

Commentary

ATTACHMENT A – LEWIS COUNTY CODE 17.42 AMENDMENTS

Lewis County now allows a form-based approach to housing in the Rural Development Districts (RDD-5, RDD-10 and RDD-20). There are new development regulations found in LCC 17.143.

There are no changes to LCC 17.42.010, 17.42.015 or 17.42.017. And there is only one change to 17.42.020, Table 2 to specify which zones the new Rural Housing Alternative is allowed in.

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

Chapter 17.42 RURAL AREA ZONING SUMMARY

Sections:

- 17.42.010 Purpose.
- 17.42.015 Conflicts.
- 17.42.017 Minimum lot size summary.
- 17.42.020 Land use summary.

17.42.010 Purpose.

[No Change]

17.42.015 Conflicts.

[No Change]

17.42.017 Minimum lot size summary.

[No Change]

Commentary

LCC 17.42.020 Table 2

The Rural Housing Alternative is a form-based approach to housing that is intended to meet the Growth Management Act RCW 36.07A.070(2)(a) ... "makes adequate provisions for existing and projected needs for all economic segments of the community, including ... incorporating consideration for low, very low, extremely low and moderate-income households." And RCW 36.70A.030(35) "rural character refers to the patterns of land and development ... that foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas."

Table 2 is amended to add the Rural Housing Alternative as an allowed use in the Rural Development Districts (RDD-5, RDD-10 and RDD-20), Item E under Residential in the table. No other amendments are made to Table 2.

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17.42.020 Land Use Summary.

Table 2: Land Use Summary

USE TYPE		RURAL (RDD)			LAMIRD						RECREATIONAL		SECTION	
RESIDENTIAL		RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Single-family residential	P	P	P	P	P	X	P (on existing lots)	X (except caretaker)	P	X	X	X	
B	Accessory dwelling unit	P	P	P	P	P	X	P (associated with existing residential uses)	X	P	X	X	X	
C	Duplex	P (10-acre minimum lot size)	P (20-acre minimum lot size)	P (40-acre minimum lot size)	P	P	X	P (on existing lots)	X	X	X	X	X	
D	Multifamily housing	X	X	X	A ¹	X	X	X	X	A ¹	X	X	X	17.142.160
E	<u>Rural Housing Alternative</u>	<u>P^{1.1}</u>	<u>P^{1.1}</u>	<u>P^{1.1}</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>17.143</u>

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PUBLIC/SEMI-PUBLIC		RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Cemeteries	P	P	P	P	P	X	P	P	P	X	X	X	
B	Schools	P	P	P	P	P	X	P	P	P	X	X	X	
C	Religious buildings, community centers, grange halls, and similar structures for public assembly													17.142.180
	-Up to 6,000 sq.ft.	P	P	P	P	P	X	P	P	P	X	X	X	17.142.180
	-Up to 10,000 sq.ft.	A	A	A	P	P	X	P	P	P	X	X	X	17.142.180
D	Assisted living facilities, convalescent homes, retirement facilities and similar uses													
	-Up to 6 persons, when the individuals are covered under Washington State fair housing legislation	P	P	P	P	P	X	P (on existing lots)	X	P	X	X	X	

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	-Up to 6 persons, when the individuals are not covered under Washington State fair housing legislation	SUP	SUP	SUP	SUP	SUP	X	SUP	SUP	SUP	X	X	X	
	-7 or more persons	SUP	SUP	SUP	SUP	SUP	X	SUP	SUP	SUP	X	X	X	
E	Public facilities ²													
	-Rural governmental services	A	A	A	A	A	A	A	A	A	A	A	A	17.142.170
	-Essential public facilities, local	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	17.142.170
	-Essential public facilities, major	Amend CP											17.142.170	
F	Tourist/rest stops	A	A	A	A	X	X	X	A	A	X	A	A	
	COMMERCIAL/ INDUSTRIAL	RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Home-based business (cottage industries)	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	P/A/ SUP ³	17.142.120 , 17.142.130
B	Isolated small business	A/SUP ³	A/SUP ³	A/SUP ³	Not applicable in LAMIRDs							X	X	17.142.130

