City of Kalama

Incorporated 1890

Staff Report and Recommendation

Date:	August 28, 2015
To:	Kalama City Council
From:	Matt Buchanan, City Planner
Re:	Marina Trails and Parking Improvements Project Substantial Shoreline Development Permit

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Proposal
The Port of Kalama proposes reconstructing a parking lot, adjacent roadway, and pedestrian trail, which serve the marina and a professional office building. The project is located within 200 feet of the Columbia River, and therefore requires a Substantial Shoreline Development Permit.

Project Location
The site is located at approximately 380 W. Marine Drive in Kalama, Washington. The site is located within Section 18, Township 6 North; Range 1 West of the Willamette Meridian. The site lies east of the Columbia River and west of Hendrickson Road. The project site is within parcel number 412640100.

City Council Action Required: Yes

Possible Actions:

1. **Approve** the request for a Substantial Shoreline Development Permit.
2. **Deny** the request for a Substantial Shoreline Development Permit.
3. **Continue** to a future date to obtain additional information or to consider information presented. The next available meeting date is September 16, 2015 beginning at 7:00 p.m.

Staff Recommendation
Approve the Shoreline Management Shoreline Substantial Development Permit, with conditions provided in the Recommendation section (pages 9-10) of this staff report.

Overview
To enhance safety and ADA accessibility, improvements are being proposed by the Port of Kalama to reconstruct the parking lot, roadway, and pedestrian trail that serve the marina and former port administration building (currently occupied by Northwest Innovation Works). These improvements will help meet demands of the area for pedestrian access and use by vehicles and boats during the busy fishing seasons and throughout the year.

The project includes the removal of approximately 122,210 square feet (sf) of existing pavement, 180,905 sf of grading, and 175,109 sf of paving and repaving for parking areas, access roadway and the pedestrian trail. Trail improvements will include removing bollards and replacing them with an 8 foot wide strip that will serve as trail safety buffers from the existing parking lot and road. Each buffer will include trees and shrubs. Boulders will be placed to serve as benches and to keep motorized vehicles separated from the existing trail. The planting areas will also collect, treat and infiltrate on-site stormwater.

ADA and crosswalk improvements are also proposed. A lighting upgrade will occur on both sides of the marina. The improvements will serve to safely connect the existing formal and informal trails to the north and south of the parking lot and office building. The proposed road and parking areas will be defined with striping and signage to suit the area's needs and improve safety. These improvements will increase awareness of pedestrians and bicyclists and make the alternative transportation route safer in an area also used by vehicles. The rock retaining walls adjacent to the shelter will be replaced by new concrete retaining walls to achieve better ADA access. All project construction will be above the ordinary high water mark of the adjacent Columbia River.

The project is separated in four phases, to be complete by fall 2018. Site plans and project narratives are attached as Exhibits A and B.

Findings:

1. **Zoning**: Properties within and adjacent to the project area are zoned Industrial with a Public and Quasi-Public Overlay Zone. The proposed uses comply with Kalama Municipal Code (KMC) 17.28, Industrial Use District.

2. **Parking**: The proposal includes the reconstruction of a parking lot, and therefore must comply with KMC 17.44—Parking and Sidewalk Requirements. The Kalama Municipal Code does not directly address how parking spaces should be provided within the Industrial District; however, it does regulate surface materials, size, location, layout, circulation, and landscaping.

Analysis: To allow greater flexibility and capacity of the trailer parking area in the center of the loop, the Port does not plan to stripe and curb the lot. Striping and curbing this area will reduce public access, with the exception of ADA access. Truck/trailer combinations greatly vary in length, which also supports the more open, flexible concept. The parking area will accommodate an estimated 62 total trucks and trailers. This estimate is based on a 50' long boat and trailer template. In addition, two single-vehicle spaces are designed,

striped and curbed as ADA accessible and 1 space is ADA accessible for a truck/trailer combination.
Marina single-vehicle parking will be striped and curbed. With striping and wheel stops, marina single-vehicle parking will contain 17, 9' x 20' parking spaces, including 2 ADA accessible spaces.

