



Shorelines

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14.1 INTRODUCTION

Overview

The Shorelines Chapter contains goals and policies that set the direction for the preservation, restoration, use, modifications, and development of the shoreline areas of the Spokane River and Latah Creek within the City limits. Development of these goals and policies was one of several steps undertaken in the 2005-2008 update of the 1976 City of Spokane Shoreline Master Program (SMP). These goals and policies also supplement and are consistent with the goal and policies of the Comprehensive Plan Natural Environment Chapter (Chapter 9) of the Comprehensive Plan, Section NE 3, Shorelines.



Although the process to update the City's SMP did not begin until four years after the 2001 adoption of the Comprehensive Plan, an extensive public participation process was developed for the SMP update that was similar in scope to the Spokane Horizons process, the name of the City's citizen participation process to develop the Comprehensive Plan.

The SMP public participation plan established frequent opportunities throughout the update process for all segments of the community to provide ideas and input on shoreline issues and opportunities, environment designations, goals and policies, restoration plan, and regulations at open houses, neighborhood council meetings, and other community events. Representatives from federal, state, and local public and private agencies and organizations, business owners, land owners, institutional representatives, members of the development, recreational, and environmental communities, and neighborhood council representatives volunteered many hours of their time and expertise to actively participate on various technical, stakeholder, and policy committees. In addition, appointed and elected officials worked tirelessly throughout the process to learn about shoreline issues and opportunities at workshops, study sessions, and in the field so that they could make well-informed recommendations and decisions about each aspect of the Shoreline Master Program.

The directives embodied in the goals and policies of this chapter are consistent with the general and special policy goals of the Washington State Shoreline Management Act as well as the planning goals of the Washington State Growth Management Act.

What is a Shoreline Master Program?

Under the Washington State Shoreline Management Act (SMA) of 1971, each city and county with "shorelines of the state" and "shorelines of state-wide significance" must adopt a Shoreline Master Program (SMP) that is based on state laws and rules but tailored to the specific geographic, economic, and environmental needs of the community. Under the Act, the City's Shoreline Master Program governs shoreline use, modification, and development activities along the Spokane River and Latah Creek within the City limits.

The SMP is essentially a shoreline comprehensive plan with a distinct environmental orientation applicable to shorelines within the City. The City's SMP contains goals, policies, use regulations, and development standards, together with maps, diagrams, charts, and other descriptive material and text developed in accordance with the SMA.

Washington State Shoreline Management Act

The Shoreline Management Act (SMA) of 1971 calls for "a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." (RCW 90.58.020).

The SMA contains three broad policies (RCW 90.58.020):

- ◆ **Encourage Water-Dependent Uses.** Uses are preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines.
- ◆ **Protect Shoreline Natural Resources.** The SMA seeks to protect the natural resources of the shorelines, including land and its vegetation and wildlife, and the water of the state and their aquatic life against adverse effects.
- ◆ **Promote Public Access.** The public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally.

State policy provides for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. Shoreline uses are given preference in the following order which:

- ◆ Recognize and protect the statewide interest over the local interest;
- ◆ Preserve the natural character of the shoreline;
- ◆ Result in long term over short term benefit;
- ◆ Protect the resources and ecology of the shoreline;
- ◆ Increase public access to publicly owned areas of the shorelines;
- ◆ Increase recreational opportunities for the public in the shoreline; and
- ◆ Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

In the implementation of this policy, the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally. To this end, uses

shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state's shoreline.

The SMA is administered through a cooperative program between local governments and Ecology. Cities and counties are the primary regulators. Ecology acts primarily in a support and review capacity, but is required to approve certain kinds of permits (conditional use and variance permits) and must approve new or amended shoreline master programs.

Local governments may modify master programs to reflect changing local circumstances, new information, or improved shoreline management approaches. The Act places a strong emphasis on public participation in developing local shoreline programs and in the local permit process.

History of Shoreline Management in Spokane

Prior to the passage of the Shoreline Management Act, the City of Spokane had initiated its own intensive planning study of the Spokane River and Latah Creek waterfronts. Disturbed that the community's major natural asset had been so long neglected, Spokane's citizens had already set about, in 1966, to determine how best to reverse the damage.

That study culminated in the Riverfront Development Program, an ambitious commitment to recapture, over a 20 to 30-year period, the full value of an asset that had badly depreciated. Uninviting uses would be relocated, public access would be improved, discharge of untreated wastes into the river would cease, and future riverfront developments would honor their incomparable setting. The 1975 Riverfront Development Program provided much of the substance for Spokane's first SMP, adopted in 1976 and amended in 1982.

In 1988, the Spokane City Council requested that the City Plan Commission review the Riverfront Development Program and the Shoreline Master Program and prepare updates if necessary. Through a coordinated effort between the Plan Commission, a citizen committee, and City staff, a draft SMP was completed in 1994, but was never adopted by the City Council.

In 2005, The City of Spokane Planning Services Department received a grant from the Washington State Department of Ecology to update the 1976 SMP. The process included a comprehensive inventory and analysis of the Spokane River and Latah Creek and the development of shoreline environment designations and accompanying management policies; goals and policies for each of the ten elements of the SMP; regulations that address shoreline use, modifications, and development; and a restoration plan. The SMA, 1976 SMP, and 1994 draft SMP served as the framework upon which this updated SMP was developed.

14.2 GMA GOAL AND REQUIREMENTS AND COUNTYWIDE PLANNING POLICIES

GMA Shorelines Planning Goal (RCW 36.70.A.020)

For shorelines of the state, the goals and policies of the Washington State Shoreline Management Act (SMA), as set forth in RCW 90.58.020, were added in 1995 as a goal of the Washington State Growth Management Act (GMA), without creating an order of priority among the fourteen goals. See the “Washington State Shoreline Management Act” section above for a listing and discussion of the three broad policies contained in RCW 90.58.020.

In addition, the GMA Environment Goal (Goal 10) states: “Protect the environment and enhance the state’s high quality of life, including air and water quality, and the availability of water.”

Countywide Planning Policies

The Countywide Planning Policies (CWPPs), adopted by the Spokane Board of County Commissioners in 1994, do not specifically mention shorelines, but do address policy topics that are also included in the policy topics of the Shorelines Chapter. The Countywide Planning Policy topics of Urban Growth Areas (UGAs), Promotion of Contiguous and Orderly Development and Provision of Urban Services, Parks and Open Space, Transportation, and Economic Development contain policies that relate to the Shorelines Chapter. For the text of the Countywide Planning Policies, consult the CWPPs document, “Countywide Planning Policies and Environmental Analysis for Spokane County,” adopted December 22, 1994.

Shorelines as an Element of the Comprehensive Plan

The GMA mandates the following for a jurisdiction updating its Shoreline Master Program (SMP) under the Growth Management Act and the Shoreline Management Act:

- ◆ The goals and policies of the City’s SMP approved under SMA shall be considered an element of the City's Comprehensive Plan. All other portions of the City’s Shoreline Master Program adopted under SMA, including use regulations, shall be considered a part of the City's development regulations.
- ◆ The SMP shall be adopted pursuant to the procedures of the SMA rather than the goals, policies, and procedures set forth under GMA for the adoption of a comprehensive plan or development regulations.
- ◆ The policies, goals, and provisions of the SMA and applicable guidelines shall be the sole basis for determining compliance of the City’s SMP with GMA, except as the SMP is required to comply with the internal consistency provisions of the GMA.

SMP Protection of Critical Areas

The GMA also mandates that:

- ◆ The protection of critical areas within the Spokane River and Latah Creek Shoreline Jurisdiction transfers to the City of Spokane SMP, once Ecology adopts the SMP.
- ◆ Critical areas within the Spokane River and Latah Creek Shoreline Jurisdiction shall not be subject to the procedural and substantive requirements of the GMA, except as provided in the last bulleted item, below.