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C	Standalone retail, sales, or professional services	Use isolated small business process			P/SUP ⁴	X	P - related to industrial or resource use	P	P	X	P - related to industrial or resource use	X	X	
D	Recreation service retail (boat shop, boat and tackle shop, camping supplies, limited grocery and sundries, including storage)	A	A	A	P/SUP ⁴	X	X	P	P	P/SUP ⁴	X	P	P	
E	Restaurant	SUP	SUP	SUP	P	X	X	P	P	SUP	X	P	P	
F	Convenience grocery or fuels	P	P	P	P/SUP ⁴	X	P	P	P	X	P	P	P	
G	Clustered tourist uses	A	A	A	A/SUP ⁴	X	X	X	A	X	X	X	X	17.142.100
H	Event center													
	-Up to 5,000 square feet	A	A	A	A	A	A	A	A	A	A	A	A	
	-Up to 10,000 square feet	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	
I	New regional auctioneering facility and supporting uses	SUP	SUP	SUP	X	X	SUP	X	SUP	X	SUP	X	X	17.142.050

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J	Manufacturing, assembly, and process of goods	Use isolated small business process			SUP	X	P/SUP ⁴	X	SUP	X	P (based on standards in 17.75)	X	X	
K	Storage, transportation and handling of goods	Use isolated small business process			SUP	X	P/SUP ⁴	X	SUP	X	P (based on standards in 17.75)	X	X	
L	Mini-storage	Use isolated small business process			A	X	X	A	A	X	A	X	X	
M	Marijuana production, processing and retail													
	-Marijuana retailers	X	X	X	SUP	X	X	SUP	SUP	X	X	X	X	17.142.150
	-Type 1 marijuana processing	SUP	SUP	SUP	X	X	SUP	X	X	X	SUP	X	X	17.142.140
	-Type 2 marijuana processing	X	X	X	X	X	SUP	X	X	X	X	X	X	17.142.140
	-Marijuana production	SUP	SUP	SUP	X	X	SUP	X	X	X	SUP	X	X	17.142.140
N	On-site treatment/storage of hazardous waste	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	P - ac.	

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O	Animal kennels, shelters, boarding, grooming and hospitals	P	P	P	A	X	P	P/A5	P	X	X	X	X	
LODGING/ ACCOMODATION S		RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Bed and breakfast	P	P	P	P	P	X	P	P	P	X	P	P	17.142.070
B	RV parks and campgrounds	SUP	SUP	SUP	SUP	X	X	SUP	SUP	SUP	X	SUP	SUP	17.144
C	Transient accommodations (other than bed and breakfasts)	SUP	SUP	X	P	X	X	X	P	SUP	X	P	P	17.142.220
D	Master planned resorts	MPR	MPR	MPR	X	X	X	X	X	X	X	MPR	MPR	
RECREATION/ PARKS		RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Local recreational facilities	P	P	P	P	P	X	X	X	P	X	P	P	
B	Regional recreational facilities	SUP	SUP	SUP	SUP	SUP	X	X	X	SUP	X	P	P	17.142.200

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SHORELINE		RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Shoreline uses	Regulated under the Shoreline Master Program (SMP)												
AVIATION		RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
A	Aviation facilities	SUP	SUP	SUP	X (existing public airports permitted to expand)	X	X	X	X	X	X (existing public airports permitted to expand)	X	X	17.142.060
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	17.142.210
B	Forestry uses listed in LCC 17.30.450 (1) and (2)	P	P	P	P	P	P	P	P	P	P	P	P	

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RESOURCE	RDD-5	RDD-10	RDD-20	STMU	STR	STI	CC	FC	RRC/SR	RAI	Park	TSA	Reference
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 17.30.610 through 17.30.630 ⁶	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 (outside of the agricultural operation)	SUP	SUP	SUP	X	X	A/SUP ⁴	X	X	X	P	X	X	17.142.090
H Application of iosolids ⁷	SUP	SUP	SUP	X	X	SUP	X	SUP	X	SUP	X	SUP	
I Confined animal feeding operations	SUP	SUP	SUP	X	X	X	X	X	X	X	X	X	

Commentary

There is one amendment to the footnote for Table 2. The Rural Housing Alternative follows a Type 1 permitting process, except that the adequate public facilities form will be required. This is necessary to ensure that the housing can be served by existing rural services.

