



# Conditional Use Permit Application

Rev.20180102

1. **List the provisions of the land use code that allows the proposal:**

The existing Avista Sunset Substation is located on a parcel (25361.0015) that is zoned Residential Agriculture (RA). The proposed project is to rebuild a new substation directly below the existing substation. Once the new station is energized, the existing sub will be decommissioned, all equipment removed, and the land reclaimed.

Under Section 17C.110T.001 (Table 17C.110-1 Residential Zone Primary Uses), Basic Utilities are allowed in Residential Agricultural zones, but with special limitations. The special limitation is defined as:

In the RA, RSF and RTF zones, a one-time addition to an existing base utility use is permitted, provided the addition is less than fifteen hundred square feet and five or less parking stalls located on the same site as the primary use... New buildings or larger additions require a conditional use permit and are processed as a Type III application.

This proposal is greater than fifteen hundred square feet, therefore a CUP is requested.

2. **Please explain how the proposal is consistent with the comprehensive plan designation and goals objectives and policies for the property:**

The current Comprehensive Plan designation of the site is Agriculture. To be consistent with the Comprehensive Plan designation and goals, the proposed project must allow for long-term agricultural production. This parcel has been used as a substation since at least 1941, when the Electrical Panel house was built. There is no evidence that the parcel has been used as long-term agriculture in the 80 years as a substation. The proposal is consistent with the existing land use code for properties zoned RA.

In addition, the project will provide opportunities for farming, green house farming, single-family residences, and minor structures used for sales of agricultural products produced on the premises, which is consistent with the Agriculture Designation. This will be achieved through greater reliability of improved substation equipment.

As stated in Section C.10 (Private Utilities, Page 39):

With population growth, Avista anticipates increases in future system demands. Planning for future substation upgrades and new substations are forecasted periodically to adequately keep the correct capacity to meet demands of the increasing population. Enhancements include the installation of additional equipment, the replacement of existing equipment with larger capacity and other technological enhancements to facilitate improved system performance methodologies.

3. **Please explain how the proposal meets the concurrency requirements of SMC Chapter 17D.010:**

The proposal is likely exempt from the concurrency requirements of the SMC Chapter 17D.010 since the existing substation is an unoccupied facility and that will not change as a result of the proposed relocation. There will be no changes to the existing level of public services, transportation, or utilities as a result of the project being constructed.

4. **If approval of a site plan is required, demonstrate how the property is suitable for the proposed use and site plan. Consider the following: 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:**

The property is currently used for the existing Avista Sunset Substation and a site plan has been developed for the proposed relocation of the substation. The existing site is flat, well drained, and no existing surface water features exist on the property. According to a Cultural Resource report prepared on 01/2020, there are no prehistoric features visible at the relocation site. The report does recognize the existing substation, panel house, and two-car garage as meeting the requirements for evaluation due to >50 years old. According to the historian, no historical structures meet the requirements for nomination under the National Historic Registry. Regarding natural features, Hangman (Latah) Creek is >250' from the footprint of the relocated substation. No activity will occur w/in the 250' Riparian Buffer of Hangman Creek. Once the project is complete, the old substation will be recontoured and reseeded with native grasses and shrubs. Additionally, new trees, shrubs and native grasses will be planted along portions of the relocated substation fence line.

5. **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 proposed project will not have any significant adverse impact on the environment or on the surrounding properties. A search of the USFWS Information for Planning and Conservation (IPaC) database found that there were no threatened or endangered species or critical habitats present on the property.

As part of the proposed project, Avista will only remove trees that are necessary for building the substation relocation and to comply with overhead electrical vegetation clearance requirements. Trees on the remainder of the property will be retained as a buffer to adjacent properties. In addition, Avista will replant new utility friendly vegetation in selected areas around the new substation. Prior to project construction, a Spill Prevention, Control, and Countermeasure (SPCC) plan and erosion control BMPs will be developed and implemented.

**(FOLLOWING QUESTIONS FOR SHORELINE CONDITIONAL USE PERMIT ONLY)**

6. **Demonstrate how the proposed use will not interfere with the normal public use of the public shorelines.**

Not applicable, not a Shoreline Conditional Use Permit.

7. **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.**

Not applicable, not a Shoreline Conditional Use Permit.



1/21/2020