Notice of Type II Development Review Application and Optional SEPA Determination of Non-Significance

The Clark County Department of Community Development has received an application for development review, as described below. Based on a review of the submitted application materials, the county expects to issue a **Determination of Non-Significance (DNS)** for the proposal allowed by state law and Clark County Code, Section 40.570.040(E) – Optional DNS Process. As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under Chapter 36.70A RCW, and in other applicable local, state, or federal laws and rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review.

Comments received within the deadline will be considered in the review of the proposal. **Your response to this notice may be your only opportunity to comment on the environmental impacts of this proposal.** No additional comment period will be provided unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation. The proposal may include mitigation under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared.

**Date of this notice:** March 25, 2019

**Closing date for public comments:** April 9, 2019

Information regarding this application can be obtained by contacting the staff contact person listed below or in person at the Community Development Permit Center, 1300 Franklin Street, first floor, Vancouver, Washington, 98660.

**Project Name:** Peterson Machinery

**Case Number:** PSR2018-00041; SEP2018-00059; WET2018-00087; MZR2019-00026

**Request:** Site plan approval to construct an approximately 10,700 square foot heavy equipment rental facility and associated site improvements in the IL zoning district
Notice of Optional SEPA - DNS  

**Location:** East side of NE 10th Avenue roughly one half mile (2,600 feet) south of NE 179th Street, Parcel 182159 in the Northeast Quarter of Section 15, Township 3, Range 1 East of the Willamette Meridian

**Applicant:** Ben Wiley  
1505 NW 10th Ave  
Portland, OR 97209  
503.648.7805  
ben@robertevansco.com

**Contact:** Chris Walker  
15895 SW 72nd Ave  
Portland, OR 97224  
503.226.1285  
chrisw@cidaicn.com

**Property Owner:** Peterson Machinery Company  
955 Marina Blvd  
San Leandro, CA 94577

**Comp Plan Designation:** I

**Neighborhood Contact:** Fairgrounds - Bridget Schwarz (President)  
**Phone** - (360) 573-5873, **E-mail** - bridget@bridge-i-t.com

**Staff Contact:** Richard Daviau  
PO Box 9810  
Vancouver, WA 98666-9810  
564.397.4895  
richard.daviau@clark.wa.gov

**Applicable code sections**  
Clark County Code: Title 15 (Fire Prevention), 40.200 (General), 40.230.085 (IL District), 40.320 (Landscaping), 40.340 (Parking), 40.350 (Transportation), 40.350.020 (Concurrency), 40.360 (Solid Waste), 40.370 (Sewer & Water), 40.386 (Storm Water & Erosion Control), 40.410 (CARA), 40.500 and 40.510 (Procedures), 40.520.040 (Site Plan), 40.550 (Road Modifications), 40.570 (SEPA), 40.570.080 (SEPA Archaeological), 40.610 (Impact Fees), Title 24 (Public Health), and the Clark County Comprehensive Plan

**Application Filing date:** November 5, 2019  
**Fully Complete date:** February 26, 2019

**Public Comment**  
The public is encouraged to comment on this proposal. Comments received by the closing date noted below will be considered in the staff report. This notice is intended to inform potentially interested parties about the application and invite written comments regarding any concerns.
Public Comment Deadline: April 9, 2019

In person: The Community Development Permit Center is located in the Public Service Center, first floor, 1300 Franklin Street, Vancouver, Washington 98660.

Mail: Attn: Richard Daviau
Department of Community Development
P.O. Box 9810
Vancouver, WA. 98666-9810

An accurate mailing address for those mailing comments must be included or they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

Email: richard.daviau@clark.wa.gov

SEPA Options
As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS - Determination of Significance**: The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);

- **MDNS - Mitigated Determination of Non-Significance**: The impacts can be addressed through conditions of approval, or;

- **DNS - Determination of Non-Significance**: The impacts can be addressed by applying the Clark County Code.

Responsible Official: Mitch Nickolds, Community Development Director

Timelines and Process
Decisions on Type II applications are made within 78 calendar days of the Fully Complete date (noted above), unless placed on hold for the submittal of additional information.

Community Development Web site - www.clark.wa.gov/development
- Weekly Preliminary Plan Review Status Report - includes current applications
- Pre-Application Conferences and Land Use Hearing agendas
- Applications and handouts for each type of land use permit

Appeals
The responsible official's decision on the application may be appealed to the Hearing Examiner by the applicant or any person or group that qualifies as a "Party of Record." To qualify as a party of record, you must have submitted written comments or a written request to be identified as a Party of Record within the comment deadline.
An accurate mailing address for those submitting comments must be included or they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision. An appellant must submit an appeal application and appeal fee within 14 calendar days after the written notice of the decision is mailed.

Refer to the *Appeals* handout for more information and fees.

**SEPA Appeal**

A **procedural SEPA appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance).

A **substantive SEPA appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing Clark County Code or other law.

A **procedural or substantive appeal** must be filed within fourteen (14) calendar days of this determination, together with the appeal fee. Such appeals will be considered at a scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

**Attachments**

- Proposed project site/land division plan
- Map of property owners receiving notice
Distribution
This notice is being provided to the following agencies with jurisdiction whose services may be impacted by implementation of this proposal:

Federal Agencies: U.S. Army Corps of Engineers - Enforcement Division

Tribes: Cowlitz Indian Tribe
Yakama Nation
Chinook Tribe

State Agencies: Department of Natural Resources (S.W. Region)
Department of Ecology
Department of Fish and Wildlife
Department of Transportation

Regional Agencies: Fort Vancouver Regional Library
Southwest Clean Air Agency
Vancouver-Clark Parks & Recreation

Local Agencies: Clark County Fire Marshal's Office
Clark County Public Health
Clark County Public Works
Clark County Conservation District
City of Vancouver Transportation

Special Purpose Agencies: Clark County Fire District 6
Clark Public Utilities
Clark Regional Wastewater

The Media The Columbian
The Oregonian
The Reflector
Vancouver Business Journal
The Post Record

Other: Applicant
Clark County Neighbors
Clark County Natural Resources Council
Clark County Citizens United
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Additional attachment for agencies:
SEPA checklist