

**STAFF REPORT ON PRELIMINARY PLAT, PRELIMINARY PUD
AND SHORELINE CONDITIONAL USE PERMIT APPLICATION
FILE NO. Z16-985SCUP**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: The applicant, Taudd Hume, on behalf of JRP Land LLC, has applied for a Preliminary Plat, Preliminary Planned Unit Development and a Shoreline Conditional Use permit from the Hearing Examiner to subdivide 48 acres of land for 94 single family lots. The project may also include a community building and or a self-storage area for the use of the residents.

RECOMMENDATION: Staff recommends approval of this application subject to the conditions outlined in this report.

II. GENERAL INFORMATION:

- A. Applicant: Taudd Hume
505 W. Riverside, Ste. 500
Spokane, WA 99201
(509) 252-5066
thume@pblaw.biz
- B. Property Owner(s): JRP Land LLC
10223 S. Hangman Valley Road
Spokane, WA 99224
johnpilcher@hotmail.com
- C. Location of Proposal: 3515 S Inland Empire Road, parcels 35312.0002,
35361.0006, and 35361.0007.
- D. Existing Zoning: RSF (Residential Single Family) &
RA (Residential Agriculture)
- E. Land Use Plan Designation: Residential 4-10 & Agriculture
- F. SEPA Status: A DNS was issued on April 15, 2019.
- G. Enabling Zoning: SMC 17C.110 – Residential Development;
SMC 17G.060 – Land Use Application Procedures;
SMC 17G.070 – Planned Unit Developments;
SMC 17G.080 – Subdivisions; & SMC 17E
Environmental Standards
- H. Hearing Date: May 2, 2019, 9:00 AM
- I. Staff Contact: Tami Palmquist, Principal Planner, (509) 625-6157

has been zoned predominantly RA (Residential Agriculture) with a portion on the eastern slope zoned RSF (Residential Single Family).

- E. Adjacent Land Use: Adjacent land uses surrounding the site are predominately single family homes and natural open space. The project site abuts City owned open space to the east, commonly referred to as the Bluff. Commercial uses are south of the site, across SR 195, and include a gas station, mini storage facilities, a grocery store, bank, offices and eating establishments.
- F. Applicable Plan Policies: The land use map designation is Agriculture and Potential Open Space, per the current Comprehensive Plan adopted in 2017.
- G. Applicable Zoning Regulations: For Regulations see SMC 17C.110 Residential Development; SMC 17G.060 Land Use Application Procedures; SMC 17G.070 Planned Unit Developments; SMC 17G.080 Subdivisions; SMC 17E.020 Fish and Wildlife Conservation Areas; SMC 17E.030 Floodplain Management; SMC 17E.040 Spokane Geologically Hazardous Areas; SMC 17E.050 SEPA; and SMC 17E.060 Shoreline Regulations.
- H. Applicable Environmental Overlays: The subject property lies mostly in the Urban Conservancy and partially in the Natural Environment. Per the Shoreline Master Program SMC 17E.060.360 Primary Permitted Uses, Subdivisions are listed as “CU” Conditional Uses. Pursuant to SMC 17E.060.310 a shoreline conditional use permit is required for this development. The subject property is located within the Riparian Habitat Zone 2 as designated in Spokane Municipal Code Chapter 17E.020, Fish and Wildlife Conservation Areas.
- I. Procedural Requirements:
 - 1. A Collaborative Workshop with the Design Review Board was held on August 24, 2016;
 - 2. A Community Meeting was held on December 8, 2016;
 - 3. Application was submitted on December 16, 2016;
 - 4. A Request for Comments notice was sent to Departments and Agencies on January 6, 2017, and the applicant was notified in writing on December 6, 2018 of technically complete status of application;
 - 5. Notice of Application and Public Hearing was originally posted/mailed on December 21, 2018, with a revised notice and change of hearing date posted and mailed on March 29, 2019.
 - 6. A 2nd Collaborative Workshop with the Design Review Board was held on February 27, 2019;
 - 7. Notice of Application and Public Hearing was printed in the Spokesman on April 2, 2019 and ran for 7 consecutive days;
 - 8. A Recommendation Meeting with the Design Review Board was held on April 10, 2019;
 - 9. The Public Comment Period was originally to end on January 21, 2019, but with the revised hearing date was extended to April 12, 2019;
 - 10. A SEPA DNS was issued on April 15, 2019; and

11. A 2nd Recommendation Meeting with the Design Review Board is scheduled for April 24, 2019.

IV. DEPARTMENT REPORTS

Notices and requests for comments were first sent to the City departments and outside agencies concerned with land development on January 6, 2017. There were multiple rounds of comments and revised materials. Copies of reports from those who responded to the notice and request for comments are a part of the file for reference.

V. PUBLIC COMMENT

The Notice of Application and Public Hearing was first posted/mailed on December 21, 2018 and the public comment period ran through January 21, 2019. Several comments were received on this proposal and are part of the file for reference. A substantial amount of the comments were related to public access to the Bluff Trails. Public comment was held open until the applicant completed the Design Review process. A revised Notice of Application and Public Hearing was then posted/mailed on March 29, 2019, and the public comment period ran through April 12, 2019. Again a substantial amount of public comments were received relating to public access to the Bluff Trails. Other comments received pertained to traffic concerns and impacts to Latah Creek.

VI. CONCLUSIONS

The Spokane Municipal Code has established decision criteria for this action in Chapter 17G.060.170. The application materials include the applicant's responses to the criteria. The following is staff's analysis of the proposal in light of these decision criteria.

SMC 17G.060.170 Decision Criteria – Type II and Type III permit applications.

1. *The proposal is allowed under the provisions of the land use codes;*

The proposal is for 94 single family residential lots (62 single family detached lots and 32 townhome lots), common areas, open space areas and potentially a community building and or self-storage on roughly 48 acres.

The subject property is predominantly located in the base zone RA Zone. It is categorized as Residential Household living in the Residential Category under SMC 17C.110.100. Residential Household Living is permitted in the RA zone under Spokane Municipal Code (SMC) Table 17C.110-1, Residential Zone Primary Uses.