The professional building parking, with striping and wheel stops/curbs, will contain 22, 9' x 20' parking spaces, including 2 ADA accessible spaces. ADA parking spaces are 9' x 20', with an adjacent 9' x 20' designated access aisle.

Planned Parking Space Count:

- Marina: Single Vehicle **with** striping
  - 15 Standard
  - 2 ADA
  - 17 Total
- Marina: Truck/Trailer Combo **without** striping
  - 62 Standard
  - 1 ADA Truck/Trailer for boat launch
  - 2 ADA Single-vehicle for boat launch
  - 65 Total
- Professional Building **with** striping
  - 20 Standard
  - 2 ADA
  - 22 Total

No parking within the project boundary will serve the new Port of Kalama Administration Offices and Interpretive Center.

Conclusion: Staff finds that proposed parking meets the intent of KMC 17.44. The decision to not strip the truck/trailer parking may create some issues with circulation; however, staff recognizes that striping this specific area conflicts with the spacing needs of users pulling boat trailers. By not striping or curbing the trailer parking area, the site is more maneuverable for the marina's primary users.

3. **Comprehensive Plan**: The Comprehensive Plan designates the property as Industrial. The project proposal advances several goals and policies outlined in the Comprehensive Plan, including:

- Land Use Goal 1: Promote the health, safety and welfare of the residents of Kalama through the encouragement of sound growth and development of residential, commercial, industrial and recreation/open space areas.
- Land Use Goal 5: Maintain and enhance the sense of place and small-town atmosphere that helps to define Kalama and makes it a desirable place to live.
- Land Use Policy 2: Consistent with the adopted Kalama Park and Recreation Plan, enhance and support recreational facilities and encourage new residential growth to contribute towards said development.

- Transportation Goal 2: Plan and develop a transportation system that contributes to community livability, recognizes and respects the features of the natural environment and minimizes the negative effects on adjoining land uses.
- Transportation Goal 4: Maintain, enhance and expand public access to the waterfront.
- Transportation Goal 5: Encourage walking and bicycling as forms of transportation and recreation.
- Transportation Policy 13: Provide connections allowing for pedestrian and vehicle access/circulation when feasible given topographical restraints.
- Transportation Policy 19: Continue partnership with the Port of Kalama regarding access to riverfront and marina trail.
- Commercial/Industrial Development Policy 8: Work with the Port of Kalama to encourage industries to preserve public access to the Columbia and Kalama river shorelines whenever possible.

4. **Site Description**: The project is located on a 200' wide constructed berm that is primarily flat, graveled and asphalted, and almost completely lacks vegetation and pervious areas. The upland project site was created by the US Army Corps of Engineers from the placement of clean dredged sand materials. The embankments are armored and create the outer wall of the existing marina harbor. The public marina, boat launch, former Port administrative building and parking are the primary uses of the area.

5. **Shoreline Master Program (SMP) and Shoreline Management Act (SMA)**: All proposed developments in or adjacent to state shorelines must be consistent with the goals, policies, and regulations of the SMP and the SMA (RCW 90.58). A shorelines substantial development permit is required for the project because it meets the definition of substantial development and it lies within the jurisdictional area of the Columbia River, a shoreline of statewide significance. Therefore, the following review includes an analysis of the project's consistency with the goals and policies for development along shorelines of statewide significance and the regulatory criteria in the Recreation, Roads, and Construction and Operation Regulations SMP Use categories.

Recreation: Recreational uses, including trails, are permitted along shorelines in the urban district, when the proposal meets the following conditions:

1. Facilities or structures do not detract from the character of the local environment;
2. Access roads comply with regulations under the use activity Roads;
3. Parking facilities are not located within 20 feet of the shoreline as measured on a horizontal plane and surface runoff must meet all city, county, and state requirements in view of water quality;
4. There are little or no major changes of environment by man-made structures, or contrivances.

