City of Grandview, Washington
Hearing Examiner's Decision

October 30, 2026

In the Matter of an Application	)	
For a Conditional Use Permit	)	
Submitted for:	)	
	)	**CUP#2026-01**
Grandview Residential Care LLC	)	
By its Agent Shane O'Neill	)	
	)	
To Develop & Operate the Vista	)	
Grande Mental Health Assisted	)	
Living Facility Located on the	)	
West Side of Vista Grande Way	)	
400 Feet South of East Wine	)	
Country Road in the C-2 Zone	)	

A. **Introductory Findings.** The introductory findings relative to the hearing process for this Conditional Use Permit application may be summarized as follows:

(1) The Hearing Examiner conducted an open record public hearing for this application on October 20, 2026.

(2) On that date Yakima Valley Conference of Governments Regional Land Use Planner Byron Gumz, who serves as the Planner for the City of Grandview, presented his staff report which recommended approval of this application subject to conditions.

(3) Shane O'Neill d/b/a Clover Planning & Zoning LLC represented the applicant/landowner at the hearing by testifying in favor of approval of the application.

(4) City Clerk Anita Palacios indicated that two written comments were received for the record. The Sunnyside Valley Irrigation District indicated that there are no SVID facilities within the project parcel and the Washington State Department of Ecology indicated that an NPDES Construction Stormwater General Permit may be required.

(5) No one else testified at the hearing and no other written comments were submitted prior to or during the hearing. This Conditional Use Permit Decision has been issued within 10 business days of the public hearing as is required by Subsection 2.50.130(A) of the Grandview Municipal Code.

B. Basis for Decision. Based upon a view of the site and the surrounding area without anyone else present on October 20, 2026; the information contained in the staff report, exhibits and testimony presented at the open record public hearing on October 20, 2026; and consideration of the Grandview Comprehensive Plan and the Grandview Zoning Ordinance, Title 17 of the Grandview Municipal Code (GMC); the Hearing Examiner makes the following:

FINDINGS

I. Applicant/Property Owner/Representative. The applicant and property owner is Grandview Residential Care LLC, 10510 East 20th Avenue, Spokane Valley, WA 99206. The representative of the applicant and property owner for this application is Shane O'Neill d/b/a Clover Planning & Zoning LLC, 6904 Rogue Drive, Pasco, WA 99301.

II. Location. The subject parcel no. 230924-24522 has no assigned address at this time. It is located on the west side of Vista Grande Way along the westerly loop of that street approximately 400 feet south of its intersection with East Wine Country Road.

III. Proposal. The proposal is a reapplication of an expired Conditional Use Permit for the following use:

(1) The applicant proposes to construct a 9,060-square-foot building with 9 parking spaces on a one-half acre lot in order to operate an Enhanced Service Facility as defined by RCW 70.97. The facility will provide housing and 24-hour care for up to 16 individuals with complex personal care and behavioral health needs, including physical disabilities, cognitive impairment, and/or mental health support needs. Staff for the facility will consist of caregivers, Registered Nurses, Family Nurse Practitioners, and Psychiatric Nurse Practitioners.

(2) The proposed facility is classified as a Major Project, as defined by GMC 17.75.030(H). "Major project" means (1) any new nonresidential building with a gross floor area of 6,000 square feet or more; (2) any new residential building containing five or more living units; or (3) any new parking lot resulting in 12 or more new parking spaces not previously in use prior to construction.

IV. Jurisdiction and Process. The jurisdiction of the Hearing Examiner to hear and decide this Conditional Use Permit application and the applicable procedure to be followed are as follows:

(1) The proposed facility was determined to be a similar use to Community Service Housing defined by GMC 17.12.457 because it would house long-term residents in addition to providing mental and behavioral health services. Community Service Housing is defined as a facility that principally offers or provides subsidized housing on a daily, weekly or monthly basis and provides one or more of the additional following services at a cost, if any, subsidized by

charitable or government agencies, including: (A) meals and food; (B) child or adult day care services; (C) employment, substance abuse or behavior counseling; and (D) medical, dental or mental health services; regardless of whether such community social and health welfare services are provided on premises or off the premises for the benefit of such residents.

