

June 17, 1992
92-448.ORD (DS:clt)

Introduced by: Sullivan
Proposed No.: 92 - 448

ORDINANCE NO. **10471**

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AN ORDINANCE amending the zoning code to provide for housing in convalescent homes for persons with mental illness or communicable disease and amending Resolution 25789, Section 299.04, and K.C.C. 21.04.740.

FINDINGS:

The King County Mental Health System Reform Plan adopted by Motion 7656 identifies the need for and commits the county to work to develop community residential care facility capacity in the county outside of the City of Seattle, but the current zoning code for unincorporated King County effectively prohibits any form of community residential facility for persons who are mentally ill.

The definition of "rest home," "convalescent home," "guest home," and "home for the aged" allows for more than 10 residents and includes "special care and supervision" including "nursing services" but specifically excludes persons suffering from mental illnesses and disorders and persons with communicable diseases, thereby also disallowing nursing homes for persons with AIDS.

The definition of "boardinghouse", which allows for up to 10 persons to board and room in a single facility, does not allow the facility to have the additional services such as nursing care and supervision necessary for some mentally ill persons to live in community facilities.

The definition for "sanitarium," the only other definition relating to community residential facilities, also excludes persons with mental illness and alcoholism.

Eastside Mental Health Center and the King County Housing Authority have located an appropriate site for a community residential facility for the mentally ill in unincorporated King County, have obtained the necessary funding for acquisition, renovation and operation, but are unable to obtain a use permit under the current code.

Deleting the prohibitions against housing persons with mental illnesses, mental disorders or communicable diseases in "rest homes," "convalescent homes," "guest homes", and "homes for the aged" and allowing the services necessary for them to live in a community setting will prevent discrimination against such persons based on their disabling condition and allow King County to meet its programmatic responsibilities to provide a range of community living arrangements for persons with mental illness or other disabling conditions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Resolution 25789 Section 299.04, and K.C.C.

1 21.04.740 are each hereby amended as follows:

2 Rest home, convalescent home, guest home, home for the aged.
 3 "Rest home," "convalescent home," "guest home" and "home for
 4 the aged," means a home operated similarly to a boardinghouse
 5 but not restricted to any number of guests or guest rooms and
 6 the operator of which is licensed by the state or county to
 7 give special care and supervision to his or her charges, and in
 8 which nursing, dietary and other personal services are
 9 furnished to convalescents, invalids and aged persons, but ((in
 10 ~~which homes are kept no persons suffering from a mental~~
 11 ~~sickness, mental disease, disorder or ailment, or from a~~
 12 ~~contagious or communicable disease, and)) in which homes are
 13 performed no surgery or((~~7~~)) maternity ((~~or other primary~~))
 14 treatments such as are customarily provided in sanitariums or
 15 hospitals((~~7~~ and in which no persons are kept or served who
 16 normally would be admittable to mental hospital)).~~

17 INTRODUCED AND READ for the first time this 15th day
18 of June, 1992.

19 PASSED this 13th day of July, 1992.

20 KING COUNTY COUNCIL
21 KING COUNTY, WASHINGTON

22 Audrey J. Jager
23 Chair

24 ATTEST:

25 Gerald A. Peterson
26 Clerk of the Council

27 APPROVED this 23rd day of July, 1992.

28 Don Hill
29 King County Executive
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