- ◆ The provisions of the GMA, RCW 36.70A.172, shall not apply to the adoption or subsequent amendment of the City’s SMP and shall not be used to determine compliance of the City’s SMP with the SMA and applicable guidelines.
- ◆ The City of Spokane SMP shall provide a level of protection to critical areas located within the Shoreline Jurisdiction at least equal to the level of protection provided to critical areas by the City’s Critical Areas Ordinances adopted and thereafter amended pursuant to the GMA.
- ◆ Shorelines within the Spokane River and Latah Creek Shoreline Jurisdiction shall not be considered critical areas under the GMA except to the extent that specific areas located within the Shoreline Jurisdiction qualify for critical area designation based on the definition of critical areas provided by the GMA, RCW 36.70A.030(5), and have been designated as such by the City of Spokane pursuant to RCW 36.70A.060(2).
- ◆ If the City’s SMP does not include land necessary for buffers for critical areas that occur within the Spokane River and Latah Creek Shoreline Jurisdiction as authorized by the SMA, RCW 90.58.030(2)(f), then the City shall continue to regulate those critical areas and their required buffers pursuant to the GMA, RCW 36.70A.060(2).



14.3 SPOKANE'S SHORELINE MASTER PROGRAM

Overview

The shorelines of Spokane are among the City's most valuable, unique, and fragile natural resources. As Spokane continues to grow, development pressures within the City's shorelines are increasing, necessitating coordinated, planned shoreline management and development, as well as continuous cooperation between various federal, state, and local entities. Spokane is fortunate to have many shoreline areas in public ownership, creating a rich environment for citizens to recreate and enjoy the Spokane River and Latah Creek.

The objectives of the City of Spokane Shoreline Master Program (SMP) are to improve environmental quality, enhance public access and recreational opportunities, plan and coordinate development, raise development standards, and ensure that Spokane's greatest natural assets are carefully managed for the enjoyment of future generations. The program recognizes the interest of the people to be paramount while recognizing the state-wide interest. Preserving the long-term natural characteristics and resources is given preference over development of any kind.

Consistency and Conformity with Shoreline Management Act

This SMP is prepared in accordance with the Washington State Shoreline Management Act, and as such, is intended to preserve the public's opportunity to enjoy the physical and aesthetic qualities of the Spokane River and Latah Creek shorelines, consistent with the overall best interest of the state and the people generally.

Consistency with Plans and Regulations

The SMP goals and policies are adopted as part of the City's Comprehensive Plan and the Shoreline Regulations are incorporated into the City of Spokane Unified Development Code; these components are therefore consistent with the Plan, City development regulations, City of Spokane's Critical Areas Ordinances, and any other applicable City regulations. The SMP is also consistent with the Shoreline Master Programs of adjacent jurisdictions, and all other local, state, and federal laws pertaining to the shoreline areas. Development of the program included coordination among adjoining jurisdictions, public agencies, private businesses, recreational and environmental organizations, citizen groups, elected and appointed officials, City staff, and others with authority, interest, and expertise in the shorelines.

Shoreline Environments and Management Policies

In order to effectively protect shoreline resources and provide for appropriate development, a system of categorizing shoreline areas into environment designations and accompanying policies for managing shoreline uses, modification, and development within each designation is required by the Shoreline Management Act Guidelines. The SMP environments were designated by analyzing data from a comprehensive inventory of the ecological conditions and physical character of the shorelines, which was performed at the beginning of the SMP update process. The analysis resulted in the designation of six environments that accurately reflect the characteristics of Spokane's shoreline areas. The boundaries of each environment were determined by using both man-made and environmental features as divisions between

designations. The designations also support and are consistent with the vision and goals of the Comprehensive Plan.

Shoreline Goals and Policies

Shoreline goals and policies establish broad shoreline management directives. They are statements of intent by the City of Spokane that direct or authorize a course of action or specify criteria for regulatory or non-regulatory action. The policies serve as the basis for regulations that govern use, modifications, and development along the shorelines and provide direction for regional issues such as resource management, environmental protection, transportation, inter-governmental coordination and regional planning.

Shoreline policies provide a comprehensive foundation for the Shoreline Master Program regulations, which are more specific standards that are used to evaluate and regulate shoreline development proposals. The City of Spokane must evaluate permit applications in light of the shoreline policies and may approve a permit only after determining that the development conforms to the policies in the Shoreline Master Program.

Shoreline Regulations

The regulations implement the goals and policies of the SMP and contain requirements for shoreline uses, modifications, and development within the Shoreline Jurisdiction, whether or not a shoreline permit is required. The regulations also contain administrative procedures necessary to administer the requirements of the Shoreline Management Act and SMP. The regulations are in essence an overlay to the other regulations that pertain to the shoreline area, such as land use and zoning designations and critical areas regulations. In the event of a conflict with other applicable city policies or regulations governing the shorelines, the more restrictive regulation will always be used to evaluate and regulate a proposed project within the Shoreline Jurisdiction.

Restoration Plan

The restoration plan addresses degraded areas and impaired ecological functions identified in the inventory and analysis of the shorelines, one of the first tasks undertaken as part of the update process. The plan establishes overall goals and objectives for City-wide shoreline restoration efforts. The plan identifies and prioritizes restoration opportunities and prescribes generalized treatment options for various restoration scenarios. The plan also identifies current and ongoing programs that contribute to achieving these goals, as well as additional projects or programs necessary for success.

Components

The City of Spokane Shoreline Master Program (SMP) is divided into four parts, each contained in different documents:

- ◆ **Shoreline Master Program Goals and Policies**

The SMP goals and policies are included in this Shorelines Chapter of the Comprehensive Plan. Sub-categories are:

- Shoreline environments and management policies;
- General goals and policies; and
- Goals and policies for the ten elements of the SMP.

Definitions for shoreline words and terms in the goals and policies section are located in Chapter 15, Glossary, of the City of Spokane Comprehensive Plan.

◆ **Shoreline Regulations**

Shoreline use, modification, and development regulations are contained in Chapter 17 E.060, Shoreline Regulations, of the Spokane Municipal Code (SMC).

Shoreline permit procedures are located in Chapter 17G.060 SMC, Land Use Application Procedures.

Definitions for shoreline words and terms in Chapter 17E.060 SMC, Shoreline Regulations, and Chapter 17G.060, Land Use Application Procedures are located in Chapter 17A.020 SMC, Definitions.

◆ **Restoration Plan**

The Restoration Plan is a stand-alone document, titled “Shoreline Restoration Plan.”

◆ **Background Information**

The City of Spokane Comprehensive Plan, Volume 3, contains background information pertaining to the SMP, including:

- Shoreline Inventory and Analysis;
- Cumulative Impacts Report;
- State Environmental Policy Act Checklist;
- Record of Citizen Participation Activities
- SMP Submittal Checklist to the Department of Ecology; and
- Other pertinent background information



14.4 ENVIRONMENTS AND MANAGEMENT POLICIES

NATURAL ENVIRONMENT (NE)

Purpose

The purpose of the "natural" environment is to protect shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. This environment allows only very low intensity uses in order to maintain the ecological functions and ecosystem-wide processes.

Designation Criteria

Assign a "natural" environment designation to shoreline areas if any of the following characteristics apply:

- ◆ The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity;
- ◆ The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or
- ◆ The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

This designation delineates those shoreline areas that provide valuable functions for the larger aquatic and terrestrial environments that are sensitive to human development. Such shoreline areas include largely undisturbed portions of shoreline areas such as wetlands, unstable bluffs, and ecologically intact shoreline habitats.

