or marriage; or
- A Home and Community Services case manager or a Division of Developmental Disabilities case manager.

WHAT IS INCLUDED AND VERIFIED AS TRUE IN THE NOTARIZED "ATTESTATION" OF CAREGIVING EXPERIENCE?

- The proposed licensee or resident manager has successfully provided 1000 hours of direct care and has caregiving experience.

“WHAT YOU NEED TO UNDERSTAND”
...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

- The dates of employment and any volunteer work experience as a long-term care worker that occurred after age 18 in a licensed or contracted setting.
- The individual verifies that work experience has occurred in the previous 60 months.
- The individual verifies that they were in a position to personally observe, over time, the applicant's actual caregiving.
- The accurate address and telephone contact information for the individual completing the form so the attester can be interviewed by the department about the applicant's caregiving experience.

BUILDING REQUIREMENTS

WHAT ARE SOME OF THE STANDARDS THAT MY HOME MUST MEET WHEN THE LICENSOR MAKES THE INITIAL INSPECTION VISIT?

You must be able to show or verify the following for your home (this list does not reflect all requirements).

- The home:
 - Meets current building code requirements for a single family dwelling (no apartments or condominiums are permitted as an AFH);
 - Is clean, sanitary, free of hazards, and safe for residents both inside and out;
 - Has secure handrails at all stairs or step/s in and out of the home;
 - Has the required approved 2A:10B-C (5#) rated fire extinguishers on each floor of the home;
 - Has working smoke detectors on each floor, in hallways, in each resident bedroom, and in close proximity to the provider/staff bedroom;
 - Has windows that open easily and have intact screens on windows that can be easily removed in an emergency;
 - Has first aid supplies with a first aid manual;
 - Has emergency water and food supplies for a minimum of 3days;
 - Has all firearms stored in secure/locked storage areas;
 - Has a place to lock up medications;
 - Has cleaning supplies and other toxic substances out of the reach of residents;
 - Has water, well water and private septic systems that are adequate in size and approved (when applicable);
 - Has a written and workable disaster plan; and
 - Has record keeping processes developed that meet WAC 388-76-10315 requirements.
- Bedroom requirements:
 - There must be no more than two residents per room;
 - A single room must have a minimum of 80 square feet of usable floor space, not including closet space and door swings;
 - A double room must have a minimum of 120 square feet of usable floor space, not including closet space and door swings;
 - Doors, including in the bedroom closet, must be openable from the inside and outside;
 - There must be enough lighting in the room for residents to do what they want and for staff to do what they need; and
 - There must be enough storage space in each bedroom to meet the needs of the residents.

“WHAT YOU NEED TO UNDERSTAND”
...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

- Bathroom requirements:
 - Residents must be able to get to toilets and bath/shower facilities easily;
 - There must be one toilet for every five people in the house;
 - The tub and shower must have grab bars and non-skid surfaces;
 - The hot water temperature at fixtures accessible to residents must not exceed 120 degrees F.

SELF ASSESSMENT FOR POTENTIAL ADULT FAMILY HOME PROVIDERS

The following assessment was primarily developed by a group of adult family home providers with many years experience in running adult family homes. It is the intent of the assessment to give you as clear a picture as possible of the considerable demands of running an adult family home.

ANSWER YES, NO, OR SOMETIMES, TO THE FOLLOWING QUESTIONS THAT BEST DESCRIBES YOUR RESPONSE TO EACH STATEMENT.

1. I am patient with other people's mistakes.
2. I can be alert and calm and awake in the middle of the night, even after a long day.
3. I can take verbal abuse and still forgive. I do not hold a grudge.
4. I am comfortable asking others for help.
5. I can place the needs of others ahead of my own wants.
6. I am comfortable taking care of residents of the opposite and same sex.
7. I have experience and am comfortable taking care of people who are elderly, who have mental illness or developmental disabilities who are not related to me.
8. I deal with emergencies without panic.
9. When planning schedules, I can be thoughtful of the needs of staff, residents, and residents' families.
10. I am aware and prepared to give up most of my privacy because I will be sharing my home with residents.
11. Confrontation with staff and resident's families does not intimidate me.
12. I follow established procedures and do not cut corners.
13. I can keep abreast of the regulations and laws that govern adult family homes.
14. I am tolerant of other cultures and points of view.
15. I respect other's rights, privileges, and privacy and strive never to control or manipulate others.
16. I save money for a crisis and routinely plan ahead.
17. The financial risks of owning a business or incurring debt do not frighten me.
18. I promptly pay my bills.
19. I speak English clearly and am easily understood.
20. I am in excellent health and have a lot of energy.
21. I am organized and efficient.
22. I am able to follow the instructions of doctors and nurses who give me care directions for residents in my home.

