



Community Development

2025 NE Kresky Ave

Chehalis, WA 98532

Phone: (360) 740-1146

LCC 17.12 Code Amendment

Lewis County Planning Commission – Workshop

September 13, 2022



Staff Presentation Agenda

- 1. Overview**
- 2. Why amend the code**
- 3. Format of code amendments**
- 4. Summary of substantive amendments**
- 5. Next steps**



Overview – Lewis County Code

Title 17 – Land Use and Development Regulations

17.05 General Provisions

17.07 Violations and Civil Penalties

17.10 Definitions

17.12 Public Participation Program

17.15 Urban Growth Areas - City

17.20A Industrial Land Bank Urban Growth Area

17.20B Master Planned Major Industrial Reclaimed Surface

Coal Mine Urban Growth Area

17.20C Economic Development Urban Growth Areas

17.20D New Fully Contained Community Urban Growth Area

17.20E Master Planned Resorts

17.20F Urban Reserve Overlay District

17.21 Float Glass Manufacturing Facility

17.25 Shoreline Management

17.30 Resource Lands

17.38 Critical Areas

17.40 Right to Farm

17.42 Rural Area Zoning Summary

17.45 Small Towns - Mixed Use/Commercial (STMU)

17.50 Small Towns - Residential (STR-4)

17.55 Small Towns - Industrial (STI)

17.60 Crossroads Commercial (CC)

17.65 Freeway Commercial (FC)

17.70 Tourist Services Areas (TSA)

17.75 Rural Area Industrial (RAI)

17.80 Airport Obstruction Zoning (RA)

17.95 Rural Residential Centers (RRC)

17.100 Rural Development District (RDD)

17.102 Accessory Dwelling Units

17.110 State Environmental Policy Act

17.125 Essential Public Facilities

17.130 Adequate Public Facilities and Services

17.140 Recodified

17.142 Land Use Standards

17.145 Supplemental Requirements

17.150 Special Conditions - Rural Area Development

17.155 Nonconforming Uses and Parcels

17.158 Special Use Permits

17.160 Procedures for Administrative Approvals and Administrative Reductions

17.162 Procedures for Variances

17.200 Maps

17.300 Compliance

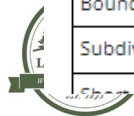


Overview – LCC 17.05, General Provisions

Table 17.05-2
Process Required for Different Permit Types

	Type					Code Reference
	I	II	III	IV	V	
Interpretations						
Code Interpretation - Written	X					
Permits and Reviews						
Special Use			X			17.158
Evaluation of Conformance with Special Use Permit			X			
Administrative Approval		X				17.160
Administrative Reduction		X				
Master Plan - Rural Area Uses			X			17.120*
*Code reviser's note: Chapter 17.120 LCC was repealed by Ord. 1292.						
Master Planned Industrial - Binding Site Plan			X			17.20A , 17.20B
New Fully Contained Community Urban Growth Area	See Applicable Code Section					17.20D
Master Planned Resort - Binding Site Plan			X			17.20E
SEPA		X ¹				
Nonconforming Use Determination						
Continuation of Nonconforming Use	X					17.155.010 ²
Expansion of a Nonconforming Use			X			17.155.020 ²
Change to Another Nonconforming Use			X			17.155.040 ²
Boundary Line Adjustments and Land Divisions						
Boundary Line Adjustment	X					16.02.040(8)
Subdivision			X			16.05
Short Subdivision	X					16.10

	Type					Code Reference
	I	II	III	IV	V	
Final Plat						
Final Plat	See Applicable Code Section					16.05 (Long Plats), 16.10 (Short Plats), 16.12 (Large Lots)
Preliminary Plat Alteration/Amendment	See Applicable Code Section					16.05.140 (Subdivisions), 16.15.070 (Binding Site Plan)
Final Plat Alteration/Amendment	See Applicable Code Section					16.02.090
Plat Vacation	See Applicable Code Section					16.02.085
Modifications and Variances						
Administrative Variance	X					
Variance			X			17.162
Land Division Variance			X			16.02.095
Plan and Code Amendments						
Site Specific Rezones/CP Map Amendments					X	
General Legislative Amendments (Zone, CP Text Changes, Nonspecific Site Amendments)					X	17.12
Industrial Land Bank Comprehensive Plan Designation/Establishment of Zoning Criteria					X	17.20A
Master Planned Resort Comprehensive Plan Designation/Establishment of Zoning Criteria					X	17.20E
Resource Land of Local Importance Designation					X	17.30.560 , 17.30.670 , 17.30.850



Overview – LCC 17.05, General Provisions

Table 17.05-1
Permit Review Type - Process Chart

	Type				
	I	II	III	IV	V ¹
REQUIRED PUBLIC NOTICE²					
Notice Period		At Least 15 Days Before the Decision	At Least 15 Days Before an Open Record Public Hearing		
Mailed Notice		X	X	X	X ³
Notice Posted on Road Frontages		X	X	X	X ³
Notice Published in Newspaper			X	X	X
Notice Posted at Libraries and Senior Centers					X
PUBLIC HEARING					
Planning Commission					X
Hearing Examiner			X	X	
DECISION-MAKING BODY					
Administrator	X	X			
Hearing Examiner			X		
Board of County Commissioners				X	X
APPEAL					
To Hearing Examiner (as Specified in LCC 2.25.130)	X	X			
To Appropriate Court/Hearings Board (as Defined in LCC 2.25.140)			X	X	X



