

# 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.

Avista is proposing to vacate Upriver Drive for the sole purpose of developing Upriver Park (Park) for public use, providing public river access for non-motorized boaters and for realigning the Centennial Trail adjacent to the river. The proposed three (3) acre area will be developed as a Park to encompass and improve this reach of the Centennial Trail and improve existing access to the River. The Centennial Trail will be realigned and expanded to twelve feet (12') to accommodate the pedestrian and bicycling traffic. Two (2) entry areas will be integrated in the park on the north and south sides. Other elements will likely include, a brick arch, park benches, signage, picnic tables, bike racks, kayak stands, lighting and a concrete type amphitheater seating area at the north entry/plaza. A 10 foot to 20 foot length of gabion wall near the middle of the reach will be opened and reformed to allow pedestrian access from the Centennial Trail to the existing Shoreline Trail, an existing dirt path through the riparian area along the Spokane River. An existing reach of jersey barriers along Upriver Drive will be removed to open views of the shoreline and river. The project will remove only non-native vegetation and enhance ecological functioning, as these will be replaced with native vegetation between the new trail and the river. Irrigation will be installed, as appropriate, to establish the native vegetation. Landscaping on the west side of the trail away from the river will provide a more managed park setting, with lawn, trees and shrubs consistent with nearby City parks. Managing the vegetation will assist in eliminating illegal camping opportunities in the immediate area and open up view sheds to the river. Public safety will be improved by the vacation of Upriver Drive by eliminating, or significantly reducing, traffic at the Upriver Drive/Mission Avenue intersection. Additionally, the development of Upriver Park will enhance public safety for Centennial Trail users by eliminating the current shared space between vehicles and trail users. As a requirement of the street vacation, Avista will modify the Upriver Drive and North Center intersection to allow a better flow of traffic for the reroute.

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

The project area is located in a more developed area with the Avista campus bordering to the northwest, a multi family residential area and retirement community to the north, a rail road track within near proximity to the west, the Centennial Trail, Mission Park to the southwest, Witter pool to the south, Mission bridge to the southeast and the Spokane River to the southeast. Although Mission Park is in close proximity to the river, there is no unobstructed and easy access for the users, since the railroad bisects the area between the park and the river. The site, once enhanced will offer another area of the river that the public can safely access by water, foot or by bicycles to enjoy.

4. What is the estimated total Fair Market project cost within the Shoreline Jurisdiction?  
\$2,000,000

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:

The view shed of the Spokane River for the public will be improved. This will be accomplished through the removal of Upriver Drive, jersey barriers and non-native tree trimming/removal, along with the increased access for people to the area. The Upriver Park proposal is improving the aesthetics in this area and providing the neighborhood and other recreational users a more inviting environment that is enjoyable and safe.

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

Once Upriver Drive is vacated, this offers options to open up the view sheds, extend and reconfigure the Centennial Trail and eliminate illegal camping. The park amenities are to encourage a healthy social interaction and make it a more natural area including open space and open views of the river. The small access areas, Centennial Trail, sidewalks, shade structure are all simple and compatible enhancements to make it more attractive, protect the natural environment and provide direct access and make it safer for public use.

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

The purpose of Chapter 14 of the Shoreline Master Program (SMP) Limited Urban Environment is to accommodate a range and mixture of water orientated uses. SMP 8 Public Access (SMP 8.1 and 8.2); SMP Recreation (SMP 9.1, 9.2 and 9.3); SMP 10 Restoration (SMP 10.2 and 10.3); SMP 11 (SMP 11.6, 11.8, 11.35); are all goals and policies that support the Upriver Park proposal. The vacation of Upriver Drive will allow the reconfiguration of the Centennial Trail, provide a more natural landscape enhance the aesthetic appeal and allow for a more compatible use of this section. The proposal is providing access to a reach of the Spokane River that does not presently exist, protecting the shoreline ecological functions by retaining sufficient trees and shrubs to provide wildlife habitat, soil stabilization, and water functions, removing non-native vegetation that is inhibiting the growth of native species and replanting approximately 15,680 square feet with native species, reducing storm water from the impervious surfaces, and establishing more usable open space for the public. Social interaction and enjoyment of the shorelines are both important components of shorelines and the SMP. Upriver Park will provide this for the public.

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.

As a part of the Shoreline Substantial Development Permit application, the Upriver Park Habitat Management Plan (HMP) prepared by Anderson Environmental Consulting was completed for this project. The HMP addresses the proposal and benefits to the shoreline and the ecological functioning for 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.

**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.
  
- 12. Please explain how the proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.
  
- 13. Please explain how the proposal meets the concurrency requirements of SMC Chapter 17D.010.
  
- 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.
  
- 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.

**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.