

LEWIS COUNTY PLANNING COMMISSION

Lorie Spogen, Chair

LETTER OF TRANSMITTAL



To: Lewis County Board of County Commissioners

From: Lewis County Planning Commission

Date: September 14, 2021

Subject: Transmittal to the BOCC: Amendment to Lewis County Code, Chapter 17.12 and 17.05, regarding the public participation process.

Dear Commissioners:

The purpose of this report is to transmit to the Board of County Commissioners draft amendments to the Lewis County Code, which would:

- Replace existing 17.12, Public Participation Process, to
 - Clarify roles and responsibilities of the Planning Commission,
 - Create a process for amending the Lewis County Comprehensive Plan,
 - Clarify noticing requirements and public participation, and
 - Establish approval criteria for review of Comprehensive Plan amendments; and
- Amend 17.05, General Provision, to maintain code consistency with 17.12.

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. RCW 36.70A.140 requires counties planning under the Growth Management Act to establish a public participation program that identifies early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations that implement such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments.; and
5. Lewis County Code (LCC) 17.12, Public Participation Process, (Ordinance 1179) was adopted in 2002, amended (Ordinance 1297) in 2019, and is consistent with RCW 36.70A.140; and
6. As provided for by RCW 36.70A.130 and RCW 43.21C.440, the Lewis County Planning Commission elected to conduct a periodic review and update of LCC 17.12 (Exhibit A) to improve the public participation process and to update LCC 17.05 (Exhibit B), General Provisions, to clarify the relationship to LCC 17.12. The updated public participation process is consistent with RCW 36.170A.130(2)(a), .020(11), .035, and .140 because it:
 - a. Adds a schedule and timeline for consideration of comprehensive plan amendments to ensure local and state regulatory mandates can be met;
 - b. Amends the noticing procedures to ensure notice is sent to affected interested parties. This includes publishing the notice in the newspaper, sending notice to potentially impacted property owners, sending notice to government agencies (e.g., school districts, fire districts), and posting a physical notice in a public location, such as along a public right-of-way; and
 - c. Adds approval criteria to provide transparency to the public about the information considered by the Planning Commission in making a decision to amend the comprehensive land use plan or development regulations; and
7. Staff provided notice for a public hearing on the proposed code amendments in the manner prescribed in LCC 17.12 on August 24, 2021; and
8. On September 14, 2021, the Lewis County Planning Commission held a public hearing on the proposed code amendments in LCC 17.12 and 17.05; 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 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 Lewis County Code 17.12, Public Participation Process, and 17.05, General Provisions.

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.

Exhibits:

- A. Lewis County Code Chapter 17.12
- B. Lewis County Code Chapter 17.05

Submitted by Lorie Spogen Date Sept. 14, 2021
Lorie Spogen, Chair
Lewis County Planning Commission