

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

**IN THE MATTER OF:**

RESOLUTION NO. 22-271

NOTICE OF A PUBLIC HEARING FOR ORDINANCE  
1336, WHICH WOULD AMEND CHAPTER 17.30,  
RESOURCE LANDS, OF THE LEWIS COUNTY CODE

**WHEREAS**, Lewis County Community Development is proposing to amend Chapters 17.30, Resource Lands, of the Lewis County Code to temporary equipment for data research and collection in resource lands; and

**WHEREAS**, a public hearing was held by the Lewis County Planning Commission (PC) on March 22, 2022, during which the PC considered testimony and voted to approve transmittal of a recommendation, Exhibit A, to the Board of County Commissioners (BOCC) to adopt amendments to Chapters 17.30 of the Lewis County Code; and

**WHEREAS**, publication of notice and a hearing before the BOCC is required in order to take public testimony and formal action on the proposed amendments to the Lewis County Code, Chapter 17, Land Use and Development Regulations.

**NOW THEREFORE BE IT RESOLVED** that a hearing before the BOCC is hereby scheduled to take place at or after 10 a.m. September 20, 2022, to receive public testimony on Ordinance 1336, which would amend Chapters 17.30, Resource Lands, of the Lewis County Code; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Clerk of the Board is hereby instructed to proceed with all appropriate and necessary notifications, postings and publications as required by law.

DONE IN OPEN SESSION this 30th day of August, 2022.



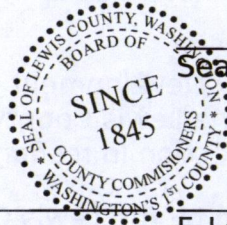
APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

Amber Smith  
By: Amber Smith,  
Deputy Prosecuting Attorney

Deny  
Lindsey R. Pollock, DVM, Chair

ATTEST:



Sean D. Swope  
Sean D. Swope, Vice Chair

Rieva Lester  
Rieva Lester,  
Clerk of the Lewis County Board of  
County Commissioners

F. Lee Grose  
F. Lee Grose, Commissioner



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# 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 on September 20, 2022 to receive public testimony on proposed amendment to Lewis County Code 17.30, Resource Lands.

The hearing will take place at or after 10 a.m. 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 least 24 hours in advance of the meeting on the [Lewis County Agendas & Calendar webpage](#).

The public hearing will consider amendments to the Lewis County Code Chapter 17.30 to allow research and data collection on resource lands when the research is not directly connected to the primary use of the land. The code amendments were the subject of a duly notice public hearing before the Lewis County Planning Commission on March 22, 2022.

Details about the proposal will be available online at the agenda link provided above. Please select the agenda for August 30 (Notice) or September 20 (Hearing) to see the draft ordinance. The draft is subject to change before or at the hearing. If you wish to receive a paper copy of the proposal, contact Megan Sathre at [megan.sathre@lewiscountywa.gov](mailto:megan.sathre@lewiscountywa.gov) or (360)740-2677 and a copy will be mailed to you.

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 by emailing Mindy Brooks, Senior Long Range Planner, at [mindy.brooks@lewiscountywa.gov](mailto:mindy.brooks@lewiscountywa.gov) or postal mail to Community Development, c/o Mindy Brooks, 2025 NE Kresky Ave., Chehalis, WA 98532.

To sign up for Community Development email announcements, please visit:  
<http://lewiscountywa.gov/communitydevelopment/receive-email-announcements>

*The meeting site is barrier free.*

*People needing special accommodations should contact the phone number shown above 72 hours in advance of the meeting.*

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PUBLISH: September 1, 2022 in The Chronicle  
/Rieva Lester



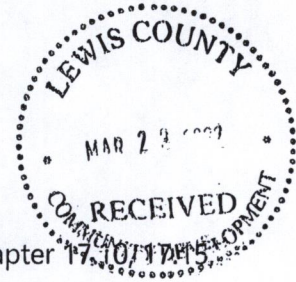
## Exhibit A: Letter of Transmittal

### LEWIS COUNTY PLANNING COMMISSION

Lorie Spogen, Chair

## LETTER OF TRANSMITTAL

**To:** Lewis County Board of County Commissioners  
**From:** Lewis County Planning Commission  
**Date:** March 23, 2022  
**Subject:** Transmittal to the BOCC: Amendment to Lewis County Code, Chapter 17.10, 17.15, 17.30, 17.42, and 17.142



### Dear Commissioners:

The purpose of this report is to transmit to the Board of County Commissioners amendment to the following Lewis County Code (LCC) Chapters:

- 17.10.030, Definitions – Attachment A
- 17.15, Urban Growth Areas – Cities – Attachment B
- 17.30, Resource Lands – Attachment C
- 17.42, Land Use Summary – Attachment D
- 17.142, Land Use standards – Attachment E

The Lewis County Planning Commission held a workshop and public hearing on the proposed code amendments and recommend approval.

