

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

IN THE MATTER OF:

RESOLUTION NO. 23-080

NOTICE OF PUBLIC HEARING TO CONSIDER
ORDINANCE 1345 TO AMEND CHAPTER 17.12,
PUBLIC PARTICIPATION PROGRAM

WHEREAS, on December 20, 2022, the Lewis County Board of County Commissioners approved Ordinance 1340 to amend Lewis County Code Chapter 17.12; and

WHEREAS, Ordinance 1340 included reference to subsection 17.12.150, Administration and interpretation; however, that subsection was inadvertently left out of Exhibit A: Amendments to Lewis County Code 17.12; and

WHEREAS, subsection 17.12.150, Administration and interpretation, is consistent with Lewis County Code subsection 17.05.170, Administration and interpretation, and is consistent with RCW 36.70A.140; and

WHEREAS, publication of notice and a hearing before the Lewis County Board of County Commissioners is required in order to receive public testimony and take formal action on amendments Lewis County Code 17.12.

NOW THEREFORE BE IT RESOLVED that a hearing before the BOCC is hereby scheduled for at or after 10 a.m. March 28, 2023, to receive testimony on amendments on Ordinance 1345, amending Chapter 17.12 of the Lewis County Code to include subsection 17.12.150, Administration and interpretation, as shown in Exhibit A of the Ordinance; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Clerk of the BOCC is hereby instructed to proceed with all appropriate and necessary notifications, posting and publication for the changes as required by law.

DONE IN OPEN SESSION this 7th day of March, 2023.

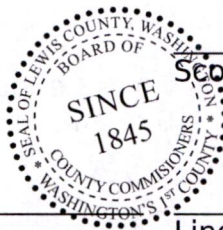
APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Barbara Russell
By: Barbara Russell,
Deputy Prosecuting Attorney

Absent
Sean D. Swope, Chair

ATTEST:



Scott J. Brummer
Scott J. Brummer, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of
County Commissioners

Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Commissioner

NOTICE OF PUBLIC HEARING BEFORE THE LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS AND INTENT TO ADOPT

NOTICE IS HEREBY GIVEN that the LEWIS COUNTY, Washington BOARD OF COUNTY COMMISSIONERS will hold a public hearing on March 28, 2023 to receive public testimony on proposed amendment to Lewis County Code Chapter 17.12, Amendments to Comprehensive Plans and Development Regulations.

The hearing will take place at or after 10 a.m. in the Commissioners' Hearing Room on the second floor of the Historic Courthouse in Chehalis, Washington. Interested parties are encouraged to check the Commissioners' Business Meeting agenda for the Zoom log-in details. The agenda will be posted at least 24 hours in advance of the meeting on the [Lewis County Agendas & Calendar webpage](#).

The public hearing will consider amendments to the Lewis County Code Chapter 17.12 to clarify the process for Type V non-project actions. The amendment is necessary because when Chapter 17.12 was amended in December 2022 (Ordinance 1340) subsection 17.12.150, Administration and Interpretation, was inadvertently left out. This amendment fixes that error.

Details about the proposal will be available online at the agenda link provided above. Please select the agenda for March 1, 2023 (Notice) or March 28, 2023 (Hearing) to see the draft ordinance. The draft is subject to change before or at the hearing. If you wish to receive a paper copy of the proposal, contact Megan Sathre at megan.sathre@lewiscountywa.gov or (360)740-2677 and a copy will be mailed to you.

During the hearing, individuals will be invited to speak and/or provide written statements regarding the proposed changes. All individuals wishing to speak are encouraged to attend. Written comments may be submitted in advance by 4:00pm on March 27, 2023 by emailing Mindy Brooks, Senior Long Range Planner, at mindy.brooks@lewiscountywa.gov or postal mail to Community Development, c/o Mindy Brooks, 2025 NE Kresky Ave., Chehalis, WA 98532.

To sign up for Community Development email announcements, please visit:
<http://lewiscountywa.gov/communitydevelopment/receive-email-announcements>

The meeting site is barrier free.

People needing special accommodations should contact the phone number shown above 72 hours in advance of the meeting.

PUBLISH: March 9, 2023 in The Chronicle
/Rieva Lester

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

ADOPT ORDINANCE 1345 TO AMEND CHAPTER 17.12, PUBLIC)	
PARCITPATION, OF THE LEWIS COUNTY CODE.)	
)	
)	ORDINANCE 1345

WHEREAS, on December 20, 2022 the Lewis County Board of County Commissioners did approve Ordinance 1340 to amend Lewis County Code Chapter 17.12; and

WHEREAS, Ordinance 1340 did include reference to subsection 17.12.150, Administration and interpretation, however that subsection was inadvertently left out of Exhibit A: Amendments to Lewis County Code 17.12; and

WHEREAS, RCW 36.170A.130(2)(a) requires that amendments to comprehensive land use plans not be made more than once per year except adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.440, including amendments to development regulations that are consistent with a comprehensive plan adopted under RCW 36.70A; and

WHEREAS, subsection 17.12.150, Administration and interpretation, is consistent with Lewis County Code subsection 17.05.170, Administration and interpretation, and is consistent with RCW 36.70A.140; and

WHEREAS, on March 7, 2023, the Lewis County BOCC passed Resolution 23-XXX to hold a public hearing on Ordinance 1345 and directed the Clerk of the Board to provide notice of the hearing; and

WHEREAS, the Lewis County BOCC held duly noticed public hearing on the proposed amendments to LCC Chapter 17.12 (Exhibit A) on March 28, 2023; and

WHEREAS, the Lewis County BOCC finds that the proposed amendments to LCC Chapter 17.12 (Exhibit A) best serves the residents of Lewis County.

