



# A G E N D A

## PLANNING COMMISSION

Connie Coleman-Lacadie • Don Daniels  
Nancy Hudson-Echols • Robert Estrada  
James Guerrero • Paul Wagemann  
Christopher Webber

### **Regular Meeting**

**Wednesday, March 7, 2018**

**City Hall Council Chambers**

6000 Main Street SW, Lakewood, Washington

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes from February 21, 2018**
- 4. Agenda Update**
- 5. Public Comments**  
(Each person will be allowed 3 minutes to speak, to a total of 15 minutes per topic. Groups with a designated speaker may have a total of 10 minutes to speak.)
- 6. Public Hearings**
  - Application Nos. LU-17-00254 & LU-17-00260; consideration of a proposed Land Use and Development Code amendments regarding the regulation of adult family homes and enhanced service facilities
- 7. Unfinished Business**
  - None
- 8. New Business**
  - Application Nos. LU-17-00254 & LU-17-00260; consideration of a Planning Commission Resolution making recommendations to the City Council for the purposes of regulating adult family homes and enhanced service facilities
- 9. Report from Council Liaison**
  - Mr. Mike Brandstetter
- 10. Reports from Commission Members & Staff**
  - Written Communications
  - Future Agenda Topics

March 21, Planning Commission Meeting (Downtown Subarea Plan Policy Document, Downtown Subarea Plan Draft Environmental Impact Statement, & Sign Code Amendments)

April 9, Joint Meeting with the City Council (Downtown Subarea Plan Policy Document & Downtown Subarea Plan Draft Environmental Impact Statement)

- Area-Wide Planning / Land Use Updates
- Other

### **Enclosures**

1. Draft Meeting Minutes from February 21, 2018
2. Staff Report regarding Adult Family Home Amendments
3. PC Draft Resolution Regulating AFHs and ESFs
4. EXHIBIT A DSHS Public Records Request
5. EXHIBIT B City of Lakewood Adult Family Home Permit Application
6. EXHIBIT C Building Official Craig Memo Comparing AFHs to ESFs
7. Select Zoning Map for MF1, MF2, MF3, NC2, TOC, CBD, and C2 Zones

### **Members Only**

Please email [kdevereaux@cityoflakewood.us](mailto:kdevereaux@cityoflakewood.us) or call Karen Devereaux at 253.983.7767 no later than Tuesday at noon, March 6, 2018 if you are unable to attend. Thank you.



**PLANNING COMMISSION  
REGULAR MEETING MINUTES  
February 21, 2018  
City Hall Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499**

**Call to Order**

Mr. Don Daniels, Chair, called the meeting to order at 6:30 p.m.

**Roll Call**

Planning Commission Members Present: Don Daniels, Chair; Robert Estrada, Vice - Chair; Connie Coleman-Lacadie, James Guerrero, Nancy Hudson-Echols and Paul Wagemann

Planning Commission Members Excused: None

Planning Commission Members Absent: Christopher Webber

Staff Present: David Bugher, Assistant City Manager, Community Development; and Karen Devereaux, Administrative Assistant

Council Liaison: Councilmember Mr. Michael Brandstetter

**Approval of Minutes**

**The minutes of the meeting held on February 7, 2018 were approved by voice vote M/S/C Coleman-Lacadie/Guerrero. The motion to approve the minutes passed unanimously, 6-0.**

**Agenda Update**

No changes were requested.

**Public Comments**

Mr. Glen Spieth, Lakewood, queried commissioners if the code allowed use of shipping containers as storage. It was explained that the use is prohibited in residential zones but requires a Temporary Use Permit in a commercial zones and is only good for 90-days.

**Public Hearings**

None

**Unfinished Business**

*Marijuana Regulations Reduced Buffer Zones Maps and Comparisons of Special Regulations Ordinances*

Mr. David Bugher presented several examples of different buffer zones and what locations would allow for retail sales of marijuana for the two proposed businesses within the City should a business overlay zoning district need to be developed. A show

of hands on the distance preferred for a buffer to sensitive receptors concluded in 3 votes in favor of 500 foot buffer; 3 votes in favor of 1,000 foot buffer.

Commissioners requested a comparison of state marijuana regulations versus the special regulations. The areas commissioners wanted to examine included security, hours of operation, and signage and advertising. There are currently 77 cities that prohibit marijuana in Washington State. Approaches vary significantly and several examples were provided for comparison. After a lengthy discussion the motion was made and a vote was taken.

**Ms. Connie Coleman-Lacadie made the motion to adopt Planning Commission Resolution 2018-02 amending Title 18A, Land Use and Development Code, establishing a new Chapter 18A.04 prohibiting the production, processing and retail sales of recreational marijuana in all City of Lakewood zoning districts. Mr. Paul Wagemann seconded the motion. A roll call vote was taken and the motion passed 4-2 in favor of supporting the prohibition of marijuana retail sales.**

A second draft ordinance, which would establish an overlay and local standards if the commissioners had forwarded recommendation to allow retail sales of marijuana, was discussed so the information could be brought forward to City Council.

## **New Business**

### **2017 Annual Housing Report**

Mr. David Bugher provided the housing report with information of what kind of development is taking place in which locations throughout the City.

HUD Offices in both Lakewood and Tacoma are in an entitlement zone where housing starts are studied in detail. The vacancy rate for sales housing market conditions is 1.4% during the 12 month period ending June 2017. New and existing home sales totaled 12,150; up by almost 12%. The average sales price increased 11% to \$303,700. During the forecast period demand has estimated 8,625 homes for both Lakewood and Tacoma. There are 1,500 homes currently under construction and there is a significant demand for new homes.

In the rental housing market the vacancy rate is now at 3%. Apartment market conditions are tight with a 2% vacancy rate as of March 2017. Demand is estimated at 6,600 market rate units. During the forecast period the estimated 1,800 units currently under construction and the 260 additional planned units scheduled to be completed in the next three years will meet only a portion of the demand. There is roughly a demand for 15,000 new units; for Lakewood that comes to about 5,000 units and we have just 657 units permitted in the pipeline.

This gives an idea of the projected growth and likelihood that we will see an increase in rents as well as the value of single-family homes. The City is seeing a significant surge in new apartment complexes which hasn't been seen since 2001 and 2009. New units being built and older units demolished. Not seeing any increase in value for apartment

buildings with limited remodels and additions. Continuing deferred maintenance in apartment complexes speaks to the issues and need for a Rental Housing Safety Program which the City implemented in 2017.

### **Report from Council Liaison**

Councilmember Mr. Mike Brandstetter updated the commissioners on the following Council actions:

Council has asked staff to expand the program for displaying banners and hanging planters in the Central Business District and International District areas of Steilacoom Blvd. This will be the first phase of road projects to improve aesthetics of rights-of-way within the City.

Council recently approved the building of the Ft. Steilacoom Park pavilion which is funded through the Lodging Tax revenue. Funding has been built up over the years where certain portions of that fund can only be used for capital projects that support venues such as a pavilion. Utility upgrades of better electric distribution and water and sewer systems will support other projects as well.

Council had approved an ongoing contract to look at a utility rate study for stormwater and sewer auxiliary rates, which haven't been increased in 10 years. Public Works Trust Fund Loans, which were purchased to bring sewer improvements to the Tillicum Woodbrook areas, are about to be paid off and the 2020 budget cycle will allow for adjusting fees if necessary.

Pierce County Regional Council general assembly met and recognized the City of Lakewood for its initiative of the Rental Housing Safety Program and for the work that has been done over a number of years on the expansion of the Springbrook Park and its positive community impact.

Funding from the State is going to be made available for improvements to Harry Todd Park docks and ADA access to the beach along with a highly requested fishing pier.

### **Reports from Commission Members and Staff**

#### City Council Actions

No updates from staff at this time.

#### Written Communications

None

#### Future Agenda Topics

None

#### Area-Wide Planning / Land Use Updates

None

**Next Meeting: Wednesday, March 7, 2018 at 6:30 p.m. in Council Chambers**

**Meeting Adjourned** at 8:23 p.m.

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Don Daniels, Chair  
Planning Commission 03/07/2018

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Karen Devereaux, Recording Secretary  
Planning Commission 03/07/2018

DRAFT



**CITY OF LAKEWOOD  
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
FOLLOW-UP STAFF REPORT TO THE PLANNING COMMISSION**

March 7, 2018

<b>Application No(s)</b>	LU-17-00254 (ZOA text amendment) LU-17-00260 (SEPA Checklist)
<b>Applicant</b>	City of Lakewood
<b>Project Description</b>	<p>A Resolution of the Lakewood Planning Commission recommending amending Title 18A, Land Use and Development Code, amending Section 18A.20.300 (D.) and adding a new section 18A.20.300 (M.). New land use regulations are proposed as follows:</p> <p>Defines an adult family home and requires the issuance of a city business license; Prohibits the conversion of an adult family home into an enhanced service facility; Defines an enhanced service facility and requires the issuance of a city business license; Permits an enhanced service facility in the MF1, MF2, MF3, NC2, TOC, CBD, and C2 zoning districts subject to the approval of a conditional use permit and all applicable development permits; and Prohibits an enhanced service facility in all other zoning districts.</p>
<b>Location</b>	Area-wide amendment
<b>Planning Commission Meeting Dates</b>	January 3, 2018 (Study Session) January 17, 2018 (Public Hearing) February 7, 2018 (Receipt of written comments (if any); review & deliberation of Draft Ordinance) February 17, 2018 (Additional review & deliberation which resulted in a significantly Revised Draft Ordinance) March 7, 2018 (Public Hearing on Revised Draft Ordinance and submission of Draft Recommendation to the City Council)
<b>Staff Recommendation</b>	Approve

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## I. Order of Business

1. Upon recognition of the Chair, a department representative shall provide an overview of the staff report.
2. Commission is afforded the opportunity to question staff regarding the materials in the report.
3. Chair opens public hearing.
4. Chair accepts testimony.
5. Upon completion of testimony, if any, the Chair closes the public hearing.
6. Commission deliberates the attached Draft Resolution.
7. Once deliberations are completed, the Chair will request a motion and a second from the commission.
8. Commission finalizes its actions by adoption of the Draft Resolution subject to any amendments.