### Summary of Code Amendments

LCC 17.10.030, Definitions – A Composting Facility definition will be added to the list of definitions. The proposed language is consistent with definitions in Snohomish and Pierce Counties.

LCC 17.30, Resources Lands – A new exemption will be added that would allow for temporary placement of equipment for basic data collection and research as long as the equipment does not impact the primary use of the site, the equipment is removed after 10 years and all disturbance areas are restored to the original condition. The exemption does not commit Lewis County or any other agency to approve any subsequent proposals.

LCC 17.42, Land Use Summary – There are two changes to this Chapter. First, a new table will be added that summarizes the allowed minimum lots sizes per zone. There are not hchanges to the allowed minimum lot sizes themselves, simply pulling the information into a single table. Second, the subsection of the use table for "Composting (for commercial sale or use outside of



the agricultural operation)" will be changed to allow Composting as a use in RAI "P" and STI "A" zones, where "P" means permitted and "A" mean administrative review. A reference section would be added to link the use to the proposed Land Use Standards section. The name of the use would be updated to Composting Facilities.

LCC 17.142, Land Use Standards – A new code section will be added for composting facilities.

### **Findings of Fact**

1. Lewis County is required by RCW 36.70A.130 to periodically review and evaluate its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the Washington State Growth Management Act; and
2. RCW 36.170A.130(2)(a) requires that amendments to comprehensive land use plans not be made more than once per year except adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.440, including amendments to development regulations that are consistent with a comprehensive plan adopted under RCW 36.70A; and
3. The Lewis County Comprehensive Plan (Ordinance 1287) was adopted in 2017 by the Board of County Commissioners and is consistent with RCW 06.70A, Growth Management; and
4. As provided for by RCW 36.70A.130, the Lewis County Planning Commission elected to conduct a periodic review and update of LCC 17.15 (Attachment A) to allow placement of temporary equipment for data collection and research within resource lands; and
5. The code amendments shown in Attachment A, C, D and E are consistent with RCW 36.70A.130(1)(d) and the Lewis County Comprehensive Plan policies as described in Attachment E, Further Findings of Fact; and
6. The code amendment shown in Attachment B are consistent with RCW 36.70A.130(1)(d) and the Lewis County Comprehensive Plan policies because the amendment is a non-substantive change; and
7. Staff provided notice for a public hearing on the proposed code amendments in the manner prescribed in LCC 17.05 and 17.12 on March 8, 2022; and
8. On March 22, 2022, the Lewis County Planning Commission held a public hearing on the proposed code amendments shown in Attachment A through C; and
9. Following the public hearing, the Planning Commission deliberated and determined that the proposed amendments met the intent and requirements of the Growth Management Act,



were consistent with the Lewis County Comprehensive Plan and were in accordance with the public interest.

### **Recommendation**

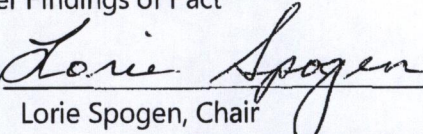
Based on the above findings, the Lewis County Planning Commission recommends that the Board of County Commissioners pass an ordinance that adopts the proposed changes to LCC Chapter 17.10, Definitions, 17.15, Urban Growth Areas – Cities, 17.30, Resource Lands, 17.42, Land Use Summary, and 17.142, Land Use Standards.

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

#### **A.ttachments:**

- A. Amendments to 17.10.030, Definitions
- B. Amendments to 17.15, Urban Growth Areas – Cities
- C. Amendments to 17.30, Resource Lands
- D. Amendments to 17.42, Land Use Summary
- E. Amendments to 17.142, Land Use standards
- F. Further Findings of Fact

Submitted by

  
Lorie Spogen, Chair  
Lewis County Planning Commission

Date

03/23/2022



**Attachment A – AMENDMENTS TO LEWIS COUNTY CODE 17.10.030 “C” DEFINITIONS**

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

“Campground” means any parcel or adjacent parcels of land in the same ownership, either public or private, which provides sanitary facilities and spaces for pitching tents for short-term occupancy of a transient, recreational nature. A private camping club is included within this definition. Those campground facilities that provide occupancy continuously for 30 or more days shall be governed by the regulations in Chapters [15.25](#) and [15.30](#) LCC.

“Cemetery” means a place used and dedicated for burial of deceased humans with one or a combination of the following elements: (a) burial plot or plots for earth interments; (b) mausoleum for crypt interments; (c) columbarium for permanent cinerary interments.

“Channel migration zone” means the area along a river or stream within which the channel can reasonably be expected to migrate over time as a result of normally occurring processes. It encompasses that area of lateral stream channel movement that can be identified by credible scientific information that is subject to erosion, bank destabilization, rapid stream incision, and/or channel shifting, as well as adjacent areas that are susceptible to channel erosion. For the purpose of this code, linear facilities parallel to the direction of flow, including roads and railroads and flood control levees permanently maintained by a public agency, may be considered to form the boundary of a channel migration zone.