Ecologically intact shorelines can include both large (covering multiple properties) and small (within one property) areas which retain the majority of their natural shoreline functions. Generally, these are free of structural shoreline modification, structures, and intensive uses, and can include forested areas which have native vegetation, diverse plant communities, and large woody debris.

Management Policies

1. *Give preference to uses that would not substantially degrade the ecological functions or natural character of the shoreline area.*
2. *Prohibit the following new uses in the shoreline area:*
 - ◆ *Commercial.*
 - ◆ *Industrial.*
 - ◆ *Non-water oriented recreation.*
 - ◆ *Roads, utility corridors, and parking areas that can be feasibly located outside of "natural" designated shorelines.*
3. *Allow, as a conditional use, single-family residential development, provided the density and intensity of such use is limited as necessary to protect ecological functions and be consistent with the purpose of the environment.*

4. *Consider allowing very low intensity agricultural uses when such use is subject to appropriate limitations or conditions to assure the use does not expand or alter practices in a manner inconsistent with the purpose of this designation.*
5. *Allow scientific, historical, cultural, educational research uses, and low intensity water-oriented uses, provided that no significant ecological impact on the area will result.*
6. *Prohibit new development or significant vegetation removal which would reduce the capability of vegetation to perform normal ecological functions.*
7. *Prohibit the subdivision of property in a configuration that, to achieve its intended purpose, will require significant vegetation removal or shoreline modification that adversely impacts ecological functions.*

URBAN CONSERVANCY ENVIRONMENT (UCE)

Purpose

The purpose of the "urban conservancy" environment is to protect and restore ecological functions of open space, flood plain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

Designation Criteria

Assign an "urban conservancy" environment designation to shoreline areas appropriate and planned for development that is compatible with maintaining or restoring the ecological functions of the area and that are not generally suitable for water-dependent uses if any of the following characteristics apply:

- ◆ They are suitable for water-related or water-enjoyment uses;
- ◆ They are open space, flood plain or other sensitive areas that should not be more intensively developed;
- ◆ They have potential for ecological restoration;
- ◆ They retain important ecological functions, even though partially developed; or
- ◆ They have the potential for development that is compatible with ecological restoration.

Management Policies

1. *Allow shoreline uses in the "urban conservancy" environment as follows:*
 - ◆ *Water-oriented uses should be given priority over non-water-oriented uses.*
 - ◆ *Primary allowed uses are those that preserve the natural character of the area or promote preservation of open space, flood plain, or sensitive lands either directly or over the long term.*
 - ◆ *Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the urban conservancy environment and setting.*
2. *Establish standards for shoreline stabilization measures, vegetation conservation, water quality and shoreline modifications that ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.*

- 3. Implement, when feasible, public access and public recreation objectives if significant ecological impacts can be mitigated.*

SHORELINE RESIDENTIAL ENVIRONMENT (SRE)

Purpose

The "shoreline residential" environment is designed to accommodate existing, small-lot residential development and accessory structures. The shoreline residential environment may also provide appropriate public access and recreational uses.

Designation Criteria

Assign a "shoreline residential" environment designation to shoreline areas if they are predominantly small-lot single-family or multi-family residential development or are planned and platted for such residential development.

Management Policies

- 1. Provide consistent and integrative regulatory standards that assure no net loss of ecological functions and that take into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.*
- 2. Provide public access and joint use for community recreational facilities in multi-family residential development, multi-lot residential development, and recreational developments.*
- 3. Provide for adequate access, utilities, and public services to serve existing needs and planned future development.*

LIMITED URBAN ENVIRONMENT (LUE)

Purpose

The purpose of the "limited urban" environment is to accommodate a range and mixture of water-oriented residential, commercial, and institutional uses at moderate intensity and density levels, while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded. Water-dependent utilities and industrial uses are also accommodated. In addition, this designation provides for appropriate physical and visual public access and recreation uses. This environment is suitable for residential development, while allowing for non-residential uses with height limitations and at a significantly lower scale of intensity than is found in the Intensive Urban Environment. This environment is intended for development that creates a unique urban waterfront environment, enhances aesthetic appeal, provides public access, and allows compatible uses.

Designation Criteria

Assign a "limited urban" environment designation to shoreline areas that are intended to accommodate further urban growth and infill development and that are appropriate for a mix of water-oriented residential, institutional, and limited commercial uses. Water-dependent utility and industrial uses may be accommodated. This environment may include a range and mix of uses

similar to those found in the Intensive Urban Environment, but at a significantly lower scale of intensity. This environmental designation may serve as a transition between higher intensity and lower intensity environmental designations.

Management Policies

- 1.** *Prioritize shoreline uses in the “limited urban” environment as follows:*
 - ◆ *First priority should be given to water-dependent uses.*
 - ◆ *Second priority should be given to water-related and water-enjoyment uses.*
 - ◆ *Non-water oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline. Such specific situations should be identified in a shoreline use analysis or special area planning as identified in WAC 173-26-200.*
 - ◆ *Essential public facility uses, such as utilities, should be allowed only if water-dependent or necessitated by economic feasibility or functionality requirements and adequate land is not available in the urban intensive environment designated areas.*

- 2.** *Provide consistent and integrative regulatory standards that assure no net loss of ecological functions or processes.*

- 3.** *Ensure that essential public facilities, such as utilities, are designed to the level of lowest impact and least disruption to the physical and visual environment whether above or below ground.*

- 4.** *Provide public access and joint use for community recreational facilities in multi-family residential development, multi-lot residential development, and recreational developments.*

- 5.** *Provide for adequate access, utilities, and public services to serve existing needs and planned future development.*

- 6.** *Consider the potential for displacement of non-water oriented uses with water-oriented uses when analyzing full utilization of urban waterfronts and before considering expansion of such areas.*

- 7.** *Assure no net loss of shoreline ecological functions as a result of new development, and where applicable, require that new development include environmental cleanup and restoration of the shoreline to comply with state and federal law.*

- 8.** *Encourage the preservation and restoration of the natural character of the shoreline area.*

- 9.** *Require, where feasible, visual and physical public access to the river in public and private development or redevelopment within the shoreline area.*

- 10.** *Promote aesthetic considerations through the development of sign control regulations, appropriate development siting, screening, architectural standards, and maintenance of vegetative buffers.*

INTENSIVE URBAN ENVIRONMENT (IUE)

Purpose

The purpose of the “intensive urban” environment is to ensure optimum, intensive public utilization of shorelines by providing high-intensity public use and managing development so that it enhances and maintains the shorelines for a variety of urban uses. Existing ecological functions within the shoreline area must be protected, and areas that have been previously degraded must be restored. Urban use of shorelines in this environment should be limited to water-oriented uses in developed areas with adequate building setbacks from the top of the riverbanks. Priority will be given to public access, both visual and physical. Pedestrian paths and cycle paths should connect to access points. Public ownership of land should be maintained and expanded along both riverbanks.

Designation Criteria

Assign the “intensive urban” environment designation to shoreline areas at the heart of the city that are appropriate and planned for a multiplicity of high-intensity water-oriented urban, residential, commercial, office, and industrial land uses. The density and intensity of uses within this environment are balanced with a mix of open space and recreational and cultural facilities.

