

Planning Commission Workshop



Community Development • 125 NW Chehalis Avenue, Chehalis, WA 98532 • Phone: (360) 740-1146

STAFF REPORT

Date: October 8, 2025
Staff: Natalie Kamieniecki, Senior Long-Range Planner
Attachments: Attachment A- Lewis County Code Amendments 17.38 and 17.10

BACKGROUND

On September 23, 2025, the Board of County Commissioner's voted to adopt the Lewis County Comprehensive Plan, zoning designations and related development regulations. Chapter 17.38, Critical Areas, is being updated to address changes in state law and best available science since. The next and final step in the Periodic Update process is to review and hold a public hearing on proposed amendments to the Lewis County Code Critical Area Ordinance, Chapter 17.38. Background information and related studies can be accessed here:

<https://lewiscountywa.gov/departments/community-development/comprehensive-plan-and-development-regulation-amendments/comprehensive-plan-periodic-update/critical-areas-ordinance/>.

The Critical Area regulations will be presented to the Planning Commission at a workshop and public hearing as follows:

- October 14 – Critical Areas Development Regulations workshop
- October 28 – Public Hearing

Please note, the code amendments are available on the webpage and a hard copy are available upon request.

SUMMARY

Prior to each Planning Commission meeting, a staff report with attachments that will be sent to the commissioners and posted online. The attached code amendments contain significantly more information than can be reasonably summarized in the staff report. Staff request that commissioners read all the materials before the workshops and submit questions to staff, which will help staff hone the presentations. Below is a summary of the proposed code amendments contained in Attachment A.

1. General: Throughout the code, various sections have been updated for clarity, accuracy, and consistency with current Ecology manuals. These revisions are noted in the accompanying commentary. Key updates include a revised statement of authority and the addition of a purpose statement clarifying that the chapter is established pursuant to the Growth Management Act (GMA) and RCW 36.70A.172. Language has also been updated to better explain how mapping resources and available maps are used to determine whether further investigation is needed to identify the presence, location, extent, and characteristics of critical areas. Additionally, "no net loss" principles,

consistent with best available science, have been incorporated throughout the code where appropriate and are referenced in the commentary.

2. Fish and Wildlife Habitat Conservation Areas Reorganization: The re-organization of the Fish and Wildlife Habitat Conservation Areas sections have been reorganized largely consisting of moving the language within LCC 17.38.465-480 to LCC 17.38.420 and .430. This included a new table, Table 17.38-7, which holds stream buffer information formerly in Table 17.38-6.
3. Permit Exemptions Reorganization: This section has been moved from Article II to its own section 17.38.060. Permit exemptions 'Activities that do not require a Lewis County permit' is not a new requirement. Additional considerations of note include vegetation management, minor and short term utility projects, emergency actions including emergency removal of hazard trees.
4. Critical Areas Report: A critical areas assessment report is required to address geologically hazardous areas pursuant to LLC 17.38.610 and critical aquifer recharge areas pursuant to LCC 17.38.810. This is not a new requirement and is intended only to improve the clarity and readability of the code
5. Mitigation sequencing: Applies to critical areas and their buffers. Added flexibility in the mitigation timeline monitoring for small projects, by case-by-case consideration of monitoring requirements. Criteria for buffer width reduction and averaging have been updated to address best available science and no net loss requirements.
6. Wetlands: Updated to reference the current wetland classification system as set forth in the most recent Ecology publication referenced in LCC 17.38.230(1). Added home based business to use table 17.38-2, buffer measurement and setback from top of bluff exceeding 35%, clarity that legally established buffers are vested, provided they are equal to or greater than 50 percent of the standard buffer width, new criteria for buffer averaging to ensure no net loss of buffer functions and values, consistent with best available science, allows for the director to approved innovative mitigation projects consistent with best available science. Geotechnical review must include analysis of severe erosion that could lead to sedimentation transfer into wetland areas, aquatic priority habitats, or waters of the state.
7. Fish and Wildlife Habitat: WDFW consultation may be pursued through the third-party review provisions of 17.38.110 (2) for projects involving Threatened, Endangered, and Sensitive species, updated stream type as defined by WAC 222-16-030, as amended, added provisions for buffer corridor connectivity for streams and/or wetlands with a moderate to high habitat score.
8. Aquifer recharge: Updated "wellhead protection area" definition in 17.10.230 to read "Wellhead protection area" means the area (surface and subsurface) managed to protect ground-water-based public water supplies. Protective areas associated with public drinking water sources established by water systems and approved or assigned by the state Department of Health." Disallowance of

certain injection wells within Category I aquifer due to the probability or potential magnitude of their adverse effects on groundwater, such as Industrial process water and disposal wells and Radioactive waste disposal.

9. Land Divisions: Provisions added to land divisions that specify land that is wholly located within a wetland and/or wetland buffer may not be subdivided. If partially within a wetland and/or wetland buffer, demonstrate sufficient developable area to accommodate the allowed use(s) in that zone, including required facilities and site amenities outside of the critical area and its buffer.

NEXT STEPS

A public hearing before the Planning Commission on the Critical Area Ordinance draft development regulations will take place on October 28 at 6:00pm. Written testimony may be submitted starting on October 14 and ending on October 27 at 4:00pm. Oral testimony may be provided at the hearing.

The public is encouraged to attend all Planning Commission meetings in person at 125 NW Chehalis Avenue, Chehalis or via Zoom. Please check the Lewis County Event Calendar to confirm location and dates <https://lewiscountywa.gov/departments/community-development/events/>. The Zoom link is on the agenda for each meeting. The October 14, 2025 Planning commission meeting is a workshop; therefore, no testimony will be taken. Public Testimony will be taken at the public hearing scheduled for October 28, 2025.

All materials are posted the Lewis County Comprehensive Plan Periodic Update webpage <https://lewiscountywa.gov/departments/community-development/rezones/comprehensive-plan-and-development-regulation-amendments/comprehensive-plan-periodic-update/>. The development regulations can be found under Task 7. Hard copies are available upon request.