



City of Sumner Shoreline Substantial Development Permit Application

(Please fill out ALL fields unless otherwise noted)

Community Development
1104 Maple Street, Suite 250
Sumner, WA 98390
Tel. (253)299-5530 Fax: (253)299-5539
www.ci.sumner.wa.us

PAGE 2

Supporting Materials Required:

Office Applicant - (please check off all applicable "Applicant" boxes)

- Shoreline Diagrams 5 - Copies (11" x 17")
- Mailing list of all property owners within 500 ft, 1000 if project is in M1 zone 2 - Sets of labels
- Landscape Plan 5 - Copies (11" X 17")
- Title Report 2 - Copies (8.5" x 11")
- Legal Description 2 - Copies (8.5" x 11")
- SEPA Checklist (Consult staff concerning fee) 5 - Copies (8.5" x 11")
- Elevations (Design Review Required– please consult Planning staff) 5 - Copies (11" x 17")
- Permit fee (Please consult the Permit Specialist for the fee amount)

NOTES:

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

**BY LEAVING THE CONTRACTOR INFORMATION SECTION BLANK, I HEREBY CERTIFY FURTHER THAT CONTRACTORS (GENERAL OR SUBCONTRACTORS) WILL NOT BE HIRED TO PERFORM ANY WORK IN ASSOCIATION WITH THIS PERMIT. (building permits only)

SIGNATURE OF OWNER / AUTHORIZED AGENT

PRINTED NAME

DATE: ____/____/____

Cherry Street Pump Station #7 and Force Main Upgrade

Shoreline Conditional Use & Variance Permit Application Cover Letter

This information is being provided as part of the supporting materials required for the shoreline conditional use and variance permit application for the Cherry Street Pump Station #7 and Force Main Upgrade Project. It will address the applicable criteria listed in Parts III(A)(3) and III(B)(4) of Chapter 8 of the City of Sumner's Shoreline Master Program (SMP). A shoreline substantial development permit application has also been submitted.

Criteria for Granting Variances. *Variance permits should be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in RCW 90.58.020. In all instances the applicant must demonstrate that extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect. Variance Permits for development and/or uses that will be located landward of the ordinary high water mark and/or landward of any wetland, 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 Master Program precludes, or significantly interferes with, reasonable use of the property:*

The proposed project involves the replacement of an existing water main and the upgrading of an existing pump station that are located within the designated shoreline of the Puyallup River, and will thus require a variance. Upgrading the force main and pump station in roughly the same alignment as existing is the most environmentally-sensitive solution, and can only be accomplished by constructing within the designated shoreline of the Puyallup River. The proposed alignment will avoid locating the existing infrastructure closer to the river and is limited by the proximity of SR 410 to the north.

- b. *That the hardship described above 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 shoreline master program, and not, for example, from deed restrictions or the applicant's own actions:*

The hardship is specifically related to the property as its designated shoreline is 200 feet landward of the ordinary high water mark (OHWM) of the Puyallup River at this location.

- c. *That the design of the project will be 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:*

The proposed development is compatible with the permitted use of the area in that the area is an existing utility corridor between the City of Sumner's wastewater treatment plant and existing pump station #7. This corridor is designated as Public-Private Utilities & Facilities according to the City of Sumner's comprehensive plan and is compatible with planned uses of the Puyallup River shoreline according to the SMP. There will be only minor addition of aboveground structures as a result of the proposed upgrades, as the force main will be installed 3 to 8 feet below ground and aboveground structures will be in the same vicinity as existing aboveground structures. The proposed project will not cause any long-term adverse shoreline impacts as all unimproved disturbed areas will be restored with native species and an additional 0.54 acre of shoreline will be enhanced as mitigation for the permanent shoreline impact associated with the

crushed rock trail that will be constructed over a portion of the proposed alignment to allow for maintenance access. Up to 30 deciduous trees may be felled. However, these trees are far enough up slope of the Puyallup River that they do not provide any shading or organic input to the river and all felled trees will be replaced with a variety of coniferous trees at a rate of at least 3:1. In addition, felled trees may be utilized as large woody debris within the shoreline as appropriate.