## II. Summary

On February 17, 2018, the department staff reported to the commission that there may be specific ways to improve the proposed legislation. The original proposal was generalized and may not have been specific enough to accomplish its desired effect. Table 1 below shows the content of the original proposal versus an improved version.

TABLE 1	
Components of Version 1 Proposal	Components of Version 2 Proposal
An adult family home is a Type 1 Group Home under 18A.	An adult family home is a Type 1 Group Home under 18A.
Defines an adult family home pursuant to RCW 70.128.150.	Defines an adult family home pursuant to RCW 70.128.150.
Adult family home must obtain a city business license.	Adult family home must obtain a city business license.
An adult family home may not be converted into an enhanced service facility.	An adult family home <i>shall not</i> be converted into an enhanced service facility.
An enhanced service facility is not permitted in residential zones.	Defines an enhanced service facility pursuant to RCW 70.97.010 (12).
	Enhanced service facility must obtain a city business license.
	Permits an enhanced service facility in the MF1, MF2, and MF3 multifamily zoning districts subject to a conditional use permit.
	Permits an enhanced service facility in the NC2, TOC, CBD, and C2 commercial zoning districts subject to a conditional use permit.
	Prohibits enhanced service facilities in all other zoning districts.
<b>NOTES:</b>	
1) These specific zones, MF1, MF2, MF3, NC2, TOC, and CBD are the same zones wherein the City currently allows assisted living facilities and nursing homes as permitted uses. COMMISSIONERS ARE ENCOURAGED TO REVIEW THE ATTACHED MAP WHICH OUTLINES THE LOCATIONS OF THESE ZONES. Enhanced service facilities are similar to these use types, and, therefore, were placed in these same zoning classifications, but subject to the conditional use permit requirement.	



Why such a requirement? Title 18A identifies certain land uses which do not precisely fit into existing zones, but may be allowed upon approval of a conditional use permit (CUP). A CUP allows the city to consider uses which may be essential, but which are not allowed as a matter of right within a zoning district, through a public hearing process.

A CUP can provide flexibility and enable a municipality to control certain uses which could have detrimental effects on the community. Permitting a particular use, subject to certain conditions of approval, may help to make that use more compatible with the neighborhood. The CUP process is often used for hard-to-classify uses, or land uses with potentially significant environmental or other negative impacts.

A CUP is not a zone change, but rather a project specific change in the uses allowed on a specific property. CUPs do not involve the establishment of new codes, regulations, or policies. Instead, a CUP applies the provisions of the zoning ordinance and its standards to the specific circumstances which characterize a proposed land use. If a CUP is approved, it will usually require that certain "conditions of approval" be adhered to by the applicant.

Since an enhanced service facility is also an "essential public facility" under state law, the city may not use this process to deny an enhanced service facility application.

- 2) Staff added the C2 zone as a potential location for enhanced service facilities, but subject to a CUP. This zone was chosen after reviewing the locations of other enhanced service facilities elsewhere in the state.

### **III. Alternatives**

1. The commission could adopt the first proposal submitted on January 3, 2018;
2. The commission could add or delete zoning districts from consideration for the placement of enhanced service facilities; and
3. The commission could remove the CUP requirement.

### **IV. Attachments**

1. Planning Commission Draft Resolution; and
2. Zoning Map for MF1, MF2, MF3, NC2, TOC, CBD, and C2 zones.

## PLANNING COMMISSION RESOLUTION NO. 2018 – XX

**A RESOLUTION OF THE CITY OF LAKEWOOD PLANNING COMMISSION RECOMMENDING AMENDING TITLE 18A, LAND USE AND DEVELOPMENT CODE, TO DEFINE ADULT FAMILY HOME BUSINESS AND ENHANCED SERVICE FACILITY; PROHIBIT THE CONVERSION OF AN ADULT FAMILY HOME BUSINESS INTO AN ENHANCED SERVICE FACILITY; PROHIBIT ENHANCED SERVICE FACILITIES IN CERTAIN RESIDENTIAL ZONING DISTRICTS AND ALLOW ENHANCED SERVICE FACILITIES IN OTHER RESIDENTIAL ZONING DISTRICTS, SUBJECT TO A CONDITIONAL USE PERMIT; ALLOW ENHANCED SERVICE FACILITIES IN SELECTED COMMERCIAL ZONING DISTRICTS, SUBJECT TO A CONDITIONAL USE PERMIT, AND PROHIBIT ENHANCED SERVICE FACILITIES IN ALL REMAINING ZONING DISTRICTS**

### **I. RECITALS**

**WHEREAS**, City's Police Power - the Washington State Constitution Article XI invests the City of Lakewood with police powers to provide for public health, safety and welfare and pursuant to its police powers, the City regulates land use planning, development and the operation of businesses within its jurisdictional boundaries; and

**WHEREAS**, the Growth Management Act, chapter 36.70A RCW, requires the City to adopt a Comprehensive Plan, including a process for identifying and siting essential public facilities; and

**WHEREAS**, the GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, regional transit authority facilities, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities; and

**WHEREAS**, the GMA requires each county, in cooperation with cities and towns, county-wide planning policies and the City participated in the development of the Pierce County County-Wide Planning Policies; and

**WHEREAS**, the County-Wide Planning Policies recognize the importance of distributing essential public facilities identified in the GMA among jurisdictions and communities (Pierce County County-Wide Planning Policies, at Page 64-65 EFP-3); and

**WHEREAS**, the City of Lakewood (City) has adopted a Comprehensive Plan pursuant to the GMA and that plan includes a process for identifying and siting essential public facilities (City of Lakewood Comprehensive Plan, Chapter 9, page 7 Goal 9.7); and

**WHEREAS**, Adult Family Homes are a type of group home and are considered an essential public facility pursuant to the GMA; and

**WHEREAS**, qualified Adult Family Homes are meant to be an essential component of the state's long-term care system and are meant to reduce institutionalization pursuant to RCW 70.128.005; and

**WHEREAS**, Adult Family Homes require specialized staffing in the facilities pursuant to

RCW 70.128.130; and

**WHEREAS,** Adult Family Homes must be considered a residential use of property as well as a “permitted use in all areas zoned for residential or commercial purposes” pursuant to RCW 70.128.140; and

**WHEREAS,** Enhanced Services Facilities are also considered to be an essential public facility pursuant to the GMA; and

**WHEREAS,** Enhanced Services Facilities are designed to assist people with serious issues of substance abuse, mental illness, dangerous behavior or a combination thereof pursuant to chapter 70.97 RCW; and

**WHEREAS,** Enhanced Services Facilities require specialized staffing and facilities above and beyond those required for Adult Family Homes, pursuant to RCW 70.97.080; and

**WHEREAS,** while residents of Enhanced Services Facilities and Adult Family Homes require substantially different levels of care and facilities, Adult Family Homes may be transformed into Enhanced Services Facilities pursuant to RCW 70.97.060 with little or no notice to affected communities; and

**WHEREAS,** given that the people served in Enhanced Services Facilities require significantly more care and treatment, as well as far more secure facilities, than those served in Adult Family Homes, the City finds that Enhanced Services Facilities are incompatible with residential zones and should not be allowed as a permitted use in residential zones; and

**WHEREAS,** state law provides an exemption from liability for facilities providing care and treatment for residents placed in Enhanced Services Facilities as well as to the agencies licensing or placing people in these facilities pursuant to RCW 70.97.220; and

**WHEREAS,** Washington State Department of Social and Health Services (DSHS) licenses and regulates Adult Family Homes pursuant to chapter 70.128 RCW and particularly RCW 70.128.060; and

**WHEREAS,** DSHS also licenses and regulates Enhanced Services Facilities pursuant to chapter 70.97 RCW; and

**WHEREAS,** Adult Family Homes and Enhanced Services Facilities operate as businesses in that they are licensed and inspected as a business and they charge fees for services; and

**WHEREAS,** DSHS places many residents in adult family homes, but it is unknown how much information about prospective residents DSHS shares with Adult Family Home operators, the City and the community; and

**WHEREAS,** DSHS and other similar agencies are under pressure by both legal requirements and the volume of people needing care to offer placements in facilities that offer the least restrictive alternatives to institutional care (e.g., RCW 71.34.740); and

**WHEREAS,** DSHS recently attempted to place at least one resident in an Adult Family Home who has spent most of his adult life at Western State Hospital, has a history of violence including murder and assault, and is considered at risk of future danger to himself and others, even when compliant with medications; and

**WHEREAS,** the City finds that the above intended placement by DSHS is inappropriate for

an Adult Family Home because Adult Family Homes are not required to have, and often do not have, the staff, resources or secure facilities needed to accommodate such residents and may therefore risk the safety and security of other Adult Family Home residents, themselves and the general public; and

**WHEREAS,** the City did not learn of the above intended placement directly from DSHS and the City suspects that other, similarly inappropriate placements may have been made and/or may continue to be made by DSHS; and

**WHEREAS,** the City has attempted to learn if DSHS has made or intends to make other such placements like the above intended placement through a public record's request pursuant to chapter 42.56 RCW, which is attached and incorporated herein as Exhibit A (Request for records), but DSHS has not been forthcoming with this information; and

**WHEREAS,** each Adult Family Home is required to "meet applicable local licensing, zoning, building, and housing codes, and state and local fire safety regulations as they pertain to a single-family residence" pursuant to RCW 70.128.140; and

**WHEREAS,** the City code requires all businesses operating within the City to obtain a business license, stating that it is "unlawful for any person to conduct, operate, engage in, or practice any business in the city that is conducted, operated, engaged in, or practiced in whole or in part from real property located within the city, without first obtaining the appropriate general or temporary business license along with any applicable additional license required by this Title or other applicable local, state or federal law" at LMC 5.02.020 Business License Required; and