(2) Community Service Housing falls under the definition of a Level 2 Community Service Facility, which GMC 17.44.050 designates as a Conditional Use within the C-2 General Commercial zoning district.

(3) Table 14.09.080 in the GMC states that Conditional Uses require an open record public hearing. While the table shows that the Planning Commission is the hearing body for the Conditional Use, GMC 2.50.080 states that the Hearing Examiner "shall receive and examine available information, conduct public hearings, prepare a record thereof and enter findings of fact and conclusions based upon those facts" for "hearings before any other commission or board. In the event there is a conflict between this section and any other code section regarding hearings or appeals, this chapter shall apply and the hearing examiner is hereby designated to hear all hearings … provided for in this code."

V. <u>The Comprehensive Plan.</u> The Comprehensive Plan designation for the property and for adjacent property to the north, south and east is "Commercial." This proposal is a commercial business use consisting of urban infill development that will be consistent with the following Comprehensive Plan Goals and Policies:

<u>Land Use Element Goal 1</u>: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

<u>Policy 1.3</u>: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

<u>Land Use Element Goal 3</u>: To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

VI. Zoning and Land Uses. The zoning and land use characteristics of the site may be summarized as follows:

(1) The subject property is within the C-2 General Business District. GMC 17.44.010 provides that this zoning district is intended to promote the centralization of business and reinforce a positive public image and confidence in commercial revitalization, within a compact commercial area having primarily common-wall building construction. Such construction offers the unique opportunity within the Grandview urban area to cluster together types of retail business and retail services which functionally interact well together, and will economically fare better, as a result of close proximity by cumulatively attracting more persons than as individual destination points. It is intended that the commercial clustering concept be fostered by emphasizing pedestrian access and circulation within the district, in a manner which is healthy, safe, uninhibited and convenient for employees and visitors of all ages. Public and private off-street parking shall be located to encourage the transition from automobile to pedestrian movement. On-street parking should be shared by vicinity businesses and be oriented to short duration convenience parking for customers in the vicinity. In order to preserve the public health, safety and welfare in central business district redevelopment, protect public and private investment in property and infrastructure improvements and stabilize declining property values, certain uses of the land may be restricted or prohibited.

(2) The subject property and the properties to the north, south and east are currently vacant. The property will be improved with a new 9,060-square-foot building that has 9 parking spaces within a business park area where a fast food restaurant, mini-storage facility and lumber yard are already located. There is a field for an elementary school located to the west of the subject parcel.

VII. Environmental Review. After consideration of a SEPA Environmental Checklist and consideration of the comments submitted, the City issued a final

Determination of Non-Significance pursuant to the process authorized under WAC 197-11-355 on October 7, 2026, which was not appealed.

VIII. Public Notice for the Hearing and Comments Received. After this application was submitted, a combined Notice of Application, Environmental Review, and Public Hearing was mailed to property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal. The following two agencies commented:

(1) The Sunnyside Valley Irrigation District (SVID) provided a letter stating that they have no facilities in the project area.

(2) The Washington State Department of Ecology (DOE) submitted comments from their Water Quality Program. The comment states that if there is potential for stormwater to discharge off site, an NPDES Construction Stormwater General Permit is recommended. The permit requires a Stormwater Pollution Prevention Plan to be prepared and implemented prior to any construction activities taking place. If ground disturbance is between one and five acres, the development may qualify for an Erosivity Waiver.

