

## DETERMINATION OF NON-SIGNIFICANCE

**Description of Proposal:** *Clark County is proposing 16 biannual code amendments as follows:*

<b>BI-ANNUAL CODE CHANGE ITEMS – FALL 2019</b>			
No.	Title/Chapter/Section	Description	
<b>Scrivener's Errors</b>			
1	Section 40.260.115.E.5.(a)	In the Marijuana Facilities sign standards, amend the reference to reflect the correct RCW and indicate the size of signs in square inches instead of square feet to be consistent with the RCW	
<b>Reference Updates</b>			
2	40.100.070 Definitions	Update the County's definition of solid waste to reflect the change from WAC 173-304-100 to WAC 173-350	
3	40.260.155, Figure 50.260.155-3	Update a reference to a changed Standard Details Drawing number in the Narrow Lot Standards	
4	40.310.010.B	Amend the sign code section to refer to Highway 99, marijuana, and mixed use code sections that have unique requirements	
5	40.500.010.B.3	Remove an outdated reference to the hearing examiner as the delegated authority to conduct developer agreement hearings	
6	40.560.020.E	In the Concomitant Rezone Agreements section, remove an outdated redundant process requirement	
<b>Clarifications</b>			
7	40.100.070, Definitions	Add a definition of "garage sale"	
8	40.200.070.A	Amend the Exceptions to Setback Requirements section to allow building projections outside of building and development envelopes subject to limitations	
9	40.260.155.C.1.h	Amend the Narrow Lot Standards to clarify that building envelopes should reflect building setbacks, not all projections	
10	40.510.040.E & G	In the Type IV process section regarding public notice, include the "manner of making comments" within the published notice	
<b>Minor Policy Changes</b>			
11	14.05, 14.06, 14.08, 14.12, and 15.12 (Building and Fire codes)	Amend Chapters 14.05, 14.06, 14.08, 14.12, and 15.12 to remove references to separate Building, Plumbing and Fire Boards of Appeals. Instead, create one board to hear appeals of all three disciplines	

12		40.260.020.C.6	In the Urban Accessory Dwelling Unit provisions, remove the R1-10 and R1-20 zoning requirement to allow larger size ADU's on larger lots, regardless of zoning
13		40.260.155.C.6.e	Specify that Narrow Lot alleys less than 20 feet wide shall be private, not public
14		40.410.010, 020, and 030	Provide a number of clarifications and modifications to the Critical Aquifer Recharge Area code
15		40.540.120	Allow a reduced process, and establish criteria for minor plat alteration
16		Section 4.2, Activity Centers, of Appendix F, the Highway 99 Overlay District Standards	Allow commercial uses on a select few Residentially-zoned parcels within Activity Centers

**Proponent:** *Clark County Community Development*

**Location of proposal, including street address, if any:**

*This is a non-project action that will apply within the confines of unincorporated Clark County*

**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 15 days from December 23, 2019.

**Comments must be submitted by: January 7, 2020.**

**Responsible Official:** Mitch Nickolds

**Position/title:** Community Development Director

**Address:** **RE: SEPA Comments**

Clark County Community Development

1300 Franklin Street; 3<sup>rd</sup> Floor

P.O. Box 9810

Vancouver, WA 98666-9810

**Date:** 1-2-20-19 **Signature:** 

The staff contact person and telephone number for any questions on this review is Jan Bazala, Planner II, (564) 397- 4499.

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

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**A. BACKGROUND**

1. **Name of proposed project, if applicable:** *Fall 2019 Biannual Code Amendments*
2. **Name of applicant:**  
*Clark County*
3. **Address and phone number of applicant and contact person.**  
*Jan Bazala  
Clark County Community Development  
P.O. Box 9810  
Vancouver, WA 98666-9810  
(564) 397-4499*
4. **Date checklist prepared:**  
*December 19, 2019*
5. **Agency requesting checklist:**  
*Clark County, WA*
6. **Proposed timing or schedule (including phasing, if applicable):**  
*If approved by the Clark County Council, the proposed code changes would become effective in March of 2020.*
7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**  
*The biannual code amendment process typically occurs once or twice a year.*  
  
*Future biannual code amendments will occur that could make changes to code provisions affected by these amendments; however, none are specifically planned at this time.*
8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**  
*NA*

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.**

*NA*

10. **List any government approvals or permits that will be needed for your proposal, if known.**

*Adoption by the Board of County Councilors.*

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.**

*This is a non-project action consisting of the 16 code amendments summarized on pages 1 and 2.*

12. **Location of the proposal.**

*This is a non-project action that will apply to the confines of unincorporated Clark County*

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

- a. **General description of the site: Flat, rolling, hilly, steep slopes, mountainous, other.**

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

- 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 prime farmland.**

*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. This is a non-project action.*

- e. **Describe the purpose, type, and approximate quantities 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.**  
*Not applicable. 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)?**  
*Not applicable. This is a non-project action.*
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**  
*Not applicable. 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 and when the project is completed? If any, generally describe and give approximate quantities if known.**  
  
*Not applicable. 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. This is a non-project action.*
- 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.**  
*Not applicable. This is a non-project action.*
- 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.**

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

- 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.**

*Not applicable. This is a non-project action.*

**b. Ground Water:**

- 1) **Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

*Not applicable. This is a non-project action.*

- 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.**

*Not applicable. 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. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

