

Commentary

ATTACHMENT A – LEWIS COUNTY CODE – MINOR AMENDMENTS

Updates the definitions of "Local Health Officer" and "Health Officer". Replaces references to "marijuana" with "cannabis" to align with current terminology.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 8
HEALTH AND SAFETY
Chapter 8.40 ON-SITE SEWAGE SYSTEMS
Article I Purpose and Administration

[No changes to sections 8.40.010 through 8.40.030]

8.40.040 Definitions. "Local health officer" or "health officer" means the health officer of the ~~Lewis County department of health and social services, or a representative authorized by and under the direct supervision of the health officer~~ local health jurisdiction, an authorized representative, or a designee, as defined in Chapter 70.05 RCW.

[No changes to section 8.40.050]

Article II General Requirements

[No changes to section 8.40.060]

8.40.065 Special applicability to cannabis ~~marijuana~~ businesses.

- (1) When considering whether this chapter may be applied to new, repaired, replaced, or existing OSS for residential or nonresidential sources of sewage consisting at least in part of marijuana cannabis wastes regulated by Chapter 314-55 WAC, now or as hereafter amended or supplemented, the health officer shall determine whether the treatment, siting, design, installation, operation, and maintenance measures necessary for public health are comparable to those to which this chapter are applied for ~~nonmarijuana noncannabis~~ wastes. The determination may include testing of the inflow or outflow, inspection, and/or other measures designed to determine whether the presence of marijuana cannabis wastes should be regulated under this chapter versus as industrial wastewater.
- (2) If the health officer determines that OSS subject to subsection (1) of this section is comparable to OSS for ~~nonmarijuana noncannabis~~ waste regulated under this chapter, this chapter shall apply in the same manner as it does to OSS for ~~nonmarijuana noncannabis~~ waste, except where marijuana cannabis-specific environmental or regulatory factors dictate otherwise.
- (3) If the health officer determines that OSS subject to subsection (1) of this section is not comparable to OSS for ~~nonmarijuana noncannabis~~ waste regulated under this chapter, this chapter shall not apply. Rather, the rules governing underground injection control wells from Chapter 173-218 WAC, now or as hereafter amended, shall apply, and dangerous waste regulations under Chapter 173-303 WAC may also apply. For such OSS, the Washington Department of Ecology shall enforce the applicable regulations. If the Washington Department of Ecology determines that the OSS is exempt from its regulations, however, this chapter shall apply.

Commentary

Installers, pumpers and maintenance providers require completion and passing of the Washington On-Site Sewage Associate (WOSSA) O&M Level 2 exam requirements.

Code text to be removed is shown

with a ~~strike through~~ and code text to be added is shown with an underline.

- (4) The manner in which OSS are to be utilized for residential or nonresidential sources of sewage consisting at least in part of marijuana cannabis wastes regulated by Chapter 314-55 WAC, now or as hereafter amended or supplemented, shall be conformed to this chapter in the approved operating plan required by LCC § 5.20.030 or separately if no approved operating plan is required. For OSS under subsection (3) of this section, the health officer shall notify the Washington Department of Ecology to enable it to approve or disapprove of any OSS specified or required in the operating plan.

[No changes to section 8.40.070]

Article III Sewage Products and Technologies

[No changes to sections 8.40.080 through 8.40.310]

8.40.320 Approval of installers, pumpers and maintenance providers

8.40.320 (5)

- (l) Employees of a licensed O&M provider may be certified by the department to perform OSS O&M inspections in place of the licensed O&M provider under the following conditions:
- (i) The licensed O&M provider must indicate, to the department, each employee that may be certified.
 - (ii) Application for certification shall be made on forms provided by the department.
 - (iii) Application fees shall be paid at the time of application.
 - (iv) The department shall determine by proof of completion and passing the Washington On-Site Sewage Associate (WOSSA) O&M Level 2 exam ~~written examination~~ the applicant's knowledge of public health problems involved in the treatment and dispersal of sewage and necessary standards of design, construction, maintenance, and installation. If the applicant does not receive a passing mark in any such examination, the applicant shall be denied a certification.
 - ~~(v) The applicant may take the test only twice in any 90-day period.~~
 - ~~(vi)~~ Certifications are good for one year and expire as determined by the department.
 - ~~(vii)~~ The applicant shall apply for renewal on forms provided by the department.
 - ~~(viii)~~ The original certification and each renewal shall require a completed application on a form furnished by the department and payment of the prescribed fees proof of completion of the WOSSA O&M Level 2 Exam.
 - ~~(viii)~~ A certification is not transferable between companies or individuals.
 - ~~(ix)~~ Individuals that are certified must also meet the CEU requirements of a licensed individual.

