# Lewis County 2045

*Shaping the Future of Lewis County*

# Comprehensive Plan Periodic Update

## Volume 3

## Development Regulations

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**Table of Contents**


| | |
|---|---|
| 2.25.010 | Administration & Personnel, Definitions |
| 8.41 | Public Health & Safety, On-Site Sewage |
| 15.15.040 | Buildings & Construction, Building Setbacks |
| 15.50.035 | Buildings & Construction, Variances |
| 16.02.070 | Subdivisions, Exceptions |
| 16.04.010 | Subdivisions, Definitions |
| 16.05.150 | Subdivisions, Preparation of Preliminary Plats |
| 16.05.300 | Subdivisions, Design – Lots. |
| 17.05.060 | Land Use & Development Regulations, Contents of Application |
| 17.10 | Land Use & Development Regulations, Definitions |
| 17.12.110 | Land Use & Development Regulations, Approval Criteria |
| 17.15 | Land Use & Development Regulations, UGA – Cities |
| 17.17 | Land Use & Development Regulations, UGA – Small Towns |
| 17.20B | Land Use & Development Regulations, Major Industrial Development |
| 17.20E | Land Use & Development Regulations, Master Planned Resort |
| 17.30 | Land Use & Development Regulations, Resource Lands |
| 17.42 | Land Use & Development Regulations, Land Use Summary |
| 17.50 | Land Use & Development Regulations, Small Towns – Residential (STR-4) |
| 17.75.020 | Land Use & Development Regulations, Permitted Uses in Curtis Industrial Park |
| 17.95.050 | Land Use & Development Regulations, Rural Residential Centers (RRC) |
| 17.100.015 | Land Use & Development Regulations, Rural Development District (RDD) |
| 17.102.050 | Land Use & Development Regulations, Allowance of ADUs |
| 17.105 | Land Use & Development Regulations, Short Term Rentals |
| 17.110.090 | Land Use & Development Regulations, SEPA |
| 17.120 | Land Use & Development Regulations, Essential Public Facilities |
| 17.127 | Land Use & Development Regulations, Energy Production and Storage Facilities |
| 17.142.020 | Land Use & Development Regulations, Lighting |
| 17.142.080 | Land Use & Development Regulations, Commercial & Industrial Buildings in LAMIRDs |
| 17.142.090 | Land Use & Development Regulations, Composting Facilities |
| 17.142.100 | Land Use & Development Regulations, Clustered Tourist Uses |
| 17.142.102 | Land Use & Development Regulations, Data Processing Centers |
| 17.142.107 | Land Use & Development Regulations, Detached Bedrooms |
| 17.142.110 | Land Use & Development Regulations, Fences Greater than Seven Feet |
| 17.142.120 | Land Use & Development Regulations, Home-Based Business |
| 17.142.140 | Land Use & Development Regulations, Cannabis Production & Processing |
| 17.142.160 | Land Use & Development Regulations, Multifamily Housing |
| 17.142.180 | Land Use & Development Regulations, Religious Buildings |
| 17.142.205 | Land Use & Development Regulations, Screening |
| 17.142.207 | Land Use & Development Regulations, Signs |
| 17.142.210 | Land Use & Development Regulations, Surface Mining Areas |
| 17.145 | Land Use & Development Regulations, Supplemental Requirements |

# Commentary

## LEWIS COUNTY CODE 2.25.010 Definitions

This is changed because the dictionary is no longer kept as a hard copy but is now available online.

## Chapter 2.25
## HEARING EXAMINER

### 2.25.010 Definitions.

As used in this chapter, unless the context or subject matter clearly requires otherwise, words shall be given the meaning attributed to them by this section. The term "shall" is always mandatory and the word "may" indicates a use of discretion in making a decision. Words not specifically defined herein shall be defined by the most recent edition of the ~~American Heritage~~ Merriam-Webster Dictionary ~~of the office of the Lewis County board of commissioners~~.

[No Change to the remaining definitions]

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# Commentary

## LEWIS COUNTY CODE 8.41 AMENDMENTS

This is important for the UGA co-management implementation to ensure development utilizes public sewer when it is available. The changes were suggested by Public Health Department – Kirsten Wecker and Meja Handlen.

## Chapter 8.41
## RESTRICTION OF ON-SITE SEWAGE SYSTEMS IN FORD'S PRAIRIE & WAUNCH'S PRAIRIE AREAS

### 8.41.010 Authority.

This chapter is enacted pursuant to RCW 70A.90.060 and WAC 246-272A-~~070~~0025. The health officer has found that continuance of on-site sewage systems in the Ford's Prairie and Waunch's Prairie areas of Lewis County constitutes a hazard by spreading dangerous, contagious or infectious diseases through degradation of the aquifer.

### 8.41.020 On-site sewer systems prohibited.

(1) It shall be unlawful for any person, firm or corporation to maintain or use any on-site sewage system to serve any dwelling or other facility where there is a public sewer within 200 feet of such dwelling or other facility in the Ford's Prairie or Waunch's Prairie aquifer areas. The distance and availability of public sewer shall be as defined in LCC 8.40.070(2)(a) and (b).

(2) When adequate public sewer services are available within 200 feet of such dwelling or other facility in the Ford's Prairie or Waunch's Prairie aquifer area the dwelling or other facility shall:

(a) Connect to the public sewer system within one calendar year.

(i) The Health Officer may extend this required connection timeline by six months on a case-by-case basis for extenuating circumstances.

### 8.41.030 Public nuisance.

[No Change]

# Commentary

**LEWIS COUNTY CODE 15.15.040 Setback.**

## 15.15.040

The setback distance from rights-of-way in the urban growth areas is determined either by the city's development regulations for the associated urban growth area or by Lewis County Code Chapter 17 for urban growth areas not associated with cities.

City urban growth areas are the land that the city is planning to annex over the 20-year planning period. Development within the urban growth area should be based on city standards so that at the time of annexation development is consistent for the jurisdiction. Each city determines their own setback through their Comprehensive Plan and implementing ordinances.

There are two urban growth areas in Lewis County that are not associated with cities and are defined in LCC 17.17 UGA – Small Towns. These are the unincorporated towns of Onalaska and Packwood. Both have developed at urban densities over the past 100 years. The setback standards for both small towns reflect the existing patterns of development.

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

**Chapter 15.15**
**BUILDING SETBACK REGULATIONS**

**15.15.040 Setback.**

(1) Minimum Setback, 60-Foot Right-of-Way. Except as otherwise stated in Chapter 17.15, Urban Growth Areas – Cities, or Chapter 17.17, Urban Growth Areas – Small Towns:

(a) The minimum building setback from any county road right-of-way, 60 feet in width or less, shall be 55 feet from the right-of-way centerline, as established by the records of the Lewis County engineer; provided, that this standard shall not apply to alley.

(b) Where the existing right-of-way has only been constructed as a half street improvement (and the other half has not yet been constructed), the 55 feet shall be measured from the planned center of the overall width of the total right-of-way.

(2) Minimum Setback, Greater Than 60-Foot Right-of-Way. Except as otherwise stated in Chapter 17.15, Urban Growth Areas – Cities, or Chapter 17.17, Urban Growth Areas – Small Towns, ~~T~~the minimum building setback from any county road right-of-way greater than 60 feet in width shall be 25 feet from the near edge of the road right-of-way as established by the records of the Lewis County engineer.

(3) Setbacks Not Bounded by Rights-of-Way. All setbacks for buildings not bounded by or related to county road rights-of-way shall be determined from and controlled by Chapter 17.145 LCC or Table No. 602 of the International Building Code and Table No. R302.1 of the International Residential Code, and pursuant to Chapter 15.05 LCC, whichever is the more restrictive.

(4) [No Change]

(5) [No Change]

# Commentary

**LEWIS COUNTY CODE 15.50.035 Design Standards.**

15.50.035(6)
Variance citation directs LCC 17.160.040 which no longer exists.

## Chapter 15.50
## WIRELESS COMMUNICATIONS FACILITY

### 15.50.035 Design standards.

(1) [No Change]

(2) [No Change]

(3) [No Change]

(4) [No Change]

(5) [No Change]

(6) Variances. Any applicant may request a variance under the design standards of this chapter. Requests for variance shall be made in writing to the Lewis County hearing examiner in accordance with the procedures and criteria specified in the LCC ~~17.160.040~~ 17.162.010 (Variances). Appeal may be taken in accordance with LCC 15.50.040(3). The applicant shall demonstrate, in addition to the above criteria, the following:

(a) [No Change]

(b) [No Change]

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# Commentary

## LEWIS COUNTY CODE 16.02.070

16.02.070: January 7, 2000 is the date that Ordinance 1169/2000 passed.

## Chapter 16.02
## GENERAL PROVISIONS

### 16.02.070 Division of lots with more than one residential structure.

(1) Except as limited by subsection (3) of this section, notwithstanding the maximum residential density otherwise allowed by LCC Title 17, an undivided parcel on which two or more single-family or multiple-family dwellings have been located before January 7, 2000 ~~are located on the effective date of this section~~ may be subdivided to create lots for each of the structures if each of the following conditions are met:

(a) [No Change]

(b) [No Change]

(c) [No Change]

(d) [No Change]

(2) [No Change]

(3) Exceptions.

(a) [No Change]

(b) Subsection (1) of this section does not apply to accessory dwelling units. ~~dwellings authorized as family member units~~.

(c) [No Change]

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# Commentary

## LEWIS COUNTY CODE 16.04.010 Definitions Generally

This is changed because the dictionary is no longer kept as a hard copy but is now available online.

# Chapter 16.04
# DEFINITIONS

## 16.04.010 Definitions generally.

As used in this title, unless the context or subject matter clearly requires otherwise, the following words or phrases shall be given the meaning attributed to them by this title. The term "shall" is always mandatory and the word "may" indicates a use of discretion in making a decision. Words not specifically defined herein shall be defined by the most recent edition of the ~~American Heritage~~ Merriam-Webster Dictionary ~~at the office of the Lewis County board of county commissioners~~.

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# Commentary

**LEWIS COUNTY CODE 16.05.150 Preparation of preliminary plats.**

## 16.05.150

Code reference still lists engineer can draw the preliminary plat drawing. This conflicts with the updates in the rest of Title 16 and 17. Only a land surveyor is authorized to draw preliminary and final plats, short plats, other land divisions and boundary line adjustments.

**Chapter 16.05**
**SUBDIVISIONS**

**16.05.150 Preparation of preliminary plats.**

The preparation of every preliminary plat shall be made by or under the direction of a land surveyor ~~or engineer~~ licensed by the state of Washington.

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# Commentary

**LEWIS COUNTY CODE 16.05.300 Design - Lots**

## 16.05.300

Adding 16.05.300(d) to the subsection to implement new standards to Chapter 17.17.100 UGA Small Towns, Density and Lot Size.

**Chapter 16.05**
**SUBDIVISIONS**

**16.05.300 Design - Lots.**

(1) [No Change]

(2) [No Change]

(3) Size. The minimum area of each lot shall be determined as follows:

(a) When served by sanitary sewers and community or public water supply the minimum lot size shall be 6,000 square feet;

(b) When served by individual septic tanks and drain fields and/or individual water supply, minimum lot sizes shall meet the requirements of the sewage disposal rules and regulations of the Lewis County board of health;

(c) When other methods of sewage disposal are used, such as a community septic system, minimum lot sizes shall be as recommended by the Lewis County board of health or the Washington State Department of Health. If off-lot location of the community drain field is approved and if there is a public water supply then the minimum lot size provided in subsection (3)(a) of this section can be used.

(d) For Urban Growth Areas – Small Towns, the lot minimum area shall follow standards on LCC Chapter 17.17.100 Density and Lot Size.

(4) Width. The minimum width for each lot as measured between the midpoints of the side lot lines shall be 60 feet. For Urban Growth Areas – Small Towns, the minimum lot width shall follow standards on LCC Chapter 17.17.100 Density and Lot Size.

(5) Frontage. A minimum road frontage of 30 feet shall be required for each lot, except Urban Growth Areas – Small Towns see LCC 17.17.100 Density and Lot Size.

(6) [No Change]

(7) [No Change]

(8) [No Change]

# Commentary

## LEWIS COUNTY CODE 17.05.060 Contents of application

17.05.060(l)
Critical areas, Chapter 17.38, has been updated to comply with Best Available Science. Buffers from critical areas, such as the stream and wetland buffer, must be left undisturbed by any development activities, including grading and removal of native vegetation, as well as the placement of structure, unless mitigation for impacts to the buffer are included in the development proposal. Therefore, the disturbance area associated with development needs to be shown on the site plan to determine if the disturbance area is located within any critical areas or buffers.

## Chapter 17.05
## GENERAL PROVISIONS

### 17.05.060 Contents of application.

(1) Except as provided elsewhere in this code, the department shall establish and may revise written submittal requirements for each type of project permit application required by this title. The department shall prescribe checklist forms, which shall clearly describe the material that must be submitted for an application to be accepted for processing.

(2) When a site plan is required per the project permit application prescribed checklist all of the following shall be included. Additional information may be required per the prescribed checklist. All site plans and maps shall be drawn to scale and shall include a scale bar and north arrow. When a survey map is required, the survey map shall be 18 inches by 24 inches in size and drawn by a Washington State Professional Land Surveyor (PLS).

(a) A label identifying the permit application name; examples include, but are not limited to, master site plan, boundary line adjustment, special use permit, septic permit, etc.

(b) Property boundary lines, parcel number(s) and street address.

(c) Location and width of all existing public roads, private roads, ingress, egress, or easements within or adjacent to the property.

(d) Location of all existing and proposed driveways.

(e) Location and footprint of all existing and proposed structures, with dimensions.

(f) All existing and proposed structures labeled with the existing or proposed use; examples include, but are not limited to, house, deck, garage, barn, shed, fence, culvert, retaining wall, etc.

(g) Number of bedrooms in each existing and proposed structure.

(h) Distance between existing and proposed structures and property boundaries.

(i) Distance between all existing and proposed structures, if within 10 feet.

(j) Location of all existing wells and sanitary control areas, septic systems and reserve areas, water lines, and other utility lines.

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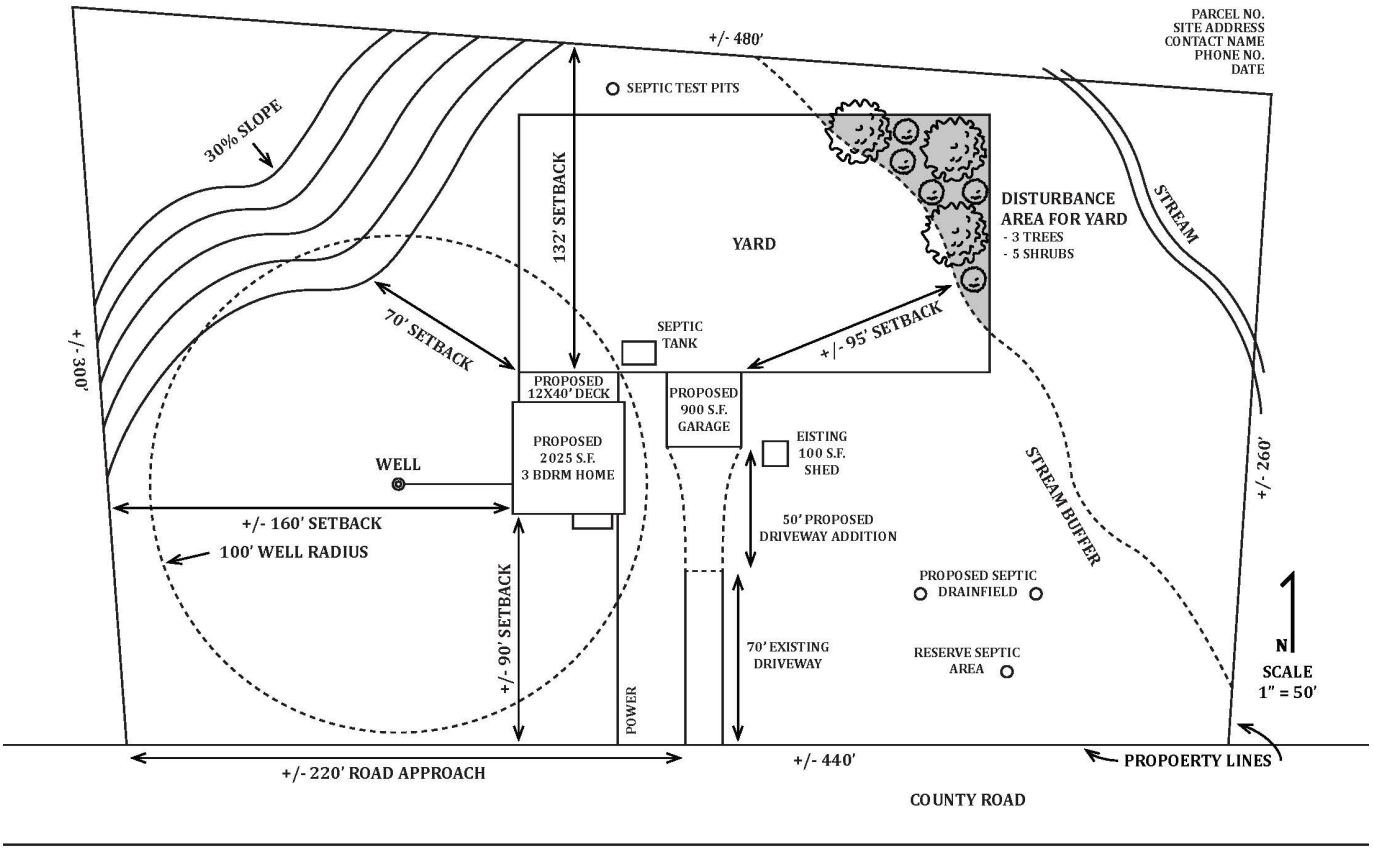
# Commentary

This is to comply with Best Available Science regarding no net loss of ecological functions.



(k) Location of all existing and proposed stormwater facilities.

(l) Location and dimensions of all areas of disturbed land that will not be returned to predevelopment conditions, such as yard, garden and parking.

(3) Except for Type V governmental actions, which are addressed in Chapter 17.12 LCC, at minimum, a project permit application and any supplemental application shall include the following:

(a) A completed original project application form signed by the owner(s) of the property which is the subject of the application;

(b) A completed original supplemental application form;

(c) Parcel identification number;

(d) A copy of the preapplication meeting summary, if applicable;

(e) The applicable fee(s) adopted in LCC Title 18 for the application(s);

(f) If applicable, a State Environmental Policy Act environmental checklist;

(g) Permit-specific information required by submittal checklists distributed by the department in accordance with this section, or other relevant sections of Lewis County Code; and

(h) Any additional information, identified by the review authority needed to provide the department with sufficient information about the proposed project.

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# Commentary

## LEWIS COUNTY CODE 17.10.010 "A" DEFINITIONS

Agricultural activities is updated to include uses allowed within the ARL zones, which includes storage of fertilizers, herbicides, fuels and other chemicals for use in agricultural activities.

**Chapter 17.10.010**
**"A" DEFINITIONS**

"Accessory building" means a detached subordinate building in which an accessory use is located.

"Accessory use" means a subordinate use which is customarily associated with or related to the primary uses of the premises, and which does not alter or change the character of the premises.

"Administrator" means the director of the community development department or his/her designee.

"Agricultural activities~~,~~" ~~for the purposes of Chapter 17.40 LCC, Right to Farm,~~ means conditions or activities which occur on a farm in connection with the commercial production of farm and timber products and include, but are not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; smoke; operation of machinery and pumps; movement, including but not limited to use of current county roads and ditches, streams, rivers, canals, and drains, and use of water for agricultural activities; ground and aerial application of seed, fertilizers, conditioners and plant protection products; storage of explosives, fuels, and chemicals used for agriculture subject to all applicable local, state, and federal regulations; on-site treatment of wastewater; employment and use of labor; roadway movement of equipment and livestock; protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, fences, roads, bridges, ponds, drains, waterways and similar features; maintenance of stream banks and watercourses; and conversion from one agricultural activity to another.

