



Community Development

125 NW Chehalis Avenue
Chehalis WA 98532

DATE March 17, 2026

To: Planning Commission

From: Natalie Kamieniecki, Senior Long-Range Planner

Attachments: A – LEWIS COUNTY CODE 1.30 DEVELOPMENT AGREEMENTS

Re: **Development Agreement Code**

INTRODUCTION

A Development Agreement (DA) is a voluntary, legally binding contract between a jurisdiction and a property owner or developer that establishes the terms and conditions under which a specific development project may proceed. Authorized under RCW 36.70B.170 through RCW 36.70B.210, development agreements provide predictability for large or complex projects, such as those expected at the Port of Centralia, by vesting specific development standards, regulations, and mitigation measures for a defined period. A development agreement may address matters such as, but not limited to development standards (e.g., allowed density, required setbacks), infrastructure requirements, mitigation measures and phasing of development.

Once DA is approved, it is recorded with the Auditor and the agreement is binding on the property and future owners, ensuring that the agreed standards and conditions remain in effect even if local regulations change during the term of the agreement. This authority enables the County to coordinate long-term planning objectives with complex development while providing regulatory certainty for both the County and the applicant.

Both parties, the County and the developer, must agree to the terms of the DA. DAs are approved by resolution by the Board of County Commissioners. If either party does not agree, then development can proceed under the permit process and development regulations adopted in the Lewis County Code.

Under RCW 36.70B.170, counties and cities may establish local codes that define the process for proposing, reviewing, negotiating, and approving development agreements, as well as the types of provisions that may be negotiated. Establishing the county's own DA codes guides allowable negotiation topics while ensuring that DAs are used consistently and in alignment with County policies, adopted plans, and applicable state law.

SUMMARY

The County is proposing the adoption of DA codes to establish a clear local framework for the use and administration of development agreements. While the County may currently enter into DAs pursuant to the authority provided under the RCWs, adoption of a local DA code would provide clarity, consistency, and procedural guidance for applicants, staff, and decision-makers specific to Lewis County's needs.

The DA code proposed in Attachment A narrows the

- topics for negotiations:
 - (a) Development density, intensity or building lot coverage.
 - (b) Design standards including, but not limited to, height, setbacks, parking, roads, drainage, or landscaping.
 - (c) Mitigation measures including, but not limited to, transportation and environmental, except as required by state or federal laws.
 - (d) Creation or preservation of public open space.
 - (e) Development phasing, including provision of utilities.
 - (f) Amount and timing of fees, or dedications, except as required by state laws.
 - (g) Review procedures or standards for implementing terms of the agreement.
 - (h) Terms or timing of annexation.

NEXT STEPS

Although the proposed DA code amendment is not required to come before the Planning Commission, it is important to engage and inform the community when adopting a new process. In that respect, Planning Commission review, through workshops and a public hearing, provides a comprehensive and established forum for the Commission to provide recommendations and the public to learn about the proposal and provide input, before moving forward to the BOCC. The Planning Commission public hearing on the proposed amendment is tentatively scheduled for April 24.