

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 (WRIA 57 – Middle Spokane Watershed Basin)

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

In order to accommodate increased demand for quality recreational river access the City of Spokane, the Spokane River Forum, and the Spokane Conservation District have partnered to construct a public-use boat launch. The launch will create a put-in/take-out point for non-motorized boat access (such as drift boats, whitewater rafts, canoes, and kayaks). The site for the launch is Glover Field Park, which is the furthest upstream navigable launch point below the Spokane Falls on publically owned land. There is no natural or built ramp to the water at the site, so a "rail slide" launch system has been adapted for the location.

The launch will allow boaters to transfer their non-motorized watercraft from trailer to rails, and then winch the boat down the steep slope to the water. Boaters and passengers will use stairs to walk down to the shoreline. The structure's design accommodates use in all levels of river flow which are safe for public use and minimizes impacts to the shoreline and riverbed. The system extends below (waterward of) the Ordinary High Water Mark (OHWM) for better access to the water when low flows occur. A similar system is in place approximately 10 miles upriver.

Users will access the launch from the Recovery Café Building parking lot, located off of the intersection of Cedar Street and Water Avenue. The parking lot will be reconfigured to accommodate parking and circulation under a separate permit. The project area currently features asphalt and concrete walking surfaces, a three-foot tall chain link fence, and a playground. Parks Operations staff will relocate the playground to a more suitable location prior to project construction.

The launch system project consists of three primary elements: 1) a gravel pathway from the parking lot for trailer access 2) a custom fabricated set of three tube steel rails which will be used to slide boats down to the river's edge 3) two sets of pre-fabricated 48" wide metal stairways on either side of the boat rails. Structural footings consist of cast-in-place and pre-cast concrete blocks.

Finally, the project will also feature signage.

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

The project will take place on approximately 10,000 square feet at Glover Field Park. The affected parcels are approximately 15.5 acres in size, according to Assessor's records. Glover Field Park is owned by the City of Spokane and is classified as a Neighborhood Park. The improvements onsite include a Youth Baseball Field, a Basketball Court, picnic areas, play equipment, a 15-space parking lot, and ADA access. There are currently no publically available restrooms. Recently the old Peaceful Valley Community Center (adjacent to the park) was refurbished and has now been renamed the Recovery Café.

According to the City's website, the site has "deep meaning to the Spokane Tribe of Indians as it often served as an encampment for the tribe throughout history."

The project will be located in the area classified as "Urban Conservancy" (Shoreline Environment Designation).

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

\$300,000

5. Will the proposed development intrude waterward of the ordinary high water? YES NO If yes, describe the intrusion:

The system extends waterward of the OHWM for water access in low-flow conditions. Three stainless steel rails will extend approximately 15' (horizontal distance) waterward of the OHWM. These rails will be set on pre-cast concrete footings.

6. Will the proposed use or development affect existing views of the shoreline or adjacent waters? YES NO If yes, describe:

There are no views of the shoreline or water from the site or adjacent properties due to the steep banks. Therefore, this project does not impact any views.

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

The proposed project and use will enhance public use of the public shoreline by providing recreational opportunities that are not currently available.

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

General SMP Goals

Under the City of Spokane Comprehensive Plan, Chapter 14 (Shorelines), the following selected Policy Priorities are listed (**SMP Section 1 General Goals and Policies, SMP 1.6**) which all related to, and support, the proposed project:

- “Because the Spokane River and Latah Creek are shorelines from which all people in the state derive benefit, the City gives preference to those uses which favor public activities and fulfill long range Comprehensive Plan goals.”
- “Protect the resources and ecology of the shoreline: All shoreline development should be located, designed, constructed, and managed to minimize adverse impacts to wildlife and aquatic resources (including spawning, nesting, rearing, and habitat areas and migratory routes), water quality, unique and fragile areas, geohydraulic processes, scenic views and natural eco-systems. Development should preserve environmentally sensitive wetlands and critical areas for use as open space or buffers and encourage restoration of presently degraded shoreline and wetland areas.”
- “Increase public access to publicly owned areas of the shorelines - Priority should be given to developing pathways and trails to shoreline areas, promoting linear access along the shorelines and to connect existing publicly owned parks, conservation areas, natural areas and golf courses, and encouraging upland parking.”
 - This project will enhance river access at the Glover Field Park, which provides many additional amenities to complement and support the project.
- “Increase recreational opportunities for the public on the shoreline - Plan for and encourage development of facilities for recreational and public use of the shorelines.”
 - This project will provide a specialized system where experienced rafters, canoers and kayakers can access the river at a location that is the furthest available up-river location below the Spokane Falls.

