

# 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 project is construction of a simple boat access facility, for use by recreationists launching and recovering non-motorized canoes, kayaks, standup paddle boards and similar small craft. The project will be located landward of the ordinary high water mark (OHWM) of the river, and will not reduce the cross section of the river between the south abutment of the Division Street Bridge and the south pier of the bridge. Essentially a widened section of the Centennial trail, the facility will allow boaters to bring small non-motorized watercraft to the site without impinging on other recreationists using the Centennial trail. A ramp of stable compacted gravels will allow safe launch and recovery of small non-motorized watercraft. The currently unstable, eroding river bank between the OHWM and the north edge of the Centennial Trail will be stabilized with placed granite boulders. Signage will also be a feature of the facility.*

*The project is an expression of a concept developed during the 2010 Spokane Convention Center Completion Study which included extensive public participation. Project information is on the Spokane Public Facilities District website. (<http://www.spokanepfd.org/completion/>).*

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

*North: Bed of the Spokane River, forebay pool behind Upper Falls Dam, owned by AVISTA Utilities;*

*West: Spokane Convention Center, owned by Spokane Public Facilities District, and Spokane Parks and Recreation.;*

*South: Spokane Falls Blvd., owned by City of Spokane;*

*East: Centennial Trail, owned by the City of Spokane, managed by Spokane Parks and Recreation.*

4. What is the estimated total Fair Market project cost within the Shoreline Jurisdiction?  
**\$50,000**
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.  
*The site is the area between the Spokane River and the south abutment of the Division Street Bridge, and is traversed by the Centennial Trail, a popular recreational roadway developed along most of a 38 mile reach of the Spokane River from the Idaho border westward to Nine Mile Falls, Washington in Spokane County. Public use is principally along the Centennial Trail by walkers, runners and bicyclists.*
8. Please explain how the proposal is consistent with the map, goals, and policies of the Shoreline Master Program.  
*A principal preferred use for shorelines of statewide significance, set forth in the statement of Legislative Policy in the Shoreline Management Act, at RCW 90.58.020, is to increase public recreational opportunities in such shorelines. A second legislative priority is to preserve public access to shorelines. These legislative priorities are also locally incorporated in the updated Shoreline Master Program adopted by the City of Spokane in 2010. This proposal is expressly designed to increase and enhance public access and recreational opportunities in the Spokane River and its shorelines in the City of Spokane. The project will also stabilize the actively eroding bank of the Spokane River directly under the Division Street Bridge, thus contributing to reduced sedimentation into the Spokane River, which will contribute to improved water quality.*
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.  
*The project location is entirely within (underneath) the drip line of the deck of the Division Street Bridge (Senator Sam C. Guess Memorial Bridge), on the left (south) bank of the Spokane River, between the Ordinary High Water Mark (OHWM) of the Spokane River, and the south abutment of the Division Street Bridge. The project will be located between the north (waterward) edge of the Centennial Trail and the OHWM.. There is no vegetation on the site. The project will stop existing soil erosion on the site, contributing to improved water quality. Since there is no native or non-native vegetation on the site no impact to shoreline habitat or ecological function will occur. The project is entirely above the OHWM, so no adverse ecological impacts to the river will occur. There will be no temporary or permanent loss of ecological function. The project requires no mitigation sequencing, and is itself an improvement to ecological function on the Spokane River.*
10. List of permits required from other than City of Spokane agencies, include name of agency, date of application, and number of application.  
**PLEASE SEE ATTACHED JOINT AQUATIC RESOURCE PERMIT APPLICATION (JARPA).**

**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 project is an enhancement of the Centennial Trail, an existing public recreational facility of which the portion located within the boundaries of the City of Spokane is owned and maintained by Spokane Parks and Recreation. As such, the proposed project is consistent with, and is a Permitted Use listed in SMC 17C.124.100 ,Table 17C.124-1 Downtown Zone Primary Uses*

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

*The proposed project is located in the Downtown designation on the Spokane Comprehensive Plan Map adopted in 2010.*