**WHEREAS,** the City code states that "no structure ... shall be ... constructed ... altered nor any use be established or changed until a zoning certification or discretionary land use permit ... have been issued" by the City (LMC 18A.02.140); and

**WHEREAS,** the City code defines a zoning certification as "a certificate, issued prior to a project permit, stating that the proposed use is in accordance with the requirements and standards of" title 18A LMC (LMC 18A.90.); and

**WHEREAS,** the City code states that a complete application is the "most current version of the permit application form approved" by the City; and Community Development Director (LMC 18A.02.152); and

**WHEREAS,** the City code gives effect to state mandates outlined in the Washington Administrative Code (WAC) 51.51.0325 (Adult Family Homes) in order to ensure public health, safety and welfare by requiring an Adult Family Home permit application, a copy of which is attached and incorporated herein as Exhibit B (Adult Family Home Application); and

**WHEREAS,** the City finds that DSHS's placement of dangerous people in Adult Family Homes impedes the intent of chapter 70.128 RCW because it places potentially violent and therefore dangerous people in homes ill-equipped to treat and/or manage them; and

**WHEREAS,** state agencies are required to comply with county and city comprehensive plans and regulations pursuant to RCW 36.70A.103; and

**WHEREAS,** the City finds that DSHS's placement of dangerous residents in Adult Family Homes violate the comprehensive plans and regulations adopted by Pierce County and the City; and

**WHEREAS,** the Lakewood City Council has received reports on the topic of Adult Family

Homes and Enhanced Services Facilities on January 9, 2017, November 27, 2017, and December 11, 2017; and

**WHEREAS**, on December 11, 2017, the Lakewood City Council directed the Lakewood Planning Commission to review proposed regulations for Adult Family Homes and Enhanced Services Facilities; and

**WHEREAS**, based on the Lakewood City Council direction, the City initiated a text amendment application to Title 18A Lakewood Municipal Code, Case Nos LU-17-00261 (text amendment), and LU-17-00262 (SEPA), that defines "Adult Family Home Business;" prohibits Enhanced Services Facilities in residential zoning districts; and prohibits the conversion of an Adult Family Home Business into an Enhanced Services Facility; and

**WHEREAS**, On December 21, 2017, Case Nos LU-17-00261 (text amendment), and LU-17-00262 (SEPA) were deemed completed applications; and

**WHEREAS**, on December 22, 2017, pursuant to RCW 36.70A.106, the City submitted to the Washington State Department of Commerce a copy of the proposed text amendment; and

**WHEREAS**, on December 31, 2017, the Washington State Department of Commerce acknowledged receipt of the proposed ordinance text, Material ID # 24485; and

**WHEREAS**, pursuant to Lakewood Municipal Code (LMC) 18A.02.565, Case Nos LU-17-00261 (text amendment), is a Process V Permit; and

**WHEREAS**, under LMC 18A.02.565, a Public Hearing is required; and

**WHEREAS**, the notice of the public hearing was published in *The News Tribune* on December 29, 2017; and

**WHEREAS**, copies of the proposed regulations were transmitted to state and local agencies; and

**WHEREAS**, the notice of the Public Hearing was also placed on the City's website on December 29, 2017; and

**WHEREAS**, a State Environmental Policy Act (SEPA) Checklist was prepared; and

**WHEREAS**, the Responsible Official on behalf of the City of Lakewood has made a determination that this project does not have a probable significant adverse impact on the environment; and

**WHEREAS**, a Preliminary Determination of Nonsignificance (DNS) was issued under WAC 197-11-340(2); and

**WHEREAS**, on December 29, 2017, the DNS was published on the Washington State SEPA Register (SEPA # 2017066697); and

**WHEREAS**, on December 29, 2017, the DNS was published in *The News Tribune* on December 29, 2017; and

**WHEREAS**, on January 3, 2018, the City of Lakewood Planning Commission conducted a study session on January 3, 2018 regarding Case Nos LU-17-00261 (text amendment), and LU-17-00262 (SEPA); and

**WHEREAS,** as part of the staff report prepared for Case Nos LU-17-00261, and LU-17-00262, the City's Building Official performed a building code analysis comparing the construction standards of an Adult Family Home versus an Essential Services Facility herein incorporated as Exhibit C; and

**WHEREAS,** this analysis showed that an Essential Services Facility is an institutional use and is not residential in character; and

**WHEREAS,** given the construction standards for an institutional use, it is economically impractical to convert an Adult Family Home into an Essential Services Facility, and that such a modification would be representative of a 'change of use' under the International Building Code; and

**WHEREAS,** DSHS has stated on their own website (December 15, 2017) a policy of "...finding (Essential Services Facility) placements for clients who are ready to discharge from Western State Hospital; development of an ESF along the I-5 corridor is a priority;" and

**WHEREAS,** Western State Hospital is located within the incorporated limits of the City of Lakewood; Lakewood is also adjacent to the I-5 Corridor with over six miles of freeway frontage; and

**WHEREAS,** a high incidence of Adult Family Homes/Group Homes are located in the City of Lakewood; as of December 15, 2015, there are 256 Adult Family Homes in Pierce County of which 73, or 29 percent, are located in Lakewood; and

**WHEREAS,** there are 34 Adult Family Homes located in the Oakbrook Neighborhood, a part of the City, which coincidentally is adjacent to Western State Hospital; and

**WHEREAS,** there is a disproportionate number of Adult Family Homes in Lakewood versus other Pierce County cities; and

**WHEREAS,** the high number of Adult Family Homes located in one section of the Oakbrook Neighborhood, six Adult Family Homes which lie within 374 feet of each other, has changed the character of the surrounding neighborhood; and

**WHEREAS,** Adult Family Homes should not be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others; and

**WHEREAS,** to the best of the City's knowledge, DSHS has not properly performed individual assessments to determine direct threats in Adult Family Home settings; and

**WHEREAS,** prohibiting residents who may have functional disabilities and having a history of violence from being housed in an Adult Family Home improves public safety, and potentially reduces public service demands; and

**WHEREAS,** because of a psychiatric bed shortage in Washington State, DSHS has designed at least four new approaches to alleviate pressure at Western state Hospital; first, to expand bed space at the hospital (based on records available through the Lakewood Community Development & Economic Development Department); second, to expand the role of Adult Family Homes to treat the mentally ill; third, to allow for new Essential Services Facilities; and fourth, the ability to convert an Adult Family Home into an Enhanced Services Facility; and

**WHEREAS,** Essential Services Facilities are not at all similar to the standard operation of Adult Family Home, and may impose undue administrative or financial burden on the City of Lakewood; and

**WHEREAS,** the City has attempted to identify the locations of existing Essential Services Facilities state-wide; and

**WHEREAS,** the number of Essential Services Facilities is limited; three Essential Services Facilities have been permitted in eastern Washington, one in Vancouver, Washington, and a third under construction in Everett, Washington; from the evidence gleaned so far, none of the Essential Services Facilities appear to have been sited within a single family setting; most are located within commercial zoning districts, along collector or arterial streets, in areas with transitional land use patterns, or as part of an existing assisted care facility; and

**WHEREAS,** prohibiting Essential Services Facilities and the conversion of Adult Family Homes to Essential Services Facilities, prohibits dissimilar uses in single-family residential zoning districts, improves public safety, and potentially reduces public service demands; and

**WHEREAS,** on January 17, 2018, the City of Lakewood Planning Commission conducted an advertised public hearing; and

**WHEREAS,** on January 17, 2018, the City of Lakewood Planning Commission closed the public hearing on oral testimony, but left the record open for written comments to be received until February 7, 2018 at 5:00 PM.

**WHEREAS,** following the public hearing the Lakewood Planning Commission chose to revise the proposed regulations for adult family homes and enhanced service facilities; and

**WHEREAS,** a second public hearing was scheduled for March 7, 2018; and

**WHEREAS,** the second public hearing was duly advertised in the same manner as the first public hearing; and

**WHEREAS,** on March 7, 2018, the Lakewood Planning Commission opened and closed the public hearing.

**NOW, THEREFORE,**

**II. THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

**SECTION 1:** The procedural and substantive requirements of the State Environmental Policy Act have been complied with.

**SECTION 2:** The procedural requirements of RCW 36.70A have been complied with.

**SECTION 3:** The proposed amendment is necessary to protect the safety of Lakewood residents since DSHS may not have properly complied with the intent of 70.128 RCW by placing dangerous people in Adult Family Homes.

**SECTION 4:** The proposed amendments are consistent with the City of Lakewood Comprehensive Plan.

**SECTION 6:** The proposed amendments have been reviewed and processed in accordance with the requirements of Title 14 Environmental Protection, Title 14A Critical Areas, and Title 18A Land Use and Development of the City of Lakewood Municipal Code.

**SECTION 7:** All of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

**SECTION 8:** All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State law and the City's municipal code.

**SECTION 9:** The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's recommendations are based, which include, but are not limited to, the staff reports for the Project and all of the materials that support the staff reports for the Project, are located in the City of Lakewood, Community and Economic Development Department at 6000 Main Street SW, Lakewood, Washington, 98499-5027. The custodian of these documents is the Assistant City Manager for Development Services of the City of Lakewood.

**NOW, THEREFORE,**

**III. THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON DOES RECOMMEND AS FOLLOWS:**

**Section 1. Lakewood Municipal Code 18A.20.300 (D.) shall be amended as follows:**

Type 1 Group Home. Publicly or privately operated living accommodations for related or unrelated individuals having handicaps, subject to compliance with all applicable federal, state, and/or local licensing requirements. For the purposes hereof, "handicap" shall mean a physical or mental impairment which substantially limits one or more of the person's major life activities, a record of having such an impairment, or being regarded as having such an impairment; however, the term does not include current, illegal use of or an addiction to a controlled substance.

a. Adult Family Home Business - Defined. An Adult Family Home Business is a Type 1 Group Home licensed pursuant to RCW 70.128.150 and the City's business licensing requirements.

b. Adult Family Home Business - Shall not be Converted. An Adult Family Home Business which is located in a residential zoning district shall not be converted or otherwise changed to an Enhanced Services Facility or any other type of use not permitted in a residential zoning district.

