

# SHORELINE PERMIT APPLICATION

*Attach an additional sheet if needed*

## The proposed action requires approval of:

- Shoreline Substantial Development Permit (SSDP)
- Shoreline Conditional Use Permit (SCUP)
- Shoreline Variance (SV)

## All Shoreline Permits must provide the following information:

1. Identify the name of the shoreline (water body) with which the site of the proposal is associated.

*Spokane River*

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

*The proposed project consists of a 2.2 million gallon tank approx. 75' wide x 350' long by 30' deep. Said tank is part of the City's Dept. of Ecology mandated combined sewer overflow (CSO) reduction program. The proposed site for this tank is currently a hillside immediately north of Spokane Falls Blvd. across the street from the downtown library.*

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

*The proposed project site is vegetated hillside just north of Spokane Falls Blvd and is essentially unusable due to its steep slope. There are no improvements, structures or development on this hillside.*

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

*\$3.5M (within shorelines jurisdiction).*

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:

*Atop the proposed CSO tank will be a public access area which will improve views of the shoreline/Spokane River. In addition, the proposed tank will include a new trail along the south bank of the Spokane River. This project will construct the initial segment of that trail.*

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

*The shoreline on this reach of the Spokane River is inaccessible due to the adjacent steep slope. Public "use" of the shoreline in this reach is generally limited to viewing it. The proposed project will enhance the views by constructing an observation deck closer to the river and further from traffic than is currently available by way of the sidewalk on Spokane Falls Blvd and by constructing the initial segment of a trail along the south bank of the Spokane River.*

*During construction which will last up to two years, public access to this area will be restricted.*

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

*The goals of the Shoreline Master Program (SMP) include ensuring the development of the shorelines in a manner which, while allowing for the limited reduction of the rights of the public in shoreline areas, will promote and enhance the public interests. This site would be difficult to develop due to its steep slope and the construction of the proposed CSO tank will eliminate the potential for future development. However, public access to the shorelines area will be enhanced by the proposed project as described above. Another identified goal of the SMP is to preserve, to the greatest extent feasible, the public's opportunity to enjoy the physical and aesthetic qualities of the shorelines of the state. As described above, the proposed surface improvements which are part of the project accomplish this goal.*

9. A detailed narrative of how the impacts of the proposal have been analyzed to achieve no net loss of shoreline ecological functions, including each step of the mitigation sequencing process, as defined in Section 17E.060.220 SMC.

*No net loss of shoreline ecological function will occur. The proposed improvements are out of the shoreline jurisdiction area. Only temporary excavation and temporary erosion control measures are within the shoreline jurisdiction area.*

10. List of permits required from other than City of Spokane agencies, include name of agency, date of application, and number of application.

*Grading permit*

**In addition to Questions 1-10, all Shoreline Conditional Use Applications must ALSO provide the following information:**

11. List the provisions of the land use code that allows the proposal.

*Per SMC 17E.060-04, this CSO tank is classified as the new construction of utilities or facilities, a Capital Facility and Utility. The construction of new utilities or facilities that are non-water oriented is allowed by a shoreline conditional use permit. The code also says that this use is allowed in the shoreline jurisdiction only if it can be demonstrated that no other feasible alternative is available. The City attempted unsuccessfully to secure various other locations for this tank. This is City-owned property and is the best location for a use of this kind given the public shoreline access enhancements that will be included as part of this project.*

*A shoreline conditional use permit is a Type III application. In a Type III application, a Public Hearing is held and the decision maker is the Hearing Examiner.*

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

*CFU 5 of the Comprehensive Plan contains the goal of "minimizing impacts to the environment, public health and safety through the timely and careful siting and use of capital facilities and utilities". CFU 5.3 states "the City of Spokane should work continuously toward the reduction of existing combined sewer overflows wherever technically, economically and environmentally appropriate." The proposed project accomplishes both goals.*

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

*The proposed CSO tank expands capacity of the sanitary/storm sewer system & therefore meets concurrency.*

14. Please explain any significant adverse impact on the environment or the surrounding properties the proposal will have and any necessary conditions that can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.

*The proposed project will remove a large quantity of existing vegetation on the hillside north of Spokane Falls Blvd. Vegetation will be restored following construction for aesthetic, erosion control and slope stability purposes.*

*Following construction, the overall impact of the proposed project on the environment is positive given its sole purpose of significantly reducing overflows of raw sewage to the Spokane River. A secondary benefit to the citizens of Spokane and surrounding property owners will be the enhanced views of the Spokane River provided by the proposed observation deck and trail on the south side of the Spokane River.*

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

15. Please explain how the cumulative impact of several additional conditional use permits on the shoreline in the area will not preclude achieving the goals of the shoreline master program.

*As described above, this proposed shorelines area use furthers the goals of the shoreline master program by enhancing public access. Whether additional CUPs would preclude achieving the goals of the shoreline master program would depend on the nature of any such future development which receives a CUP.*

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

**N/A**