

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 21-322

NOTICE OF HEARING TO CONSIDER ORDINANCE
1329, AMENDING LEWIS COUNTY SHORELINE
MASTER PROGRAM AND LEWIS COUNTY CODE
(LCC) 17.25 SHORELINE MANAGEMENT

WHEREAS, the State of Washington Shoreline Management Act (SMA) of 1971, Chapter 90.58 RCW, requires counties and cities to prepare shoreline master programs (SMPs) to prevent the uncoordinated and piecemeal development of shorelines of the state; and

WHEREAS, RCW 90.58.080(4)(a) requires counties to periodically review their SMP to ensure the SMP stays current with changes in laws and rules, remains consistent with other Lewis County plans and regulations, and is responsive to changed circumstances, new information and improved data; and

WHEREAS, Lewis County as part of the periodic review undertaking prepared a draft SMP with associated amendments to LCC 15.35 Flood Damage Prevention, LCC 17.25 Shoreline Management, and LCC 17.38 Critical Areas; and

WHEREAS, the Lewis County Planning Commission held workshops on the draft amendments to LCC 15.35 Flood Damage Prevention, LCC 17.25 Shoreline Management, and LCC 17.38 Critical Areas on January 26, 2021, February 9, 2021 and May 11, 2021; and held a duly noticed public hearing on the amendment on June 8, 2021; and

WHEREAS, following the public hearing, the Planning Commission voted unanimously to transmit the amendment to the Lewis County Board of County Commissioners; and

WHEREAS, Lewis County forwarded the SMP and associated development regulations when the Board of County Commissioners passed Resolution 21-227, stating their consent to forward to Washington State Department of Ecology the draft Shoreline Master Program for review and comment on June 25, 2021; and

WHEREAS, review comments in the form of an "Initial Determination of Consistency" were returned from Washington State Department of Ecology on July 28, 2021.

NOW THEREFORE BE IT RESOLVED that a hearing before the Board of County Commissioners is hereby scheduled for September 21, 2021, to take public testimony and/or written comment on the adoption of Ordinance 1329, amending Chapter 17.25 Shoreline Management of the Lewis County Code and adopting the amended Shoreline Master Program; and

**NOTICE OF PUBLIC HEARING BEFORE THE
LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS
AND INTENT TO ADOPT**

NOTICE IS HEREBY GIVEN that the **LEWIS COUNTY, WASHINGTON, BOARD OF COUNTY COMMISSIONERS** will hold a public hearing to adopt Ordinance 1329. The hearing will take place at or after 10 a.m. September 21, 2021, in the Commissioners' Hearing Room on the second floor of the Historic Courthouse in Chehalis, Washington. Interested parties are encouraged to check the Commissioners' Business Meeting agenda for the Zoom log-in details. The agenda will be posted at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> at least 24 hours in advance of the meeting.

The public hearing will consider Ordinance 1329, which amends Lewis County Code Chapter 17.25 Shoreline Management and adopts the Shoreline Management Master Program periodic review consistent with RCW 90.58.080(4)(a).

During the hearing, individuals will be invited to speak and/or provide written statements regarding the proposed changes. All individuals wishing to speak are encouraged to attend. Written comments may be submitted in advance of the hearing to:

Lee Napier lee.napier@lewiscountywa.gov

Details about the proposal are available at <https://lewiscountywa.gov/departments/community-development/track-planning-projects/shoreline-master-program-periodic-review/> Printed copies are available at the Lewis County Community Development Department at 2025 NE Kresky Ave., Chehalis WA. Due to COVID-19 and the physical closures of the Timberland Regional Libraries and Senior Centers, copies are not available at those locations. If you wish to receive a paper copy of the proposals, contact Community Development at 360.740.1146 and a copy will be mailed to you.

The meeting site is barrier free. People needing special assistance or accommodations should contact Rieva Lester at 360.740.1419 at the Community Development Department 72 hours in advance of the meeting.

Rieva Lester/Publish in the Chronicle and East County Journal on September 2, and September 8, 2021

ORDINANCE 1329

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LEWIS COUNTY, WASHINGTON

**AN ORDINANCE OF THE COUNTY OF LEWIS, AMENDING)
THE LEWIS COUNTY SHORELINE)
MASTER PROGRAM AND LEWIS COUNTY (LCC) 17.25)
SHORELINE MANAGEMENT)**

WHEREAS, the State of Washington Shoreline Management Act (SMA) of 1971, Chapter 90.58 RCW, requires counties and cities to prepare shoreline master programs (SMPs) to prevent the uncoordinated and piecemeal development of shorelines of the state; and

WHEREAS, RCW 90.58.080(4)(a) requires counties to periodically review their SMP to ensure the SMP stays current with changes in laws and rules, remains consistent with other Lewis County plans and regulations, and is responsive to changed circumstances, new information and improved data; and

WHEREAS, Lewis County is undertaking their periodic review and prepared a draft SMP with associated amendments to Lewis County Code (LCC) 17.25 Shoreline Management; and

WHEREAS, Lewis County had three open public workshops with Lewis County Planning Commission on January 26, 2021, February 9, 2021 and May 11, 2021; and

WHEREAS, staff at Lewis County issued a SEPA Determination of Nonsignificance for the draft on May 11, 2021; and

WHEREAS, staff at Lewis County sent the draft to Washington State Department of Commerce on April 28, 2021 for the 60 day review; and

WHEREAS, under the SMA, Lewis County and the Washington State Department of Ecology share joint authority and responsibility for the administration of the Lewis County SMP (pursuant to RCW 90.58.050); and

WHEREAS, Lewis County and Washington State Department of Ecology held a public comment period on the document from May 4, 2021 to June 8, 2021; and