**Section 2. A new subsection Lakewood Municipal Code 18A.20.300 (M.) is added as follows:**

M. Enhanced Service Facility - Defined. Pursuant to RCW 70.97.010 (12), an Enhanced Service Facility means a facility that provides treatment and services to persons for whom acute inpatient treatment is not medically necessary and who have been determined by the Department of Social and Health Services to be inappropriate for placement in other licensed facilities due to the complex needs that result in behavioral and security issues. An Enhanced Service facility is subject to the City's business licensing requirements.



- a. Enhanced Service Facility in Residential Zoning Districts. An Enhanced Service Facility is permitted in the MF1, MF2, and MF3 zoning districts subject to the approval of a conditional use permit and all applicable development permits.
- b. Enhanced Service Facility in Commercial Zoning Districts. An Enhanced Service Facility is permitted in the NC2, TOC, CBD and C2 zoning districts subject to the approval of a conditional use permit and all applicable development permits.
- c. Enhanced Service Facility in all other zoning districts. An Enhanced Service Facility is prohibited in all other zoning districts.

**PASSED, APPROVED, and ADOPTED** this 7<sup>th</sup> day of March, 2018, upon a motion of Commissioner BLANK, seconded by Commissioner BLANK, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
KAREN DEVEREAUX, Secretary

## **EXHIBIT A**

Exhibit A – City’s Public Records Request.

DRAFT

## **EXHIBIT B**

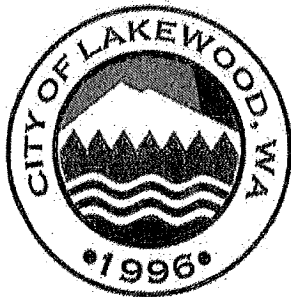
Exhibit B - Adult Family Home permit application.

DRAFT

## **EXHIBIT C**

Building Official Code Analysis.

DRAFT



## EXHIBIT A

Don Anderson  
Mayor

November 7, 2017

Jason Whalen  
Deputy Mayor

DSHS Public Records Officer  
DSHS Office of Policy and External Relations  
PO Box 45135  
Olympia WA 98504-5135

Mary Moss  
Councilmember

Dear Public Records Officer:

Michael D. Brandstetter  
Councilmember

The City of Lakewood requests the following public records from November 1, 2012 through November 1, 2017:

John Simpson  
Councilmember

- 1) Any and all documents from any and all Department employee related to the release of any and all patients or residents of Western State Hospital to any adult family home located in Washington State; and
- 2) Any and all documents from any and all Department employee relating to the priorities, policies and guidelines of the Department in investigating and/or evaluating placements of residents of Western State Hospital.

Marie Barth  
Councilmember

### Terms

Paul Bocchi  
Councilmember

**"Department"** refers to the Washington State Department of Social and Health Services including, but not limited to Western State Hospital.

John J. Caulfield  
City Manager

**"Document"** includes the original or any copy of any material that is handwritten, typed, printed, graphic, electronic or digital, including transcripts, contracts, agreements, spread sheets, work papers of any kind, email or voice mail messages or any other type of media or format used for communication or expression. This request should be interpreted to include all drafts of documents as well as any document bearing commentary or notations on it.

**"Employee"** refers to any full or part time employee of DSHS or Western State Hospital as well as any interns, volunteers, or contractors of DSHS and Western State Hospital.

**"Exemptions"** - Please provide a log of all documents identified but withheld for any reason, under the Act or any other law. Describe the document and the nature of the claimed exemption or exemptions relied upon. Identify the person ultimately responsible for authorizing or approving the claimed exemption.

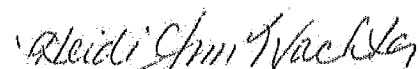
The City of Lakewood is requesting these public records pursuant to the Washington State Public Records Act (Act), chapter 42.56 RCW. As you may know, the Act is to be liberally construed and all exemptions narrowly drawn to effect the Act's important public policy goals.<sup>1</sup>

In August 2017, the City of Lakewood was notified by the Pierce County Prosecuting Attorney that Western State Hospital/Department of Social and Health Services intended to place a resident of the hospital in an adult family home located in the City. The resident has spent most of his adult life at the hospital and while he has limited criminal conviction history, there is evidence that he has murdered one person, assaulted others, and is considered at risk of future danger to himself and others, even when compliant with medications. The City is concerned that such placements threaten not only the community but the safety of residents of adult family homes.

We have been asked to review and research adult family homes in the City of Lakewood, as well as state authority, regulations, current use, comparison with other cities and counties, legislative options and recommended policy changes. Our goal is to present the most complete report possible, which necessarily includes information about the role DSHS plays in placing residents in adult family homes.

Thank you for your prompt attention to this request. We will be available to work with you to better refine these requests in a way that meets our requirements, while also not unnecessarily burdening the Department. The City is willing to waive patient identifiers for patients who have resided or continue to reside at the hospital. Please provide, in an electronic format, all requested documents, redacted as necessary to protect patient identity. Compliance with the Act favors redaction over withholding. Please include a full explanation of any redaction and/or withholding done in this request. In the event the cost of duplicating the requested documents exceeds \$500.00, please contact us before exceeding this amount.

Sincerely,

  
Heidi Ann Wachter  
City Attorney

<sup>1</sup> The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. This chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy and to assure that the public interest will be fully protected. In the event of conflict between the provisions of this chapter and any other act, the provisions of this chapter shall govern. RCW 42.56.030.

## EXHIBIT B

 <b>Adult Family Home Permit Application</b> <b>Community Development</b> 6000 Main St. SW ♦ Lakewood, WA 98499 Phone (253) 512-2261 ♦ permits@cityoflakewood.us	Office use _____
	Permit #: _____
	Date rec'd: _____
<b>Fee: \$132.50</b>	

*This application must include a completed AFH checklist (attached) with required floor plans and site plan.*

<b>SITE ADDRESS:</b>	Parcel #:
<b>APPLICANT:</b>	Phone:
Address (City, State, Zip):	E-Mail Address:
<b>OWNER:</b>	Phone:
Address (City, State, Zip):	E-Mail Address:
<b>AFH LICENSEE:</b>	Phone:
Address (City, State, Zip):	E-Mail Address:

<b>Description:</b>	
_____ _____	
Proposed number of residents _____ Proposed number of employees _____ Number of employees living on-site _____	
<i>I hereby certify that the information provided is correct and that the construction on the above described property, the occupancy, and use will be in accordance with the laws, rules, and regulations of the State of Washington and the Lakewood Municipal Code. I agree to hold harmless the City of Lakewood as to any claim incurred as a result of this work.</i>	
Print Name: _____	<input type="radio"/> Owner <input type="radio"/> Agent <input type="radio"/> Specify _____
Signature: _____	Date: _____

# Adult Family Home (AFH) LOCAL BUILDING INSPECTION CHECKLIST

Code References: 2015 IRC Section R325 (WAC 51-51)

APPLICATION NUMBER: \_\_\_\_\_

**SECTIONS 1. 2. 3. AND 4 MUST BE COMPLETED BY APPLICANT BEFORE INSPECTION WILL BE PROCESSED**

## SECTION 1 – PROPERTY INFORMATION

SITE ADDRESS: \_\_\_\_\_ ASSESSOR'S TAX/PARCEL# \_\_\_\_\_

## SECTION 2 – APPLICANT INFORMATION

PROPERTY OWNER NAME: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_

AFH LICENSEE NAME (IF DIFFERENT): \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_

## SECTION 3 – FLOOR PLAN

**On a separate sheet of paper (8 ½ x 11) draw a floor plan (including all floors) of your prospective AFH. Include all sleeping rooms (bedrooms) indicating which bedroom is: A, B, C D, E and F.**

**Label all components for exiting i.e., stairs, ramps, platforms, lifts and elevators.**

## SECTION 4 – DISCLAIMER/SIGNATURE BLOCK

I certify under penalty of perjury that the information furnished by me is true and correct to the best of my knowledge, and that I am requesting or I am authorized by the owner of the above premises to request inspection for the operation of an Adult Family Home at this location. I agree to hold harmless the jurisdiction conducting such inspections, at my request, as to any claim (including costs, expenses, and attorneys' fees incurred in the investigation of such claim), which may be made by any person, including the undersigned, and filed against the jurisdiction, but only where such claim arises out of the reliance of the jurisdiction, including its officers and employees, upon the accuracy of the information supplied to the jurisdiction as a part of this application.

NAME/TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

☐ PROPERTY OWNER

☐ APPLICANT

☐ LICENSEE

(Effective July 1, 2013.)

Effective: 2013 July 01  
Updated: 2017 February



## SECTION R325 ADULT FAMILY HOMES

**R325.1 General.** This section shall apply to all newly constructed adult family homes and all existing single family homes being converted to adult family homes. This section shall not apply to those adult family homes licensed by the state of Washington department of social and health services prior to July 1, 2001.

**R325.2 Reserved.**

**R325.3 Sleeping room classification.** Each sleeping room in an adult family home shall be classified as:

1. Type S - Where the means of egress contains stairs, elevators or platform lifts.
2. Type NS1 - Where one means of egress is at grade level or a ramp constructed in accordance with R325.9 is provided.
3. Type NS2 - Where two means of egress are at grade level or ramps constructed in accordance with R325.9 are provided.

**R325.4 Types of locking devices and door activation.** All bedroom and bathroom doors shall be openable from the outside when locked.

Every closet shall be readily openable from the inside.

Operable parts of door handles, pulls, latches, locks and other devices installed in adult family homes shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist. Pocket doors shall have graspable hardware available when in the closed or open position.

The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum. Required exit doors shall have no additional locking devices.

Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing reentry into the adult family home without the use of a key, tool or special knowledge.