Commentary

Updated to include reference to RCW 18.27. This governs contractor registration, including, but not limited to, requirements for licensing, bonding, insurance, penalties, and exemptions. It outlines definitions, mandatory registration, enforcement procedures, and consumer protections.

Added new section stating that LCPHSS will facilitate compliance through notices, reminders, and technical support.

Code text to be removed is shown

with a ~~strike through~~ and code text to be added is shown with an underline.

- (m) Each O&M provider shall submit to the department, not later than the twentieth day of each month, a report on a form furnished, or in a manner provided, by the department, for each OSS inspected the previous month within Lewis County.
- (n) O&M providers shall report failure of an on-site sewage system to the department within one business day of first identifying the failure.
- (o) O&M providers must notify the department of the cancellation of any O&M contracts in Lewis County within 30 days of cancellation.
- (p) Reports submitted must contain all relevant information required by the department.
- (q) Prior to the issuance of an O&M provider's license, the applicant must be in possession of a bond obtained in accordance with the special or general contractors laws of the state of Washington in accordance with RCW 18.27 and provide proof of business liability insurance in the minimum amount of \$100,000.
- (r) Every O&M provider is required to obtain at least six hours of approved classroom (training) time (one CEU) every year.
- (s) Subject matter and CEU training must be directly related to on-site sewage systems and be acceptable to the department.
- (t) Proof of attendance must be submitted to the department prior to renewal of license.
- (u) CEU earned by one licensee may be applied to any of his/her licenses issued by the department relating to OSS.
- (v) For proprietary products, licensed O&M providers must show training specific to the product, and/or meet the product patent holder's specifications, before being authorized by the department as an O&M provider for that product.
- (w) The department may fine, suspend, or revoke the license of an O&M provider if there has been finding of incompetence, negligence, willful misrepresentation or failure to comply with this chapter or other applicable laws, rules, and regulations.
 - (i) LCPHSS will facilitate compliance through notices, reminders, and technical support.
 - (ii) An O&M provider whose license has been revoked shall be ineligible to reapply for a license until 60 calendar days have passed from the date of this license revocation.
 - (iii) Any O&M provider whose license is suspended or revoked will be required to retake the appropriate exam before their license will be reinstated.
 - (ix) All records pertaining to OSS must be kept, by the O&M professional, for a period of not less than five years.

Commentary

The update changes RCW 70A.90.060 to the correct RCW 70A.105.050, reflecting the current RCW provision governing on-site sewage systems, while retaining the applicable WAC reference. RCW 70A.105.050 authorizes a county legislative authority to adopt standards that are more restrictive than the state on-site sewage standards when it finds that stricter requirements are necessary to protect public health, water quality, or other public resources.

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Chapter 8.41 RESTRICTION OF ON-SITE SEWAGE SYSTEMS IN FORD'S PRAIRIE & WAUNCH'S PRAIRIE AREAS

8.41.010 Authority.

This chapter is enacted pursuant to RCW ~~70A.90.060~~ 70A.105.050 and WAC 246-272A-0025. The health officer has found that continuance of on-site sewage systems in the Ford's Prairie and Waunch's Prairie areas of Lewis County constitutes a hazard by spreading dangerous, contagious or infectious diseases through degradation of the aquifer.

Commentary

Updates revise terminology throughout the code by replacing 'marijuana' with 'cannabis' to conform with current state terminology, and remove references to cannabis extraction activities from the local regulatory provisions.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 15 BUILDINGS AND CONSTRUCTION
Chapter 15.05
Building Codes

15.05.020 Adoption of codes.

- (1) The below listed documents, one copy of each of which is on file in the office of community development of Lewis County, and below designated statutes of the state of Washington are each hereby referred to and adopted and made a part hereof as if fully set forth in this chapter, subject to the amendments thereto as hereinafter provided. The provisions of the below stated codes may be subject to amendment.

