



# Adult Family Home (AFH) Capacity Increase

## *Building Division Policy*

<b>Index Number:</b>	IRC-2021-001
<b>Issue Date:</b>	Jan 27, 2021
<b>Code:</b>	2015 & 2018 IRC; 2015 & 2018 IBC
<b>Section:</b>	202 (Definitions)

### Background

In June 2020, Washington State legislature passed Engrossed Substitute House Bill (ESHB) 1023 ([RCW link](#)) which altered the requirements for Adult Family Homes (AFH). Under certain conditions, capacity of an individual adult family home can be increased to seven or eight people receiving care. This bill provides a conflict with the currently adopted codes, which limit Adult Family Homes to six people receiving care. The State Building Code Council has approved the following change to Section 202 of the adopted codes that will go into effect in May of 2021:

#### **SECTION 202—DEFINITIONS.**

**ADULT FAMILY HOME.** A dwelling, licensed by Washington the state of Washington department of social and health services, in which person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. An existing adult family home may provide services to up to eight adults upon approval from the department of social and health services in accordance with RCW 70.128.066.

### Policy

As the new code language provision is already approved by the State, Bellevue will apply the new code language to Adult Family Homes (AFH) that are in compliance with ESHB 1023 effective immediately.

### Permitting and Inspection Requirements

#### *Fire Sprinkler Permits and Inspections*

All Adult Family Homes (AFH) being increased to over 6 people receiving care are required to be equipped with a fire sprinkler system. Installation or modification of a fire sprinkler system in a residence requires a permit. Information on the permit requirements can be found here: <https://bellevuewa.gov/city-government/departments/development/permits/fire-permits/residential-fire-sprinkler-permit>

### ***Building Permits and Inspections***

If the addition of capacity includes adding a bed in an existing, previously inspected, AFH sleeping room, and there is no construction work occurring, then no Building permits or inspections are required. If the increase in capacity includes creating a new AFH sleeping room, then that room must be inspected by city staff. This includes converting an existing bedroom that was not previously for AFH use.

If no construction work is being done, then a stand-alone adult family home permit is required. You will need to provide a floor plan that identifies the sleeping room classification per IRC requirements.

Should the addition of care capacity require any construction work, the AFH inspection and review can be a part of the building permit that is required. Inspections will be done under that permit, which may include a new Adult Family Home inspection. Examples of work requiring a permit include, but are not limited to:

- Adding square footage to the structure
- Alteration of any structural elements
- Revising the interior layout
- Modifying an exterior path of egress
- Changing the use of any existing rooms
- Adding or altering plumbing, electrical, or mechanical fixtures

More information on building permit can be found here: <https://bellevuewa.gov/city-government/departments/development/permits/residential-building-permits>

### ***Clearing and Grading Permits and Inspections***

If the bed capacity increase requires additional parking, then a clearing and grading permit may be required. A permit is required if landscape changes include over 1000 square feet of clearing and/or over 50 cubic yards of grading. More information on clearing and grading permits can be found here:

<https://bellevuewa.gov/city-government/departments/development/permits/clearing-and-grading-permits/minor-clearing-and>

### ***Right of Way Permits and Inspections***

If the increase in bed capacity requires the installation, modification, or reconstruction of a driveway, a right of way permit may be required. More information on right of way permits can be found here:

<https://bellevuewa.gov/city-government/departments/development/permits/right-way-permits/residential-right-way-permit>

Signature Gregg Schrader

Gregory H. Schrader, PE, SE, Building Official

Date: 01/28/2021

Attachments

Supersedes: N/A