A PUD allows an applicant to ask for flexibility in the Development Standards for the base zoning district, per SMC 17G.070.030. The minimum lot size, lot depth, lot width, lot coverage and the FAR standards may be modified through a PUD.

RESIDENTIAL ZONING STANDARDS SMC 17C.110:

Setbacks: The required setbacks in the Residential Agriculture (RA) zones are 15 foot front

yards (20 foot for garages), 5 foot side yards and 25 foot rear yards. The applicant has requested modifications to the rear yard setback as follows:

Block 1	Lots 1-4	15' from 200' Shoreline Setback (1)
Block 1	Lots 5-16	5'
Block 2	Lots 17-46	5'
Block 3	Lots 47-52	15' from 200' Shoreline Setback (1)
Block 3	Lots 53-55	20'
Block 4	Lots 56-71	15' from Toe of Slope ≤ 65% or 20' from rear property line
Block 5	Lots 72-94	15' from Toe of Slope ≤ 65%

(1) This is consistent with the Shoreline Development Standards which require a 15 foot structure setback from the shoreline buffer.

Lot Size: The minimum lot size in the RA zone is 7,200 square feet. The applicant has requested minimum lot sizes of 2,000 square feet.

Lot Width: The minimum lot width in the RA zone is 40 feet. The applicant has requested minimum lot width of 20 feet.

Density: This property has a Land Use Designation of Agriculture and Potential Open Space, which allowed a density of up to 10 units per acre. The project is proposing a density of 8.83 units per acre to meet this requirement.

Height: The height limitation of the RA zone is 35 feet for primary structures.

Building Coverage: The RA zone has a maximum FAR value of 0.5, and the lot coverage of no more than 40%. The applicant has not specified a requested lot coverage increase but based on the narrative of a minimum lot size of 2,000 square foot lots and 1,600 square foot townhomes it equates to 80% lot coverage. This needs to be clarified at the hearing.

The proposal is permitted in accordance with the land use regulations in place at the time of submittal. The proposal meets the minimum density requirements and is allowed to modify development standards through the PUD process, per 17G.070.030.

2. *The proposal is consistent with the Comprehensive Plan designation and goals, objectives and policies for the property;*

The Comprehensive Plan includes a number of goals, objectives, and policies that are relevant to the proposal. Some examples include:

LU 2.1 Public Realm Features - *Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment.*

LU 5.5 Compatible Development - *Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.*

PRS 2.3 Urban Open Space Amenities - Continue to develop urban open space amenities that enhance the local economy. Discussion: Urban open space amenities include trails, interpretive areas, plant materials, public squares, viewpoints and interpretive signage, and provide benefits to both residents and visitors.

SMP 5.4 Provisions for Shoreline Protection - Require that new development provide adequate provisions for the protection of water quality, erosion control, landscaping, aesthetic characteristics, drainage systems, aquatic and wildlife habitat, views, archaeological sites, and normal public use of the water.

SMP 8.2 Access and Shoreline Ecological Functions - Assure that public access improvements result in no net loss of shoreline ecological functions.

SMP 10.3 Landscaping with Native Plants - Encourage the use of native plant communities for landscaping within the Shoreline Jurisdiction.

SMP 11.35 Visual and Physical Access in Development - Ensure that shoreline development includes, when feasible, visual and physical public access to the shorelines, while avoiding, minimizing, or mitigating negative impacts to the shoreline.

The Spokane Comprehensive Plan, adopted June 2017, designates the subject property as “Agricultural.” LU 1.11 encourages the preservation of agriculturally designated lands. SMC 17G.070.030 offers some relief from density requirements in order to protect agricultural lands, but the applicant has not requested that relief.

3. *The proposal meets the concurrency requirements of SMC Chapter 17D.010;*

The application was circulated on January 6, 2017, for department and agency comments. Comments were received and are included in the file.

Adequate facilities exist in the area to serve the proposed project. Commenting service providers indicated that services were available to this site. The existing bridge is inadequate for ingress/egress to the development for emergency vehicle access. The applicant will be required to expand or replace the existing single lane bridge with a bridge that can accommodate two way traffic and pedestrian access prior to final plat approval.

4. *If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the 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;*

This site was previously used as a single residential unit and agricultural lands. The site area is mostly suitable for this residential development as proposed. The applicant lists all physical and environmental elements located on the site or in the vicinity, in the Environment Checklist submitted and comments to this question in the preliminary plat application. City departments and other agencies also reviewed this checklist for physical characteristics of the property.

The Applicant, in cooperation with the City and the Washington State Department of Ecology (“DOE”), contracted with GeoEngineers to undertake a site-specific Channel Migration Zone Assessment / Delineation relative to the project site, dated September 27, 2016 (“CMZ Delineation”). The CMZ Delineation was undertaken pursuant to methodology and

assessment criteria provided by and acceptable to Ecology and identified where applicable critical boundaries shall be on the property. The Channel Migration Zone, Shoreline Jurisdiction, 100 Year Floodplain and Riparian Buffer are stated on the proposed preliminary plat and PUD plan. These will be required to be called out on the final plat plan, along with required setbacks from buffers.

Avista has commented that they need to maintain access to their facilities during construction, but believes that adequate accommodations have been proposed with the plan that has been submitted.

The Spokane Tribe of Indians provided comments on this proposal and had concerns that the project area potentially contains cultural resources which would be impacted by the proposed ground disturbing activity. They recommended a Cultural Survey prior to permitting any ground disturbing activities. Staff recommends the condition of approval be included that states if any artifacts or human remains are found upon excavation activity this office is to be notified and the immediate activities in the area cease.

5. *The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring properties or the surrounding area, considering the design and intensity of the proposed use.*

The studies that were provided with the application were reviewed by all applicable departments and agencies and their findings and recommendations will be incorporated into the conditions for this proposal. A SEPA DNS was issued on April 15, 2019. The proposal will be required to expand or replace the existing private bridge to accommodate pedestrian use and two way traffic. At this time staff cannot fully evaluate all impacts that a new or modified bridge could have on the environment. Staff recommends that further analysis, including an additional SEPA review, a shoreline CUP and floodplain permit, be required before a new bridge can be permitted.