**R325.5 Smoke and carbon monoxide alarm requirements.** All adult family homes shall be equipped with smoke and carbon monoxide alarms installed as required in Sections R314 and R315.1. Alarms shall be installed in such a manner so that the detection device warning is audible from all areas of the dwelling upon activation of a single alarm.

**R325.6 Escape windows and doors.** Every sleeping room shall be provided with emergency escape and rescue windows as required by Section R310. No alternatives to the sill height such as steps, raised platforms or other devices placed by the openings will be approved as meeting this requirement.

**R325.7 Fire apparatus access roads and water supply for fire protection.** Adult family homes shall be served by fire apparatus access roads and water supplies meeting the requirements of the local jurisdiction.

**R325.8 Grab bar general requirements.** Where facilities are designated for use by adult family home clients, grab bars for water closets, bathtubs and shower stalls shall be installed according to this section.

**R325.8.1 Grab bar cross section.** Grab bars with a circular cross section shall have an outside diameter of 1 1/4 inches minimum and 2 inches maximum. Grab bars with noncircular cross section shall have a cross section dimension of 2 inches maximum and a perimeter dimension of 4 inches minimum and 4 5/8 inches maximum.

**R325.8.2 Grab bar installation.** Grab bars shall have a spacing of 1 1/2 inches between the wall and the bar. Projecting objects, control valves and bathtub or shower stall enclosure features above, below and at the ends of the grab bar shall have a clear space of 1 1/2 inches to the grab bar.

**EXCEPTION: Swing-up grab bars shall not be required to meet the 1 1/2 inch spacing requirement**

Grab bars shall have a structural strength of 250 pounds applied at any point on the grab bar, fastener, mounting device or supporting structural member. Grab bars shall not be supported directly by any residential grade fiberglass bathing or showering unit. Acrylic bars found in bathing units shall be removed.

Fixed position grab bars, when mounted, shall not rotate, spin or move and have a graspable surface finish.

**R325.8.3 Grab bars at water closets.** Water closets shall have grab bars mounted on both sides. Grab bars can be a combination of fixed position and swing-up bars. Grab bars shall meet the requirements of R325.8. Grab bars shall mount between 33 inches and 36 inches above floor grade. Centerline distance between grab bars, regardless of type used, shall be between 25 inches

minimum and 30 inches maximum.

**R325.8.3.1 Fixed position grab bars.** Fixed position grab bars shall be a minimum of 36 inches in length and start 12 inches from the rear wall.

**R325.8.3.2 Swing-up grab bars.** Swing-up grab bars shall be a minimum of 28 inches in length from the rear wall.

**R325.8.4 Grab bars at bathtubs.** Horizontal and vertical grab bars shall meet the requirements of R325.8.

**R325.8.4.1 Vertical grab bars.** Vertical grab bars shall be a minimum of 18 inches long and installed at the control end wall and head end wall. Grab bars shall mount within 4 inches of the exterior of the bath tub edge or within 4 inches within the bath tub. The bottom end of the bar shall start between 36 inches and 42 inches above floor grade.

**EXCEPTION: The required vertical grab bar can be substituted with a floor to ceiling grab bar meeting the requirements of R325.8 at the control end and head end entry points.**

**R325.8.4.2 Horizontal grab bars.** Horizontal grab bars shall be provided at the control end, head end, and the back wall within the bathtub area. Grab bars shall be mounted between 33 inches and 36 inches above floor grade. Control end and head end grab bars shall be 24 inches minimum in length. Back wall grab bar shall be 36 inches minimum in length.

**R325.8.5 Grab bars at shower stalls.** Where shower stalls are provided to meet the requirements for bathing facilities, grab bars shall meet the requirements of R325.8.

**EXCEPTION: Shower stalls with permanent built-in seats are not required to have vertical or horizontal grab bars at the seat end wall. A vertical floor to ceiling grab bar shall be installed within 4 inches of the exterior of the shower aligned with the nose of the built-in seat.**

**R325.8.5.1 Vertical grab bars.** Vertical grab bars shall be 18 inches minimum in length and installed at the control end wall and head end wall. Vertical bars shall be mounted within 4 inches of the exterior of the shower stall or within 4 inches inside the shower stall. The bottom end of vertical bars mount between 36 inches and 42 inches above floor grade.

**R325.8.5.2 Horizontal grab bars.** Horizontal grab bars shall be installed on all sides of the shower stall mounted between 33 inches and 36 inches above the floor grade. Horizontal grab bars shall be a maximum of 6 inches from adjacent walls. Horizontal grab bars shall not interfere with shower control valves.

**R325.9 Ramps.** All interior and exterior ramps, when provided, shall be constructed in accordance with Section R311.8 with a maximum slope of 1 vertical to 12 horizontal. The exception to R311.8.1 is not allowed for adult family homes. Handrails shall be installed in accordance with R325.9.1.

**R325.9.1 Handrails for ramps.** Handrails shall be installed on both sides of ramps between the slope of 1 vertical to 12 horizontal and 1 vertical and 20 horizontal in accordance with R311.8.3.1 through R311.8.3.3.

**R325.10 Stair treads and risers.** Stair treads and risers shall be constructed in accordance with R311.7.5. Handrails shall be installed in accordance with R325.10.1.

**R325.10.1 Handrails for treads and risers.** Handrails shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with R311.7.8.1 through R311.7.8.4.

**R325.11 Shower stalls.** Where provided to meet the requirements for bathing facilities, the minimum size of shower stalls for an adult family home shall be 30 inches deep by 48 inches long.

[Statutory Authority: RCW [19.27.031](#) and chapters [19.27](#) and [34.05](#) RCW. 13-04-068, § 51-51-0325, filed 2/1/13, effective 7/1/13. Statutory Authority: Chapter [19.27](#) RCW. 10-18-036, § 51-51-0325, filed 8/25/10, effective 9/25/10. Statutory Authority: RCW [19.27.190](#), [19.27.020](#), and chapters [19.27](#) and [34.05](#) RCW. 09-04-023, § 51-51-0325, filed 1/27/09, effective 7/1/10. Statutory Authority: RCW [19.27.074](#), [19.27.020](#), and chapters [19.27](#) and [34.05](#) RCW. 07-01-090, § 51-51-0325, filed 12/19/06, effective 7/1/07. Statutory Authority: RCW [19.27.031](#) and [19.27.074](#). 04-01-109, § 51-51-0325, filed 12/17/03, effective 7/1/04.]



NAME OF AFH: \_\_\_\_\_

SECTION 5 **MUST** BE COMPLETED BY THE BUILDING DEPARTMENT IN THE JURISDICTION THE HOME WILL BE LOCATED.

PLEASE CHECK ALL APPLICABLE BOXES; MATCH THE LIST BELOW TO THE APPLICANT'S FLOOR PLAN – USING THEIR PROSPECTIVE RESIDENT BEDROOM DESIGNATIONS OF **A B C D E** AND **F** AND CLASSIFICATION CODE **S, NS1 OR NS2**.

### SECTION 5 – BUILDING INSPECTOR'S INSPECTION CHECKLIST

R325.3 Sleeping Room Classification: Each sleeping room in an Adult family Home shall be classified as:

Type S – where the means of egress contains stairs, elevators or platform lifts to evacuate residents to public area.

Type NS1 – where 1 means of egress at grade level (has no stairs) or ramp constructed compliant with R325.9 is provided to evacuate residents to public area.

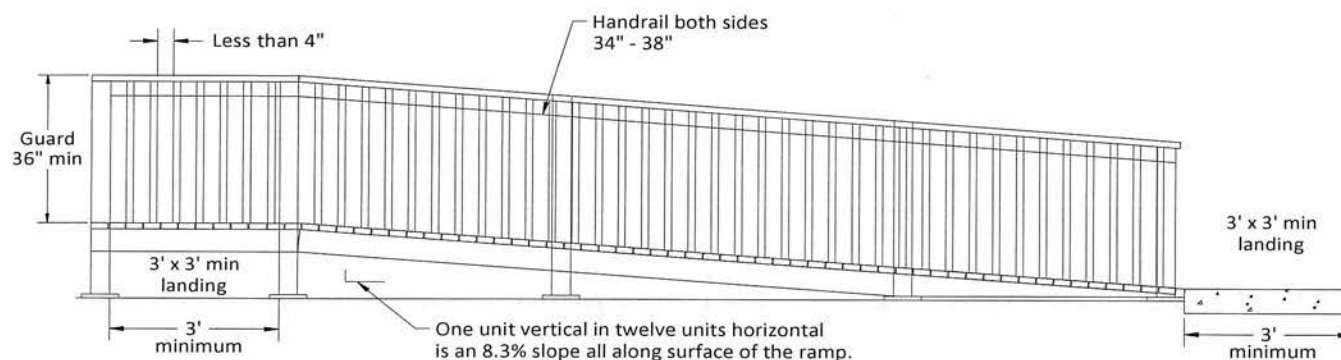
Type NS2 – where 2 means of egress at grade level (both have no stairs) or ramps constructed compliant with R325.9 are provided to evacuate residents to public area.