Further, **SMP 1.6** also states, “preferred uses are those which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or depend upon use of the shorelines.”

- This use clearly meets the criteria as being *unique to* and *dependent upon* use of the shoreline, as the shoreline is a place from which to gain access to the river for non-motorized boat usage.

Additionally, **SMP 1.6** details that any alternation of the shoreline’s natural conditions should be limited to specific instances, and priority is given for “shoreline recreational uses including parks and other improvements facilitating public access to shorelines.”

- The proposed project meets the standards to be considered a prioritized use.

Public Access and Recreation

SMP Section 8 addresses public access and **SMP Section 9** pertains to recreation. Public access and recreation are chief project features and outcomes.

The project is consistent with the policies under **SMP Section 8**, including:

- **SMP 8.1 Access Improvements** - “Improve access to publicly owned areas of the shorelines.”
- **SMP 8.2 Access and Shoreline Ecological Functions** - “Assure that public access improvements result in no net loss of shoreline ecological functions.”
 - The project includes a Habitat Management Plan component, to provide project-specific mitigations to prevent a net loss in shoreline ecological functions.

- **SMP 8.7 Shoreline Views** – “Minimize impacts to shoreline views through development regulations.”
 - The project will not result in a loss of views to the Shoreline.
- **SMP 8.9 Appropriate Design of Access Measures** – “Require that public access measures have a design appropriate to the site, adjacent property, and general nature of the proposed development, while protecting and providing views.”
 - The innovative boat launch has been designed to minimize visual conflicts, and minimize grading amounts to maintain an appealing aesthetic. Boulders will be placed for stabilization, but also providing a natural appearance. Additional materials such as Native Basalt and native plants will be used (see Habitat Management Plan).

The project is consistent with the policies under **SMP Section 9**, including:

- **SMP 9.1 Enjoyment of the Shorelines** – “Assure that shoreline recreational development is given priority and is primarily related to shoreline access and enjoyment and use of the water.”
- **SMP 9.2 Linkages to Recreation Areas** – “Link shoreline parks, recreation areas, scenic drives, and public access points through the use of pedestrian and bicycle pathways and trails, open space, and parkways, in accordance with an approved trail plan.”
 - The new boat launch will add to the greater *Spokane River Water Trail* system of amenities and access. The project is sited in an existing public space, with City Park features such as pathways, open space, and parking.
- **SMP 9.3 Recreational Opportunities for All** – “Ensure that recreational planning takes into account the differences in use groups, physical capabilities, and interests among the public in order to provide opportunities for safe and convenient enjoyment of the shorelines.”
 - This project does not serve to meet the recreational needs of all user groups, as the meets the unique needs of non-motorized boat users that can use stairs and rails for physical access. However, the project is a component of a larger system which meets the needs, interests and capabilities of users across a larger, but localized area.
- **SMP 9.4 Recreational Facilities and Impacts to Shorelines** – “Locate, design, and operate all recreational facilities, both commercial and public, so as not to create adverse impacts on environmental quality, natural features, and surrounding land and water uses.”
 - A Habitat Management Plan provides project-specific mitigations to prevent a net loss in shoreline ecological functions.
- **SMP 9.5 Adequate Support Facilities** – “Create adequate support facilities such as parking areas, maintenance buildings, and rest rooms to meet shoreline recreational demands.”
 - The project is located in Glover Field Park, which has existing services and amenities and which also has proposed enhancement measures, such as additional parking spaces.

Shoreline Use - Modifications

The first portion of **SMP Section 11** discusses Shoreline Modification Policies.

- **SMP 11.1 Structural Modifications**– “Allow structural shoreline modifications only where they are: demonstrated to be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage; and necessary for reconfiguration of the shoreline for mitigation or enhancement purposes.”
 - Using minimally invasive excavation, the shoreline, which consists primarily of basalt stone rubble, will be excavated to prepare footings for the rails and stairways.
 - There will be no fill.
 - Shoreline stabilization will occur in the areas disturbed by construction.

Shoreline Use – Shoreline Use Policies

The second portion of **SMP Section 11** addresses shoreline use policies.