Analysis: Staff finds that proposed facilities and structures enhance the character of the local environment. The reconstructed access road complies with regulations under the use activity Roads, which is further addressed below. The development will occur entirely

within the footprint of the existing facilities, approximately 20 feet (distance) from the ordinary high water mark of the Columbia River. The seasonal high water mark for the Columbia in this location is approximate at elevation 12.3. The lowest base of stormwater facilities will be at elevation 21.0 (depth). The previously disturbed areas functionally isolate the project area from riparian buffer associated with the Columbia River. Therefore, there are no impacts to the adjacent river or its buffer due to functional isolation. Parking facilities meet all local and state requirements regarding the water quality of runoff. Changes in the environment by man-made structures are minimal, and the overall setting will be enhanced with the planting of street trees and landscaping.

Conclusion: The proposal is consistent with regulatory criteria in the Recreation SMP Use Category. Conditions requiring compliance with these regulations during and after construction shall be placed on the permit.

Roads: Roads, including non-motorized trails and access roads, are permitted along shorelines in the urban district, when the proposal meets the following conditions:

1. Future construction of all roads shall assure compliance with existing rules and regulations addressing such construction.
2. All public roads shall not impede non-motorized public access to public shorelines.
3. Road should be located on stable soils and constructed in such a manner as to minimize the risk of material entering waterways.
4. Establish specification criteria for each road so that it is best adapted to the terrain and soil properties providing for a drainage system which will control the dispersal of surface runoff water from roads and exposed soils in order to minimize turbid waters from draining into waterways.
5. Roads should be constructed in such a manner as to prevent the entry of construction or waste material into waterways while adhering to road design, specifications, and requirement of the hydraulic project approval.
6. Adequately maintain all portions of the road system to prevent water quality degradation.

Analysis: Staff finds that the proposal will enhance the access road system through improving safety, vehicle and pedestrian circulation, and water quality of runoff. Non-motorized public access to public shorelines will be improved upon current access. Additional features incorporated in the proposal include crosswalks, safety signage, lighting, landscaping buffers with street trees, and ADA-compliant facilities. The addition of low impact development rain gardens will result in stormwater infiltration and improved water quality for the project site, which currently does not have infiltration areas

Conclusion: The proposal is consistent with regulatory criteria in the Recreation SMP Use Category. Conditions requiring compliance with these regulations during and after construction shall be placed on the permit.

Construction and Operation Regulations: All shoreline projects must be constructed in accordance with the SMP construction and operation regulations, which include:

1. No construction equipment shall enter any shoreline body of water, except as

authorized under the terms of a substantial development permit.

2. Vegetation along the water shall be left in its natural condition unless the substantial development permit allows otherwise.
3. During construction, care will be taken to assure that waste material and foreign matter are not allowed to enter the water.
4. All fuel and chemicals shall be kept, stored, handled and used in a fashion which assures that there will be not opportunity for entry of such fuel and chemicals into the water.
5. Protection from siltation and erosion shall be provided for on all earthworks projects.
6. Land being prepared for development shall have an adequate drainage system to prevent runoff from entering water bodies.
7. Side casting of excess road building material into streams will not be permitted.
8. All construction debris such as fuel and oil containers and barrels and other miscellaneous litter shall be removed from the shoreline area. No equipment shall be abandoned within the shoreline area.
9. State and federal water quality standards for both inter-state and intra-state waters already are established. These shorelines regulations need only allude to these and other regulations already in effect. Any activities within the shorelines must, as a minimum, meet all these other regulations.

Analysis: Staff finds that the proposed construction activities will comply with the above regulations, as long as the construction is carried out as outlined in the application materials, and the recommended Best Management Practices are followed as listed in the Stormwater Site Plan Report prepared by Wallis Engineering.

Conclusion: A condition requiring compliance with these regulations, and adherence to recommended BMPs as listed in Stormwater Site Plan Report, shall be placed on the permit.

