

LEWIS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

STAFF REPORT

To: Lewis County Planning Commission
From: Jerry Basler
Date: May 5, 2012
Subject: Lewis County Map Amendment(s)

ISSUE:

Amend the Lewis County Comprehensive Plan Land Use Map, Zoning Map & Text to correct inconsistencies per the final decision and order of the Washington Growth Management Hearings Board, Western Region.

BACKGROUND:

In its Final Decision and Order (“FDO”) in *Nilson, et.al. v Lewis County* (Case No. 11-2-0003) the Washington Growth Management Hearings Board, Western Region (“Growth Board”), found that Lewis County’s interpretation of the “5,000 contiguous acres” clause in LCC 17.30.430(2) was consistent with and implemented the Comprehensive Plan, but that the application of that interpretation to Forecastle’s “opt-in” request resulted in “mapping inconsistencies” in the Land Use and Zoning Map to the extent that the Forecastle property was designated Forest Resource Land of Local Importance (FRLLI) but “similarly-situated lands” retained their designation as Forest Resource Land of Long Term Commercial Significance (FRLLTCS) under LCC 17.30.430. The Growth Board ordered the County to resolve these inconsistencies.

DISCUSSION:

In the compliance process, the County Staff has learned:

- (1) That the 1996 ordinance creating the FRLLTCS and FRLLI classifications permitted the County to classify and designate only FRLLTCS, but permitted the County to designate land as FRLLI if the landowner affirmatively applied to “opt in” to the FRLLI classification and otherwise met the criteria; and
- (2) That the County received a number of applications in 1996 and 1997 to opt-in to FRLLI and some of those applications were granted, but the 2000 Land Use and Zoning Map failed to reflect those distinctions.
- (3) The Staff proposes (1) to correct the County Zoning Map and reflect the 1996-97 designations as FRLLI of parcels erroneously identified on the

Zoning Map as FRLLTCS, and add FRLLI previously omitted, and (2) to correct the Land Use map to reflect FRL without distinguishing between FRLLTCS and FRLLI. An amendment to the zoning text Chapter 17.30 Resource Lands is also proposed. The amendment reads “Contiguous” for purposes of this Chapter means land adjoining or touching by common corner or otherwise. Land divided by improved public rights-of-way or railroad rights-of-way or bodies of water subject to the Shoreline Management Act shall not be considered to be contiguous.

RECOMMENDATION:

Staff proposes (1) to correct the Official County Zoning Map and reflect the 1996-97 designations as FRLLI of parcels erroneously identified on the Zoning Map as FRLLTCS, and add FRLLI previously omitted, and (2) to correct the Comprehensive Plan Land Use map to reflect FRL without distinguishing between FRLLTCS and FRLLI. In addition, amend LCC Chapter 17.30 adding a new definition of “Contiguous”. The Planning Commission shall either recommend to the Board of County Commissioners:

- Approval
- Approval with conditions
- Disapproval