

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: October 12, 2020	PREPARED BY: Derrick Braaten
Meeting Date Requested: October 27, 2020	PRESENTED BY: Derrick Braaten
ITEM: (Select One) <input type="checkbox"/> Consent Agenda	<input checked="" type="checkbox"/> Brought Before the Board Time needed: 15 minutes
SUBJECT: Closed Record Appeal Public Hearing (Quasi-Judicial Item) - A Conditional Use Permit to allow the conversion of an existing single family residence (Phase 1), a commercial dog kennel (Phase 2), and to build a third residential structure (Phase 3), for the use as Group Homes, or as a Group Care Facility, collectively. (File # CUP 2019-09 and SEPA 2019-15)	
FISCAL IMPACT: None	
BACKGROUND: This is a closed record appeal of the Planning Commission's recommendation to approve a CUP application requesting the conversion of an existing single-family home and property to be used as residential group housing for abused youth, requiring a protected environment. There are three (3) phases proposed, with each phase adding six (6) additional beds, for a total of 18 beds on the site, plus beds for staff. All three (3) phases are proposed to be completed within 1-3 years, as need and funding provides. The current use of the property is a single-family residence and a commercial dog kennel. <i>Per FCC 17.82.110, the board "will review the meeting record ... At the closed record appeal, the board of commissioners may ask questions of persons in attendance based upon the planning commission's meeting record. The ... record shall be the basis for any discussion as it relates to questions asked by the county commissioners and responses by the attending public or applicant. New testimony or testimony that is not deemed part of the planning commissions' meeting record will not be permitted or considered by the county commissioners." And, "The board of county commissioners at the conclusion of a closed record appeal shall make and enter findings of fact and take one of the following actions: (1) Approve the special permit with or without conditions (2) Deny the special permit." The county's decision on an application may be appealed by a party of record with standing to file a land use petition in Franklin County superior court. Such petition must be filed within 21 days after issuance of the decision, per Chapter 36.70C RCW.</i>	
RECOMMENDATION: The Planning Department staff provided the Planning Commission with a written recommendation of approval for the application. Subsequently, at their meeting on February 4, 2020, the Planning Commission held a duly advertised open-record public hearing and moved to deny CUP 2019-09, and the vote was tied, with 3-votes in favor of the motion, and 3-votes against. The PC recommendation was tabled to the next scheduled meeting of the Planning Commission, which was held March 10, 2020. At the March 10 th meeting, the Planning Commission moved to recommend the approval of CUP 2019-09. Said motion was approved, 4-votes in favor, 3- votes against. The Appellant appealed the Planning Commission's recommendation on March 18, 2020, as provided for in the Appeal 2020-01 application and supporting documents. There are no other parties of record with legal standing. The Planning Department recommends approval consistent with the attached Staff Report and Staff Response to Appellant's Narrative/Claims. <i>Suggested Motion:</i> Pass Resolution # _____, (providing a decision on the closed record appeal). County Commissioners may (1) approve the special permit with or without conditions or (2) deny the special permit. Findings must be entered. Draft resolutions are available for either decision.	
COORDINATION: The County Building and Planning Department processed the application, coordinated for agency comments, and reviewed the application in accordance with Chapter 17.82 Franklin County Code. The CUP application was advertised to the public via adopted public notice procedures, and agencies were contacted for review and comment; a SEPA DNS was issued. This package was reviewed by Jennifer Johnson and Frank Jenny, Franklin County Prosecutor's Office, Civil Division.	

ATTACHMENTS: (Documents you are submitting to the Board)

(1) Appeal 2020-01 Application & Narrative, including Staff Response to Claims (2) Draft Resolutions (there are two versions) (3) Staff Report to the Planning Commission, including attachments (3) Draft Planning Commission Minutes & PC Meeting Transcripts

HANDLING / ROUTING: To the Clerk of the Board: 1 Original Resolution To Planning: 1 Copy Res.

I certify the above information is accurate and complete.