- **SMP 11.33 Economic, Social, and Physical Needs** – “Ensure that shoreline uses satisfy the economic, social, and physical needs of the city.”
 - The proposed project will meet the needs of citizens and visitors who want to launch non-motorized watercraft into the Spokane River for recreational enjoyment.
- **SMP 11.34 Standards to Ensure Ecological Health** – “Assure no net loss of ecological functions through the use of specific standards for setbacks, buffers, density, and shoreline stabilization.”
 - Shoreline stabilization will occur only in the areas disturbed by construction. Native plantings will be used to enhance and restore disturbed buffers. (Setbacks and density do not apply as there are no new buildings being constructed within 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 proposed project provides physical public access to the water, with minimal physical impacts to the shoreline, as the structure itself is designed as narrow as possible to suitably accommodate the use and the footprint of the structure is as small as possible. Mitigation will occur via planting of native vegetation.
- **SMP 11.36 Shoreline Intrusions** – “Minimize man-made intrusions onto the shorelines which degrade the natural or planned character of the area.”
 - The system is designed to minimize intrusions into the water and shoreline areas. The system design requires less excavation as compared to what a ramp would have required for installation.
- **SMP 11.38 Uses that Minimize Shoreline Damage** – “Conduct uses in a manner that minimizes any resultant damage to the ecosystem and environment of the shoreline and any interference with public use of the water.”
 - The project will enhance and enable, and not interfere with, public use of the water. The use of the launch will not result ecosystem or environmental damage.
- **SMP 11.52 Protection of Ecosystem-Wide Processes** – “Provide for the protection and preservation of ecosystem-wide processes, ecological functions, and cultural resources,

including but not limited to, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas when siting in-stream structures.

- The proposed project is designed to provide minimal interference to the shoreline bed and minimal disturbance to soils, to protect any possible cultural resources that could exist underground.
- **SMP 11.53 Location Considerations** – “Consider the full range of public interests, watershed functions and processes, and environmental concerns when planning and locating in-stream structures, with special emphasis on protecting and restoring priority habitats and species.”
 - The system has been located and designed to minimize impacts on the shoreline and in the water.
- **SMP 11.54 Boating Facilities and Impacts to Shorelines** – “Locate and design boating facilities to minimize adverse effects upon geohydraulic processes, fragile shoreline features, natural wetlands, and aquatic and wildlife habitats.”
 - The system has been located and designed to minimize impacts on the shoreline and in the water.
- **SMP 11.55 Boating Facility Development** – “Assure no net loss of ecological functions as a result of the development of boating facilities that provide public recreational opportunities.”
 - The project includes mitigation (native plantings) to offset the potential impacts to ecological functions.

In summary, the project meets several general goals of the SMP and complies with policies for public access and recreation, while meeting the strict standards for shoreline uses (both policies and modification standards).

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.

Native plants will be installed on the site. The project will alleviate soil erosion on the site, contributing to improved water quality. 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.

Applications to be submitted include:

- Floodplain Development Permit from the City of Spokane
- Design Review
- JARPA
- SEPA (DNS Determination made April 5, 2017; “Peaceful Valley Project”)

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.
 - According to SMC Table 17E.060-04, "Launch ramps for small non-motorized watercraft" are allowed, if approved through the shoreline conditional review process, in the Urban Conservancy Environment (UCE) shoreline areas.

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

The SMP is a part of the Comprehensive Plan and thus compliance with the SMP demonstrates consistency with the Comprehensive Plan.

There are numerous other goals, objectives and policies in the Comprehensive Plan that apply to the project such as:

"Spokane will acquire, operate, enhance, and protect a diverse system of parks, boulevards, parkways, urban forest, golf courses, and recreational, cultural, historical, and open space areas for the enjoyment and enrichment of all." (12.2, Vision)

"Protect river and stream corridors as crucial natural resources that need to be preserved for the health, enjoyment and responsible use and access of the community, consistent with the Shoreline Master Program" (PRS 1.2, River Corridors)

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

Not applicable.

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 includes mitigation elements to result in 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 will enhance and facilitate public uses and shoreline access. The project will serve and advance, rather than compromise, the goals, policies, and use regulations of the Spokane Shoreline Master Program and the State Shoreline Management Act (SMA).

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

Fill out the following information for the variance being requested: **Not applicable.**

	<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):		

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

Not applicable.

17. 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?

Not applicable.

18. What hardship will result if the requested variance is not granted?

Not applicable.

19. Does compliance with the requirement eliminate or substantially impair a natural, historic, or cultural feature of area-wide significance? If yes, please explain.

Not applicable.

20. Will surrounding properties suffer significant adverse effects if this variance is granted? Please explain.

Not applicable.

21. Will the appearance of the property be inconsistent with the development patterns of the surrounding property? Please explain.

Not applicable.

22. 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.

Not applicable.

- 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.

Not applicable.

- 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.

Not applicable.

- d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;

Not applicable.

- e. That the variance requested is the minimum necessary to afford relief.

Not applicable.

- f. That the public interest will suffer no substantial detrimental effect.

Not applicable.

- 23. 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.

Not applicable.

- b. That the proposal is consistent with the criteria established under WAC 173-27-170(2)(b) through (f).

Not applicable.

- c. That the public use of the shorelines will not be adversely affected.

Not applicable.