Management Policies

- 1.** *Prioritize shoreline uses in the “intensive urban” environment as follows:*
 - ◆ *First priority should be given to water-dependent uses.*
 - ◆ *Second priority should be given to water-related and water-enjoyment uses.*
 - ◆ *Non-water oriented uses should not be allowed except as part of mixed use (water-dependent, water-related, and/or water-enjoyment) developments.*
 - ◆ *Non-water oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline. Such specific situations should be identified in a shoreline use analysis or special area planning.*

- 2.** *Encourage full utilization of shoreline areas within the existing intensive urban environment before allowing further expansion of the environment boundaries.*

- 3.** *Consider the potential for displacement of non-water oriented uses with water-oriented uses when analyzing full utilization of urban waterfronts and before considering expansion of such areas.*

- 4.** *Encourage the redevelopment of degraded or poorly used intensive urban shoreline areas to accommodate future water-oriented uses.*

- 5.** *Assure no net loss of shoreline ecological functions as a result of new development, and where applicable, require that new development include environmental cleanup and restoration of the shoreline to comply with state and federal law.*

- 6.** *Require, where feasible, visual and physical public access to the river in public and private development or redevelopment within the shoreline area.*

7. *Promote aesthetic considerations through the development of sign control regulations, appropriate development siting, screening, architectural standards, and maintenance of vegetative buffers.*
8. *Retain and enhance the unique ecological and geologic features of the river, falls, banks, and limited adjacent greenbelt throughout the environment.*

WASTEWATER TREATMENT PLANT ENVIRONMENT (WTPE)

Purpose

The purpose of the “wastewater treatment plant” environment is to create a unique designation that specifically corresponds with and addresses wastewater treatment plants. This designation focuses on providing this essential public facility while at the same time addressing the concerns of mitigation measures, aesthetic enhancements, location, and restoration opportunities.

Designation Criteria

This designation applies to Wastewater Treatment Plant properties within the Shoreline Jurisdiction.

Management Policies

1. *Ensure the plant is meeting all applicable federal, state, and local standards for emissions and pollutants.*
2. *Assure no net loss of shoreline ecological functions as a result of Wastewater Treatment Plant improvements or expansion.*
3. *Mitigate aesthetic impacts to the surrounding environment through low impact design and, as much as feasible, restoration of the natural character of the shoreline area.*
4. *Allow expansion and major upgrades of the plant within the Shoreline Jurisdiction by conditional use only.*
5. *Locate future Wastewater Treatment Plant facilities, including pumping stations, outside of the Shoreline Jurisdiction, with the exception of outfall infrastructure, unless no other feasible option is available.*
6. *Re-designate a Wastewater Treatment Plant Environment to its surrounding designation(s) should the plant relocate.*
7. *Require improvements to and mitigation of the aesthetic aspects of the plant, including landscaping and odor reduction.*

14.5 GOALS AND POLICIES

General Goal and Policies

This Shoreline Master Program contains one overarching, general goal and several general policies that apply to the whole program and which serve as the framework upon which the goals and policies for each shoreline element were developed. The general goal focuses on enhancing the City's shorelines through appropriate shoreline uses that improve the shoreline character. A major general policy that supports this goal is state mandated and provides assurance that any new development or project in the shoreline will result in no net loss of shoreline ecological functions.

Goals and Policies for Shoreline Elements

In addition to the General Goal and Policies, the Act requires that the SMP identify and establish goals and policies for major shoreline "elements," or shoreline topics likely to arise in the City which the SMP must address. The SMP includes elements for Capital Facilities; Circulation; Conservation; Economic Development; Flood Hazard Reduction; Historic, Cultural, Scientific, and Educational; Public Access; Recreation; Restoration; and Shoreline Use.

Important directives of the goals and policies of the shoreline elements include:

- ◆ Planning for and coordinating development and activities that protect against adverse effects to the ecological health of the shoreline.
- ◆ Preserving existing natural resources, scenic vistas, and aesthetics and restoring degraded natural ecosystem processes and functions.
- ◆ Encouraging desirable public and private economic development with a minimum disruption of the natural character of the shorelines.
- ◆ Providing improved public access and recreational opportunities.
- ◆ Developing a safe, convenient, multimodal circulation system within the shoreline area to provide for the efficient movement of people.
- ◆ Protecting and restoring buildings, sites, and areas having historic, cultural, scientific, or educational values.
- ◆ Preventing and minimizing flood damage in shoreline areas.
- ◆ Providing and maintaining adequate public facilities and utilities in shoreline areas.



SMP 1 GENERAL GOAL AND POLICIES

Goal: Enhance the Spokane River and Latah Creek shorelines by establishing and implementing goals, policies, and regulations which promote a mixture of reasonable and appropriate shoreline uses that improve the City’s character, foster its historic and cultural identity, and conserve environmental resources.

Policies

SMP 1.1 Coordinated Planning

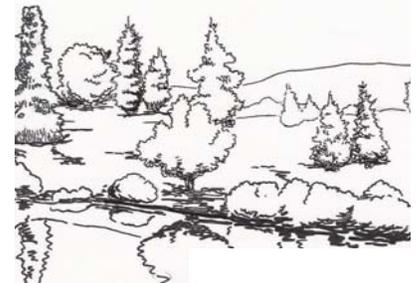
Coordinate shoreline planning between the City of Spokane, agencies with jurisdiction, adjoining jurisdictions, the State of Washington, and the State of Idaho into which the river basin extends.

SMP 1.2 Consistency with Other Plans and Programs

Ensure that the City of Spokane Shoreline Master Program is consistent with the Washington State Shoreline Management Act and Growth Management Act, the basic concepts, goals, policies, and land use plan of the City of Spokane Comprehensive Plan and development regulations, the City of Spokane Critical Areas Ordinances, and the Shoreline Master Programs of adjacent jurisdictions.

SMP 1.3 No Net Loss of Ecological Functions

Ensure that all shoreline uses and development are regulated in a manner that guarantees no net loss of shoreline ecological functions that are necessary to sustain shoreline natural resources.



SMP 1.4 Public Interest and Property Rights

Protect the interests of the public in attaining the goals of the Shoreline Master Program, while acknowledging and respecting private property rights.

SMP 1.5 Shoreline Designated Environments

Designate shoreline environments for the Spokane River and Latah Creek that are consistent with the Comprehensive Plan land uses, shoreline management practices, and ecological functions within each designated area.

SMP 1.6 Policy Priorities

Give preference to those shoreline activities which fulfill long range Comprehensive Plan goals and the Shoreline Management Act policy priorities, as listed and discussed below:

Because the Spokane River and Latah Creek are shorelines from which all people in the state derive benefit, the City gives preference to those uses which favor public activities and fulfill long range Comprehensive Plan goals.

It is the policy of the City of Spokane to provide for the management of its shorelines by planning for and fostering all reasonable and appropriate uses. The following policies are designed to ensure the development of the City’s shorelines in a manner which will

promote and enhance the public interest. These policies contemplate protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the Spokane River and Latah Creek and their aquatic life.

The State Legislature has declared that the interest of all of the people shall be paramount in the management of shorelines of state-wide significance. The following order or policy preference shall apply to the shorelines within the City of Spokane:

- ◆ *Recognize and protect the state-wide interest over local interest.*

In developing the Shoreline Master Program and any amendment thereto, the City of Spokane should take into account State agencies' policies, programs, and recommendations; advice from experts in ecology, geology, aquaculture, wildlife, and other scientific fields pertinent to shoreline management; citizen opinions; and recognized special interest groups.

- ◆ *Preserve the natural character of the shoreline.*

Designate shoreline environments and use regulations to implement policies which encourage expansion or redevelopment of areas where intensive development already exists rather than allowing new development to extend into open space and undeveloped areas.

- ◆ *Allow uses that result in long-term over short-term benefit.*

The Spokane River and Latah Creek should be preserved for future generations. The City should evaluate the short term economic gain of a development relative to the long term impairment to the shoreline.

- ◆ *Protect the resources and ecology of the shoreline.*

All shoreline development should be located, designed, constructed, and managed to minimize adverse impacts to wildlife and aquatic resources (including spawning, nesting, rearing, and habitat areas and migratory routes), water quality, unique and fragile areas, geohydraulic processes, scenic views and natural eco-systems. Development should preserve environmentally sensitive wetlands and critical areas for use as open space or buffers and encourage restoration of presently degraded shoreline and wetland areas.