“Classification,” as it relates to Chapter [17.38](#) LCC, Critical Areas, means defining the value and hazard categories to which critical areas will be assigned.

“Clearing” means destruction of vegetation by manual, mechanical, or chemical methods resulting in exposed soils.

“Closed record appeal” means an administrative appeal on the record to Lewis County, as defined under LCC [2.25.010](#)(3).

“Clustering” means the placement of dwellings and accessory buildings in a pattern of development, which reduces impervious surface area, lowers cost of development and maintenance, and retains larger expanses of property available for agriculture, forestry, or continuity of ecological functions.

“Commercial” activities are primarily for a business or retail purpose, including but not limited to selling, offering for sale, displaying, distributing, or providing of goods, merchandise, or services as well as any advertising, promotion, or conveying of information or materials related to such goods, merchandise, or services, together with associated transport, storage, assembly, and repair.

“Community center” means land and/or building(s) owned by a public agency or private nonprofit entity used for social, civic, educational, or recreational purposes, which mainly serves the community where it is located; including but not limited to community halls and centers, grange halls, senior citizen centers, teen centers, youth clubs, field houses, and churches. The facilities are available for occasional public meetings. They may also have the minimal kitchen facilities required for occasional banquets. Private clubs as defined in this title are not included.

“Compensatory mitigation project,” as it relates to Chapter [17.38](#) LCC, Critical Areas, means actions necessary to replace project-induced critical area and associated buffer losses and includes, but is not limited to land acquisition, planning, construction plans, monitoring, and contingency actions.



"Composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

"Composting facilities" means a solid waste facility specializing in the composting of one or more organic feedstocks under controlled conditions pursuant to Chapter 70.95 RCW to promote aerobic decomposition yielding a marketable, nuisance free product for reuse or as a soil conditioner. Feedstocks may include but are not limited to, yard waste, other biosolids or food waste.

"Confined animal feeding operation" means a lot or facility (other than an aquatic facility) where more than 300 animal units are confined and fed or maintained for a period of 45 days or more in any 12-month period, and in which crops, vegetation, forage growth or post-harvest residues are not sustained in the normal growing season.

"Conical surface," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.

"Consistent or consistency" means a project's conformance with the county's development regulations or, in the absence of applicable development regulations, the appropriate elements of the county comprehensive plan or subarea plans adopted under Chapter 36.70A RCW.

"Convenience grocery or fuels" means a store designed and intended to serve the daily or frequent needs of nearby residents or visitors. The store may sell nonfood items such as household supplies, gas, pharmaceuticals, and items for personal hygiene.

Country Inn. A "country inn" is a restaurant or restaurant/lounge facility designed to encourage a rural dining experience which is dependent upon a rural location for appropriate ambiance.

"County commission" means the county commission of Lewis County.

"Critical area functions" means the physical, chemical, biological and geologic processes or attributes of a critical area. For example, wetlands perform many valuable functions including: functions that improve water quality, functions that change the water regime in a watershed such as flood storage, and functions that provide habitat for plants and animals.

"Critical area values" means the critical area processes, characteristics or attributes that are valuable or beneficial to society.

"Critical facilities," as they relate to Chapter 17.38 LCC, Critical Areas, include, but are not limited to, schools; hospitals; police, fire, and emergency response installations; nursing homes; public and private facilities, including water wells, storage tanks, wastewater treatment facilities, power distribution facilities; and installations which produce, use, or store hazardous materials or hazardous waste.

"Culturally or historically important lands or structures" means lands or structures on a recognized historic preservation list approved by state, federal, or city authorities.

"Cumulative impacts or effects" means the combined, incremental effects of human activity on ecological or critical area functions and values. Cumulative impacts result when the effects of an action are added to or interact with the effects of other actions in a particular place and within a particular time. It is the combination of these effects, and any resulting environmental degradation, that should be the focus of cumulative impact analysis and changes to policies and permitting decisions. [Ord. 1284 §1, 2018; Ord. 1179, 2002; Ord. 1170B, 2000]



**Attachment B – AMENDMENTS TO LEWIS COUNTY CODE 17.15 URBAN GROWTH AREAS – CITIES**

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

**CHAPTER 17.15, URBAN GROWTH AREAS – CITIES**

**17.15.010 Purpose.**

[No Change]

**17.15.015 Three Options.**

[No Change]

**17.15.018 Option 1 – Continued county standards.**

[No Change]

**17.15.020 Option 2 – Incorporation of zoning standards by reference.**

[No Change]

**17.15.025 Option 2 – Incorporation and administration by agreement.**

[No Change]

**17.15.030 Violations**

Regardless of the option chosen in this chapter, a violation of any adopted code or standard pertaining to conduct or development in the urban growth area or the urban growth area's administration is punishable as a civil violation under LCC 1.20.040 and shall be a public nuisance subject to all remedies as may be available under the law. The penalties in this provision are cumulative and separate to any other available penalties, civil or criminal, established under other law.