SLEEPING ROOM A		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div> <div>Closet door/s are readily openable from the inside</div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM B		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div> <div>Closet door/s are readily openable from the inside</div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM C		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div> <div>Closet door/s are readily openable from the inside</div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM D		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div> <div>Closet door/s are readily openable from the inside</div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM E		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div> <div>Closet door/s are readily openable from the inside</div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM F		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div> <div>Closet door/s are readily openable from the inside</div> <div> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>



GENERAL		YES	NO
Bathroom doors are easily and quickly openable from the outside when locked	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide alarms are installed as required in R315 on each level of the home.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke alarms are installed on all levels of the dwelling, in each resident sleeping room, outside each separate sleeping area in the immediate vicinity of sleeping rooms (R314).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke and Carbon Monoxide alarms are installed in such a manner so that the audible warning may be heard in all parts of the dwelling upon activation of a single device.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access road and water supply meet local fire jurisdictional requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pocket doors shall have graspable hardware available when in the closed or open position.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

R311.8 Ramps		YES	NO
Inside Ramp	N/A <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outside Ramp	N/A <input type="checkbox"/>	YES	NO
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guards below are depicted vertically as an example only. <b>All Ramps must have Guards</b>		<input type="checkbox"/>	<input type="checkbox"/>



R311.2 Means of Egress		YES	NO
R311.2 Door must be side-hinged with min. width of 32 inches between face of door and stop. Height not less than 78 inches.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing re-entry without use of key, tool or special knowledge.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.7 Stairways	N/A <input type="checkbox"/>	YES	NO
R311.7.5.1 Riser Height: Max riser height shall be 7 7/8 inches (8 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.7.5.2 Tread Depth: Min. tread depth shall be in 10 inches (9 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.10.1 Handrails for Treads and Risers shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with R311.7.8.1 – R311.7.8.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>R325.8 Grab Bars in Bathrooms</b>	N/A <input type="checkbox"/>		<b>YES</b>	<b>NO</b>
Grab bars shall be installed for all water closets (toilets), bathtubs and showers according to R325.8.			<input type="checkbox"/>	<input type="checkbox"/>
Water Closets (toilet) shall have grab bars installed on both sides according to R325.8 – R325.8.3.1 or R325.8.3.2.			<input type="checkbox"/>	<input type="checkbox"/>
Bathtubs shall have two vertical and three horizontal grab bars installed according to R325.8 - R325.8.4 – R325.8.4.2			<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls have two vertical and horizontal grab bars mounted on all sides of shower according to R325.8 – R325.8.5 – R325.8.5.2.			<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls must be minimum size of 30 inches deep by 48 inches long (R325.11)			<input type="checkbox"/>	<input type="checkbox"/>
<b>AG103 – AG105 Swimming Pool, Spa, Hot Tub</b>			<b>YES</b>	<b>NO</b>
AF105.2 Must be surrounded by a barrier that is 48 inches high, may have doors and or gates that must have audible alarms when opened.			<input type="checkbox"/>	<input type="checkbox"/>
AG105.5 EXCEPTION: Pools, Spas or Hot Tubs with a safety cover which complies with ASTM F 1346			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> PASSED <input type="checkbox"/> CORRECTIONS REQUIRED <input type="checkbox"/> PERMIT REQUIRED				
_____ INSPECTOR'S NAME (PRINT)				
_____ INSPECTOR'S SIGNATURE				
_____ DATE:				
_____ INSPECTOR'S OFFICE ADDRESS				
_____ PHONE NUMBER:				
Application and inspection checklist developed by Washington Association of Building Officials (WABO), in cooperation with Department of Social and Health Services (DSHS) for use by both departments and licensors. 07/01/2013				



**Additional Checklist Copy for DSHS.  
Must be provided at time of application  
submittal.**



# Adult Family Home (AFH) LOCAL BUILDING INSPECTION CHECKLIST

Code References: 2015 IRC Section R325 (WAC 51-51)

APPLICATION NUMBER: \_\_\_\_\_

**SECTIONS 1. 2. 3. AND 4 MUST BE COMPLETED BY APPLICANT BEFORE INSPECTION WILL BE PROCESSED**

## SECTION 1 – PROPERTY INFORMATION

SITE ADDRESS: \_\_\_\_\_ ASSESSOR'S TAX/PARCEL#: \_\_\_\_\_

## SECTION 2 – APPLICANT INFORMATION

PROPERTY OWNER NAME: \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_

AFH LICENSEE NAME (IF DIFFERENT): \_\_\_\_\_ DAYTIME PHONE: \_\_\_\_\_

## SECTION 3 – FLOOR PLAN

**On a separate sheet of paper (8 ½ x 11) draw a floor plan (including all floors) of your prospective AFH. Include all sleeping rooms (bedrooms) indicating which bedroom is: A, B, C D, E and F.**

**Label all components for exiting i.e., stairs, ramps, platforms, lifts and elevators.**

## SECTION 4 – DISCLAIMER/SIGNATURE BLOCK

I certify under penalty of perjury that the information furnished by me is true and correct to the best of my knowledge, and that I am requesting or I am authorized by the owner of the above premises to request inspection for the operation of an Adult Family Home at this location. I agree to hold harmless the jurisdiction conducting such inspections, at my request, as to any claim (including costs, expenses, and attorneys' fees incurred in the investigation of such claim), which may be made by any person, including the undersigned, and filed against the jurisdiction, but only where such claim arises out of the reliance of the jurisdiction, including its officers and employees, upon the accuracy of the information supplied to the jurisdiction as a part of this application.

NAME/TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

☐ PROPERTY OWNER

☐ APPLICANT

☐ LICENSEE

(Effective July 1, 2013.)

Effective: 2013 July 01  
Updated: 2017 February

## SECTION R325 ADULT FAMILY HOMES

**R325.1 General.** This section shall apply to all newly constructed adult family homes and all existing single family homes being converted to adult family homes. This section shall not apply to those adult family homes licensed by the state of Washington department of social and health services prior to July 1, 2001.

**R325.2 Reserved.**

**R325.3 Sleeping room classification.** Each sleeping room in an adult family home shall be classified as:

1. Type S - Where the means of egress contains stairs, elevators or platform lifts.
2. Type NS1 - Where one means of egress is at grade level or a ramp constructed in accordance with R325.9 is provided.
3. Type NS2 - Where two means of egress are at grade level or ramps constructed in accordance with R325.9 are provided.

**R325.4 Types of locking devices and door activation.** All bedroom and bathroom doors shall be openable from the outside when locked.

Every closet shall be readily openable from the inside.

Operable parts of door handles, pulls, latches, locks and other devices installed in adult family homes shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist. Pocket doors shall have graspable hardware available when in the closed or open position.

The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum. Required exit doors shall have no additional locking devices.

Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing reentry into the adult family home without the use of a key, tool or special knowledge.

**R325.5 Smoke and carbon monoxide alarm requirements.** All adult family homes shall be equipped with smoke and carbon monoxide alarms installed as required in Sections R314 and R315.1. Alarms shall be installed in such a manner so that the detection device warning is audible from all areas of the dwelling upon activation of a single alarm.

**R325.6 Escape windows and doors.** Every sleeping room shall be provided with emergency escape and rescue windows as required by Section R310. No alternatives to the sill height such as steps, raised platforms or other devices placed by the openings will be approved as meeting this requirement.

**R325.7 Fire apparatus access roads and water supply for fire protection.** Adult family homes shall be served by fire apparatus access roads and water supplies meeting the requirements of the local jurisdiction.

**R325.8 Grab bar general requirements.** Where facilities are designated for use by adult family home clients, grab bars for water closets, bathtubs and shower stalls shall be installed according to this section.

**R325.8.1 Grab bar cross section.** Grab bars with a circular cross section shall have an outside diameter of 1 1/4 inches minimum and 2 inches maximum. Grab bars with noncircular cross section shall have a cross section dimension of 2 inches maximum and a perimeter dimension of 4 inches minimum and 4 5/8 inches maximum.

**R325.8.2 Grab bar installation.** Grab bars shall have a spacing of 1 1/2 inches between the wall and the bar. Projecting objects, control valves and bathtub or shower stall enclosure features above, below and at the ends of the grab bar shall have a clear space of 1 1/2 inches to the grab bar.

**EXCEPTION: Swing-up grab bars shall not be required to meet the 1 1/2 inch spacing requirement**

Grab bars shall have a structural strength of 250 pounds applied at any point on the grab bar, fastener, mounting device or supporting structural member. Grab bars shall not be supported directly by any residential grade fiberglass bathing or showering unit. Acrylic bars found in bathing units shall be removed.

Fixed position grab bars, when mounted, shall not rotate, spin or move and have a graspable surface finish.

**R325.8.3 Grab bars at water closets.** Water closets shall have grab bars mounted on both sides. Grab bars can be a combination of fixed position and swing-up bars. Grab bars shall meet the requirements of R325.8. Grab bars shall mount between 33 inches and 36 inches above floor grade. Centerline distance between grab bars, regardless of type used, shall be between 25 inches



minimum and 30 inches maximum.

**R325.8.3.1 Fixed position grab bars.** Fixed position grab bars shall be a minimum of 36 inches in length and start 12 inches from the rear wall.

**R325.8.3.2 Swing-up grab bars.** Swing-up grab bars shall be a minimum of 28 inches in length from the rear wall.

**R325.8.4 Grab bars at bathtubs.** Horizontal and vertical grab bars shall meet the requirements of R325.8.

**R325.8.4.1 Vertical grab bars.** Vertical grab bars shall be a minimum of 18 inches long and installed at the control end wall and head end wall. Grab bars shall mount within 4 inches of the exterior of the bath tub edge or within 4 inches within the bath tub. The bottom end of the bar shall start between 36 inches and 42 inches above floor grade.

**EXCEPTION: The required vertical grab bar can be substituted with a floor to ceiling grab bar meeting the requirements of R325.8 at the control end and head end entry points.**

**R325.8.4.2 Horizontal grab bars.** Horizontal grab bars shall be provided at the control end, head end, and the back wall within the bathtub area. Grab bars shall be mounted between 33 inches and 36 inches above floor grade. Control end and head end grab bars shall be 24 inches minimum in length. Back wall grab bar shall be 36 inches minimum in length.

**R325.8.5 Grab bars at shower stalls.** Where shower stalls are provided to meet the requirements for bathing facilities, grab bars shall meet the requirements of R325.8.

**EXCEPTION: Shower stalls with permanent built-in seats are not required to have vertical or horizontal grab bars at the seat end wall. A vertical floor to ceiling grab bar shall be installed within 4 inches of the exterior of the shower aligned with the nose of the built-in seat.**

**R325.8.5.1 Vertical grab bars.** Vertical grab bars shall be 18 inches minimum in length and installed at the control end wall and head end wall. Vertical bars shall be mounted within 4 inches of the exterior of the shower stall or within 4 inches inside the shower stall. The bottom end of vertical bars mount between 36 inches and 42 inches above floor grade.

