



Board of County Commissioners

Lewis County Courthouse ♦ 351 NW North Street ♦ Chehalis, WA 98532-1900

o 360.740.1120

TDD 360.740.1480

bocc@lewiscountywa.gov

To: Lewis County Cities & Property Owners
From: Lewis County Board of County Commissioners
Date: December 16, 2024
Re: Co-Management of the Unincorporated Urban Growth Areas (UGAs)

The Lewis County Board of County Commissioners (BOCC) recognizes the need to update the process of co-managing the unincorporated Urban Growth Areas (UGAs) with cities in Lewis County. This issue has been building for many years but has become critical with the recent changes to the Revised Code of Washington (RCW) by SB5290, which sets strict permitting deadlines for decisions. The new deadlines go into effect on January 1, 2025.

Currently, Lewis County has interlocal agreements (ILAs) with the cities of Centralia and Chehalis. Through these ILAs, the county adopts by reference each city's zoning and development regulations in the unincorporated UGAs. The cities process most of the development permits; however, the county must, by state law, approve impacts on public rights-of-way, land divisions and regulations related to floodplains. Therefore, permits take a complicated path of review by both jurisdictions, often causing delays and frustration for all involved. The current process for more complicated permits, such as subdivisions, takes longer than the deadlines for decisions mandated by the new law.

Therefore, pursuant to RCW 36.70A.390, Lewis County is considering issuing a moratorium on residential land divisions in the unincorporated UGAs associated with cities effective February 1, 2025. The jurisdictions would stop accepting new permit applications for residential land divisions in the unincorporated UGAs associated within the cities during this temporary moratorium. While this represents a significant change, it would not be permanent – it would remain in effect to allow the county and cities negotiate new ILAs, with the new ILAs anticipated to be in place by October 1, 2025.

Ryan Barrett
County Manager

Sean Swope
First District

Lindsey R. Pollock, DVM
Second District

Scott Brummer
Third District

Rieva Lester
Clerk of the Board

Negotiations for the new ILAs would be conducted as an open process that takes place before the Planned Growth Committee (PGC), which meets at 1 p.m. the third Wednesday of each month at the Department of Community Development, 125 NW Chehalis Avenue, Chehalis (a Teams option also is available). City representatives, property owners and the community at large are welcome to attend the PGC meetings. To be added to the meeting notification list, please send an email to megan.sathre@lewiscountywa.gov.

>> BACKGROUND

Every city in Washington is required to have a UGA. The UGA is the area within which the city is expected to annex and provide services (e.g., sewer) over the next 20 years. Until annexation, the unincorporated UGAs remain within the County's jurisdiction. Counties coordinate with cities to ensure there is sufficient land in the UGAs to accommodate the next 20 years of population growth.

Since the late 1900s, Lewis County has agreed to allow the unincorporated UGAs to develop based on the respective cities' zoning and development regulations. However, there are certain things that the county cannot turn over to the cities, such as public rights-of-way, which remain the authority of the BOCC. Practically, the current approach means urban density of development outside of the city limits, without likelihood of annexation. This approach results in city services in the unincorporated UGA and the county needing to maintain urban transportation infrastructure.

To facilitate the current approach, the county and certain cities have ILAs to define how permits are processed. The applicant starts with the city and then has to obtain separate approvals from the county for some things, such as road approaches, and then the city can continue its process to approve the city permits. It is not just roads – applicants must also obtain permits from the county for properties that have a floodplain. Again, a back and forth between the jurisdictions occurs.

Prior to SB5290, which passed the state Legislature in 2023, the county was able to allow that back-and-forth process on joint permitting. That back-and-forth approach often causes delays and missed deadlines. However, there were no penalties for not meeting the specified deadlines.

SB5290 institutes a penalty for not meeting permit application deadlines. A partial fee refund must be issued to the applicant. Because of this, to realistically meet the deadlines in most cases, the permit application processing must be done entirely by one jurisdiction. And because the county is prevented by law from abdicating certain approvals, the county must take back all permitting in the unincorporated UGAs.

In addition, it is not possible for Lewis County Public Works to continue to maintain urban transportation infrastructure. To continue to allow urban density of development, Public Works would need additional staff, resources and equipment, all at a cost to taxpayers.

Therefore, it is not appropriate to continue to allow urban density of development to continue in the unincorporated UGAs.

On December 9, 2025, during an open public meeting, the BOCC directed the Department of Community Development to apply county zoning and development regulations to the unincorporated UGAs, including applying rural residential densities, which allow one (1) dwelling unit per 5 (five) acres. The BOCC also directed the department to consider areas for which the cities anticipate annexation within the next two years to allow some portion of the subdivision process to begin prior to annexation.

>> 2025 PROCESS AND SCHEDULE

The Department of Community Development organizes the Planned Growth Committee (PGC), which is made up of one elected official from each city, or their designee, and the Chair of the BOCC. The PGC meets monthly to coordinate on long-term planning issues. The PGC meetings are open to the public. Below is the proposed schedule to negotiate new ILAs with the cities through the PGC.

- **Jan. 15:** Review BOCC direction, outline issues to be addressed
- **Feb. 19:** Discuss approaches
- **March 19:** Review decisions to date
- **April 16:** Discuss process for previously-approved land divisions that require final plat
- **May 21:** Discuss process for new residential land divisions and annexation
- **June 18:** Review decisions to date
- **July 16:** Review and discuss draft ILA
- **Aug. 20:** Vote to recommend final ILA

Under the proposed timeline, the BOCC and the cities would approve the ILAs in September 2025, with the ILAs scheduled to go into effect on October 1, 2025. The BOCC also would hold a September hearing regarding the County's Comprehensive Plan Periodic Update, which would include the zoning and development regulations applicable in the unincorporated UGAs.

Thank you for your attention to this important matter.

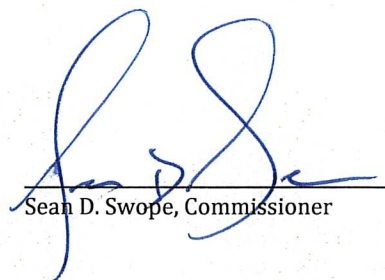
Respectfully,



Scott J. Brummer, BOCC Chair



Lindsey R. Pollock, DVM, Vice Chair



Sean D. Swope, Commissioner