- (a) The 2021 Edition of the International Building Code (IBC) includes the 2021 Existing Building Code and International Code Council (ICC)/ANSI A117.1-2017, including Appendix Chapter J (with additions and amendments thereto), as set forth in Chapter 51-50 WAC, with the following additions and amendments, is hereby adopted by reference:

IBC 306.2, Factory Industrial F-1 Moderate-Hazard Occupancy, is amended to include the following additional occupancies:

Cannabis ~~Marijuana~~ growing of more than 15 plants

Cannabis ~~Marijuana~~ processing (excluding extraction)

IBC 312.1, Utility and Miscellaneous Group U, is amended to include the following additional occupancies:

Greenhouses and other structures used for cultivation, protection, or maintenance of plants (including cannabis ~~marijuana~~ growing of 15 or fewer plants);

[No change to 15.05.020 (1) (b) – (e)]

- (f) The 2021 International Fire Code, published by ICC, as set forth in Chapter 51-54A WAC; and specifically Section 307, as published by the International Code Council and as amended by WAC 51-54A-307 et seq., and with the following additions and amendments and references thereto, and specifically county road and access standards under Chapter 12.60 LCC, is hereby adopted by reference:

105.6.8 Carbon dioxide systems. An operational permit is required for carbon dioxide systems. ~~A license under LCC § 5.20.020 is required for carbon dioxide systems having more than 100 pounds of carbon dioxide if used to process marijuana; if not used to process marijuana, an operational permit is required.~~

~~105.6.38a Marijuana extraction systems. A license under LCC § 5.20.020 is required to use a marijuana/cannabis extraction system regulated under~~

Commentary

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.
~~WAC 314-55-104.~~

~~105.7.18a Marijuana extraction systems. A construction permit is required
to install or construct a marijuana/cannabis extraction system regulated
under WAC 314-55-104.~~

[No change to 15.05.020 (1) (g) – (h)]

~~(i) — The Washington State Liquor and Cannabis Board's marijuana processor
license extraction requirements, codified in WAC 314-55-104 now or as hereafter
amended or supplemented, are hereby adopted by reference.~~

[No change to 15.05.020 (2)-(4)]

15.05.020 (5) In case of conflict between any of the regulations adopted above relating to ~~cannabis marijuana~~ and other, more general regulations, the ~~cannabis marijuana~~-specific regulations shall control for all ~~cannabis marijuana~~-related activities, construction, and occupancies. Any activity, construction, or occupancy regulated under Chapter ~~314-55~~ WAC shall be conformed to this chapter, ~~which may require an approved operating plan under LCC § 5.20.030.~~

Commentary

Corrects the citation from LCC 17.45.100 to LCC 15.45.100 to accurately reference the section governing exemptions from stormwater requirements.

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Chapter 15.45
STORMWATER MANAGEMENT
Article III General Provisions

15.45.030 Applicability.

The provisions of this Chapter shall apply to all site development activities requiring building, mobile home placement or flood damage prevention reviews and/or permit approvals under Title 15 LCC and to subdivisions approved under Title 16 LCC, within the bounds of unincorporated Lewis County. No site development activities requiring said Titles 15 or 16 LCC reviews or approvals shall be initiated prior to issuance of Storm Drainage Approval unless exempt under LCC § ~~15~~17.45.100.

[No changes to sections 15.45.040 through 15.45.080]

Commentary

Clarifies the required material for final plat maps and drawings by allowing stable-base mylar polyester film or **an equivalent material**.

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Title 16 Subdivisions
Chapter 16.05 SUBDIVISIONS
Article V Final Plat Procedures

[No Changes to sections 16.05.180 through 16.05.220]

16.05.240 Standard format.

(1) Maps and Drawings. Every final plat shall consist of one or more sheets each 18 inches by 24 inches clearly and legibly drawn on stable base mylar polyester film or equivalent. All drawings and lettering on the final plat shall be in permanent black ink. A margin line shall be drawn completely around each sheet leaving an entirely blank margin of two inches on the left side and one inch on the remaining sides. The plat scale shall not be more than 50 feet to the inch nor less than 200 feet to the inch. If more than one sheet is required, each sheet shall be numbered, indexed, and contain the subdivision name. All signatures shall be written in permanent black ink. Every final plat shall include an accurate map of the subdivided land based upon a complete survey thereof. The map shall include the following:

- (a) The perimeter of the plat shall be depicted with heavier lines than appear elsewhere in the plat;
- (b) All section, township, municipal, and county lines lying within or adjacent to the subdivision;
- (c) The location of all monuments or other evidence used as ties to establish subdivision boundaries;
- (d) The location of all permanent control monuments found and established within the subdivision;
- (e) The length and bearings of all straight lines; the radii, arcs, and semi-tangents of all curves;
- (f) The boundaries of the subdivision with complete bearings and lineal dimensions;
- (g) The length of each lot line together with bearings and other data necessary for the location of any lot in the field;
- (h) The location, width, centerline, and name of all streets within or adjoining the subdivision;
- (i) The location and width, shown with broken lines, and description of all easements;
- (j) The numbers assigned to all lots and blocks within the subdivision;
- (k) Delineation of the floodplain when present.

