

Residential Treatment Facility North (RTFN) – CUP Approval Criteria

Address: 29919 80TH AVE NW, STANWOOD WA

Parcel: 32041800100100

Zone: Rural 5 Acre (R-5)

Jurisdiction: Snohomish County

Pre-App Number: 21 117783 PA

PFN: 22 102230 CUP

The proposed property located at 29919 80st Ave NW in Stanwood, WA, are comprised of 15.56 acres of land with a Washington State designated use of “Open space Agriculture” per RCW 84.34. The property is located in Snohomish County outside of the Stanwood city limits. The Snohomish county designation for these properties is “Rural – 5 Acre”. The property is owned by the Tulalip Tribe along with the parcel directly to the south.

This parcel will undergo a Boundary Line Adjustment with the neighboring parcel to the south which will reallocate the 30.22 acres into two lots of roughly 4.81 acres in the northeast corner, which will become the Project Parcel, with the remaining 25.41 acres encompassing the rest of the property.

The Project Parcel is proposed to accommodate two 16-bed Residential Treatment Facilities (RTFs) developed in partnership with the State of Washington, which will take up a small portion of the land. The facilities will provide secure civil behavioral health services.

This project will consist of two single story buildings of approximately 15,500 square feet each. Phase 1 will construct the proposed building located to the south of the Project Parcel along with all the site improvements and parking for both structures, and Phase 2 will construct the north building. Space for a maintenance building of 500 square feet will be allocated with utilities extended to the location as will be needed for the structure.

RTFN is to operate as a behavioral health facility, housing patients for 90 to 180 days via involuntary commitment. As such, patients do not have access to vehicles. Each day is to comprise three shifts of staffing. Approximately 12 to 15 staff members are anticipated on-site during swing and morning shifts while approximately 8 staff members are anticipated during night shifts. To provide a conservative parking demand estimation, it is anticipated that each employee would drive to work and require a parking stall. Therefore, a maximum of 15 estimated employees on-site during a single shift would yield an on-site parking demand of 15 parking stalls. Assuming a shift change that may result in an overlap of staff on-site, a maximum of 15 additional employees may arrive on-site concurrently for a brief duration as the previous shift of 15 staff depart. Therefore, a maximum of 30 estimated employees on-site (albeit for a very short duration) would yield an on-site demand of 30 parking stalls at a given time. Visitors to the site will be required to schedule ahead and would not occur during shift changes.

Snohomish County Code (SCC) 30.91H.095 defines this project as a Level II Health and Social Service Facility. This use is permitted through a conditional use process and would only be allowed if it is not served by public sewer according to SCC 30.22.110 and corresponding footnote 91.

30.42C.100 Decision criteria - conditional use permit.

(1) The hearing examiner may deny, approve, or approve with conditions an application for a conditional use permit. If an application for a conditional use permit satisfies all of the criteria set forth below, the application may be approved or approved with conditions. If any of the criteria set forth below are not met, the application must be denied.

(a) The proposal is consistent with the comprehensive plan;

Response: This proposal is consistent with the County Comprehensive Plan and the interjurisdictional coordination between the county and cities, agencies, and stakeholders, including the Tulalip Tribe.

GENERAL POLICY PLAN

Interjurisdictional Coordination

Intergovernmental or interjurisdictional coordination has been described as “a meaningful effort to bring all parties together to identify concerns, discuss issues, examine solutions, resolve problems, and employ joint approaches, where appropriate, to manage the uncoordinated and unplanned growth posing a threat to the environment, economic development and high quality of life in the state.”

Snohomish County and its cities, towns, and the Tulalip Tribes recognize the benefits of coordinated planning. The cities, county and Tribes continue to participate in Snohomish County Tomorrow (SCT), a joint planning process through which goals have been formulated to guide the development and revision of local comprehensive plans. These goals form the basis for the countywide planning policies which were also developed through SCT.

GOAL IC Promote the coordination of planning, financing, and implementation programs between the county and local jurisdictions including tribal governments.

Objective IC 1.G Promote and support public health initiatives in collaboration with partner agencies and community stakeholders.

Additionally, county comprehensive planning includes the necessity to plan for locating public health facilities in appropriate locations. Three years ago, Governor Inslee laid out his vision to provide services in local communities for people with acute mental illness. Serving people in their home communities is essential to this plan. To do this, this transformation requires development of a continuum of services that can prevent or divert people from being committed to the state hospitals and can support people in their recovery after treatment in a hospital is complete. The interest by Governor Inslee and the Legislature is spurred by Washington’s rank of 47th in the nation in capacity for appropriate mental health services. Compared to the rest of the country, Washington has a high prevalence of mental illness and low access to care. It is anticipated that the state currently needs almost 370 more civil beds than our current capacity. This facility will provide local resources to the community.