(3) The timeframe and the steps involved in the processing of this application are as follows:

Expiration of previous approval: November 9, 2025;

Notice of Expiration: August 25, 2026;

Application Submitted: August 27, 2026;

Notice of Incompleteness: September 14, 2026;

Application Determined Complete: September 17, 2026;

Notice of Application, Environmental Review, and Public Hearing: September 23, 2026;

Property Posted: September 23, 2026;

Legal Notice in Grandview Herald: September 23, 2026;

Issuance of Final SEPA Threshold Determination: October 7, 2026;

Open Record Public Hearing: October 20, 2026.

IX. Selected C-2 General Business District Development Requirements.

Since some of the criteria for review and approval of Conditional Use Permits require compliance with the Grandview Municipal Code (GMC) requirements and since there is a desire to inform the developer of this proposal about some of the C-2 General Business District development standards that are required by this Decision, the following provisions are set forth for that purpose without any attempt to provide an exhaustive review of all of the applicable requirements:

(1) The provisions of GMC 17.44.060(B), (C) and (D) applicable to this commercial proposal do not limit the amount of lot coverage or require minimum yard setbacks, but do limit the maximum building height to 50 feet.

(2) The provisions of GMC 17.75.050(A) and (B)(6) applicable to this "major project", which is defined by GMC 17.75.030(H) to include any new nonresidential building with a gross floor area of 6,000 square feet or more, require the area between property lines and the back edge of street curbs, exclusive of city right-of-way and exclusive of sidewalks and driveways for ingress/egress, to be 100 percent treated with landscape materials, including live vegetation and/or decorative rock. A developer or property owner may receive credit toward the required landscape area for pedestrian walks or ways when such walks or ways are decorative and/or textured in character and are designed as a complementary part of the landscape area. No more than 25 percent of the landscaped area can be treated with decorative pedestrian ways and be included in the overall calculations for landscaped area.

(3) The applicable provisions of GMC 17.75.050(B) require the following features for refuse collection and outdoor storage:

(a) Refuse, including garbage and rubbish, may only be stored for disposal or collection in authorized garbage cans, dumpsters, self-

contained, liquid-tight compacting solid waste containers and/or detachable containers. Plastic bags may not be used except as liners for garbage cans.

(b) In no case shall such enclosure and trash collection receptacles be permitted within the required front yard setback areas.

(c) Outdoor storage and trash collection areas located in a commercial or industrial zone shall be sight screened from any adjacent residential zones, from residential zones across a public street or alley and from any abutting street.

(d) Outdoor storage and trash collection areas shall be sight screened on three sides by one or a combination of the following:

(i) A building or hillside;

(ii) Dense evergreen shrubs and/or trees planted to provide a year-round sight-obscuring sight screen to achieve a minimum height of six feet within three years of planting; and/or

(iii) A solid or otherwise sight-obscuring fence or wall at least six feet in height.

(e) Sight screening shall not be required for dumpsters or containers located on a temporary one-time basis for special circumstances such as construction projects and large-scale cleanup efforts.

(f) Sight screening shall not be required for designated recycling bins or facilities maintained by the City of Grandview for public use.

(4) Applicable provisions of GMC 17.75.050(C)(1) require the following design standards for fences, walls and hedges:

(a) The height of fences, walls and hedges located between a structure and a street or alley shall be measured from the street curb or alley grade except in those cases where topographical irregularities occur. The height of fences, walls and hedges between a structure and a common lot line shall be measured from the grade along the common lot line or top of any structural retaining wall occurring at the common lot line.

(b) The height of fences, walls and hedges shall be limited to four feet within the front yard area of residentially zoned lots, retail business and office zoned lots; provided, when two contiguous corner lots, or two corner lots separated only by an alley right-of-way, form the entire frontage between parallel or nearly parallel streets, the height of fences, walls and hedges shall be limited to six feet within the front yard adjacent to the side

street; except where the front door of a house faces the side street all fences greater than four feet in height must be set back to the building line of the house facing the side street.

(c) The height of fences, walls and hedges within the side and rear yards of residentially zoned lots, retail business and office zoned lots shall be limited to six feet. A gate or opening with a minimum three-foot width leading into at least one side yard shall be provided.

