

# 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.  
Latah Creek

Provide a general description of the proposed project, including the proposed use or uses and the activities necessary to accomplish the project. **The project consists of immediate restoration on a 1.5 mile unplanned road in the South Hill Bluff area that was done on April 10<sup>th</sup> and 11<sup>th</sup>. The agencies agreed that immediate action to restore the road needed to be completed in May to prevent further damage. The plan was to restore the area to prior contours including the slope, trail network, and cover with native plants. Erosion control measures, site surveys, cultural survey, draft restoration plan was initiated, and a community meeting was held.**

2. Provide a general description of the property and adjacent uses, including physical characteristics, intensity of development, improvements, and structures. **The current use of the site is a combination of City of Spokane Conservation Lands, private lands, a two track dirt path, and an easement area for Avista's transmission line. Mountain bikers, hikers, trail runners, dog walkers and other recreationists use the area. Adjacent properties include High Drive and a residential neighborhood area.**
3. What is the estimated total Fair Market project cost within the Shoreline Jurisdiction?  
**\$75,000**
4. Will the proposed development intrude waterward of the ordinary high water?  YES  NO If yes, describe the intrusion:
5. Will the proposed use or development affect existing views of the shoreline or adjacent waters?  YES  NO  
If yes, describe:
6. Explain how the proposed use will not unreasonably interfere with the normal public use of public shorelines. **We are restoring the slope and replacing the same vegetation with native plant species to protect the ecological functioning and result in a no net loss within shoreline and wetland buffer area. Restoration efforts are only a temporary impact that will permanently restore the area back to its original condition. The Habitat Management Plan and Planting Plan was developed that outlined the specifics regarding restoration approach.**

7. Please explain how the proposal is consistent with the map, goals, and policies of the Shoreline Master Program. **The City of Spokane Comprehensive Plan, Zoning regulations, Shoreline Master Plan, Critical Area Ordinance support the project area for restoration. This is a noted conservation area within a designated shoreline area. The site is in an area that has not had previous shoreline restoration activities and would be subject to the provisions of SMC 17G.060. To meet these provisions a Habitat Management Plan and Planting Plan was developed to meet the requirements of SMC 17E.060.260 and 17E.060.270(E)(2). The plans show the type, quantities, and location of the vegetation as well as addressing no net loss and mitigation sequencing. The proposal meets the intent of the Spokane Shoreline Master Program (SMP) and is consistent with the policies of the Shoreline Management Act (SMA). The SMA and SMP promote the restoration of shorelines to the natural environment to further increase and protect the ecological functions of the area. The Natural Environment designation allows for only very low intensity uses in order to maintain the ecological functions and ecosystem wide processes per the provisions of SMP 17E.060.650.C1.a.**
8. 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 methodology to determine the pre-construction conditions, assess project impacts and to identify restoration and mitigation measures included a combination of field survey, agency consultation, review of aerials photography and investigation of resource databases. The ecological function of the pre-disturbance environment and the Project is described in the Habitat Management Plan. The restoration project is designed to minimize harm to the existing ecological functions and mitigation is proposed to avoid, minimize and mitigate for the impacts caused by the unplanned road. Monitoring of the success of the mitigation and reporting requirements are also described in the Habitat Management Plan. We are restoring the slope and replacing the same vegetation with native plant species to protect the ecological functioning and result in a no net loss within shoreline and wetland buffer area. Restoration efforts are only a temporary impact that will permanently restore the area back to its original condition. The Habitat Management Plan and Planting Plan was developed that outlined the specifics regarding restoration approach.**
- In addition, the following were consulted:
- WDFW PHS database (WDFW 2017)
  - IPaC report (USFWS 2017)
  - Site Visits (April and May 2017)
  - Aerial Photography (Google 2017)
  - NRCS Web Soil Survey (NRCS 2017)
9. List of permits required from other than City of Spokane agencies, include name of agency, date of application, and number of application. **General Stormwater Construction Permit from the Department of Ecology application date was April 30, 2017.**

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

- 10. List the provisions of the land use code that allows the proposal.
  
- 11. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.
  
- 12. Please explain how the proposal meets the concurrency requirements of SMC Chapter 17D.010.
  
- 13. 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.
  
- 14. 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.

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

- 15. 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):		

16. What physical characteristics of the property interfere with your ability to meet the required standards?
  
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?
  
18. What hardship will result if the requested variance is not granted?
  
19. Does compliance with the requirement eliminate or substantially impair a natural, historic, or cultural feature of area-wide significance? If yes, please explain.
  
20. Will surrounding properties suffer significant adverse effects if this variance is granted? Please explain.
  
21. Will the appearance of the property be inconsistent with the development patterns of the surrounding property? Please explain.
  
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.

- 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.
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.
  
  - 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.