

**Continuation of hearing for Ordinance 1343**

**March 1, 2023**

**10:03 a.m.**

Present: Commissioner Swope, Commissioner Brummer, Commissioner Pollock, County Manager Erik Martin, Barbara Russell, Lee Napier, Mindy Brooks, Steve Wohld, Amber Smith, Jonathan Meyer, David Bailey, Becky Butler

Guest(s): Gwen Ichinose Bagley of the YMCA, Ron Nilson, Brandon Svenson, various members of the public and press

Recorder: Rieva Lester

No public comment allowed.

Commissioner Pollock said the commissioners are faced with a quasi-judicial decision that requires them to act as judges, not politicians. She said the only legal options the commissioners have is to add restrictions. Commissioner Pollock listed restrictions she would recommend should the rezone be approved:

1. Inclusion of the SEPA MDNS mitigation measures including restrictions on uses and clauses to revert the zoning if the project does not proceed;
2. Prior to submitting application for Binding Site Plan, the owner of the property must consolidate the lots into 80-acre or larger parcels through a record of survey; and
3. The face of the record of survey must include the following restriction: "Included lots shall be subject to no exemptions from real estate taxation other than those authorized under Chapter 84.33 RCW"; and
4. Any water system serving development within the Master Planned Resort overlay must comply with the arsenic MCL limits of WAC 246-290-310 or any subsequent replacing regulation in existence at the time, regardless of water system classification; and
5. The total capacity of users, including staff and patrons, shall not exceed 14,000 people per year; and
6. At least 80 percent of the area within the Master Planned Resort overlay (approximately 400 of 500 acres) must be preserved in open space use with an approved Integrated Forest Management Plan (Washington Department of Natural Resources); and
7. Non-water dependent uses, including lodges, rental cabins, caretaker accommodations, other visitor-oriented accommodations, entertainment facilities, and recreational sport facilities must be setback at least 400 feet from Mineral Lake. Water dependent uses including docks and trails providing access to the water are not subject setbacks beyond what is required under Lewis County Code Chapter 17, Land Use and Development Regulations (Shoreline Management/Critical Areas); and
8. The site may not include more than one lodge, and the lodge may not offer individual units for rent as transient accommodations; and

9. Rental cabins shall not include kitchen facilities.

**Commissioner Pollock made a motion to approve the proposal to rezone 500 acres of Forest Resource Land by applying a Master Planned Resort overlay zone, as described in Ordinance 1343, with the above-mentioned restrictions. Motion died for a lack of a second.**

Commissioner Brummer said he feels the proposed rezone would have significant impacts on the environment and community and that no restrictions will offset the impacts. He said he feels the land is better suited for Forest Resource Land than Master Planned Resort.

**Commissioner Brummer made a motion to deny the proposal to rezone 500 acres of Forest Resource Land by applying a Master Planned Resort overlay zone, as described in Ordinance 1343. Commissioner Swope seconded.**

Commissioner Swope expressed concerns regarding law enforcement coverage for the proposed area. He said the Sheriff's Office is not adequately staffed to serve the East County area and that the county must ensure the area has adequate coverage before it considers adding a large-scale development, such as a master planned resort. He noted that while there is no standard for the number of officers per 1,000 people, Washington is ranked among that nation's bottom five states with the fewest officers per capita.

Commissioner Swope said the Lewis County Sheriff's Office has a combined total of 24 sergeants and deputies. During any given shift, he said, only one of those individuals is patrolling the East County while the rest patrol the western part of the county. Commissioner Swope said most of the county's population lives on the west side of the county, but that the eastern side is geographically large and that having only one individual to cover the area can affect response time. He said the proposed master planned resort would have an anticipated impact of adding 500-plus people in East County.

**Motion passed 2-1, with Commissioner Swope and Commissioner Brummer voting in favor and Commissioner Pollock opposed.**

**Commissioner Brummer made a motion to recess the hearing on Ordinance 1343 until 11 a.m. Friday, March 3, 2023. Commissioner Pollock seconded. Motion passed 3-0.**

Meeting ended at 10:14 a.m.