(d) Fences shall not be constructed out of tires, pallets, bed springs, multicolored materials, tarps, plastic sheets, wheel rims and similar or like materials not traditionally manufactured or used for fencing purposes. Corrugated sheet metal for fences shall be allowed only in industrial districts. Hog wire, chicken wire, horseman wire mesh, v-mesh, field fence, woven field fence, welded utility fence, or any similar or like wire fencing material is not permitted in residential or commercial zones.

(e) In the C-2 general business district only one strand of barbed wire is permitted along the top rail or within two inches of the top rail and provided it is located outside of the designated central business district (GMC Chapter 17.45).

(f) In all front yards, whether on properties with single, double, or triple frontage, rails, posts and other structural fence supports shall not be visible from a public street; except that posts and rails that are an integral part of the fence design and aesthetics and not used solely for structural support may be visible from a public street.

(g) All fencing in commercial and industrial districts shall be placed on the inward side of any required perimeter landscaping, with landscape treatments occurring along the street frontage.

(h) Fences constructed in any zoning district may be permitted at the back of sidewalks in public right-of-way upon approval of the public works department, except where there is landscaping along the street frontage.

(i) No fence or wall shall be erected without first obtaining a building permit from the public works department.

(5) Applicable provisions of GMC 17.75.050(C)(2) require that where a fire hydrant is located within a landscape area it shall be complemented by a minimum clearance radius of three feet and that no tree, as measured from its center, shall be

located within ten feet of a street light standard, or within five feet of a driveway or a fire hydrant.

(6) Applicable provisions of GMC 17.75.050(C)(3) require the following design standards for landscape buffers in commercial and industrial districts:

(a) Landscape buffers shall be 100 percent landscaped with live vegetation or a combination of live vegetation and ornamental rock.

(b) Live vegetation within the landscape buffer shall be planted with a mix of evergreen and deciduous trees and shrubs interspersed throughout the landscape buffer. At maturity, the live vegetation shall cover a minimum of 25 percent of the landscape buffer.

(7) Applicable provisions of GMC 17.75.050(D)(1) and (D)(2) require that a new parking lot between a building and a local access street such as Vista Grande Way having 11 or fewer new parking spaces not previously in use prior to construction qualify as a "minor project" defined by GMC 17.75.030 which shall have a minimum landscape buffer of five feet between the parking lot and the property line.

(8) The applicable provisions of GMC 17.75.060 require the following standards for all landscape areas:

(a) All new plants, except those planted on single-family residential properties, shall conform to American Nursery and Landscape Association (ANLA) grades and standards as published in the "American Standard for Nursery Stock" manual (ANSI Z60.1 or latest edition).

(b) Single-stemmed trees required pursuant to Chapter 17.75 shall at the time of planting conform to the following standards:

(i) Deciduous trees shall have a minimum caliper of one and three-quarters inches and a height of eight feet; and

(ii) Coniferous evergreen trees shall be at least five feet in height.

(c) Multistemmed trees shall be permitted as an option to single-stemmed trees, provided that such multistemmed trees are:

(i) At least six feet in height; and

(ii) Not allowed in street rights-of-way.

(d) When the width of any landscape strip, buffer, or setback is 15 feet or greater, the required trees shall be staggered in two or more rows.

(e) Shrubs shall be:

(i) At least an ANLA container class No. 2 (two-gallon) size at time of planting; and

(ii) At least 18 inches in height at the time of planting.

(f) Shrubs within required parking lot landscape areas shall be maintained at a height not exceeding 42 inches.

(g) Live vegetation used as groundcovers shall be planted and spaced to result in total coverage of the required landscape area in three years.

(h) Lawns shall be planted with grass species normally grown as permanent lawn in Yakima County. Lawn areas may be sodded, sprigged, or seeded, except that solid sod shall be used in commercial zones for swales or other areas subject to erosion.

