



Conditional Use Permit Application

Rev.20180102

1. List the provisions of the land use code that allows the proposal.
 - A. **Per the Spokane Wetlands Protection Code (SMC 17E.070.010), The goal of the wetlands protection code is to result in no net loss of wetland areas, functions and values. The project modifies certain wetlands and wetland buffers at a 2:1 rate, thereby generating a net gain of wetland.**
 - B. **Per SMC Section 17E.070.040 (B), a wetland permit will be required for the mitigation of a delineated wetland.**
 - C. **Per SMC Section 17E.070.080(B), a wetland report, topographic survey, additional site plan information, and additional information is required for a complete submittal. All items have been included with the preliminary plat/PUD application.**
 - D. **The wetlands delineated are category III wetlands with a buffer of 150 feet per Section 17E.070.110. These buffers will be used for stormwater as allowed and constructed/vegetated per the mitigation plan.**
2. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.

Chapter 14 – Shorelines covers undisturbed portions of shoreline areas including wetlands.

SMP 1 – General Goal and Policies

- *SMP 1.3 No net loss of ecological functions*
- *SMP 1.6 Policy priorities*
 - **As part of this project the impacted wetlands will be replaced at a 2:1 ratio in a central open space area, which will provide an undisturbed area for wildlife and aquatic resources. The site will completely drain into the wetland buffer for treatment before discharging into the wetland, which will increase the survivability of the wetland.**

SMP 4 –Conservation

- *SMP 4.2 Non-renewable resources*
- *SMP 4.3 Conservation of critical areas*
- *SMP 4.6 Mitigation of adverse impacts*
 - **This project will protect the mitigated wetland as a permanent open space feature. Stormwater generated onsite will be sent to the wetland buffer for treatment and discharged into the open space wetland, thereby preserving it for future generations.**

SMP 10 – Restoration

- *SMP 10.2 Native plant restoration*
- *SMP 10.3 Landscaping with native plants*
- *SMP 10.6 Best management practices*
 - **The mitigated wetland will be landscaped with native plants via the use of best management practices.**

NE 7 – Natural Land Form

- *NE 7.7 Wetlands*
 - **As part of this project the impacted wetlands will be replaced at a 2:1 ratio in a central open space area, which will provide an undisturbed area for wildlife and aquatic resources. The site will completely drain into the wetland buffer for treatment before discharging into the wetland, which will increase the survivability of the wetland.**

NE 11 – Natural Areas

- *NE 11.1 Identification of Natural Areas*
 - **The onsite wetlands were delineated by a certified wetland biologist Bill Towey, please see the attached wetland delineation report and mitigation plan.**

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

A. As identified in this section, this project will meet concurrency as defined for all elements (A to D) listed under 17D.010.010 Applicability and will not affect overall levels of service.

- i. Transportation: the project will not add any additional densities not considered in the comprehensive plan and is agreeable to pay the City of Spokane Traffic Impact Fees associated with the region.**
- ii. Public Water: the additional water services will be reviewed by The City of Spokane Public Works and is in the Retail Water Service Area. A hydraulic model is included with this application as required by Spokane Water Department staff in the pre-development conference notes. Based upon preliminary calculations, the project expects to generate an average daily demand for water of 129,847.50 GPD, with a max day demand of 337,603.50 GPD and peak hour demand of 573,926 GPD. Please see the attached SEPA Checklist.**
- iii. Fire Protection: The City of Spokane Capital Facilities Plan (Appendix C of the comprehensive plan) references the Washington Survey and Rating Bureau and states that areas greater than five road miles from a fire station receive a 9A rating and typically an increase of insurance rates. The project site is located 2.7 road miles from the nearest fire station, station 4 at 1515 W. 1st Avenue. The project will not add any additional densities not considered in the comprehensive plan.**
- iv. Police Protection: The City of Spokane Capital Facilities Plan identifies that the city has funding to support an adequate level of service for police through 2023. The project will not add any additional densities not considered in the comprehensive plan.**
- v. Parks and Recreation: This project will supply at minimum 10 percent publicly available open space as required by SMC 17G.070.030.E.1.a.**
- vi. Library: the project will not add any additional densities not considered in the comprehensive plan. The City of Spokane Capital Facilities Plan acknowledges that Library Levels of Service are currently inadequately maintained and further indicates that new facilities in the Qualchan area may be required; however, the lack of libraries in the area is an existing condition that will not be impacted by this project.**
- vii. Solid Waste disposal and recycling: the project will not add any additional densities not considered in the comprehensive plan. Comments from City of Spokane Solid**

Waste staff in the pre-development meeting notes indicate that the plans would be approved as shown.

- viii. **Schools:** The project site is currently served by Windsor Elementary, Westwood Middle School, and Cheney High School.
- ix. **Public wastewater (sewer and stormwater):** Sewer and storm sewer for the vicinity of the project, with stormwater leading to drywells for infiltration; however, the sewer from the project site passes by CSO 16, a combined sewer outfall that is considered controlled in the 2013 CSO plan amendment. The project will not add any additional densities not considered in the comprehensive plan. Based upon preliminary calculations, the project expects to generate a sewer capita flow (without peaking factor) of 49,750 GPD and a peak flow of 149,250 GPD.

B. As required, it is understood that further concurrency tests will be made by staff and other affected agencies via conditions of approval. If a concurrency test were to be marginal, appropriate provisions would be implemented to bring this plat back into level of service conformance such as the payment of traffic impact fees or other modifications that may be required to meet the appropriate and identified levels of services for the noted facilities and services, these changes may affect existing water and sewer facilities.

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 existence of natural, historic or cultural features.

A. A copy of the preliminary plat/PUD is attached utilizing topography obtained in the field and supplemented by Washington State LIDAR and the proposed lots are adequate for required density as proposed. Some grading should be expected to ensure the establishment of proper building pads, roads and utility extensions.

B. The delineated wetland was reviewed by a licensed wetland biologist and deemed appropriate for the onsite wetland. This information is located within the wetland delineation and mitigated report.

C. Soils, slope and drainage features have been considered as a part of this project.

D. A Geotechnical report has been or will be prepared for this proposal.

E. There is no apparent evidence of historic or cultural features on site and a cultural resource survey has been ordered to verify that no historic or cultural features are onsite.

F. As required by the SRSM, all storm water will be treated and disposed on site or as allowed.

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.

As part of the project, wetlands will be removed prior to/simultaneously with replacement; however, the wetlands will be mitigated and replaced at a 2:1 ratio as required by SMC Table 17E.070.130-1. A. We believe that the SEPA checklist that was prepared for this project as well as the existing zoning and inclusion within the city limits would have contemplated the addition of these lots on this property and therefore, this project is not anticipated to have any substantial impact to the neighboring property or the surrounding area as whole; however, traffic impacts will be mitigated to maintain levels of service as necessary.