



DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: Clark County Unified Development Code Amendments Title 40, Title 40.550 (Modifications and Variances), as follows:

Add new Section 40.550.030 to create a consistent process and criteria for review of proposed development agreements.

Proponent: *Clark County Community Planning and Public Works Departments*

Location of proposal, including street address, if any:

Lead Agency: *Clark County, Washington*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: August 12, 2019

Responsible Official: Oliver Orjiako
Position/title: Director
Address: **RE: SEPA Comments**
Clark County Community Planning
1300 Franklin Street; 3rd Floor
P.O. Box 9810
Vancouver, WA 98666-9810

Date: 7-18-19 **Signature:** Oliver Orjiako

The staff contact person and telephone number for any questions on this review is Sharon Lumbantobing, Planner II, (564) 397-4909.

For other formats, please contact the Clark County ADA Office at ADA@clark.wa.gov.



**Clark County SEPA Environmental Checklist
Washington Administrative Code (WAC) 197-11-960**

A. BACKGROUND

- 1. Name of proposed project, if applicable:** Clark County Unified Development Code Amendments to Title 40 (all chapters), and Title 40.550.030.
- 2. Name of applicant:** Clark County, Washington
- 3. Address and phone number of applicant and contact person:**
Oliver Orjiako; Director
Clark County Community Planning
P.O. Box 9810
Vancouver, WA 98666-9810
(564) 397- 4112
- 4. Date checklist prepared:** July 11, 2019
- 5. Agency requesting checklist:** Clark County, WA
- 6. Proposed timing or schedule (including phasing, if applicable):** If approved by the Clark County Councilors, the code amendments would become effective in February 2020.
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**
No, this is a non-project action.
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**
No, this is a non-project action.
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**
None. This is a non-project action.
- 10. List any government approvals or permits that will be needed for your proposal, if known.**
None. This is a non-project action.
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that**

ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This SEPA review is for a non-project action.

The proposed amendment to add a new section to Clark County Unified Development Code Chapter Title 40.550.030 is intended to:

1. Create a procedure for application, review, consideration, and conditioning of certain development projects according to the extent to which they advance the Comprehensive Plan's goals and policies.
2. Provide certainty to a developer that a project may proceed to be developed per the development standards, zoning ordinances, regulations, and other code provisions in effect at the time of the approval.
3. Provide assurance that currently allowed uses for a property may be maintained for a specified period of time in exchange for specific consideration which advances the Comprehensive Plan's goals and policies.
4. Provide a consistent process and criteria for review of proposed development agreements.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

None. This is a non-project action.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site:**
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____

Not applicable.

- b. What is the steepest slope on the site (approximate percent slope)?**

Not applicable.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable. This is a non-project action.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable.

- e. Describe the purpose, type, total area, and approximate quantities, and total affected area of any filling or grading proposed. Indicate source of fill.

Not applicable. This is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No. This is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None. This is a non-project action.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None. This is a non-project action.

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None. This is a non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable. This is a non-project action.

3. Water

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described water? If yes, please describe and attach available plans.

No.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground Water:

- 1) Will ground water be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate

quantities withdrawn from the well. Will water be discharged to groundwater?
Give general description, purpose, and approximate quantities if known.

No.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None. This is a non-project action.

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable as this is a non-project action.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable as this is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

No mitigation is proposed as part of this non-project action.

4. Plants

a. Check or circle types of vegetation found on the site.

- ☐ deciduous tree: alder, maple, aspen, other
☐ evergreen tree: fir, cedar, pine, other
☐ shrubs
☐ grass

- _____ pasture
- _____ crop or grain
- _____ orchards, vineyards or other permanent crops.
- _____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- _____ water plants: water lily, eelgrass, milfoil, other
- _____ other types of vegetation
- None. This is a non-project action.

b. What kind and amount of vegetation will be removed or altered?

None. This is a non-project action.

c. List threatened or endangered species known to be on or near the site.

None. This is a non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any;

None. This is a non-project action.

e. List all noxious weeds and invasive species known to be on or near the site.

None. This is a non-project action.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:
 mammals: deer, bear, elk, beaver, other:
 fish: bass, salmon, trout, herring, shellfish, other:

None. This is a non-project action.

b. List any threatened and endangered species known to be on or near the site.

None.

c. Is the site part of a migration route? If so, explain.

No.

d. Proposed measures to preserve or enhance wildlife, if any:

None. This is a non-project action.

- e. List any invasive animal species known to be on or near the site.

None.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

None.

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable.

- 4) Describe special emergency services that might be required.

Not applicable.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable.

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Not applicable. This is a non-project action.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many

acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable. This is a non-project action.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable. This is a non-project action.

- c. Describe any structures on the site.

Not applicable. This is a non-project action.

- d. Will any structures be demolished? If so, what?

None.

- e. What is the current zoning classification of the site?

Not applicable. This is a non-project action.

- f. What is the current comprehensive plan designation of the site?

Not applicable. This is a non-project action.

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. This is a non-project action.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Not applicable.

- i. Approximately how many people would reside or work in the completed project?

None.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None. Not applicable.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None. Not applicable.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None. Not applicable.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None. This is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None. This is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

None. This is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Not applicable.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable.
- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable.
- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

None.
- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable.

13. Historic and Cultural Preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

Not applicable. This is a non-project action.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable. This is a non-project action.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable. This is a non-project action.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable. This is a non-project action.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area, and describe proposed access to the existing street system. Show on site plans, if any.

None.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

Not applicable.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? if so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

Not applicable.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Matt Hermen
Name of signee Matt Hermen
Position and Agency/Organization : Planner III, Clark County Public Works
Date Submitted: July 11, 2019

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No development is proposed as a part of this code amendment. The proposed code amendments clarify process only and are not related to site-specific development. The proposal would not increase any of the impacts listed above.

Proposed measures to avoid or reduce such increases are:

Not applicable.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

No development is proposed as a part of this code amendment. The proposal would add informative text to the code to establish process, resulting in no impact to plants, animals, fish or marine life.

Proposed measures to avoid or reduce such increases are:

Not applicable.

3. How would the proposal be likely to deplete energy or natural resources?

No development is proposed as a part of this code amendment. The proposal would add informative text to the code to add process, resulting in no impact to depletion of energy or natural resources.

Proposed measures to avoid or reduce such increases are:

Not applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection: such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No development is proposed as a part of this code amendment. The proposal would add informative text to the code to add process, resulting in no impact to environmentally sensitive areas or areas designated for governmental protection.

Proposed measures to avoid or reduce such increases are:

Not applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No development is proposed as a part of this code amendment. The proposal would add informative text to the code to add process, resulting in no impact to land and shoreline use.

Proposed measures to avoid or reduce such increases are:

Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No development is proposed as a part of this code amendment. The proposal would add informative text to the code to add process, resulting in no impact to transportation or public services and utilities.

Proposed measures to avoid or reduce such increases are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not conflict with local, state or federal laws.