*At page 11, the Comprehensive plan presents the following Community Principles:*

*The community should have a center focus that combines commercial, civic, cultural and recreational uses.*

*The community should contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.*

*The proposed boat access under the Division Street Bridge, with enhanced lighting of this space provided by the Spokane Public Facilities District as part of the Convention Center Completion Project, will support and further oth of these principles.*

*The proposal also supports Comprehensive Plan element 3.4 Goals and Policies; LU 1.9 Downtown:*

*“To encourage residential use, a desirable living environment needs to be created. Downtown Spokane should be developed as a unique neighborhood with its own vision and plan with all stakeholders contributing.”*

*The proposed project will control the active bank erosion of the site in its current condition, thus assuring compliance with TR 6 Environmental Protection in the Transportation Section.*

*The proposal and associated Centennial Trail meets the Bikeway standards in the Transportation element of the Comprehensive Plan.*

*The proposal will enhance the Level Of Service goals in section 5.9, Parks, Recreation and Open Space Facilities, in the Capital Facilities Chapter of the Comprehensive Plan, by supporting not only the Centennial Trail but also the emerging Spokane River Water Trail.*

*The proposed boat access is consistent with, and is specifically designed to promote the goals and policies set forth in Chapter 14, notably addressing public access to shorelines (SMP7.11, SMP8), increasing recreational opportunities in shorelines (SMP9), protecting shoreline ecological functions and environmental quality (SMP10). The project is located entirely above*

*the Ordinary High Water Mark (OHWM) of the Spokane River, and will not impact flood elevations(SMP6).*

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

*Pursuant to provisions of Section 17D.010.030(D)(6) Certificate of Capacity, the proposed project is exempt from the Concurrency Certificate (Certificate of Capacity) requirement, since it will have no impact on any concurrency facility.*

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.

*The project will have no adverse environmental impacts and will not impact neighboring properties. The project will enhance, yet not fundamentally change the existing uses of the property or neighboring properties.*

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 project location is unique. There will be no adverse ecological impacts, and the project will enhance and facilitate existing public uses and shoreline access. There are no other locations within city limits where boat access facilities could be located under existing bridges WITHOUT CAUSING ADVERSE ECOLOGICAL IMPACTS. Therefore, there is virtually no potential for cumulative impacts resulting from other similar projects. The project will serve and advance rather than compromise the goals, policies and use regulations of the Spokane Shoreline Master Program and Shoreline Management Act of 1971.*

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

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

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

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

18. How does this property physically differ from other similarly zoned properties in the area and how do the physical characteristics of the subject property prevent developing to the same extent?
  
19. What hardship will result if the requested variance is not granted?
  
20. Does compliance with the requirement eliminate or substantially impair a natural, historic, or cultural feature of area-wide significance? If yes, please explain.
  
21. Will surrounding properties suffer significant adverse effects if this variance is granted? Please explain.
  
22. Will the appearance of the property be inconsistent with the development patterns of the surrounding property? Please explain.
  
23. Variance permits for development that will be located **landward** of the ordinary high water mark (OHWM), as defined in RCW 90.58.030(2)(b), and/or landward of any wetland as defined in RCW 90.58.030(2)(h), may be authorized; provided, the applicant can demonstrate all of the following:
  - a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property.
  
  - b. That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions.

- c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment.
  - d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
  - e. That the variance requested is the minimum necessary to afford relief.
  - f. That the public interest will suffer no substantial detrimental effect.
24. Variance permits for development that will be located **waterward** of the ordinary high water mark (OHWM), as defined in RCW 90.58.030(2)(b), or within any wetland as defined in RCW 90.58.030(2)(h), may be authorized; provided, the applicant can demonstrate all of the following:
- a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes all reasonable use of the property.
  - b. That the proposal is consistent with the criteria established under WAC 173-27-170(2)(b) through (f).
  - c. That the public use of the shorelines will not be adversely affected.