

ORDINANCE 1328

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LEWIS COUNTY, WASHINGTON

AN ORDINANCE OF THE COUNTY OF LEWIS,)
CORRECTING A MINOR ERROR UNDER LEWIS)
COUNTY CODE SECTION 15.35.150, SHORELINE)
MANAGEMENT PERMITS)

WHEREAS, Lewis County promotes the public health, safety, and general welfare by minimizing public and private losses due to flood conditions in specific areas; and

WHEREAS, Lewis County Code (LCC) Section 15.35, Flood Damage Prevention, establishes requirements for preventing flood damage in specific areas; and

WHEREAS, Section 15.35.150 establishes procedures for obtaining shoreline management and floodplain development permits; and

WHEREAS, Section 15.35.150 errors in referencing the joint aquatics resources application (JARPA) as a “joint aquatics application permit;” and

WHEREAS, Lewis County proposes correcting this error by amending Section 15.35.150 by replacing “joint aquatics application permit” with “joint aquatics resources application (JARPA);” and

WHEREAS, Lewis County held open public workshops with the Lewis County Planning Commission on January 26, 2021, February 9, 2021 and May 11, 2021 to discuss the proposed amendment; 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, 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 amendment to Section 15.35.150 LCC to the Lewis County Board of County Commissioners (BoCC) for their consideration; and

WHEREAS, on August 24, 2021, the BOCC passed Res. 21-XXX to hold a public hearing on Ordinance 1328, 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 amendment to Chapter 15.35.150 LCC on September 14, 2021; and

WHEREAS, the Lewis County BoCC finds that the proposed amendment to Section 15.35.150 LCC best serves the residents of Lewis County;

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

Section 1. Amend Section 15.35.150 to read as follows:

15.35.150 Shoreline ~~management~~ permits or exemptions.

A shoreline ~~management-substantial-development~~ permit or exemption shall accompany a joint aquatics resources ~~application~~-permit application (JARPA) form and a floodplain development permit. A shoreline ~~management-substantial-development~~- permit or exemption issued pursuant to Chapter 90.58 RCW (Shoreline Management Act of 1971) and the Lewis County shoreline ~~management~~-master program and Chapter 17.25 LCC may serve as the flood hazard zone permit for those developments and structures that are within both a flood hazard zone and an area under jurisdiction of the Shoreline Management Act. [Ord. 1245 §1, 2013; Ord. 1145C § 3, 2000; Ord. 1157, 1998; Ord. 1145 § 6(A)(4), 1995]

SECTION 2. All provisions of the Lewis County Code not specifically addressed herein shall remain in full force and effect.

SECTION 3. 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.

SECTION 4. This ordinance is in the public interest and shall be effective immediately.

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

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

By: Deputy Prosecuting Attorney

Gary Stamper, Chair

ATTEST:

Lindsey R. Pollock, DVM, Vice Chair

Rieva Lester, Clerk of the Board

Sean Swope, Commissioner