[No Changes to sections 16.05.250 through 16.05.260]

Commentary

The amendments to 16.05.290 Private roads and 16.05.360 Maintenance agreements removes the requirement that private subdivision roads must be owned and maintained by a property owners' association. Instead, road ownership, maintenance, and repair can be handled by an association or by a recorded private-road agreement, declaration, or covenant that legally binds all properties benefiting from the road.

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Article VI Development and Subdivision Design Standards

[No Changes to sections 16.05.270 through 16.05.280]

16.05.290 Private roads.

- (1) Allowance. Private roads that are accessed from a public right-of-way shall be allowed to serve no more than 15 lots.
- (2) Location. The road location is approved by the county engineer.
- (3) Construction Specifications. The private roads shall be constructed to no less than those standards for private roads contained in the Lewis County road standards for urban and rural design, as approved by the board by ordinance or resolution, in effect at the time any preliminary plat is submitted for approval.
- (4) Ownership. Private roads within subdivisions shall be ~~subject to provisions for ownership, maintenance, and repair owned by a property owner's association and provisions shall be established for their maintenance and repair as specified in LCC 16.05.360.~~ Such provisions may be established through a property owner's association or through a private road maintenance agreement, declaration, or covenant recorded with the Lewis County Auditor and binding upon all benefited properties.

[No Changes to sections 16.05.300 through 16.05.350]

16.05.360 Maintenance agreements.

- (1) When Maintenance Agreements Required. Maintenance agreements, in a form approved by the administrator, shall be required for all subdivisions which have private roads, common areas, recreation areas, or utility systems, any of which are jointly owned. These agreements shall be accompanied by a certificate from a private attorney assuring perpetual maintenance of the appropriate property or improvements and shall be submitted prior to final plat approval.
- (2) Minimum Contents and Requirements. All maintenance agreements shall at a minimum provide for the following:
 - (a) ~~Membership of lot owners in a property owner's association established for the maintenance and repair of the appropriate property or improvements;~~ A property owners' association or other maintenance agreement, declaration, covenant, or recorded instrument binding upon all benefited properties and established for the maintenance and repair of the appropriate property or improvements;
 - (b) An equitable means of assessment for maintenance or necessary improvement costs;
 - (c) Ownership of all improvements; and
 - (d) Any other matters necessary to guarantee a workable organization.
- (3) Encumbrance. Maintenance agreements shall be of record in the office of the Lewis County auditor and shall be referenced by identifying notation on the final plat.

Commentary

Minor updates to 17.17.120 (4) figure titles 1 and 2. No substantive changes.

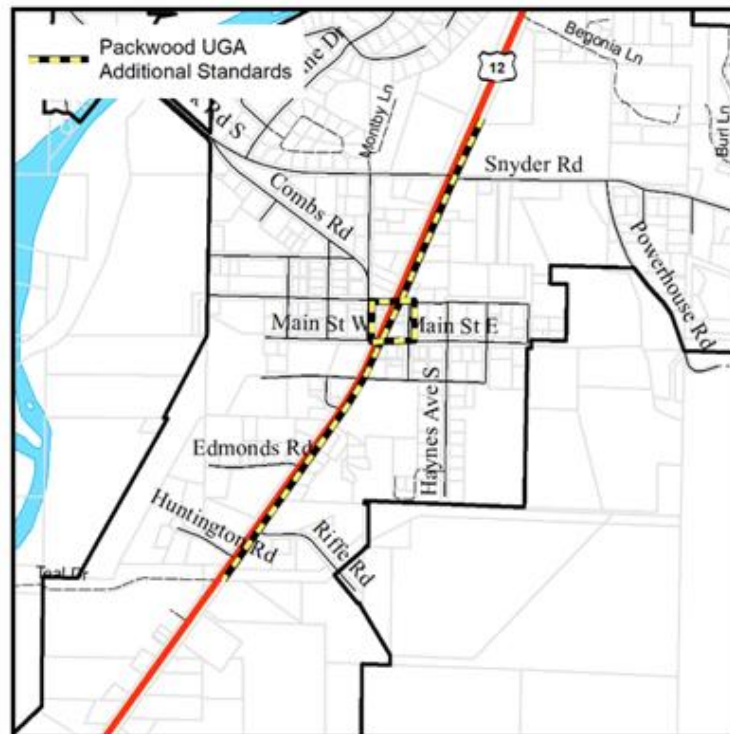
Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 17 Land Use and Development Regulations
Division II URBAN ZONES
Chapter 17.17 URBAN GROWTH AREAS – SMALL TOWNS
Article II Zoning Standards