As noted above, the applicant, in cooperation with the City and Ecology, contracted with GeoEngineers to assess, identify and delineate the Channel Migration Zone on this site to better delineate the overlapping critical area and buffers. These boundaries will be required to be shown on the plat.

The applicant submitted a Habitat Management Plan, originally conducted in October, 2008, updated in November 6, 2009, January 14, 2010, and again on June 19, 2016. The HMP will need to be updated to reflect the final configuration of the turnaround on the east side of the proposed bridge prior to final plat approval.

SMC 17G.060.170 Decision Criteria – Shoreline Conditional Use Permit. *The purpose of a shoreline conditional use permit is to provide a system within the shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020. In authorizing a conditional use, special conditions may be attached to the permit by local government or the department to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the act and the shoreline master program.*

6. *The proposed use is consistent with the policies of RCW 90.58.020 and the shoreline master*

program.

This proposal is consistent with the map, goals and policies of the Shoreline Master Program. This site is located in the area designated by the Shoreline Master Program as Urban Conservancy Environment.

The “urban conservancy” environment is assigned to shoreline areas appropriate and planned for development that is compatible with maintaining or restoring the ecological functions of the area and that are not generally suitable for water-dependent uses if any of the following characteristics apply:

- i. They are suitable for water-related or water-enjoyment uses.
- ii. They are open space, floodplain, or other sensitive areas that should not be more intensively developed.
- iii. They have potential for ecological restoration.
- iv. They retain important ecological functions, even though partially developed; or
- v. They have the potential for development that is compatible with ecological restoration.

The purpose of the “urban conservancy” environment is to protect and restore ecological functions of open space, flood plain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

The purpose of this environmental designation is to protect and restore ecological function of the shoreline. The proposed plan precludes the construction of residences within the boundaries of the Channel Migration Zone, 100 Year Floodplain and Shoreline Jurisdiction and includes setbacks from the applicable buffers. Additionally, the project proponent will be required to enhance the natural area with native riparian plants to ensure there is no net loss of shoreline function.

7. *The proposed use will not unreasonably interfere with the normal public use of public shorelines.*

The proposed plan includes a viewing area to the north in the enhanced natural area of the PUD. Currently there is not any public access to this area of Latah Creek, as the private bridge is gated and does not permit the general public from accessing the site. This proposal will enhance the public access and recreational use of the shoreline.

8. *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.*

There are very few Shoreline Conditional Use Permits in the general vicinity of this proposal. The last SCUP to be applied for in this immediate area was for the Cheney-Spokane overpass and off ramp located directly south of this proposal. The goals and policies outlined in the Shoreline Master Program can be achieved with the addition of this subdivision.

9. The proposed use of the site and design of the project is compatible with other authorized uses within the area and with the uses planned for the area under the comprehensive plan and the shoreline master program.

This project is suitable for residential development and will improve public access to Latah

Creek, where no public access exists today. The preliminary elevations and development vernacular shown to the Design Review Board show that the applicant is taking cues from the surrounding landscape and is mindful of the context in which this site is located.

10. The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located, and the public interest in enjoying the physical and visual access suffers no substantial detrimental effect.

Per SMC 17E.060.580, the subdivision of land into more than four parcels shall provide public access pursuant to SMC 17E.060.280, Physical and Visual Public Access.

(A)(1) "With respect to development on private property, the physical access requirements of this chapter are not intended to require property owners to increase the public's physical access to the shorelines. With respect to future development on private property, the fundamental principle underlying this chapter's access provisions is that development on private property should not result in a net loss of the public's currently existing rights to visual and physical access to the shorelines."

(B) When required under this chapter, public access shall be a physical improvement in the form of one or combination of the following: pathway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat-launching ramp, or other areas serving as a means of view and/or physical approach to public waters for the public. Public access may also include, but not be limited to, interpretive centers and displays explaining the history and features of the Spokane River or Latah Creek.

The development of the site will allow for enhanced public access as well as new views and vistas of Latah Creek. A significant amount of public comment was received requesting a lower public access point to the bluff trails through an easement within the shoreline buffer. The Parks Department has asked that the applicant provide and maintain unrestricted public pedestrian access via a 15-ft trail easement, through the property within the shoreline buffer around the proposed improvements, connecting to existing park trails. If the applicant was willing to incorporate this trail easement into their development, staff believes it would add to the project's consistency with the City's development regulations and further the public's interest under RCW 58.17.110. If the applicant includes this trail easement in their proposal the Habitat Management Plan will need to be updated to reflect this modification.

Plat, Short Plat and Binding Site Plan:

The proposed subdivision makes appropriate (in terms of capacity and concurrence) provisions for:

- a. *public health, safety and welfare;*

The City Fire Department provided comments, which are available in the file and included as conditions in this report. Since the proposed subdivision has only one point of entry the plat will be conditioned that all of the buildings in the development will be required to be provided with automatic fire sprinklers, and the bridge will need to be widened. No concerns or requests were received from the Police Department.

- b. *open spaces;*

The proposal includes approximately 2.37 acres of common open space tracts and approximately 34.7 acres of riparian buffers and critical areas. As shown on the PUD site plan, the common tracts will be used for opens spaces, drainage tracts and shared community facilities. The shared community facilities may include community gardens, trails, interpretive signage and the potential for a community building or self-storage for the residents of the development.

c. *drainage ways;*

All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 “Stormwater Facilities”, the Spokane Regional Stormwater Manual, Special Drainage Districts, and City Design Standards. The Department of Ecology provided comments noting that Latah Creek has impaired water quality. Therefore, there is no capacity for additional bacteria delivered through stormwater outfalls or runoff to the creek.

d. *streets, roads, alleys and other public ways;*

Private streets, including paving, curb, sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be designed and constructed in accordance with City standards.

Streets must be designed in accordance with 17H.010.070. Some sections of roadway may need to be wider than the proposed 32’ width to meet these standards, or parking may be limited to one side of the street.

