

SHORELINE PERMIT APPLICATION

Attach an additional sheet if needed

The proposed action requires approval of:

- ✓ Shoreline Substantial Development Permit (SSDP)
- Shoreline Conditional Use Permit (SCUP)
- Shoreline Variance (SV)

All Shoreline Permits must provide the following information:

1. Identify the name of the shoreline (water body) with which the site of the proposal is associated.

The Spokane River - Upriver. The John H. Shields trailhead is located on the north shore of the Spokane River and separated by E. Upriver Drive.

2. Provide a general description of the proposed project, including the proposed use or uses and the activities necessary to accomplish the project.

The "Make Beacon Hill Public Phase 2" project focuses on revitalizing John H. Shields trailhead to enhance public access and upgrade amenities. To accomplish the project, activities include constructing new parking spaces and a children's play area, improving stormwater management and landscaping, installing fencing and boulders for safety, paving pathways, conducting environmental mitigation through native replanting, and building a concrete staircase to connect to adaptive trails and a climbing area. These tasks are designed to enhance the trailhead as a recreational destination while preserving the area's natural resources.

3. Provide a general description of the property and adjacent uses, including physical characteristics intensity of development, improvements, and structures.

The parcels at John H. Shields in the City of Spokane, zoned as R1, are surrounded by scattered residential properties and adjacent County land. This project site, designated as Conservation land, emphasizes low-intensity development focused on preserving natural landscapes and promoting recreational use. The zoning and adjacent land uses align with the project's goals of enhancing the site's recreational value while maintaining its ecological integrity. Planned improvements and structures include:

- Approximately seven new parking stalls (including one additional ADA parking stall).
- Stormwater and landscaping improvements
- A new children's play structure/area.
- New split rail fence.
- Several placed boulders to act as bollards installed between the existing parking lot and the new paved pathway. The paved pathway will be installed along the existing footprint of a current primitive trail that spans the width of John H. Shields Park.
- Installation of electric (underground) utility lines.
- Native replanting areas, specifically Mitigation Areas 1 and 4, to offset for new impacts within the shoreline jurisdiction.

- Concrete staircase leading from the terminus of the paved pathway up to a graveled adaptive trail. The gravel adaptive trail is an improvement leading to “open book” climbing wall.

4. What is the estimated total Fair Market project cost within the Shoreline Jurisdiction?

\$500,000

5. Will the proposed development intrude waterward of the ordinary high water?

YES

NO

If yes, describe the intrusion:

N/A

6. Will the proposed use or development affect existing views of the shoreline or adjacent waters?

YES

NO

If yes, describe:

N/A

7. Explain how the proposed use will not unreasonably interfere with the normal public use of public shorelines.

The project is designed to improve public access to the shoreline via the trailhead and amenities, carefully avoiding any disruption to existing shoreline activities. The enhancement to the trailheads and access to trailhead amenities will not impede the ongoing enjoyment and use of the shoreline by all community members, maintaining a balance between new developments and the preservation of traditional shoreline experiences. The proposed public trails provide pedestrian connectivity along and safe crossing over Upriver Drive.

8. Please explain how the proposal is consistent with the map, goals, and policies of the Shoreline Master Program.

The John H. Shields Trailhead Revitalization project aligns with the Shoreline Master Program (SMP) through targeted environmental mitigation, public access, recreation, and restoration efforts. It incorporates native plant landscaping to preserve shoreline ecology, enhancing the area's natural character and resilience. By improving access with new pathways, pedestrian crossing, and minimizing view obstructions, the project adheres to SMP's goals for public enjoyment and ecological function preservation. Recreational opportunities are expanded through thoughtful design, upgraded and new trailhead amenities, including an adaptive trail ensuring accessibility for diverse users. The project includes features to ensure there is no net loss of shoreline ecological functions, directly supporting SMP's vision for a sustainable, accessible, and ecologically rich shoreline experience. The rehabilitation and restoration of this trailhead is

set to improve the desirability of this as a recreational destination and increase access to publicly owned shoreline.

9. A detailed narrative of how the impacts of the proposal have been analyzed to achieve no net loss of shoreline ecological functions, including each step of the mitigation sequencing process, as defined in Section 17E.060.220 SMC.