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LEGEND

RDD-5 = Rural Development District, 1 Unit Per 5 Acres **STMU** = Small Town Mixed Use **CC** = Crossroads Commercial **RAI** = Rural Area Industrial

RDD-10 = Rural Development District, 1 Unit Per 10 Acres **STR** = Small Town Residential **FC** = Freeway Commercial **Park** = Parks

RDD-20 = Rural Development District, 1 Unit Per 20 Acres **STI** = Small Town Industrial **RRC/SR** = Rural Res. Center/Shoreline Res. **TSA** = Tourist Service Area

P = Permitted Use **SUP** = Special Use Permit

P - ac. = Permitted as Accessory to a Permitted Use **MPR** = Master Planned Resort (county and state planning requirements)

A = Administrative Review

X = Prohibited

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

^{1.1}-RHAs shall be processed as a Type I application, but require adequate facilities review entailing some notice.

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 [17.142.130](#)) 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.

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](#).

[Ord. 1348 (Exh. E), 2023; Ord. 1333 (Exh. D), 2022; Ord. 1292 §8, 2018]

Commentary

ATTACHMENT B – LEWIS COUNTY CODE 17.143 NEW

The Rural Housing Alternative is a form-based approach to housing that is intended to meet the Growth Management Act RCW 36.07A.070(2)(a) ... "makes adequate provisions for existing and projected needs for all economic segments of the community, including ... incorporating consideration for low, very low, extremely low and moderate-income households." And RCW 36.70A.030(35) "rural character refers to the patterns of land and development ... that foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas."

A new section, LCC 17.143, is created with specific design standards for Rural Housing Alternative developments. The new section then describes the limits on RHA in terms of:

- Lot size (5 acres or larger);
- Residential space cap (3600 feet of conditioned living space);
- Number of units (maximum of four dwelling units per RHA);
- Clustering of units (within a 1.25-acre, four-sided area)
- Inability to subdivide the lot based on the RHA units;
- Shared primary access;
- Occupancy consistent with rural water and wastewater limitations;
- Prohibition on demand for urban services;
- Setbacks (increased by 10 feet from normal county setbacks);
- Stormwater compliance;
- Adequate public facilities review;
- Prohibition on short-term rental use; and
- Limitation of five RHA developments per fire district per year.

These constraints maintain Lewis County's rural character because the total square footage of residential housing per parcel is the size and impacts of an average single family residence in the county's Rural Development Districts and to not require urban services.

*This is a new section.
For ease of reading the new language is not underlined.*

**Chapter 17.143
RURAL HOUSING ALTERNATIVE**

Sections:

Article I. Scope – Administration

- 17.143.010 Purpose and applicability
- 17.143.020 Administration
- 17.143.030 Binding Approval

Article II. Standards

- 17.143.040 Maximum Residential Space
- 17.143.050 General Standards
- 17.143.060 Building Envelope
- 17.143.070 Setbacks

Commentary

17.143.010 Purpose

Lewis County faces a lack of attainable housing in rural areas. Single-family homes on large lots are prevalent, and smaller, more affordable units or rentals are scarce. In Lewis County, rural prices rising at a faster rate than urban prices. The Rural Housing Alternative (RHA) promotes smaller-unit developments on rural lots of five or more acres in a manner consistent with existing rural character and services, to increase available, affordable housing in rural areas while preventing sprawl and demand for urban services in such areas. It does so by considering RHA developments in terms of their form and impacts, which are designed to match the impacts of Lewis County's rural single-family residences. The RHA is intentionally constrained to satisfy Growth Management Act limitations on rural development and to encourage such development only in a dispersed, incremental manner secondary to much-greater growth in urban areas. Limitations are placed upon RHA developments in this section to guard strenuously against interference with rural character or developments that would overwhelm rural governmental services.