- ◆ *Increase public access to publicly owned areas of the shorelines.*

Priority should be given to developing pathways and trails to shoreline areas, promoting linear access along the shorelines and to connect existing publicly owned parks, conservation areas, natural areas and golf courses, and encouraging upland parking.

- ◆ *Increase recreational opportunities for the public on the shoreline.*

Plan for and encourage development of facilities for recreational and public use of the shorelines.

In the implementation of the above policies, the public's opportunity to enjoy the physical and aesthetic qualities of the natural shorelines of the Spokane River and Latah Creek should be preserved to the greatest extent feasible consistent with the overall best interest of the State, City and the people generally. To this end, preferred uses are those which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or depend upon use of the shorelines.

Alterations of the natural condition of the shorelines of the City in those limited instances, when authorized, should be given priority for single-family residences, shoreline recreational uses including parks and other improvements facilitating public access to shorelines, industrial and commercial developments which are particularly dependent on their location on the shorelines, and other development that will provide an opportunity for substantial numbers of the people to enjoy the shorelines. City shorelines and wetlands should be appropriately classified, and these classifications should be revised when circumstances warrant, regardless of whether the change in circumstances occurs through man-made causes or natural causes.

Permitted uses in city shorelines should be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shorelines area and any interference with the public's use of the water. (See RCW 90-58.020, Shoreline Management Act of 1971).



SMP 2 CAPITAL FACILITIES AND UTILITIES

Goal: Maintain and provide adequate public facilities and utility services within the shoreline environment while preserving and enhancing the natural environment and ecology of the shoreline.

Policies

SMP 2.1 Impacts to Shoreline

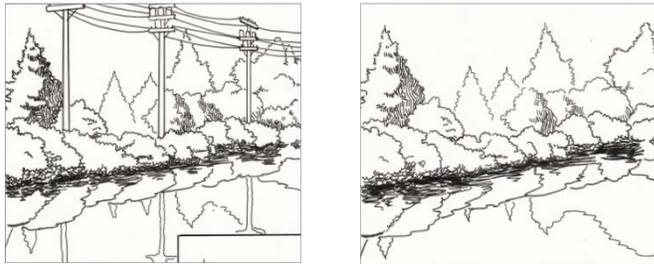
Assure no net loss of shoreline ecological functions as a result of the improvement, development, expansion, location, design, or maintenance of any facility or utility.

SMP 2.2 Location of Public Facilities and Utilities

Locate new public facilities and utilities, including, but not limited to, utility production, processing, distribution, and transmission facilities outside of the Shoreline Jurisdiction whenever possible and economically feasible.

SMP 2.3 Underground Placement

Require new utilities and facilities that must be located within the shoreline to be built underground if feasible, and utilize low impact, low profile design and construction methods to the maximum extent possible.



SMP 2.4 Preferred Locations Map

Map preferred locations for new utilities and public facilities with the cooperation of service providers.

SMP 2.5 Existing and Planned Utilities Data and Maps

Develop and maintain data and map layers of all existing and, when known, planned utilities.

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 2.9 Conditions on Maintenance and Upgrades

Allow maintenance and upgrade activities that will result in significant shoreline impacts by conditional use only.

SMP 2.10 Location Preference

Give preference to established utility corridors and rights-of-way for upgrades and reconstruction of existing utilities and facilities, unless a more suitable location is available.

□ SMP 3 CIRCULATION

Goal: Develop a safe, convenient, and multimodal circulation system within the shoreline area to provide for the efficient movement of people without unduly disrupting the ecological functions of the shoreline environment.

Policies

SMP 3.1 Shoreline Access

Improve access to the shoreline by developing, where appropriate, pathways, trails and bikeways along and adjacent to the shoreline.

SMP 3.2 Access System

Ensure that a system of arterials, scenic drives, pathways, public transit routes, and bikeways adjacent to and within the shoreline areas provides appropriate access to the Spokane River and Latah Creek in a way that meets the needs and desires of the community as reflected in the Comprehensive Plan, while also preserving ecological function of the shorelines.

SMP 3.3 Access Streets on Landward Side of Development

Locate access streets serving shoreline businesses, industries, residences, and public facilities on the landward side of such developments.

SMP 3.4 Consolidated Transportation Corridors

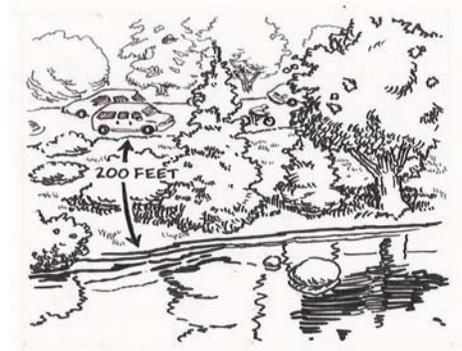
Encourage the consolidation of transportation corridors crossing the shoreline environment in order to minimize the number of crossings.

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.

SMP 3.6 Parking Facilities

Allow parking facilities in shoreline areas only as necessary to support permitted shoreline uses, and not as a primary use.



SMP 3.7 Parking Facility Impacts

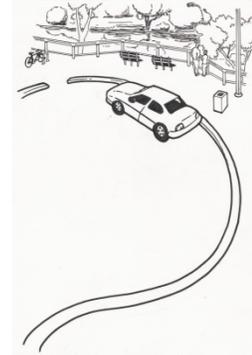
Minimize the environmental and visual impacts of parking facilities.

SMP 3.8 Unused Public Rights-of-Way

Retain unused public rights-of-way within the shoreline area.

SMP 3.9 Dead-End Rights-of-Way as Access

Provide public visual or physical access to the shoreline through unused portions of rights-of-way that dead end in the shoreline area, when possible.



SMP 3.10 Signage Plan

Develop a signage plan for thoroughfares in the vicinity of the river or creek that point out shoreline attractions and access points.

SMP 3.11 Rail Line Connections

Allow new rail lines within the Shoreline Jurisdiction only for the purpose of connecting to existing rail lines or rights-of-way.

SMP 3.12 New Rail Lines in Existing Rail Corridors

Construct new rail lines within an existing rail corridor where possible.

SMP 3.13 Expansion of Rail Corridors

Allow the expansion of existing rail corridors within the Shoreline Jurisdiction.

SMP 3.14 Rail Lines and Public Access

Construct, where feasible, all new rail lines so that they do not compromise the public’s ability to access the shoreline safely.

SMP 4 CONSERVATION

Goal: Conserve and manage the unique, fragile, and scenic natural elements of the Spokane River and Latah Creek shorelines for the continuing benefit and enjoyment of the community.

Policies

SMP 4.1 Preservation of Natural Resources

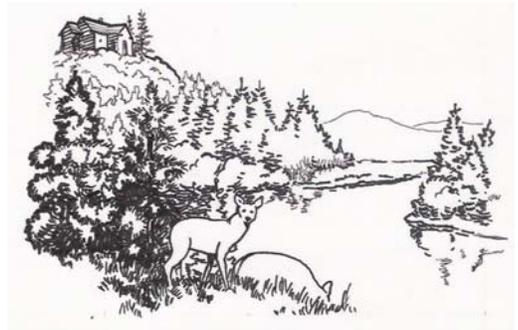
Preserve and properly utilize the natural resources of the shorelines, including scenic vistas, aesthetics, vegetation, and vital estuarine areas for fisheries and wildlife protection.

SMP 4.2 Non-Renewable Resources

Preserve, protect and restore unique and non-renewable resources or features such as wetlands, wildlife habitat, agricultural areas, and special natural areas.

SMP 4.3 Conservation of Critical Areas

Conserve to the maximum extent possible “critical areas” in accordance with the City’s Critical Areas Ordinances.



