



**City of Leavenworth
Department of Development Services**

WAC 197-11-970 –Determination of Non-significance (DNS)

Description of proposals: Updates to the Leavenworth Comprehensive Plan to reflect the recommendation of the Housing Action Plan, recommendations of the Planning Commission and to streamline and improve the function of the Comprehensive Plan. Updates, include but are not limited to, changes in the land use designations to increase options for residential density and change the Osborn site to a recreational designation; updates to the goals and policies (to consolidate the over 300 G&Ps to a more functional number); updates to the land use, housing and economic development elements to reflect new demographic information (primarily from the Housing Action Plan; updates to the Capital Improvement Plan; and updates and/or removal to the appendices.

Proponent: City of Leavenworth

Location of proposal: City of Leavenworth

Lead Agency: City of Leavenworth

The lead agency for this proposal has determined that the proposed amendments do 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.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS (copies of the Mitigation Agreement are available upon request).
- This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date below. Comments must be submitted by **November 3, 2021**.

Responsible Official: Lilith Vespier, AICP
Position/Title: Development Services Manager
Phone: (509) 548-5275
Address: 700 Highway 2, PO Box 287
Leavenworth, WA 98826

Signature: _____

Date: October 15, 2021

You may appeal this determination to:

City of Leavenworth Hearing Examiner
P.O. Box 287, 700 U.S. 2,
Leavenworth, WA 98826

Date of Publication: October 20, 2021 in the Leavenworth Echo

Date: Deadline for filing an appeal is no later than **5:00 PM – November 3, 2021**. Only persons who submit written comments during the comment period shall be allowed to appeal the threshold determination.

Method: *An appeal shall be in writing per Leavenworth Municipal Code (LMC) 16.04.230 and 21.11. You should be prepared to make specific factual objections.*

For more information please contact Lilith Vespier at City Hall at (509) 548-5275 or at P.O. Box 287 (700 Highway 2), Leavenworth, WA 98826.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: *2021 Comprehensive Plan Updates*
2. Name of applicant: *City of Leavenworth*
3. Address and phone number of applicant and contact person: *Attn: Lilith Vespier, Development Services Manager, PO Box 287, 700 Hwy 2, Leavenworth, WA, 98826; phone 509-548-5275*
4. Date checklist prepared: *10/15/2021*

5. Agency requesting checklist: *City of Leavenworth and Chelan County*
6. Proposed timing or schedule (including phasing, if applicable): *Hearing with the Planning Commission is scheduled for November 3, 2021 with final action by City Council anticipated December 14, 2021.*
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *Not applicable.*
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. *None.*
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. *Transportation Element approval is pending related to the overall Comprehensive Plan.*
10. List any government approvals or permits that will be needed for your proposal, if known. *Requires SEPA review and determination, and approval by the Leavenworth City Council as a legislative action.*
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.)
Updates to the Leavenworth Comprehensive Plan to reflect the recommendation of the Housing Action Plan, recommendations of the Planning Commission and to streamline and improve the function of the Comprehensive Plan. Updates, include but are not limited to, changes in the land use designations to increase options for residential density, changing RL12 and RL10 to RL8, change the Osborn site to a recreational designation and removing a split designation north of MEND site (from RL6 to MF); updates to the goals and policies (to consolidate the over 300 G&Ps to a more functional number); updates to the land use, housing and economic development elements to reflect new demographic information (primarily from the Housing Action Plan; updates to the Capital Improvement Plan; and updates and/or removal to the appendices.
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.
Citywide and within the Urban Growth Area.

B. Environmental Elements [\[HELP\]](#)

None of the Environmental Elements listed in this section were determined to substantively contribute to the review of this non-project proposal.

C. Signature [\[HELP\]](#)

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: 
 Name of signee Lilith Vespier, AICP
 Position and Agency/Organization Development Services Manager

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project 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 comprehensive plan amendments are programmatic. They include increasing residential densities which will require future building and project level review. New residential development is not anticipated to generate hazardous substance mitigation requirements. Noise will be generated by additional residential dwellings.*

Proposed measures to avoid or reduce such increases are: *Development will require compliance with critical area regulations, stormwater requirements and development regulations aimed at the protection of water and air. Likewise, noise is regulated in existing codes.*

2. How would the proposal be likely to affect plants, animals, fish, or marine life? *The proposed amendments are programmatic and will not result in direct impacts to plants, animals, fish or marine life.*

Proposed measures to protect or conserve plants, animals, fish, or marine life are: *Development adjacent to the Wenatchee River is regulated under the Shoreline Master Program which mitigates for impacts to ensure a no net loss. Other areas of the city are governed by critical area regulations.*

3. How would the proposal be likely to deplete energy or natural resources? *The proposed amendments would permit greater density of housing which will require more energy use and natural resources.*

Proposed measures to protect or conserve energy and natural resources are: *At the time of development a review of services available is required. Chelan County PUD is in the process of finalizing construction plans for a new substation to serve Leavenworth's growth.*

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? *As noted above, the proposed amendments will increase density but, through existing regulations, will not likely affect critical or sensitive areas.*

Proposed measures to protect such resources or to avoid or reduce impacts are: *Review development for consistency with the existing regulations.*

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? *The proposed amendments would increase residential development along the Wenatchee River. Residential uses are a preferred (and encouraged) use for the shoreline.*

Proposed measures to avoid or reduce shoreline and land use impacts are: *Not applicable.*

6. How would the proposal be likely to increase demands on transportation or public services and utilities? *The proposed amendments would increase density which will increase traffic, public transportation uses, and public services/utilities.*

Proposed measures to reduce or respond to such demand(s) are: *Existing infrastructure and required infrastructure would be reviewed at the time of future permits.*

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. *No conflicts are identified or anticipated.*