Overview – LCC 17.12, Public Participation

- Type V non-project actions:
 - Rezones
 - UGA amendments
 - Development code changes
- Type V to Planning Commission, decided by BOCC
 - Type I, II, III decided by staff or Hearings Examiner
- **LCC 17.05 >>>>> LCC 17.12**



Overview – LCC 17.12, Public Participation

- Updates to LCC 17.12 in 2021
- 2021 big changes:
 - Mailing notice distribution
 - Approval criteria 17.12.100



Why Amend the Code

- Implementing new 17.12 for a year
- Code Clean-up:
 - Staff identified clarifications
 - Relationship between LCC 17.05 and 17.12



Code and Commentary

Commentary

17.12.030(1)-(2)

Amendments to city urban growth areas are required to meet rules set forth by the Washington State Growth Management Act related to demonstrating that the city needs the land to accommodate the 20-year population forecast and that the city can provide public services (e.g., water, sewer and transportation) over the 20-year planning horizon. The city provides documentation that the state rules are met. Therefore, only a city may proposed an amendment to their urban growth area.

Urban growth areas may also be applied to geographies that do not have an incorporated city. In this case, it is the county's responsibly to demonstrate that the state rules are met. The Lewis County Community Development Department or Board of County Commissioner may propose non-city urban growth area amendments.

Other amendments to the Lewis County Comprehensive Plan goals, policies or maps, Shoreline Master Program, countywide planning policies or development regulations and zoning maps may be proposed by any person or entity, including cities and the County.

17.12.030(3)

Cities typically hold a city council meeting in the spring of each year to consider property owner proposals to be included in the city's urban growth area. City staff and the city council evaluate the proposals against the appropriate state rules before submitting a request to Lewis County. To allow for the city's public process, the due date for city-initiated amendments to urban growth areas is set as the last business day of March.

Other proposal for amendments to comprehensive plan goals, policies or maps, Shoreline Master Program, countywide planning policies or development regulations and zoning maps do not require a public process prior to being submitted to the County for consideration. Therefore, those are due earlier than city-initiated urban growth area amendments.

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

- (e) Amendments needed to resolve an appeal of the comprehensive plan filed with the Growth Management Hearings Board or the court; or
- (f) Amendments necessary in cases where the board finds an emergency exists.

17.12.030 ~~Amendments~~—Filing requirements and docketing.

- (1) ~~An amendments to the comprehensive plan~~ Any person or entity may file an amendment to the items listed in 17.12.020(1), except an amendment to an urban growth area boundary may be filed by only the following:
 - ~~(a) Any person or entity;~~
 - ~~(b) The department; or~~
 - ~~(c) The commission or board, by majority vote; or~~
 - (d) A city council.
- (2) The department encourages applicants for an amendment to request a preapplication meeting as provided under LCC 17.05.050 before formally filing an application. Except for quasi-judicial matters, the department or applicant may discuss proposals with the ~~planning~~ commission or board before an application is submitted. In quasi-judicial matters, no such discussion is permitted; all contact with the commission or board on specific quasi-judicial proposals shall be on the record in writing or at ~~the a public hearing meeting.~~
- (3) ~~Except as provided under LCC 17.12.020(3), an~~ Quasi-judicial amendments, except an amendment to an urban growth area, must be filed with the department on forms provided by the department on or before the last business day of December for inclusion on the following year's docket, except that an county-initiated amendment is not subject to this deadline. City-initiated amendments to urban growth areas must be provided to the department on or before the last business day of March to be added to the current year's docket.



Summary of Amendments

LCC 17.12 is for Type V non-projection actions are heard by Planning Commission and decided by BOCC.

No changes related to Type I, II, III or IV permits.



Summary of Amendments

1. Name Change

Old – Public Participation Program

New – Amendments to Comprehensive Plan
and Development Regulations



Summary of Amendments

Table 17.05-1
Permit Review Type - Process Chart

2. Relationship with LCC 17.05

- Direct all Type V actions to LCC 17.12
- Make LCC 17.12 stand alone

	Type				
	I	II	III	IV	V ¹
REQUIRED PUBLIC NOTICE²					
Notice Period		At Least 15 Days Before the Decision	At Least 15 Days Before an Open Record Public Hearing		
Mailed Notice		X	X	X	X ³
Notice Posted on Road Frontages		X	X	X	X ³
Notice Published in Newspaper			X	X	X
Notice Posted at Libraries and Senior Centers					X
PUBLIC HEARING					
Planning Commission					X
Hearing Examiner			X	X	
DECISION-MAKING BODY					
Administrator	X	X			
Hearing Examiner			X		
Board of County Commissioners				X	X
APPEAL					
To Hearing Examiner (as Specified in LCC 2.25.130)	X	X			
To Appropriate Court/Hearings Board (as Defined in LCC 2.25.140)			X	X	X



