

State Environmental Policy Act (SEPA) WAC 197-11

DETERMINATION OF NONSIGNIFICANCE (DNS)

Agency Action: Non-project action.

Description of proposal: The proposal entails actions designed to respond to the Western Washington Growth Management Hearings Board (WWGMHB) Final Order and Decision (FDO) [*Futurewise & Dry Creek Coalition, vs. Clallam County, WWGMHB No. 07-2-0018c*] that found portions of Clallam County's Comprehensive Plan and Development Regulations as non-compliant and/or invalid with the state Growth Management Act (GMA), RCW 36.70A, as follows:

A. Blyn. The WWGMHB found that the designation of Blyn as a Rural Activity Center, where Blyn has not been established as either an Urban Growth Area (UGA) or LAMIRD (limited area of more intensive development) is invalid. The Blyn Rural Center (CEN) covers approximately 425 acres located at the bottom of Sequim Bay in a portion of Section 12, Township 29N, Range 3 West, W.M. The proposed response is to limit the Rural Center (CEN) land use and zoning designation to the area north of US 101 and an area south of US 101 in the vicinity of Zaccardo Rd, and formerly designate these areas as the Blyn LAMIRD under CCC 31.02.263. The proposal for the remaining area south of US 101 is to update the comprehensive plan and zoning map to re-designate this area to Rural Low (R5). The proposal also includes amending the CEN zoning district standards to require uses to be similar to the type, scale, size, or intensity of uses that existed prior to or as of July 1, 1990, and amending the comprehensive plan neighborhood provisions for Blyn under CCC 31.03.435 consistent with the above responses.

B. Sequim UGA. The WWGMHB issued an order of invalidity that the following three zoning districts within the Port Angeles and Sequim Urban Growth Areas (UGA) allowed for new development at non-urban densities: Urban Residential High (URH), Urban Residential Low (URL) and Sequim Urban Residential – I S(R-I), together with all comprehensive plan policies and map designations that relate to these zoning districts. The URH and URL zones are not found within either UGA. The S(R-I) zoning district found invalid covered approximately 460 acres within the unincorporated Sequim UGA. The S(R-I) zones are currently zoned Interim Sequim Urban Residential – II (S(R-II)) under Ordinance 833 adopted on July 22, 2008, in response to the Order. The proposed response is to adopt the S(R-II) as the final comprehensive plan land use and zoning designation. The proposal also amends Chapter 33.19, Sequim Urban Growth Area, of the zoning code and CCC 31.03.315 of the comprehensive plan to eliminate S(R-I) zoning and related plan policies. The S(R-I) and S(R-II) zoning district allow for similar uses. The proposed change would increase allowed residential density from 2 dwelling units per acre to 4-5 dwelling units per acre.

C. LAMIRDs. The WWGMHB found the designation or boundaries of 20 of the following LAMIRDs designated under CCC 31.02.263 (Ordinance 822) as not supported by sufficient facts that such more intense rural development was in existence as of July 1, 1990: Southwest Carlsborg, Dungeness Village, East Anderson, Lotzgesell, Dryke/Sherbourne Road, Laird's Corner, Deer Park, Lake Farm, Bear Creek, Whitcomb/Dimmel, Bogachiel Bridge, Three Rivers, Quillayute Prairie, Little Quillayute Prairie, O'Brien, Crescent Beach, Lyre River, Bullman, and Snider. The proposed compliance response is to: (a) de-designate the Southwest Carlsborg, Quillayute Prairie, and Little Quillayute Prairie LAMIRDs in their entirety which also involves proposed new land use and zoning designations for the affected lands; (b) adjust the outer boundary of the other 17 found non-compliant LAMIRDs which

also involves proposed new land use and zoning designations for the affected lands; (c) create a new Rural Village Low (RV2) zoning district for the southern portion of the Dungeness Village LAMIRD; (d) create a new Tourist Rural (TR) zoning district for the proposed Crescent Beach and Lyre River LAMIRDs; (e) change the Deer Park LAMIRD General Commercial (GC) land use and zoning designation to Rural Limited Commercial (RLC) and eliminate the GC zoning under CCC 33.15.030; (f) amend the Rural Neighborhood Commercial (RNC) and Rural Limited Commercial (RLC) zoning district standards under CCC 33.15.050 and CCC 33.15.060, respectively, to require uses to be similar to the type, scale, size, or intensity of uses that existed prior to or as of July 1, 1990; (g) update LAMIRD comprehensive plan designation and other provisions under CCC 31.02.263; and (h) update rural land provisions of the comprehensive plan under CCC 31.02.(260, 265), CCC 31.03 (020, 260, 270, 290, 340, and 435); and CCC 31.04 (225, 230, 400, and 410) consistent with the above proposed actions.

Proponent: Clallam County

Location of proposal: The proposed comprehensive plan and zoning amendments affects various lands within unincorporated Clallam County, as described above. A description of the affected areas is attached to the environmental checklist.

Lead agency: Clallam County.

Determination of Non-significance: The lead agency for this non-project 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 upon request.

Comments. [X] This DNS is issued under WAC 197-11-340(2), and the lead agency will not act on this proposal for fourteen (14) days from the date of issuance of this DNS, which is September 25, 2008. This may be the only opportunity to comment on the environmental impacts of the proposal. Unless the Responsible Official withdraws the threshold determination pursuant to WAC 197-11-340(3), the threshold determination shall be final at the end of the comment period.

Responsible Official: Steve Gray, Planning Manager
Department of Community Development (DCD)
223 E. 4th Street, Suite 5, Port Angeles, WA 98362
(360) 417 -2520

Date

9/11/2008

Signature