**R325.8.5.2 Horizontal grab bars.** Horizontal grab bars shall be installed on all sides of the shower stall mounted between 33 inches and 36 inches above the floor grade. Horizontal grab bars shall be a maximum of 6 inches from adjacent walls. Horizontal grab bars shall not interfere with shower control valves.

**R325.9 Ramps.** All interior and exterior ramps, when provided, shall be constructed in accordance with Section R311.8 with a maximum slope of 1 vertical to 12 horizontal. The exception to R311.8.1 is not allowed for adult family homes. Handrails shall be installed in accordance with R325.9.1.

**R325.9.1 Handrails for ramps.** Handrails shall be installed on both sides of ramps between the slope of 1 vertical to 12 horizontal and 1 vertical and 20 horizontal in accordance with R311.8.3.1 through R311.8.3.3.

**R325.10 Stair treads and risers.** Stair treads and risers shall be constructed in accordance with R311.7.5. Handrails shall be installed in accordance with R325.10.1.

**R325.10.1 Handrails for treads and risers.** Handrails shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with R311.7.8.1 through R311.7.8.4

**R325.11 Shower stalls.** Where provided to meet the requirements for bathing facilities, the minimum size of shower stalls for an adult family home shall be 30 inches deep by 48 inches long.

[Statutory Authority: RCW 19.27.031 and chapters 19.27 and 34.05 RCW. 13-04-068, § 51-51-0325, filed 2/1/13, effective 7/1/13. Statutory Authority: Chapter 19.27 RCW. 10-18-036, § 51-51-0325, filed 8/25/10, effective 9/25/10. Statutory Authority: RCW 19.27.190, 19.27.020, and chapters 19.27 and 34.05 RCW. 09-04-023, § 51-51-0325, filed 1/27/09, effective 7/1/10. Statutory Authority: RCW 19.27.074, 19.27.020, and chapters 19.27 and 34.05 RCW. 07-01-090, § 51-51-0325, filed 12/19/06, effective 7/1/07. Statutory Authority: RCW 19.27.031 and 19.27.074. 04-01-109, § 51-51-0325, filed 12/17/03, effective 7/1/04.]



**NAME OF AFH:** \_\_\_\_\_SECTION 5 **MUST BE COMPLETED BY THE BUILDING DEPARTMENT IN THE JURISDICTION THE HOME WILL BE LOCATED.****PLEASE CHECK ALL APPLICABLE BOXES; MATCH THE LIST BELOW TO THE APPLICANT'S FLOOR PLAN – USING THEIR PROSPECTIVE RESIDENT BEDROOM DESIGNATIONS OF A B C D E AND F AND CLASSIFICATION CODE S, NS1 OR NS2.****SECTION 5 – BUILDING INSPECTOR'S INSPECTION CHECKLIST**

R325.3 Sleeping Room Classification: Each sleeping room in an Adult family Home shall be classified as:

Type S – where the means of egress contains stairs, elevators or platform lifts to evacuate residents to public area.

Type NS1 – where 1 means of egress at grade level (has no stairs) or ramp constructed compliant with R325.9 is provided to evacuate residents to public area.

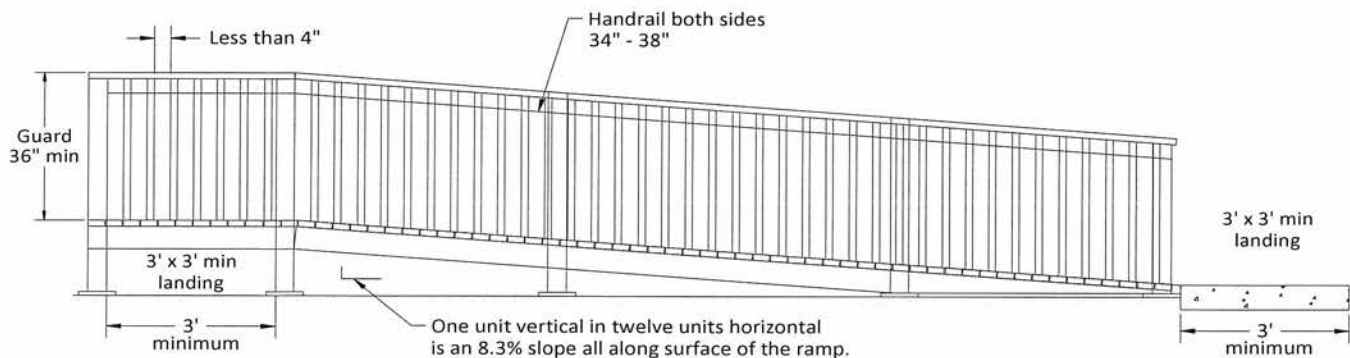
Type NS2 – where 2 means of egress at grade level (both have no stairs) or ramps constructed compliant with R325.9 are provided to evacuate residents to public area.

SLEEPING ROOM A		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div>Closet door/s are readily openable from the inside</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM B		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div>Closet door/s are readily openable from the inside</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM C		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div>Closet door/s are readily openable from the inside</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM D		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div>Closet door/s are readily openable from the inside</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM E		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div>Closet door/s are readily openable from the inside</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>
SLEEPING ROOM F		<input type="checkbox"/> Type S	<input type="checkbox"/> Type NS1	<input type="checkbox"/> Type NS2	YES	NO
<div>Closet door/s are readily openable from the inside</div> <div><input type="checkbox"/> Yes <input type="checkbox"/> No</div>	Smoke alarm is installed in the bedroom		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bedroom door opens easily and quickly from the outside when locked					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a net opening of 5.7 SF (minimum dimensions at least 24" high; at least 20" wide) <b>EXCEPT</b> per R310.2.1: at-grade escape windows – may have net clearance opening 5 SF					<input type="checkbox"/>	<input type="checkbox"/>
Sleeping room window has a maximum sill height of 44" above floor to clear opening; no steps under window allowed					<input type="checkbox"/>	<input type="checkbox"/>



GENERAL		YES	NO
Bathroom doors are easily and quickly openable from the outside when locked	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide alarms are installed as required in R315 on each level of the home.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke alarms are installed on all levels of the dwelling, in each resident sleeping room, outside each separate sleeping area in the immediate vicinity of sleeping rooms (R314).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke and Carbon Monoxide alarms are installed in such a manner so that the audible warning may be heard in all parts of the dwelling upon activation of a single device.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access road and water supply meet local fire jurisdictional requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pocket doors shall have graspable hardware available when in the closed or open position.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

R311.8 Ramps		YES	NO
Inside Ramp	N/A <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outside Ramp	N/A <input type="checkbox"/>	YES	NO
R311.8.1 Maximum Slope one unit vertical in twelve units horizontal (8.3% slope). (Exception R311.8.1 Not allowed in AFH )	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.8.2 Landing Requirements: min. 3X3 foot landing at top/bottom, where doors open onto ramps, and where ramp changes directions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.9.1 Handrails required on both sides of ramp in accordance with R311.8.3.1 – R311.8.3.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guards below are depicted vertically as an example only. <b>All Ramps must have Guards</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



R311.2 Means of Egress		YES	NO
R311.2 Door must be side-hinged with min. width of 32 inches between face of door and stop. Height not less than 78 inches.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Operable parts of door handles, pulls, latches, locks and other devices installed in AFH shall be operable with one hand and shall not require tight grasping, pinching or twisting of the wrist (lever-type).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.4 Required exit door hardware shall unlock inside and outside mechanisms when exiting the building allowing re-entry without use of key, tool or special knowledge.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.7 Stairways	N/A <input type="checkbox"/>	YES	NO
R311.7.5.1 Riser Height: Max riser height shall be 7 1/4 inches (8 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R311.7.5.2 Tread Depth: Min. tread depth shall be in 10 inches (9 inches in structures built prior to July 1, 2004)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R325.10.1 Handrails for Treads and Risers shall be installed on both sides of treads and risers numbering from one riser to multiple risers. Handrails shall be installed in accordance with R311.7.8.1 – R311.7.8.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>R325.8 Grab Bars in Bathrooms</b>	N/A <input type="checkbox"/>		<b>YES</b>	<b>NO</b>
Grab bars shall be installed for all water closets (toilets), bathtubs and showers according to R325.8.			<input type="checkbox"/>	<input type="checkbox"/>
Water Closets (toilet) shall have grab bars installed on both sides according to R325.8 – R325.8.3.1 or R325.8.3.2.			<input type="checkbox"/>	<input type="checkbox"/>
Bathtubs shall have two vertical and three horizontal grab bars installed according to R325.8 - R325.8.4 – R325.8.4.2			<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls have two vertical and horizontal grab bars mounted on all sides of shower according to R325.8 – R325.8.5 – R325.8.5.2.			<input type="checkbox"/>	<input type="checkbox"/>
Shower stalls must be minimum size of 30 inches deep by 48 inches long (R325.11)			<input type="checkbox"/>	<input type="checkbox"/>
<b>AG103 – AG105 Swimming Pool, Spa, Hot Tub</b>			<b>YES</b>	<b>NO</b>
AF105.2 Must be surrounded by a barrier that is 48 inches high, may have doors and or gates that must have audible alarms when opened.			<input type="checkbox"/>	<input type="checkbox"/>
AG105.5 EXCEPTION: Pools, Spas or Hot Tubs with a safety cover which complies with ASTM F 1346			<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> <b>PASSED</b> <input type="checkbox"/> <b>CORRECTIONS REQUIRED</b> <input type="checkbox"/> <b>PERMIT REQUIRED</b>				
<hr/> <b>INSPECTOR'S NAME (PRINT)</b>				
<hr/> <b>INSPECTOR'S SIGNATURE</b>			<hr/> <b>DATE:</b>	
<hr/> <b>INSPECTOR'S OFFICE ADDRESS</b>			<hr/> <b>PHONE NUMBER:</b>	
Application and inspection checklist developed by Washington Association of Building Officials (WABO), in cooperation with Department of Social and Health Services (DSHS) for use by both departments and licensors. 07/01/2013				

## EXHIBIT C

City of Lakewood  
6000 Main Street SW  
Lakewood, WA 98499-1502  
Phone: (253) 512-2261  
Fax: (253) 512-2268



### Interoffice Memo

**Date:** December 19, 2017  
**To:** Dave Bugher  
**From:** Nancy Craig  
**Re:** Adult Family Home/Enhanced Service Facilities

I went through the various WAC codes to get a better understanding of the differences. I also reviewed sections of WAC 388-76 to understand "Specialty care designation" for AFH (WAC 388-76-10495, 10500, 10505) to determine if that appeared to open the AFH up for an ESF resident. I don't believe it does as an ESF states that it is specifically used for "transitioning" from state or local hospitals and they have different approval processes, staffing and building requirements. The building and staffing requirements for an EFS would make it difficult for an AFH, limited to 6 individuals, to make a profit.