The proposed bridge will need to be designed to carry the necessary additional utilities such as water, pressure sanitary sewer, fire apparatus, etc. The proposed bridge shall be designed and constructed in accordance with City standards. Construction plans for the bridge must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Planning and Development Services for review and acceptance prior to construction.

e. *transit stops;*

Spokane Transit Authority (STA) will not serve this community directly. The nearest transit stops are located at 57th and Perry, on the South Hill, or at Sunset and Cannon, in Browne’s Addition.

f. *potable water supplies;*

Water is available and the applicant will be required to provide a revised water model based on the low system capacity. All water services shall follow the “City of Spokane Water Department Rules and Regulations for Water Service Installations” and the City of Spokane Design Standards. Water service shall be available to the proposed lots and be capable of providing the required fire protection prior to any building permit issuance. Water and sewer service shall be connected to all residences prior to certificate of occupancy.

g. *sanitary wastes;*

All sewer services shall follow the Regulations Governing Sewer Construction in the City of Spokane and City of Spokane Design standards. The sanitary sewer system, including individual connections to each lot, shall be constructed and accepted for services prior to the City Engineer signing the final plat. Final design for the connection to the sewer main on the

west side of US 195 will require WSDOT approval.

h. parks, recreation and playgrounds;

As noted in Open Space, above, the proposal includes approximately 2.37 acres of common open space tracts and approximately 34.7 acres of riparian buffers and critical areas. The common areas will be used for open spaces, pathways and shared community facilities, such as a community garden, potentially and a community building and or self-storage for the residents of the development.

Spokane Parks has requested that the applicant provide and maintain unrestricted public pedestrian access via a 15-ft trail easement, through the property within the shoreline buffer around the proposed improvements, connecting to existing park trails. Specific route alignment to be determined by developer and Spokane Parks and Recreation.

The SEPA notes under Sec 12 Recreation: “*The proposed project creates recreational opportunities by opening up public and private access to City’s trail system and to the particular reach of Latah Creek within the projects limits.*” This could be better accomplished if the applicant is willing to provide the requested easement to the bluff trails. A trail connection would significantly enhance the project.

This stretch of Latah Creek is navigable during spring runoff and provides additional opportunities to enjoy and recreate on the creek. The proposed bridge should be designed to maintain adequate clearance for future use of Latah Creek by non-motorized rafts and kayaks.

The Latah/Hangman Neighborhood has been working to create a trail system along Latah Creek. During a planning charrette held in the fall of 2018, this site was identified as an opportunity site for proving future connections and unique vistas of Latah Creek.

i. schools and school grounds;

The site is located within the Spokane Public School District #81, roughly 4.5 miles from Wilson Elementary School. The school district did not provide any comments on this proposal.

j. sidewalks, pathways and other features that assure safe walking conditions.

Separated sidewalks with street trees will be provided on one side of each new street. The applicant is proposing a trail system for the homes surrounding the center common area to provide a connection to the pedestrian system throughout the site that connects to the bridge, shoreline and bluff.

PUD and Plans-in-lieu.

All of the following criteria shall be met:

- a. Compliance with All Applicable Standards. The proposed development and uses comply with all applicable standards of the title, except where adjustments are being approved as part of the concept plan application, pursuant to the provisions of SMC 17G.070.200(D)(2).*

The applicant has asked for minor modifications to development standards. Please see Decision

Criteria one above.

- b. *Architectural and Site Design. The proposed development has completed the design review process and the design review committee/staff has found that the project demonstrates the use of innovative, aesthetic, and energy-efficient architectural and site design.*

The applicant has held a collaborative workshop and one recommendation meeting with the Design Review Board at the time that this report was completed. The applicant will have completed the Design Review process with a second Recommendation meeting before the Public Hearing. The Design Review Board has found that the application meets this requirement and the recommendations made so far are incorporated into the conditions section of this report. Subsequent recommendation will be provided to the Hearing Examiner prior to the public hearing.

- c. *Transportation System Capacity. There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.*

This site is currently served by a single lane private bridge. Comments received on this application by departments and agencies with jurisdictions require the expansion or replacement of the bridge to accommodate two travel lanes and a sidewalk prior to the development of the fourth lot. The proposed bridge shall be constructed prior to approval of the final plat.

WSDOT has required the following be a condition of approval:

“In accordance with the October 2017 Stantec traffic analysis update, the applicant will need to design and construct a right turn lane on the US 195 Northbound on-ramp at the site entrance to WSDOT standards. As an alternative to the construction of the right turn lane, the on ramp could be re-configured to have only one-way traffic (northbound). In this case, the existing southbound lane can be re-configured as a right turn lane. The applicant/developer will need to choose one of these two methods and enter into a WSDOT development agreement for its construction prior to the platting of the phase that includes the 43rd lot.”

- d. *Availability of Public Services. There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and stormwater disposal to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase of development is completed.*

The application was circulated on January 6, 2017, for department and agency comments. Comments were received, are included in the file and have been incorporated as conditions in this report. The applicant will be required to build a private sewer lift station to adequately serve this site, but capacity is available.

- e. *Protection of Designated Resources. City-designated resources such as historic landmarks, view sheds, street trees, urban forests, critical areas, or agricultural lands are protected in compliance with the standards in this and other titles of the Spokane Municipal Code.*

The applicant is proposing to leave the hillside on the east side of the site in a natural state to preserve existing mature vegetation and trails. The applicant is also limiting the development to

areas outside of the Shoreline Jurisdiction, except for the single bridge access to the site. Lots 2-3 Block 1 and Lots 47-52 & 55, Block 3 contain a portion of the shoreline buffer within proposed lot boundaries. No build easements will be required to be shown on the face of the plat for these lots. Landscaping will be required to be native and turf grass is highly discouraged within the boundaries of the shoreline.

The applicant, in cooperation with the City and Ecology, contracted with GeoEngineers to assess, identify and delineate the Channel Migration Zone on this site to better delineate the overlapping critical area and buffers. These boundaries will be required to be shown on the plat.

This site is predominately zoned Residential Agriculture with a Land Use designation of Agriculture as well. The applicant has proposed to take cues from the farming history of the site with regards to fencing, craftsman style housing, and the entry gate. Interpretive signage on the site should also tell the history of farming along Latah Creek.

- f. *Compatibility with Adjacent Uses. The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned unit development and adjacent uses. There shall be a demonstration that the reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features, or other techniques.*

The development is separated from other residential uses by topography and Latah Creek. The development limits buildings on critical slopes and within the boundary of the Shoreline. Therefore impacts to adjacent uses will likely be minimal.

