



CITY OF LA CENTER
SEPA DNS – Non-Project Action
La Center **Temporary Needs Housing Code** (File # 2019-005-SEPA)

Public Comment Period: The City of La Center invites public comment on the SEPA Determination of Nonsignificance (DNS) for a Non-Project Action relating to amendment to the La Center Municipal Code, Title 18. Written comments on the DNS must be received at La Center City Hall no later than **4:30 PM on March 16, 2019**.

Applicant: City of La Center, 305 NW Pacific Highway, La Center, WA. 98632. Contact: Eric Eisemann, Planning Consultant, 360.750.0038, e.eisemann@e2landuse.com

General Location: City of La Center, land zoned for residential use and one acre or larger.

Non-Project Action: La Center Municipal Code Title 18: create Chapter 18.270.060, Temporary Need Housing, which would allow an underdeveloped residential property to accommodate temporary housing needed to address a medical or financial emergency.

SEPA: The City of La Center, as lead agency, has determined that this non-project action will not have a probable significant adverse impact on the environment. An environmental impact statement 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, available to the public on request. This DNS is issued under WAC 197-11-340. The City will not act on this proposal until after 14 days from date of issuance of the DNA.

Applicable Standards and Approval Criteria: La Center Municipal Code 18.30, Procedures; 18.130; 18.120, Plan Amendments and Zone Changes.

Review of File Information: The file may be examined between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays) in the La Center Public Works Office, 305 NW Pacific Highway, La Center, WA. Contact: Naomi Hansen, Associate Planner, (360) 263-7665, nhansen@ci.lacenter.wa.us

A handwritten signature in blue ink, appearing to read "Greg Thornton".

Greg Thornton, Mayor

Issued: March 1, 2019



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A handwritten signature in blue ink, appearing to read "Greg Thornton", is written over a horizontal line.

Greg Thornton, Mayor

Issued: February 26, 2019

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

La Center Temporary Needs (Hardship) Code (LCMC 18.270.060)

2. Name of applicant: City of La Center

3. Address and phone number of applicant and contact person:

Eric Eisemann, La Center Planning Consultant

City of La Center

305 NW Pacific Highway

La Center, WA 98629

Phone: (360) 750-0038; e.eisemann@e2landuse.com

4. Date checklist prepared: February 20, 2019

5. Agency requesting checklist: City of La Center

6. Proposed timing or schedule (including phasing, if applicable):

Amendments to the Municipal Code, Title 18 will become effective after adoption by the La Center City Council, approximately Spring 2019.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No, as 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.

- Supplemental Environmental Impact Statement (SEIS) for Clark County 2016 Comprehensive Growth Management Plan Update.

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.

There are no other known proposals pending for the property covered by this proposal.

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

None

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.)

- Create chapter 18.270.060, Temporary Need Housing, which would allow an underdeveloped residential property to accommodate temporary housing needed to address a medical or financial emergency.

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.

La Center City Limits - affecting property zoned for residential use and one acre or larger.

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

The City of La Center is located on the banks of the East Fork of the Lewis River. The city is primarily located on rolling hills.

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

The steepest slopes with the City's UGA exceed 25% in the northeast. The elevation ranges from about 20 feet near the East Fork to over 200 feet near I-5.

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.

The general types of soils in the city include: Soils in the lowlands belong to the Caples-Clato-Newburg association and were formed from alluvial sediments of the Lewis and Columbia rivers. In the hillsides adjacent to the city the soils belong to the Kelso-Minneice-Kalama associations. The Caples-Clato-Newburg soils are prime farmland.

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

The slopes along the western bank of McCormick Creek have areas of instability. The city regulates development on steep slopes.

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

This is not a project-specific proposal. The amendments to the zoning code will not change the amount of filling and grading activity.

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

This is not a project-specific proposal. The city development regulations and engineering standards regulate fill and grading activity during time of development and construction review.

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

This is not a project-specific proposal. Amount of impervious surface allowed under the new land use designations and zones will not increase relative to previous designations.

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

This is not a project-specific proposal. The city development regulations and engineering standards regulate fill and grading activity during time of development and construction review. The Critical Area code regulates development of steep slopes. The Plan requires compliance with the NPDES Municipal Stormwater Permit requirements.

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.

This is not a project-specific proposal which does not affect air quality.

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

This is not a project-specific proposal which will not generate additional emissions.

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

This is not a project-specific proposal that will not result in emissions other than light.

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.

Surface water bodies and streams are mapped, and wetland locations are forecasted.

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

The amendments do not intensify development activity within the shoreline of the Lewis River.

