

Planning Commission Public Hearing



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

STAFF REPORT

Date: November 3, 2025
Staff: Natalie Kamieniecki, Senior Long-Range Planner
Attachments: (Embedded links in this staff report)

On November 10, the Planning Commission will hold a public hearing to receive testimony on the Critical Areas Ordinance and following close of the hearing, will deliberate and make a recommendation. Please review all of the materials provided for the October 14th and 28th meeting before the November 10th Public Hearing and send questions to natalie.kamieniecki@lewiscountywa.gov. You can find past staff reports and presentations on the webpage linked below by choosing Planning Commission under the Materials heading. You can find the proposed draft Critical Areas Ordinance by choosing Task 7 – Zoning and Development Regulations under the Material heading. <https://lewiscountywa.gov/departments/community-development/comprehensive-plan-and-development-regulation-amendments/comprehensive-plan-periodic-update/>

On October 28, staff agreed to provide draft potential motions, which the commissioners may use during deliberations. Commissioners may propose your own motions as well. A reminder that deliberations start with a motion and then discussion, followed by a vote. If through deliberations the commissioners decide you'd like to change the motion, you can amend or withdraw the motion.

Potential Motion

I move to transmittal a letter to the Board of Council Commissioners recommending adoption of the amendments to Chapter 17.10 and 17.38. as presented in the October 8, 2025 staff report, with the following changes:

Topic 1: Aquatic Habitat

Overview – A new subsection, 17.38.465 (4), has been added to the code to clarify the applicability of aquatic habitat regulations. During our previous workshops commissioners expressed interest in adding language to further clarify how these regulations apply when property ownership is transferred to a port or irrigation district, particularly in cases where preexisting fish-bearing streams or other modified streams are present. The following is a revised version of the proposed new section to consider, updated to address Commissioner comments and provide additional clarity:

- 17.38.465 (4) "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 Department of Natural Resources mapped 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."

Topic 2: Land Divisions – Fencing and Signage

Overview – This update to the fencing and signage requirements clarifies that, for critical area tracts or easements created through the subdivision process, appropriate fencing and signage are required. The type of fencing and the spacing of signage will be recommended in the critical areas report and approved by the Administrator as part of the standard subdivision review process.

The specific type, amount, and placement of fencing and signage will be determined based on site-specific conditions, allowing the code to remain flexible and responsive to individual development proposals and their specific impacts. Subdivisions with larger lots may warrant minimal fencing or signage, whereas smaller lot developments may require more protective measures to safeguard critical areas and associated habitats. The proposed clarification on fencing for subdivisions reads as follows:

- LCC 17.38.0102 (1) (b) 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 signage, and/or where necessary fencing, to be considered within the subdivision review based on recommendations in the critical areas report and site-specific conditions. Critical areas may be:

NEXT STEPS

Once motions are passed, staff will prepare a Letter of Transmittal on behalf of the Planning Commission to provide the recommendations to the Board of County Commissioners. The BOCC is expected to hold a hearing(s) on the recommendations in December.