(i) Plant selection shall consider adaptability to climatic, hydrologic, geologic, and topographical conditions of the site.

(j) Plants having similar water use characteristics shall be grouped together in distinct hydrozones.

(k) Lava rock shall not be permitted in any commercial landscaped areas.

(l) When approving an area as a xeriscaped area, the city shall apply all or some of the following criteria:

(i) Analysis of the site considering such factors as slopes, drainage, winds, and existing and proposed site improvements;

(ii) Use of appropriate techniques for soil improvements to support plant growth;

(iii) Use of low water-demand or drought-resistant turf grasses and plant materials;

(iv) Use of mulches and other ground covers in planting areas that cover soil, save moisture, and protect from soil erosion; and/or

(v) Use of appropriate type of irrigation for each area of the xeriscaped landscape.

(9) The applicable provisions of GMC 17.75.080(A) require that two copies of a site development plan be submitted to the public works department for review for consistency with the provisions of GMC Chapter 17.75 prior to the issuance of building permits which must be drawn to scale and include the following:

(a) All relevant data regarding the existing site that will include a vicinity map, location and name of existing adjacent streets, driveway locations, walkways, property lines, and/or easements.

(b) Boundaries, dimensions, and size in acres of the site.

(c) Indication of adjoining uses and zones.

(d) Layout of all use areas within the site, including parking areas and interior circulation areas, including truck circulation for loading/ unloading.

(e) Landscape Plan with:

(i) Identification of any existing trees or plantings that are to remain on the site. Existing trees should be identified according to caliper and their common name. Existing trees and shrubs may be counted towards landscape requirement standards, provided they are depicted on the plan, retained in their location, and meet minimum standards for plant health; and

(ii) Location of all proposed landscape areas including the location of all landscape elements and the size, common name, scientific name, spacing, and quantity of all live vegetation to be planted.

(f) Area in square feet and dimensions of individual and collective landscape areas.

(g) Location and description of all existing and proposed structures such as buildings, loading areas, berms, walls, fences, screens, storage areas, street furniture including refuse containers, and lighting.

(h) Location of all existing and proposed utilities, vaults, and boxes.

(i) Schematic building elevations showing exterior building walls.

(10) The applicable provisions of GMC 17.75.080(B) also require that the required landscaping shall be installed to coincide with the completion of the building. However, the time limit for compliance may be extended to allow installation of such required landscaping during the next appropriate planting season.

(11) The parking lot is required to meet the following standards for a major project set forth in GMC 17.78.090(B):

(a) Surfacing – Parking lots designated for customer/client parking, all spaces required pursuant to GMC 17.78.170 and all parking areas

located between the right-of-way line and the face of buildings shall be surfaced with asphalt, Portland cement concrete or grasscrete. Those areas out of direct public view utilized for employee parking, and service vehicle parking and storage, that are located behind the front yard setback or front of the building, are exempt from the hard surfacing requirements, but must be surfaced with gravel on a stable substrate. No parking lot or driveway consisting of gravel shall abut a public street right-of-way. All driveways shall be surfaced with asphalt, Portland cement concrete or grasscrete for a distance of five feet on each side of driveway openings to a point 10 feet from the right-of-way line;

(b) Grading and Drainage – All parking lot drainage shall be contained on site. Drainage facilities shall be designed according to accepted engineering standards;

(c) Border Barricades – All parking areas designed for customer/client parking and all parking areas located between a right-of-way line and a building face shall have curbing installed around perimeter areas and around all landscape elements;

(d) Markings – Parking stalls shall be delineated by paint or other markings as approved by the public works department;

(e) Landscaping – All parking lots shall conform to the landscape provisions of Chapter 17.75 GMC;

(f) Lighting – Parking lot lighting shall be so arranged as to not constitute a nuisance or hazard to passing traffic, or encroach on adjoining residential properties; and

(g) Maintenance – All parking lots shall be regularly maintained and kept free of weeds and litter. Maintenance shall include the repair of traffic control devices, signs, light standards, fences, surfacing materials, curbs, landscaping, and drainage facilities.