**Attachment C – AMENDMENTS TO LEWIS COUNTY CODE 17.30, RESOURCE LANDS**

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

**CHAPTER 17.30, RESOURCE LANDS**

**Article I. General Provisions**

[No change]

**Article II. Reserved**

[No change]

**Article III. General Requirements**

**17.30.290 Applicability.**

[No change]

**17.30.300 Relationship to other regulations.**

[No change]

**17.30.310 Exemptions.**

The following activities shall be exempt from the provisions of this chapter:

- (1) Existing and ongoing agricultural activities on lands designated as resource lands on the effective date of the ordinance codified in this chapter;
- (2) Normal and routine maintenance and operation of existing irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, landscape amenities, farm ponds, fish ponds, manure lagoons, and animal water ponds; provided, that such activities do not involve conversion of any resource lands to other than resource land uses;
- (3) Maintenance, operation, repair, or replacement of utility facilities and associated rights-of-way, including but not limited to reasonable access roads, and construction of utility facilities reasonably necessary;
- (4) Passive recreational uses, sport fishing or hunting, scientific or educational review, or similar minimal-impact, nondevelopment activities;
- (5) Site investigative work required by a city, county, state, or federal agency in conjunction with the preparation of a land use application submittal such as surveys, soil logs, percolation tests, and



other related activities. In any such activity, resource lands are avoided where possible and minimized where necessary, and disbursed to the extent possible;

- (6) Maintenance, operation, reconstruction of or addition to existing roads, streets, and driveways; provided, that reconstruction of any such facilities does not extend outside the previously disturbed area;
- (7) Any projects currently under review and "vested" as that term is used in RCW 19.27.095 and 58.17.033 by local, state, or federal agencies prior to official adoption of the ordinance codified in this chapter are exempt from this chapter and will be grandfathered under previous resource lands protection measures; provided, however, "vested properties" shall include any property acquired for development purposes where the following qualifications have been met: (a) the purchase includes lands designated as resource lands pursuant to this chapter; (b) the purchaser can demonstrate through some objective means that the property was acquired for present development purposes (e.g., more than generalized intent, such as a feasibility study, nature of purchaser's business, or other facts or data); and (c) the earnest money agreement is complete and binding on both parties within 90 days prior to the effective date of the ordinance codified in this chapter; and provided further, such additional vested rights shall be in effect only for the subdivision of such property in fact completed (final plat recorded) within 18 months of the effective date of the ordinance codified in this chapter; and
- (8) Temporary equipment for basic data collection and research, if all of the following are met:
  - (a) The equipment does not detract from the overall productivity of the primary use;
  - (b) The equipment is used strictly for information gathering or as a part of a study leading to a proposal that has not yet been approved;
  - (c) The equipment is removed within at least 10 years of erection; and
  - (d) All disturbance areas are restored to the original condition.

This exemption does not commit Lewis County or any other agencies to proceed with subsequent proposals or applications. This exemption does not include towers and equipment used by airports or the Washington Department of Transportation. Any equipment remaining place for more than 10 years shall be considered permanent and will not be considered exempt under this section.

#### **17.30.360 Nonconforming activities.**

[No change]

#### **17.30.370 Notification of proximity to natural resource lands – Conflict mitigation.**

[No change]

#### **17.30.380 Nonregulatory incentives.**



Ordinance #####

[No change]

**17.30.390 SEPA.**

[No change]

**17.30.400 Judicial or legislative modification.**

[No change]

**17.30.410 Cost recovery.**

[No change]

**Article IV. Forest Resource Lands.**

[No change]

**Article V. Agricultural Resources Lands.**

[No change]

**Article VI. Minder Resource Lands.**

[No change]



**Attachment D – AMENDMENTS TO LEWIS COUNTY CODE 17.42 LAND USE SUMMARY**

Code text to be removed is shown with a ~~strike-through~~ and code text to be added is shown with an underline. For ease of readability, when an entirely new table is added, the table name is underlined but the contents of the table are not underlined.

**CHAPTER 17.42, RURAL AREA ZONING SUMMARY**

**17.42.040 Purpose.**

[No change]

**17.42.015 Conflicts.**

[No change]