- d. *That the Variance will not constitute a grant of special privilege not enjoyed by the other properties in the area:*

The completed project will continue to provide wastewater infrastructure for the City of Sumner. Benefits will be enjoyed by all properties in the area.

- e. *That the Variance requested is the minimum necessary to afford relief:*

The project has been designed to follow the existing water main alignment between the wastewater treatment plant and pump station #7. Following the existing alignment results in the least amount of vegetation clearing for water main replacement within the designated shoreline. No proposed aboveground utility structures will be located closer to the Puyallup River than the existing structures.

- f. *That the public interest will suffer no substantial detrimental effect:*

The project will benefit the public by improving the City of Sumner's sanitary sewer system in order to achieve capacity for current and projected growth in the area. The upgrades would also help prevent possible leakage that could occur from the older system and would thus help prevent contamination of nearby waterways.

Criteria for Granting Shoreline Conditional Use Permits. Uses which are classified or set forth in the Master Program as conditional uses may be authorized provided that the applicant demonstrates all of the following:

- a. *That the proposed use is consistent with the policies of RCW 90.58.020 and the Master Program:*

Non-water-dependent utilities may be permitted as a conditional use within the Urban Conservancy shoreline environment according to Part XXI of Chapter 7 of the SMP. The project will comply with the policies of RCW 90.58.020 and the SMP by the means described throughout the SEPA checklist and habitat management plan for this project. For example, the project will comply with the utilities policies and regulations of the SMP by rehabilitating an existing wastewater system within the designated shoreline, utilizing the existing utility corridor, constructing the new force main underground, and constructing feasible pump station structures underground. Minimization and mitigation measures have also been incorporated into the project in order to prevent a net loss of shoreline functions as a result of the proposed project. Sediment and erosion control BMPs, including silt fencing, will be installed at the clearing limits of the project to prevent inadvertent impact of the Puyallup River. Vegetation clearing will be minimized to the maximum extent practicable, all unimproved disturbed areas will be restored with native species, and additional shoreline will be enhanced as mitigation for the proposed crushed rock maintenance access trail.

- b. *That the proposed use will not interfere with the normal public use of public shorelines:*

The proposed use will not interfere with the normal public use of public shorelines as the replaced water main will continue to be located below ground, and upgraded aboveground structures will be clustered in the vicinity of the existing aboveground structures.

- c. *That the proposed use of the site and design of the project will be compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and Master Program:*

See item 3 in the above discussion for the variance.

- d. *That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located:*

The project will not result in significant adverse effects to the shoreline environment in that there will be no in-water or above-water work, vegetation clearing within the shoreline will be minimized to the maximum extent practicable and clearly delineated in the field prior to construction, and all temporary and permanent shoreline impacts will be sufficiently mitigated for. A total of 0.62 acre of temporarily-disturbed shoreline will be restored by seeding with a native upland seed mix and planting a variety of native trees and shrubs. An additional 0.54 acre of shoreline will be enhanced by controlling invasive species and planting the same species as in the restored shoreline in order to mitigate for the 0.54 acre of permanently impacted shoreline due to the proposed crushed rock access trail. Trees that will be felled will be replaced at a rate of at least 3:1 and will include a variety of coniferous tree species. Felled trees may also be utilized within the shoreline as LWD, where appropriate. Wildlife habitat conditions will be improved compared to the existing shoreline by controlling invasive species in the area, especially Himalayan blackberry (*Rubus armeniacus*) and Japanese knotweed (*Polygonum cuspidatum*), and planting a wider variety of native trees, shrubs, and herbaceous species.

- e. *That the public interest suffers no substantial detrimental effect.*

See item 5 in the above discussion for the variance.

This page intentionally left blank for printing purposes.