(12) The applicable provisions of Table 78-1 in GMC 17.78.120 specify the dimensions required for driveways and parking spaces for the proposal depending upon the type of parking spaces provided.

(13) The applicable provisions of GMC 17.78.170 specify the number of off-street parking spaces required for convalescent homes, nursing homes and congregate care facilities similar to the proposed use to be one space for each three

beds plus one space for each two employees. Since this facility will have 16 beds and 6 employees, 9 parking spaces are required and 9 parking spaces are proposed.

X. Development Review Criteria for Conditional Use Permits. GMC 14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator. GMC 14.07.030(B) requires at least 10 days advance notice of public hearings by publication, mailing and posting. GMC 14.03.040(B)(2) and GMC 14.09.030(A)(2) & (B)(1) provide that the Hearing Examiner is to make the decisions approving or denying Conditional Use Permits. GMC 14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including, among other permits or actions, conditional use permits. GMC 14.09.030(A)(3)(c) provides that the Hearing Examiner is not to approve a proposed development without first making the following findings and conclusions:

(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code. The proposed development would be consistent with the Comprehensive Plan because it would add an urban infill business in the City that would be located on a parcel that has the "Commercial" Comprehensive Plan designation and because it would be consistent with the following Comprehensive Plan Goals and Policies:

Land Use Element Goal 1: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

Land Use Element Goal 3: To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

The proposal would also be required to meet the development requirements of the Grandview Municipal Code, including without limitation those detailed in Section IX above, and its location within a subdivision among other businesses in the area would meet the intent of the C-2 General Business District zone which is in part to promote the centralization of business in the City and the reinforcement of a positive public image for the City.

(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes. The proposal will be located within an existing subdivision which makes adequate provisions for a paved public street that will be used as access and which makes adequate provisions for a domestic water supply and sanitary wastes by utilizing City public water and sewer services for the facility.

(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18. The City determined that the proposal would not result in any probable significant adverse environmental impacts under GMC Title 18 by issuing a final SEPA Determination of Non-Significance on October 7, 2026, which was not appealed.

(4) The development is beneficial to the public health, safety and welfare and is in the public interest. The proposal would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed mental health and behavioral health services for the residents of the City and of the community.

(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

Since the applicant's updated SEPA Checklist and Transportation Checklist dated August 27, 2026, state that only 4 peak hour PM vehicle trips are expected, traffic volumes are not expected to cause any streets to fall below the City's adopted Level of Service (LOS).

(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development. No dedication of land for additional right-of-way or other purposes is required for this proposal.

XI. Additional Specific Review Criteria for Conditional Use Permits.

Upon conclusion of the open record public hearing required for consideration of a Conditional Use Permit by GMC 17.86.070, the Hearing Examiner is required by GMC 17.86.080 to make and enter findings and conclusions from the record as to the following:

(1) Whether or not the proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the Comprehensive Plan. The proposal would be in accordance with the maps and narrative text of the Comprehensive Plan because it would add an urban infill business use within a subdivision on a parcel that has the "Commercial" Comprehensive Plan designation. The proposal would also be in accordance with the following Comprehensive Plan Goals and Policies:

Land Use Element Goal 1: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

Land Use Element Goal 3: To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

(2) Whether or not the proposal will adversely affect public infrastructure. The proposal will not adversely affect public infrastructure because it will not reduce the Level of Service (LOS) of any City streets that will provide access for the facility and because it will utilize a relatively modest amount of the City of Grandview water and sewer services that are available within the City.

(3) Whether or not the proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity. The proposal is designed and conditioned to be in harmony with the existing and intended character of the general vicinity due in part to the development standards that are applicable to the proposed use and also due to the fact that the use will be primarily conducted within the confines of a building.