**17.42.017 Minimum Lot Size Summary**

See Table 1 of this section

Table 1: Minimum Lot Size Summary

Zone	Name	Minimum Lot Size <sup>1</sup>	Notes	Reference
<b>Primary FRL</b>	Primary Forest Resource Land	80 acres	Residential subdivision of land may be approved with lot sizes under the allowed minimum provided that 17.30.490(3)(a)-(e) are met.	17.30.490(1)
<b>Local FRL</b>	Forest Land of Local Importance	20 acres		17.30.490(2)
<b>ARL</b>	Agricultural Resource Land	20 acres	A clustered subdivision may include lots smaller than 20 acres provide that 17.30.650(1)(a)-(c) are met.	17.30.650 16.18
<b>MRL</b>	Mineral Resource Land	10 acres	Exceptions to the minimum lot size may be made if it is found by Lewis County to be a necessary part of or accessory to mining operations.	17.30.800
<b>RDD-20</b>	Rural Development District 20	20 acres	In RDD-20, all contiguous property 30 acres or larger, but less than 40 acres, may be divided into two lots. This one-time provision is only	17.100.15(1)(c) 17.100.060(2)



			applicable to legal lots of record in existence prior to the adoption date of May 12, 2002. Clustering is allowed.	16.18
<b>RDD-10</b>	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.	17.100.15(1)(b) 17.100.060(2) 16.18
<b>RDD-5</b>	Rural Development District 5	5 acres	Clustering is allowed.	17.100.15(1)(a) 17.100.060(2) 16.18
<b>STMU</b>	Small Town Mixed Use	N/A	There is no minimum lot size requirement for STMU. Minimum lot size is determined by health code and available utilities.	17.45 16.05.300(3)
<b>STR-4</b>	Small Town Residential	1/4 acre	<i>none</i>	17.50.050
<b>STI</b>	Small Town Industrial	N/A	There is no minimum lot size requirement for STI. Minimum lot size is determined by health code and available utilities.	17.55 16.05.300(3)
<b>CC</b>	Crossroads Commercial	N/A	There is no minimum lot size requirement for CC. Minimum lot size is determined by health code and available utilities.	17.60 16.05.300(3)
<b>FC</b>	Freeway Commercial	N/A	There is no minimum lot size requirement for FC. Minimum lot size is determined by health code and available utilities.	17.65 16.05.300(3)
<b>RRC-R10000</b>	Rural Residential Center 10	10,000 square feet	<i>none</i>	17.95.050(1)
<b>RRC-R.5</b>	Rural Residential Center 0.5	1/2 acre	<i>none</i>	17.95.050(2)
<b>RRC-R1</b>	Rural Residential Center 1	1 acre	<i>none</i>	17.95.050(3)
<b>RRC-R2</b>	Rural Residential 2	2 acres	<i>none</i>	17.95.050(4)
<b>RAI</b>	Rural Area Industrial	N/A	There is no minimum lot size requirement for RAI. Minimum lot size is determined by health code and available utilities.	17.75
<b>TSA</b>	Tourist Service Area	10 acres	<i>none</i>	17.70.040(1)
<b>Park</b>	Parks and Open Space	N/A	There is no minimum lot size requirement for Park. Minimum lot size is determined by health code and available utilities.	17.42.020 Table 2



1 – There are several exceptions to the standard minimum lot size. Please refer to Lewis County Code Title 16, Subdivisions.

**17.42.020 Land Use Summary**

See Table 42 of this section.

Table 42: Land Use Summary

RESOURCE	RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A Mineral resource use													
-Below DNR threshold	P	P	P	X	X	X	X	X	X	X	X	X	
-New or expansion of existing approved mine area	SUP	SUP	SUP	X	X	X	X	X	X	SUP	X	X	<a href="#">17.142.200</a>
B Forestry uses listed in LCC <a href="#">17.30.450(1)</a> and (2)	P	P	P	P	P	P	P	P	P	P	P	P	
C Forest resource accessory use, mills, log yards													
-Temporary (less than 1 year/ portable)	P	P	P	X	X	P	X	X	X	P	X	P	
-Permanent (fixed installation or more than 1 year)	P/SUP over 20 acres	P/SUP over 20 acres	P/SUP over 20 acres	X	X	P/SUP over 20 acres	X	X	X	P/SUP over 20 acres	X	X	
D Agricultural uses listed in LCC <a href="#">17.30.610</a> through <a href="#">17.30.630</a> <sup>6</sup>	P	P	P	P	P	P	P	P	P	P	X	X	
E Standalone food or beverage manufacturing	SUP	SUP	SUP	SUP	X	SUP	SUP	SUP	X	SUP	X	X	
F Storage of agricultural waste (for commercial sale or use outside of the agricultural operation)	SUP	SUP	SUP	X	X	X	X	X	X	X	X	X	



G	Composting Facilities ( <del>for commercial sale or use</del> outside of the agricultural operation)	SUP	SUP	SUP	X	X	X	X	X	X	X	X	17.142.090
H	Application of biosolids <sup>7</sup>	SUP	SUP	SUP	X	X	SUP	X	SUP	X	SUP		
I	Confined animal feeding operations	SUP	SUP	SUP	X	X	X	X	X	X	X	X	
J	Facilities and activities related to the commercial sale of extraction of ground or surface water for bottled water.	X	X	X	X	X	X	X	X	X	P	X	17.75.035

[No change to the rest of the table]

SUP = Special Use Permit

1-Allowed where the LAMIRD contains a centralized wastewater treatment facility with adequate capacity.