"Agricultural activities, existing ongoing" means those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops and/or raising or keeping livestock. Agricultural activities include associated activities, including the operation and maintenance of farm and stock ponds, drainage ditches, operation and maintenance of ditches, irrigation systems including irrigation laterals, canals, or irrigation drainage ditches, and normal operation, maintenance, and repair of existing serviceable agricultural structures, facilities or improved areas, and the practice of aquaculture. Agricultural activities include, but are not limited to, growing mint, bulb farming, haying, growing blueberries, hybrid poplars, Christmas trees, and other nursery and horticultural activities which may involve any rotation, not otherwise classified as a forest practice. To assure preservation of agricultural land, the ability to switch from one crop or activity to another to meet market forces is essential and shall be considered "existing and ongoing agricultural" use when such conversions occur. Further, land devoted to agricultural purposes shall be considered existing and ongoing even if in-between crop activities are limited to haying or grazing. Land shall cease to be existing and ongoing agriculture if: (a) platted or otherwise developed for nonagricultural purposes; (b) converted to nonagricultural use; or (c) the land has lain idle for a period of longer than five years, unless the idle land is registered in a federal or state soils conversation program.

Forest practices not regulated under Chapter 76.90 RCW and WAC Title 222 are not included in this definition.

## Commentary

"Affordable housing" is defined in RCW 84.14.010, new in 2024 (ESSB 6175).

"Agritourism" definition according to RCW 4.28.832.

"Agriculture" means the use of land for horticulture, floriculture, viticulture, dairy, apiary, vegetable or animal products, or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and the necessary accessory uses for packing, treating, or storing the product; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities. The retention of idle land that is registered in a federal or state soils conservation program and the activities identified in the definition for "agricultural activities, existing ongoing" in this section are also considered agriculture. Forest practices are not included in the definition. For the purposes of agricultural uses regulated under the voluntary stewardship program and the shoreline master program, the definitions in RCW 90.58.065 shall apply instead of this definition.

"Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.

"Agritourism" means any activity carried out on a farm or ranch whose primary business activity is agriculture or ranching and that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities including, but not limited to: farming; ranching; historic, cultural, and on-site educational programs; recreational farming programs that may include on-site hospitality services (e.g., farm stays, restaurant, retail); guided and self-guided tours; petting zoos; farm festivals; corn mazes; harvest-your-own operations; hayrides; barn parties including weddings; horseback riding; fishing; and RV parks and camping.

[No Changes to the remaining "A" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.020 "B" DEFINITIONS

New Chapter 17.127 Energy Facilities is added to the Lewis County Code and includes battery energy storage systems as an accessory use to energy production. Minor and major reflect state thresholds.

**Chapter 17.10.020**
**"B" DEFINITIONS**

"Bathroom" means a room that includes a toilet, sink and bathtub or shower. A room that includes only a toilet and sink is considered a half-bathroom.

"Battery Energy Storage System" (BESS) means an energy storage system that can store and deploy generated energy, typically a group of batteries that charge (i.e., collect energy) and store electrical energy from the grid or energy generation facility and then discharge that energy at a later time to provide electricity or other grid services when needed. BESS generally consists of batteries, battery storage containers, on-site switchyard, inverters, associated interconnection transmission line, and supervisory control and data acquisition system.

"Battery Energy Storage System – Minor" have an aggregate energy capacity less than or equal to 1MWh and, if in a room or enclosed area, consist of only a single energy storage system technology.

"Battery Energy Storage Systems – Major" have an aggregate energy capacity greater than 1MWh or are comprised of more than one storage battery technology in a room or enclosed area.

"Battery Energy Storage Facilities" is defined as one or more battery cells for storing electrical energy in a Battery Energy Storage System with a Battery Management System.

[No Change to the remaining "B" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.030 "C" DEFINITIONS

Cannabis is defined pursuant to state definitions and requirements.

**Chapter 17.10.030**
**"C" DEFINITIONS**

"Cabin" means a recreational dwelling used for transient accommodations which may include separate kitchen, bedroom and bathroom facilities. Cabins may be factory assembled structures, constructed dwellings with foundations, yurts or similar recreational structures.

"Camper club" means a type of master planned resort where camping sites are leased by members of an organization, but the parcel or tract of land is under the ownership of the organization.

"Campground" means any parcel or tract of land under the control of any person, organization, or governmental entity where two or more camping sites are offered for transient accommodations for a fee.

"Campground, primitive" means a campground with a minimal level of amenities that does not provide power, water or septage connections at individual camping sites.

"Camping, dispersed" means camping outside of a designated campground where no services or amenities, such as power, water, septage or trash removal, are provided.

"Camping site" means a space or area within a recreational vehicle park or campground designated for recreational vehicles or tents.

"Cannabis production" means the growing and wholesaling of cannabis (aka marijuana) by any person or entity that holds a valid license issued by the Washington State Liquor Control Board under WAC 314-55-075 as now in effect or hereafter amended.

"Cannabis retailer" means a retail outlet that sells usable cannabis (aka marijuana), cannabis-infused products, and cannabis paraphernalia and is owned by any person or entity that holds a valid cannabis retailer license issued by the Washington State Liquor Control Board under WAC 314-55-079 as now in effect or hereafter amended.

"Cemetery" means a place used and dedicated for burial of deceased humans with one or a combination of the following elements: (a) burial plot or plots for earth interments; (b) mausoleum for crypt interments; (c) columbarium for permanent cinerary interments.

## Commentary

Co-living includes any dwelling where there are private bedrooms and common areas shared by the occupants. In Chapter 17.42, Table 2, specific types of cohousing, such as assisted living facilities, are specifically listed.

"Channel migration zone" means the area along a river or stream within which the channel can reasonably be expected to migrate over time as a result of normally occurring processes. It encompasses that area of lateral stream channel movement that can be identified by credible scientific information that is subject to erosion, bank destabilization, rapid stream incision, and/or channel shifting, as well as adjacent areas that are susceptible to channel erosion. For the purpose of this code, linear facilities parallel to the direction of flow, including roads and railroads and flood control levees permanently maintained by a public agency, may be considered to form the boundary of a channel migration zone.

"Child day care center" means a facility that provides early childhood education and early learning services to a group of children for periods of less than 24 hours.

"Classification," as it relates to Chapter 17.38 LCC, Critical Areas, means defining the value and hazard categories to which critical areas will be assigned.

"Clearing" means destruction of vegetation by manual, mechanical, or chemical methods resulting in exposed soils.

"Closed record appeal" means an administrative appeal on the record to Lewis County, as defined under LCC 2.25.010(3).

"Clustering" means the placement of dwellings and accessory buildings in a pattern of development, which reduces impervious surface area, lowers cost of development and maintenance, and retains larger expanses of property available for agriculture, forestry, or continuity of ecological functions.

"Co-living" means a type residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share common area such as dining room, kitchen, lounges, meeting rooms, recreation or laundry facilities, storage, guest rooms, library, workshops, and/or childcare, to serve only the co-living community. Co-living includes co-housing, congregate housing, boarding house, lodging house, residential suites and similar types of housing.

"Commercial" activities are primarily for a business or retail purpose, including but not limited to selling, offering for sale, displaying, distributing, or providing of goods, merchandise, or services as well as any advertising, promotion, or conveying of information or materials related to such goods, merchandise, or services, together with associated transport, storage, assembly, and repair.

"Community center" means land and/or building(s) owned by a public agency or private nonprofit entity used for social, civic, educational, or recreational purposes, which mainly serves the community where it is located; including but not limited to community halls and centers, grange halls, senior citizen centers, teen centers, youth clubs, field houses, and churches. The facilities are available for occasional public meetings. They may also have the minimal kitchen facilities required for occasional banquets. Private clubs as defined in this title are not included.

## Commentary

When there are multiple apartment buildings on a single lot, or contiguous lots under the same management, then it is an apartment complex.

New section RCW 36.70A.142 (2022), HB 1799: Development regulations newly developed, updated, or amended after January 1, 2025 allow for the siting of organic materials (OM) management facilities as identified in local solid waste management plans (SWMP) to meet OM reduction and diversion goals. Siting must be allowed under state law and was already added to Lewis County code. Definition for Organic Material is added to "O" Definitions Organic Materials composting

"Correctional facility" definition under RCW70.48.020(2). See Detention facility definition on Definition "D" LCC 17.10.040.

Cottage housing is a type of manufactured home or mobile home park with a limitation on the size of each dwelling units. This type of housing is more affordable than traditional single family housing because the land under each dwelling unit is often leased.

"Compensatory mitigation project," as it relates to Chapter 17.38 LCC, Critical Areas, means actions necessary to replace project-induced critical area and associated buffer losses and includes, but is not limited to, land acquisition, planning, construction plans, monitoring, and contingency actions.

"Complex, apartment" means a group of residential buildings containing apartment dwelling units, located within a single development or property, usually managed by a single company or owner.

"Composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

~~"Composting facility" means a solid waste facility specializing in the composting of one or more organic feedstocks under controlled conditions pursuant to Chapter 70.95 RCW to promote aerobic decomposition yielding a marketable, nuisance-free product for reuse or as a soil conditioner. Feedstocks may include but are not limited to yard waste or food waste.~~

"Correctional facility" means a facility operated by a governing unit primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense. It does not include state or federal correctional facilities.

"Confined animal feeding operation" means a lot or facility (other than an aquatic facility) where more than 300 animal units are confined and fed or maintained for a period of 45 days or more in any 12-month period, and in which crops, vegetation, forage growth or post-harvest residues are not sustained in the normal growing season.

"Conical surface," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning (RA), means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.

"Consistent or consistency" means a project's conformance with the county's development regulations or, in the absence of applicable development regulations, the appropriate elements of the county comprehensive plan or subarea plans adopted under Chapter 36.70A RCW.

"Convenience grocery or fuels" means a store designed and intended to serve the daily or frequent needs of nearby residents or visitors. The store may sell nonfood items such as household supplies, gas, pharmaceuticals, and items for personal hygiene.

"Cottage housing" means three or more detached single family dwelling units located on one legal lot and sharing one primary access point, when each unit does not exceed 1,000 square feet in floor area.

"Country inn" means a restaurant or restaurant/lounge facility designed to encourage a rural dining experience which is dependent upon a rural location for appropriate ambiance.

## Commentary

Crisis housing aims to remove them from an otherwise harmful environment and allowing them to improve their situations from a safe and stable environment. Situations that may be alleviated through crisis accommodation.

"County commission" means the county commission of Lewis County.

"Crisis housing, safe and shelter" means housing provided to people experiencing temporary or ongoing conditions of mental or physical health challenges, such as domestic violence, elder abuse, and child abuse. Homelessness is not included in this definition.

[No Change to the remaining "C" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.040 "D" DEFINITIONS

**Chapter 17.10.040**
**"D" DEFINITIONS**

"Dangerous wastes" means those wastes designated in WAC 173-303-070 through 173-303-120 as dangerous or extremely hazardous or mixed waste. The words "dangerous waste" refer to the full universe of wastes regulated by Chapter 173-303 WAC and are used interchangeably with "hazardous waste."

"Debris flow" means a rapidly down-slope-moving mass of a viscous water-saturated mixture of rock fragments, soil, and mud, with more than half of the particles being larger than sand size.

"Decision," on a project permit, means the following:

(a) "Approved" means the project meets all applicable rules and requirements.

(b) "Approved with conditions" or "conditionally approved" means if the stated conditions are met and implemented the project will meet all applicable rules and requirements.

(c) "Denied" means the project does not meet all applicable rules and requirements; the applicant failed to provide requested evidence necessary to determine if the project meets all applicable rules and requirements; or the applicant has not satisfied the conditions of approval.

(d) "Final approval" means the final official action taken by the board of county commissioners, or the administrator, as applicable under the provisions of LCC Title 16, Subdivisions, on the proposed plat, subdivision or dedication or portion thereof as previously received preliminary approval.

(e) "Issued" means the review authority has provided the written permit, either electronic or hard copy, to the legally responsible party or their designated representative.

(f) "Preliminary approval" means the official written action approving a proposed division of land, pursuant to LCC Title 16, Subdivisions, when provision of improvements or fulfillment of conditions is to occur prior to final approval. The applicant shall be entitled to final approval when the conditions are met or improvements are provided.

"Density," when referring to residential development, means a ratio comparing the number of dwelling units with land area, and is expressed as the number of residential dwelling units per acre of land in a residential development.

"Department" means the department of community development of Lewis County.

## Commentary

"Detached bedrooms" are a bedroom not attached to the primary structure and may or may not include a bathroom. Detached bedrooms do not include kitchen facilities. If the structure includes a bedroom, bathroom and kitchen then it is a dwelling unit.

"Detention facility" defined under RCW 70.48.020. See correctional facility definition on Definition "D" LCC 17.10.030

"Department," for the purposes of Chapter 17.110 LCC, State Environmental Policy Act, means any division, subdivision, or organizational unit of the county established by ordinance, rule, or order.

"Detached accessory dwelling unit" means a separate and complete dwelling unit not attached in any way to the main or existing dwelling unit; designed for occupancy by a family.

"Detached bedroom" means a detached incidental structure containing a bedroom and may contain living and bathroom facilities. Detached bedrooms do not include kitchen facilities.

"Determination," as it relates to Chapter 17.38 LCC, Critical Areas, means an action by an agency or individual qualified in the science of identification and delineation of a critical area to identify, characterize, and/or locate a critical area.

"Detention facility" means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety (90) days. It does not include state or federal detention facilities.

"Developed land" means the total land area of any lot of record which has a building, parking area, and/or structure for a permitted or special use except the following uses: agriculture as defined above; the growth, harvest, and management of timber; or mining.

"Development" means any activity that requires federal, state, or local approval for the use or modification of land or its resource. These activities include, but are not limited to, subdivisions, short subdivisions, and large lot subdivisions; binding site plans; planned unit developments; variances; shoreline substantial developments; clearing activities; excavation and grading; conditionally allowed activities; building or construction; revocable encroachment permits; and septic approval.

"Development standards" means a minimum requirement or maximum allowable limit on the effect or characteristics of the use or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained pursuant to the Lewis County Code.

"Disturbance area" refers to a region of land or habitat that has been altered by natural events or human activities, leading to changes in its physical, chemical, or biological properties. These disturbances can affect vegetation, soil, water, and wildlife, consequently impacting the ecological balance and health of the area.

## Commentary

Dwelling: zoning designations are consistent and implement land use designations that accommodate future housing needs by income bracket as allocated through the countywide planning process. (RCW 36.70A.070(2)(c) - Amended in 2021 with HB 1220) Housing necessary for affordability by all income brackets ranges from multi-family, middle housing, and single-family. Definitions have been added for clarity. See use tables and small towns to see where medium-high density housing is proposed.

"Dwelling, apartment" a set of attached dwelling units with shared access from a common area, such as a hall, stairwell or courtyard.

"Dwelling, condominium" means a building, or group of buildings, in which dwelling units are individually owned, and common areas and facilities are owned by all the owners on a proportional, undivided basis.

"Dwelling unit" means ~~a building, or portion of a building or modular manufactured housing unit that is constructed or installed on a permanent foundation and designed for long-term human habitation, which has facilities for cooking, eating, sleeping, sewage, and bathing for use by one family (including resident domestic employees); the term does not include tents, campers, recreational vehicles, or travel trailers~~ one (1) or more attached rooms designed for occupancy by a person or persons for living and sleeping purposes, containing kitchen and bathroom facilities and rooms with internal accessibility, for use solely by the dwelling's occupants.

"Dwelling unit, accessory" means a dwelling unit located on the same lot as the primary dwelling unit.

"Dwelling unit, attached" means a dwelling unit that shares at least one wall with another dwelling unit.

# Commentary

## LEWIS COUNTY CODE 17.10.050 "E" Definitions

Electric Vehicle charging stations definition reflects RCW 64.38.062.

Regulations define emergency for an emergency plan amendment. RCW 36.70A.130(2)(b) and WAC 365-196-640(4)

Emergency housing defined under RCW 36.70A.030(14).

Essential public facilities are regulated under state law 36.70A.200. The difference between the local and major types are now defined in the Land Use Table, 17.42, and the terms "local" and "major" are no longer used. This creates clarity for staff and the public.

**Chapter 17.10.050**
**"E" DEFINITIONS**

"Early notice," for the purposes of Chapter 17.110 LCC, State Environmental Policy Act, means the county's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated determination of nonsignificance (MDNS) procedures).

"Economic viability," for the purposes of Chapter 17.30 LCC, Resource Lands, means profit (or return) can reasonably be expected to be high enough to justify the investment. The prudent investor will not invest in resource land activity unless there is a reasonable expectation of a competitive return on his investment. That is, the owner will expect to get all his investment back, plus at least the cost of investment capital, plus a management fee.

"Electric vehicle charging station" means a station that delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.

"Emergency amendment" means an amendment to the Comprehensive Plan completed outside of the periodic update or annual docket when it is deemed by the Board of County Commissioners that there is a threat to life and property under the current comprehensive plan. The process includes a moratoria or interim zoning control, public notice, and opportunity for public comment. Emergency amendments must follow WAC 365-196-640.

"Emergency housing" means temporary indoor accommodation for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

"Essential public facilities" means those facilities that are typically difficult to site, such as airports, State education facilities and State or regional transportation facilities as defined in RCW 47.06.140, State and local correctional facilities, solid waste handling facilities, and inpatient facilities, including substance abuse facilities, mental health facilities, behavioral health facilities, and group homes.

~~"Essential public facilities, local" means transportation, utility, and education facilities; special needs facilities; solid waste facilities; port facilities administered by ports; juvenile detention facilities; community jail and other facilities all administered by an agency or entity headquartered in Lewis County. Local general aviation airports owned and/or operated by municipal authorities shall be an essential public facility.~~

## Commentary

Adding definition of Essential Rural retail services to clarify uses on the Land Use Table. This reflects RCW 36.70A.070 specific to LAMIRDs.

~~"Essential public facilities, major" means those facilities which are not required to be located in Lewis County, but which may be designated for Lewis County by an appropriate agency and which have the potential for material local impact. Such facilities include, but are not limited to, state prisons and correctional facilities administered by the Washington State Department of Corrections, regional or international airports operated by authorities not located in Lewis County, and energy facilities proposed by a utility not headquartered in Lewis County.~~

"Essential rural retail services" means services including grocery, pharmacy, hardware, automotive parts, and similar uses that sell or provide products necessary for health and safety, such as food, medication, sanitation supplies, and products to maintain habitability and mobility.

"Event center" means a facility that provides a venue to host reoccurring events such as concerts, theatrical performances, sporting events, exhibitions, shows, ceremonies, weddings or other similar activities. The facility may include both indoor and outdoor event space. The facility may include restaurant or retail uses, provided the restaurant or retail use is clearly accessory to the primary event use.

[No Changes to the remaining "E" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.060 "F" Definitions

The legislature passed a bill making it illegal to regulate that people living in a dwelling unit must be related to each other. Lewis County Code allowed up to six people who were not related to each other to reside in a dwelling unit; however, there cannot be a limitation. Therefore, this definition is struck. If the term family is used in Lewis County Code it will be reviewed and updated to conform to state law.

State requirements - Family day care providers definition was added and are allowed in all residential dwellings located in areas zoned for residential or commercial RCW 36.70A.450. This corresponds to proposed uses in UGA Small Town zones for family day care providers in 17.17.110.

**Chapter 17.10.060**
**"F" DEFINITIONS**

"FAA" means the Federal Aviation Administration.

~~"Family" means an individual; two or more persons related by blood or marriage; a group of two or more disabled residents protected under the Federal Housing Act Amendments, who are not related by blood or marriage, living together as a single housekeeping unit; a group of eight or fewer residents, who are not related by blood or marriage, living together as a single housekeeping unit; or a group living arrangement where six or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or nonresident staff. For purposes of this definition, minors living with a parent shall not be counted as part of the maximum number of residents.~~

"Family day care provider" means an establishment for group care of nonresident adults or children which is accessory to a single-family residence that is the abode of the person or persons under whose direct care and supervision the clients are placed. Day care consists of both adult day care, and child day care facilities, licensed by the State. A maximum of 12 adults or children in any 24-hour period, including children who reside at home, are permitted.