A Tax Sharing Compact was created between the Tulalip Tribes and the State of Washington in July 2020 which lays out the requirements for the construction and funding of these two proposed facilities, how they will be managed, and how tax sharing will be allocated, among other details. This document is available for public viewing on the following project website.

<https://www.hca.wa.gov/about-hca/behavioral-health-recovery/proposed-community-based-residential-treatment-facility>

LAND USE

Rural lands are those areas outside of urban growth areas (UGAs), excluding agricultural and forest lands, which are discussed in separate subsections. Mineral resource lands, also discussed in a separate subsection, overlap with a small portion of rural lands. In Snohomish County, rural areas are traditionally used for hobby farms, tree nurseries, greenhousing, agricultural crops, livestock, mineral extraction and processing, timber production, and low-density residential development. The low intensity use of rural land also provides fish and wildlife habitat, open space, and other environmental benefits.

The countywide planning policies for Rural Land Use and Resource Lands (agricultural, forest, and mineral lands) provide the policy framework for preparing the rural element of the county comprehensive plan. The rural land use policies provide for limited growth in rural areas, strive to be sensitive to existing land uses and development patterns, preserve rural character and lifestyle, and protect the environment and natural resource lands.

Objective LU 6.B Encourage land use activities and development intensities that protect the character of rural areas, avoid interference with resource land uses, minimize impacts upon critical areas, and allow for future expansion of UGAs.

6.B.2 The retention of small forest, farming, horse farm and other livestock based farm operations and hobby farms shall be encouraged in rural areas.

6.B.3 Resource-based industries that help sustain rural communities, require only rural levels of service, support the conservation of natural resource lands, and complement rural character shall be promoted in rural areas.

Response: The parcels are mapped as Local Commercial Farmland per the Comprehensive Plan, which is addressed in the Agricultural Lands portion of the General Plan. However, they are zoned Rural – 5 acre and so also are addressed through the Rural Lands commentary listed above. The minimum allowable size of 5 acres has been portioned off for the specific project site, leaving the remaining 25+ acres in the current use of some residential buildings, outbuildings, and open pasture land. Additionally, wetlands are being avoided and their buffers planted to improve the existing critical habitat. The buildings are being designed as single-story structures with residential components such as sloped roofs, window design and spacings, and finish materials that are similarly found in residential construction, with the intention of blending with the character of buildings in the area.

TRANSPORTATION

TR Policies

4.D.2 Vehicle access shall be limited to collector arterials and local roads as a condition of development whenever practicable.

4.D.4 Adequate distance of driveways from intersections shall be required in order to promote safe and efficient flow of vehicular traffic.

4.D.6 Driveways shall be located in a manner that provides adequate sight distance for all traffic movements and does not interfere with traffic operations at intersections.

4.D.7 On-site traffic circulation shall be designed in a way that allows safe and efficient storage and movement of driveway traffic.

Response: this facility will have a minor impact on traffic in the area as the majority of the traffic will be from staff as they arrive and leave for their shifts. Staff work in 3 shifts including a swing shift. The day shift will be the most staffed at from 12-15 employees per building. The time when most staff are in the facilities is at the shift change. Specialty staff and visitors are scheduled for times outside of shift changes. This proposal has 30 parking stalls for each building. Traffic and parking analyses have been completed to verify those impacts. In addition, all design components will be consistent with county regulations and will meet Emergency Vehicle Access standards.

ECONOMIC DEVELOPMENT

GOAL ED 3 Encourage the retention and expansion of existing businesses and jobs while working to attract new businesses and jobs.

Response: These facilities will bring additional professional living wage jobs to the area.

(b) The proposal complies with applicable requirements of this title;

Response: This project is designed in accordance with applicable codes, standards, and regulations as listed above. In addition, this project is designed to be in compliance with state WAC's and RCW's, Department of Social and Health Services licensing requirements, and is consistent with County's Comprehensive Plan.