2-An administrative or special use permit is required for the centralized components of public facilities or services, and not for the provision of the service itself or the linear features of the service, such as individual water lines or roads. For example:

- a. Special permitting is required for new facilities such as a public works road shop, a fire station, a bus facility or a water treatment plant; and
- b. Special permitting is not required for a water line or road (so long as all the other applicable requirements are met), or the operation of a fire or bus service.

3-Uses that exceed a certain size (per LCC 17.142.120) are required to receive an administrative or special use permit.

4-Uses that exceed a certain size (per LCC 17.142.080) are required to receive a special use permit.

5-Animal kennels, shelters, boarding, grooming and hospitals are permitted outright in the majority of crossroads commercial areas. When an application is submitted for the Galvin and Dorn's Corner crossroads commercial areas, the proposal requires an administrative approval to ensure that notice is provided to nearby landowners.



Ordinance XXXX

- 6-The agricultural uses in LCC 17.30.610 through 17.30.630 are allowed subject to the standards within that section, so long as the uses are not otherwise listed within this matrix and are conducted in accordance with best management practices.
- 7-The application of biosolids does not apply to bulk biosolids that are applied to a lawn or home garden per the standards in WAC 173-308-250 or bulk biosolids sold or given away in a bag or other container per the standards in WAC 173-308-260.



**Attachment E – AMENDMENTS TO LEWIS COUNTY CODE 17.142 LAND USE STANDARDS**

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

**CHAPTER 17.142, LAND USE STANDARDS**

Sections:

- 17.142.010 Purpose.
- 17.142.020 General land use standards.
- 17.142.030 Accessory buildings.
- 17.142.040 Assisted living facilities, convalescent homes, retirement facilities and similar uses.
- 17.142.050 Auctioneering facilities - Regional.
- 17.142.060 Aviation facilities.
- 17.142.070 Bed and breakfast use.
- 17.142.080 Commercial/industrial buildings in certain LAMIRDs.
- 17.142.090 Composting Facilities
- ~~17.142.090-100~~ 100 Clustered tourist uses.
- ~~17.142.100-110~~ 110 Fences greater than seven feet.
- ~~17.142.110~~ 120 Home-based businesses that are permitted outright.
- ~~17.142.120~~ 130 Home-based businesses and isolated small businesses that require an administrative or special use permit.
- ~~17.142.130~~ 140 Marijuana production and processing.
- ~~17.142.140~~ 150 Marijuana retailers.
- ~~17.142.150~~ 160 Multifamily housing.
- ~~17.142.160~~ 170 Public facilities.
- ~~17.142.180~~ 180 Religious buildings, community centers, grange halls, and similar structures for public assembly.
- ~~17.142.190~~ 200 Regional recreational facilities.
- ~~17.142.200~~ 210 Surface mining areas.
- ~~17.142.210~~ 220 Transient accommodations other than bed and breakfasts.

[17.142.010 – 17.142.080 no change]

**17.142.090 Composting facilities.**

- (1) An administrative permit is required for facilities proposed in Small Town Industrial (STI) zones.
- (2) Standards. All of the following standards must be met.
  - (a) Structures are required to be setback at least one hundred feet from abutting lot lines if the abutting lot is not zoned RAI or STI. If the abutting lot is RAI or STI, then standard setbacks in LCC 17.145 apply.
  - (b) Screening around the perimeter of the site must be provided. Screening may include fences, walls, vegetation, earth berms with vegetation, or a combination of these or other



methods. The screening must be at least six feet high and must obscure at least eighty percent visibility of all equipment and structures as seen from rights-of-way and adjacent properties.

- i. All vegetation used for screening must be of sizes, types, numbers and siting adequate to achieve eighty percent opacity within three years.
- ii. All vegetation used for screening must be maintained in a healthy condition. Vegetation used for screening that dies must be replaced within six months.

[17.142.090 – 17.142.210 are renumbered to 17.142.100 – 17.142.220]