"Farm~~,~~" ~~for the purpose of Chapter 17.40 LCC, Right to Farm,~~ means the land, buildings, manure lagoons, ponds, freshwater culturing and growing facilities, and machinery used in commercial production of farm and agricultural products.

"Farm enhancement" means promoting proposed agricultural production by application of structural, cultural, and management practices, including eliminating safety hazards such as excessive grades.

"Farm product" ~~for the purpose of Chapter 17.40 LCC, Right to Farm,~~ means those plants and animals (and the products thereof) useful to human beings which are produced on farms and include, but are not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock including breeding, grazing and feed lots, fruits, vegetables, flowers, seeds, grasses, nursery products, trees and forest products including Christmas trees and timber, freshwater fish and fish products, rabbits, apiaries, equine and similar products, or any other product which incorporates the use of food, feed, fiber or fur.

"Farmland~~,~~" ~~for the purpose of Chapter 17.40 LCC, Right to Farm,~~ means land or freshwater ponds devoted primarily to the production, for commercial purposes, of livestock, freshwater aquaculture or other agricultural commodities.

## Commentary

"Flood" or "flooding" means a general or temporary condition of partial or complete inundation of normal dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood - 100-Year Flood/Base Flood. "100-year flood" or "base flood" means the flood having a one percent chance of being equaled or exceeded in any given year. For purposes of this chapter, Lewis County adopts the Federal Emergency Management Act (FEMA) flood hazard classifications.

"Floor area" means the sum expressed in square footage of the gross horizontal area of the floor or floors of the building, measured from the exterior faces of the exterior walls, including elevator shafts and stairwells on each floor and areas having a ceiling height of seven feet or more, but excluding roofed areas open on two or more sides, areas having a ceiling height of less than seven feet and areas used exclusively for storage or housing of mechanical or central heating equipment.

"Floor area of a nonresidential building" (to be used in calculating parking requirements) means the floor areas of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and similar areas.

~~"Forest industries" means the growth, harvest, and management of timber, associated forest practices and the manufacture of wood products.~~

"Forest practice" means any activity conducted on or directly pertaining to forest land and related to growing, harvesting, or processing timber as defined in Chapter 222-16 WAC.

"Forest products" means products obtained from stands of forest trees which have been either naturally or artificially established.

"Forestry" or "forest industries" means growth, removal, harvesting, management, wholesaling, and retailing of forest vegetation including, but not limited to timber, fuel wood, cones, Christmas trees, shrubs, ferns, berries, mistletoe, herbs, and mushrooms; as well as associated forest practices, including but not limited to storage of explosives, fuels, and chemicals used for forestry subject to all applicable local, state, and federal regulations.

# Commentary

## LEWIS COUNTY CODE 17.10.070 "G" Definitions

The new Energy Facilities development regulations includes geothermal resources; and therefore, a definition has been added.

**Chapter 17.10.070**
**"G" Definitions**

"Geothermal resources" includes the natural heat of the earth, the energy, in whatever form, below the surface of the earth present in, resulting from, or created by, or that may be extracted from, the natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, exclusive of helium or oil, hydrocarbon gas or other hydrocarbon substances, but including, specifically:

(a) All products of geothermal processes, including indigenous steam, and hot water and hot brines;

(b) Steam and other bases, hot water and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations;

(c) Heat or other associated energy found in geothermal formations; and

(d) Any by-product derived from them.

"Glare" means the effect produced by light with intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

[No Changes to the remaining "G" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.080 "H" Definitions

Home-based business was not defined but is a category of allowed use under 17.42, Table 2; therefore a definition is added.

**Chapter 17.10.080**
**"H" DEFINITIONS**

"Hazard to air navigation," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

"Hazard tree" means any tree that is susceptible to imminent fall due to its condition (damaged, diseased, or dead) or other factors, and which because of its location is at risk of causing personal injury or damaging a property's permanent physical improvements.

"Hazardous substances" means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

"Hazardous waste" means and includes all dangerous and extremely hazardous waste as defined by RCW 70.105.010, and by Chapters 8.15, 8.20 and 8.45 LCC. Treatment of hazardous waste means, in addition to the meanings in Chapters 8.15, 8.20 and 8.45 LCC, the physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

"Hazardous waste treatment and storage facilities" means facilities that require an interim or final status permit from the Department of Ecology under the Dangerous Waste Regulations, Chapter 173-303 WAC, and permitting under Chapters 8.15, 8.20 and 8.45 LCC. This does not include hazardous waste incineration and land disposal facilities that are state preempted.

"Hearing examiner" means the hearing examiner of Lewis County.

"Height," for the purpose of determining the height limits in all zones set forth in Chapter 17.80 LCC, Airport Obstruction Zoning, and shown on the approach and clear zone map, shall be mean sea level elevation unless otherwise specified.

<u>"Home-based business" means limited commercial activities within dwelling unit provided that the business does not interfere with the residential character of the neighborhood through noise, traffic, over-sized vehicles, signs, other outward manifestation or safety hazards that may be generated. Home-based business may involve new structures and activity outside of the dwelling units. Home-based business may also be referred to as "cottage industry" or "home based industry".</u>

## Commentary

Definition of Hostel according to RCW 79A.05.270

~~"Home based industry" means small industrial, commercial, manufacturing, or service operations on land which is accessory to the operator's residential use. A home based industry is limited in size and scale, but may involve new structures and activity outside the residence. Such uses may retain the uses existing at the date of the adoption of this chapter or new facilities or activities consistent with this title.~~

"Horizontal surface," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plane coincides with the perimeter of the horizontal zone.

(a) For the Packwood Airport, this horizontal plane is 1,203 feet above mean sea level.

(b) For the Ed Carlson Memorial Field Airport, this horizontal plane is 525 feet above mean sea level.

(c) For the Chehalis-Centralia Airport, this plane is 324 feet above mean sea level.

"Hostel" means a simple basic structure that serves as a safe, short-stay, low-cost accommodation for transient people of all ages from this country and abroad.

[No Changes to the remaining "H" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.090 "I" Definitions

**Chapter 17.10.090**
**"I" DEFINITIONS**

[No Changes proposed to the "I" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.100 "J" Definitions

Junk yard has been added to uses in 17.42 Table 2 and a definition is added for clarity.

**Chapter 17.10.100**
**"J" DEFINITIONS**

"Junk" means old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; bones; waste paper, plastic and other waste or discarded material which might be prepared to be used again in some form; any or all of the foregoing; and motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste or scraps from the operation of his/her own business or materials or objects held and used by a manufacturer as an integral part of his/her own manufacturing processes.

"Junk yard" means a property or portion there of that is used for storage of junk.

# Commentary

## LEWIS COUNTY CODE 17.10.110 "K" Definitions

Kitchen is what differentiates a detached bedroom from an accessory dwelling unit; therefore, a definition of kitchen is added.

**Chapter 17.10.110**
**"K" DEFINITIONS**

~~Reserved.~~

"Kitchen" means a room or space with a sink, refrigerator, oven/stovetop and other appliances used for cooking. A room or space with a sink and refrigerator, but with no oven/stovetop is not considered a kitchen.

# Commentary

## LEWIS COUNTY CODE 17.10.120 "L" Definitions

Lot, parent; Lot, unit: In 2023, Washington state law changed to require unit lot subdivisions be included in short plat regulations for all cities, towns, and counties. RCW 58.17.060(3), established by Engrossed Second Substitute Senate Bill (ESSSB) 5258 (Chapter 337, 2023 Laws).

**Chapter 17.10.120**
**"L" DEFINITIONS**

"Larger than utility runway," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft. This definition shall only apply to the Chehalis-Centralia Airport.

Loading Space, Off-Street. "Off-street loading space" means space logically and conveniently located for bulk pickups and deliveries, scaled to delivery trucks, expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading spaces are not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

"Lodging unit" means a building or portion thereof made available to the public for transient accommodations, and individually designated by number, letter, or other means of identification. Hotels, motels, bed and breakfasts and short-term rentals are considered lodging.

"Lot clustering" means a method of aggregating permitted densities on smaller tracts or area within a larger defined area for the purpose of creating economical building lots with spatially efficient sizes, reducing development cost, increasing energy efficiency and reserving areas of land that are suitable for agricultural, forestry, open space, or other future-approved development purposes.

"Lot coverage" means the percent of a lot or parcel which is, or will be, covered by structures.

"Lot, parent" means is a lot which is subdivided into unit lots through a subdivision process.

"Lot, unit" means a subdivided lot, that allows for individual ownership of at least one primary dwelling unit, created from a parent lot and approved through the unit lot subdivision process.

# Commentary

## LEWIS COUNTY CODE 17.10.130 "M" Definitions

Marijuana is replaced by cannabis for consistency with state law. See "C" Definitions.

Micro-brewery is added as a use in 17.42 Table 2 and is therefore defined.

The definition of mining is moved from 17.30 to 17.10 defintions.

**Chapter 17.10.130**
**"M" DEFINITIONS**

"Manufacturing" means establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins, or liquors.

"Marijuana processing" means converting harvested marijuana into usable marijuana and marijuana-infused products by any person or entity that holds a valid marijuana processor license issued by the Washington State Liquor Control Board under WAC 314-55-077 as now in effect or hereafter amended.

(a) "Type 1 marijuana processing" means marijuana processing as provided under WAC 314-55-077 that is limited to drying, curing, trimming, and packaging marijuana for retail sale.

(b) "Type 2 marijuana processing" means marijuana processing as provided under WAC 314-55-077 that extracts concentrates, infuses products, or involves the mechanical and/or chemical processing in addition to or instead of drying, curing, trimming, and packaging for retail sale.

~~"Marijuana production" means the growing and wholesaling of marijuana by any person or entity that holds a valid license issued by the Washington State Liquor Control Board under WAC 314-55-075 as now in effect or hereafter amended.~~

~~"Marijuana retailer" means a retail outlet that sells usable marijuana, marijuana-infused products, and marijuana paraphernalia and is owned by any person or entity that holds a valid marijuana retailer license issued by the Washington State Liquor Control Board under WAC 314-55-079 as now in effect or hereafter amended.~~

"Micro-brewery" means producing less than 15,000 barrels annually; micro-distillery means less than 60,000 gallons annually; micro-winery means producing less than 99,999 liters annually; micro-cidery means producing less than 60,000 barrels annually.

"Mining" means quarrying or extraction of material including but not limited to sand, gravel, rock, clay, coal and valuable metallic and nonmetallic substances from the earth and associated exploitation, primary reduction, treatment, and processing of minerals or materials, together with the necessary buildings, structures, apparatus, or appurtenances on said property where at least one of the major mineral or material constituents being exploited is from said property, including, but not limited to, concrete hatching, asphalt mixing, brick, tile, terra cotta, and concrete products, manufacturing plants, and rock crushers and the use of accessory minerals and materials from other sources necessary to convert the minerals and materials to marketable products.

## Commentary

"Miscellaneous or future marijuana uses" are marijuana activities other than marijuana production, processing, and retail.

(a) If any future marijuana activity regulated under Chapter 314-55 WAC, now or as hereafter amended or replaced, falls outside of the definitions of marijuana retailer, production, or processing herein, such activity shall be subject to this title's provisions pertaining to marijuana uses to the extent possible, except as otherwise specified in this section.

(b) Persons growing medical marijuana solely for their own use (including members of a medical marijuana cooperative under WAC 314-55-410 et seq., now or as hereafter amended) shall be treated as a noncommercial greenhouse use under this title instead of as marijuana production or processing, so long as the marijuana activity complies with applicable state law and does not include any solvent- or CO2-based extraction. If the marijuana activity fails to comply with applicable state law and/or includes solvent- or CO2-based extraction, it shall be regulated as marijuana production or processing, as appropriate under this title.

"Mitigation" means actions taken to replace, compensate for, or enhance critical area functions impacted by a land use development permitted under this chapter. Mitigation may include individual actions or a combination of actions that follow mitigation sequencing in LCC 17.38.080(2) and generally fall into the following categories: protection/maintenance, enhancement, restoration, or creation.

Mitigation - Creation (Establishment). "Creation," as it relates to Chapter 17.38 LCC, Critical Areas, means the manipulation of the physical, chemical, or biological characteristics of a site where the resource did not previously exist. Establishment results in a gain in area. For example, activities related to wetlands typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.

Mitigation - Enhancement. "Enhancement," as it relates to Chapter 17.38 LCC, Critical Areas, is the manipulation of the physical, chemical, or biological characteristics of a site to heighten, intensify, or improve specific ecologic function(s) or to change the growth stage or composition of the vegetation present. Enhancement projects result in a change in some ecological functions and can lead to a decline in other ecological functions, but do not result in a gain in overall area. Enhancement activities related to wetlands typically consist of planting vegetation, controlling nonnative or invasive species, modifying a site to influence hydroperiods, or some combination of these activities.

## Commentary

Mobile food unit: definition according to RCW 43.20.025.

Mobile home: consistency between building and zoning chapter - make sure definitions match each other and state law, review regulations in building code Chapter 15 for compliance. Manufactured housing is regulated the same as site built housing. RCW 36.01.225 amended in 2019. A local government may require that manufactured homes: (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood, but may not discriminate against consumer choice in housing.

17.42 Table 2 lists Duplex, which is two attached dwelling units, and Multifamily. The definition of Multifamily should match that use table.

Mitigation - Protection/Maintenance (Preservation). "Protection/maintenance," as it relates to Chapter 17.38 LCC, Critical Areas, means removing a threat to, or preventing the decline of, critical area conditions by an action in or near the area. This includes the purchase of land or easements, or, in the case of wetlands, projects to repair water control structures or fences. Preservation does not result in a gain of critical area acreage.

Mitigation - Restoration. "Restoration," as it relates to Chapter 17.38 LCC, Critical Areas, means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning the area to its natural or historical functions. For the purpose of tracking net gains in critical areas acreage, restoration is divided into re-establishment and rehabilitation.

(a) Re-establishment results in a gain in critical areas acres (and functions). Examples of re-establishment activities that are related to wetlands include removing fill material, plugging ditches, or breaking drain tiles, among others.

(b) Rehabilitation results in a gain in ecological function but does not result in a gain in critical area acreage. Rehabilitation activities related to wetland mitigation may involve breaching a dike to reconnect wetlands to a floodplain or other similar projects.

"Mobile food unit" means a readily movable food establishment. This includes mobile food trucks, trailers and mobile restaurants.

"Mobile home or manufactured home" means a detached single-family dwelling unit as defined and regulated under Chapter 15.25 LCC.

"Mobile home" means a detached single-family dwelling unit as defined and regulated under Chapter 15.25 LCC.

"Mobile home park" means any parcel or adjacent parcels of land as defined and regulated under Chapter 15.30 LCC.

"Modular/manufactured home" means a structure constructed offsite and assembled onsite which conforms to IBC requirements.

"Multifamily development" means ~~two~~ three or more dwelling units on one lot of record whether or not attached.

"Multifamily dwelling" means a single building containing ~~two~~ three or more attached ~~residential~~ dwelling units.

# Commentary

## LEWIS COUNTY CODE 17.10.140 "N" Definitions

Nuclear definitions to support new Energy code.

**Chapter 17.10.140.**
**"N" DEFINITIONS**

"Native vegetation" means plant species which are indigenous to the site in question.

"Nonconforming structure" means a building or structure, or portion thereof, which was lawfully erected and maintained prior to the adoption of these regulations, but which does not conform to the regulations of the zone in which it is located.

"Nonconforming use" means a use of land which was lawfully established and maintained prior to the adoption of these regulations, but which does not conform to the regulations of the zone in which it is located.

Nonconforming Use, Airport Obstruction Zoning. "Nonconforming use" for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means any preexisting structure, object of natural growth, or use of land which is inconsistent with the provisions of the chapter or an amendment thereto.

"Nonprecision instrument runway," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned. This definition shall only apply to the Chehalis-Centralia Airport.

"Nuclear reactor" is defined as a facility where nuclear fission reaction occurs. A nuclear facility includes an area, structure, or activity related to nuclear operations, ensuring safe operations and compliance with safety standards. The U.S. Nuclear Regulatory Commission (NRC) regulates nuclear reactors to ensure safety and environmental protection.

"Nuclear reactor - micro", also known as microreactors, are compact nuclear reactors that can generate up to 20 megawatts of thermal energy. They are subcategory of Small Modular Reactors (SMRs) and are designed to generate electricity on a smaller scale than traditional nuclear reactors.

# Commentary

## LEWIS COUNTY CODE 17.10.150 "O" Definitions

Organic materials and facility: New section RCW 36.70A.142 (2022), HB 1799: Development regulations newly developed, updated, or amended after January 1, 2025 allow for the siting of organic materials (OM) management facilities as identified in local solid waste management plans (SWMP) to meet OM reduction and diversion goals. Siting must be allowed under state law and was already added to the Lewis County code.

**Chapter 17.10.150**
**"O" DEFINITIONS**

"Obstruction," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in LCC 17.80.040.

"Open record appeal hearing" means a hearing defined under LCC 2.25.010(9).

"Open record hearing" means a hearing as defined under LCC 2.25.010(9).

Open Space. As used within this title, "open space" shall have the same definition as in LCC 16.04.185. "Open space" should not be confused with the "open space open space," "open space agricultural," or "open space timber" designations, which are tax designations assigned by the county under Chapter 3.50 LCC and Title 84 RCW. Such tax designations may be secured in any zone under this title and may be granted, amended, or deleted as provided in the applicable tax code and regulations.

"Ordinance," for the purposes of Chapter 17.110 LCC, State Environmental Policy Act, means the ordinance, resolution, or other procedure used by the county to adopt regulatory requirements.

"Ordinary high water mark (OHWM)" on all lakes and streams means that mark which is found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland in respect to vegetation as that condition exists on June 1, 1971, or as it may naturally change thereafter; provided, that for:

(a) Lakes, where the ordinary high water mark cannot be found, it shall be the line of mean high water;

(b) Streams, where the ordinary high water mark cannot be found, it shall be the line of mean high water. For braided streams, the ordinary high water mark is found on the banks forming the outer limits of the depression within which the braiding occurs.

"Organic materials" means materials derived from living organisms, including vegetative food processing residue; food residuals; agricultural residuals; compostable products; non-recyclable compostable paper; clean wood; or landscaping residue. It does not include biosolids.

"Organic materials composting facility" means structure(s) and/or premises designed, intended to be used, or used to conduct composting. Composting Facility includes Small Composting Facilities, Large Composting Facilities, Agricultural Composting Facilities, and Organics Consolidation Facilities or Operations. Composting facility does not include any structure or premises at which only individual residential use composting is conducted or land upon which finished or matured compost is applied.

## Commentary

Outpatient treatment center is added to 17.42 Table 2 and therefore defined.

"Outpatient treatment center" means a facility that provides medical or mental health services to individuals who do not require overnight accommodation. Includes clinics offering counseling, physical rehabilitation, and routine diagnostic services. Excludes hospitals, residential treatment centers, and urgent care centers providing emergency medical services.

[No Changes to the remaining "O" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.160 "P" Definitions

Definition of Permanent supportive housing according to RCW 36.70A.030(31).

**Chapter 17.10.160**
**"P" DEFINITIONS**

Parcel. For "parcel" see "contiguous land" definition at LCC 16.04.178.

"Park" means private or public areas of land that are designated for active or passive recreational uses. The areas may include buildings, athletic fields, and spectator seating facilities.

Parking Space, Off-Street. "Off-street parking space" means, for the purpose of this title, an area that:

(a) Is located totally outside of any street, alley, or public right-of-way;

(b) Is adequately sized to park an automobile, with room for opening doors on both sides of the vehicle; and

(c) Is sited appropriately to offer sufficient maneuvering room and access to a public street or alley.

"Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services.

"Permitted use" means a principal use of a site allowed as a matter of right in conformance with applicable zoning, building, and health codes, and not subject to special review or conditions under this title beyond those specifically set forth in zoning district regulations.

"Person" means an individual, firm, copartnership, association, corporation, or other legal entity, including any federal, state, or local municipal corporation, agency, or special purpose district.