6. **<u>Shorelines of Statewide Significance</u>**: Proposals located on shorelines of statewide significance must meet six criteria listed on page 2 of the SMP and in the Revised Code of Washington (RCW 90.58.020), as follows:

a. *Recognize and protect statewide interest over local interest.*

Analysis: The state and local jurisdictions have an interest in maintaining the public health, safety and welfare, maintaining public access to rivers of statewide significance, and preserving aquatic and riparian resources. Increased demands along the Columbia River are anticipated, due to new development. This necessitates additional precautions to ensure the protection of our natural resources. The Port of Kalama has submitted application materials (Exhibits A-E) to demonstrate how the project area will be protected and enhanced during and after construction.

Conclusion: The project meets the criteria. The Port of Kalama's application materials (Exhibits A-E) adequately demonstrate how resources in the project area

will be protected during and after construction. Once complete, the project will enhance public access to the shoreline, increase safety, and improve water quality of runoff.

b. *Preserve the natural character of the shoreline.*

Analysis: The shoreline area, within the project scope, has been previously disturbed with the construction of the marina berm, and existing parking lot, trail, and access road. The site almost completely lacks vegetation. The City has erosion and sedimentation control regulations in place to ensure that the project would not cause further disturbance.

Conclusion: The project meets the criteria. The character of the shoreline, within the project scope, will not be permanently modified or altered.

c. *Address uses that result in long-term benefit.*

Analysis: The project proposal will provide enhanced public access through the shoreline, improving safety, ADA accessibility, lighting, and the circulation of both vehicles and pedestrians.

Conclusion: This proposal will provide long-term public benefits for the community.

d. *Protect the resources and ecology of the shoreline.*

Analysis: The natural and ecological resources of the shoreline should not be adversely impacted long-term. Short-term impacts may occur due to construction work near the ordinary high water mark. Construction and erosion Best Management Practices (BMPs) should be should be in place, monitored and maintained throughout the lifetime of the project.

Any time construction occurs adjacent to the water, the potential of water contamination from construction materials, sediments, or hazardous materials exists. Such contamination could have detrimental impacts to aquatic species. Precaution measures should be in place if such a spill occurs.

Conclusion: The project meets the criteria. To ensure adequate protection of the aquatic resources, water quality, and ecology, construction and erosion control BMP's measures should be place, monitored and maintained throughout the lifetime of the project. Further, the applicant shall take precautions and direct actions should a spill of some hazardous material occur in or near the water. To ensure that construction workers are aware of the activities allowed by the permit and any restrictions thereof, the applicant should provide a copy of the permit and conditions to the contractor and post it on site.

e. *Increase public access to publicly owned shoreline areas.*

Analysis: The project area is publically owned that provides public access. The proposed development will attract and enhance public access to the shoreline.

Conclusion: The project meets the criteria.

f. *Increase the public's recreational opportunities on these shorelines.*

Analysis: Through the reconstruction of an enhanced trail system, the project increases the public's recreational opportunities.

Conclusion: The project meets the criteria.

7. **Other Permits and Approvals**: Other known governmental approvals include Stormwater Construction General Permit (Washington State Department of Ecology), and Grading and Excavating Permit (City of Kalama). Additional permits or approvals may be required. It is the applicant's responsibility to ascertain the requisite permits and obtain them. Obtaining a shorelines permit does not relieve the applicant of the necessity of acquiring all requisite local, state and federal permits for this project.

8. **Critical Areas Determination:** The proposal includes the reconstruction of existing facilities and structures within the footprint of the previously disturbed areas. City staff has determined that a Critical Areas Permit is not required.

9. **State Environmental Policy Act**: Staff issued a Mitigated Determination of Non-significance on July 23, 2015 (Exhibit F). The comment period ended on August 25, 2015. One comment was received from the Department of Ecology (Exhibit G) regarding solid waste handling. Those comments are being addressed in the conditions of permit approval, listed in the staff recommendation section of this report (pages 9-10).

10. **Shoreline Public Notice and Comments**: Staff determined the shoreline application was complete on July 10, 2015. Public notice of the application was posted on the property, distributed to agencies and parties of interest, and published in *The Daily News* on July 26, 2015 and August 9, 2015. The comment period ended August 25, 2015. No comments were received.