## Attachment F – FURTHER FINDINGS OF FACT

### Lewis County Code 17.10, Definitions, 17.42.020, Land Use Summary, and 17.142, Land Use Standards Amendments

#### 1. Economic Development

- a. Policy 2.1, Strive to create jobs in sectors such as industry, tourism, recreation, agriculture, natural resources, and retailing. Composting facilities will provide new industrial job opportunities and revenue in Lewis County.
- b. Policy 2.2, Target business sectors that provide family wage jobs and match the skills mix of the existing workforce. Composting facilities, as a type of waste management, provide a range of jobs with a range of wages. Wages for waste management technical employees range from \$20 to \$28 per hour (based on review of job opening in Washington State on 2/28/2022 and <https://www.glassdoor.com/>). No advance education or training is necessary for most waste management jobs (based on review of job opening in Washington State on 2/28/2022). Therefore, new composting facilities are anticipated to provide family wage jobs and match skills of the existing workforce.
- c. Policy 2.3, Target basic industry sectors that export their goods and services outside the county and attract new dollars into the community. Composting facilities sell their product commercially throughout the region and therefore are consistent with the policy.
- d. Policy 2.4, Facilitate the continued operation of resource-based industries such as agriculture, forestry, mineral extraction, and energy production. While composting facilities are not a resource-based industry itself, composting will support agricultural and forestry industries.
- e. Policy 2.7, Utilize the Growth Management Act standards for developments such as Master Planned Resorts, Master Planned Industrial, and Type II and Type III LAMIRDs, among others, to establish new locations for economic development. Composting facilities will be allowed in RAI and STI zones, both of which are existing Type III LAMIRDs.
- f. Policy 3.1, Support economic development activities that pursue industries, businesses, and jobs that are well-suited for Lewis County. Composting facilities are well suited for Lewis County because of the resource-based industries that currently exist including agricultural and forestry uses.

#### 2. Land Use – Rural Element

- a. Policy 1.2, Consider the Types of Rural Development shown in this section, and similar building forms, as development types that are consistent with the rural character of Lewis County. Composting facilities are consistent because they are new isolated small-scale business with a moderate level of urbanization and similar to other examples in Lewis County including Jackson Highway/Smokey Valley Road Industrial Site and PSE National Gas Storage Site.
- b. Policy 2.1, Promote the development of a vital rural economy in Lewis County with jobs in agriculture, mining, timber production, home occupations, small businesses, and a variety of other industries. Composting facilities are consistent because this type of industrial use will add to the economic sustainability of the county by providing new jobs and revenue.
- c. Policy 7.1, Allow industries such as warehousing, manufacturing and distribution outside of urban growth areas (when appropriate). There is no change to Map LU-2, which is the adopted Rural Lands map and designates industrial/employment lands. Composting facilities are an industrial use similar to other industrial uses in Lewis County.



- d. Policy 7.2, Consider the areas mapped in Map LU-2 to be the existing locations of designated rural industrial/employment land. There is no change to Map LU-2, which is the adopted Rural Lands map and designates industrial/employment lands.
- e. Policy 7.3, Permit additional areas of rural industrial development in isolated rural locations when consistent with the rural character in Lewis County, the standards within the Lewis County Code, and the provisions for a Type III LAMIRD in RCW 36.70A.070(5)(d)(iii). There is no change to Map LU-2, which is the adopted Rural Lands map and designates industrial/employment lands.

### **Lewis County Code 17.30, Resource Lands Amendments**

#### **3. Land Use – Rural Element**

- a. Policy 2.1, Promote the development of a vital rural economy in Lewis County with jobs in agriculture, mining, timber production, home occupations, small businesses, and a variety of other industries. Data collection and research can support many economic development opportunities associated with rural industries and promote job creation.

#### **4. Land Use – Resource Lands**

- b. Policy 4.3, Allow additional land use activities on resource lands, including small business and agritourism ventures, so long as the uses do not jeopardize the long-term viability of the resource use or occur in a manner inconsistent with rural character. Data collection and research can support many economic development opportunities, including small business, and promote job creation.
- c. Policy 5.1, Work to ensure that agriculture (including ranching), forestry and mineral resource activities are conducted in a manner that minimizes their adverse impacts on water quality, habitat, and other environmentally sensitive areas. Data collection and research will allow property owners to monitor impacts on water quality, habitat and other environmental features and functions.

#### **5. Land Use – Natural Environment**

- d. Policy 2.2, Encourage the use of alternative, cleaner burning fuels and other sources of energy. Data collection and research may aid in the establishment of new alternative energy production.
- e. Objective 4A, Reduce risk to life and property from hazards associated with development in geologically hazardous areas. Objective 4B, Seek to retain the function and values of wetlands in Lewis County. Objective 4C, Protect aquifer recharge areas to help ensure a long term, high quality supply of water for Lewis County residents. Objective 4D, Protect life and property from flood hazards. Data collection and research may provide information that help protect environmental resources and reduce the risk to life and property from hazards such as flooding, landslides and wildfire.

#### **6. Economic Development**

- f. Policy 2.1, Strive to create jobs in sectors such as industry, tourism, recreation, agriculture, natural resources, and retailing. Data collection and research will support new rural job opportunities and revenue in Lewis County.
- g. Policy 2.4, Facilitate the continued operation of resource-based industries such as agriculture, forestry, mineral extraction, and energy production. Data collection and research will support resource-based industries.



- h. Policy 3.1, Support economic development activities that pursue industries, businesses, and jobs that are well-suited for Lewis County. Data collection and research will support economic development related to agricultural, forestry and natural resource industries that exist in Lewis County.
- i. Policy 5.1, Support the creation of new energy generation facilities, and the establishment of businesses that harness the power of renewable natural resources. Data collection and research may support creation of new alternative energy production.



