

SHORELINE PERMIT APPLICATION

Attach an additional sheet if needed

The proposed action requires approval of:

- X Shoreline Substantial Development Permit (SSDP)
- X 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

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

Replace the Hatch Rd. bridge deck over Latah Creek., replace pavement on bridge approaches, install right turn lane between the bridge and Hwy 195 (north side of Hatch Rd.)

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

The proposed project area is in a low density residential area adjacent to a state highway. The nearest home/structure is 300' away (NE) with another 400' away (SE). The proposed project is within city ROW on an existing road alignment (Hatch Rd.)

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

\$1M

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

No

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

No

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

The proposed project fixes the existing bridge deck and adjacent pavement and therefore does not affect public use of public shorelines. The proposed right turn lane is immediately adjacent to a state highway where there is no public shoreline access.

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 project neither restricts nor enhances public access to the shoreline.

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 seen in the attached exhibit, this project is mostly above Latah Creek. The portion of the project that is adjacent to the creek (the bridge approaches) consists of improvements to the existing roadway within existing pavement limits. The other portion of the project that is adjacent to the creek (the proposed right turn lane) consists of fill and a paving an area outside the existing pavement which is also not within a wetlands, not within the 100 year flood plain and well above the OHWM.

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

HPA from WSDFW

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.060.600, this project is a transportation facility. Per Table 17E.060-04, such a facility requires a CUP. 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. Since this project upgrades an existing road/bridge in its existing location and proposes a short right turn lane (approx. 100' length) adjacent to that existing road and connecting to an existing state highway, there is no feasible alternative available. Therefore the City is applying for a shoreline via a Type III application. In a Type III application, a Public Hearing is held and the decision maker is the Hearing Examiner.

Per the SMC, 17E.060.290(U) and (V), public access shall be provided for any new development activity that requires a shoreline conditional use permit. It states that public access shall be located adjacent to other planned or existing public areas, public and private accesses and trails and connected to the nearest public street. The work planned will not significantly alter the shoreline environment, but instead will look be built adjacent to existing roadways and on ROW owned by the City that sit significantly above the shoreline environment. The code states that alterations of the natural conditions of the shorelines of the state shall be given priority when development will provide an opportunity for a substantial number of people to enjoy said shoreline. Due to the location of the proposed project, it will neither hinder nor restrict access to the shoreline.

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

The proposal is entirely in the ROW and is an upgrade to the City and Region's transportation system, therefore consistent with the following goals, objectives and policies:

TR 10 Transportation System Efficiency & Innovation : *Develop and manage the transportation system to function as efficiently as possible while exploring innovative opportunities and technologies.*

TR 13 Infrastructure Design: Maintain and follow design guidelines (including national guidelines such as MUTCD, NACTO, AASHTO) reflecting best practices that provide for a connected infrastructure designed for our climate and potential emergency management needs, and respecting the local context. Local context may guide signage and elements such as traffic calming, street furniture, bicycle parking, and community spaces. Accessibility guidelines and emergency management needs will be maintained.

TR 16 Right-of-Way Maintenance: Keep facilities within the public rights-of-way well-maintained and clean year-round for the benefit of all while focusing on complete rehabilitation of streets on arterials, and maintenance work on both residential and arterial streets, using an integrated approach that incorporates all uses of the right of way to leverage dollars and gain greater community benefits.

NE 3 SHORELINES Goal: Protect the natural state of shorelines while providing community access that does not negatively impact riparian habitats, fragile soils, and native vegetation.

SMP 2.6 Placement in Existing Rights-of-Way: Require new utilities and facilities to be located in existing rights-of way whenever possible.

SMP 2.7 Transportation and Parking Facilities: Plan, locate, and design proposed transportation and parking facilities where routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions, or adversely impact existing or planned water dependent uses.

SMP 2.8 Conditions on Construction or Expansion: Allow construction or expansion of any facility or utility within the Shoreline Jurisdiction by conditional use only

SMP 3.5 Location of New Streets: Locate new streets or street expansions that are part of the City of Spokane designated Regional Arterial Network outside of the Shoreline Jurisdiction, unless no other options are available or feasible.

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

The proposed project upgrades existing transportation facilities (Hatch Rd. & Hatch Rd. Bridge) and modestly expands capacity at the Hatch Rd/Hwy 195 intersection and 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.

Except during construction, this project will have minimal to no impacts on the environment or surround projects in that it mostly consists of improvements to an existing roadway and bridge within existing pavement limits. The portion of the project outside existing pavement limits (the proposed right turn lane) is within the narrow strip of land between Latah Creek. (approx. 150' width) which is used by no one due to its location (see attached exhibit).

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 proposed project has minimal to no impact on the shoreline and so would not contribute to a cumulative impact with the addition of several other conditional use permits in the area.