

Conditional Use Permit

The proposed action requires approval of:

- Administrative Conditional Use Permit (Type II)
- Hearing Examiner Conditional Use Permit (Type III)

All Conditional Use Permits must provide the following information:

1. List the provisions of the land use code that allows the proposal.

The Spokane Municipal Code allows residential care facilities, such as Adult Family Homes, Assisted Living Facilities, and Enhanced Services Facilities, to operate in residential areas when the required approvals are obtained. The proposed use is considered a residential use and is reviewed to ensure it meets zoning, safety, and operational standards. This proposal will comply with all applicable land use, building, fire, and licensing requirements, and will follow the City's review process for approval. Based on these provisions, the land use code allows the proposed residential care facility at this location.

2. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.

The proposed residential care facility is consistent with the Comprehensive Plan designation for the property. The use remains residential in nature and fits within the character of the surrounding neighborhood while providing needed housing and care for elderly individuals and adults with mental health needs. The project supports the Comprehensive Plan's goals of providing a variety of housing options, promoting community health and safety, and allowing compatible residential uses in established areas. The facility will operate like a typical household, with limited traffic and noise, and will make use of existing infrastructure and services. Overall, the proposal meets the intent of the Comprehensive Plan by providing a low-impact, well-managed residential use that serves a community need and remains compatible with the surrounding area.

3. Please explain how the proposal meets the concurrency requirements of SMC Chapter 17D.010.

The proposed residential care facility meets the concurrency requirements of SMC Chapter 17D.010. The project will utilize existing public facilities and services, including transportation, water, sewer, stormwater, fire, police, and emergency services, all of which are currently available and adequate to serve the site. The use is residential in nature and will generate minimal additional traffic, as residents do not drive and staffing levels are

limited. Existing roadway access and on-site parking are sufficient to support the proposed use. Public utilities are already in place and capable of accommodating the residential occupancy without requiring system improvements. Based on the availability of infrastructure and public services at the time of application, the proposal satisfies the concurrency requirements.

4. If approval of a site plan is required, demonstrate how the property is suitable for the proposed use and site plan. Consider the following: physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features.

The property located at 3224 E. 28th Avenue, Spokane, WA 99223 is suitable for the proposed residential care facility based on its physical characteristics, location, and residential setting. The lot is adequately sized and shaped to support a residential care use, including the existing home, required setbacks, and on-site parking, while maintaining the appearance and scale of a single-family residence. The property is located in a quiet, established residential neighborhood, which makes it well suited for elderly residents and individuals with mental health needs who benefit from a calm and stable environment. The surrounding area includes a mix of residential and compatible community-serving uses, such as churches, grocery stores, and medical clinics, and the proposed use is consistent with and complementary to the existing neighborhood character. The facility will operate in a low-impact manner, similar to a traditional household, with minimal traffic, noise, and disruption. There are no known issues related to soil stability, drainage, or surface water that would interfere with the proposed use. The property is not located in a flood-prone area and does not contain wetlands or other environmentally sensitive features. There are no known natural, historic, or cultural features on the site that would be affected by the proposed development. Existing utilities, including water, sewer, and emergency services, are available and adequate to support the residential care facility. Overall, the physical characteristics of the property allow the facility to operate safely and effectively while remaining consistent with the residential nature of the neighborhood.

5. Please explain any significant adverse impact on the environment or the surrounding properties the proposal will have and any necessary conditions that can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.

The proposed residential care facility is low-impact and not expected to cause significant effects on the environment or nearby properties. It will generate minimal traffic and noise, similar to a normal household, and will fit within the quiet character of the neighborhood. Any potential impacts can be managed by limiting occupancy, providing on-site parking, and following all safety, fire, and health regulations. With trained staff and clear operational procedures, the facility will operate safely and respectfully without disturbing neighbors.

In addition to Questions 1-5, all Institutional or Other Uses in a Residential Zone must ALSO address the following approval criteria as required by SMC 17C.320.080:

6. Proportion of Residential Household Living Uses.

The overall residential appearance and function of the area will not be significantly lessened due to the increased proportion of uses not in the residential household living category in the residential area. Consideration includes the proposal by itself and in combination with other uses in the area not in the residential household living category and is specifically based on the:

- a. number, size and location of other uses not in the residential household living category in the residential; and
- b. intensity and scale of the proposed use and of existing residential household living uses and other uses.

The proposed residential care facility will maintain the residential character of the neighborhood and will not significantly reduce the overall proportion of residential household living uses in the area. The surrounding neighborhood is primarily residential, with a mix of compatible community-serving uses such as churches, grocery stores, and medical clinics. The facility is residential in scale and intensity, similar to a single-family home, and will operate with a limited number of residents and staff. It is compatible in size, function, and appearance with existing homes, and the use will blend seamlessly with surrounding residential household living uses. Even in combination with other non-residential uses in the area, the project will not dominate the neighborhood or change its overall residential character.

7. Physical Compatibility.

- a. The proposal will be compatible with adjacent residential developments based on characteristics such as the site size, building scale and style, setbacks and landscaping; or
- b. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping and other design features.

The proposed residential care facility is compatible with adjacent residential developments. The property is similar in size and scale to surrounding lots, and the existing home fits the neighborhood's residential style. Setbacks and landscaping will be maintained to preserve privacy and a home-like appearance. Any differences in scale or use will be minimized through careful design, including screening, maintained landscaping, and adherence to building and setback requirements. The facility will blend with the neighborhood and will not appear out of place or disrupt the character of nearby homes.

8. Livability.

The proposal will not have significant adverse impacts on the livability of nearby residential zoned lands due to:

- a. noise, glare from lights, late-night operations, odors and litter; and
- b. privacy and safety issues.

The proposed residential care facility is low-impact and will not affect the livability of nearby homes. It will operate quietly, with minimal traffic, no late-night activities, and no significant odors, litter, or bright lighting. Privacy and safety for both residents and neighbors will be maintained through proper site design, staff supervision, and adherence to all safety and health regulations. The use will function like a typical household and will fit seamlessly within the residential neighborhood.

9. Public Services. a. The proposed use is in conformance with the street designations of the transportation element of the comprehensive plan.

- b. The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include:

- i. street capacity, level of service and other performance measures;

- ii. access to arterials;
 - iii. connectivity;
 - iv. transit availability;
 - v. on-street parking impacts;
 - vi. access restrictions;
 - vii. neighborhood impacts;
 - viii. impacts on pedestrian, bicycle and transit circulation;
 - ix. safety for all modes; and
 - x. adequate transportation demand management strategies.
- c. Public services for water supply, police and fire protection are capable of serving the proposed use, and proposed sanitary waste disposal and stormwater disposal systems are acceptable to the engineering services department.

The proposed residential care facility is consistent with the street designations in the Comprehensive Plan and will use the existing transportation system without negatively impacting the neighborhood. The use is low-intensity, generating minimal traffic, and existing streets provide safe access with adequate connectivity. On-street parking, pedestrian, bicycle, and transit circulation will not be affected, and the limited number of staff and visitors ensures minimal impact on neighbors. Public services, including water, sewer, police, and fire protection, are already available and sufficient to support the facility. Stormwater and sanitary waste will be managed according to city standards. Overall, the project can be served safely and efficiently by existing public services and infrastructure.