17.143.020 Administration.

The minimum lots size in the RDD zones is 5 acres; however, many lots were created prior to the existing zoning that are smaller than 5 acres and are therefore considered substandard lots. While these substandard lots may be developed, the RHA may not be used. The reason is to maintain the larger lot configuration and ensure no impact on rural services and facilities. Language was added to make it clear that the individual units within an RHA would not be a cause for future subdivisions unless it otherwise met all of the applicable codes.

It is the intent of the RHA to disperse new development throughout the county and not create signification impacts on rural services, such as the Fire Districts. Because this is a new innovative approach, only five RHA developments per year will be allowed in each Fire District. This will safeguard against unintended impacts.

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Article I. Scope - Administration

17.143.010 Purpose and Applicability.

This chapter establishes a permitting process to promote smaller-than-average housing development on rural lots of five or more acres in a manner consistent with existing rural character and rural services. The purpose is to increase available, affordable housing near rural employment while preventing sprawl and demand for urban services in such areas. The Rural Housing Alternative (RHA) development regulations are applicable separate from the accessory dwelling unit development regulations (Chapter 17.102 LCC) and may not be combined. Design standards herein shall supersede inconsistent standards elsewhere in this Code.

17.143.020 Administration.

- (1) RHA developments shall be processed as a Type I Application.
- (2) RHA developments are permissible only on lots five (5) acres or greater in size.
- (3) No more than one (1) RHA development is allowed per lot.
- (4) No more than five (5) RHA developments are allowed per fire district per year.
- (5) Notice to service providers and completion of the adequate public facilities and services requirements of Chapter 17.130 LCC is required.
- (6) If the RHA development uses water from a permit-exempt well, the units must collectively comply with RCW 90.44.050.
- (7) Separate ownership of buildings on a lot in common ownership, such as through a condominium agreement, cooperative, land trust, or common interest community, is permissible.
- (8) Units within a RHA development shall not be a cause for the future subdivision of the property, unless such subdivision is in compliance with all subdivision, zoning and other applicable development regulations in effect on the date of the application for the subdivision approval.

17.143.030 Binding Approval

Once approved as an RHA development, the terms and conditions as of the time of approval are binding, unless modified through a subsequent permitting process. Violations of or failure to adhere to any of the standards, terms, adopted policies, or conditions applicable at the time of the RHA's approval may be enforced as set forth in LCC 1.20.040, and are further declared to be a public nuisance that may be abated or enforced against as set forth in Chapter 1.22 LCC or any other applicable law.

Commentary

17.143.040 Maximum residential space.

Currently, the County allows one single family residence and one accessory dwelling unit (ADU) that may be attached or detached per parcel. In Lewis County the average size of a single family residence is approximately 2,300 square feet. The maximum allowed size of an ADU is 1,296. Therefore, the maximum allowed residential space of 3,600 square feet will provide similar physical impacts as what is currently allowed in the County.

17.143.050 General Standards.

The maximum number of dwelling units per parcel is capped to safeguard against unintended consequences. The County's research shows that up to eight dwelling units is possible while still not requiring urban services. However, rural character also means maintaining an open and rural look, which has not traditionally included tiny home villages.

Whether the dwelling units are attached or detached is irrelevant because the total square footage of residential space is capped and all units must be clustered on 1.25 acres and use the same primary access point. Further, the parcel may not be subdivided based on the dwelling units.

Lastly, the goal of the RHA is to increase affordable housing options in close proximity to rural employment. Transient accommodations, such as short term rentals, while often located in a single family house are a commercial/recreational use not a residential use. Therefore, any housing built under the RHA allowances are prohibited from being used as transient accommodations.

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Article II - Standards

17.143.040 Maximum residential space.

- (1) An RHA development may consist of no more than 3,600 square feet of total residential conditioned space as defined in Section R202.3 of the 2018 International Energy Conservation Code – Residential, as adopted in WAC 51-11R-20203 and as now or hereafter amended or adopted in subsequent residential state energy codes. Any existing dwelling unit(s) on the lot must be counted towards the maximum 3,600 square feet.
- (2) The director of community development or the director's designee, guided by the purpose and applicability provisions in 17.143.010, may make policies or interpretations defining conditioned living space generally or with regard to a specific project.

