

# 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.

*The proposed project is a two year phased project to construct new and replacement water/sewer stormwater mains and swales as well as the peacefull valley trail.*

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

*The proposed project alignment is generally within or adjacent to existing city streets with the exception of the proposed swales which are in an unused grassy area.*

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

*\$0.5M*

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.

*Except during construction, the impact of the proposed project on the environment will be entirely positive. That is, a major purpose of the project is construction of a trail adjacent to the shoreline. In addition, the project will include buried utilities one of which is a CSO tank whose sole purpose is to reduce combined sewer overflows to the river. Following construction, the area will look essentially identical to it is today: a gravel parking lot. The unnoticed positive impact will be far fewer raw sewage discharge occurrences to the river.*

*During construction, area residents will experience dust, noise and traffic inconveniences typically associated with large construction projects. These impacts are partially mitigated by requirements to water streets where pavement has been removed to control the dust, following the noise ordinance which restricts hours of construction and implementation of adequate traffic control plans.*

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

*The goals of the Shoreline Master Program (SMP) include ensuring the development of the shorelines in a manner which, while allowing for the limited reduction of the rights of the public in shoreline areas, will promote and enhance the public interests. The proposed CSO tank (which will be entirely underground) will enhance river water quality by limiting combined sewer overflows.*

*Another identified goal of the 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 enhances public access to the shoreline of the Spokane River.*

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.

*No net loss of shoreline ecological function will occur. The project will pave a trail in an area currently used by pedestrians adjacent to the existing roadway.*

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.

*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. The original proposal for this use was shown in the intersection of Post St and Summit Pkwy, but the proposal was pushed to be completely on private property. 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 or on parcels 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. This trail will weave in and out of the shoreline jurisdiction and will ultimately provide dedicated trail access along the shoreline for the enjoyment of the public.*

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.*

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

*The proposed CSO tank expands capacity of the sanitary/storm sewer system & 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, the impact of the proposed project on the environment will be entirely positive and unnoticed by area businesses. That is, following construction, the area will look essentially identical to it is today. The unnoticed positive impact will be far fewer raw sewage discharge occurrences to the river.*

*During construction, area businesses will experience dust, noise and traffic inconveniences typically associated with large construction projects. These impacts are partially mitigated by requirements to water streets where pavement has been removed to control the dust, following the noise ordinance which restricts hours of construction and implementation of adequate traffic control plans.*

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 CSO tank will be buried and will not change existing land use above the tank which is a parking lot. Even if several additional CSO tanks of a like nature were proposed, because there is no change proposed to existing land use, “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:**

**N/A**