- g. *Mitigation of Off-site Impacts. All potential off-site impacts including litter, noise, shading, glare, and traffic will be identified and mitigated to the extent practicable.*

The applicant will be required to improve access to the SR 195 off ramp to accommodate this development, please see C. Transportation System Capacity above.

VII. RECOMMENDATIONS

STAFF CONCLUSION: Staff recommends approval of this application subject to the conditions outlined in this report. The conditions outlined in this staff report are necessary to ensure that the project is consistent with the City's Comprehensive Plan and Development Regulations, and compliance with the conditions should be a condition of approval of the project.

1. Development should adhere to plans, drawings, illustrations and/or specifications on file with the Development Services Center.
2. The Shoreline Master Program, SMC 17E.060 and SMC 17E.020 require no net loss of shoreline ecological functions that could result from the proposal. Pursuant to Section 17E.060.220 the applicant shall engage in the restoration, rehabilitation, or enhancement of the shoreline environment in order to offset the impacts resulting from this proposal.
3. The contractor is required to have a Construction Stormwater Pollution Prevention Plan (SWPPP) in place prior to and during construction in order to prevent sediment laden stormwater run-off or other pollutants from entering the Spokane River.

4. If lots 89-92 are built out as a self-storage area for the residents only it shall be screened from view from the street and adjoining properties using dense landscaping and architecturally compatible materials.
5. Lots 2-3 Block 1 and Lots 47-52 & 55, Block 3 contain a portion of the shoreline buffer within proposed lot boundaries. No build easements will be required to be shown on the face of the plat for these lots. Landscaping will be required to be native and turf grass is highly discouraged within the boundaries of the shoreline.
6. The applicant submitted a Habitat Management Plan, originally conducted in October, 2008, updated in November 6, 2009, January 14, 2010, and again on June 19, 2016. The HMP will need to be updated to reflect the final configuration of the turnaround on the east side of the proposed bridge prior to final plat approval.
7. The sanitary sewer connection point indicated in the Concept Sewer and Water Design Memo 8 was abandoned and buried during construction of the interchange and is no longer accessible. The Memo states, “this manhole will be re-established and connected by an 8-inch line across US-195 to a 27-inch sewer main”. Final design for this connection shall be approved by WSDOT and the City of Spokane.
8. Since site grades do not allow for a gravity connection, a private sewer lift station will be required. This will be required to be designed and built to City Standards.
5. The proposed bridge will need to be designed to carry the necessary additional utilities such as water, pressure sanitary sewer, fire apparatus, etc. Construction plans for the bridge must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Planning and Development Services for review and acceptance prior to construction. The applicant will be responsible for obtaining all necessary permits (including a shoreline permit) and approvals prior to construction of the bridge.
6. If drywells are utilized, they will need to be tested to insure design infiltration rates are met. A minimum factor of safety of two will be required. In accordance with State Law, existing and proposed Underground Injection Control (UIC) structures need to be registered with the Washington State Department of Ecology. Proof of registration must be provided prior to plan acceptance.
7. Other possible permits, such as NPDES (National Pollutant Discharge Elimination System) and/TMDL (Total Maximum Daily Load) Permits, will need to be obtained where required during final engineering design.
8. Construction plans for sanitary sewer, water, street, and stormwater improvements must be designed by a Professional Engineer, licensed in the State of Washington, and submitted to Planning and Development Services for review and acceptance prior to construction.
 - a. All sanitary sewer, water, street, and stormwater improvements within the PUD will be private.
 - b. Freeze protection for wet utilities (i.e., water and sewer) crossing the bridge is required.
 - c. Plan review fees for sanitary sewer, water, street, and storm water

- improvements will be determined at the time of plan submittal and must be paid prior to the start of review.
- d. Individual water and sewer service connections, to each lot, shall be constructed and accepted for service prior to the paving of the street and the issuance of any Certificates of Occupancy on any structures in the plat.
 - e. Frontage improvements on all streets will be required to serve this plat including curb, sidewalk, and paving. Plans for these improvements must be submitted to and accepted by Planning and Development Services prior to the City Engineer signing the final plat.
 - f. The minimum curb radius for the cul-de-sac bulb shall be fifty feet.
 - g. This plat may be subject to General Facilities charges.
9. The water system shall be designed and constructed in accordance with City Standards. A pressure of 45 psi minimum at the property line is required for service connections supplying domestic flows. Pressures shall not drop below 20 psi at any point in the system during a fire situation. Pressures over 80 psi will require pressure relief valves be installed at developer expense.
 10. An updated hydraulic analysis depicting the final system is required and must include supporting calculations for domestic and fire flows.
 11. The developer will be responsible for all costs associated with design and construction of all sanitary sewer, lift station, water, street, proposed bridge and stormwater improvements necessary to serve the proposed plat. Sanitary sewer and water mains, including service connections to property lines, shall be constructed and inspected to City standards, prior to the City Engineer signing the final plat
 12. In accordance with the City's Financial Guarantee Policy, a financial guarantee will be required for all street, bridge and/or stormwater improvements not constructed prior to approval of the final plat.
 13. Civil engineered plans and profiles shall use NAVD88 datum (City of Spokane datum minus 13.13 feet).
 14. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer's recommendations.
 - a. Prior to construction, a grading and drainage plan shall be submitted to Developer Services for review and acceptance.
 - b. An erosion / sediment control plan, detailing how dust and runoff will be handled during and after construction, shall be submitted to Developer Services for review and acceptance prior to construction.
 - c. No building permit shall be issued for any lot in the plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the

Project Engineer's recommendations have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Planning & Development for review and acceptance prior to issuance of a building permit.

