

LEWIS COUNTY PLANNING COMMISSION

Lorie Spogen, Chair

LETTER OF TRANSMITTAL

To: Lewis County Board of County Commissioners

From: Lewis County Planning Commission

Date: October 25, 2022

Subject: **Transmittal to the BOCC – Amendment to Lewis County Code, Chapter 17.05 and 17.12, regarding the Comprehensive Plan and Development Regulation amendment process**

Dear Commissioners:

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

1. Update 17.12, Exhibit A, to:

- Make LCC 17.12 Stand Alone. Today, it is necessary to review both LCC 17.05 and 17.12 to see the procedures for filing, noticing and commenting on Type V non-project actions. Staff recommending putting all filing, noticing and commenting rules in LCC 17.12. This will create duplication in some situations but will eliminate the need to look at both code sections.
- Clarify How to File Amendments. LCC 17.12.030(1) and (3) describes whom may file for a Type V non-project action. The existing code allows anyone to file; however, in practice, Community Development will only accept filing for amendments to a city's urban growth area (UGA) to come directly from the city or the county. An individual person may not file for a UGA amendment. Staff recommend making this clear in the code.
- Formalize the Docket. Staff recommend adding language to describe docketing, which is a process of establishing and maintaining a list of proposed amendments to the comprehensive plan or development regulations. Creating and maintaining a docket will help staff, Planning Commission and BOCC develop annual work plans and manage work load.
- Change How to Provide Copies. Before the pandemic, physical copies of all Type V non-project action proposals were provided to libraries and senior centers throughout the

county. During the pandemic, this practice was ended and all proposal were posted online. In addition, staff offered to print a copy for anyone who asked. Staff recommend continuing the new practice. Reviewing proposals online is convenient and has become common practice over the past two years. In addition, this approach will save paper by not printing 10 copies of all proposals. Instead, only those people who request a physical copy will receive one. All notices include contact information for requesting a copy, including staff name, phone number and email.

2. Revise 17.05, Exhibit B, to make 17.12 a standalone chapter that address all amendment to the Lewis County Comprehensive Plan and associated development regulations.

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, amended (Ordinance 1330) in 2021, 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 36.70A.130; and
7. Staff provided notice for a public hearing on the proposed code amendments in the manner prescribed in LCC 17.12 on September 22, 2022; and

8. On October 11, 2022, 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 LCC Chapter 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 10/24/2022
Lorie Spogen, Chair
Lewis County Planning Commission