"Planning commission" means the planning commission of Lewis County.

## Commentary

Definition of Professional Service according to RCW 18.100.030.

"Primary surface," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in LCC 17.80.035. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

"Priority habitat and species database" means the database for the Washington Department of Fish and Wildlife Priority Habitats and Species Program, which provides the following products:

(a) Lists of the Washington Department of Fish and Wildlife's most important habitats and species;

(b) Management recommendations for each priority habitat and species; and

(c) Maps showing the geographic location of priority habitats and species.

"Priority habitats" means areas associated with a species listed as endangered, threatened or sensitive by the Washington Department of Fish and Wildlife Priority Habitat and Species Program and which, if altered, may reduce the likelihood that the species will maintain or increase its population over the long term.

"Priority species" means animal species listed by the Washington Department of Fish and Wildlife Priority Habitats and Species Program that are of concern due to their low population and/or their sensitivity to habitat manipulation.

"Professional office" means a room or group of rooms used to conduct the business of a profession, business, service, government, or other organization, but excluding those uses which are primarily retail or wholesale in nature that have offices as part of their operation.

"Professional service" means any type of personal service to the public which requires as a condition precedent to the rendering of such service the obtaining of a license or other legal authorization and which prior to the passage of this chapter and by reason of law could not be performed by a corporation, including, but not by way of limitation, certified public accountants, chiropractors, dentists, osteopaths, physicians, podiatric physicians and surgeons, chiropodists, engineers, architects, veterinarians and attorneys-at-law allows.

## Commentary

17.17, UGA – Small Towns, includes a requirement for publicly accessible areas; therefore a definition is added.

"Prohibited use" means a use that is not allowed to be constructed or developed; provided, that existing uses may be continued as provided in Chapter 17.155 LCC, Nonconforming Uses.

"Project permit" or "project permit application" means any land use or environmental permit or license required from Lewis County for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, special use permits, shoreline substantial project permits, variances, lot consolidations, site plan reviews, permits, or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this definition.

"Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit or legislative action prior to the local government's decision. A public meeting may include, but is not limited to, a meeting of a special review district, a community council meeting, or a scoping meeting for a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings of a public meeting may be recorded and a report or recommendation may be included in the county's official file.

"Public recreation" means those recreation facilities developed and maintained by any department or branch of the federal, state or local government, or special purpose district, and used for public recreational purposes.

"Public sewer" means, for land use planning purposes, a system intended to dispose of sewage that meets the definition in LCC 8.40.040.

"Publicly accessible" or "public access" means an area, space or facility that is open and easily accessible to the general public for use without a fee.

# Commentary

## LEWIS COUNTY CODE 17.10.170 "Q" DEFINITIONS

Receiving correct and accurate wetland reports is an important part of ensuring that Lewis County meets the Washington State Critical Areas Ordinance. Wetland reports can be complicated and require extensive knowledge and expertise to ensure that all state and federal guidelines are met. It is appropriate to require that those who are conducting these assessments and delineations are certified as a Professional Wetland Scientist or a similar set of certifications that assure baseline knowledge and training. Based on the criteria, the minimum qualifications are a 2-year associates degree in a scientific field and three certifications from the Wetland Training Institute, as well as minimum 2-years professional experience and continuing education credits every 5 years, which amounts to refresher courses or training in new state or federal requirements.

It is not necessary that the person conducting the assessment/delineation themselves meet these qualifications if they are employed by a consulting firm that does have qualified professionals. It is assumed that the qualified professionals within the consulting firm can review the wetland report prior to submission to the County to ensure that all applicable local, state and federal rules and requirements are met.

If a new person is entering the field, to obtain the years' of experience, that person would either need to work for a consulting firm that has qualified professionals, or needs to have a mentor who meets the criteria and "signs off" on assessment and report for the period of time stated.

A provision is included because there may be persons who have submitted wetland reports to Lewis County prior to January 1, 2026 whom would not meet the qualifications and would therefore be disqualified. In order to provide them time to obtain the necessary qualifications, Lewis County will continue to accept reports from those persons for the next 5 years. In the interim, Lewis County would use on-call professional services to provide 3rd party review of those reports.

Clarification is added, when there is a statement about professional experience that means either 2-years full time or 4-years part time experience.

**Chapter 17.10.170**
**"Q" DEFINITIONS**

"Qualified critical area professional" means a person, or a team of persons or organization with combined experience, education, and professional degrees and~~/or~~ training pertaining to the critical area in question, and with experience in performing delineations, analyzing critical area functions and values, analyzing critical area impacts, and recommending critical area mitigation and restoration. The administrator may require professionals to demonstrate the basis for qualifications and shall make final determination as to qualifications. An unqualified professional who submitted a critical area report to Lewis County prior to January 1, 2026, may continue to submit critical area reports through December 31, 2030 subject to third party review and associated fees as determined by the adopted fee schedule. A professional may be found to be unqualified if they consistently submit reports or assessments that do not meet industry standards or frequently contain egregious errors.

~~(a)~~ "Qualified wetlands professional" means either: ~~A qualified professional for wetlands must have a degree in biology, ecology, soil science, botany, or a closely related field and demonstrate professional experience in wetland identification, delineation, and assessment in the Pacific Northwest. Qualified professionals preparing wetland mitigation plans must have, in addition to the qualifications above, demonstrated professional experience in hydrology and other disciplines essential to the success of mitigation plans. This expertise may be provided in a team of qualified professionals each of which has expertise in relevant areas.~~

(a) A person with a bachelor's degree in biology, ecology, soil science, botany, or a closely related scientific field, whom maintains a wetland certification from an accredited program such as Professional Wetland Scientist (PWS) through the Society of Wetland Scientists, and has a minimum of two (2) years' experience delineating wetlands using the most current Army Corps of Engineers and Washington State Department of Ecology methods for the Pacific Northwest; or

(b) A person with a minimum of four (4) years' experience completing wetland assessments and delineations, using the most current Army Corps of Engineers and Washington State Department of Ecology methods for the Pacific Northwest, under the direct supervision of a qualified wetland professional who meets criteria (a) above.

~~(b) A qualified professional for habitat conservation areas must have~~ "Qualified habitat conservation professional" means a person with a bachelor of science degree in wildlife biology, ecology, fisheries, or closely related field and demonstrated two (2) years professional experience related to the subject species/habitat type.

## Commentary

~~(c) A qualified professional for geologically hazardous areas must be~~ "Qualified geological hazard professional" means a Washington State licensed ~~professional~~ geologist, a ~~professional~~ licensed engineering geologist or a ~~professional~~ geotechnical engineer, or equivalent licensed engineer with specific education and demonstrated professional competence related to geologic hazards. For mine hazard assessments, a qualified professional must be a professional mining engineer, or other professional engineer with demonstrated professional competence related to mine hazards. For foundation design for mine hazard areas, a qualified professional must be a professional engineer with demonstrated professional competence related to foundation design.

~~(d) A qualified professional for critical aquifer recharge areas~~ "Qualified critical aquifer recharge Area (CARA) professional" means a Washington State licensed hydrogeologist, geologist, or a professional engineer, with specific education and demonstrated professional competence related to ground water hazards.

~~(e) A qualified professional for frequently flooded areas~~ "Qualified floodplain professional" means a Washington State licensed engineer or land surveyor (for documentation of lowest floor elevations, only), with specific education and demonstrated professional competence related to flood hazard assessment and construction requirements.

"Qualified forester" means a person with a bachelor of science degree in forestry or the equivalent in post-secondary education and demonstrated two (2) years' work experience in forestry.

# Commentary

## LEWIS COUNTY CODE 17.10.180 "R" DEFINITIONS

Religious organization: This definition follows the State definition under RCW 36.01.290(6)(c). Religious organizations must be permitted density bonus for affordable housing under 36.70A.545 allowed for emergency shelters and emergency housing.

**Chapter 17.10.180**
**"R" DEFINITIONS**

"Reclamation" means the process of reconverting disturbed lands to their former use or other compatible uses.

"Recreation areas" are those areas: (a) within five air miles of national park/national forest; (b) within one air mile of Riffe Lake, Mayfield Lake, Mineral Lake, Carlysle Lake; (c) within one-half mile of the Cowlitz, Chehalis, Tilton, Skookumchuck, and Newaukum Rivers, and Lincoln and Winston Creeks, and (d) all state parks.

"Recreational facility, local" means a park facility that serves a local population and includes limited and basic recreational facilities such as playgrounds, trails, open space and ballfields.

"Recreational facility, regional" means a facility that attracts a regional clientele, such as country clubs and golf courses, sports complexes, and intensive commercial recreational uses such as a golf driving range, race track, an amusement park, a paintball facility, or a gun club.

"Recreational vehicle" means a vehicular-type unit primarily designed for recreational camping or travel use, certified as an RV by the Washington State Department of Labor and Industries. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, park trailers and motor homes.

"Recreational vehicle park" means any parcel or tract of land under the control of any person, organization, or governmental entity where two or more camping sites are offered for recreational vehicle transient accommodations.

"Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

"Religious use" means a structure or group of structures devoted to spiritual or moral teachings. Associated activities include personal social services to the community.

"Resource uses" are all primary and accessory uses defined in the county's resource land ordinance, Chapter 17.30 LCC.

"Restaurant" means an establishment where food and beverages are prepared and served for consumption either on or off premises. The term shall include cafes, coffee houses, ~~cabarets,~~ and dining rooms~~, but shall not include taverns~~. Restaurants may include cocktail lounge and facilities for dancing and live entertainment of patrons; provided, that these activities are clearly accessory to food service; and provided further, that these activities are not expressly prohibited in a specific zone.

## Commentary

County government may manage storm or sanitary services within unincorporate urban growth areas, particularly those UGAs that are not associated with a city.

"Retirement and convalescent homes" is a residential arrangement where nonfamily members are brought together in a home or residential care facility which does not require state licensing. (For facilities requiring state licensing, see "Group Home.")

"Road" means the entire width between the right-of-way lines of every way for vehicular traffic that has been dedicated, platted, or granted as an easement for that purpose on public or private lands. The term does not include an alley, drainage easement, or path, but is intended to include the primary right(s) of way to which properties have vehicular access.

"Rooming house" means any dwelling in which, for compensation, three or more persons, either individually or as families, are housed or lodged, with or without meals. A boarding house, lodging house, tourist home or furnished room house shall be deemed rooming houses. A rooming house with six or more sleeping units, occupied by transients, shall be deemed a hotel.

"Runway," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a defined area on an airport prepared for landing and takeoff of aircraft along its length.

"Rural governmental services" means those governmental services historically and typically delivered at an intensity usually found in rural areas including but not limited to domestic water systems, fire and police facilities, and schools. Storm and sanitary sewers are typically not a rural governmental service unless located within an unincorporate urban growth area or otherwise authorized by RCW 36.70A.110(4). A complete definition is provided within the Growth Management Act (RCW 36.70A.030(17)) ~~and the Lewis County comprehensive plan~~.

# Commentary

## LEWIS COUNTY CODE 17.10.190 "S" Definitions

Self-storage and personal storage are defined to provide clarity.

Short term rentals are defined by Washington State and this definition conforms with additional clarification specific to Lewis County. In particular, month-over-month leases are an affordable housing option, particularly in remote small towns with seasonal employment related to the National Forest Service, Mount Rainier National Park and White Pass Ski Resort.

**Chapter 17.10.190**
**"S" DEFINITIONS**

"Seat" means, for purposes of determining the number of off-street parking spaces for certain uses, the number of seats; or the number of seating units installed or indicated; or each 24 lineal inches of benches, pews, or space for loose chairs.

"Self-storage" means a facility where an individual stores personal belongings in rented stalls, bays or lockers and that is designed for self-service access.

Sensitive, Endangered, Threatened Species. Lewis County adopts the state classifications as set forth in WAC 232-12-001, 232-12-011, and 232-12-014.

"SEPA rules," for the purposes of Chapter 17.110 LCC, State Environmental Policy Act, means Chapter 197-11 WAC adopted by the Department of Ecology as revised.

"Setback" means a distance from a fixed boundary, property line, or right-of-way as set forth in this title. A front setback is measured to the street or point of access. A side setback is measured to an abutting property on the same street or access. A rear setback is the side of the structure away from the street or point of access, and is measured to the nearest property line. A structure may have two front yards.

"Sewage sludge" means semisolid matter consisting of settled sewage solids combined with varying amounts of water and dissolved material, remaining after the completion of wastewater treatment.

"Short term rental" means a lodging use, that is not a hostel, hotel, motel, cabin or yurt village, or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest for a fee for fewer than thirty (30) consecutive nights. "Short-term rental" does not include the following:

(i) A dwelling unit that is occupied by the owner for at least six (6) months during the calendar year and in which fewer than three rooms are rented at any time.

(ii) A dwelling that is rented on a month-by-month basis where the renter is required to sign a full month lease.

(iii) A dwelling unit, or portion thereof, that is operated by an organization or government entity that is registered as a charitable organization with the secretary of state, state of Washington, or is classified by the federal internal revenue service as a public charity or a private foundation, and provides temporary housing to individuals Certified on 7/12/2024 Combined Chapter 64.37 RCW Page 1 who are being treated for trauma, injury, or disease, or their family members.

## Commentary

There is a new Chapter 17.142.207 that provide regulations for signs.

Sleeping Unit: Zoning must reflect sufficient land capacity for all income housing needs, including emergency housing and permanent supportive housing. (RCW 36.70A.070(2)(c) - Amended in 2021 with HB 1220)

Lewis County is proposing comprehensive energy code and is adding definitions that relate.

"Sign" means any communication device visible from any public right-of-way, bicycle or pedestrian path, or sidewalk such as a placard, billboard, display, structure, fixture, messages, design, ~~letters, symbols, light figure, illustration, set of pennants,~~ or other device intended to identify, inform, advertise, or attract attention to any private or public premises to aid in promoting the sale of products, goods, services or events or to identify a building or place using graphics, letters, figures, illustration, symbols, trademarks or written copy.~~, and placed mainly outdoors so as to be seen from any public or quasi-public place~~. Excluded from this definition are official traffic, directional, or warning devices; other official public notices; signs required by law; ~~or~~ flag of government; or painted wall designs or patterns that do not represent a product, service or trademark or that do not identify the user are not considered signs. ~~other noncommercial institution~~.

"Significant" means a reasonable likelihood of more than a moderate impact. The determination of the significance of the impact should consider the physical setting, the magnitude or duration of the impact, along with its chance of occurring.

"Single-family dwelling" means a building designed or used for residence purposes by not more than one family, and containing one dwelling unit only.

"Site area" means the measured square footage of any lot, tract, or parcel of land or contiguous lots for purposes of determining density.

"Sleeping unit" means the sleeping provisions and measure of density provided in co-housing. A sleeping unit in co-housing equals one-quarter (1/4) of a one dwelling unit. For example, in zoning where 3 (three) dwelling units per lot are allowed, 12 sleeping units would be permitted.

"Small Wind Energy System (SWES)" means a wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator, and includes any of the following to accomplish this production: a wind turbine, rotor blades, tower, foundation, and associated control or conversion electronics, which has a rated capacity of not more than 25kW, less than 120 feet high and which is intended to primarily reduce on-site consumption of utility power.

"Solar Power Production Facilities" or "SPPF" means a utility on an area of land designated for the purpose of producing photovoltaic electricity with a nameplate capacity of over one hundred kilowatts (100 KW) and includes, but is not limited to, an assembly of solar panels and solar equipment that converts sunlight into electricity and then stores and/or transfers that electricity. Solar Power Production Facilities may include mechanical buildings and other uses that are typical to SPPF, however offices and other commercial uses are prohibited.

## Commentary

Sports center is added to the uses in 17.42 Table 2 and is therefore defined.

"Solid waste disposal facilities or sites" means the location where any final treatment, unitization, processing, or deposition of solid waste occurs in accordance with Chapters 8.15, 8.20, and 8.45 LCC. For the purposes of this title, "interim solid waste handling sites" of the following types are included: transfer stations, baling and compaction sites, source separation centers, and treatment sites. Drop boxes which provide the general public with containers to collect materials to be recycled and household hazardous waste collection stations for transfer elsewhere are excluded, but are defined as transitory solid waste facilities. For the purposes of this title, three types of solid waste disposal facilities or sites are defined:

(a) Demolition materials, inert materials, limited purpose landfills and wood waste landfills.

(b) Sewage sludge when a unitization permit is issued by the Lewis County department of public health and social services in accordance with WAC 173-304-300, biosolids application when siting approval is given by the Washington State Department of Ecology in accordance with Chapter 173-308 WAC, and any application site for compost which comes under Lewis County environmental health division regulation and has received the appropriate permits.

(c) All other solid waste disposal facilities and sites of a permanent nature including, but not limited to, landfills, incinerators, and transfer stations, in accordance with Chapters 8.15, 8.20, and 8.45 LCC.

"Special use" means a use permitted only after "public" review and approved by the hearing examiner, and to which "special" conditions may be attached by the hearing examiner to address mitigation requirements by reason of the specific location of a proposed use.

<u>"Sport center, outdoors" means outdoor spaces for active and passive recreation that are provided to the public, typically for a fee, including but not limited to golf courses, ball fields, tennis courts, swimming, bike trails, hiking trails, ziplines, and other similar uses and associate accessory uses and buildings such a clubhouse, offices, bathrooms, picnic shelters, food stands, warming huts, etc.</u>

"Standalone food or beverage manufacturing" means a food or beverage processing use that is not accessory or incidental to a primary underlying agricultural use. The use may include the assembly or manufacturing of packaging for the processed product. Processing or manufacturing uses that are accessory or incidental to a primary agricultural use are considered an "agricultural" use for the purpose of Chapter 17.42 LCC. "Standalone food or beverage manufacturing" does not include the extraction of ground or surface water for bottled water and/or facilities for producing bottled water.

"Standalone retail, sales, or professional services" means retail, sales or professional services uses that are not associated with a single-family structure.

<u>"Storage, personal" means a space or structure used for storage of personal belongings, such as a garage or shed; not including junkyards.</u>

## Commentary

Supportive housing emergency: Zoning must reflect sufficient land capacity for all income housing needs, including emergency housing and permanent supportive housing. (RCW 36.70A.070(2)(c) - Amended in 2021 with HB 1220). Transitional housing: Definition according to RCW 84.36.043.

"Stormwater management facilities" include measures to control stormwater flow and water quality, and may include, but are not limited to, ditches designed and intended primarily for conveyance, biofiltration swales, filter strips, bubble diffusers, detention ponds, retention ponds, wet ponds, and similar facilities.

"Streams" means those areas where naturally occurring surface waters flow sufficiently to produce a defined channel or bed which demonstrates clear evidence of the passage of water, including, but not limited to, bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water during the entire year. The definition does not include watercourses that were created entirely by artificial means, such as irrigation ditches, canals, roadside ditches, or storm or surface water runoff features, unless the artificially created watercourse contains salmonids or conveys a stream that was naturally occurring prior to the construction of the artificially created watercourse.

"Structure," for the purpose of this title, means anything which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but not including unroofed paved areas, fill, any vehicle, or any fence six feet or less in height.

"Structure," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means an object, including a mobile object, constructed or installed by persons, including but without limitation buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

"Supportive housing, permanent" also known as "Permanent supportive housing," means subsidized leased housing, utilizing admissions practices with lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing and which is paired with on-site or off-site voluntary services.

"Supportive housing, shelter" also known as "Emergency shelter," means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations. RCW 36.70A.030(15)

"Supportive housing, transitional" also known as "Transitional housing," means a project that provides housing and supportive services to homeless persons or families for up to two (2) years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

[No Changes to the remaining "S" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.200 "T" Definitions

Tandem parking: SB 6015

Tasting room defined under WAC 314-28-005

Month-to-month rentals are a residential use, not a transient accommodation. Reducing the number of days from 30 to 28, means a single family residence can be rented monthly as a residential use.

**Chapter 17.10.200**
**"T" DEFINITIONS**

"Tandem parking" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress.

"Tasting room" includes both off-site tasting rooms operated by, and on-site tasting rooms operated at, a licensed distillery or craft distillery premises.