17.143.050 General Standards.

- (1) All standards (a) through (f) shall be met.
 - (a) There shall be no more than four (4) dwelling units per RHA development and any existing dwelling unit(s) must be included.
 - (b) The units may be detached or attached.
 - (c) All dwelling units shall share the same primary access to the property.
 - (d) Maximum occupancy shall be consistent with the units' water and septic/sewer capacity.
 - (e) The dwelling units shall not require extension of urban services, alone or in conjunction with other development(s) or proposed development(s) nearby.
 - (f) No dwelling units permitted through the RHA shall be used as transient accommodations; including any existing dwelling units counted towards the maximum number of dwelling units.

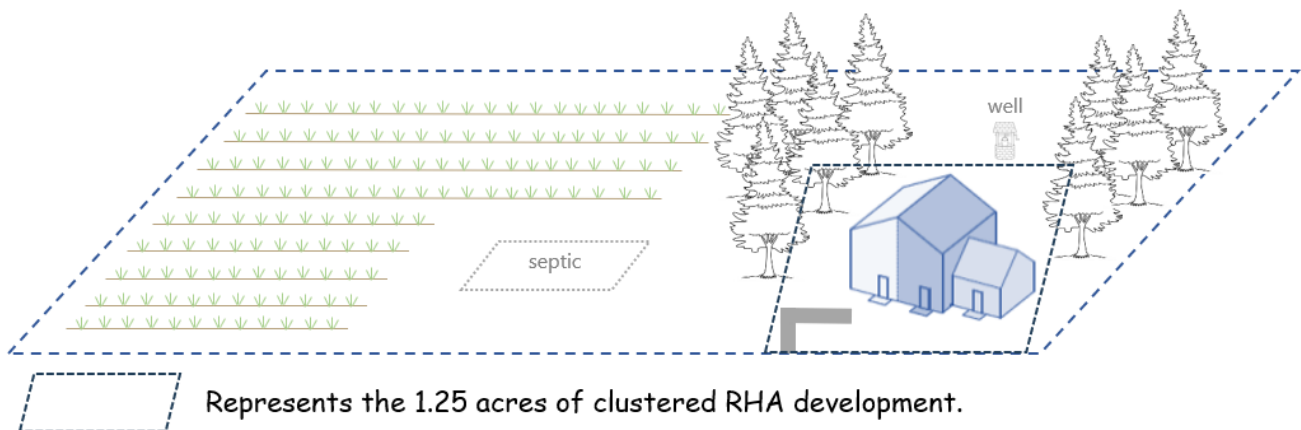
Commentary

17.143.060 Clustering of dwelling units.

The purpose of the clustering requirements is to cluster all dwelling units permitted under RHA to 1.25 acres of the lot. County research shows that most traditional rural development in Lewis County is clustered on large lots. The average size of where most structures are located is between 1 and 1.5 acres. Thus, this approach meets the rural character of Lewis County.

The intention of the limits on the area where the dwelling units must be clustered is to safeguard against very long driveways with different extensions for dwelling units, which would tend to make RHA look more like a subdivision into three or four separate small lots; instead, the purpose of clustering is to maintain the rural character defined by an open-feel, wildlife-crossing, septic, and stormwater benefits of clustered rural housing in a way similar to traditional Lewis County rural housing developments.

The intent of the clustering requirement and allowance for well and septic to be located outside the clustered area is shown below:



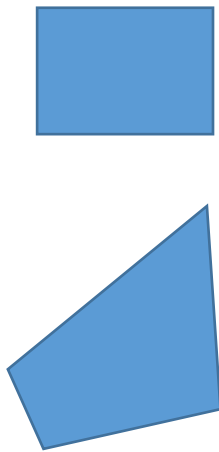
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17.143.060 Clustering of dwelling units.

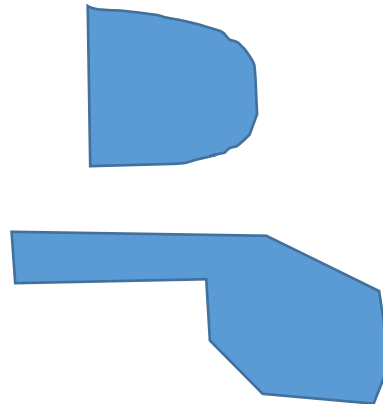
- (1) The dwelling units and external structures directly associated with the dwelling units, such as a detached garage, shall be clustered within a four-sided residential area of no more than one-and-one-quarter (1.25) acres. The edges of the area need not be parallel or the same length but must form a convex quadrilateral (Figure 1). Except, the shape of the area where the RHA development is clustered may be adjusted as needed to include existing legal access point(s).