-----Derrick Braaten

Resolution to Approve:

FRANKLIN COUNTY RESOLUTION _____

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

Conditional Use Permit (CUP) 2019-09 to allow the conversion the conversion of an existing single-family home and property to be used as residential group housing for abused youth, requiring a protected environment. There are three (3) phases proposed, with each phase adding six (6) additional beds, for a total of 18 beds on the site, which is only allowed as a Conditional Use in the RC-5 Zoning District

WHEREAS, on October 27, 2020, the Board of Franklin County Commissioners, via public meeting, considered the recommendation of denial by the Franklin County Planning Commission on a conditional use permit for the proposed use under file CUP 2019-09; and

WHEREAS, at the public meeting the Board has found that the Franklin County Planning Commission, after an open record public hearing and consideration on **CUP 2019-09** did recommend approval of the Conditional Use Permit with six (6) suggested findings of fact:

1. *The proposed use in the RC-5 Zoning District is in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.*
2. *The proposal **will not** adversely affect public infrastructure.*
3. *The proposal **will** be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.*
4. *The location and height of proposed structures and the site design **will not discourage** the development of permitted uses on property in the general vicinity or impair the value thereof.*
5. *The operation in connection with the proposal **will not** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.*
6. *The proposal **will not** endanger the public health, safety, or general welfare if located where proposed.*

WHEREAS, the Appellant, Henry Field, who has standing to appeal the recommendation, filed an appeal of the Planning Commission's recommendation on March 18, 2020; and

WHEREAS, there were 29 comments in opposition to the proposal; and

WHEREAS, there were 53 comments in support of the proposal; and

WHEREAS, the Planning Commission's record indicates that the Commission's recommendation to approve the permit was chiefly based on the Staff interpretation of relevant local and State regulations, the record as provided in the Staff Report, and comments received; and

WHEREAS, the applicant would be able to construct the proposal to be compatible with surrounding uses; and

WHEREAS, it appears to be in the public use and interest to **approve** the conditional use permit.

WHEREAS, the findings of fact and conditions of approval recommended by the Franklin County Planning Commission are hereby **approved** for this permit and included in the permit as attached;

NOW, THEREFORE, BE IT RESOLVED that CUP 2019-09 is hereby **approved** in accordance with the provisions of the Franklin County Development Regulations.

BE IT FURTHER RESOLVED that the Chair of the Board of Franklin County Commissions be authorized to sign conditional use permit CUP 2019-09 on behalf of Franklin County.

APPROVED THIS 27th DAY OF OCTOBER, 2020.

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

Chair

Chair Pro-Tem

Attest: _____
Clerk of the Board

Member

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

The following Conditional Use Permit **is granted**, in accordance with the provisions of the Development Regulations of Franklin County, and according to the motion passed by the Franklin County Board of Commissions on October 27, 2020.

APPLICANT: Mirror Ministries, 2603 Willow Ave., Richland, WA

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

NON-LEGAL DESCRIPTION: The property is addressed as 7192 Columbia River Road, Pasco, WA. The parcel is bounded to the west by Columbia River Road, a crop circle to the east, and orchard to the south. The north property is a single-family home. (Parcel Number 126-202-108). The property is zoned Rural Community 5 (RC-5).

SEPA REVIEW: A SEPA Checklist was submitted with the CUP application. Planning Staff [*Lead Agency Responsible Official*] reviewed the checklist and issued a Determination of Non-Significance (DNS) on January 9, 2020 under WAC 197-11-340(2) which was published January 9, 2020. Comments on the Threshold Determination were due by January 23, 2020 and no comment letters regarding the SEPA Determination were received. There were no SEPA appeals.