"Tent" means a temporary structure, enclosure or shelter, except a yurt, constructed of fabric or pliable material supported in any manner except by air or the contents it protects.

"Tiny home", also called an "efficient dwelling unit", means a dwelling unit having a total floor area of not less than 220 square feet and not more than 1,000 square feet and that contains a living space, a bathroom and kitchen facilities.

"Transient accommodations" means any facility such as a hotel, motel, bed and breakfast, resort, short-term rental, campground, RV park or any other facility or place offering lodging units or camping sites to guests for a fee for periods no longer than ~~30~~ 28 consecutive days, except campground/RV parks which may offer camping sites for periods no longer than 210 consecutive days.

"Transitional surfaces," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means those surfaces that extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal surface.

"Tree," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means any object of natural growth.

"Trucking company" means a business that specializes in transporting goods by truck.

# Commentary

## LEWIS COUNTY CODE 17.10.210 "U" Definitions

Unit lot subdivision: In 2023, Washington state law changed to require unit lot subdivisions be included in short plat regulations for
all cities, towns, and counties. RCW 58.17.060(3), established by Engrossed Second Substitute Senate Bill (ESSSB) 5258 (Chapter 337, 2023 Laws).

**Chapter 17.10.210**
**"U" DEFINITIONS**

"Unit lot subdivision" means division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

[No Changes to the remaining "U" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.220 "V" Definitions

Cabin or Yurt Village is added to the uses in 17.42 Table and is therefore defined.

"Yurt" is defined under "Y" not "V".

**Chapter 17.10.220**
**"V" DEFINITIONS**

"Village, cabin or yurt" means a group of residential structures, yurts, trailers or similar structures located on a single property, used collectively as lodging accommodations. Caretaker accommodations are considered accessory to the cabin or yurt village.

"Visual runway," for the purpose of Chapter 17.80 LCC, Airport Obstruction Zoning, means a runway intended solely for the operation of aircraft using visual approach procedures.

"Voluntary stewardship program" means the program established under Chapter 36.70A RCW.

~~"Yurt" means a round structure constructed of fabric or pliable materials supported by a wooden or metal frame on a foundation, platform or similar base and typically served by electricity, water, and/or septage.~~

# Commentary

## LEWIS COUNTY CODE 17.10.230 "W" DEFINITIONS

In Lewis County, property owners frequently apply for wedding venues as commercial use. An event center may be used as a wedding venue; however, an event center is also advertised for rent for any other event space such as birthdays, family reunions, business conferences, etc. If a venue is only going to be advertised for rent as a wedding venue, then it can be permitted as a standalone wedding venue, not an event center. If the venue is advertised for any rental use, then it is an event center and must meet those standards.

**Chapter 17.10.230**
**"W" DEFINITIONS**

"Warehouse or warehousing" means facilities for storage of goods, machinery, and/or equipment in an enclosure.

"Watershed" means an area draining to the surface water systems of the Chehalis, Cowlitz, Deschutes, or Nisqually Rivers.

"Wedding venue" means an indoor or outdoor facility that is advertised for rent as a location to hold a wedding ceremony or reception. An event center that is advertised for rent including but not limited to wedding ceremonies or receptions; then the venue shall be defined as an event center.

"Wellhead protection area" means the area (surface and subsurface) managed to protect ground-water-based public water supplies.

"Wetland mitigation bank" means a site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved, expressly for the purpose of providing compensatory mitigation in advance of unavoidable impacts to wetlands or other aquatic resources that typically are unknown at the time of certification to compensate for future, permitted impacts to similar resources.

"Wetland mosaic" means an area with a concentration of multiple small wetlands, in which each patch of wetland is less than one acre; on average, patches are less than 100 feet from each other; and areas delineated as vegetated wetland are more than 50 percent of the total area of the entire mosaic, including uplands and open water.

"Wetlands" are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.

"Wholesale use" means an establishment or place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

## Commentary

Comprehensive energy code is added to LCC and associated definitions are added as well.

"Wind farm" means a single wind turbine exceeding 120 feet in height above grade or more than one wind turbine of any size proposed and/or constructed by the same person or group of persons on the same or adjoining parcels.

"Wind turbine" means any machine used to produce electricity by converting the kinetic energy of wind to electrical energy. Wind turbines consist of the turbine apparatus and any other buildings, support structures or other related improvements necessary for the generation of electric power.

"Wind Turbine Total Height" means the distance measured from the grade plane to the tip of the rotor blade when extended vertically to its highest point.

"Wireless communication facility"* means an unstaffed facility for the transmission and reception of radio or microwave signals used for commercial or governmental communications. Wireless communication facilities are composed of two or more of the following components: antenna, support structure, equipment enclosure, or security barrier.

"Woody biomass energy production" means the generation of heat, electricity, or biofuels from by-products of logging, forest management, ecosystem restoration, or hazardous fuel reduction treatments.

*Note: LCC 15.50.020 et seq. also define wireless communications facility.

# Commentary

## LEWIS COUNTY CODE 17.10.240 "X" Definitions

**Chapter 17.10.240**
**"X" DEFINITIONS**

[No Changes proposed to the "X" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.250 "Y" Definitions

**Chapter 17.10.250**
**"Y" DEFINITIONS**

[No Changes proposed to the "Y" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.10.260 "Z" Definitions

**Chapter 17.10.260**
**"Z" DEFINITIONS**

[No Changes proposed to the "Z" Definitions]

# Commentary

## LEWIS COUNTY CODE 17.12.110 AMENDMENTS

WAC 365-196-310 Urban Growth Areas, (4)(c)(vi) was updated during Rule Making 2023 and the LCC should be updated to be consistent.

**Chapter 17.12**
**AMENDMENTS TO COMPREHENSIVE PLAN AND DEVELOMENT REGULATIONS**

**17.12.110 Approval criteria.**

(1) To approve a comprehensive plan amendment, the commission and the board shall find that all of the following are met:

(a) The amendment conforms to the requirements of the Growth Management Act, is consistent with the countywide planning policies and the comprehensive plan, including any interlocal planning agreements, if applicable.

(b) The application and any studies submitted to the department, the commission, and the board demonstrates a need for the amendment.

(c) The public interest will be served by approving the amendment. In determining whether the public interest will be served, factors including but not limited to the following shall be considered:

(i) The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the comprehensive plan.

(ii) The anticipated effect on the ability of the county and/or other service providers, such as cities, schools, water purveyors, fire districts, and others as applicable, to provide adequate services and public facilities including transportation facilities.

(iii) The anticipated impact upon designated agricultural, forest and mineral resource lands.

(iv) The anticipated impact on designated critical areas and wildfire risk.

(d) The amendment does not include or facilitate spot zoning.

(2) To approve an amendment to the development regulations, the commission and board shall find that the amendment is consistent with the comprehensive plan and in the public interest.

# Commentary

## LEWIS COUNTY CODE 17.15 AMENDMENTS

The amendments to LCC 17.15 are intended to clarify the three options available to cities within Lewis County and the processes agreed to under each option.

### 17.15.010

Lewis County has sole planning authority to establish the Urban Growth Area boundary and to designate land use and zoning within the unincorporated Urban Growth Area until a city annexes land. The purpose of this code is to provide for a smooth transition from county to city authority by allowing cities to better plan for annexation.

### 17.15.020

Currently there are three options available to cities. The change combines the existing options 2 and 3. Both options rely on the County issuing land use permits. Option 2 allows the cities to apply their zoning designations and development regulations to the unincorporated UGA; however, the County would issue land use permits following the cities development regulations. The reason is because the County cannot abdicate their jurisdiction related to Shoreline, special flood hazard area, public rights-of-way or health (e.g., septic). It will be easier for the applicants to house all land use permit review with the County rather than bouncing the applicant between the County and cities. Option 2 will allow the city to issue building permits and perform building inspections. For a city to be included in Option 2, they will need to sign-on to the Interlocal Agreement that further clarifies the roles and responsibilities, as well as processes.

# Chapter 17.15
# URBAN GROWTH AREAS - CITIES

Sections:

17.15.010 Purpose.
17.15.0~~15~~20 ~~Three options~~ Applicability.
17.15.0~~18~~30 Option 1 - Continued County standards.
17.15.0~~2~~40 Option 2 - Incorporation of zoning ~~standards~~ and development regulations by reference.
~~17.15.025 Option 3 – Incorporation and administration by agreement.~~
17.15.050 Urban Growth Area Amendments.
17.15.0~~3~~60 Violations.

## 17.15.010 Purpose.

The purpose of this section is to articulate the optional methods to regulate unincorporated urban growth areas associated with cities in Lewis County. Such rules will facilitate the development of the areas in a manner consistent with the comprehensive plan of the city to which the urban growth area will ultimately be annexed. Nothing in this Chapter reduces the authority and obligation of Lewis County to comply with the Growth Management Act requirements as specified in RCW 36.70A and WAC 365-196, and the guidance provided by the Washington State Department of Commerce related to the Growth Management Act.

## 17.15.0~~15~~20 ~~Three Options~~ Applicability.

~~Lewis County utilizes three options to administer urban growth areas.~~ This chapter applies to incorporated cities in Lewis County, Washington. Cities may choose one of the following options below. If the city is not listed under Option 2, then the city shall be considered an Option 1 city.

(1) Option 1. The county administers the urban growth area, ~~and~~ relies completely on county regulations and has sole authority to issue development and building permits. This option applies to cities that are not listed under 17.15.020(2). ~~that have not zoned their urban growth area and/or do not wish to have their urban growth area develop at urban densities until the time of annexation.~~

(2) Option 2. The county administers the urban growth area, ~~and relies on county regulations, except for~~ relies on city zoning standards and development regulations adopted by reference under 17.15.040. Cities that opt-in to Option 2 are required to sign an Interlocal Agreement.

~~(3) Option 3. A city administers the urban growth area through standards identified in an approved interlocal agreement.~~

## Commentary

**17.15.030**

Option 1 is intended to maintain rural character within the unincorporated urban growth area until the city chooses to annex land. The County retains all zoning and development authority.

**17.15.040**

Option 2 is intended to allow urban uses to be developed at urban densities within the unincorporated urban growth area in anticipation of annexation. The County adopts by reference the city's zoning designation and development regulations, except those regulations for which the County must retain authority: critical areas, shoreline, flood management, etc. The County will apply its regulations related to public rights-of-way.

**17.15.0~~18~~30 Option 1 – Continued County standards.**

(1) Purpose. The purpose of these provisions is to maintain the rural character of the urban growth area until such time as the city annexes land.

(~~1~~2) Zoning Designations and Development Regulations. Any land within ~~a city~~ an unincorporated urban growth area associated with a city ~~which is not designated in a city land use map, or for which a city does not wish to have urban growth occur prior to annexation,~~ not listed under 17.15.040, shall be designated by the County as Rural Development District at one dwelling unit per five acres (RDD-5) and shall rely entirely on the Lewis County Code until such time as the city annexes the property.~~:~~

~~(a) Rural development district at one dwelling unit per five acres (RDD-5) and treated as such within a long-term growth area until such time as the city adopts specific land use designations for the property or annexes the property.~~

~~(b) All other county standards will continue to apply.~~

**17.15.0~~2~~40 Option 2 – Incorporation of zoning ~~standards~~ and development regulations by reference.**

(1) Purpose. The purpose of these provisions is to allow development in the unincorporated urban growth area that is consistent with the city's permitted uses to support future annexation.

(~~1~~2) Adoption by Reference. Lewis County adopts by reference the zoning designations ~~standards~~ and development regulations adopted by the following cities, as it now exists or is hereafter amended, except any section or subsection of the city zoning or development regulations specific to critical areas, shoreline management, flood management, SEPA, public rights-of-way, or on-site well or septic, and as further specified through an interlocal agreement:

(a) Centralia, Title 19, Subdivisions, and Title 20, Zoning.

(b) Chehalis, Title 17, Uniform Development Regulations.

(c) Morton, Title 17, Zoning.

(d) Pe Ell, Title 20, Planning and Development, Title 28, Subdivisions, and Title 36, Zoning.

(e) Toledo, Title [*Reserved*].

(f) Vader, Title [*Reserved*].

~~(e) Any city where a previous interlocal agreement has been discontinued, unless the city specifically requests to be reviewed under Option 1.~~

## Commentary

**17.15.040(3)**
The city has the authority to rezone properties within the UGA provided the new zoning designations conform to the city's adopted comprehensive plan. The city must notify the County and the city must provide an electronic file with the changed zoning designation so that the County can update the GIS data.

**17.15.040(4)**
It is intended that the UGA be annexed by the city over time. Long plats, which are five (5) or more lots, are not appropriate prior to annexation because they create an economic disincentive for annexation and place a maintenance burden on Lewis County for urban transportation and stormwater infrastructure. Short plats and boundary line adjustments, that meet the city's standards for lot size and density, will continue to be allowed prior to annexation.

(4)(a) In general, subdivisions that create lots that are at least 2 acres in size can be approved. Subdivisions that create lots smaller than 2 acres in size can be approved but only up to 4 lots.

(4)(b) Subdivisions that are intended for multifamily development, as defined here, will not be approved because the infrastructure to serve that density of development is urban; therefore, annexation needs to occur first.

(4)(c) There are no limitations on subdivisions for industrial or commercial development, as long as city services are being provided.

(~~2~~) ~~Zoning Requirements. To ensure that city zoning standards are effectively addressed, Lewis County will send the project applications and a review form to each city when a project occurs in their urban growth area. The city should review the proposal for consistency with their underlying zoning requirements.~~

(a) ~~Whether the use is allowed in the underlying city defined zone.~~

(b) ~~Whether the use development or improvements meets the required setbacks.~~

(c) ~~Whether the use meets the allowed height standards.~~

(3) Zoning Designations and Development Regulations. Consistent with the city's comprehensive plan and countywide planning policies, the city shall have the authority to amend zoning designations that apply within the unincorporated urban growth area and to amend development regulations that are adopted by reference pursuant to 17.15.040(2). The city shall provide notice to Lewis County Department of Community Development, at least 14 days prior to the first public hearing to consider amendments to the zoning designations or development regulations. Within 30 days of adoption by the city, the city shall provide a GIS electronic file with the zoning designations to the Lewis County Department of Public Works, GIS Division.

(4) Subdivisions.

(a) Single family residential. Divisions of land that will create five (5) or more lots for single family residential development, where any lot is less than two (2) acres in size, shall not be approved within the unincorporated urban growth area. Divisions of land that will create five (5) or more lots for single family residential development, where all lots are two (2) acres in size or larger, or divisions of land that will create four (4) or fewer lots or adjust boundaries of existing lots, shall conform to the city lot size and density standards as adopted by reference pursuant to 17.15.040(2), except for the purposes of this code section, single family residential development does not include multifamily residential as defined by 17.15.040(4)(b) below.

(b) Multifamily residential. No subdivisions that create new lots for multifamily residential development will be approved within the unincorporated urban growth area. For the purposes of this code section, multifamily residential development includes duplexes, triplexes, quadplexes, townhomes or more than five (5) attached dwelling units, and any configuration thereof.

(c) Industrial and commercial. Divisions of land that create lots for industrial or commercial development may be approved within the unincorporated urban growth area provided that all development will be connected to city services including water, sewer and stormwater.

## Commentary

**17.15.040(5)**

The purpose of the UGA is to support the expansion of urban services and development of the area at urban densities, which is 4 dwelling units per acre or denser. On-site wells and septic systems are rural services, not urban services, and are generally not appropriate in UGA. However, on-site septic systems for residential uses may be approved with limitations for parcels located over a CARA.

(~~3~~5) Water and Sewer Requirements.

(a) Where a connection to city water or sewer is ~~required~~ available within 200 feet of the site, ~~Lewis~~ the County will include, as a condition of approval of any division of land, including boundary line adjustments, a requirement ~~also ensure~~ that the applicant coordinate ~~works~~ with the city to ensure that the project is installed according to city water and sewer standards.

(b) Parcels located over a critical aquifer recharge area, on a pre-existing lot, if city sewer is not available within 200 feet, an on-site domestic septic system at a gross density greater than one system per residence per acre may be permitted pursuant to Chapter 17.38.830(2)(e) LCC.

(6) Code Enforcement. The County shall be responsible for code enforcement within the unincorporated urban growth area related to violations of development standards as specified by 17.15.040(2) and an interlocal agreement.

(7) Interlocal Agreement. The County and any city listed under 17.15.040(2) shall enter into an interlocal agreement to further clarify co-management of zoning designations and development regulations within the unincorporated urban growth area.

~~(4) Other Requirements. Beyond these basic requirements, county standards related to critical areas, building codes, SEPA, land divisions, and other items will apply.~~

~~(5) Purpose. The purpose of these provisions is to provide a simplified method to apply the plans and regulations of each city to the applicable urban growth area.~~

**~~17.15.025~~0 ~~Option 3 – Incorporation and administration by agreement.~~**

(1) ~~Administration of Urban Growth Area through Interlocal Agreement. Cities may administer the review of development within their urban growth areas when an interlocal agreement has been reached with Lewis County.~~

~~(2) Lewis County will retain administration and permitting authority over items such as right-of-way use or access permits, flood damage prevention standards, board of health standards, including standards for on-site sewage systems (Chapter 8.40 LCC) and Group B public water systems (Chapter 8.55 LCC), code enforcement activities, and provisions for marijuana land uses. The county will also retain SEPA lead agency status for any county-sponsored projects within the unincorporated urban growth area.~~

## Commentary

**17.15.050**

Lewis County is required, through their comprehensive plan, to demonstrate that the urban growth areas are appropriately sized and zoned to accommodate the 20-year population and housing allocations. Cities are required to provide urban services (e.g., municipal water and sewer) to the UGA over the 20-year planning horizon as well. Therefore, only the city or county may propose changes to the urban growth area boundary and a change to the boundary must be accompanied by the necessary studies to demonstrate the RCWs and WACs are met.

Ensuring that a UGA boundary amendment meets the applicable state laws requires significant time and staff resources. Under state law, amendments to the comprehensive plan maps, which includes UGA boundary amendments, can be made one time per year. In order for a UGA boundary amendment to be considered by the County, it must be placed on the Lewis County Planning Commission docket, which is adopted at the first business meeting of every calendar year.

**17.15.050(4)**

Any amendment to the size of the UGA will alter the Land Capacity Analysis. If a city would like to make amendments to the UGA boundary, the city must update their Land Capacity Analysis to demonstrate that the UGA boundary amendment is necessary to accommodate the city's allocated 20-year population. In addition, the city's capital facilities plan must include information about how water and wastewater services, along with other public services, will be provided to the lots at the time of development.

There are additional requirements under the Growth Management Act. For example, a traffic impact analysis may be required and if there are impacts to a state or federal transportation system, coordination with WSDOT or USDOT may be required. Another example, if there are critical areas located in the urban growth area, additional analysis regarding the suitability of the parcels to accommodate urban development may be required.

The County's process to adopt a UGA boundary amendment typically takes one full year, after all necessary reports and analysis are completed. The Planned Growth Committee, made up of the mayor (or designee) of each city and the chair of the BOCC, are required to review and consider the UGA boundary amendment prior to Planning Commission.

**17.15.050 Urban Growth Area Amendments.**

(1) Purpose. The purpose of these provisions is to create a clear and efficient process for cities to propose amendments to the County's comprehensive plan as it relates to urban growth area boundaries (RCW 36.70A.110).

(2) Applicability. Only the county or an incorporated city within Lewis County may propose amendments to the urban growth area boundary.

(3) Timing.

(a) Amendments to the boundary of an urban growth area may be proposed by the County or city at the following times:

(i) During the first 12 months of the state-mandated comprehensive plan periodic update grant funding cycle;

(ii) The calendar year following County adoption of the updated 20-year population allocation; or

(iii) Not more than annually, based on an update to the County or city capital facilities plan.

(b) The comprehensive plan map may be amended not more than once per year pursuant to RCW 36.70A.130. All proposed comprehensive plan map amendments shall be consolidated.

(4) Process.

(a) The city shall adopt a resolution requesting the County consider the urban growth area amendment(s) and the resolution shall include the following as exhibits:

(i) Findings against applicable Growth Management Act requirements and Countywide Planning Policies.

