



Community Development

125 NW Chehalis Avenue
Chehalis WA 98532

The Lewis County Code proposed amendments are presented with development regulations on the odd pages, edits shown in underline for text to be added and ~~strike through~~ for text to be removed, and commentary on even pages. Complete new chapters are not underlined for ease of reading. Commentary is an explanation of the code amendments and serves as legislative intent. Commentary is not required for every proposed code amendment.

Public comments may be provided on both the development regulations and the commentary; however, the development regulations are what will be adopted and will apply to new development in Lewis County.

Public comments may be provided when the record is open. The record is open when a public hearing on the development regulations are noticed in the newspaper. To receive the notices directly, please subscribe to the [Lewis County Planning Announcements](#).

Question should be directed to Mindy Brooks at mindy.brooks@lewiscountywa.gov or 360-740-2610.

Project webpage: lewiscountywa.gov/departments/community-development/comprehensive-plan-and-development-regulation-amendments/comprehensive-plan-periodic-update/

Commentary

LEWIS COUNTY CODE 17.110 STATE ENVIRONMENTAL POLICY ACT

Most of the changes in this section are to correct reference to RCWs and WACs. There are substantive change to the categorical exemptions.

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Article I. Title

[No Change]

Article II. Authority

[No Change]

Article III. General Requirements

17.110.030 Basic requirements.

[No change]

17.110.050 Designation of responsible official.

- (1) For those proposals for which the county is the lead agency, the responsible official shall be the environmental review officer.
- (2) For all proposals for which the county is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement (EIS), and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in WAC 173-8062-020.
- (3) The county shall retain all documents required by the SEPA rules (Chapter 197-11 WAC) and make them available in accordance with Chapter 42.17 RCW.

17.110.060 Lead agency determination and responsibilities.

- (1) The department within the county receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for the proposal under WAC 197-11-050 and 197-11-922 through 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.
- (2) When the county is the lead agency for the proposal, the department receiving the application shall forward the application package and environmental checklist for the proposal to the environmental review officer who shall supervise compliance with threshold determination requirements and, if an EIS is necessary, shall supervise the preparation of the EIS.

Commentary

The Washington Administrative Code (WAC) allows different thresholds for single family and multifamily residential development and those are now added to the Lewis County Code. The WAC also allows personal storage buildings, that are not provided for rent or other commercial purposes, to be exempt.

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- (3) When the county is not the lead agency for a proposal, all departments of the county shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No county department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the county may conduct supplemental environmental review under WAC 197-11-6020.
- (4) If the county or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within 15 days of receipt of the determination, or the county must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the 15-day time period. Any such petition on behalf of the county may be initiated by any county department.
- (5) Departments of the county are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944; provided, that the responsible official and any department that will incur responsibilities as the result of such agreement approve the agreement.
- (6) Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal.

17.110.070 Additional timing considerations.

[No Change]

Article IV. Categorical Exemptions and Threshold Determinations

17.110.080 Determinations.

[No change]

17.110.090 Flexible thresholds for categorical exemptions.

- (1) Lewis County establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:
 - (a) For single family residential dwelling units in WAC 197-11-800(1)(b)(i): Up to ~~five~~ four (4) dwelling units;

Commentary

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~~(b)~~ For multifamily residential units in WAC 197-11-800(1)(b)(ii): Up to 16 units;

~~(b)~~ For agricultural structures in WAC 197-11-800(1)(b)(iii): Up to 30,000 square feet;

~~(d)~~ For office, school, commercial, recreational, service, or commercial storage buildings in WAC 197-11-800(1)(b)(~~iv~~ii): Up to 4,000 square feet and up to 20 parking spaces;

~~(i)~~ For personal storage buildings in WAC 197-11-800(1)(b)(iv): Up to 12,000 square feet

~~(e)~~ For parking lots in WAC 197-11-800(1)(b)(iv): Up to 20 parking spaces;

~~(e)~~ For ~~landfills~~ and excavations in WAC 197-11-800(1)(b)(v): Up to 500 cubic yards.

(2) Whenever the county establishes new exempt levels under this section, it shall send them to the:

Department of Ecology

Headquarters Office

Olympia, Washington 98504

under WAC 197-11-800(1)(c).

17.110.100 Use of exemptions.

[No change]

17.110.110 Environmental checklist.

[No change]

17.110.120 Mitigated DNS.

[No change]

17.110.130 Appeals of threshold determinations.

[No change]

Article V. Environmental Impact Statement (EIS)

[No change]

Commentary

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Article VI. Commenting

[No change]

Article VII. Using Existing Environmental Documents

[No change]

Article VIII. SEPA and Agency Decisions

[No change]

Article IX. Definitions

[No change]

Article X. Categorical Exemptions

[No change]

Article XI. Agency Compliance

[No change]

Article XII. Forms

[No change]

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