- d. The development of any below grade structures (including basements) in the plat is subject to review of a geotechnical evaluation for foundation design to determine suitability and affects from stormwater and/or subsurface runoff. The geotechnical evaluation is required to be performed for each lot with below grade level structures and submitted for review and concurrence to the City of Spokane Development Services prior to issuance of a building permit. An overall geotechnical analysis may be performed in lieu of individual lot analysis to determine appropriate construction designs.
15. Portions of the proposed development are located in a FEMA flood zone, shoreline area, and a hazardous geology area. Additional information and any required studies are required to address these special concerns during final engineering design.
16. All easements for existing or future access to utilities must be shown on the face of the plat.
17. Addresses must be shown on the face of the final plat. Addresses will need to be applied for **prior** to side sewer service and water service permits. To apply for and obtain addresses, please contact Joelle Eliason, at the City of Spokane at (509) 625-6385 or at jeliason@spokanecity.org.
18. Garages shall be a minimum of 20 feet from the back of sidewalk to fully accommodate a parked vehicle without obstructing the sidewalk.
19. All street identification and traffic control signs required due to this project must be installed by the developer at the time street improvements are being constructed. They shall be installed and inspected to the satisfaction of the City's Construction Management Office in accordance with City standards prior to the occupancy of any structures within the plat.
20. The proposed bridge, streets, water, storm and lift station and other sanitary sewer facilities within the development along with the open tracts will be operated and maintained by a Homeowners Association (HOA) established for this plat. The proposed (HOA) along with the established Covenants, Conditions, and Restrictions (CC&R's), shall follow the Operation and Maintenance Manual established for the private infrastructure maintenance. The Maintenance and Operation Manual will also establishing a sinking fund to calculate the required maintenance cost for the above described private infrastructure which the (HOA) will be required to collect and use for the required maintenance. Dissolution of the (HOA) shall not relinquish the responsibility of the maintenance from the property owners within the boundary of the proposed plat.
21. A \$250.00 deposit will be required for each monument to be installed as part of the final plat.
22. Private streets, including paving, curb, sidewalk, signs, storm drainage structures/facilities, and swales/planting strips necessary to serve the proposed plat, shall be designed and constructed in accordance with City standards. Sidewalks or a trail shall serve each lot.

- a. Signing and striping plans, where appropriate, shall be included as part of the design submittal.
 - b. Street design for the plat shall include supporting geotechnical information on the adequacy of the soils underneath to support vehicular design loads.
 - c. Any grades exceeding 8% must be shown on the preliminary plat.
23. All parking areas and driveways shall be hard surfaced.
24. In accordance with the October 2017 Stantec traffic analysis update, the applicant will need to design and construct a right turn lane on the US 195 Northbound on-ramp at the site entrance to WSDOT standards. As an alternative to the construction of the right turn lane, the on ramp could be re-configured to have only one-way traffic (northbound). In this case, the existing southbound lane can be re-configured as a right turn lane. The applicant/developer will need to choose one of these two methods and enter into a WSDOT development agreement for its construction prior to the platting of the phase that includes the 43rd lot.
25. If the on ramp is widened per the above condition, the existing shared-use path running next to the on-ramp must be shifted to the east and rebuilt.
26. Streets must be designed in accordance with 17H.010.070. Some sections of roadway may need to be wider than the proposed 32' width, or may require limiting parking to one side.
27. A condition of approval for this plat application by the City of Spokane for Engineering and Transportation will be that the proposed bridge must be in place prior to approval of the final plat. Water service shall be available to the proposed lots and be capable of providing the required fire protection prior to any building permit issuance. Water and sewer service shall be connected to all residences prior to certificate of occupancy. Also, an impact fee will be assessed for this plat for 94 SFR lots in the South Service Area calculated at \$693.66/dwelling with credit given for the existing SFR dwelling. This fee must be paid prior to issuance of any building permit.
28. The proposed bridge will be situated above an established high water mark (100-500 year flood) which will make for wide abutments with the potential for significant fill sections in the streambed and may impact the layout of the proposed lots east of the bridge. This is a significant issue that needs to be addressed with additional review under SEPA, an additional Shoreline Conditional Use Permit application and Floodplain Permit in order to identify all environmental impacts.
29. The proposed bridge shall be situated with enough clearance to allow navigability of Latah Creek for small watercraft such as kayaks and canoes.
30. The City and the bridge owner must approve the addition of utilities, sewer and water facilities to the bridge structure.
31. Substantial improvements within the floodplain shall be consistent with Chapter 17E.030.140. A Floodplain Development Permit will be required for all work proposed in the floodplain, specifically as it relates to the bridge expansion and utility crossings. The proposal must show how these requirements are met.

32. The City concurs with the permits noted in Stantec Memorandum dated May 8, 2018 for the required permits for the bridge expansion. Expansion and /or reconstruction of the bridge will have to be designed by a licensed engineer, and that design must include an official, stamped load rating, all in accordance with WSDOT and federal standards. The bridge could then potentially be owned, operated and maintained by the City in accordance with terms and conditions to be negotiated in an agreement executed by the parties involved.
33. The proposed bridge is to be opened to the general public; therefore it will have to be entered on the National Bridge Inventory. It will then be subject to all the requirements of the federal bridge program including inspection every two years by WSDOT certified bridge inspectors and maintenance of official bridge records in accordance with state and federal standards. Inspection and file maintenance can be handled by the City on the owner's behalf or the bridge owner can hire a consultant to perform these tasks.
34. Any proposed deviations from standards shall be sought in writing, justified, and may be approved by the City Engineer for Planning and Development. The proposal must meet all City standards, including those for plats and PUD's. (See SMC Section 17G.080.050 Subdivisions).
35. The following statements shall be included in the Dedicatory Language on the face of the final plat:
 - a. All stormwater and surface drainage generated on-site shall be disposed of on-site in accordance with SMC 17D.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and, per the Project Engineer's recommendations.
 - b. No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17.060 "Stormwater Facilities", the Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and the Project Engineer's recommendations have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to the Planning and Development Services for review and acceptance prior to issuance of a building permit.
 - c. The development of any below-grade structures, including basements, is subject to prior review of a geotechnical evaluation for foundation design to determine suitability and effects from stormwater and/or subsurface runoff. The geotechnical evaluation shall be submitted to Planning and Development Services for review and concurrence prior to the issuance of a building permit. It must address the disposal of stormwater runoff and the stability of soils for the proposed structure. This evaluation must be performed by a geotechnical engineer, licensed in the State of Washington. It must be submitted to the City Building Department and to Planning and Development Services for review and concurrence prior to issuance of any building permit for the affected structure. An overall or phase-by-phase geotechnical analysis may be performed in lieu of individual lot analyses to determine appropriate construction designs.