**4. Plants**

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

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

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

*Not applicable. 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;**

*Not applicable. 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:**

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

**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.**

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

- 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:**

*Not applicable. This is a non-project action.*

**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.**

*Not applicable. This is a non-project action.*

- 1) Describe special emergency services that might be required.**

*Not applicable. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

**b. Noise**

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

*Not applicable. This is a non-project action.*

- 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. This is a non-project action.*

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

*Not applicable. This is a non-project action.*

**8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties?**

*Not applicable. This is a non-project action.*

- b. Has the site been used for agriculture? If so, describe.**

*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?**

*Not applicable. This is a non-project action.*

- 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 an "environmentally sensitive" area? If so, specify.**  
*Not applicable. This is a non-project action.*
- i. **Approximately how many people would reside or work in the completed project?**  
*Not applicable for this non-project action.*
- j. **Approximately how many people would the completed project displace?**  
*Not applicable. This is a non-project action.*
- k. **Proposed measures to avoid or reduce displacement impacts, if any:**  
*Not applicable. This is a non-project action.*
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**  
*Most of the items are adjustments to existing development regulations and are consistent with existing land use plans. Item # 16, if approved, will allow commercial uses on a few residentially- zoned parcels that are located within Activity Centers, which are commercially-oriented subareas within the Highway 99 Overlay Area. The inclusion of these few residentially-zoned parcels within the Activity Centers, along with the adopted Highway 99 subarea map which showed the properties having commercial zoning, indicates that the areas were intended for commercial uses when the Highway 99 Subarea plan was approved in 2009.*

**9. Housing**

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**  
*Not applicable.*
- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**  
*Not applicable.*
- c. **Proposed measures to reduce or control housing impacts, if any:**  
*None are proposed for this 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?**  
*None are proposed as part this non-project action.*
- 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?**  
*Not applicable.*
- b. **Would the proposed project displace any existing recreational uses? If so, describe.**  
*Not applicable.*
- 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 places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**  
*Not applicable.*

- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**  
*Not applicable.*
- c. **Proposed measures to reduce or control impacts, if any:**  
*None proposed as part of this non-project action.*

**14. Transportation**

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**  
*Not applicable.*
- b. **Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**  
*Not applicable.*
- c. **How many parking spaces would the completed project have? How many would the project eliminate?**  
*Not applicable.*
- d. **Will the proposals require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**  
*Not applicable.*
- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**  
*Not applicable.*
- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**  
*Not applicable for this non-project action.*
- g. **Proposed measures to reduce or control transportation impacts, if any:**  
*None proposed as part of this non-project action.*

**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 proposed as part of this non-project action.*

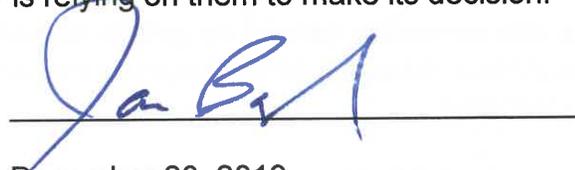
**16. Utilities**

- 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 proposed as part of this non-project action.*

**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:



Date Submitted: December 23, 2019

**D. SUPPLEMENTAL SHEET FOR NONPROJECT 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?**  
*This application proposes development code changes only. Item # 14 proposes modifications to the County's Critical Aquifer Recharge Area code section. The two changes of note in this section are: 1) Eliminate the need for a CARA permit for stormwater infiltration facilities. Requiring a CARA permit is redundant, due to the fact that these type of facilities must already meet the county's stormwater requirements, including pre-treatment; and 2) Remove the need for quarterly monitoring reports for Level 2 Site evaluations. With all the other protections afforded by upgraded water quality provisions in County code, and with limited resources to evaluate monitoring reports, there is little, if any benefit to this requirement.*
2. **How would the proposal be likely to affect plants, animals, fish or marine life?**  
*None of the items affect the County's wetland or habitat codes. Future applications will be reviewed for compliance with applicable habitat and wetland codes.*
3. **How would the proposal be likely to deplete energy or natural resources?**

*This application proposes development code changes only. None of the items are expected to impact energy or natural resource use.*

- 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?**

*This application proposes development code changes only. No development is proposed at this time. Site plans for proposed development will be prepared and submitted at a future time. Future applications will be reviewed for compliance with applicable ordinances including habitat, wetlands, historic/archaeology, etc.*

- 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?**

*Most of the items are adjustments to existing development regulations and are consistent with existing land use plans. Item # 16, if approved, will allow commercial uses on a few residentially- zoned parcels that are located within Activity Centers, which are commercially-oriented subareas within the Highway 99 Overlay Area. The inclusion by the County Council of these few residentially zoned parcels within the Activity Centers, along with the adopted Highway 99 subarea map which showed the properties having commercial zoning, indicates that the parcels in question were intended for commercial uses when the Highway 99 Subarea plan was approved in 2009.*

*None of proposed amendments will affect shorelines use.*

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

*None of the items will result in increased demands on transportation, public services, or utilities.*

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

*None of the proposed code changes are known to conflict with any local, state, or federal environmental protection regulations.*

*Items # 1 and 2 are intended to bring the County's marijuana sign standards and Solid Waste definitions into alignment with current RCWs and WACs.*