[No change to sections 17.17.100 through 17.17.110]

17.17.120 (4) Additional Standards Applicable to Figure 1 and Figure 2.

**Figure 1: ~~Urban Growth Area – Small Town/Packwood.~~
Packwood Additional Design Standard Requirements**



Commentary

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Figure 2: ~~Urban Growth Area--Small Town/Onalaska.~~

Onalaska Additional Design Standard Requirements



[No change to sections 17.17.130 through 17.17.140]

Commentary

Applies the standards for Master Planned Development to land divisions within Urban Growth Areas - Small Towns involving parcels 10 acres or larger, unless all resulting lots are also at least 10 acres.

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Title 17 Land Use and Development Regulations
Division II URBAN ZONES
Chapter 17.17 URBAN GROWTH AREAS – SMALL TOWNS
Article III General Administration

[No change to sections 17.17.200 through 17.17.245]

17.17.250 Master planned development.

- (1) Purpose. Master planned development standards are intended to enhance and diversify housing and economic development opportunities that complement the small-town character and create well-designed roads, pedestrian facilities, landscaping and public open spaces alongside private development.
- (2) Applicability. The master planned development standards apply to land divisions of parcels 10 acres in size or larger; except if all resulting lots are at least ten (10) acres in size.

[No change to sections 17.17.250 (3) – (4)]

Commentary

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Title 17 Land Use and Development Regulations
Division II URBAN ZONES
Chapter 17.20A INDUSTRIAL LAND BANK URBAN GROWTH AREA

[No change to 17.20A.010 through 17.20A.030]

17.20A.040 Application for master plan.

- (1) Master plans submitted for development under this chapter, and designed in conformance with an adopted industrial land bank, shall be processed as a Type III binding site plan application. The permitting process and criteria for approval for the application shall be similar to the requirements for master plan approval for ~~M~~major ~~I~~industrial ~~D~~development - reclaimed surface coal mine sites in LCC 17.20B.025 and 17.20B.030; provided, that LCC 17.20B.030(1) shall not apply. The criteria in RCW 36.70A.367 shall be considered as part of the review.
- (2) Specific permitted uses on the property shall be established through the binding site plan process. The approved plan shall become the subarea plan and development code for the property, identifying uses, standards and procedures for approval, consistent with the intent and purpose of the Lewis County comprehensive plan and the criteria in LCC 17.20A.020(2). Permitted uses shall be limited to those specified in RCW 36.70A.367.

Commentary

Strike 17.30.490 (3) as is it is not longer applicable since the adoption of 17.42 - Land Use Table.
Updates section 17.30.500 to correctly reference LCC 17.42 - Land Use Table.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 17 Land Use and Development Regulations
Division IV RESOURCE LANDS AND CRITICAL AREAS
Chapter 17.30 RESOURCE LANDS
Article IV Forest Resource Lands

[No change to 17.30.420 through 17.30.450]

17.30.490 Maximum density and minimum lot area.

The minimum lot area for any new subdivision, short subdivision, large lot subdivision or exempt segregation of property shall be as follows, except for parcels to be used for uses and activities provided under LCC 17.30.440 through 17.30.470:

- (1) Primary Forest Land. The minimum lot area for subdivision of primary forest lands shall be 80 acres.
- (2) Forest Land of Local Importance. The minimum lot area for subdivision of forest lands of local importance shall be 20 acres.
- ~~(3) Subdivision as an Incidental Use. A residential subdivision of land for sale or lease within primary or local forest lands, whether lots are over or under five acres in size, may be approved under the following circumstances:~~
 - ~~(a) The total density, including existing dwellings, is not greater than one unit per 10 acres for resource lands and one unit per 20 acres for wetlands and areas mapped with hydric soils, steep slopes and flood hazard areas.~~
 - ~~(b) Adequate water and provisions for septic capacity are in fact present.~~
 - ~~(c) The project affects none of the prime soils on the contiguous holdings at the time of the adoption of this chapter, including all roads and accessory uses to serve the development; provided, that prime lands previously converted to nonforestry uses are not considered prime forest lands for purposes of this section.~~
 - ~~(d) The plat shall set aside the balance of the parcel in a designated forest tract.~~
 - ~~(e) The plat shall contain the note included in LCC 17.30.370.~~