SMP 4.4 Acquisition of Unique Shoreline Areas

Acquire and maintain, through conservation futures, donations, general funds, or other sources, shoreline areas containing natural elements especially worthy of preservation or especially attractive to the public, such as beaches, forest cover, trees, wildlife populations, vistas and other scenic features.

SMP 4.5 Native Plant Retention and Landscaping

Provide ongoing education and incentives that emphasize the retention of or landscaping with native plant communities in non-impaired or blighted areas as new development and redevelopment occurs.

SMP 4.6 Mitigation of Adverse Impacts

Require that new development or redevelopment avoid or mitigate negative impacts to steep banks, surface and ground water quality, ecological functions, wildlife habitat, vegetative cover, and erosion of the soil.

SMP 4.7 Incentives for Retention of Resource Lands

Retain existing agricultural resource lands, open space, and environmentally sensitive areas through the innovative use of incentives such as Transferable Development Rights.



SMP 5 ECONOMIC DEVELOPMENT

Goal: Encourage desirable public and private economic development along the shorelines that will enhance the quality of life for the residents of the City of Spokane with a minimum disruption of the natural character of the shorelines.

Policies

SMP 5.1 Development Priorities

Prioritize shoreline development as follows:

- ◆ *First priority is given to water-dependent uses.*
- ◆ *Second priority is given to water-enjoyment and water-related uses.*

SMP 5.2 Commercial and Recreational Development

Give priority to recreational development, both commercial and public, for access to and use of the water and shorelines.

SMP 5.3 Evaluation of Economic Gain

Require that the short-term economic gain or convenience of development be evaluated against the long-term and potentially costly impairments to the natural environments that could result.

SMP 5.4 Provisions for Shoreline Protection

Require that new development provide adequate provisions for the protection of water quality, erosion control, landscaping, aesthetic characteristics, drainage systems, aquatic and wildlife habitat, views, archaeological sites, and normal public use of the water.

SMP 5.5 Water-Enjoyment Areas

Develop a plan to identify and establish water-enjoyment areas, such as parks, view points, promenades, beaches, and pathways as major city attractions.

SMP 5.6 Over-Water Construction

Prohibit construction over the water unless the use is water-dependent and needs to be located over the water.

SMP 5.7 Business Operations

Encourage shoreline industries and businesses to keep a well-maintained appearance and to operate their businesses in a manner that will not cause negative environmental impacts to the community.

SMP 5.8 Major Building Entrances

Encourage the inclusion of a major building entrance from the waterfront in public and private projects, so as to attract the public to the river and emphasize the building's river orientation.



SMP 6 FLOOD HAZARD REDUCTION

Goal: Prevent and minimize flood damage in shoreline areas to protect ecological functions, shoreline habitat, lives, and public and private property.

Policies

SMP 6.1 Shoreline Development

Prohibit development within the shorelines that would intensify flood hazards or result in cumulative significant adverse effects to other properties, as regulated by Chapter 17E.030, Floodplain Management, of the Spokane Municipal Code.

SMP 6.2 Coordinated Planning

Coordinate flood hazard reduction planning among the applicable agencies.

SMP 6.3 Vegetative Buffers

Maintain, protect, and restore natural vegetative buffers that are within the floodway of the Spokane River and Latah Creek that function to reduce flood hazards.

SMP 6.4 Development in Channel Migration Zones

Prohibit development within channel migration zones (CMZ) that interferes with the normal process of channel migration, consistent with Chapter 17E.030, Floodplain Management, of the Spokane Municipal Code.

SMP 6.5 Structural Flood Hazard Reduction Measures

Allow new structural flood hazard reduction measures only:

- ◆ *Where demonstrated to be necessary, and when non-structural methods are infeasible and mitigation is accomplished; and*
- ◆ *Landward of associated wetlands and buffer areas except where no alternative exists, as documented in a geotechnical analysis; and*
- ◆ *When consistent with current best management practices, using natural materials whenever feasible.*

SMP 6.6 Limited Removal of Gravel

Allow removal of gravel for flood control only if biological and geomorphological study demonstrates a long-term benefit to flood hazard reduction, no net loss of ecological functions, and extraction is part of a comprehensive flood management solution.



SMP 7 HISTORIC, CULTURAL, SCIENTIFIC, EDUCATIONAL

Goal: Preserve the historic, cultural, scientific or educational sites within the shoreline that reflect our community's unique heritage and create or contribute to our collective sense of place.

Policies

SMP 7.1 Cooperation and Consultation

Ensure constant cooperation and consultation with affected agencies, tribes, and the City of Spokane Historic Preservation Department for projects that could potentially impact cultural and historical resources.

SMP 7.2 Inventory of Sites

Work with tribal, state, federal and local governments as appropriate to maintain an inventory of all known significant local historic, cultural, and archaeological sites in observance of applicable state and federal laws protecting such information from public disclosure.

SMP 7.3 Sites and Structures

Identify, preserve, and manage shoreline sites and structures having historical, cultural, scientific or educational value, and endeavor to avoid, minimize, or mitigate any adverse impacts to these resources.

SMP 7.4 Development Impacts

Discourage public or private development and redevelopment activities from adversely impacting, destroying or destructively altering any site, area, or building having historical, cultural, scientific or educational value as identified on the local or national historic register.



SMP 7.5 Interpretive Signage

Encourage installation of new markers and/or interpretive signage reflecting the history and culture of the shorelines, as well as continued maintenance of existing historical and cultural markers throughout the shoreline area.

SMP 7.6 Site and Building Acquisition

Acquire sites and buildings with historic, cultural, scientific, or educational value through purchase, gifts, or donations.

SMP 7.7 Incentives for Property Donations

Identify incentives that enable landowners to donate property that has historic, cultural, scientific, or educational value to the City of Spokane.

SMP 7.8 Advance Notice of Plans

Encourage owners of property containing identified historic, cultural, scientific or educational sites to make substantial development plans known well in advance of the application, so that appropriate agencies may have ample time to assess the site and make arrangements to preserve such sites.

SMP 7.9 Site Inspection and Evaluation

Ensure early and continuous site inspection, consultation or evaluation by a professional archaeologist in coordination with affected Indian tribes for all permits issued in areas documented to contain archaeological resources.

SMP 7.10 Notification During Construction

Require developers and property owners to stop work and immediately notify the local government, Washington State Department of Archaeology and Historic Preservation and affected Indian tribes if archaeological resources are uncovered during construction activities.

SMP 7.11 Public Access and Educational Opportunities

Encourage private and public owners of historic sites to provide public access and educational opportunities at levels consistent with long-term protection of both historic values and shoreline ecological functions.

SMP 7.12 Open Space

Incorporate provisions for historic, cultural, scientific and educational site preservation, restoration and education with open space or recreation areas in site development plans whenever compatible and possible.

SMP 7.13 Adjacent Properties

Encourage proposed developments that are adjacent to an identified historic, cultural, scientific or educational site to be compatible with continued protection of the site.

SMP 8 PUBLIC ACCESS

Goal: Assure and develop appropriate and inviting physical and visual public access to and along the Spokane River and Latah Creek while caring for the indigenous shoreline characteristics.

Policies

SMP 8.1 Access Improvements

Improve access to publicly owned areas of the shorelines.

SMP 8.2 Access and Shoreline Ecological Functions

Assure that public access improvements result in no net loss of shoreline ecological functions.

SMP 8.3 Access in the Central Business District

Enhance public access to the river in the Central Business District shoreline area in the form of plazas, vistas, pedestrian ways, and promenades, or other means.

SMP 8.4 Access Frontage

Require public access frontage as part of each development project, unless such access is infeasible or unreasonable based on the intensity of the use.

SMP 8.5 Access Plan

Develop a plan for an integrated shoreline area public access system that identifies specific public needs and opportunities to provide public access.