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.

No additional fill and dredge materials will result from this proposal; zone area and intensities do not change.

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

No this is a non-project action

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

No 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.

No this is a non-project action

b. Ground:

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

No 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.

Temporary housing will create waste material. All units approved under this code shall connect to an approved public facility or approved existing septic system. Development within the UGA is required to connect to the public sewer system at time of development or when public sewer

c. Water runoff (including stormwater):

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.

New temporary housing will create additional run-off. All units approved under this code shall provide stormwater and erosion control measure consistent with La Center Engineering Standards.

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

All development within the city limits must be designed and constructed to prevent waste materials from entering ground or surface waters. Waste materials could enter ground or surface waters by accident rather than design. Waste materials might include, soil, oils and heavy metals, chemicals, pesticides and herbicides and similar pollutants.

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

None, this is a non-project action

4. Plants

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

X_____ deciduous tree: alder, maple, aspen, other

X_____ evergreen tree: fir, cedar, pine, other

X_____ shrubs

X_____ grass

X_____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

X_____ other types of vegetation

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.

Oregon white oak present in some residential zones

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

This is a non-project action. Future impacts to the landscape will be evaluated at the time of development permit application.

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, eagle, songbirds,
other: falcon, owl, woodpecker
mammals: deer, raccoons, other:
fish: none

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

Columbian white-tailed deer, Purple martin, Western pond turtle, are known to be in or near La Center

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

La Center is within the general area of the Pacific Flyway for migratory birds.

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

The Critical Areas ordinance requires identification and preservation of fish and wildlife habitat conservation areas based on Best Available Science.

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.

This is a non-project action. Temporary housing will be powered by electricity consistent with La Center building codes.

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. Temporary housing will be no taller than 35 feet.

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:

No special provisions are required.

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.

No, this is a non-project action.

1) Describe special emergency services that might be required.

The La Center Police Department and Clark County Fire & Rescue are the local emergency service providers.

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

No new measures are proposed to reduce or control environmental health hazards as part of these code amendments.

b. Noise

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

This is a non-project action. Only noise associated with low density residential use occurs in residential zones.

- 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.

There are no specific types or levels of noise anticipated with the changes to the zoning code beyond low density residential use.

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

All development in the UGA must comply with the maximum environmental noise levels in WAC Chapter 173-60.

8. Land and shoreline use

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

This is a non-project action. Temporary need regulations will only impact residential zones and uses.

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

Historically, agricultural use was present but not today.

- c. Describe any structures on the site.

There are a variety of structures within the city limits. This is a non-project action.

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

No. This is not a project-specific proposal.

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

This is a non-project action affecting only low-density residential zones within the city limits.

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

The current comprehensive plan designation is residential.

- 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.

Yes. Critical Areas include Critical Aquifer Recharge Areas, Fish and Wildlife Habit Conservation areas, Hazardous and Steep Slopes, and Wetlands occur within the city.

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

This is a non-project code amendment which will allow one temporary hardship dwelling for medical or financial hardship use. Each permit will expire within two years from issuance unless renewed due to continued hardship.

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

None, this is a none project action which may slightly increase temporary density in some locations.

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

None

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

The zoning code will allow temporary need housing on residential land that is one acre or larger. The proposed use would be temporary and must be removed when the hardship ends.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
Less than a few dozen residential lots are eligible to use the provisions of this chapter.

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

Perhaps 1- 24 depending on the size of the receiving lot.

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

Temporary dwellings must be removed when the hardship ends.

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?

This is a non-project action. Temporary dwellings will not exceed 35 feet.

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

None known

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

Future development will have to comply with the proposed height and design standards.

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This is a non-project action. Outdoor lighting is regulated by city development regulations designed to be low glare impact to help eliminate light pollution city-wide.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

This is a non-project action; residential lighting shall comply with existing city lighting standards which are designed to minimize safety hazards and glare.

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

Future development must comply with 18.282 and compliance will reduce light and glare impacts.

12. Recreation

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

There are multiple municipal parks and trails within the city and one proposed in the new zoning area.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No. This is a non-project action.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The city adopted a new parks and recreation plan in 2017 which details plans for future parks, trails, and open space development to serve the projected population.

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.

None, known

b. Generally, describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None, known that will be affected by the temporary hardship code.

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

The City will continue to participate in the national, state and county archaeological protection and historical preservation programs.

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.

This is a non-project action; city engineering standards regulate access to public right-of-way.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

La Center is served by C-Tran.

c. How many parking spaces would the completed project have? How many would the project eliminate?