A review of the Make Beacon Hill Public Phase 2 Trailheads Project considering the Spokane Municipal Code (SMC) Chapter 17E.060 and Spokane County SMP is provided below.

John H. Shields Park (Eastern Portion):

In accordance with SMC 17E.060, the John H. Shields shoreline carries an environmental designation of Shoreline Residential. The following evaluation analyzes the Make Beacon Hill Public Phase 2 Trailheads Project components alongside key SMC/SMP requirements.

Article III: Part I. General Development Requirements

Article III Part I of the SMP details general provisions for projects located within the shoreline jurisdiction. These provisions include the incorporation of the City of Spokane critical areas ordinance and development requirements that include mitigation sequencing to ensure a no net loss of ecological function within the shoreline. The Make Beacon Hill Public Phase 2 Trailheads Project includes stormwater infrastructure as part of the improved (paved) parking areas. Stormwater structures included in the project have been designed in accordance with Section 17E.060.200 to ensure that there is no net loss of shoreline ecological functions or a significant impact to aesthetic qualities or recreational opportunities. Low impact development techniques have also been implemented in design stages and will be implemented through BMPs during the construction of the project to ensure native vegetation is kept intact to the greatest extent practicable.

Article III: Part II. No Net Loss of Shoreline Ecological Function

Sections 17E.060.210 and 17E.060.220 state that the City shall ensure projects within the shoreline jurisdiction result in no net loss of ecological function through proper mitigation sequencing. Projects are also to follow any shoreline or other applicable regulations, including the Washington State Environmental Policy Act (SEPA).

Article III: Part III. Vegetation Conservation and Replacement

Article III Part III aims to conserve shoreline vegetation through achieving a no net loss of ecological functions within the shoreline. The project has been designed to minimize and avoid impacts to the shoreline buffers and jurisdiction to the greatest extent possible given the existing site conditions and geological elements of the site. Section 17E.060.260 lists vegetation replacement ratios of 1:1 for trees less than 6 inches in diameter, native shrubs, and native ground cover, and 2:1 for native trees greater than 6 inches in diameter. Any impacts that could not be avoided as part of the project will be properly mitigated as per the Section 17E.060.260 and are further detailed later in this report. Four Mitigation Areas, encompassing a total of 0.52 acres, have been prescribed to meet the mitigation offset for this project within the 200' Shoreline Jurisdiction.

Article III: Part IV. Physical and Visual Public Access

This section of the SMP recognizes the need for physical and visual public access to the shoreline. The project does not include any portions on the waterward side of East Upriver Drive and as such, will have no impact on visual public access to the Spokane River. The addition of the pedestrian crossings along East Upriver Drive will increase access to the Centennial Trail on the south side of East Upriver Drive.

The mitigation planning efforts cross City and County jurisdictional boundaries at the John H. Shields and Camp Sekani trailheads and therefore cannot be separated. Please see the mitigation sequencing, plan, planting details, monitoring, and maintenance approach below. Note: Mitigation area #1 is located within City parcel 35013.0201 and mitigation area #4 is within City on parcel number 35024.0001.

Mitigation Sequencing

The Spokane County SMP, Section 4.1.2, and SMC Section 17E.060.220, require all shoreline projects to demonstrate sufficient mitigation to minimize significant adverse impacts from the activity. The Make Beacon Hill Public Phase 2 Trailheads Project does not include any actions that will cause adverse impacts within native functioning shoreline habitat and implements appropriate BMPs to minimize the footprint of disturbance during construction activities. The project proposes to rectify any potential adverse impacts by repairing the shoreline environment where disturbed and enhancing adjacent shoreline areas to further promote a functioning shoreline environment.

The County's SMP calls for a 1.5:1 mitigation ratio in terms of area for unavoidable impacts; whereas the City's SMC calls for a replacement ratio based on size of trees to be impacted. Given the total number of trees (i.e., 58; and notably only 3 trees within the City's jurisdiction) anticipated to be cleared because of the project action, the application of the County's 1.5:1 mitigation ratio in terms of area (including replantings) will far exceed the City's compensatory mitigation requirements. Therefore, structured in accordance with the County's SMP, this mitigation approach detailed herein will provide one combined mitigation plan, satisfying both the County's SMP and City's SMC.