CONDITIONAL USE DESCRIPTION: This is a Conditional Use Permit application requesting the conversion of an existing single-family home on an approximately 7.35 acres (net) property to be used as residential group housing for abused youth, requiring a protected environment. There are three (3) phases proposed, with each phase adding six (6) additional beds, for a total of 18 beds on the site. All three (3) phases are proposed to be completed within 1-3 years, as need and funding provides. The current use of the property is a single-family residence and a commercial dog kennel. This decision is supported by the following adopted findings of fact and conditions of approval:

FINDINGS OF FACT:

1. The proposed use in the RC-5 Zoning District IS in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Rural Shoreline Development.
 - b. The structure does not look “institutional”. It is a large lot, single-family home, with outbuildings, meeting the same general appearance as other homes in the area.
 - c. There are no critical areas present on the project site.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

- d. The County Zoning map designates the land as RC-5.
 - e. A “group home or therapeutic center” is specifically listed as an allowed conditional use in the RC-5 zone.
 - f. A “group home” or “group care facility” are listed unclassified uses in Franklin County.
 - g. The applicant has applied for a Conditional Use Permit to allow the proposed use.
2. The proposal WILL NOT adversely affect public infrastructure.
- a. Access to the parcel is from Columbia River Road.
 - b. The use will not have a significant impact on the County Road System.
3. The proposal WILL BE constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
- a. The existing character of the immediate area consists of single family homes, and farms to the east. The proposal is located outside of the City of Pasco Urban Growth Area;
 - b. The proposed use will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is a mix of low-density properties (limited number of 1/2-acre lots) and large lot single-family residences (1-acre, plus). The site is within a Rural Shoreline Development area designated by the Franklin County Comprehensive Plan. The Shoreline Residential Development area is intended for residential development. Certain public facilities and institutions may also be permitted, provided their nature and location are not detrimental to the intended residential environment.
 - d. The zoning of the site and properties to the north and east are RC-5. The zoning of the parcels to the west and south of the site are primarily RC-1.
 - e. The property sits over 25’ above Columbia River Road, and is site-obscured from the south and west of the property, due to this elevation.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

- f. The current parcel size is approximately 7.35 acres (net) which allows sufficient area for parking, access, etc. for the planned activities, and also provides space between the use and surrounding uses.
 - g. Conditions are required to ensure that impacts of noise, traffic, and signage are adequately mitigated.
4. The location and height of the proposed structure and site design WILL NOT discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. No new permanent structures are proposed as a part of the project at this time. After remodel and build-out of all three phases, the structures will continue to look like ADA accessible, single-family residences or accessory uses.
5. The operation in connection with the proposal WILL NOT be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. Traffic of passenger vehicles and employees to the site will be limited, primarily during shift changes.
 - b. Conditions are required to ensure that impacts of noise, traffic, and signage are adequately mitigated.
6. The proposal WILL NOT endanger the public health, safety, or general welfare if located where proposed.
 - a. The project is subject to the County's Right to Farm ordinance.
 - b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
 - c. Eighty-two (82) comment letters, e-mails, or public comments have been received. Twenty-nine (29) of the comments are in opposition to the proposal, citing concerns regarding the site's location, risk to the community, site assets in relation with the applicant's capital campaign flyer, morality of the residents, security of the facility, impact to property values, among other concerns. Fifty-three (53) comments are in support of the proposal.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

Conditions of Approval:

1. The project shall comply with the requirements and recommendations of the **Benton-Franklin Health District:**
 - a. The lot must meet all applicable usable land area requirements in accordance with Benton Franklin District Board of Health Rules and Regulation No. 2.
 - b. Alterations to the site plan including any movement of the reserve area must be reviewed and approved by BFHD prior to approval.

2. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department:**
 - a. The development standards of FCC 17.14.050 will apply to the project. No building shall be closer than 25 feet from a road right-of-way (or 55 feet from the centerline of the adjoining road, whichever is greater). The side setbacks are 10 feet (providing that the side yard on a corner lot shall not be less than 25 feet wide, or 55 feet wide from the centerline of an existing/future road, access easement, or whichever is greater) and the rear yard setback is a minimum of 25 feet.
 - b. All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, french-drains or other means as approved by the county engineer.
 - c. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
 - d. The current parcel size is approximately 7.53 net acres; if the property is later adjusted through a Boundary Line Adjustment or Short Plat, a new conditional use permit may be required.
 - e. Separate building permits are required for any proposed modifications to the existing structure:
 - f. A Building application is required with the submittal for building permits.
 - g. A detailed plot plan, including, but not limited to, distances to all lot lines, easements and adjacent structures, access, well and septic, parking and ADA, as applicable.
 - h. An updated access permit is required from the Franklin County Public Works office.
 - i. Architect/Engineered Plans for alterations, firewall separation, etc.
 - j. WA Dept. of Social and Health Services Approval of the facility.
 - k. WA State Fire Marshal approval, as may be applicable.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