NOW THEREFORE BE IT RESOLVED that the Lewis County BOCC hereby adopts the amendments to Lewis County Code Chapter 17.12, as shown in Exhibit A.

PASSED IN REGULAR SESSION THIS 28th DAY OF MARCH, 2023.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

By: Civil Deputy Prosecuting Attorney

Sean D. Swope, Chair

ATTEST:

Scott J. Brummer, Vice Chair

Rieva Lester, Clerk of the Board

Lindsey R. Pollock, DVM

Ordinance 1345

Exhibit A: Amendments to Lewis County Code Chapter 17.12

Commentary

During adoption of Ordinance 1340, which included amendments to LCC Chapter 17.12, subsection 17.12.150 was inadvertently left out. It was listed under the section table of contents but was not included in the code changes. This amendment adds 17.12.150 to the code.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Chapter 17.12

AMENDMENTS TO COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

Sections:

- 17.12.010 Purpose.
- 17.12.020 Applicability.
- 17.12.030 Review for quasi-judicial actions.
- 17.12.040 Filing requirements and docketing.
- 17.12.050 Department review, determination of completeness and staff report.
- 17.12.060 Notice of application.
- 17.12.070 Public hearing notice.
- 17.12.080 Review and recommendation by the commission.
- 17.12.090 Review by state agencies.
- 17.12.100 Review and decision by the board.
- 17.12.110 Approval Criteria
- 17.12.120 Time frames for decisions.
- 17.12.130 Notice of decisions.
- 17.12.140 Appeals.
- 17.12.150 Administration and interpretation.
- 17.12.160 Refund of fees.
- 17.12.170 Errors not grounds for invalidation.

Commentary

17.12.010 - 17.12.110

There are no changes to any of the subsections, except for the addition of subsection 17.12.150.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

17.12.010 Purpose.

[No Change]

17.12.020 Applicability.

[No Change]

17.12.030 Review for quasi-judicial actions.

[No Change]

17.12.040 Filing requirements and docketing.

[No Change]

17.12.050 Department review, determination of completeness and staff report.

[No Change]

17.12.060 Notice of application.

[No Change]

17.12.070 Public hearing notice.

[No Change]

17.12.080 Review and recommendation by the commission.

[No Change]

17.12.090 Review by state agencies.

[No Change]

17.12.100 Review and decision by the board.

[No Change]

17.12.110 Approval criteria.

[No Change]

Commentary

17.12.150

Lewis County Code Chapter 17.05.170, Administration and interpretation, has been copied to subsection 17.12.150. The decision was made in Ordinance 1340 to make Chapter 17.12 standalone from Chapter 17.05. The reason was to allow applicants, staff and the public to refer only to Chapter 17.12 for Type 5 non-project actions. Exhibit A of Ordinance 1340 included copies subsection from 17.05; however, Administration and interpretation was inadvertently left out. This amendment corrects that mistake.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

17.12.120 Time frames for decisions.

[No Change]

17.12.130 Notice of decisions.

[No Change]

17.12.140 Appeals.

[No Change]

17.12.150 Administration and Interpretation.

- (1) Authority. Except as otherwise stated, the director is responsible for administering and interpreting the provisions of this title and those titles listed in LCC 17.05.030, as well as Lewis County county-wide planning policies, and Lewis County comprehensive plan. However, approval authority rests with various entities based on permit type, as identified in Table 17.05-1.
- (2) Third Party Review. At any point during review of an application, the department may require, or the applicant may request, third party review in cases where additional professional or technical expertise is required due to scale or complexity and/or in cases where independent review is deemed necessary. All third party review shall occur at the applicant's expense.
- (3) Interpretation.
 - (a) Director's Administrative Interpretation. The director may initiate a code interpretation whenever necessary and the interpretation will be made available pursuant to this chapter.
 - (b) Director's Informal Interpretation. The director may respond to informal inquiries from the public regarding code provisions in terms of applicability and interpretation prior to and outside of the context of a specific project permit application. These requests are neither subject to appeal nor binding on the department.
 - (c) Director's Formal Interpretation. Any person(s) may submit a formal request for a code interpretation from the director and the interpretation will be made available by the department pursuant to this chapter. Formal director interpretations are Type I applications and may be appealed. A fee based on LCC Title 18 shall be assessed.
 - (d) Permanent Record. All code interpretations and hearing examiner decisions on such interpretations shall be retained by the department. Further, they may be prioritized and considered in the next applicable code update. Code interpretations shall be made available to the public and available for inspection.

Commentary

17.12.160 - 17.12.170

There are no changes to any of the subsections, except for the addition of subsection 17.12.150.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

17.12.1560 Refund of fees.

[No Change]

17.12.170 Errors not grounds for invalidation.

[No Change]

BOCC AGENDA ITEM SUMMARY

Resolution:**BOCC Meeting Date:** March 7, 2023**Suggested Wording for Agenda Item:****Agenda Type:** Legal Notice

Notice of public hearing to consider Ordinance 1345 to amend Chapter 17.12, Public Participation Program.

Contact: Mindy Brooks**Phone:** 3607402610**Department:** CD - Community Development**Description:**

Notice of public hearing to consider Ordinance 1345 to amend Chapter 17.12, Public Participation Program.

Approvals:

User	Status
PA's Office	Pending

Publication Requirements:**Publications:****Additional Copies:****Cover Letter To:**