The proposal is designed in compliance with the following sections of the municipal code:

30.22 Uses Allowed in Zones

- Level II Health and Social Service Facilities are a permitted use in the R-5 zone as a conditional use per SCC 30.22.110.*
- A conditional use permit must be applied for per SCC 30.42C*

30.23 General Development Standards - Bulk Regulations

- Min lot size is 200,000 SF and is provided at 4.81 acres through a BLA*

- *Min lot width and depth is 165'*
- *Max lot (building) coverage of 35%*
- *30' building setback from all property lines is met*
- *20' structure (fencing for outdoor courtyard) setback from road per SCC 30.23.043*

30.24 General Development Standards – Access and Road Network

- *Project will be compliant for pedestrian connectivity, fire lane and general access requirements, with pedestrian sidewalks between parking connecting to all building doors, a 30' clear driveway width and fire access turn around`*

30.25 General Development Standards - Landscaping

- *A 20-foot wide Type A perimeter landscaping buffer will be provided per Table 20.25.020(1) along all property boundaries, except the road frontage, where a 10-foot Type B landscape buffer will be provided per SCC 30.25.020(4).*
- *A buffer mitigation plan for the wetlands has been prepared which also addresses the plantings required along the western property line and the areas where landscape buffers overlap with wetland buffers. Wetlands plantings take precedence in those overlapping locations.*
- *All perimeter landscape areas will be located within private easements.*
- *Parking lot landscaping will be provided per SCC 30.25.022, generally providing landscaped islands through the parking areas and at the end of rows.*
- *Outside storage and waste areas are screened per SCC 30.25.024.*

30.26 General Development Standards – Parking

- *Parking will be provided at 30 stalls per building. Parking calculations have been analyzed by Heath & Associates, Traffic Engineering.*

30.42C Conditional Use Permits

30.61 Environmental Review

- *An Environment (SEPA) Checklist is provided along with standard reports.*

(c) The proposal will not be materially detrimental to uses or property in the immediate vicinity; and

Response: The proposed use is Institutional in nature and the zone is Rural-5 acres. This site currently consists of 2 parcels of 30 acres already in an institutional use by the tribes and the proposed facility will occupy a 4.81-acre portion in the northeast corner of the site. While nursing and residential care facilities are a permitted use, those that provide mental health and substance abuse are permitted through a Conditional Use Permit (CUP). Neighboring uses to the site are large lot single family parcels with farm- or pasturelands.

A Traffic Impact Analysis has been prepared for this proposal which responds to this topic. These facilities are not high generators of traffic, and adjacent streets are required to be brought up to County road development standards as development occurs. Half roadway improvements along the parcel frontage on 300th St NW will be constructed as required by code. Community members were questioning the amount of parking being adequate for the facilities and what would happen for overflow. A parking study was conducted to analyze staff shift changes and

other visitors and detailed the maximum number of vehicles on site would be during the shift change where 30 stalls would be more than adequate for that short duration. The most staffed shift is the day shift with 12-15 staff and during that overlap staff would go from 8-10 up to the maximum or vice versa. The parking analysis is included in the submittal materials.

Typical parking lot lighting will be directed downward with full cut-off and away from adjacent properties. Building mounted security lighting will be provided around the perimeter building and will have a lighting level of 1 foot-candle at the building perimeter with motion sensing to increase light level on demand.

The operation of the use should not have significant impacts on the neighboring properties or persons residing or working in the general area and will bring local family wage jobs and mental health resources to the residents of Snohomish County.

The Applicant has addressed many of the community members' comments through the website that has been created for this purpose and includes a FAQ sheet that responds to many of the subjects. That fact sheet has been included with this resubmittal. <https://www.hca.wa.gov/about-hca/behavioral-health-recovery/proposed-community-based-residential-treatment-facility>

Additionally, each of the public comments has been tracked in a spreadsheet to ensure that the subject matter has been addressed. Many community members have been reached individually through emails. Some members have been involved in ongoing conversations.

Finally, an online Town Hall meeting was held on March 22, this was followed by an in person Open House on June 22, and will likely be followed by another open house later in the summer. Comments gathered from those meetings will be added to the comment spreadsheet and addressed.

(d) The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing or intended character, appearance, quality of development, and physical characteristics of the site and surrounding property.

Response: The buildings are being designed as single-story structures with residential components such as sloped roofs, window design and spacings, and finish materials that are similarly found in residential construction. In addition to landscaping that will be provided around the base of the buildings, the wetland buffer enhancement will provide additional landscaping to meld the project into the site. The site currently is open pasture land but with the proposal will add trees and plantings that will support the wetlands and benefit wildlife.

Specific Community concerns:

Water Source

There were multiple public comments expressing concern over the installation of a Group A community well/water system. The primary concern is drawdown and supply deletion to existing

neighboring wells. There have also been concerns over who will manage and maintain the Group A water system. Upon review of these comments, the Tulalip Tribes of WA agreed to explore feasibility of extending the 12" water main to the project location.