SMP 8.6 Access Program

Create a program for the acquisition, maintenance, and enhancement of shoreline lands or easements for public access purposes.

SMP 8.7 Shoreline Views

Minimize impacts to shoreline views through development regulations.



SMP 8.8 Use and Access Priorities

Give priority to water-dependent shoreline uses or physical public access when either is in conflict with maintenance of views from adjacent properties.

SMP 8.9 Appropriate Design of Access Measures

Require that public access measures have a design appropriate to the site, adjacent property, and general nature of the proposed development, while protecting and providing views.

SMP 8.10 Access for Utility Corridors and Facilities

Require utility providers to incorporate public access as part of the design of a utility corridor or facility when it is necessary to build the facility within the Shoreline Jurisdiction.



SMP 9 RECREATION

Goal: Expand, diversify and improve sites and facilities for both active and passive leisure and recreational opportunities along the shorelines while preserving the natural character of the shoreline and ensuring no net loss of ecological function.

Policies

SMP 9.1 Enjoyment of the Shorelines

Assure that shoreline recreational development is given priority and is primarily related to shoreline access and enjoyment and use of the water.

SMP 9.2 Linkages to Recreation Areas

Link shoreline parks, recreation areas, scenic drives, and public access points through the use of pedestrian and bicycle pathways and trails, open space, and parkways, in accordance with an approved trail plan.

SMP 9.3 Recreational Opportunities for All

Ensure that recreational planning takes into account the differences in use groups, physical capabilities, and interests among the public in order to provide opportunities for safe and convenient enjoyment of the shorelines.

SMP 9.4 Recreational Facilities and Impacts to Shorelines

Locate, design, and operate all recreational facilities, both commercial and public, so as not to create adverse impacts on environmental quality, natural features, and surrounding land and water uses.

SMP 9.5 Adequate Support Facilities

Create adequate support facilities such as parking areas, maintenance buildings, and rest rooms to meet shoreline recreational demands.

SMP 9.6 Motorized Equipment Restrictions

Restrict the use of motorized or radio-controlled recreational equipment to areas where no conflict with other uses and wildlife habitat exists.

SMP 9.7 Site Acquisition

Acquire public recreation and access sites through purchase or easements, as land becomes available.

SMP 9.8 Unique Areas and Vistas

Protect unique and special shoreline recreational areas and vistas.

□ SMP 10 RESTORATION

Goal: Restore or rehabilitate impaired or blighted areas along the shorelines to an ecologically functioning condition with an emphasis on native plant communities appropriate to the environmental designation.

Policies

SMP 10.1 Restoration Plan

Develop a restoration plan for the Spokane River and Latah Creek that:

- ◆ *Identifies degraded areas, impaired ecological functions, and potential restoration sites;*
- ◆ *Establishes restoration goals and priorities, including Shoreline Master Program goals and policies that provide for the restoration of impaired ecological functions;*
- ◆ *Acknowledges existing restoration projects, programs, and elements;*
- ◆ *Identifies additional projects and programs needed to achieve local restoration goals, and implementation strategies including identifying prospective funding sources;*
- ◆ *Proposes timelines and establishes benchmarks for implementing restoration projects and programs;*
- ◆ *Provides mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals;*
- ◆ *Promotes community and property owner education, stewardship, and partnerships for restoration projects, programs, and activities;*
- ◆ *Provides a native plant palette for the Spokane River and Latah Creek for preferred use in restoration projects and programs and that is required for all City property; and*
- ◆ *Encourages and promotes partnerships with civic groups for design and implementation of restoration projects.*

SMP 10.2 Native Plant Restoration

Maintain and restore native plant communities within the Shoreline Jurisdiction in order to:

- ◆ *Ensure no net loss of ecological functions; and*
- ◆ *Improve impaired ecological functions.*

SMP 10.3 Landscaping with Native Plants

Encourage the use of native plant communities for landscaping within the Shoreline Jurisdiction.



SMP 10.4 Incentives for Native Landscaping

Provide education for new projects to landscape with native vegetation within the Shoreline Jurisdiction.

SMP 10.5 Damaged Undeveloped Areas

Stabilize and restore undeveloped areas along the shoreline that have been eroded, burned, filled with improper material, or otherwise damaged.

SMP 10.6 Best Management Practices

Restore degraded shorelines, arrest the processes of erosion, sedimentation, and flooding, and enhance wildlife habitat through the use of best management practices and techniques.

SMP 10.7 Ecological Connectivity

Require ecological viability and connectivity through habitat islands and corridors in restoration efforts that encompass fish and wildlife areas.

SMP 10.8 Shoreline Restoration Fund

Allow contributions to the City of Spokane Shoreline Restoration Fund for required development mitigation when no feasible restoration opportunity exists on site.

SMP 10.9 City Stewardship

Ensure that the City of Spokane takes a primary stewardship role through restoration efforts that emphasize native plantings on city-owned and controlled land.



SMP 11 SHORELINE USE

Goal: Plan for and coordinate development that protects against adverse effects to the ecological health of the shoreline.

Section 1: Shoreline Modification Policies

General Shoreline Modifications

SMP 11.1 Structural Modifications

Allow structural shoreline modifications only where they are:

- ◆ *Demonstrated to be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage; and*
- ◆ *Necessary for reconfiguration of the shoreline for mitigation or enhancement purposes.*

SMP 11.2 Modification Impacts and Limitations

Reduce the adverse effects of shoreline modifications and, as much as possible, limit shoreline modifications in number and extent.

SMP 11.3 Appropriate Modifications

Allow only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed.

SMP 11.4 Modifications and Ecological Functions

Assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological functions by:

- ◆ *Giving preference to those types of shoreline modifications that have a lesser impact on ecological function;; and*
- ◆ *Requiring mitigation of identified impacts resulting from shoreline modifications.*

SMP 11.5 Shoreline Modification Regulations

Base shoreline modification regulations on scientific and technical information of reach conditions for the Spokane River and Latah Creek.

SMP 11.6 Enhancement of Impaired Ecological Functions

Plan for the enhancement of impaired ecological functions where feasible and appropriate, while accommodating permitted uses.

SMP 11.7 Measures to Protect Ecological Functions

Incorporate all feasible measures to protect ecological shoreline functions and ecosystem-wide processes as shoreline modifications occur.

SMP 11.8 Mitigation Sequencing

Avoid and reduce significant ecological impacts from shoreline modification activities through mitigation sequencing.

Piers and Docks

SMP 11.9 Limitations on Docks

Allow new docks only for public water-dependent uses, single-family residences, and public access and only where they will not pose a public safety hazard.

SMP 11.10 Restrictions on Dock Size

Restrict the size of new docks to the minimum necessary to serve a proposed water-dependent use.

SMP 11.11 Demonstrated Need

Permit new docks only when specific need is demonstrated, except for single-family residences.

SMP 11.12 Multiple Use and Expansion of Existing Docks

Encourage multiple use and expansion of existing docks over the addition and/or proliferation of new single dock facilities.

SMP 11.13 Joint Use or Community Docks

Require new residential development of more than two dwellings to provide joint use or community docks, rather than individual docks.

SMP 11.14 Design and Construction

Design and construct all piers and docks to avoid, minimize, and mitigate impacts to ecological processes and functions.

