

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

Adopt Ordinance 1353 to amend the Lewis County)	
Zoning designations map and associated Comprehensive)	ORDINANCE 1353
Plan map to apply a Master Planned Resort overlay to)	
properties north of Mineral Lake)	

WHEREAS, RCW 36.70A.040 requires Lewis County to plan under and in accordance with the Growth Management Act; and

WHEREAS, RCW 36.70A.130 requires that comprehensive plans be subject to continuing review and evaluation by each county at a frequency no more than once every year, however, this requirement is waived in order to comply with a court order as explained later in this ordinance; and

WHEREAS, RCW 36.70A.040 requires adoption of development regulations consistent with comprehensive plans; and

WHEREAS, in the year 2022, the Lewis County Planning Commission did hold duly noticed public hearings and provided a transmittal a letter of recommendation to approve the proposed amendments to the Lewis County zoning map designations and associated Comprehensive Plan map designations as shown in Exhibit A, Transmittal Letter; and

WHEREAS, the Lewis County Board of County Commissioners (BOCC) held a duly-noticed public hearing on the proposed zoning map designations and associated Comprehensive Plan map designations on November 1, 2022, recessed the hearing and continued to November 8, 2022; and

WHEREAS, on November 8, 2022 the BOCC did pass Ordinance 1337 to approve five of the proposed amendments and to deny two proposed amendments including the amendment to apply a Master Planned Resort overlay to properties north of Mineral Lake as shown in Exhibit B, Ordinance 1337; and

WHEREAS, on December 12, 2022 the YMCA of Greater Seattle did appeal Ordinance 1337 to the Thurston County Superior Court, Case No. 22-2-03384-34, and agreed to allow Lewis County to reconsider the decision before proceeding with the appeal; and

WHEREAS, on February 14, 2023 the BOCC did hold a duly noticed public hearing on Ordinance 1343 to reconsider the decision to deny the application of a Master Planned Resort overlay to

properties north of Mineral Lake and continued the hearing to February 27, 2023 when the BOCC did pass Ordinance 1343 reaffirming the denial, as shown in Exhibit C, Ordinance 1343; and

WHEREAS, following the BOCC decision on Ordinance 1343 the YMCA of Greater Seattle did proceed with the appeal; and

WHEREAS, on December 22, 2023 the Thurston County Court of Appeal did find that Lewis County erred in the denial of the request to apply a Master Planned Resort to properties north of Mineral Lake and ordered Lewis County to approve the amendments to the Lewis County Comprehensive Plan and associated zoning map within 30 days of filing the final order, as shown in Exhibit D, Thurston County Superior Court Final Order on Case No. 22-2-03384-34.

NOW THEREFORE BE IT RESOLVED that the Lewis County Board of County Commissioners (BOCC) hereby rescinds Ordinance 1343, which upheld the decision of 1337 to deny amendments to the Lewis County zoning map designations and associated Comprehensive Plan map designations to apply a Master Planned Resort overlay zone to parcels north of Mineral Lake; and

NOW THEREFORE BE IT FURTHER RESOLVED that the BOCC nullifies the decision of Ordinance 1337 specific to the following parcels: 038931011001, 038931011002, 038931011003, 038931011004, 038931011005, 038931011035, 038931011006, 038931011036, 038931011007, 038931011037, 038931011008, 038931011038, 038931011009, 038931011039, 038931011010, 038931011011, 038931011012, 038931011013, 038931011040, 038931011041, 038931011042, 038931011043, 038931011015, 038931011016, 038931011017, 038931011018, 038931011019, 038931011020, 038931011021, 038931011022, 038931011023 and 038931011024 in Lewis County, WA – Sections 03 & 04, Township 14N, Range 05E & Sections 33 & 34 of Township 15N, Range 05E, WM; and

NOW THEREFORE BE IT FURTHER RESOLVED that the BOCC hereby approves amendments to the Lewis County zoning map designations and associated Comprehensive Plan map designations to apply the Master Planned Resort overlay zone to parcels listed in Exhibit D, Thurston County Superior Court Final Order, and applies conditions of the approval as stated in Appendix A of the final court order, Exhibit D.

PASSED IN REGULAR SESSION THIS 16th DAY OF January, 2024, following a public hearing publicized in the paper of record on January 2, 2024.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

By: Civil Deputy Prosecuting Attorney

Scott J. Brummer, Chair

ATTEST:

Lyndsey R. Pollock, DVM, Vice Chair

Rieva Lester, Clerk of the Board

Sean D. Swope, Commissioner

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