

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

Area 1 (in the disc golf course west and across Downriver Dr. from Downriver golf course)
Construct shallow stormwater treatment swales with an area of approximately 5 acres of land currently used as a disc golf course. Replace disc golf course (above ground metal baskets, flush-to-the-ground 5'x10' concrete tee-off pads). Construct gravel access paths to the swales for maintenance purposes by the City sewer dept (not accessible to the public).

Area 2 (on the NW side of TJ Meenach Bridge)
Construct shallow stormwater treatment swales with an area of approximately 1 acre on currently unused land. Also construct a 10'-12' paved trail on the river side of said swales and upgrade an existing parking lot to provide additional parking (not closer to the OHWM than current parking) and better ingress/egress onto Downriver Dr.
3. Provide a general description of the property and adjacent uses, including physical characteristics, intensity of development, improvements, and structures.

Area 1 (in the disc golf course west and across Downriver Dr. from Downriver golf course)
Area 1 is currently used as a disc golf course. This site is bounded on the north, south and west by the Spokane River and the east by Downriver golf course. The proposed swales are locate on a bluff approximately 35' above the Spokane River. The west edge of the proposed swales are just within the 200' shorelines jurisdiction area. The site is relatively flat and undeveloped except for the disc golf course.

Area 2 (on the NW side of TJ Meenach Bridge)
Area 2 is currently used as a small parking lot for river access. This site is bounded on the south by the Spokane River, on the east and west by unused riverfront conservation open space areas and on the north by Downriver Drive. The site is relatively flat and unused except for the small parking lot.
4. What is the estimated total Fair Market project cost within the Shoreline Jurisdiction? *\$750,000*
5. Will the proposed development intrude waterward of the ordinary high water? YES NO If yes, describe the intrusion:
6. Will the proposed use or development affect existing views of the shoreline or adjacent waters? YES NO If yes, describe:

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

Area 1 (in the disc golf course west and across Downriver Dr. from Downriver golf course)

The proposed shallow swales at Area 1 will be incorporated into the disc golf course so that, following construction, public access to this area will continue as before. The disc golf course will be reconstructed and reopened as before.

Area 2 (on the NW side of TJ Meenach Bridge)

The proposed shallow swales at Area 2 will not impact public access. In fact, the proposed parking lot improvements and proposed trail will increase public access to the shorelines.

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

A goal of the Shoreline Master Program (SMP) is to preserve, to the greatest extent feasible, the public's opportunity to enjoy the physical and aesthetic qualities of the shorelines of the state. The proposed trail and expanded parking in Area 2 not only preserve, but also enhance public access to the shoreline of the Spokane River. The purpose of the proposed swales at both Area 1 and Area 2 is to clean up the river which improves the public's opportunity to enjoy the physical and aesthetic qualities of the shorelines.

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.

Area 1 (in the disc golf course west and across Downriver Dr. from Downriver golf course)

A portion of the proposed shallow swales at Area 1 are just within the 200' jurisdiction and are located on a bluff about 35' above the Spokane River. These proposed swales therefore will not impact shoreline ecological function.

Area 2 (on the NW side of TJ Meenach Bridge)

The proposed shallow swales and parking lot expansion at Area 2 are immediately adjacent to the Spokane River and are the subject of a Habitat Management Plan, a draft version of which is attached. The recommendations of that HMP will be incorporated into the project.

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

None

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.

The proposed uses include "basic utility" and "Parks and Open Space" as defined in SMC 17C.190.400. The zoning of this site is Residential Single Family. SMC 17C.110 regulates land use in this zone. Per SMC 17E.060-04, this CSO tank is classified as the new construction of utilities or facilities, a Capital Facility and Utility. The construction of new utilities or facilities that are non-water oriented is allowed by a shoreline conditional use permit. The code also says that this use is allowed in the shoreline jurisdiction only if it can be demonstrated that no other feasible alternative is available. This is City-owned property and is the best location for a use of this kind. A shoreline conditional use permit is a Type III application. In a Type III application, a Public Hearing is held and the decision maker is the Hearing Examiner.

Per the SMC, 17E.060.290(U) and (V), public access shall be provided for any new development activity that requires a shoreline conditional use permit. It states that public access shall be located adjacent to other planned or existing public areas, public and private accesses and trails and connected to the nearest public street. The work planned will not

significantly alter the shoreline environment, but instead will look be built adjacent to existing roadways and on ROW owned by the City that sit significantly above the shoreline environment. The code states that alterations of the natural conditions of the shorelines of the state shall be given priority when development will provide an opportunity for a substantial number of people to enjoy said shoreline. Due to the location of the proposed project, it will neither hinder nor restrict access to the shoreline.

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

CFU 5 of the Comprehensive Plan contains the goal of “minimizing impacts to the environment, public health and safety through the timely and careful siting and use of capital facilities and utilities”.

CFU 5.3 states “the City of Spokane should work continuously toward the reduction of existing combined sewer overflows wherever technically, economically and environmentally appropriate.” The proposed project accomplishes both goals.

PRS 1.1 of the Comprehensive Plan contains the policy of providing “an opening space with the urban growth boundary that connects with regional open space and maintains habitat for wildlife corridors”.

PRS 2.1 contains the policy of providing an “open space and park amenities within each neighborhood that are appropriate to the natural and human environment of the neighborhood.

TR 13 Infrastructure Design: Maintain and follow design guidelines (including national guidelines such as MUTCD, NACTO, AASHTO) reflecting best practices that provide for a connected infrastructure designed for our climate and potential emergency management needs, and respecting the local context. Local context may guide signage and elements such as traffic calming, street furniture, bicycle parking, and community spaces. Accessibility guidelines and emergency management needs will be maintained.

TR 16 Right-of-Way Maintenance: Keep facilities within the public rights-of-way well-maintained and clean year-round for the benefit of all while focusing on complete rehabilitation of streets on arterials, and maintenance work on both residential and arterial streets, using an integrated approach that incorporates all uses of the right of way to leverage dollars and gain greater community benefits.

NE 3 SHORELINES Goal: Protect the natural state of shorelines while providing community access that does not negatively impact riparian habitats, fragile soils, and native vegetation.

SMP 2.6 Placement in Existing Rights-of-Way: Require new utilities and facilities to be located in existing rights-of-way whenever possible.

SMP 2.7 Transportation and Parking Facilities: Plan, locate, and design proposed transportation and parking facilities where routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions, or adversely impact existing or planned water dependent uses.

SMP 2.8 Conditions on Construction or Expansion: Allow construction or expansion of any facility or utility within the Shoreline Jurisdiction by conditional use only

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

This proposed project expands stormwater treatment capacity and therefore meets concurrency.

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.

Except during construction, this project will have minimal to no impacts on the environment or surrounding properties in that existing land uses will be restored following construction.

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.

The proposed project has minimal to no impact on the shoreline and so would not contribute to a cumulative impact with the addition of several other conditional use permits in the area.