17.30.500 Setbacks.

(1) Within Lands Adjacent to or Abutting Primary Forest Resource Lands. All structures shall maintain a minimum setback of 150 feet from property lines, except for structures not requiring building permits, and 200 feet for all wells, and uses and activities provided under LCC 17.42 – Land Use Table ~~LCC 17.30.440 through 17.30.470~~; provided, however, the administrator may reduce the structure's setback where:

- (a) It is not reasonable to accomplish the setback given the topography, soils, or shape of the site.
- (b) The owner requesting the administrative variance records a forestry easement for the benefit of the abutting primary forest resource lands, granting a right to all normal and customary forestry practices in accordance with best management practices.

[No change to 17.30.510 through 17.30.560]

Commentary

Strike note that reference 17.30.490 (3) as is it is no longer applicable and stricken from the code in this minor amendment cycle.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 17 Land Use and Development Regulations
Division V RURAL ZONES
Chapter 17.42 RURAL AREA ZONING SUMMARY

17.42.017 Minimum lot size summary.

Except within urban growth area - small towns, see Table 1, which includes the minimum lot size requirements.

Table 1: Minimum Lot Size Summary

Zone	Name	Minimum Lot Size ¹	Notes	Reference
Rural Zones				
Primary FRL	Primary Forest Resource Land	80 acres	Residential subdivision of land may be approved with lot sizes under the allowed minimum; provided, that LCC 17.30.490(3)(a) through (3)(e) are met. Not applicable.	LCC 17.30.490(1)
Local FRL	Forest Land of Local Importance	20 acres	Residential subdivision of land may be approved with lot sizes under the allowed minimum; provided, that LCC 17.30.490(3)(a) through (3)(e) are met. Not applicable.	LCC 17.30.490(2)
RDD-10	Rural Development District 10	10 acres	In RDD-10, all contiguous property 15 acres or larger, but less than 20 acres, may be divided into two lots. This one-time provision is only applicable to legal lots of record in existence prior to the adoption date of May 12, 2002. Clustering is allowed.	LCC 17.100.015(1)(b) LCC 17.100.060(2) Chapter 16.18 LCC

¹-There are several exceptions to the standard minimum lot size. Please refer to LCC Title 16, Subdivisions.

[No changes to Chapters 17.45 through 17.102]

Commentary

Clarifies maximum occupancy standards by establishing a limit of two guests per bedroom plus three additional guests, while removing the provision that allowed septic-system design capacity to determine a higher occupancy. Provides a clear hierarchy for determining the number of bedrooms using the approved building permit, on-site septic system design capacity, or a life/safety inspection when records are unavailable.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 17 Land Use and Development Regulations
Division V RURAL ZONES
Chapter 17.105 SHORT-TERM RENTALS

[No changes to 17.105.010 through 17.105.030]

17.105.040 Standards.

(1) The owner or legal representative shall obtain a short-term rental permit from Lewis County department of community development. Permits shall be renewed annually.

(2) The maximum occupancy shall be no more than two guests per bedroom plus three additional guests. ~~or maximum occupancy shall be based on the design capacity of the approved on-site septic system, whichever is greater.~~ A guest is a person over two years of age. Number of bedrooms shall be determined by:

- a) The approved building permit.
- b) If no approved building permit is on record with Lewis County, then the number of bedrooms shall be determined by the design capacity of the approved on-site septic system.
- c) If a or b are not on record with Lewis County, then a life/safety inspection shall be used to determine number of bedrooms.

(3) A minimum of one on-site parking space per bedroom or unit shall be provided.

(4) Solid waste service shall be provided, or garbage shall be stored in a completely secure receptacle(s).

(5) Information shall be provided to all guests regarding current local burn restrictions.