(ii) An updated land capacity analysis, following the County methodology, that demonstrates the urban growth area will accommodate the adopted population and housing allocations.

(iii) Any amendments to city capital facilities plans necessary to address the anticipated changes in future use and provision of public services including, but not limited to, water, wastewater and electrical systems.

(iv) A traffic impact analysis, if applicable.

## Commentary

(v) A completed SEPA checklist; if significant adverse environmental impact is determined by the County, the city is responsible for any necessary follow-on studies.

(b) The County shall review the materials for completeness and following determination that 17.15.050(4) requirements are complete, the County shall forward the request to the Planned Growth Committee. The Planned Growth Committee shall make a recommendation to the Lewis County Planning Commission, which shall hold a public hearing. Following close of the record, the Planning Commission shall deliberate and make a recommendation to the Lewis County Board of County Commissioners who will hold a public hearing and make a final determination. The County shall provide notice to the city at least 14 calendar days prior to any public hearing(s). The County shall provide the notice of decision within ten (10) calendar days of close of the hearing.

**17.15.0~~3~~60 Violations.**

Regardless of the option chosen in this chapter, a violation of any adopted code or standard pertaining to conduct or development in the urban growth area or the urban growth area's administration is punishable as a civil violation under LCC 1.20.040 and shall be a public nuisance subject to all remedies as may be available under the law. The penalties in this provision are cumulative and separate to any other available penalties, civil or criminal, established under other law.

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# Commentary

## LEWIS COUNTY CODE 17.17 UGA – Small Towns

Onalaska was designed an urban growth area (UGA) in 2017 and Packwood is designated a UGA in 2025. New zoning designations and associated development regulations are applied and conform to the Onalaska Subarea Plan and Packwood Subarea Plan, both adopted as part of the Lewis County Comprehensive Plan.

*This is a new code section and*
*is not underlined for easy of reading*

# Chapter 17.17
# Urban Growth Areas – Small Towns

Sections:


Article I: Purpose and Applicability

17.17.010 Purpose.
17.17.020 Applicability.

Article II: Zoning Standards

17.17.100 Density and Lot Size
17.17.110 Land Use Summary
17.17.120 Development Standards
17.17.130 Accessory Dwelling Units
17.17.140 Design Standards

Article III: General Administration

17.17.200 Purpose
17.17.205 Drive-Throughs
17.17.210 Density Bonus
17.17.215 Signs
17.17.220 Vehicle Parking
17.17.225 Loading Zones
17.17.230 Bicycle parking
17.17.235 Landscaping
17.17.240 Live-Work Provisions
17.17.245 Nonconforming Uses
17.17.250 Master Planned Development


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# Commentary

**Article I**

Onalaska and Packwood have adopted subarea plans that provide the goals and policies that are implemented by Title 17.17. The intent is to maintain the small town character of these communities, while supporting people living and working in and around the towns. The towns are contained by an urban growth area boundary that is intended to consolidate and focus growth and protect the surrounding rural lands from sprawling development.

**17.17.100**

Minimum lot size is found in LCC 17.42 Table 2. Development density will be used to determine maximum lot size. The density is consistent with the adopted Packwood Subarea Plan.

(2)(a) If there is not sewer available within 200 feet of the parcel, then the minimum density can be reduced based on requirements for septic. This is important because while sewer is in currently under design and the treatment locations approved by the Department of Health, it may take an additional five or more years for final engineering and construction to occur. For example, in the RM zone, if there is no sewer available and there is a 3-acre lot that is going to be divided, the minimum density can be reduced from 7 units per acre to the maximum number of houses per acre that can be supported by septic systems. This may result in the parcel not being able to be divided or resulting in two 1.5 acre lots that can have one single family residence each.

(2)(b) This exemption is intended to allow current property owners to split their parcel one time, creating a maximum of two lots, without being required to meet the minimum density standards. This ensure that even if sewer is constructed quickly, property owners are allowed flexibility similar to what is allowed currently by the Small Town Mixed Use (STMU) zone, which has no minimum density standards. However, this exemption expires after five (5) years.

*This is a new code section and*
*is not underlined for easy of reading*

## Article I: Purpose and Applicability

### 17.17.010 Purpose.

The purpose of this chapter is to describe the processes and standards that regulate development in a small town in a manner consistent with an adopted subarea plan goals and policies.

### 17.17.020 Applicability.

This chapter applies to all new developments and subdivisions located within the Onalaska and Packwood Urban Growth Areas. Other requirements of the Lewis County Code must also be met.

## Article II: Zoning Standards

### 17.17.100 Density and Lot Size

(1) Purpose. The purpose of the density and lot size standards are to ensure appropriate scale development that can be efficiently served by urban services including water, sewer and transportation.

(2) Exemptions.

(a) If the nearest centralized wastewater treatment hook-up is located more than 200 feet from the parcel, the minimum density in Table 1 may be reduced in accordance with subsection 8.40, On-Site Sewage Systems, LCC.

(b) Parcels in the RL and RM zone that existed prior to December 31, 2025 may be divided into two (2) lots and are not required to meet the minimum density requirements in Table 1. This exemption expires on December 31, 2030.

(3) Standards. The lot size and density standards are provided in Table 1.

Table 1: Lot Size and Density

| | RL | RM | RH | MU | CBZ | AX | IND | OS |
|---|---|---|---|---|---|---|---|---|
| **LOT SIZE** | | | | | | | | |
| Minimum residential lot area (square feet) | 5,000 | 2,500 | 4,000 | 4,000 | N/A | 7,500 | N/A | N/A |
| Minimum lot width (feet) | 35 | 25 | 25 | 25 | 35 | N/A | N/A | N/A |
| **DENSITY**[1] | | | | | | | | |
| Minimum residential density (units per acre)[2] | 4 | 4 | 12 | 12 | 12 | N/A | N/A | N/A |
| Maximum residential density (units per acre)[2] | 12 | 16 | 18 | 26 | 32 | 3 | N/A | N/A |

[1] See Chapter 17.17.210 for density bonuses.
[2] Within Urban Growth Areas, Accessory Dwelling Units (ADUs) do not count towards housing density.

## Commentary

**17.17.110**

Uses that are allowed in at least one UGA Small Town zone are listed in the table. There are uses allowed in the County that are not allowed in any UGA Small Town zone, such as confined animal feeding operation (CAFO), and are therefore not listed in the table.

New single family residential uses are allowed in the MU zone as live-work, not as a new standalone single family residences. Outbuildings in the MU zone are allowed if there is an existing singe family residence or in conjunction with live-work. (Note – these qualifications will be added to the footnotes.)

### 17.17.110 Land Use Summary

See Chapter 17.42, Table 2, LCC.

### 17.17.120 Development Standards

(1) General Standards. Table 3 provides the general standards that apply to all development, unless otherwise specified in the Lewis County Code.

Table 3: General Standards

| Development Standard | RL | RM | RH | MU | CBZ | AX | IND | OS | MID |
|---|---|---|---|---|---|---|---|---|---|
| Minimum setbacks (feet) | | | | | | | | | |
| Front | 20 | 12 | 10 | 0[2] | 0 | 10 | 10 | 10 | |
| Rear | 10 | 5 | 5 | 5 | 0 | 5 | 25 | 10 | |
| Side | 5 | 5 | 5 | 5 | 0 | 5 | 25 | 5 | |
| Maximum building Height (feet)[1] | | | | | | | | | |
| Habitable space | 35 | 35 | 35 | 35 | 35 | 35 | N/A | 35 | |
| Non-habitable space | 50 | 50 | 50 | 50 | 50 | 50 | N/A | 50 | |
| Minimum on-site parking | | | | | | | | | |
| Vehicle spaces per dwelling unit[4] | 1 | 1 | 0.5 | 0.5 | 0.5 | 1 | N/A | N/A | |
| Vehicle spaces for commercial uses | See Chapter 17.17.220 | | | | | | | | |
| Bicycle spaces per 1,000 square feet of commercial use | N/A | N/A | N/A | 1 | 1 | 1 | N/A | N/A | |

[1] Height shall be measured as feet above the mean ground level. See Chapter 17.80, Airport Obstruction Zone, for additional requirements.
[2] See Chapter 17.17.130(4) for additional ground floor commercial setback requirements.
[4] See 17.105 for additional requirements Short Term Rental requirements.

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## Commentary

**17.17.120(2)**

Decks, patios and awnings may extend into the setback $\frac{1}{2}$ the distance.

**17.17.120(3)**

There are limitations on building lot coverage for some uses. The intention is to cap the size of commercial use in the Mixed Use zone to be no larger than existing commercial, such as Blanton's IGA which is 10,000 square feet. In the Commercial Business District and Airport District zones the size can be larger, up to 20,000 square feet. In all three zones, hotels, motels, etc. the second story is not counted in the square feet.

**17.17.120(4)**

Along the main streets in Onalaska and Packwood, the intention is to create active retail corridors with storefronts along the right-of-way and parking located behind or to the side of the commercial uses.

(2) Setbacks.

(a) Decks or patios affixed to the primary residential structure and awnings over residential entrances may extend into the setback, not to exceed ½ the depth of the setback.

(b) In the Industrial (IND) zone, the rear and side setback may be reduced to five (5) feet from adjacent lots where the zoning prohibits any residential use.

(3) Building lot coverage.

(a) Within the Mixed Use (MU) zone, commercial uses shall have a maximum lot coverage not to exceed 10,000 square feet per development, excluding parking and loading. Developments that contain multiple lots but are developed as one project shall be considered to be one development.

(b) Within the Commercial Business District (CBZ) and Airport District (AX) zones, commercial uses shall have a maximum lot coverage not to exceed 20,000 square feet per development, excluding parking and loading. Developments that contain multiple lots but are developed as one project shall be considered to be one development.

(c) Transient accommodations within the Mixed Use (MU), Commercial Business District (CBZ) and Airport District (AX) zones do not have a maximum lot coverage; however, the footprint of the development shall not exceed 10,000 square feet, excluding parking and loading. Developments that contain multiple lots but are developed as one project shall be considered to be one development.

(4) Additional standards applicable to Figure 1 and Figure 2.

(a) The ground floor shall be commercial uses. Ground floor commercial uses shall have a 0-foot setback from every public right-of-way, unless the setback is an outdoor extension of the commercial space, such as outdoor eating area at a food establishment, or is designed as a publicly-accessible open space that includes but is not limited to landscaping, benches, bike racks, tables or other pedestrian designed facilities; or is a combination of both outdoor commercial space and publicly-accessible open space. New parking or loading areas in the front setback are prohibited. See Figure 3 as an example.

(b) Second and third floors shall be residential uses, except standalone commercial uses may have a second story that is not a residential use.

(c) Where there is development on a corner, a primary entrance to the commercial use shall be oriented towards Highway 12 or State Route 508; additional entrances to commercial uses may be oriented towards the side street.

## Commentary

*This is a new code section and*
*is not underlined for easy of reading*

**Figure 1: Urban Growth Area – Small Town / Packwood.**

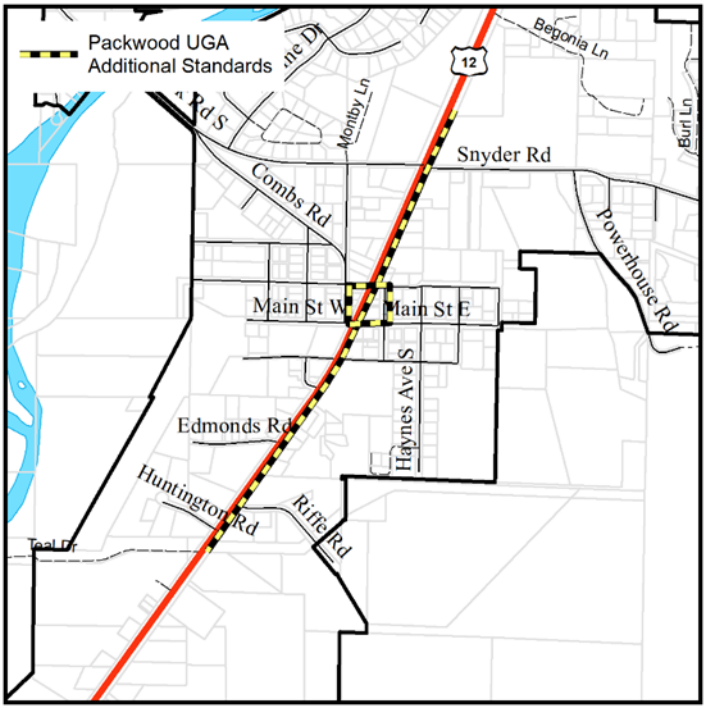


**Figure 2: Urban Growth Area – Small Town / Onalaska.**

## Commentary

Figure 3 is an example of a parcel along Highway 12 in the Packwood UGA with a new ground floor commercial development. The example meets the setback, parking and landscaping requirements of Chapter 17.17.

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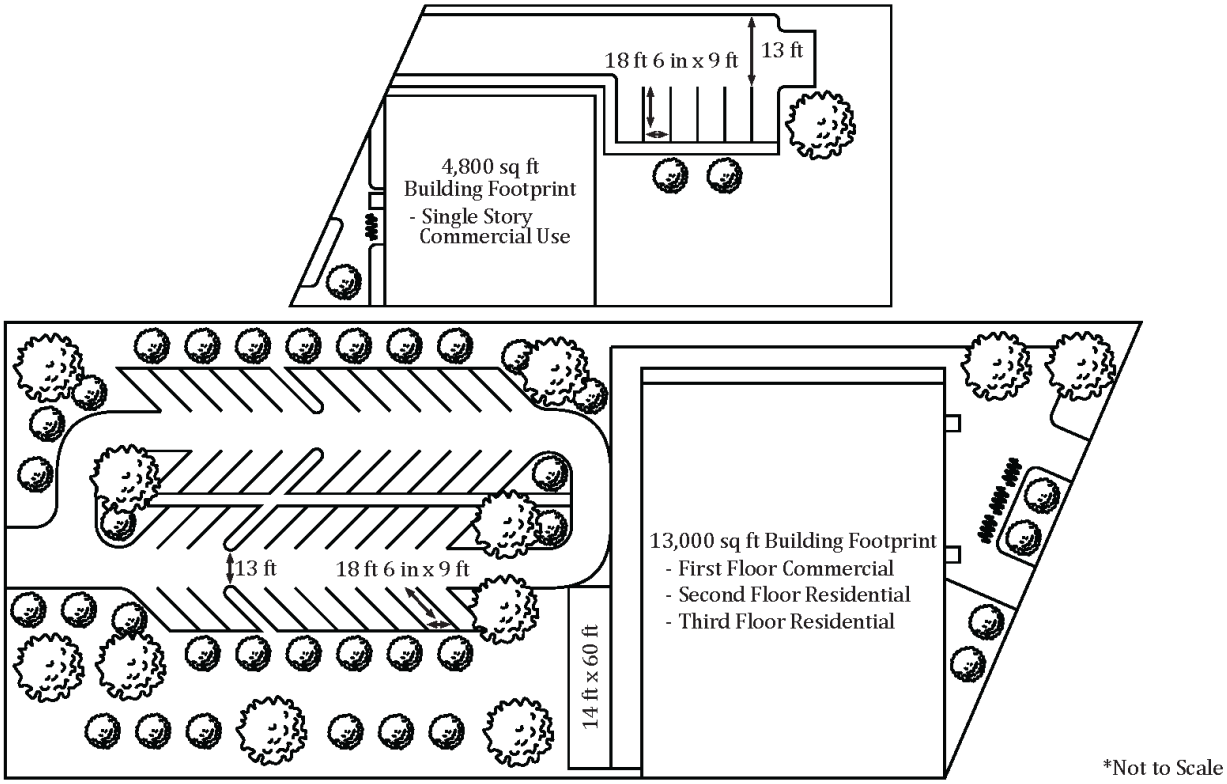
*is not underlined for easy of reading*

**Figure 3: Example Ground Floor Commercial Use, Parking and Landscaping**



## Commentary

**17.17.130**

Small downtowns are pedestrian oriented, with entrances facing public rights-of-way and windows that create an comfortable experience for people walking and biking. In residential areas, the primary house is set forward with garages setback to not create "snout houses".

**17.17.130(4)**

Within the Packwood UGA there are additional standards to create a cohesive look. The standards do not create theme for Packwood, but rather make sure that building fits within a similar look and feel with no obtuse structures that stand out.

**17.17.130 Accessory Dwelling Units**

(1) There shall be no more than two (2) accessory dwelling unit per lot in conjunction with a single-family structure.

(2) A garage may be converted to an ADU, even if it violates existing requirements for setbacks or lot coverage. The converted ADU shall meet all other applicable laws and requirements.

(3) Detached accessory dwelling units are allowed to be sited at a lot line if the lot line abuts a public alley, unless the county routinely plows snow on the public alley.

**17.17.140 Design Standards**

(1) Purpose. The purpose of this subsection is to ensure that new development and major remodels have a cohesive design. Figure 4 provides design examples.

(2) Applicability. The standards in this subsection apply to all new development and any renovations to existing development that change more than 25% of any façade facing a public right-of-way, excluding garages, carports or sheds that do not include living space.

(3) Standards.

(a) Reflective surfaces, such as mirrored glass or polished metal, are prohibited.

(b) The first floor of buildings fronting public rights-of-way as shown in Figure 1 and 2 shall be at least 50 percent clear glass and of the remaining non-glass first floor at least 80 percent of the façade shall be natural wood, stone or veneer that resembles natural wood or stone. See Figure 4 for examples.

(c) Ground floor commercial uses shall have at least one (1) primary pedestrian entrance facing a public right-of-way and all pedestrian entrances shall be covered by overhangs, awnings or other rain protection. Covers should extend a minimum of five (5) feet from the façade of the structure and be minimum of five (5) feet in length. See Figure 4 for examples.

(d) Second story multifamily residential uses located above commercial uses shall not extend beyond any wall of the ground floor structure. See Figure 4 for examples.

(e) Spaces between structures are required to have exterior lighting. Lighting shall be shielded.

(f) An attached or detached garage or carport shall not extend forward of the front wall of any primary structure. Garages or carports associated with an Accessory Dwelling Unit shall not extend forward of the front wall of the primary residential structure.

## Commentary

Figure 4 shows example of structure that would meet the roof line and glass design standards, as well as the setback requirements for a second story, garage or carport.

*This is a new code section and*
*is not underlined for easy of reading*

**Figure 4: Examples of Design Standards**

*Not to Scale

## Commentary

**17.17.130(4)**

Within the Packwood UGA, there are restrictions on color for structures, including buildings and fences. The primary colors include a wide variety of soft, natural tones. Accent colors may be brighter, but exclude neon colors.

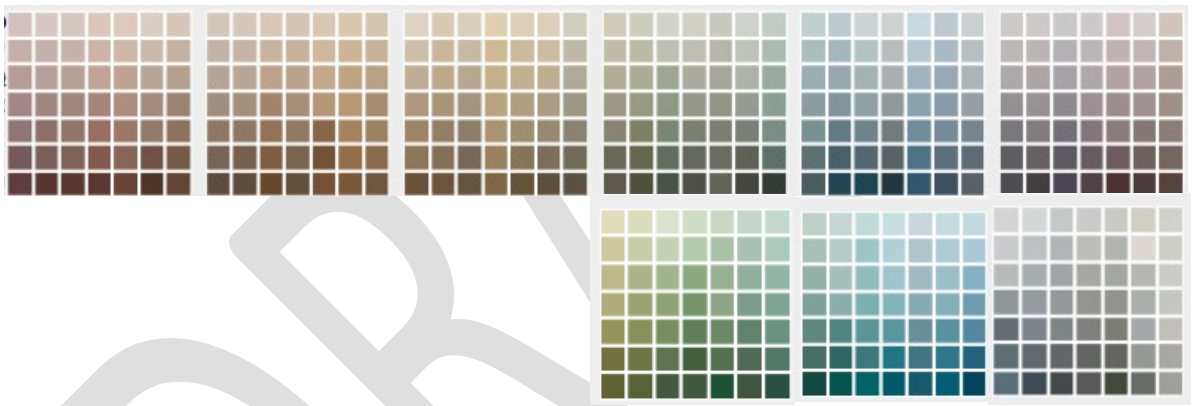
(4) Additional standards within the Packwood Urban Growth Area.