(4) Whether or not 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. Neither the location of the proposed facility in an area that is zoned for business uses where other businesses already exist nor the height of the proposed single-story facility will discourage the development of permitted uses on property in the general vicinity or impair the value thereof.

(5) Whether or not the operations 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. The proposed use is expected to satisfy this criterion because it will be a business use that will be primarily conducted within the confines of a building like other residential uses and therefore will not cause any objectionable noise, fumes, vibrations, dust, traffic or flashing lights for nearby properties.

(6) Whether or not the proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district. The proposed use is not expected to endanger the public health or safety if located and developed in its proposed location within a subdivision among other existing and future businesses, or to

become a nuisance to other uses permitted in the district due to the fact that it will be an assisted living type of use for only 16 residents that will be primarily conducted within the confines of the building constructed for that purpose.

CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following conclusions:

(1) The Hearing Examiner has jurisdiction and authority to approve a Conditional Use Permit subject to conditions.

(2) The public notice requirements of the Grandview Municipal Code for the open record public hearing conducted for this application have been satisfied.

(3) SEPA environmental review for the requested Conditional Use Permit was completed pursuant to RCW 43.21C and GMC Title 18 which resulted in the issuance of a final Determination of Non-Significance on October 7, 2026, that became final without an appeal.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the proposed use.

(5) No testimony and no written comments were submitted in opposition to any aspect of this proposed Vista Grande Mental Health Assisted Living Facility.

(6) This application satisfies the requisite criteria for approval of the requested Conditional Use Permit subject to conditions.

(7) Expiration of this Decision (GMC 17.86.120): Unless otherwise specified within the Special Permit or Conditional Use Permit, the applicant shall commence the special use authorized or obtain a building permit for construction of authorized facilities within six months after the effective date of the Special Permit or the Conditional Use Permit, or the Special Permit or Conditional Use Permit shall expire. In the case of temporary Special Permits or Conditional Use

Permits, unless otherwise specified within the permit, the permit shall expire after six months from its effective date. Within 30 days after the date of expiration, the applicant shall have removed from the premises the temporary use and any improvements of a temporary nature authorized by the permit.

(8) In accordance with GMC 14.11.030, any person with standing may appeal this Decision to the Yakima County Superior Court. Such an appeal must be filed with the Court in writing and served on the City Clerk or Mayor within 21 days from the date of this Decision in accordance with the statutory requirements of the Land Use Petition Act (LUPA) set forth in Chapter 36.70C of the Revised Code of Washington.

DECISION

The Hearing Examiner approves the requested Conditional Use Permit to establish and operate the proposed Vista Grande Mental Health Assisted Living Facility to be located on the west side of Vista Grande Way about 400 feet south of its intersection with East Wine Country Road on parcel number 230924-24522 as described in the application materials, the staff report, the hearing exhibits, the testimony and this Decision, subject to the following conditions:

(1) Development of the site shall substantially conform to the site plan submitted with the application for the conditional use.

(2) A Building Permit shall be obtained within six (6) months of the effective date of this Decision.

(3) An NPDES Construction Stormwater General Permit shall be obtained unless the Washington State Department of Ecology waives the requirement.

(4) The proposed facility shall not exceed 50 feet in height.

(5) All landscaping and landscaping buffer requirements outlined in GMC Chapter 17.75 shall be met.

(6) A Landscaping Plan meeting the standards of GMC Chapter 17.75 shall be submitted and approved prior to issuance of building permits.

(7) All applicable sitescreening requirements of GMC Chapter 17.75 shall be met.

(8) All future fencing, hedges or walls shall meet the standards of GMC Chapter 17.75.

(9) Nine (9) parking spaces meeting the standards of GMC Chapter 17.78 shall be completed prior to issuance of a Certificate of Occupancy for the building.

DATED this 30th day of October, 2026.

Gary M. Cuillier, Hearing Examiner