Summary of Amendments

Chapter 17.12
PUBLIC PARTICIPATION PROGRAM
AMENDMENTS TO COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

Sections:

- 17.12.010 ~~Purpose and applicability.~~
- 17.12.020 ~~Amendments amending the comprehensive plan or development regulations~~ Applicability.
- 17.12.030 ~~Amendments—~~Filing requirements and docketing.
- 17.12.040 ~~Amendments—~~Department review, determination of completeness and staff report.
- 17.12.050 Notice of application.
- 17.12.0560 ~~Amendments—~~Public hearing notice.
- 17.12.0670 ~~Amendments—~~Review for quasi-judicial actions.
- 17.12.0780 ~~Amendments—~~Review and recommendation by planning the commission.
- 17.12.0890 Review by state agencies.
- 17.12.090100 ~~Amendment—~~Review and decision by the board.
- 17.12.1010 Approval Criteria
- 17.12.120 Time frames for decisions.
- 17.12.130 Notice of decisions.
- 17.12.140 Appeals.
- 17.12.150 Administration and interpretation.
- 17.12.160 Refund of fees.
- 17.12.170 Errors not grounds for invalidation.



Summary of Amendments

3. Non-substantive edits

- Consistency – board vs county board vs commission vs county
- Consistency – site-specific vs quasi-judicial vs governmental action
- Dates – December 1st vs first business day of December



Summary of Amendments

4. Filing Requirements

- Any entity can file except ...
- Only city or county can file UGA change



Summary of Amendments

5. Docketing

- Annual formal docket of Type V actions
- Informal long term docket
- Planning Commission will accept the formal docket in January each year



Summary of Amendments

6. Providing Physical Copies

- Annual formal docket of Type V actions
- Informal long term docket
- Planning Commission will accept the formal docket in January each year



Other Questions

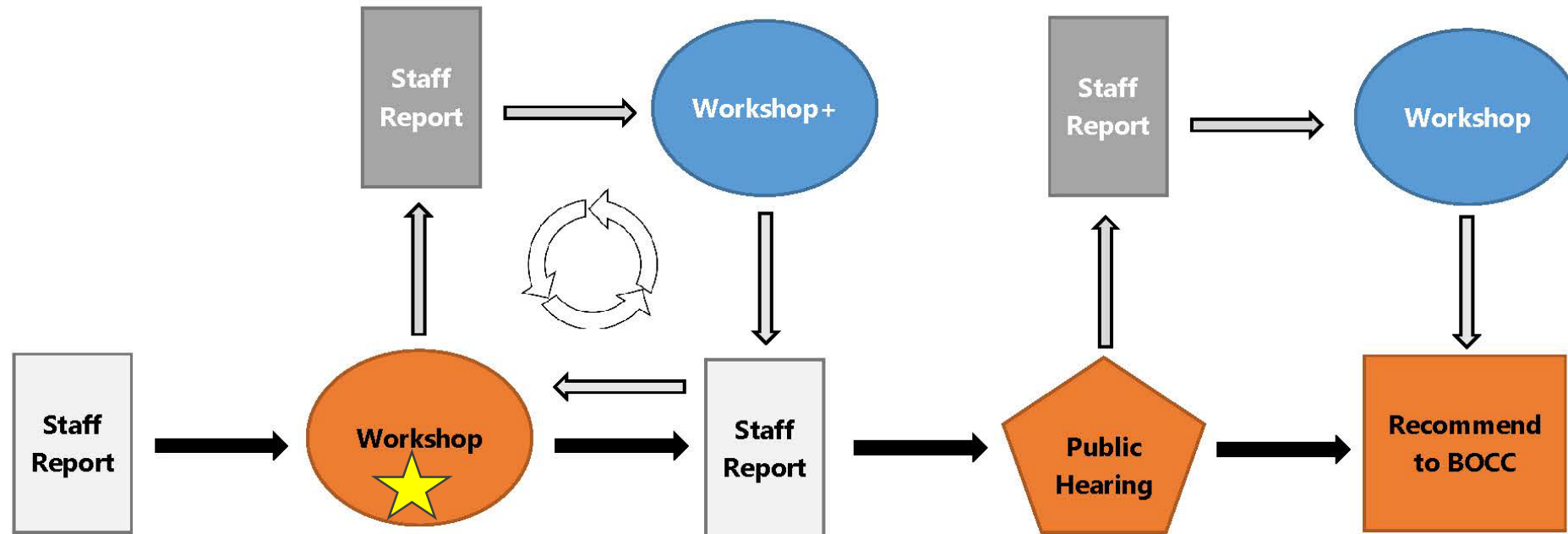
Next steps



September 13, 2022

Process and Next Steps

PLANNING COMMISSION PROCESS FLOW CHART



Process and Next Steps

No vote necessary

Are ready to move to public hearing?

If yes ...

Sept 22 – Notice of Hearing
October 11 – Hearing





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