Conclusions

The individual findings and conclusions stated above establish that this proposal either meets, or if conditioned as recommended below, will meet: 1) the standards established in the SMP; and 2) the six criteria for granting a substantial development permit on a shoreline of statewide significance. Completion of this project, if constructed as conditioned below, will therefore be consistent with the Shoreline Management Act, the County's Shoreline Management Master Program, and existing land uses in the project area.

Staff Recommendation
Staff recommends the Shoreline Substantial Development Permit be approved subject to the following conditions:

1. Prior to construction, final engineering plans will be submitted for review and approval by the City. Any proposed changes or modifications to these plans and specifications, including those required by other agencies, shall require additional regulatory review and approval by the Department of Building and Planning prior to implementation.

2. All construction must be completed in accordance with the approved plans and the City of Kalama Development Guidelines and Public Works Standards.

3. Portions of the proposal location are located within two hundred feet of the Columbia River, a shoreline of the state. Properties within two hundred feet from the Ordinary High Water Mark (OHWM) of designated shoreline are considered to be within the shoreline jurisdiction and shall comply with guidelines set forth in the Cowlitz County Shoreline Master Program (SMP), available online at http://www.co.cowlitz.wa.us

4. The applicant shall adhere to all requirements, Best Management Practices, mitigation measures, and recommendations listed in the Stormwater Site Plan Report, prepared by Wallis Engineering, dated June 2015 (Exhibit B).

5. The applicant shall adhere to all requirements and recommendations listed in the Bank Slope Stability Letter Report, prepared by GeoDesign Inc., dated January 24, 2014 (Exhibit D).

6. The applicant shall adhere to all requirements and recommendations listed in the Geotechnical and Environmental Report, prepared by Columbia West Engineering, Inc., dated March 28, 2014 (Exhibit E).

7. Proper erosion control measures shall be installed prior to any clearing, grading, or construction activities. These control measures shall be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants. Erosion control structures or devices shall be regularly maintained and inspected to ensure their proper functioning throughout project construction.

8. Fill materials shall be clean materials and shall be acquired from a permitted source. Any construction debris shall be disposed of at a commercial location and outside of shorelines jurisdiction.

9. Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing.

10. Provision should be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.

11. Proper disposal of construction debris shall be on land in such a manner that debris cannot enter water of the state (e.g., Columbia River) and storm drains draining to waters of the state or cause water quality degradation of state waters. Any spills, soil or debris accidentally entering the water during construction shall be immediately removed by approved methods. All project work shall cease immediately until cleanup of such spills is completed. If a spill does occur, or if an oil sheen or distressed or dying fish are observed in the project vicinity, the applicant shall immediately contact Washington State Department of Ecology (ECY) at its Southwest Regional Spill Response Office, (360) 407-6300.

12. The Port shall ensure that any potentially dangerous or hazardous materials present are removed prior to demolition activities. Demolition debris shall be safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials. For further guidance, the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," may be accessed at the Department of Ecology's website.

13. All woody vegetation shall be planted within the first growing season post construction activity.

14. The applicant shall provide a copy of the permit, conditions, and drawings to all contractors performing any of the authorized work.

15. If greater than 250 cubic yards of inert, demolition, and/or wood waste is used as fill material, a Solid Waste Handling permit may be required (WAC 173-350-990). The Port shall contact the local jurisdictional health department for any permitting requirements that may be required.

List of Exhibits

A. Project Site Plans
B. Project Narratives
C. Stormwater Site Plan Report
D. Bank Slope Stability Letter Report
E. Geotechnical Report
F. Shoreline application notices
G. SEPA Determination
H. Department of Ecology, Southwest Office letter—dated 8/25/15

cc: Adam Smee, City Administrator
Coni McMaster, City Treasurer/Clerk
Kelly Rasmussen, Public Works Superintendent
Port of Kalama, Applicant