The following table shows some of the differences.

	Adult Family Home	Enhanced Service Facility
Governing WAC	WAC 388-76	WAC 388-107
Approving agencies	DSHS Local Jurisdiction	DSHS DOH Local Jurisdiction
Customers	Individuals needing personal care, special care, room and board	Designed to serve individuals transitioning coming from state or local psychiatric hospitals
Building requirements		
Doors/hardware	Meet WAC 51-51 for residential construction	36" wide Swing out for staff emergency access Door hinges designed to minimize points for hanging Lever handles-anti ligature
Windows	Bedroom egress windows	Windows – tempered Bedrooms - egress
Kitchens/Food Prep	Must comply with WAC 388-112 and meet WAC 51-51 for residential construction	Must comply with WAC 246-215 and WAC 246-217
Bathrooms	1 toilet per 5 persons	1 toilet per 4 persons



# of residents	Maximum 6	Maximum 16
# of residents per room	Max 2	Max 1
Staff	1 qualified caregiver present unless the resident meets the criteria to be left alone per WAC 388-76-10200 #2	2 staff awake and on duty at all times 1 staff per 4 residents Registered nurse at least 20 hrs per week. On-call registered nurse within 30 minutes other times Licensed nurse on duty whenever a registered nurse not on-site Mental health professional on-duty at least 8 hrs per day Available on-call within 30 minutes other times
Training/Special Training	Orientation Basic Training Caregiver has minimum first aid card or certificate and CPR card	De-escalation Training Mental Health Specialty Training Dementia Specialty Training Home and Community Based Services Training

I did find that Adult Family Homes are able to accept mental health patients. WAC 388-76-1050 states "The adult family home must not admit or keep a resident with specialty care needs, such as developmental disability, mental illness, or dementia as defined in WAC 388-76-1000, if the provider entity representative, resident manager and staff have not completed the specialty care training required by WAC chapter 388-112.

**WAC 388-76-10500** allows an AFH to accept patients with known mental illnesses when:

- The provider, entity representative and resident manager have successfully completed training in one or more of the specialty designated area;
- The home provides the department with written documentation of successful completion and that specialty care training be provided for all caregivers in the AFH by a person knowledgeable in specialty care.
- The home ensures the specialty care need of each resident is met.

**WAC 388-112A-0010 29) "Specialty training"** refers to curricula that meets the requirements of RCW 18.20.270 and 70.128.230 to provide basic core knowledge and skills that caregivers need to learn and understand to effectively and safely provide care to residents living with mental illness, dementia, or developmental disabilities. The specialty training curricula may be DSHS developed or DSHS approved and must be based on the competencies and learning objectives in WAC 388-112A-0430, 388-112A-0440, or 388-112A-0450.

**WAC 388-76-1000** uses the following definitions (paraphrased)

**Developmental Disability-** A severe chronic disability which is attributable to cerebral palsy or epilepsy, or any other condition other than mental illness, found to be related to mental retardation which results in impairment of general intellectual functioning or adaptive behavior similar to that of a

person with mental retardation, and requires treatment or services similar to those required for these person (i.s., autism)

**Mental Illness-** is defined as an Axis 1 or II diagnosed mental illness as outlined in volume IV of the Diagnostic and Statistical Manual of Mental Disorders (available through the aging and disability services administration)

The following is taken from the Diagnostic and Statistical Manual of Mental Disorders:

- **Axis I:** All psychological diagnostic categories except mental retardation and personality disorder
- **Axis II:** Personality disorders and mental retardation

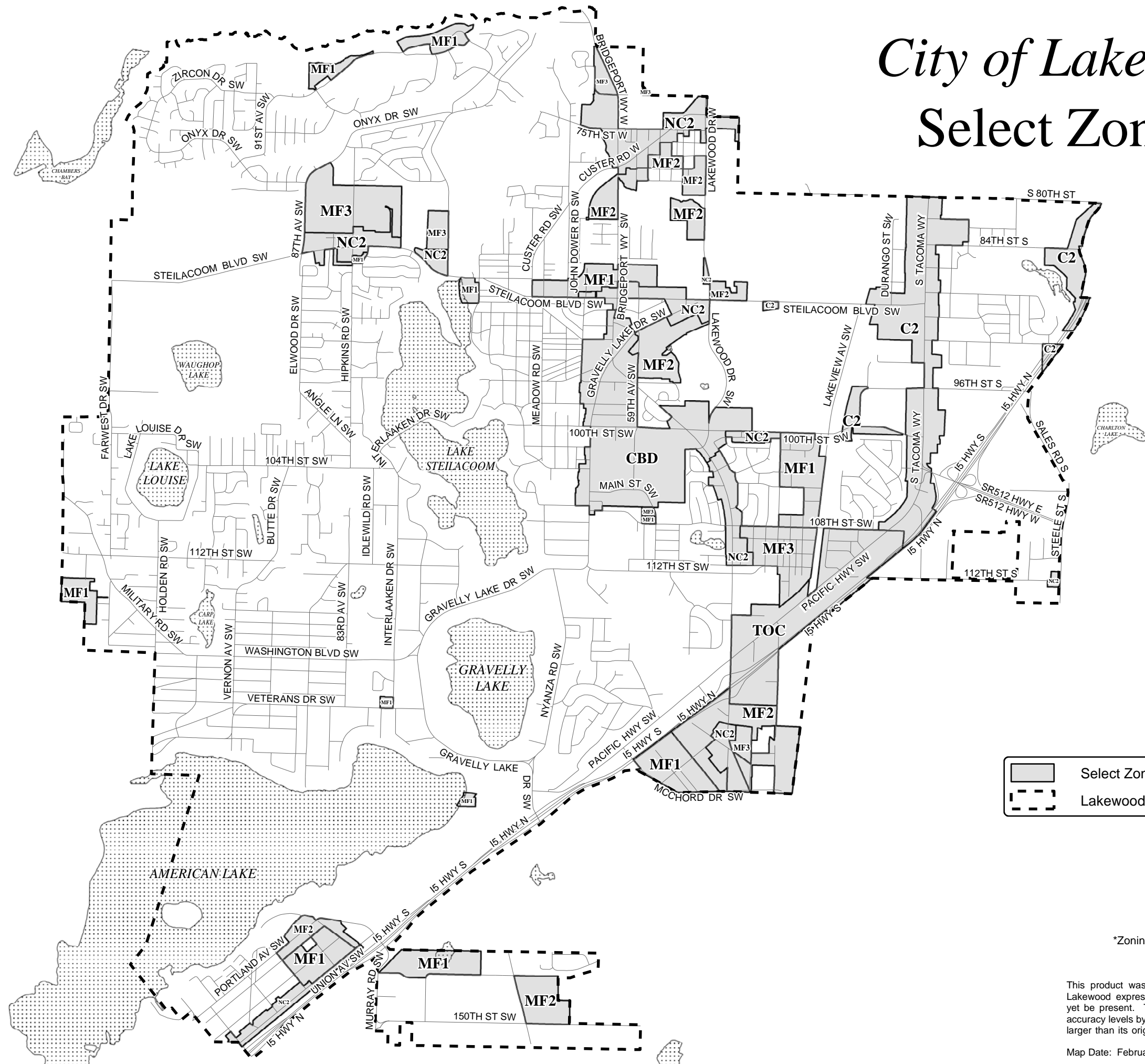
Mental/Psychiatric/Behavioral/Learning conditions include, but are not limited to: depression, anxiety disorders, bipolar disorder, ADHD, autism spectrum disorders, anorexia nervosa, bulimia nervosa, and schizophrenia.

**Personality Disorders include, but are not limited to:** paranoid personality disorder, schizoid personality disorder, schizotypal personality disorder, borderline personality disorder, antisocial personality disorder, narcissistic personality disorder, histrionic personality disorder, avoidant personality disorder, dependent personality disorder, obsessive-compulsive personality disorder; and organic intellectual disabilities.

**Dementia-** Is defined as a condition documented through the assessment process required by WAC 388-76-10335 (Resident Assessment)

I did a sampling of 20 AFS already licensed in Lakewood and found that 19 of their "Disclosure of Service" forms listed "Mental Illness" as a specialty care they provided. I was unable to find anything defining how DSHS labels AFH levels, only the information of how they are certified to offer the specialty care. Nor was I able to find information on who, how or if mentally ill patients are rated for possible danger to staff, other patients or the surrounding community. Patient confidentiality would prohibit the city from getting clear information on the number and nature of current patients.

In conclusion, an Adult Family Home could not be reclassified as an Enhanced Service Facility as they would have to make building modifications which would trigger a change of use from an R-3 to an I-1 by the building department. Current zoning would not allow an institutional type facility in a residential zone. The current rules for Adult Family Homes would allow a patient to transition from an ESF to an AFH as long as the staff has had the required specialty care training.



Select Zoning\*

Lakewood City Limit

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