- l. Water availability notification.
 - m. Septic Permit.
 - n. Fire Suppression System Plans, as applicable.
 - o. Fire Alarm Plans, as applicable.
 - p. Completed WA State NREC (Non-Residential Energy Code Reports), as applicable.
3. The project shall comply with the requirements and recommendations of the **Franklin County Public Works Department**:
- a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - b. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
4. Comply with the following conditions for **Access and Parking**:
- a. At a minimum, one parking space per 3-beds, plus one parking space per two employees, shall be provided. ADA compliant parking shall be provided, as applicable. Standard parking spaces and ADA parking shall be designated with proper signage and markings, and shown on the submitted site plan.
 - a. All parking areas shall be set back an appropriate distance to allow for ingress / egress and as to not hinder driver's vision triangles as they leave or access the site. An internal access driveway shall be established and access shall not be blocked at any time to provide safe ingress/ egress for emergency vehicle access. Parking shall not be allowed along the interior driveways.
 - b. Any new approaches onto County roads will require an approach permit from Public Works.
 - c. A handicapped parking area is to be designated, meeting ADA requirements, and appropriate ADA signage installed.
 - d. Any signage used to locate the facility must meet the provisions of the Franklin County Sign Code, FCC 15.16. No sign shall obstruct any roadways.

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

5. Comply with the following conditions regarding **Occupancy and Uses**:
 - a. The use on the entire property is limited to six (6) residents, plus staff levels required to meet the requirements of a DSHS defined Group Home Facility, per phase, for a total of 18-residents, plus required staff, at full build out.
6. Install a 6' high, minimum, site-obscuring fence or wall along the north and east property lines, or in such a manner as to block views into the property. This condition can be limited to cover each phase, but must be completed before each home is provided with a certificate of occupancy.
7. The business operator shall apply for and receive a business registration on an annual basis. In addition, an annual Fire & Life Self Inspection Survey Form is required to be completed.

The applicant shall apply for and receive a County Business License on an annual basis.
8. The applicant shall commence the authorized conditional use (obtain a business registration with Franklin County) within one year after the effective date of this permit, or the permit shall expire.
9. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.
10. **RIGHT TO FARM:** Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed to be a public or private nuisance as it relates to the activities associated with this land use approval
11. Comply with all **fire code** requirements: 24 hour care facilities with more than 5 and less than 16 persons will need plans submitted for fire code review. The facility is either going to be classified as I-1 or R-4 under the 2015 edition of the International Building Code. Since this is a care facility with limited nursing staff providing 24 hour care of non-ambulatory adults. Review of the International Building Code and International Fire Code for sprinklers, range hood for cooking, fire separations, and areas of refuge may apply.
12. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.
13. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.

14. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
15. In accordance with the County's Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
16. This permit applies to the described lands and shall be for the above named individual. The permit may not be transferred to other individual(s) or entities, or to another site. Any changes, or proposed changes, in ownership or operation will require the application of a new Conditional Use Permit.
17. By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence at this location; Permit Holder(s) further agree(s) to indemnify and hold the County harmless and agree that the County is in no way negligent in relation to granting this permit, or operations or negligence that occur at this location or on surrounding properties caused by operations or negligence on this property; Permit Holder(s) further agree(s) to accept full responsibility for any future cleanup needed due to activities conducted that this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.

This Conditional Use Permit is issued this 8th day of January, 2019.

