



Comprehensive Plan Periodic Update Proposed Development Regulations – Critical Areas Ordinance

**Lewis County Planning Commission – Workshop
October 28, 2025**

Periodic Update

- ~~Comprehensive Plan~~
- ~~Zoning Designations~~
- ~~Development Regulations~~
- Critical Areas Ordinance
 - Planning Commission Workshop October 28
 - Planning Commission Public Hearing November 10

Tentative BOCC hearings in December:

- Workshop December 3
- Public Hearing December 9



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Why update the CAO?

- Required as part of Periodic Update
- Must incorporate Best Available Science
- The CAO is Chapter 17.38 of the Lewis County Code



Take Home Messages

- Very little changes – CAO is in good shape
- Reorganization for clarity
- Changes are:
 - Best Available Science
 - Clarity
 - Request of Public Works or Environmental Health



Staff Report

- Cover memo – summary of topics for clarification identified in the October 14 workshop.
- Attachments – development regulations
 - Commentary on the left
 - Code on the right
 - Underlined if new; strike through if removed
- Links to related documents:
<https://lewiscountywa.gov/departments/community-development/comprehensive-plan-and-development-regulation-amendments/comprehensive-plan-periodic-update/critical-areas-ordinance/>



Agenda - Follow up Topics

- Aquatic habitat
- Hazard tree removal
- Wetland buffer demarcation
- 35% slope wetland buffer



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Aquatic Habitat Conservation Areas

- 17.38.465 (4) Staff Recommendation: "Aquatic habitat does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ~~ditches~~ features that lie within the boundaries of and are maintained by a port district or an irrigation district or company. A pre-existing Type F stream cannot be automatically declassified as aquatic habitat as a result of a Port District or Irrigation District purchasing property with preexisting drainage features or altered stream conditions."

Hazard Tree Removal

- Documentation from a qualified professional illustrating that the tree to be removed meets the County's definition of a "hazard tree" (LCC 17.10.080)
- The hazard tree must remain within the critical area or buffer



Hazard Tree Removal

Emergency actions

- Prevent an **immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property** and that require remedial action
- Shall notify the County within 14 working days following the emergency activity



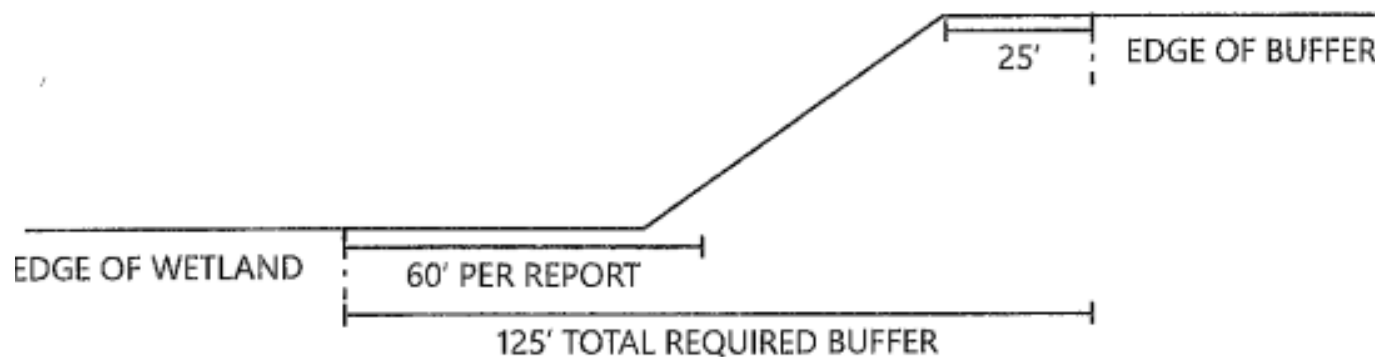
Land Division

- LCC 17.38.0102 include updated language including:
 - Critical area tracts created by the subdivision must have appropriate fencing and signage. Type of fencing and amount of signage to be considered within the development review based on site specific conditions and proposals. The following is proposed suggested language to clarify:
 - Easements or Tracts. Prior to the final approval of any land division, the part of the critical area and required buffer that is located on the site shall be protected by clearly indicating ~~showing~~ the boundary of the critical area and its buffer with appropriate fencing and signage and placing a restriction on the use of the area. Type of fencing and spacing of signage to be considered within the subdivision review based on recommendations in the critical areas report and site-specific conditions.



Wetland Buffer – Steep Slope

- Proposed amendment for additional setback related to wetland buffer and setbacks from bluffs exceeding 35%
- Best available science - [#05-06-008, revised July 2018, Appendix 8-C: Guidance on Buffers and Ratios for Western Washington](#), page 13 "8C.2.5.2 Condition 2.
- The effectiveness of buffers at removing pollutants before they enter a wetland decreases as the slope increases.



60'	Setback determined by Wetland Report
25'	Additional Setback required due to slope
125'	Total Setback

Wetland Buffer – Steep Slope

- Staff Recommendation: LCC 17.38.630 (1) (c) (vi) The alteration will not adversely impact other critical areas or their associated buffers, such as wetlands, wildlife habitat areas, frequently flooded areas and critical aquifer recharge areas. **When wetlands or wetland buffers are present on steep slopes of 35% or greater, the setback from the top of the slope shall not be less than 25 feet.**

Take Home Messages

- Aquatic habitat
- Hazard tree removal
- Subdivision Wetland and Stream buffer demarcation
- 35% slope wetland buffer



Next Steps

- Questions – by Nov 7
- Planning Commission Public Hearing
 - Reminder that the Public Hearing will be on **Monday**, November 10
- Dec 3 – *Tentative* BOCC Workshop
- Dec 9 – *Tentative* BOCC Public Hearing
- Questions?



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