Shoreline Fill

SMP 11.15 Design and Location of Shoreline Fills

Design and locate shoreline fills so there will be no significant damage or erosion to:

- ◆ *Existing ecological systems, wildlife habitat or natural resource;*
- ◆ *Public uses of the shoreline; and*
- ◆ *Channel migration, water quality, water currents, surface water drainage and flood water resulting in a hazard to life, property and natural resource systems.*

SMP 11.16 Fill Limitations

Allow fill waterward of the Ordinary High Water Mark, by conditional use only, for:

- ◆ *Water-dependent uses;*
- ◆ *Public access;*
- ◆ *Cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan;*
- ◆ *Disposal of dredged material in accordance with Department of Natural Resource Standards and in accordance with other applicable local, state, and federal regulation;*
- ◆ *Expansion or alteration of transportation facilities of statewide significance currently located on the shoreline; or*
- ◆ *Mitigation action, environmental restoration, or shoreline enhancement projects.*



SMP 11.17 Fill Proposal Plan Requirement

Require a plan that addresses species removal, replanting, irrigation, erosion, and sedimentation control and other methods of riparian corridor protection with all fill proposals.

Shoreline Stabilization

SMP 11.18 New Structural Stabilization Measures

Prohibit new structural stabilization measures, except when necessity is demonstrated for the following:

- ◆ Existing primary structures;
- ◆ New non-water-dependent development, including single family residences;
- ◆ Water-dependent development; or
- ◆ Ecological restoration or toxic clean-up remediation projects.

SMP 11.19 Design and Location of New Development

Require both new development and newly created parcels, particularly those located on steep slopes and bluffs, to be designed and located to prevent the need for future shoreline stabilization measures during the life of the project, based upon an engineering/geotechnical analysis and other studies as necessary.

SMP 11.20 Requirements for Needs Demonstration

Develop specific requirements for how to demonstrate need for structural stabilization measures where they are allowed.

SMP 11.21 Size Limitations on Stabilization Structures

Limit shoreline stabilization structures to the minimum size necessary.

SMP 11.22 Impacts to Sedimentation Transport

Require that impacts to sedimentation transport be avoided or minimized.

SMP 11.23 Adjacent or Down-Current Properties

Prohibit new development that would require shoreline stabilization that would cause significant impacts to adjacent or down-current properties and shoreline areas.

SMP 11.24 Public Access and Erosion Control Measures

Require public access, when feasible, as part of publicly funded shoreline erosion control measures.

SMP 11.25 Bulkhead Use

Allow bulkheads by conditional use only when other forms of shoreline stabilization are infeasible.

SMP 11.26 Restrictions on Bulkheads

Allow bulkheads only for controlling active erosion as a component of a shoreline stabilization project, where primary structures or infrastructure have the potential to be damaged.

SMP 11.27 Bulkheads and Shoreline Conservation

Locate, design, and maintain bulkheads in a manner that will conserve and enhance water quality, fish and wildlife habitats, natural shoreline features, and geohydraulic processes.

SMP 11.28 Use of Natural Materials

Encourage the use of natural materials rather than artificial materials in the construction of erosion controls.

SMP 11.29 Location of Shoreline Uses

Locate shoreline uses in a manner so that additional erosion controls and bulkheads are not likely to become necessary in the future.

Shoreline Dredging

SMP 11.30 New Development and Dredging

Site and design new development to avoid the need for new or maintenance dredging.

SMP 11.31 Dredging Restrictions

Prohibit dredging except when necessary for projects associated with the restoration of ecological functions and only by conditional use, or when associated with maintenance and operation dredging for existing hydroelectric facilities.

SMP 11.32 Disposal of Dredge Materials

Prohibit the disposal of dredge materials within river channel migration zones.

Section 2: Shoreline Use Policies

General Shoreline Use

SMP 11.33 Economic, Social, and Physical Needs

Ensure that shoreline uses satisfy the economic, social, and physical needs of the city.

SMP 11.34 Standards to Ensure Ecological Health

Assure no net loss of ecological functions through the use of specific standards for setbacks, buffers, density, and shoreline stabilization.

SMP 11.35 Visual and Physical Access in Development

Ensure that shoreline development includes, when feasible, visual and physical public access to the shorelines, while avoiding, minimizing, or mitigating negative impacts to the shoreline.



SMP 11.36 Shoreline Intrusions

Minimize man-made intrusions onto the shorelines which degrade the natural or planned character of the area.

SMP 11.37 Open Space and Wildlife Habitat Preservation

Encourage new development to contribute to the creation or preservation of open space and/or fish and wildlife habitat along the shorelines of the Spokane River and Latah Creek through the use of tools such as conservation futures, conservation easements, transferable development rights, and planned unit developments.

SMP 11.38 Uses that Minimize Shoreline Damage

Conduct uses in a manner that minimizes any resultant damage to the ecosystem and environment of the shoreline and any interference with public use of the water.

Commercial Use

SMP 11.39 Commercial Use Priorities

Give preference in the following order:

- ◆ *First priority is given to water-dependent commercial uses.*
- ◆ *Second priority is given to water-related and water-enjoyment commercial uses.*

SMP 11.40 Non-Water-Oriented Commercial Uses

Prohibit new non-water oriented commercial uses unless they are part of a mixed-use project or the use provides a significant public benefit, such as public access and ecological restoration.

SMP 11.41 Over-the-Water Commercial Use

Prohibit non-water dependent commercial uses over the water except in existing structures or in the limited instances where they are auxiliary to and necessary to support water-dependent uses.

SMP 11.42 Mitigation of Impacts to Shorelines

Require that public access and ecological restoration be considered as potential mitigation of impacts to shoreline resources and values for all water-related or water-dependent commercial development unless such improvements are demonstrated to be infeasible or inappropriate.

Industrial Use

SMP 11.43 Industrial Use Priorities

Give preference in the following order:

- ◆ *First priority is given to water-dependent industrial uses.*
- ◆ *Second priority is given to water-related industrial uses.*

SMP 11.44 Non-Water-Oriented Industrial Uses

Prohibit new non-water oriented industrial uses unless they are part of a mixed-use project or the use provides a significant public benefit.

SMP 11.45 Separation Requirement

Allow non-water oriented industrial uses only if the site is physically separated from the shoreline by another property or public right-of-way.

SMP 11.46 Industrial Use in Impaired Shoreline Areas

Encourage industrial uses and redevelopment to locate where environmental cleanup and restoration is needed and can be accomplished.

Residential Use

SMP 11.47 Single-Family Use Priority

Give priority to single-family residences only when they are developed in a manner consistent with pollution control and prevention of damage to the natural environment.

SMP 11.48 Over-Water Residences and Floating Homes

Prohibit new over-water residences and floating homes.

SMP 11.49 Subdivided Lots

Require new subdivided lots to be designed, configured, and developed to:

- ◆ *Prevent the loss of ecological functions at full build-out;*
- ◆ *Prevent the need for new shoreline stabilization or flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions; and*
- ◆ *Be consistent with the applicable environment designations and standards.*

Agricultural Use

SMP 11.50 Protection of Agricultural Lands

Protect Comprehensive Plan-designated agricultural lands for continued agriculture use.

SMP 11.51 Agricultural Support Development

Assure that development in support of agricultural uses is:

- ◆ *Consistent with the environmental designation.*
- ◆ *Located and designed to assure no net loss of ecological functions, with no significant adverse impacts on other shoreline resources and values.*

In-Stream Structures

SMP 11.52 Protection of Ecosystem-Wide Processes

Provide for the protection and preservation of ecosystem-wide processes, ecological functions, and cultural resources, including but not limited to, fish and fish passage,

wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas when siting in-stream structures.

SMP 11.53 Location Considerations

Consider the full range of public interests, watershed functions and processes, and environmental concerns when planning and locating in-stream structures, with special emphasis on protecting and restoring priority habitats and species.

Boating Facilities

SMP 11.54 Boating Facilities and Impacts to Shorelines

Locate and design boating facilities to minimize adverse affects upon geohydraulic processes, fragile shoreline features, natural wetlands, and aquatic and wildlife habitats.

SMP 11.55 Boating Facility Development

Assure no net loss of ecological functions as a result of the development of boating facilities that provide public recreational opportunities.