

DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: *Clark County is proposing 11 biannual code amendments as follows:*

BI-ANNUAL CODE CHANGE ITEMS – FALL 2018			
No.	Title/Chapter/Section	Description	
Scrivener's Errors			
1	Tables 40.210.010-1, 40.210.020-1, and 40.210.030-1	Add Accessory Dwelling units as allowable uses in the Rural district use tables	
2	Section 5.5.1 of the Highway 99 overlay standards	Correct / Clarify that Highway 99 Overlay residential developments must meet the parking requirements in Title 40	
Fee Updates			
3	Table 6.120.040	Include a re-inspection fee for multiple failed fire inspections	
4	Table 6.110A.010	Include a submittal fee for Type I land use applications	
Clarifications			
5	40.540.030.E	Provide additional clarification that tracts created in short plats are not buildable unless subsequently approved through the platting process	
6	40.540.040.E	Add clarifications that tracts created in subdivisions are not buildable unless subsequently approved through the platting process	
7	40.520.010.E.1.b(5) and 40.540.020.B.4.d	Clarify circumstances under which the County will recognize court orders as exemptions to platting	
Minor Policy Changes			
8	40.260.220.E	Remove requirement to post a bond for temporary uses	
9	40.350.030	Several changes including stopping sight distance reductions, addition of a section on yield controlled intersections, barricades, passing sight distance reductions, and school zone traffic control	
10	40.450.030.E and 40.450.040.C&D	Update wetland code to enable reduced wetland buffers in areas of low habitat function	
11	Appendix F, Section 7.6	Remove separate cottage housing standards from the Highway 99 overlay; instead defer to the standards in Section 40.260.073	

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 14 days from October 29, 2018.

Comments must be submitted by: November 12, 2018

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

Date: 10/18/18

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**

A. BACKGROUND

- 1. Name of proposed project, if applicable:** *Fall 2018 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:**
October 16, 2018
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 January of 2019.
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.**
Regarding item #10, the Department of Ecology recently made changes to wetland buffer guidelines based on public feedback and review of the reference wetland data used to calibrate the wetland rating system. Clark County is proposing to adopt changes consistent with Ecology's guidelines
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 following 11 code amendments:

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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. No development is anticipated as part of this application.
- 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 and 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.
- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**
None are proposed as part of this 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.**
Not applicable.
- 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.
- 4) **Will the proposal require surface water withdrawals or diversions. Give general description, purpose, and approximate quantities if known.**
Not applicable.
- 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.

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.
- 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.

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.

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

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

4. Plants

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

This is a non-project action.

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

None as part of this non-project action.

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

Not applicable.

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

Not applicable.

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:

This is a non-projection action.

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

Not applicable.

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

Not applicable.

- d. **Proposed measures to preserve or enhance wildlife, if any:**
None are proposed as part of this 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.
- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**
No, 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:**
None. 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.
- 1) **Describe special emergency services that might be required.**
None.
- 2) **Proposed measures to reduce or control environmental health hazards, if any:**
None proposed as part of this 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.
- 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?**
This is a non-project action that will apply to various sites across Clark County.
- b. **Has the site been used for agriculture? If so, describe.**
Not-applicable.
- c. **Describe any structures on the site.**
Not-applicable.
- d. **Will any structures be demolished? If so, what?**
Not applicable.
- e. **What is the current zoning classification of the site?**
This is a non-project action that will apply to various zoning districts across Clark County.
- f. **What is the current comprehensive plan designation of the site?**
This is a non-project action that will apply to various comp plan designations across Clark County.
- g. **If applicable, what is the current shoreline master program designation of the site?**
Not applicable.
- h. **Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.**
Not applicable.
- 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.
- k. **Proposed measures to avoid or reduce displacement impacts, if any:**
Not applicable.
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**
Item #11, the proposal to eliminate the cottage housing standards from the Highway 99 Overlay standards, has been reviewed and is supported by "Team 99", the citizen advisory group that helped develop the Highway 99 Overlay. The proposal to eliminate the separate Highway 99 cottage standards would not eliminate cottage housing as an option in the Highway 99 overlay. Cottage housing will still be an option in the overlay area, but the review criteria for cottage housing in Section 40.260.073 will apply. Having just one set of standards should simplify matters for applicants and reduce the confusion over the relatively minor differences between the two codes.

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: October 31, 2018

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. No development is proposed at this time. Subsequent site plan or subdivision applications for specific future development will be reviewed for compliance with applicable provisions that regulate such impacts.

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

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 habitat and wetland codes.

In regards to item #10, the buffers for wetlands with habitat scores of 5 points will be reduced; however, adopting the new guidelines will increase wetland buffers for Category III wetlands with a habitat score of 6 points by 15 ft. or 11% (from 135 to 150 ft.). Overall, the proposed update will decrease buffer widths approximately 3.9%.

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.

In regards to item #10, the buffers for wetlands with habitat scores of 5 points will be reduced; however, adopting the new guidelines will increase wetland buffers for Category III wetlands with a habitat score of 6 points by 15 ft. or 11% (from 135 to 150 ft.). Overall, staff estimates that the proposed update will decrease buffer widths approximately 3.9%.

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?

This application proposes development code changes only, none of which should affect shorelines.

As for other existing plans, Item #11, the proposal to eliminate the cottage housing standards from the Highway 99 Overlay standards has been reviewed and is supported by "Team 99", the citizen advisory group that helped develop the Highway 99 Overlay. The proposal to eliminate the separate Highway 99 cottage standards

would not eliminate cottage housing as an option in the Highway 99 overlay. Cottage housing will still be an option in the overlay area, but the review criteria in Section 40.260.073 will apply. Having just one set of standards should simplify matters for applicants and reduce the confusion over the relatively minor differences between the two codes.

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.

Item # 10 is intended to bring the County's wetland codes into alignment with current Department of Ecology guidelines.