# BOCC AGENDA ITEM SUMMARY

**Resolution:**

**BOCC Meeting Date:** Aug. 30, 2022

**Suggested Wording for Agenda Item:**

**Agenda Type:** Legal Notice

Notice of a public hearing for Ordinance 1336, which would amend Chapter 17.30, Resource Lands, of the Lewis County Code

**Contact:** Mindy Brooks

**Phone:** 3607402610

**Department:** CD - Community Development

## Description:

Notice of a public hearing for Ordinance 1336, which would amend Chapter 17.30, Resource Lands, of the Lewis County Code

## Approvals:

User	Status
PA's Office	Pending

## Publication Requirements:

**Publications:**

**Additional Copies:**

**Cover Letter To:**



SEP 06 2022

**AFFIDAVIT  
OF PUBLICATION  
STATE OF WASHINGTON  
COUNTY OF LEWIS**

Cindy Thayer, and/or Sarah Burdick, and/or Ronda Pogorelc  
and/or Cheyenne Denman says that she is the legal clerk of

**The  
Chronicle**

a semi-weekly newspaper, which has been established, published in the English language, and circulated continuously as a semi-weekly newspaper in the City of Centralia, and in Lewis County, Washington, general circulation in Lewis County for more than six (6) months prior to the date of the first publication of the notice hereto attached, and that the said Chronicle was on the 7th day of July 1941, approved as a legal newspaper by the Superior Court of said Lewis County. And that the attached is a true copy and was published in regular issues (and not in supplement form) of said newspaper as LEGAL # 123530  
RE: Ordinance 1336

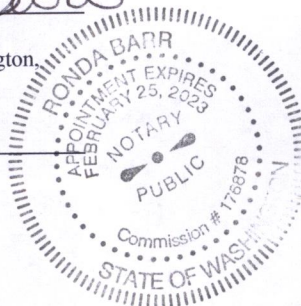
once each day for a period of 1 day

commencing on 09/01/2022 and ending on 09/01/2022

and both regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$ 41.41

Cheyenne Denman  
Subscribed and sworn to before me 09/01/2022

Ronda Barr  
Notary Public in and for the State of Washington  
residing at Chehalis



123530 Ordinance 1336

**NOTICE OF PUBLIC  
HEARING BEFORE  
THE LEWIS COUNTY  
BOARD OF COUNTY  
COMMISSIONERS  
AND INTENT TO ADOPT  
NOTICE IS HEREBY GIV-  
EN that the LEWIS  
COUNTY, Washington  
BOARD OF COUNTY  
COMMISSIONERS will  
hold a public hearing on  
September 20, 2022 to  
receive public testimony on  
proposed amendment to  
Lewis County Code 17.30,  
Resource Lands.  
The hearing will take place  
at or after 10 a.m. in the  
Commissioners' Hearing  
Room on the second floor  
of the Historic Courthouse  
in Chehalis, Washington.  
Interested parties are en-  
couraged to check the  
Commissioners' Business  
Meeting agenda for the  
Zoom log-in details. The  
agenda will be posted at  
least 24 hours in advance  
of the meeting on the  
Lewis County Agendas &  
Calendar webpage.**

The public hearing will  
consider amendments to  
the Lewis County Code  
Chapter 17.30 to allow  
research and data collec-  
tion on resource lands  
when the research is not  
directly connected to the  
primary use of the land.  
The code amendments  
were the subject of a duly  
notice public hearing be-  
fore the Lewis County  
Planning Commission on  
March 22, 2022.

Details about the proposal  
will be available online at  
the agenda link provided  
above. Please select the  
agenda for August 30  
(Notice) or September 20  
(Hearing) to see the draft  
ordinance. The draft is  
subject to change before or  
at the hearing. If you wish  
to receive a paper copy of  
the proposal, contact Meg-

an Sathre at  
megan.sathre  
@lewiscountywa.gov or  
(360)740-2677 and a copy  
will be mailed to you.  
During the hearing, individ-  
uals will be invited to speak  
and/or provide written  
statements regarding the  
proposed changes. All indi-  
viduals wishing to speak  
are encouraged to attend.  
Written comments may be  
submitted in advance of  
the hearing by emailing  
Mindy Brooks, Senior Long  
Range Planner, at  
mindy.brooks  
@lewiscountywa.gov or  
postal mail to Community  
Development, c/o Mindy  
Brooks, 2025, NE Kresky  
Ave., Chehalis, WA 98532.  
To sign up for Community  
Development email an-  
nouncements, please visit:  
[http://lewiscountywa.gov/c](http://lewiscountywa.gov/communitydevelopment/receive-email-announcements)  
[ommunitydevelopment/rec](http://lewiscountywa.gov/communitydevelopment/receive-email-announcements)  
[eive-email-announcements](http://lewiscountywa.gov/communitydevelopment/receive-email-announcements)

The meeting site is barrier  
free. People needing spe-  
cial accommodations  
should contact the phone  
number shown above 72  
hours in advance of the  
meeting.

Published: The Chronicle  
September 1, 2022