(a) At least 75 percent of exterior building materials shall be made of fire-resistant materials.

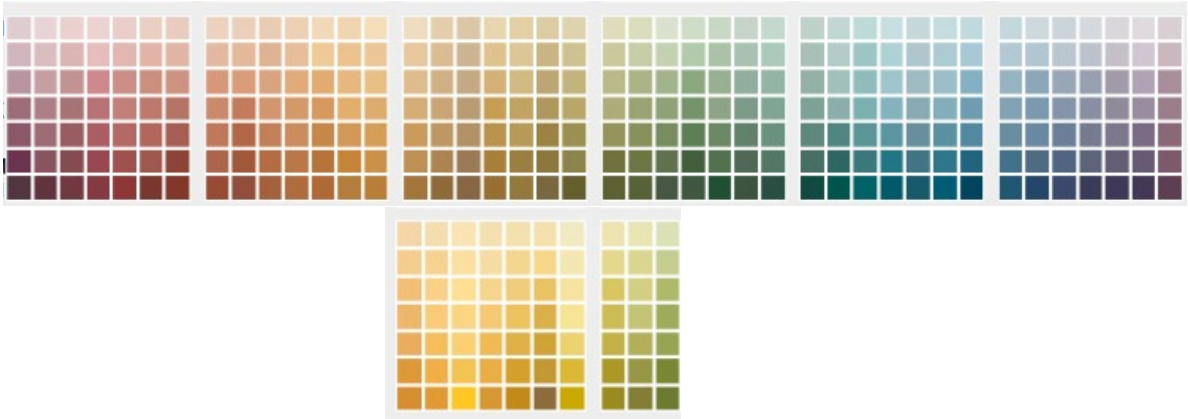
(b) All primary structures shall have at least two roof pitch lines. Flat roofs are permitted when architectural features give the appearance of a sloped roof. Commercial and residential uses with flat roofs may incorporate them as an extension of the habitable space (e.g., roof top patio).

(c) Exterior building materials, including walls, garage doors, roofs and fences, shall match the following color palette. Applicants shall submit with any development application a color sample with an assigned Light Reflectance Values (LRV) and Munsell value for every color used on the subject buildings or structures.

Primary color or accents:



Accents only:



## Commentary

**17.17.210**

The density bonus is intended to encourage creation of housing that is affordable below market rate. This provision is also available if a multifamily housing property owner wants to provide any of the units as short-term rentals. If 30% of the dwelling units are provided at or below 80% AMI, then the other units can be used as short-term rentals. The requirement for 30% housing to be rented at 80% AMI would be enforced through a Development Agreement with the property owner and would remain in place in perpetuity or until the other dwelling units are no longer provided as short-term rentals.

Note State Requirements - Within UGAs, allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multi-family residence located on real property owned or controlled by a religious organization. RCW 36.70A.545, amended in 2019 (HB 1377).

**17.17.215**

Chapter 17.142.207 is the Lewis County comprehensive sign ordinance, which applies to all signs throughout the County including small town UGA. There are additional standards that apply within small town UGAs.

## Article III: General Administration

### 17.17.200 Purpose

The purpose of this chapter shall be to provide specific regulations, providing for the location of certain special and accessory uses in all use districts and providing supplementary controls for the protection of essential uses of said districts.

### 17.17.205 Drive-Throughs

Drive-through establishments are prohibited within Packwood Urban Growth Area except for banks and pharmacies.

### 17.17.210 Density Bonus

Development that includes residential uses where 30 percent of the dwelling units are long term units provided at or below 80 percent Area Median Income for Lewis County shall be eligible for one of either an increased commercial or residential density bonus.

(1) A 25 percent increase in the total number of residential dwelling units, rounded down to the nearest whole number. For example, a 24-unit residential building would be granted a bonus of 6 additional dwellings for a total of 30 dwellings. A 25-unit residential building would be granted a bonus of 6.25 additional dwellings; rounded down, the total number of dwellings allowed would be 31 units.

(2) A 30 percent increase in total commercial square footage rounded down to the nearest whole number. For example, a mixed-use development with 10,000 square feet of commercial uses would be granted a bonus of 3,000 square feet for a total allotment of 13,000 square feet for the project.

### 17.17.215 Signs

In addition to the sign standards specified in Chapter 17.142.207, the following standards apply:

(1) Interior illuminated signs are prohibited, except gas station signs.

(2) Reflective signs, such as mirrored glass or polished metal, are prohibited.

## Commentary

**17.17.220**

Vehicle parking is the same as for other commercial development throughout Lewis County, except less parking is required within the UGA Small Towns because of the compact nature of development.

Vehicle parking is prohibited within the front setback of parcels along Highway 12 and SR508 to encourage pedestrian and bicycle access to retail and restaurants. This creates a "retail core" and encourages spending that supports the local economy.

*This is a new code section and*
*is not underlined for easy of reading*

## 17.17.220 Vehicle Parking

(1) Purpose. The purpose of this chapter is to ensure that new development provide a minimum number of off-street parking spaces to reduce congestion on public rights of way.

(2) Prohibitions. Vehicle parking is prohibited within front setback from Highway 12 or State Route 508. Parking that existed before January 1, 2026 is vested and may persist and be maintained, but may not be expanded to become more nonconforming.

(3) Standards.

(a) Any new development which requires parking shall adhere to the standards of Tables 4, 5 and 6 as follows:

Table 4: Development Standards for off-street parking spaces.

| Use | Space Required |
|---|---|
| Commercial spaces less than 10,000 square feet | One per 800 square feet of gross floor area[1,2] |
| Commercial spaces greater than 10,000 square feet | One per 500 square feet of gross floor area[1,2] |
| Manufacturing, industrial or similar | One per two employees |
| Restaurant and other food establishments | One per 200 square feet of gross floor area for first 4,000 square feet and one space for each additional 400 square feet[2] |
| Offices not providing on-site customer services | One per four employees |
| Medical, dental pharmacy and other health uses | One per 200 square feet of gross floor area |
| Transient Accommodations | One per sleeping room |
| Residential, single-family | Two per dwelling unit |
| Residential, Accessory dwelling unit | One per dwelling unit |
| Residential, multi-family | One per dwelling unit |

[1] Mixed use development that includes both commercial and residential uses are only required to provide 50% of the minimum parking requirement for commercial uses.
[2]Gross floor area calculation only applies to habitable spaces.

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## Commentary

Table 5: Parking Space Dimension.

| Use | Length of space | Width of space |
|---|---|---|
| Non-residential uses | 18′6″ | 9′ |
| Residential, single-family | 20′ | 10′ |
| Residential, accessory dwelling unit | 20′ | 10′ |
| Residential: multi-family | 18′6″ | 9′ |
| Compact vehicles | 15′ | 8′ |
| Motorcycle parking | 4′ | 6′ |

Table 6: Parking Minimum aisle widths.

| Parking angle | Drive aisle width one-way/two-way |
|---|---|
| 30° | 13′/21′ |
| 45° | 13′/21′ |
| 60° | 16′/21′ |
| 75° | 16′/21′ |
| 90° | /24′ |

(b) When measurements of the number of required spaces result in a fractional number, any fraction of 0.5 or greater shall be rounded up to the next higher whole number and any fraction of less than 0.5 shall be rounded down to the lower whole number.

(c) Parking lots for all multi-family residential, commercial, industrial and mixed-use development shall be paved.

(d) For any parking area of 12 or more spaces, 33 percent of all parking spaces may be set aside for compact vehicle parking provided that these spaces are clearly marked. Up to 33 percent of compact spaces may be set aside for motorcycle parking.

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## Commentary

(e) Access to parking areas for all multi-family residential, commercial, industrial and mixed-use development shall be alleyways or from a shared access easement located within a side or rear setback.

(i) Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private street shall be travelling in a forward motion. Access of driveways for parking areas shall be located in such a way that any vehicle entering or leaving such lot shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

(ii) Where a shared access point is used for multiple developments, one lot may be used provided that it meets the minimum number of spaces for all uses served by the lot.

(iii) Shared parking lots shall be within 100' of all uses served. Uses may not be separated by public rights of way from the parking lot.

(f) Where a parking lot is the primary use of the site, the distance and separation by public rights of way restrictions do not apply.

(g) Where possible, parking areas should be accessed from side streets rather than from Highway 12 or State Route 508.

(h) Whenever any building is enlarged in gross floor area by more than 10 percent, off-street parking shall be provided for the expansion or enlargement portion only in accordance with the requirements of this chapter.

(i) Electrical vehicle charging space shall be provided in accordance with WAC 51-50-0429.

(4) Additional Standards. The following standards illustrated in Figure 5 shall apply to all parking areas unless otherwise exempted by this code. Letters referenced in Figure 5 correspond to the list-level for the following standards:

(a) Aisle widths shall comply with the minimum widths listed in conventional and interlocked parking design standards and general parking standards. When stall sizes utilized are greater than minimum size, the County Building Official may, at their discretion, increase the required aisle width.

## Commentary

(b) Length of aisle or island separating adjacent parking spaces shall have a maximum length of 300 feet.

(c) Curbs shall be installed at a minimum of three feet from the face of walls, fences, buildings and other structures adjacent to the exterior boundaries of the property. These areas shall be landscaped except for required pedestrian walkways. Landscaped areas can be used for stormwater management.

(d) The curb radius for landscape islands shall be a two-foot minimum.

(e) Individual ingress/egress access drives shall be in accordance with the provisions set forth in Chapter 12.60, Access, Connectivity, and Circulation, LCC and constructed to the specifications of the County Engineer.

(f) Walkway openings four feet in width shall be provided in islands separating adjacent parking spaces at seven-space intervals.

(g) A 12-foot deep backup-turnaround shall be required on all dead-end parking lanes.

(h) Traffic circulation on one-way angle parking shall be designed for counter-clockwise traffic flow and directional arrows shall be painted on the pavement to help assure the correct flow.

(i) No inside turning radius at the curb shall be less than 15 feet.

(j) No outside turning radius at the curb shall be less than 35 feet.

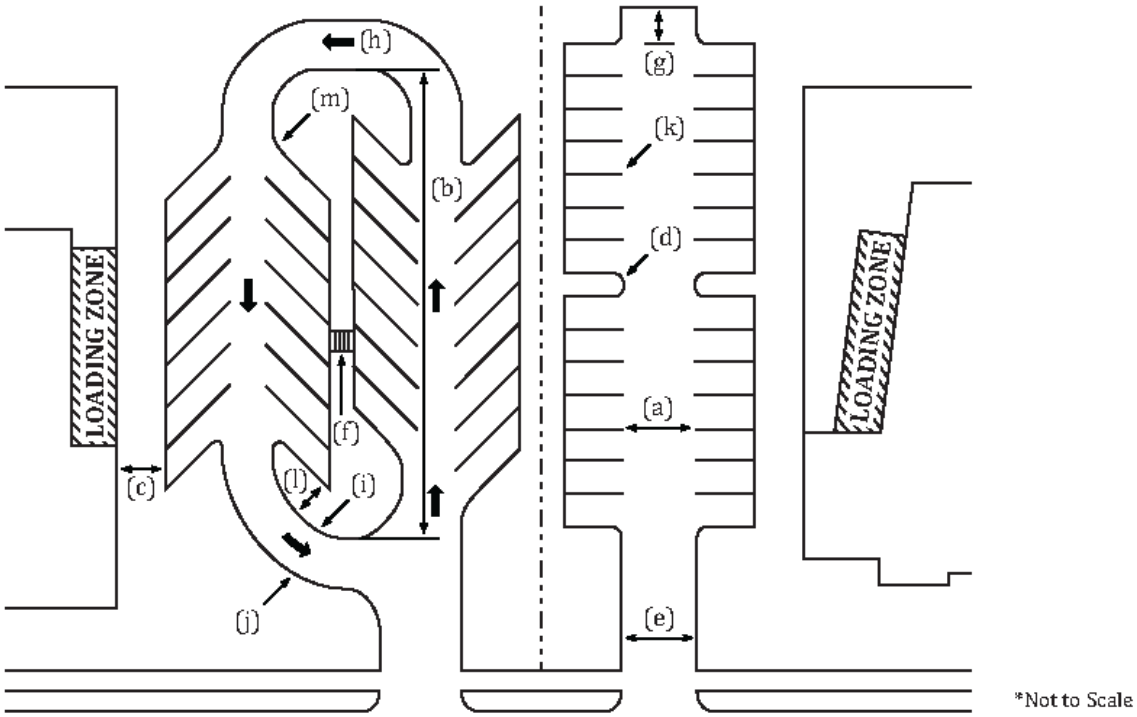
(k) Parking stalls shall be striped according to the specifications of the County Engineer, with the center of the stripe as the point of measurement.

(l) Ends of island parking nodes where angled parking is provided shall be a minimum of 10 feet average width.

(m) The inside radius to a parking stall on a curve approach shall not be less than 15 feet.

## Commentary

**Figure 5: General Parking Standards.**




### 17.17.225 Loading Zones

(1) Commercial, industrial and mixed-use development that requires 20 or more parking spaces shall provide an off-street loading area for the delivery or loading of goods.

(2) A loading space shall have minimum dimensions of not less than 14 feet in width, 60 feet in length, exclusive of driveways, aisles, and other circulation areas, and a height or clearance of not less than 15 feet.

(a) Standalone commercial and residential development which does not require delivery of goods utilizing semi-trucks or similar sized vehicles may use parking stalls for the delivery and loading of goods.

## Commentary

### 17.17.230

UGA Small Towns are compact in nature and support bicycle and pedestrian transportation. Providing bicycle parking further encourages these types of transportation, which reduces traffic and vehicle parking needs.

(3) One off-street loading space shall be provided and maintained on the same lot for every 10,000 square feet of non-residential uses. One loading space shall be provided for each additional 10,000 square feet for retail and restaurant buildings; and one for each additional 30,000 square feet for manufacturing, warehouse, and service uses.

(4) Mixed-use developments that have separate delivery demand times can share loading areas if it can be demonstrated that delivery or loading of goods happens at separate times to the maximum extent possible.

(5) Lots less than one half acres are not required to provide a loading zone if it can be demonstrated that the delivery or loading of goods will not utilize the ROW. This exemption does not apply to shared parking lots where the total lot size of all development utilizing the parking lot exceeds one half acre.

**17.17.230 Bicycle parking**

(1) Purpose. To support bicycle use as a form of transportation and recreation, including providing safe locations to park and lock bicycles within close proximity to primary entrances of commercial buildings.

(2) Standards.

(a) Within the Mixed Use (MU) and Commercial Business District (CBZ) zones, a minimum of one (1) off-street bicycle parking space for every 1,000 square feet of indoor commercial use is required, not to exceed a total of five (5) bicycle parking spaces. When there are multiple commercial uses co-located in a single structure, each commercial use shall meet the standard; shared bicycle parking is allowed.

(a) Required off-street bicycle parking spaces shall be provided with bike racks, bike lockers, or similar parking facilities and shall be located in a visible, well-lit ground-level area that is conveniently accessible to the primary entrances of a development principal building(s).

(b) The bicycle parking facilities shall not interfere with pedestrian traffic and shall be protected from conflicts with vehicular traffic.

(c) If a development has multiple structures the bicycle parking shall be distributed evenly among the principal structures.

## Commentary

**17.17.235 Landscaping**

(1) Purpose. The purpose of the landscaping standards is to reduce the visual impacts of development, enhance overall appearances of the community and reduce heat island impacts associated with impervious surfaces

(2) Applicability. These standards apply to parking lots that include at least eight (8) vehicle parking spaces and to all industrial development.

(3) Irrigation. Irrigation, if used, must be the minimum necessary for the purpose of establishment and maintenance of the vegetation. Any irrigation system shall be on a set watering schedule and shall minimize runoff and overspray to non-irrigated areas.

(4) Vegetation type.

(a) Species that are considered nuisance or invasive in the Pacific Northwest are prohibited.

(b) Groundcover shall be planted and spaced to result in 80 percent coverage within three (3) years.

(c) Trees and shrubs shall be native to the Pacific Northwest, or a non-native variety is drought tolerant. Trees shall be selected and located to minimize the potential for interfering with or damaging power lines, underground utilities, or impervious surfaces, and to minimize potential damage to structures and injuries to people.

(5) Planting density. Existing vegetation that is retained may be counted towards meeting the density standards.

(a) Parking lots shall include at least one (1) tree and three (3) shrubs for every four (4) vehicle parking spaces. See Figure 6 as an example.

(b) All external parcel boundaries associated with industrial development that front a road, except within 10 feet of a driveway, or where the adjacent property allows residential uses shall be landscaped to meet one of the following options. See Figure 6 as an example. Fences, berms and new trees used as landscaping shall meet setback requirements.

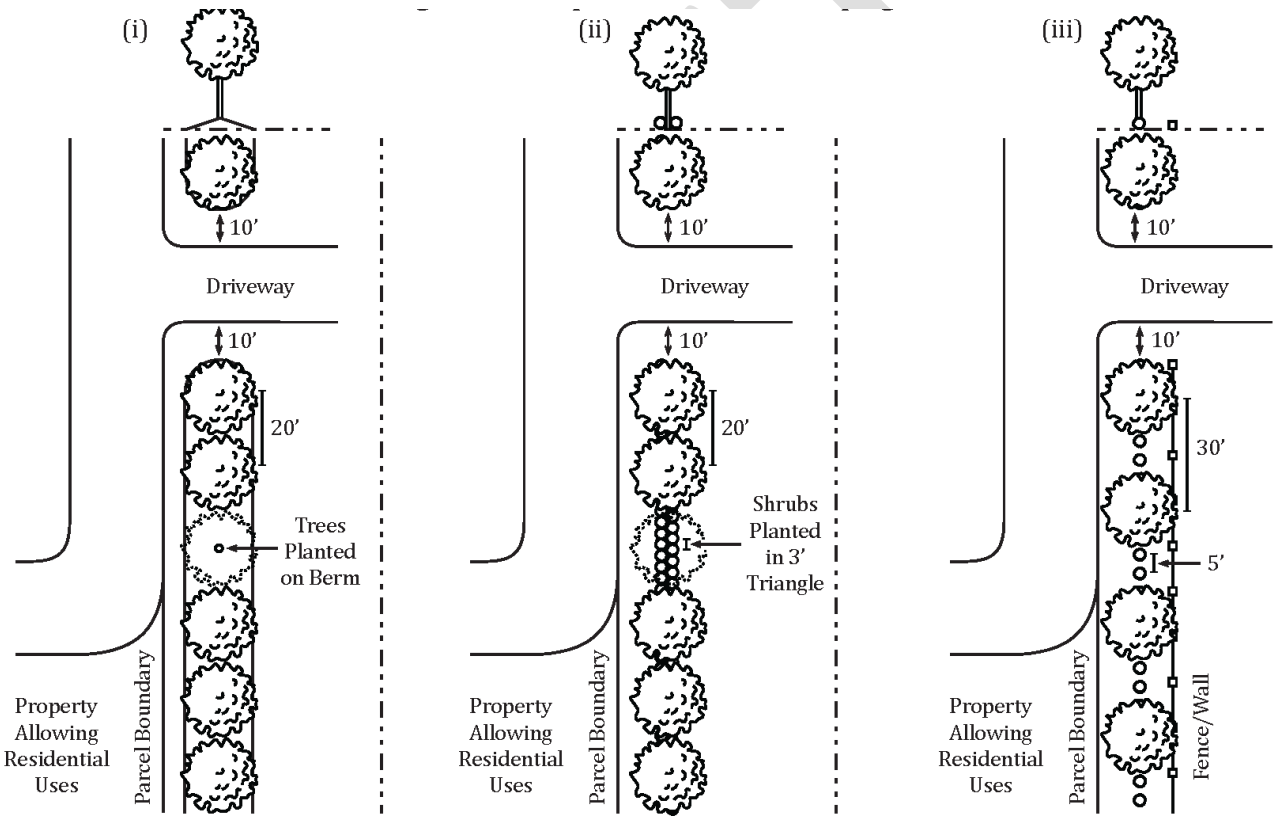
(i) A berm at least three (3) feet high and no more than four (4) feet high with a maximum slope of 3:1, planted with groundcover and at least one (1) tree every 20 feet on center;

## Commentary

(ii) A hedge at least three (3) feet high and no more than four (4) feet high, consisting of a double row of shrubs readily capable of growing to form a hedge, planted three (3) feet on center in a triangular pattern, and at least one (1) tree planted every 20 feet on center; or

(iii) A decorative fence or wall at least three (3) feet high and no more than four (4) feet high planted on the exterior of the fence or wall including at least one (1) shrub planted every five (5) feet on center and one (1) tree planted every 30 feet on center.