[No changes to 17.105.050]

Commentary

Retains the requirement to comply with the maximum environmental noise levels established under Chapter 173-60 WAC while clarifying that equipment using backup alarms must employ the lowest practicable noise-emission technology consistent with applicable safety requirements. This includes technologies such as broadband or self-adjusting alarm systems designed to minimize off-site noise impacts where permitted by law.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

Title 17 Land Use and Development Regulations
Division VII GENERAL ADMINISTRATION
Chapter 17.142 LAND USE STANDARDS

[No changes to chapter 17.142.010]

17.142.020 General land use standards

17.142.020 (3) General Use Standards. The following criteria are used to help determine the conformance with the general findings for land uses:

- (a) The applicable portions of the Lewis County Code, and the Lewis County road development standards.
- (b) The handling and treatment of dangerous or hazardous waste in accordance with LCC Title 8, Chapter 173-303 WAC, and other applicable standards.
- (c) The maximum environmental noise levels established by Chapter 173-60 WAC and incorporated herein by reference, together with any adjustments authorized therein; provided, that construction, maintenance, and industrial equipment utilizing backup alarms shall employ the lowest practicable noise-emission technology consistent with applicable safety requirements, including broadband, self-adjusting, or other alarm systems designed to minimize off-site noise impacts where permitted by law.
- (d) The air quality standards adopted by the Southwest Clean Air Agency (SWCAA) and any SWCAA permit issued for a project.
- (e) Exterior light fixtures, except those required by the Federal Aviation Administration (FAA), shall be pointed downward, hooded and shielded to prevent glare and light from trespassing onto neighboring properties. FAA-required lights shall be minimized to the extent practicable in consultation with the FAA and as required by Chapter 70A.550 RCW for wind energy facilities. Wind turbines over 200 feet shall have obstruction lighting per FAA regulations. Aviation obstruction light-mitigation technology systems shall be FAA approved.
- (f) The terms of any permit issued for a project by a resource agency, including Washington State Department of Fish and Wildlife, HPA, water quality permit, Chapter 90.48 RCW, shoreline permit, Chapter 90.58 RCW, or permit issued by the U.S. Army Corps of Engineers.
- (g) Conditions imposed in any final environmental determination, mitigated determination of nonsignificance or final environmental impact statement under Chapter 43.21C RCW.
- (h) Health standards for wells and drain fields as set forth in sections such as Chapters 8.40 and 8.41 LCC.
- (i) Flood hazard standards as set forth in Chapter 15.35 LCC.
- (j) Stormwater standards as set forth in Chapter 15.45 LCC.
- (k) The supplemental requirements of Chapter 17.145 LCC.
- (l) Other applicable standards.

Commentary

Adds a limitation that requests for extended operating hours due to a declared emergency or public works contract must be for less than six consecutive months within a single calendar year.

Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.

[No changes to chapter 17.142.030 through 17.142.207]

17.142.210 Surface mining areas.

17.142.210 (2) Mine Development Standards. All permits issued pursuant to this section shall require the following minimum standards. The hearing examiner may increase buffers and mitigation when good cause is shown.

[No change to 17.142.210 (2) (a)-(g)]

(h) Hours of Operation. Regular hours of operation shall be between the hours of 6:30 a.m. and 7:00 p.m.; blasting shall only occur during the time period between 10:00 a.m. and 4:00 p.m. Prior to any blast, 24-hour notice shall be given to all property owners or residences within 500 feet of any mine property line. If a blast does not occur as scheduled in a notification, 24-hour renotification shall be required. The hearing examiner may inquire into the proposed hours of operation and set additional limits when deemed necessary to protect quiet enjoyment of neighboring residential properties. The hearing examiner may include provisions for exceptions from established regular hours of operation. Extended hours may be requested and approved under conditions set by the hearing examiner if a declared emergency exists or for work on public works contracts that may require work outside regular hours and in either situation the request is for less than six consecutive months within a single calander year.

[No changes to chapter 17.142.220]

Commentary

Removes 17.30.660 as it no longer exists in the code.

*Code text to be removed is shown
with a ~~strike through~~ and code text to be added is shown with an underline.*

Title 17 Land Use and Development Regulations
Division VII GENERAL ADMINISTRATION
Chapter 17.145 SUPPLEMENTAL REQUIREMENTS

[No changes to chapter 17.145.010]

17.145.020 Required setbacks.

(4) Additional setbacks may be required near resource lands in accordance with LCC 17.30.500,
~~17.30.660,~~ 17.30.810 and Chapter 17.40 LCC.

[No changes to chapter 17.145.030 through 17.145.140]