Mitigation Plan

This mitigation plan yields an on-site compensation package aimed at offsetting 0.346 acres in new project impacts with a total of 4 prescribed Mitigation Areas that combined encompass 0.52 acres as illustrated on Sheet 6 within **Appendix A of the HMP/SIA**). The 4 prescribed Mitigation Areas will receive native replantings and a seed mix designed to improve the existing habitat, provide an improved shoreline vegetative community, and establish a structured shoreline that will prevent erosion and protect water quality.

More specifically, Mitigation Area 1 will have a temporary exclusionary fence installed around its perimeter, which is envisioned to remain in place for up to 5 years to minimize wildlife browsing. The existing concrete ecology blocks along the southside of Mitigation Area 1 will be

removed and replaced with boulders to prevent vehicle parking in this area and to provide added protection of the mitigation plantings.

Planting Details

All plant materials shall be native to Spokane County and from native stock or stock from a similar climate, and consistent with WSDOT 2023 Specification 9-14.7, Plant Materials. All plants should be kept saturated and shaded until the time of installation. Ideal installation windows correlate to the month of April or October.

Plants should be healthy, vigorous, and free from any signs of insect infestation, disease, mechanical injury, or signs of environmental or other stress. Actively growing plants should only be planted during the frost-free periods. Planting distribution should be random/scattered (i.e., not in rows), and can be densely clustered to form restoration islands at the Landscape Contractor's discretion. Avoid planting where suitable soil is not available (e.g., rock out crops or dirt/primitive trails).

The prescribed plant schedule in **Table 5** is developed specific to the identified 4 Mitigation Areas totaling 0.52 acres. If plants species are not available for purchase at the time of planting, a qualified biologist or landscape architect can approve alternative native plant species.

Table 1. Summary of Native Replantings for the Prescribed 4 Mitigation Areas totaling 0.52 acres.

Common Name	Scientific Name	Size/Condition	Average Approx. Spacing	Total Quantities
Wood's rose	<i>Rosa woodsii</i>	1 or 2 gallon	1 per 144 SF	23
Snowberry	<i>Symphoricarpos albus</i>	2 gallon	1 per 144 SF	23
Black hawthorn	<i>Crataegus douglasii</i>	5 gallon	1 per 144 SF	22
Serviceberry	<i>Amelanchier alnifolia</i>	5 gallon	1 per 144 SF	22

Common Name	Scientific Name	Size/Condition	Average Approx. Spacing	Total Quantities
Chokecherry	<i>Prunus virginiana</i>	5 gallon	1 per 144 SF	23
Blue elderberry	<i>Sambucus cerulea</i>	5 gallon	1 per 144 SF	22
Ponderosa pine	<i>Pinus ponderosa</i>	1 or 2 gallon	1 per 144 SF	23
Total Prescribed Nursery Stock per Acre				158

Throughout the mitigation areas, the recommended seed mix including upland bunch grasses and forbs, is prescribed to be hand broadcasted at a rate of 20 lbs. per acre. Broadcast seeding is recommended to restore a native grass and forb community. The broadcast seed shall be topped with hydro mulch.

Table 2. Recommended Seed Mix

#	Species Name	Common Name	Provenance	PLS (lb/ac)	% Mix (wt.)	PLSeeds/ft ²	% Mix (seeds/ft ²)
1	<i>Festuca idahoensis</i>	Idaho fescue	Native	3.5	18%	36.4	25%
2	<i>Poa secunda</i>	Sandberg bluegrass	Native	1.7	8%	34.6	24%
3	<i>Psuedoroegneria spicata</i>	Bluebunch wheatgrass	Native	9.0	45%	28.9	20%
4	<i>Koeleria macrantha</i>	Prairie junegrass	Native	0.5	3%	26.6	18%
5	<i>Elymus elymoides</i>	Bottlebrush squirreltail	Native	2.7	14%	11.9	8%
6	<i>Lupinus sericeus</i>	Silky lupine	Native	1.4	7%	0.8	1%
7	<i>Lomatium triternatum</i>	Nineleaf biscuitroot	Native	0.8	4%	0.8	1%
8	<i>Eriogonum heracloides</i>	Parsnip flowered buckwheat	Native	0.3	2%	1.6	1%
9	<i>Solidago canadensis</i>	Canada goldenrod	Native	0.03	0%	3.5	2%
			Sums	20.0	100%	144.9	
					% Native/ft ² =	100%	