The city does not anticipate that temporary hardship dwellings will significantly increase parking demand.

d. Will the proposal 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).

No, all lots potentially eligible to use the provisions of the temporary hardship code are served by public or private street.

e. Will the project 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? If known, indicate when peak volumes would occur.

Each temporary could, in theory, generate ten vehicle trips a day.

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

None.

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.

Temporary dwellings will create additional demand on public services.

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

Any temporary dwelling approved under this code must be removed when the hardship ends.

16. Utilities

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

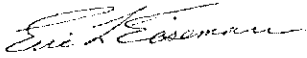
Utility services are available within the city and must be provided at time of development review.

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.

This is a 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:

Eric Eisemann, E² Land Use Planning Services, LLC

Date Prepared: February 20, 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 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?

The proposed changes to may have a de minimus impact of emissions. However, all temporary dwellings must comply with existing city building standards.

Proposed measures to avoid or reduce such increases are:

Future development will be subject to review and must meet adopted zoning and development regulations and well as applicable engineering Standards, state regulations, and project-specific SEPA review when required.

Water: All temporary uses must have access to potable water.

Air: All development is required to comply with federal and state standards established for ambient air quality, emissions and pollutants.

Toxic or hazardous substances: The City has adopted the Model Toxics Control Act (MTCA) to regulate the use and cleanup of any toxic materials.

Noise: The regulations could allow the addition of one temporary residential use on large lots in residential zones.

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

All development within the city limits shall comply with the city's critical area code and all new lighting must comply with the city's dark sky standards.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

All future development will be required to comply with Critical Area regulations, which identify and protect Critical Aquifer Recharge Areas, Fish and Wildlife Habit Conservation areas, Frequently Flooded areas, Hazardous and Steep Slopes and Wetlands to ensure no net loss of ecological function.

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

Implementation of the temporary hardship code regulations will have a temporary impact on energy and natural resources.

Proposed measures to protect or conserve energy and natural resources are:

Future outdoor lighting will be LED-based which will help conserve electricity. Critical Areas regulations, based on Best Available Science, protect natural resources within the UGA.

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?

The city protects known critical areas through avoidance or reduced impacts and mitigation.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Environmentally sensitive areas: Implement and update the city's Critical Areas ordinance to ensure no net loss of ecological functions results from development. Continue to update mapping system to more accurately predict and delineate critical areas. Monitor development activity to calculate whether the ordinance adequately protects Critical Areas.

Parks and wilderness: The Parks and Recreation Master Plan identifies existing and proposed park sites. The city will work with developers to acquire the planned parks and trails facilities through purchase or dedication of property.

Rivers: There are no wild and scenic rivers in city residential zones.

Species habitat: Critical habitat areas are identified on local and state mapping tools. City regulations onsite evaluation of existing habitat resources and protection of habitat resources to ensure no net loss of ecological functions results from development.

Historic or cultural sites: The city participates in national, state and local historic preservation programs to protect historic sites. The city requires archaeological predetermination for sites with a high probability of archaeological remains through the development process, and fully complies with RCW 27.53.060 to protect any resources discovered during development.

Wetlands: Critical habitat areas are identified on local and state mapping tools. City regulations onsite evaluation of existing habitat resources and protection of habitat resources to ensure no net loss of ecological functions results from development.

Floodplains: The city has partnered with FEMA to update its floodplain maps and regulations. Local regulations govern development within floodplains to avoid or reduce impacts associated with flooding. There are no flood plains in the residential zones.

Prime farmlands: Temporary hardship use will not affect farmlands within the La Center UGA; such prime farm lands are located outside the city limits.

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?

Implementation of the code will not exacerbate impacts to shoreline uses because additional housing would not be allowed within shorelands.

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

Implementation of the code could increase residential vehicle trips by ten average daily trips a day per approved temporary hardship use. Such trips will end when the temporary use ends.

Proposed measures to reduce or respond to such demand(s) are:

Transportation: Concurrency provisions prohibit the approval of any land use application if approval of the proposal will cause the LOS on a transportation facility to fall below the LOS identified in the Transportation element of the Plan.

Public services: Future development will connect to needed public services; the code amendments do not create additional demand for public services.

Utilities: The Capital Facilities element identifies future utility need related to anticipated development. The CFPs for water and sewer also identify future needs and projected facilities to meet those needs. Private providers will provide electricity, natural gas, refuse service, and telephone service on demand.

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

Implementation of the temporary hardship dwelling code will be consistent with Clark County regulations of a similar nature. There are no know conflicts between this non-project action and other state or federal regulations.