

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) [*Dry Creek Coalition and Futurewise, vs. Clallam County, WWGMHB No. 07-2-0018c*] dated April 23, 2008 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:

The WWGMHB found that the County's Rural Moderate (R2) and Western Region Rural Moderate (RW2) Zoning Districts, and related comprehensive plan policies and map designations, permit urban, not rural, densities, outside of urban growth areas and are invalid. The proposed compliance response is as follows:

1. Amending the Comprehensive Plan Land Use and Zoning Map and related Plan provisions for approximately 2,900 acres of prior designated Western Region Rural Moderate (RW2) lands and 19,000 acres of prior designated Rural Moderate (R2) lands (which are currently zoned interim Western Region Rural Low (RW5) and Rural Low (R5)), as follows:
 - a) Retaining R2 zoning in newly designated LAMIRDs.
 - i) Dungeness Meadows
 - ii) Solmar
 - iii) Marine Drive
 - iv) East Sequim Bay
 - b) Rezoning qualified public ownership parcels to Commercial Forest (CF) or Public (P) and rezoning the Western Central 2 neighborhood to Commercial Forest (CF). A Memo dated February 27, 2009 and entitled "re Public Ownerships in Interim R5 areas" describes the publicly owned parcels proposed for rezoning to Public (P) or Commercial Forest (CF). A one-page handout entitled "Recommendations re Western Central 2 Neighborhood Along Calawah River, west of Forks UGA 3/18/09" describes the proposed rezoning of this neighborhood to Commercial Forest (CF).
 - c) Rezoning the Sequim Battelle site to permanent Rural Low (R5).
 - d) Rezoning all other R2/RW2 (now Interim R5/RW5) areas to the new Rural Neighborhood Conservation (NC) Zoning Designation. The NC base density is 1 dwelling unit (du) per 5 acres.
 - e) Areas zoned Rural Neighborhood Conservation will be subject to optional innovative zoning techniques as follows, as described in the proposed text for the new Rural Neighborhood Conservation (NC) Zoning Designation referenced above:
 - i) NC Overlay, providing for visually compatible infill (maximum density 1 du per 2.4 acres) where neighborhood is already substantially developed and mature infrastructure is in place;
 - ii) NC Cluster, providing for density bonuses (maximum density of 1 du per 2.4 acres) for cluster developments that retain open space (at least 70%) and that meet the 11 cluster design objectives and standards.
2. Amending the County's Comprehensive Plan and Zoning Code consistent with the above compliance response, at the following Clallam County Code sections:
 - a) The County-wide Comprehensive Plan at CCC 31.02.260, 263,
 - b) The Sequim Dungeness Regional Plan at CCC 31.03.020, 415, 425, 445, 455, 465, 475, 500, 520,

- c) The Port Angeles Regional Plan at CCC 31.04.220, 225, 230, 400, 410, 420, 430, 440, 450
- d) The Straits Regional Plan at CCC 31.05.170, 230, 240, 250, 260, 270, 280
- e) The Western Regional Plan at CCC 31.06.090, 100, 110, 130, 140, and
- f) The Rural Zones Chapter of the County's Zoning Code at Chapter 31.10 CCC.

Proponent: Clallam County

Location of proposal: The proposed comprehensive plan and zoning amendments affects various lands within unincorporated Clallam County, as reflected in maps that are attached to the environmental checklist and available at <http://www.clallam.net/RealEstate/html/rurallandscompliance.htm>.

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 May 13, 2009. 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 May 13, 2009 Signature 