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

Chair

Chair Pro-Tem

Attest: _____
Clerk of the Board

Member

Original to County Commissioners

Duplicate to File

Duplicate to Applicant

Duplicate to be Filed with Auditor

Resolution to Deny:

FRANKLIN COUNTY RESOLUTION _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

Deny Conditional Use Permit (CUP) 2019-09, a request to convert an existing single-family home and property to be used as residential group housing for abused youth, requiring a protected environment. There are three (3) phases proposed, with each phase adding six (6) additional beds, for a total of 18 beds on the site, which is only allowed as a Conditional Use in the RC-5 Zoning District

WHEREAS, on October 27, 2020, the Board of Franklin County Commissioners, via public meeting, considered the recommendation of approval by the Franklin County Planning Commission on a conditional use permit for the proposed use under file CUP 2019-09; and

WHEREAS, at the public meeting the Board has found that the County Planning Commission, after an open record public hearing and consideration on **CUP 2019-09** did recommend approval of the Conditional Use Permit with six suggested findings of fact:

1. *The proposed use in the RC-5 Zoning District is in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.*
2. *The proposal will not adversely affect public infrastructure.*
3. *The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.*
4. *The location and height of proposed structures and the site design will not discourage the development of permitted uses on property in the general vicinity or impair the value thereof.*
5. *The operation in connection with the proposal will not be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.*
6. *The proposal will not endanger the public health, safety, or general welfare if located where proposed.*

WHEREAS, the Appellant, Henry Field, who has standing to appeal the recommendation, filed an appeal of the Planning Commission's recommendation on March 18, 2020; and

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

WHEREAS, the findings of fact to support the decision are documented in **Attachment 1**.

NOW, THEREFORE, BE IT RESOLVED that CUP 2019-09 is hereby **denied** in accordance with the provisions of the Franklin County Development Regulations and consistent with a recommendation of denial by the Planning Commission.

PASSED THIS 27th DAY OF OCTOBER, 2020.

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

Chair

Chair Pro-Tem

Attest: _____
Clerk of the Board

Member

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

ATTACHMENT 1

The following Conditional Use Permit **is denied**, according to the motion passed by the Franklin County Board of Commissions on October 27, 2020.

APPLICANT: Mirror Ministries, 2603 Willow Ave., Richland, WA

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

NON-LEGAL DESCRIPTION: The property is addressed as 7192 Columbia River Road, Pasco, WA. The parcel is bounded to the west by Columbia River Road, a crop circle to the east, and orchard to the south. The north property is a single-family home. (Parcel Number 126-202-108). The property is zoned Rural Community 5 (RC-5).

SEPA REVIEW: A SEPA Checklist was submitted with the CUP application. Planning Staff [Lead Agency Responsible Official] reviewed the checklist and issued a Determination of Non-Significance (DNS) on January 9, 2020 under WAC 197-11-340(2) which was published January 9, 2020. Comments on the Threshold Determination were due by January 23, 2020 and no comment letters regarding the SEPA Determination were received. There were no SEPA appeals.

CONDITIONAL USE DESCRIPTION: This is a Conditional Use Permit application requesting the conversion of an existing single-family home on an approximately 7.35 acres (net) property to be used as residential group housing for abused youth, requiring a protected environment. There are three (3) phases proposed, with each phase adding six (6) additional beds, for a total of 18 beds on the site. All three (3) phases are proposed to be completed within 1-3 years, as need and funding provides. The current use of the property is a single-family residence and a commercial dog kennel. This decision is supported by the following adopted findings of fact and conditions of approval:

Under this permit, the county is **not granting** authorization for the Applicant to convert the existing residential home and property, as described above, for the use as an 18-bed, three residential structure, "group home or therapeutic center" or "group care facility".

This decision is supported by the following adopted findings of fact:

FINDINGS OF FACT:

1. *The proposed use in the RC-5 Zoning District is not in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.*
2. *The proposal will adversely affect public infrastructure.*

FRANKLIN COUNTY BOARD OF COMMISSIONERS

CONDITIONAL USE PERMIT # 2019-09

RESOLUTION NUMBER _____

3. *The proposal **will not** be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity.*
4. *The location and height of proposed structures and the site design **will discourage** the development of permitted uses on property in the general vicinity or impair the value thereof.*
5. *The operation in connection with the proposal **will** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.*
6. *The proposal **will** endanger the public health, safety, or general welfare if located where proposed.*