Upon completion of the water model analysis by City of Stanwood, it was determined the City's existing water system has sufficient supply and capacity for the proposed project demand and for the proposed development fire flow. The water main will be required to be extended over 6,000 feet from the point of connection at intersection of 284th Street NW and 80th Avenue NW. The costs to extend the water main are significantly more than the Group A water system, however, this will address the concerns over adjacent property well water supply depletion. It will also provide additional road improvements, including a new pavement section over minimum of half the road where the water main is extended. Another benefit, if desired, is the neighboring properties adjacent to the water main extension will have an option (not a requirement) to connect their homes to the public water, potentially alleviating their own water source issues.

It has been agreed to extend the City of Stanwood's 12" water main to the project site, these updates have been included in the updated civil plans and SEPA review.

Septic & Sewer

There were multiple public comments expressing concern over the on-site septic system. The primary concern is ground water contamination from the septic system. Upon review of these comments, Korsmo Construction and BCRA scheduled a general information meeting with City of Stanwood to explore the option of providing City of Stanwood sewer to the project site. During the general information meeting on May 11th, 2022, the City of Stanwood confirmed it is not feasible to extend the City's sewer infrastructure to the project location. Since the sewer extension is not feasible, the on-site Septic System has been designed in accordance with Snohomish County Health District regulations to meet the needs and occupancy of the proposed facilities without contaminating water quality to nearby wells.

Storm drainage impacts to wetlands

Public comments expressed concern about storm drainage impacts to the on-site wetlands, water table, and flooding of neighboring properties. The stormwater detention facilities are designed to maintain hydrology to the highest priority wetland located to the south of the project site. This priority wetland receives drainage from approximately 43 acres of property including on-site areas, 300th Street NW, and off-site properties to the north of the roadway. Mapping for this off-site basin is show in the updated stormwater site plan included in uploaded documents. The detention facility and other areas on-site are designed to manage stormwater to match the existing hydrology of the wetland to maintain its current hydroperiod in accordance with Minimum Requirement #8 of the Snohomish County Drainage Manual.

The geotechnical engineer, Associated Earth Sciences, Inc., determined in their geotechnical report that shallow infiltration of stormwater was not recommended for this site. The stormwater design does not include infiltration of stormwater that could potentially cause an increase in the

groundwater table. Maintaining hydrology to the southern wetland in the existing condition is also intended to maintain its contribution to groundwater recharge as in the current condition.

The outfall from the stormwater detention facility is designed with a dispersion swale element per Snohomish County Engineering and Design Standards standard drawing 5-070. This dispersion swale is located approximately 140 feet west of the neighboring property east of the site and approximately 84 feet to the north of the property owned by the Tulalip Tribes of WA to the south. Dispersion swales are intended to slow the release of stormwater from the detention facility and allow sheet flow dispersion through existing vegetation to reduce potential for erosion. Sheet flow from the facility will recharge the downstream wetland's hydrology.

Landscape buffers

There were neighbor concerns over what they would see of the facility and the level of landscaping provided. In response to these concerns tree spacing was decreased from the 30' spacing required by code for a Type B buffer, down to 20' on center to enhance the visual screening of the property from the road. Additionally, the shrubs in the Type B buffer along the road have been selected for their mature size of approximately 10' in height, to effectively form a sight-obscuring hedge in 3-5 years. These still comply with the variety of species and evergreen/deciduous ratios required by code.

Emergency services

There were public comments about the availability of fire and police in an emergency and that this facility should not hamper an already limited resource. The project area is going from undeveloped to including two buildings. This project might expect to result in a minor increase in need for public services such as fire, police and ambulance due to the addition of development as would be expected for any development when emergencies occur.

However, day to day transportation of clients will be via a contracted ambulance service. Staff are trained in de-escalation techniques to handle ongoing management of clients inhouse so as to not require additional police support.

Additionally, on June 16, 2022 members of the project team (Annette Schuffenhauer, Kara Panek, and Keith Baner) met in person with the City of Stanwood Mayor Roberts and North County Fire and EMS Chief Cermak. The same group also met in person with the Snohomish County Sheriff Fortney and Undersheriff Ian Huri. They provided an overview of the project and discussed the need for this type of facility, treatment type, anticipated emergency response, and other details of the facility. These discussions included a mutual understanding of what level of impact these facilities may have on these public services, and the project team committed to continue engaging these public service entities throughout the project process.

The Tulalip Tribes is willing to work with the county to coordinate on conditions that may be needed to support the proposal and ensure it fits appropriately within the neighboring community.