Figure 1: Permissible RHA Building Clustering Shapes

Allowed: 4 straight sides
with no inverted corners



Not allowed: curves,
inverted corners, or more
than 4 sides¹



1. Except as adjusted to include existing legal access point(s).

- (2) Existing dwelling units or existing external structures directly associated with the dwelling units must be included within the area of RHA clustered development.
- (3) Nonresidential structures, such as sheds, barns or shops, or on-site infrastructure, such as the well, pump house or septic system, may be located outside of the residential building envelope.

Commentary

17.143.070 Setbacks.

Side, rear and private-easement setbacks are wider than is required for other residential development. This is to safeguard against unintended impacts of the RHA development on neighboring properties.

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17.143.070 Setbacks.

- (1) New above-ground structures shall meet the setback requirements of LCC 17.145.020, except that the following additional setbacks shall be implemented for RHA developments:

Public rights-of-way: As defined in LCC 15.15

Private Easement: 15 feet from private easement

Side: 15 feet from property line

Rear: 25 feet from property line

- (2) Existing residential structures converted to RHA development are not required to meet the minimum setbacks in subsection (1).

Commentary

ATTACHMENT C – LEWIS COUNTY CODE 15.45.100 Exemptions

15.45.100 Amendments

Stormwater exemptions are amended to afford RHA developments the exemption given to single-family residences (which are exempt from stormwater compliance if the impervious surfaces take up less than 15% of the lot).

RHA developments are tethered to match the form and impacts of rural single-family residences, and in fact are much smaller than some existing rural single family residences already found in the county (such as a 12,000 square foot house near Toledo). In Lewis County, 3,600-square-foot homes are at the low end of the custom homes. RHA development will only be allowed on parcels five acres in size or larger. Based on the required lot size and limit on total square footage of residential development, there will be roughly 2.3% lot coverage of development. The remaining undeveloped area is sufficient to easily dissipate the stormwater. Because RHAs are less impactful than many of the rural residences that obtain this exemption, it is appropriate to afford RHAs the same treatment.

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Chapter 15.45 STORMWATER MANAGEMENT

LCC 15.45.100 Exemptions.

The following are exempt from this Chapter:

- (1) Construction and development involving commercial agriculture and forest practices regulated under Title 222 WAC.
- (2) Development undertaken by the Washington State Department of Transportation in state highway right-of-ways.
- (3) Those divisions of land exempt by Chapters 16.05 or 16.10 LCC.
- (4) Those activities permitted under Title 15 LCC when a previous stormwater approval, applicable to the subject building lots, has been provided consistent with LCC 15.45.090(1).
- (5) Individual single family residences, and RHA developments under LCC 17.143, that do not exceed 5,000 square feet of impervious surfaces for lot sizes less than 0.77 acre, or fifteen percent (15%) of impervious surfaces to lot size for lot sizes greater than or equal to 0.77 acre.

Commentary

ATTACHMENT D – LEWIS COUNTY CODE 12.60

12.60 Amendments

The county road standards define a driveway as an access that serves “one to two lots or parcels,” whereas a private roadway is “constructed to access more than two parcels.” Private roadway standards require more regulatory compliance and expense than driveway standards. Because most developments in rural Lewis County consist of single-family residences, the common conception is that adding a third house on a driveway requires that the driveway be upgraded to private road standards. Although technically this is true only for the third *lot or parcel* being accessed, not the third *dwelling unit*, it is useful to clarify that all RHA units, combined, be treated as one single-family residence for purposes of driveway and private road standards. This is fair because the RHA units are constrained to match the form and impacts of such rural single-family residences.

The changes to LCC 12.60.280 and 12.60.640 are designed to treat each RHA development analogously to a single-family residence for purposes of driveway, road approach, and road standards.