- d. All improvements (sanitary sewer, water, street and stormwater) shall be constructed to City standards prior to the occupancy of any structures served by said improvements.
 - e. The proposed bridge, streets, water, storm and lift station and other sanitary sewer facilities within the development along with the open tracts will be operated and maintained by a Homeowners Association (HOA) established for this plat. The proposed (HOA) along with the established Covenants, Conditions, and Restrictions (CC&R's), shall follow the Operation and Maintenance Manual established for the private infrastructure maintenance. The Maintenance and Operation Manual will also establishing a sinking fund to calculate the required maintenance cost for the above described private infrastructure which the (HOA) will be required to collect and use for the required maintenance. Dissolution of the (HOA) shall not relinquish the responsibility of the maintenance from the property owners within the boundary of the proposed plat.
 - f. A Transportation Impact Fee will be collected prior to the issuance of a building permit for the affected lot.
 - g. Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited.
 - h. No portion of the road or open tracts may be used for any residential structure or transferred as a lot to be used for any residential structure. Said tracts shall be left in open space for the common use and be held in common ownership by the Homeowners' Association established for this plat.
 - i. Road and Open Tracts, including any drainage and/or access easements on or to Tracts, will be operated and maintained by a Homeowners' Association established for this plat. The Homeowners' Association will operate and maintain all storm water lines and structures. Property owner(s) will maintain drainage swales or planting strips adjacent their property, with a permanent live cover of lawn turf, with optional shrubbery and/or trees, which do not obstruct the flow and percolation of runoff in the drainage swale, as indicated on the accepted plans.
 - j. All parking areas and driveways shall be hard surfaced.
 - k. In accordance with the City's Financial Guarantee Policy, a financial guarantee will be required for all street and storm water improvements not constructed prior to approval of the final plat.
 - l. Any property offered for sale within the agricultural overlay zone will include notice on subdivisions, development permits and building permits within three hundred feet of lands designated as agriculture that agricultural activities may be conducted and that such activities are legal and permitted by zoning regulations.
36. The City of Spokane Fire Department provided the following conditions of the plat:
- a. The change to the street width is permitted under SMC 17H.010.0700, which also includes several conditions that need to be met (17H.010.070.B 1-4). Meeting SMC 17H.010.140 is one of those conditions. In order to verify that the development can meet those requirements, we will require that the developer demonstrate and indicate on the plans how they intend to do so. We would like to see the requirements of 17H.010.140 drawn with dimensions on the plan if street

widths are 32' with parking on both sides prior to final plat approval.

- b. With only one access to the site, all of the buildings in the development will be required to be provided with automatic fire sprinklers.
- c. The cul-de-sacs will need to comply with the Fire Code for adequate turning radii and width.
- a.

37. The Design Review Board finds the following items to no longer require additional clarification from the applicant:

- a. 4' split rail fence is appropriate (fits rural theme and good for wildlife)
 - i. All pedestrian gateways shall be consistent with the split-rail fence aesthetic or the "historic wagon wheel on the main vehicular entrance gate" aesthetic as presented.
- b. Use of the historic wagon wheel on the main vehicular entrance gate.
- c. All vehicular gates shall be consistent with the "historic wagon wheel on the main vehicular entrance gate" aesthetic as presented.
- d. Trails (within shoreline buffer and internal to the private development)
- e. Naming of streets
- f. "Energy Efficiency"
- g. "Innovation"
- h. Recommend accepting the overall PUD site design as presented ("sensitive site design")
- i. Indigenous plant materials with the exception of black cottonwood.
- j. Architectural design of structures (craftsman style and/or referencing local agricultural history)

The Board finds the following items require additional clarification from the applicant:

- a. The applicant shall provide the Board with the proposed street tree species per the City of Spokane approved street tree list and their on-center spacing within the private PUD.
 - i. Please see the City of Spokane Urban Forestry Approved Street Tree List.
- b. The applicant shall provide a site landscape plan (or plans, as needed) for the final design aesthetic and materials for the following design elements:
 - i. Open space "greenbelt" landscape,
 - ii. Drainage Areas, and
 - iii. Vehicular turnaround, with particular regard to the landscape and site features of the center island.

38. Washington State Department of Fish and Wildlife provided the following conditions of the shoreline permit:

- a. The current proposal includes information that the bridge that will be used for access will need to be widened and/or replaced. This project will require a Hydraulic Project Approval (HPA) from WDFW. WDFW reminds the applicant to apply early for permits to insure adequate time for processing. WDFW has added bridge guidance to our Water Crossing Guidelines. This information may be of use while considering potential design options.
<http://wdfw.wa.gov/publications/01501/wdfw01501.pdf>
 - b. WDFW looks forward to reviewing the final shoreline restoration plans. Planting the shoreline with native vegetation is an excellent way to enhance habitat while protecting the banks from erosion with natural armoring.
39. Spokane Tribe of Indians provided the following conditions of the plat:
- a. Expressing the Spokane tribe concern in this sensitive area, this area has lot of history and TCP affected geographic area that will be impacted, this project may require a COR permit which will ignite section 106 of the NHPA.
 - b. Recommendation: Cultural survey and Sub-surface testing on all ground disturbing activity.
 - c. However if any artifacts or human remains are found upon excavation activity this office is to be notified and the immediate area cease.
40. Washington State Department of Archaeology and Historic Preservation provided the following condition of the plat:
- a. A professional archaeological survey to examine existing archaeological sites and identify and additional sites prior to ground disturbing activities. The survey should be submitted to DAHP and the interested Tribe for review. In addition if the previously recorded archaeological sites as well any new archaeological sites identified during survey cannot be avoided, permit from DAHP will be required under RCW 27.53.
41. Avista provided the following conditions of the plat:
- a. Avista has a tentative timeline to rebuild our substation lying to the parcel north of subject property, of which work is slated to begin by June 2019. A portion of the project will require road grading and new gravel on our easement area through the subject parcel, followed by additional prep work on our substation parcel involving additional earthwork.
 - b. Avista requests to work closely to coordinate with the developer on the project, should potential simultaneous projects occur, in order to ensure Avista's access to our transmission lines and substation facilities remain unimpeded as secured by our granted easements.
 - c. Current route of access road to remain unchanged and unimpeded during the course of construction of Avista's substation. Any future changes in route of access road to substation to be approved by an Avista engineer to ensure it meets load and radii requirements of our larger line trucks, trailers equipment and materials.
 - d. As of this date, the Memo of Understanding is incomplete and would need to be finalized between parties prior to final plat approval.