"WHAT YOU NEED TO UNDERSTAND"
...BEFORE BECOMING A LICENSED ADULT FAMILY HOME PROVIDER

- 23. I can cope well when cherished residents may pass on. I am able to comfort the dying and relatives of those who are dying.
- 24. I am prepared financially and emotionally for the length of time it may take to get licensed.
- 25. I am able to take and act on constructive criticism regarding areas of my work needing improvement.

If you answered yes to 18 or more of 25 questions, you may understand the nature of the adult family home business.

Before making the decision to become licensed as an adult family home, talk to other adult family home providers and ask to spend time in their homes. Ask lots of questions before committing to opening up your own adult family home.

MORE INFORMATION

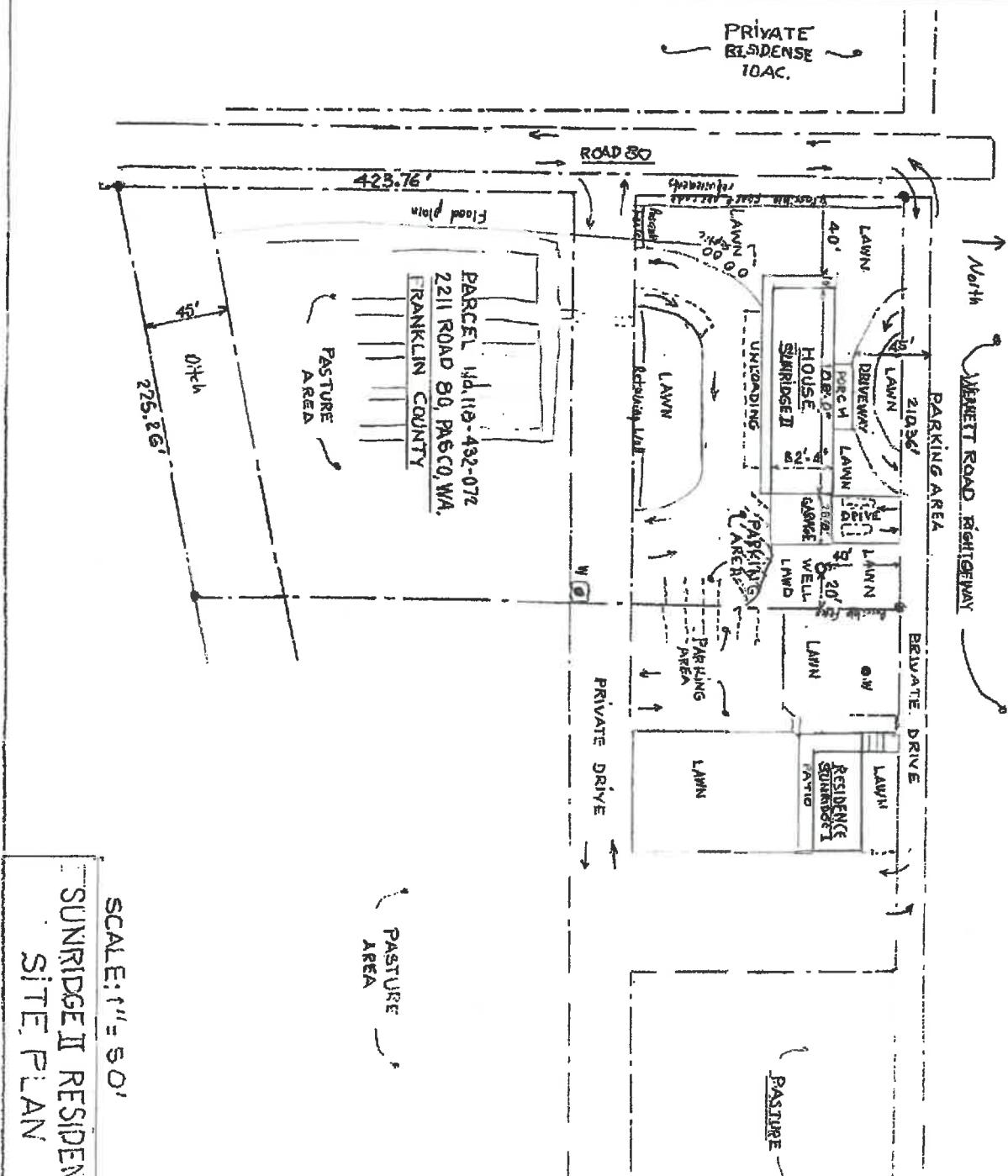
FOR ADDITIONAL INFORMATION ABOUT REQUIREMENTS TO OPERATE A LICENSED ADULT FAMILY HOME, YOU MAY VISIT THE WEBSITE: <https://www.dshs.wa.gov/altsa/residential-care-services/information-adult-family-home-providers>

Agenda Item #1

MAPS

CUP 2019-08

Jessica Gow-Lee – Separate Address/Adult Family Home Expansion



SCALE: 1" = 50'
SUNRIDGE II RESIDENCE
SITE PLAN

REVISIONS
DATE: 9.9.2019
DATE: 9.9.2019
SHEET No A-1-A

REV. 0