Chapter 12.60 ROAD DEVELOPMENT STANDARDS

12.60.280 Driveways and private roads.

- (1) A driveway is defined as an access from a public right-of-way or private access easement serving one to two lots or parcels constructed to the requirements in Standard Detail 3-2, Rural Road Section. If the driveway is longer than 300 feet, it shall be dimensioned to safely accommodate local fire safety and emergency vehicles, and approved by the county engineer. Driveway construction as required for a single family residential building permit or an RHA development under LCC 17.143 is exempt from the requirements of LCC 12.60.140.
- (a) Easements are required where parcels require legal access to the road over and across another parcel, or where the same access is shared between one or more parcels. Single parcels which front a county road and have safe and legal access do not require a separate easement for a driveway.
- (2) Private roadways are constructed to access more than two parcels.
- (3) A road approach permit shall be obtained from Lewis County public works prior to accessing any county road per Article VI of this chapter. Location, horizontal and vertical alignment, and width of the approach shall be as designated by the county engineer and stated on the permit.
- (4) All driveways and private roadways shall have an approved residential or commercial road approach constructed per Standard Detail 3-3, Residential and Commercial Driveway Approaches. The dwelling units of an RHA development under LCC 17.143, combined, shall be treated as one single family residence for road-approach purposes.
- (5) The location of driveways and private roadways shall be on property owned or with approved easement rights to serve the applicant. Joint use driveways are encouraged, and may be needed to meet vehicular safety. Minimum dimensions shall be per Standard Detail 3-3, Residential and Commercial Driveway Approaches, or as required by the county engineer.
- (6) Driveways and private roadways shall be of sufficient length so a vehicle in the driveway does not project into the road right-of-way, sidewalk, or pathway.
- (7) Access to a county road will normally be limited to one approach for each parcel. Multiple approaches for one parcel shall be approved only by the county engineer if public vehicular safety is met.

Commentary

- (8) Surface drainage shall be consistent with the current stormwater regulations in Chapter 15.45 LCC unless otherwise stated in the road approach permit or by the county engineer. The applicant shall construct improvements to roadway ditches and replace affected roadway structures should the approach impact county road drainage.
- (9) Driveways and private roadways shall not be permitted to access arterials or collectors unless the parcel has no other reasonable access to the public roadway. The parcel shall only be allowed to access an arterial or collector if located at the appropriate distance from the nearest intersecting road as per the Highway Access Management Guidelines in Chapter 468-52 WAC. A driveway or private roadway shall access the arterial or collector road with the lower functional classification.

12.60.640 Subdivision/commercial access.

- (1) Commercial or subdivision approaches are constructed on private property to serve commercial, industrial, subdivision, or multi-family projects, except RHA developments under LCC 17.143, and must meet the following conditions:
 - (a) Access to a county road shall be limited to one road approach connected to the lowest classified roadway for each tract of property separately owned. Property fronting more than one public road may be permitted an access to each public road if the traffic impact analysis supports multiple accesses. Two or more county approaches accessing a public street will only be allowed with the approval of the county engineer. Properties contiguous to each other and owned by the same person are considered to be one tract.
 - (b) Commercial approaches shall be constructed with safety as the primary design criteria and to provide internal connections between neighboring properties. Developments must give priority to internal access before access to the county roadway system is permitted. Cross access allows vehicles to circulate between commercial properties without having to re-enter the county road system. All approaches shall meet the access spacing standards in LCC 12.60.650.
 - (c) No commercial approach shall be approved where backing onto the roadway, sidewalk, or pathway will occur.
 - (d) Urban style commercial approaches shall be constructed to Standard Detail 3-6, Reverse Slope and Gutter Driveway Section, at the end of this chapter.
 - (e) Rural commercial approaches shall be constructed to Standard Detail 3-3, Residential and Commercial Driveway Approaches, at the end of this chapter.
- (2) For access proposed as part of subdivision or commercial development, the county engineer may require a review under traffic impact analysis guidelines.

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- (3) For subdivisions of 20 units or more, at least two ingress/egress routes may be required by the county fire marshal or fire protection agency. A secondary access is required for developments where the ADT is greater than 1,000.