Monitoring and Maintenance

The prescribed mitigation areas shall receive five years of monitoring and maintenance at the responsibility of the City. The goal is to establish an 80% survival rate for all native woody plantings, and a maximum tolerance of 20% for weedy species within the planting areas. Maintenance over the 5-year period includes the following:

1. If warranted, the installed plantings will be temporarily irrigated at the City's discretion to allow the shrubs and trees to mature and develop adequate root systems for the first two to three growing seasons post-planting.
2. Plantings that die within the first two years of monitoring shall be removed and replaced by the City with native species listed in **Table 5**.
3. Noxious weeds should be identified and treated with herbicide annually for the first two years of monitoring.
4. After the newly installed vegetation assemblages have been established and deemed 80% successful for the final three years of the monitoring period, no additional monitoring or maintenance efforts would be required.

Monitoring efforts would begin after the plantings are installed. No less than eight established photo points (2 photo points per Mitigation Area) shall be chosen. All planting areas must be monitored year-round at a minimum duration of twice during the growing season, for a period of no less than five continuous years, with an annual report submitted to the appropriate regulatory agencies, including the Washington State Recreation and Conservation Office, by December 1st of each year.

Based on monitoring results, adaptive management of the site will be utilized. If the site is not trending towards performance standards identified within this plan, additional management actions may be required, and may include:

1. Additional plantings;
2. Exclusionary fencing or browse control;
3. Re-grading;
4. Weed treatment and removal;
5. Re-seeding;
6. Extension of the monitoring period; and,
7. Adding additional monitoring points.

10. List of permits required from other than City of Spokane agencies, include name of agency, date of application, and number of applications.

- Shoreline Substantial Development Permit, City of Spokane Planning Department
- Shoreline Conditional Use Permit and Shoreline Development Permit, Spokane County Planning Department, Date of Application 02/29/2024
- General Construction Stormwater Permit, Department of Ecology
- Grading and building permits from the City of Spokane and Spokane County

In addition to Questions 1-10, all Shoreline Conditional Use Applications must ALSO provide the following information:

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

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

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

14. 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.

15. Please explain how the cumulative impact of several additional conditional use permits on the shoreline in the area will not preclude achieving the goals of the shoreline master program.

In addition to Questions 1-15, all Shoreline Variance Applications must provide the following additional information:

16. Fill out the following information for the variance being requested:

	<i>REQUIRED</i>	<i>PROPOSED</i>
Front yard setback		
Rear yard setback		
Side yard setback		
Lot coverage percentage		
Lot size		
Lot width		
Height		
Other (specify):		

17. What physical characteristics of the property interfere with your ability to meet the required standards?

18. How does this property physically differ from other similarly zoned properties in the area and how do the physical characteristics of the subject property prevent developing to the same extent?

19. What hardship will result if the requested variance is not granted?

20. Does compliance with the requirement eliminate or substantially impair a natural, historic, or cultural feature of area-wide significance? If yes, please explain.

21. Will surrounding properties suffer significant adverse effects if this variance is granted? Please explain.
22. Will the appearance of the property be inconsistent with the development patterns of the surrounding property? Please explain.
23. Variance permits for development that will be located **landward** of the ordinary high water mark (OHWM), as defined in RCW 90.58.030(2)(b), and/or landward of any wetland as defined in RCW 90.58.030(2)(h), may be authorized; provided, the applicant can demonstrate all of the following:
- a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property.
 - b. That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions.
 - c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment.
 - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;

- e. That the variance requested is the minimum necessary to afford relief.

f. That the public interest will suffer no substantial detrimental effect.

24. Variance permits for development that will be located **waterward** of the ordinary high water mark (OHWM), as defined in RCW 90.58.030(2)(b), or within any wetland as defined in RCW 90.58.030(2)(h), may be authorized; provided, the applicant can demonstrate all of the following:

a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes all reasonable use of the property.

b. That the proposal is consistent with the criteria established under WAC 173-27-170(2)(b) through (f).

c. That the public use of the shorelines will not be adversely affected.