WHEREAS, on June 8, 2021, the Lewis County Planning Commission conducted a joint public hearing with Washington State Department of Ecology, noticed in accordance with the standards in LCC 17.12; and

WHEREAS, following the public hearing, the Lewis County Planning Commission voted unanimously to recommend approval of the document and to transmit the document to Washington State Department of Ecology for their official comments and then to the Lewis County Board of County Commissioners (BoCC) for their consideration; and

WHEREAS, following the close of the public comment period and public hearing, staff at Lewis County and Washington State Department of Ecology worked to address the public comment, as well as a variety of other issues that were necessary meet the guidelines in 173-26 and 173-27 WAC; and

WHEREAS, the BoCC passed Resolution 21-227 to forward a copy of the draft to the Washington State Department of Ecology for their review; and

WHEREAS, on July 28, 2021, the Washington State Department of Ecology, completed their initial Determination of Consistency review; and

WHEREAS, on August 31, 2021, the BoCC passed Res. 21-XXX to hold a public hearing on Ordinance 1329, and directed the Clerk of the Board to provide notice of the hearing; and

WHEREAS, the Lewis County BoCC held a duly noticed public hearing on the proposed SMP and the revisions to the document on September 21, 2021; and

WHEREAS, the Lewis County BoCC finds that the proposed changes to the document, and the document as a whole, meets the guidelines in 173-26 and 173-27 WAC, and best serves the residents of Lewis County given the requirements of state law;

NOW, THEREFORE BE IT HEREBY ORDAINED that the Lewis County BoCC adopt the following;

Section 1. Amend Section 17.25.030 to read as follows:

17.25.030 Administration - Adoption by reference.

Standards for the regulation of shorelines in Lewis County are contained in the Lewis County shoreline master program adopted ~~October 16, 2017~~ September 21, 2021, or as amended. Copies of the Lewis County shoreline master program shall be kept on file and shall be made available to the public at the office of the Lewis County department of community development.

SECTION 2. This ordinance adopts in the public interest the Lewis County Shoreline Master Program, dated September 21, 2021, as provided under Attachment A, and shall be effective upon approval by Washington State Department of Ecology.

SECTION 3. All provisions of the Lewis County Code not specifically addressed herein shall remain in full force and effect.

SECTION 4. If any part of this ordinance is found to be invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain valid and continue in full force and effect.

PASSED IN REGULAR SESSION THIS _____ DAY OF _____, 2021.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

By: Eric Eisenberg, Deputy Prosecuting
Attorney

Gary Stamper, Chair

ATTEST:

Lindsey R. Pollock, DVM, Vice Chair

Rieva Lester, Clerk of the Board

Sean Swope, Commissioner

LETTER OF TRANSMITTAL

To: Lewis County Board of County Commissioners
From: Lewis County Planning Commission
Date: June 8, 2021
Subject: Transmittal to the BOCC: Findings and Conclusions regarding Draft Revisions to Lewis County Shoreline Master Program

Dear Commissioners:

The purpose of this report is to transmit the draft revisions to the Lewis County Shoreline Master Program (SMP) to the Lewis County Board of County Commissioners (BOCC) for board consideration.

General findings of fact:

1. As required by the State Shoreline Management Act (SMA) (RCW 90.58), local governments are required to prepare and adopt an SMP based on the State's SMP Guidelines.
2. Lewis County last adopted the Shoreline Master Program in 2017.
3. RCW 90.58.080(4)(a) requires counties to periodically review their SMP to ensure the SMP stays current with changes in laws and rules, remains consistent with other Lewis County plans and regulations, and is responsive to changed circumstances, new information and improved data.
4. Lewis County is undertaking their periodic review and prepared a draft SMP with associated amendments to Lewis County Code (LCC) 15.35 Flood Damage Prevention, LCC 17.25 Shoreline Management, and LCC 17.38 Critical Areas.
5. Lewis County Planning Commission had three open public workshops on January 26, 2021, February 9, 2021 and May 11, 2021.
6. Staff at Lewis County issued a SEPA Determination of Nonsignificance for the draft on May 11, 2021.
7. Staff at Lewis County sent the draft to Washington State Department of Commerce on April 28, 2021 for the 60-day review.
8. The Planning Commission held a duly noticed Public Hearing on the proposed SMP update at its meeting of June 8, 2021

June 8, 2021

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9. The Planning Commission deliberated the proposed revisions following the Public Hearing and voted to recommend that the BOCC approve of the proposal as written.

Conclusions

Based on the above findings and conclusions, the Planning Commission recommends that the Lewis County BOCC review the proposed SMP, LCC 15.35, LCC 17.25, and LCC 17.38 and forward the documents to the Department of Ecology for their review and ultimate approval.

Being duly authorized to transmit the recommendations on behalf of the Lewis County Planning Commission, I hereby respectfully submit this to the Lewis County Board of County Commissioners.

Submitted by Lorie Spogen Date 6-9-2021
Lorie Spogen, Chair
Lewis County Planning Commission

BOCC AGENDA ITEM SUMMARY

Resolution: 21-322

BOCC Meeting Date: Aug. 27, 2021

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

Notice of Hearing to consider Ordinance 1329, amending Lewis County Shoreline Master Program and Lewis County Code (LCC) 17.25 Shoreline Management

Contact: Lee Napier

Phone: 360.740.2606

Department: CD - Community Development

Description:

Notice of Hearing to consider Ordinance 1329, amending Lewis County Shoreline Master Program and Lewis County Code (LCC) 17.25 Shoreline Management

Approvals:

User	Status
PA's Office	Approved

Publication Requirements:

Publications:

The Chronicle and The East County Journal

Additional Copies:

Mindy Brooks, Karen Witherspoon, and Preston Pinkston

Cover Letter To: