



SEPA DETERMINATION OF NON-SIGNIFICANCE
Amended Variance Criteria Code (File # 2020-027-ZON/SEPA)

Description of proposal: The City of La Center proposes to adopt new criteria for reviewing variance applications. The existing code (LCMC 18.260) contains just two variance criteria requiring an applicant demonstrate there is an unusual circumstance and that granting the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity. The City proposes new variance criteria ensure that an applicant's justification for requesting a variance adequately establishes that a special or unusual circumstance exists, that the need for a variance was not caused by an action of the applicant, and that the variance from standards is the minimum necessary and adequately mitigated.

SEPA Determination: NOTICE IS HEREBY GIVEN that, the City proposes to amend the variance criteria in LCMC 18.260 and has filed a SEPA checklist describing the environmental impacts of the new code. Based on a review of that amended variance criteria and associated SEPA checklist, the City of La Center issued a **Determination of Non-Significance (DNS)** for this proposal pursuant to the WAC 197-11-340 and the La Center Municipal Code (LCMC 18.310). An Environmental Impact Statement is not required under RCW 43.21c.031(1).

Any person has the right to comment on this SEPA DNS, receive notice of and participate in any hearings, and appeal the final decision on the code amendment. Written comments submitted by November 13, 2020 at 5:00 PM will be considered. Please send comments to the City of La Center, 305 N.W. Pacific Highway, La Center, WA 98629 or by email to Sarah Dollar, Permit Technician at sdollar@ci.lacenter.wa.us.

Application: City of La Center Amended Variance Criteria Code (File # 2020-027-ZON/SEPA)

Proponent/applicant: City of La Center, contact: Ethan Spoo, Consulting Planner, 305 NW Pacific Highway, La Center, WA 98629. Phone: (360)263-7665.

Location of proposal: The amended variance criteria would apply to all properties in La Center requesting variances from standards in Title 18 (Development Code).

Public Hearing: La Center Planning Commission meeting, November 10, 2020 6:30 p.m. Meeting will be conducted virtually using the City's GoToMeeting online platform. See hearing notice issued separately.

Existing Environmental Documents relied upon: The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts be conducted. City staff and interested agencies reviewed the proposal for compliance with applicable state requirements and city codes.

The following environmental documents were relied upon in the City's determination of a DNS: SEPA Environmental Checklist dated, October 22, 2020. A complete copy of the proposed code amendments and the SEPA Checklist associated with this determination are available by contacting Public Works Staff, Sarah Dollar, Permit Technician, at 360-263-7665.

Statement of Determination: As lead agency under the State Environmental Policy Act (SEPA) rules [Chapter 197-11, Washington Administrative Code] the City of La Center must determine if there are potential significant adverse environmental impacts associated with this proposal. The options include the following:

- Determination of Significance – (DS) The impact cannot be mitigated and therefore require the preparation of an Environmental Impact Statement (EIS).

- Mitigated Determination of Nonsignificance – (MDNS) The impact can be mitigated through conditions of approval, or;
- Determination of Nonsignificance – (DNS) The impacts can be addressed by applying the city codes.

Approval Standards/Applicable Laws: La Center Municipal code section 18.30 (Procedures). Additional state and federal law(s) may also apply.

Mitigation Measures: The review of the SEPA checklist associated with this proposed code amendment did not recommend any mitigation measures.

Responsible Official: Greg Thornton, Mayor

Date: 10/23/2020

Signature:



Issued: October 23, 2020



File Name: 2020-027-ZON/SEPA (City of La Center Amended Variance Criteria Code)

Date Published: October 23, 2020

Attached is an environmental Determination of Non-Significance (DNS) and associated environmental checklist issued pursuant to the State Environmental Policy Act (SEPA) rules (WAC 197-11). The City (lead agency) completed evaluation of the environmental checklist as required by WAC 197-11. You may comment on this determination within fourteen (14) days of the DNS publication date of October 23, 2020. The lead agency will not act on this proposal until the close of the **21-day comment period, which ends November 13, 2020.**

Please address any correspondence to: Sarah Dollar, Permit Technician
ATTN: SEPA COMMENTS – Amended Variance Criteria Code
c/o 305 NW Pacific Highway
La Center, WA 98629

DISTRIBUTION:

Federal Agencies: National Marine Fisheries, PRD Division (Mail)
US Army Corps of Engineers, Regulatory Functions (Mail)

Native American Interests: Confederated Tribes of the Grande Ronde (Mail)
Cowlitz Tribe, Longview, WA (Mail)

State Agencies: Dept of Ecology (Email)
Dept of Health, Office of Drinking Water (Email)
Dept of Commerce (Email)
Dept of Fish & Wildlife, Region 5 (Email)
Dept of Natural Resources, SEPA Center (Email)
Dept of Transportation, Environmental Services (Email)
Dept of Transportation, SW Region (Email)
Office of Archaeology & Historic Preservation (Email)
Washington Parks & Recreation Commission (Email)

Local Agencies: City of Ridgefield (Email)
Clark County, Dept of Community Development (Email)
Clark County, Dept of Health (Email)
Clark County, Dept of Parks & Recreation (Mail)
Clark County, Dept of Public Works (Email)
Town of Yacolt (Email)

School Districts: La Center (WA) School District (Mail)

Special Purpose Agencies: Clark Public Utilities (Email)
Columbia River Economic Development Council (Email)
C-TRAN (Email)
Lower Columbia Fish Recovery Board
Southwest Clean Air Agency
Southwest Washington Regional Transportation Council

Libraries: Fort Vancouver Regional Library, La Center (Mail)

Fire Districts: Clark County Fire & Rescue

Media: The Columbian

Other Interested Parties: Audubon Society, Vancouver (Mail)
Clark County Natural Resources Council (Email)
NW Natural (Mail)
Vancouver Wildlife League (Mail)