- e. Additionally, plat approval will be subject to existing easements and new easement areas being properly identified on face of plat as well as applicable dedication language.
- f. There must be a 10' wide utility easement running along and adjoining the front of all lots as they have frontage to the private roads.
- g. Please add the following language to the dedication language to be shown on the face of the plat:

“Utility easements shown on the herein described plat are hereby dedicated for the use of serving utility companies for the construction, reconstruction, maintenance, protection, inspection and operation of their respective facilities, together with the right to prohibit changes in grade over installed underground facilities, the right to trim and/or remove trees, bushes, landscaping, without compensation and the right to prohibit structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same. The Private Roads as shown hereon are dedicated for utility purposes in addition to ingress and egress as stated. Serving utility companies also reserve the right to cross all common areas and open space areas.”

- h. Below is a list of concerns and comments from Avista’s Transmission department regarding the proposed developments effects on our ability to maintain the historical access routes to our transmission substation and transmission corridors granted to us via easement years ago:
 - i. If the current bridge that Avista owns is modified to accommodate the development as a primary access point the new engineering specs must at a minimum meet or exceed the specs of the current structure that will continue to allow fully loaded trucks, trailers, and utility equipment to cross unencumbered.
 - ii. If an additional bridge will be constructed and utilized as a one-way ingress/egress route then the new bridge will need to meet or exceed the engineering specs of the existing Avista-owned bridge to allow the entrance/exit of fully loaded trucks, trailers, and utility equipment to cross unencumbered.
 - iii. Access to our 9th and Central –Sunset 115KV transmission line must be maintained. We believe it has been accommodated by Fritz Lane on the proposed plat map but would need further specs on the road base and width to determine if the proposed private lane would be able to accommodate our large trucks and equipment.
 - iv. Access to our Shawnee-Sunset 115KV must be retained. We believe it has been accommodated by Fritz Lane on the proposed plat map but would need further specs on the road base and width to determine if the proposed private lane would be able to accommodate our large trucks and equipment.
 - v. We need to confirm and verify that we have a viable ingress/egress route from US 195 to our Sunset 115 KV Substation as well as confirmation that the designed streets allow enough of a turning radius for large trucks,

trailers, and materials to get through the development safely and to our facilities.

- vi. Lot #92 appears to have a house constructed within and under our easement area. The building of a permanent structure within the easement area may create a clearance issue under our transmission lines.
- vii. Any grade changes within our ROW or within 25' of our transmission pole structures will need further inspection and examination by Avista engineers.
- viii. Any vegetation and /or trees planted along or within our transmission corridors will need to approved by Avista vegetation management and/or comply with our list of acceptable low growing tree list that is generally allowed in situations such as this.

42. The Department of Ecology provided the following conditions of the plat and shoreline permit:

Water Quality Program-Elaine Snouwaert (509) 329-3503:

- a. Latah Creek (also known as Hangman Creek) has impaired water quality. According to a 2009 Total Maximum Daily Load (TMDL) Report (<https://fortress.wa.gov/ecy/publications/documents/0910030.pdf>), fecal coliform bacteria concentrations need to be reduced by 72% in the City of Spokane's stormwater, as well as in the segment of creek adjacent to the project site to comply with state water quality standards (Chapter 173-201A WAC). Therefore, there is no capacity for additional bacteria delivered through stormwater outfalls or runoff to the creek. Pet waste in residential stormwater is known to increase bacteria in stormwater runoff so it must be prevented from entering the creek.
- b. The TMDL report also indicates Latah Creek has elevated water temperature violating state water quality standards. The TMDL requires system potential vegetation along the streambanks to provide shade to the creek. According to the TMDL, in this reach vegetation should provide 45 – 48% effective shade over the creek to meet water quality standards. A riparian buffer of adequate width and plant species to achieve this shading should be included as a condition of this plan.

Water Quality Program-Shannon Petrisor (509) 329-3610

- c. Proper erosion and sediment control practices must be used on the construction site and adjacent areas to prevent upland sediments from entering surface water. Local stormwater ordinances will provide specific requirements. Also refer to the Stormwater Management Manual for Eastern Washington (http://www.ecy.wa.gov/programs/wq/stormwater/eastern_manual/manual.html). All ground disturbed by construction activities must be stabilized. When appropriate, use native vegetation typical of the site.
- d. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the well(s) must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table. Contact the UIC staff at UIC Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, (360) 407-6143 or go to

http://www.ecy.wa.gov/programs/wq/grndwtr/uic/registration/reg_info.html for registration forms and further information.

- e. Stormwater runoff may contain increased levels of grease, oils, sediment, and other debris. Stormwater Best Management Practices (BMPs) should be installed and maintained so that any discharge will be appropriately treated to remove these substances.
- f. Routine inspections and maintenance of all erosion and sediment control Best Management Practices (BMPs) are recommended both during and after development of the site.
- g. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.
- h. Proper disposal of construction debris must be in such a manner that debris cannot enter the natural stormwater drainage system or cause water quality degradation of surface waters. Dumpsters and refuse collection containers shall be durable, corrosion resistant, nonabsorbent, non-leaking, and have close fitting covers. If spillage or leakage does occur, the waste shall be picked up immediately and returned to the container and the area properly cleaned.
- i. The operator of a construction site that disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.
- j. If any soil or ground water contamination is known to be on the site, additional information is needed. The applicant may be required to submit additional studies and reports including, but not limited to, temporary erosion and sediment control plans, a stormwater pollution prevention plan, a site map depicting sample locations, a list of known contaminants with concentrations and depths found and other information about the contaminants.
- k. Application should be made at least 60 days prior to commencement of construction activities. A permit application and related documents are available online at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction>; or by contacting the Water Quality program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600; (360) 407-6401.