**Figure 6: Example Industrial Landscaping**



## Commentary

### 17.17.240

This is different than adding a second story of multifamily housing, which is already allowed in the MU and CBZ zones. This allows someone to live and work on the same property, and they can live in a more traditional single-family home with a garage or carport.

(6) Stormwater management. Landscaping installed for stormwater management may be counted towards meeting the landscaping requirements.

**17.17.240 Live-Work Provisions**

(1) Purpose. The purpose is to encourage people to live and work on the same parcel, which supports housing affordability, promotes walking and biking, and creates compact small towns, limiting sprawl and impacts on urban services including water, sewer and transportation.

(2) Applicability. The live-work provisions apply within the Mixed Use (MU) and Commercial Business District (CBZ) zones. Home-based businesses are exempt.

(3) Allowances. On a single parcel with an existing commercial use and no existing residential uses, a single-family residential use may be added that meets the standards of this subsection.

(4) Standards.

(a) A single-family residence may be added to the interior of existing commercial building provided the residential use occupies no more than 25% of the total floor area.

(b) A detached or attached single-family residence may be added to the parcel provided that the total residential space is no larger than ¼ of the total commercial space, or 1,296 square feet whichever is smaller, and the residential building is setback at least ten (10) feet more than the commercial building from the front property line. See Figure 7 as an example.

(c) On-site parking must meet the parking standards. One (1) garage or carport allowed, not to exceed 240 square feet and must be flush or setback from the primary wall of the residential structure.

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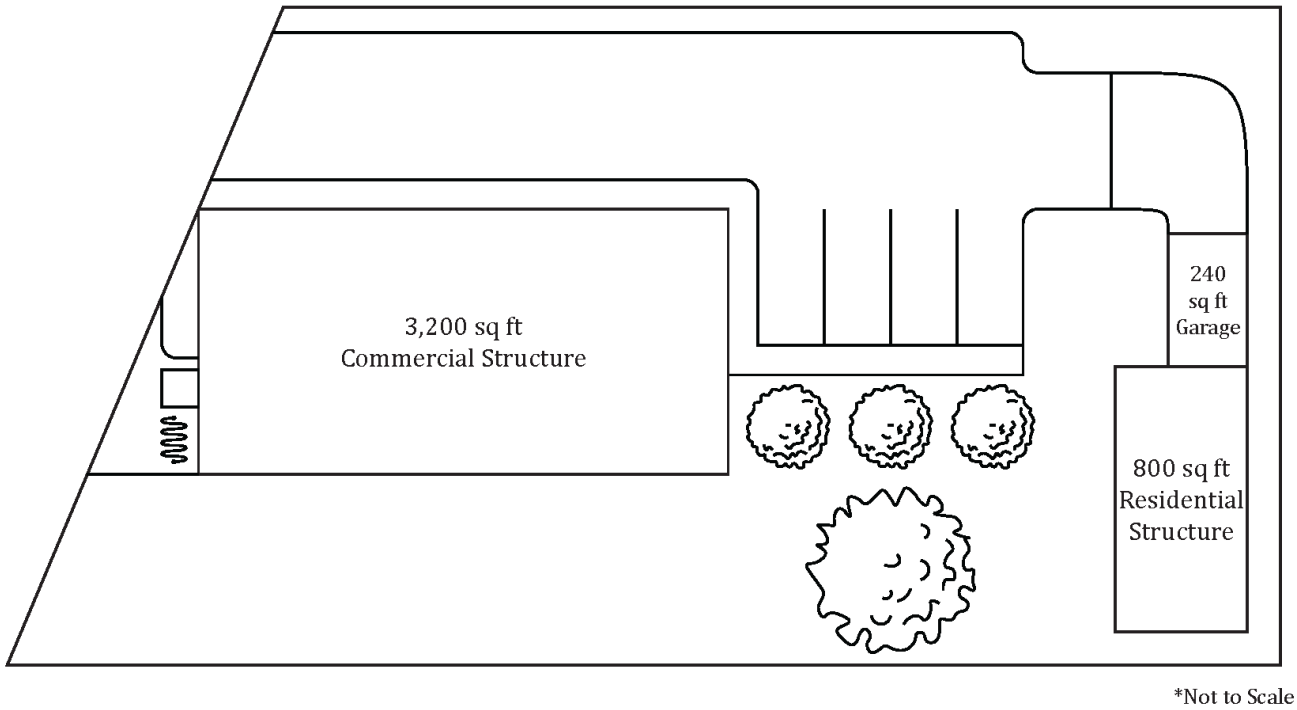
## Commentary

**Figure 7: Attached Live-Work Housing Example**

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## Commentary

### 17.17.245

When zoning and development regulations are changed it creates non-conforming uses, where the use was confirming with the past zoning and development regulations, but is no longer conforming. An classic example is existing houses that are now in a commercial zone that doesn't allow single family homes. The existing house can stay and be maintained. The single-family house can be sold to a new owner who can live in it and maintain it. If the owner choose to no longer use the structure as a single-family home, then the new use must conform to the zoning and development regulations in place at the time of the change of use. In this example, the structure would need to be a commercial use, such as a coffee shop, hair dresser, real estate office, etc.

**17.17.245 Nonconforming Uses**

(1) Continuation. Except as otherwise provided in this chapter, the lawful use of any building or structure (whether or not covered by UBC or L&I), building, land, or premises, that exists on the effective date of the adoption or amendment of the ordinance codified in this chapter, may be continued although such use does not conform to the provisions hereof. If such nonconforming use is discontinued for a period of 36 months or more, any future use of said building, land, or premises shall be consistent with the provisions of this title.

(2) Additions. Additions to non-conforming single family residences within zoning districts where single family residences are not allowed is permitted. If the addition is more than 25% of the façade facing a right-of-way on the existing residence, the entire structure shall meet the design standards in the zoning district. For example, a house with a 40-foot long wall facing the right-of-way and with a proposed 15-foot addition to that wall, would be required to meet the design standard for the entire residential structure.

(a) Where an addition to a single-family residence is behind the primary structure from the public right-of-way, conformance to design standards in the zoning district is not required except the color requirements in 17.17.205 LCC shall be met.

(b) The addition must be on the lot of record as it existed at the time the use became nonconforming and the use shall not be expanded onto adjacent lots.

(3) Expansions. Expansions of non-conforming non-residential uses shall be processed as a Type III application per Chapter 17.05 LCC.

(a) The expansion must be on the lot of record as it existed at the time the use became nonconforming and the use shall not be expanded onto adjacent lots. The expansion may be approved if it is consistent with the applicable zoning regulations, except the use restrictions, and the activity complies with Chapter 17.158 LCC.

(4) Changes. Changes from one non-conforming use to another non-conforming use are not permitted. Changes from a non-conforming use to a conforming use, or a use that was previously established in the zoning district but does not meet the minimum parking standards, is not required to meet the minimum parking and loading zone standards when no expansion to the building square footage is proposed.

## Commentary

### 17.17.250

Master Planned Developments are used to comprehensively address impacts such as traffic, noise, landscaping, etc. associated with larger developments. A Binding Site Plan will include all phases of development and must determine the alignment of roads and open spaces; however, the development itself may occur over time.

**17.17.250 Master Planned Development**

(1) Purpose. Master Planned Development standards are intended to enhance and diversify housing and economic development opportunities that complement the small-town character and create well-designed roads, pedestrian facilities, landscaping and public open spaces alongside private development.

(2) Applicability. The Master Planned Development standards apply to land divisions of parcels ten (10) acres in size or larger.

(3) Administration. Master Planned Developments may be approved as a Type III binding site plan.

(4) Standards. In addition to all other applicable standards and requirements, Master Planned Developments shall also meet all of the following:

(a) All roads shall be public and shall connect to an existing public right-of-way.

(b) At least five (5) percent of the total gross area must be publicly accessible open space.

(i) Sidewalks, pedestrian or bicycle pathways that are within the public right-of-way may not be counted towards the five (5) percent.

(ii) Open spaces shall be included on the plat as a separate parcel, under common ownership by a homeowner or business owner association, with an open space maintenance agreement that includes operation and maintenance of all improvements and solid waste.

(iii) All open spaces shall be at least 200 square feet in size.

(iv) The open space may have set hours of operation not less than 9:00am to 5:00pm and may be locked during non-operational hours.

(v) Open space areas shall incorporate at least three (3) of the following elements:

- Pedestrian or bicycle pathway at least five (5) feet in width and that is separated from any public right-of-way by a minimum of three (3) feet, except where the pathway provides a point of access to a public right-of-way.
- Play equipment, such as a swing set, slide, climbing structure, etc.
- Benches or picnic tables.
- Sport courts or fields, such as pickleball, tennis, basketball, soccer, baseball, etc.
- Dog park that is fully fenced, where the fence is at least four (4) feet tall.
- Community garden.

## Commentary

(vi) All areas of the open space that are not covered by an element listed under (v) shall be landscaped with a vegetated groundcover and either five (5) shrubs or one (1) tree per every gross 200 square feet. Existing vegetation may be used to meet this requirement. Trees and shrubs may be clustered.

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# Commentary

## LEWIS COUNTY CODE 17.20B AMENDMENTS

The County has designated in the Lewis County Comprehensive Plan locations that meet RCW36.70A.368 which states that a county may establish a master planned location for major industrial activity outside of urban growth areas on land formerly used or designated for surface coal mining. Once a master planned location is designated, it shall be considered an urban growth area retained for purposes of promoting major industrial activity.

The former TransAlta Coal Mine has been designated a Major Industrial Development (MID) through the Lewis County Comprehensive Plan. This code section states the process and standards for redevelopment of the lands within the MID zone through a Binding Site Plan. Uses allowed in the MID zone are state in 17.42, Table 2, Land Use Summary.

**Chapter 17.20B**
**~~MASTER PLANNED MAJOR INDUSTRIAL RECLAIMED SURFACE COAL MINE URBAN GROWTH AREA~~**
**MAJOR INDUSRIAL DEVELOPMENT**

Sections:

17.20B.010 Purpose.
17.20B.015 ~~Designation of industrial land bank – Reclaimed surface coal mine sites~~ Applicability.
17.20B.020 Permitted Uses.
17.20B.025 Standards.
17.20B.0~~25~~30 ~~Master plan a~~Approval Process ~~for major industrial development – Reclaimed surface coal mine~~.
~~17.20E.030 Criteria for approval.~~

**17.20B.010 Purpose.**

The purpose of this chapter is to ~~provide guidelines for the planning and development of urban growth areas in the county which are or may be designated as industrial land banks located~~ encourage industrial redevelopment of ~~on~~ reclaimed surface coal mine sites to create jobs and support the local economy ~~and are not associated with a city~~.

**17.20B.015 ~~Designation of industrial land bank - Reclaimed surface coal mine sites~~ Applicability.**

This chapter applies to development proposed for lands designated as Major Industrial Development (MID) on the Lewis County Comprehensive Plan. ~~Consistent with the requirements of RCW 36.70A.368, a master planned location for major industrial activity outside an urban growth area on lands formerly used or designated for surface coal mining and supporting uses may be designated within Lewis County. The following criteria shall be used in reviewing any application for designation of a master planned reclaimed surface coal mine industrial land bank under this section:~~

~~(1) Designation of a master planned reclaimed surface coal mine industrial land bank under this section is not subject to the requirements of RCW 36.70A.130(2) and may be considered at any time.~~

~~(2) Any site proposed for designation under RCW 36.70A.368 shall be located on lands:~~

~~(a) That were formerly used or designated for surface coal mining and supporting uses;~~

~~(b) That consist of an aggregation of land of 1,000 or more acres, which is not required to be contiguous; and~~

~~(c) That are suitable for manufacturing, industrial, or commercial businesses.~~

# Commentary

~~(3) Provision for new infrastructure may be demonstrated by a plan for extending or otherwise supplying needed infrastructure; actual construction of new infrastructure is not required for designation.~~

~~(4) Environmental review shall be at the programmatic level, unless the designation is being reviewed concurrent with a proposed major industrial project development application, in which case environmental review shall be at the project level.~~

**17.20B.020 Permitted uses.**

See 17.42 Table 2 Summary of Land Uses.

~~1) A property designated in the comprehensive plan for a major industrial development on a reclaimed surface coal mine may only be used for the purposes listed in RCW~~ 36.70A.368~~.~~

~~(2) Specific permitted uses on the property shall be detailed through the master plan process described below. Permitted uses, standards, and procedures for approval are set out in the applicable provisions of LCC Title~~ 16 ~~and this title.~~

**17.20B.025 Standards.**

In addition to standards required for specific uses, the following standards shall be met~~:~~

(1) Capital Facilities. New capital facilities including utilities, and services, including those related to sewer, water, stormwater, security, fire suppression, emergency medical, and transportation must be capable of meeting demand generated by the industrial development. New capital facilities shall not serve any property or development outside of the MID zone, except energy produced with the MID zone may be transmitted off-site. Such facilities, utilities, and services may be provided by outside service providers through a shared services agreement, including municipalities and special purpose districts; provided that all costs associated with service extensions and capacity increases directly attributable to the industrial development are fully borne by the industrial development.

(3) On-site Parking and Loading. All parking and loading shall be provided on the same parcel as the business it serves, or an adjacent parcel through written agreement. Office uses shall include at least one (1) vehicle parking space for every 200 square feet of office floor area including common areas such as lobbies, hallways and bathrooms. Each vehicle parking space shall be at least 10 feet in width and 20 feet in length; provided, however, that for any parking area of 12 or more spaces, 35 percent of all parking spaces may have minimum rectangular dimensions of at least than eight (8) feet in width and 15 feet in length; provided that these spaces are marked for use by compact automobiles. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. A loading space shall have minimum dimensions of at least 14 feet in width, 60 feet in length, exclusive of driveways, aisles, and other circulation areas, and a height or clearance of not less than 15 feet.

## Commentary

Expansion of the MID boundary is not allowed through Lewis County Code. The MID boundary would be processed as a Comprehensive Plan map amendment. However, within the outer boundary of the MID, the Binding Site Plan could be amended by the Hearing Examiner.

(4) Lighting and Security Cameras. All lighting shall meet the requirements of 17.142.020, Lighting. Security cameras shall be aimed to protect privacy of adjacent parcels and uses.

(5) Landscaping. Parking lots shall include at least one (1) tree and three (3) shrubs for every four (4) parking spaces.

**17.20B.0~~25~~30 ~~Master plan a~~Approval Process ~~for major industrial development – Reclaimed surface coal mine~~.**

~~(1) This section applies to specific projects proposed within sites designated pursuant to RCW 36.70A.368 and LCC 17.20B.015, Designation of industrial land bank - Reclaimed surface coal mine sites.~~

(~~2~~1) The major industrial development may be approved through a Binding Site Plan, which is a Type III application decided by the Hearing Examiner. ~~Application for the development of a major industrial reclaimed surface coal mine master plan shall be processed as a Type III binding site plan application.~~ The application must be signed by the owners of at least 50 percent of the property subject to the master plan.

~~(3) Environmental review shall be noticed and processed in accordance with Chapter 17.110 LCC. An open record appeals hearing before the hearing examiner arising from such environmental review shall be consolidated with the public review process described above. Public participation in subsequent appeals shall be limited to the parties and issues to the appeal, in accordance with Chapter 17.110 LCC.~~

~~(4) Except for permits and approvals to be issued by agencies other than the county, final approval of a master plan under this section authorizes the application for building permits, subject to the terms and conditions of master plan approval.~~

~~(5) Phasing of development, expansion, and future use of land shall be addressed as follows:~~

(~~a~~2) The county recognizes that economic and other considerations may necessitate the phasing of a major industrial development. Project phasing may occur in accordance with the standards for land divisions in LCC 17.05.140.

(~~b~~3) ~~Expansion or A~~amendments of the major industrial development ~~beyond the boundaries of the designated area shall require approval as described above~~ within the boundaries of the original site plan, shall require a binding site plan amendment by the hearing examiner.

(c) Future use of the site is determined and bound by the original application and/or development agreement. No other use is allowed without an amendment of the approved master plan.

## Commentary

Criteria for approval is moved to Standards.

**~~17.20B.030 Criteria for approval.~~**

~~In addition to any other findings required by law, the hearing examiner shall make written findings for specific projects proposed within sites designated pursuant to RCW 36.70A.368 and this chapter pertaining to the following:~~

~~(1) The site must consist of 1,000 or more acres of land formerly used or designated for surface coal mining and supporting uses that has been or will be reclaimed as land suitable for industrial development;~~

~~(2) New infrastructure including transportation, wastewater disposal, water service, school, fire and public safety must be capable of meeting demand generated by the planned industrial development;~~

~~(3) The master plan shall identify buffers to separate the master planned industrial development from incompatible but lawful rural areas, if any;~~

~~(4) Environmental review must be conducted as required in Chapter 17.110 LCC and Chapter 43.21C RCW. Environmental review may be processed as a planned action as long as it meets the provisions of RCW 43.21C.031 and the county has adopted a planned action ordinance;~~

~~(5) The master plan shall be consistent with county regulations established for the protection of critical areas;~~

~~(6) The water and wastewater facilities developed for the industrial park shall not be used or available outside of the boundaries of the designated master planned industrial development to assure that the new development will not encourage urban growth outside the boundaries of an approved urban growth area;~~

~~(7) Facilities, including water and wastewater utilities, may be provided to the master planned development by outside service providers, including municipalities and special purpose districts;~~

~~(8) Urban growth will not occur in adjacent nonurban areas;~~

~~(9) The plan is consistent with the following permitted uses:~~

~~(a) Industrial;~~

~~(b) Manufacturing;~~

~~(c) Commercial; provided, that commercial uses are directly related to manufacturing or industrial uses. Commercial uses shall not exceed 10 percent of the total gross floor area of buildings and facilities;~~

## Commentary

~~(d) Resource related, including resource uses defined in Chapter 17.30 LCC and renewable resources as provided in RCW 19.280.020; and~~

~~(e) Uses not specifically listed above may be approved, so long as the use is consistent with the applicable standards or criteria in RCW 36.70A.368, the Lewis County Code, and the Lewis County comprehensive plan;~~

~~(10) Significant adverse impacts of development within designated master planned industrial developments shall be mitigated.~~

# Commentary

## LEWIS COUNTY CODE 17.20E AMENDMENTS

The County has designated in the Lewis County Comprehensive Plan locations that meet RCW 36.70A.360 Master planned resorts. Designation of additional master planned resorts requires an amendment to the Lewis County Comprehensive Plan map.

The purpose of the Master Planned Resort designation is to create resort-style destinations that provide access to unique natural features. The development of the Master Planned Resort will be coordinated through a Binding Site Plan to ensure that resort has minimal impacts to surrounding properties.

The MPR zone is an overlay, meaning that it overlays the underlying zone. The property owner or owners can choose to follow the underlying zone or the overlay zone, but may not mix and match standards and requirements. For example, if the MPR overlay is used then the setbacks and height requirements for the MPR zone must be followed, instead of the underlying zone.

# Chapter 17.20E
# MASTER PLANNED RESORT

Sections:

17.20E.010 Purpose.
17.20E.020 ~~Designation criteria for master planned resorts~~ Applicability.
17.20E.030 Permitted Uses.
17.20E.040 ~~Minimum~~ Standards.
17.20E.050 ~~Master plan a~~Approval Process.
~~17.20E.060 Approved master planned resort.~~

## 17.20E.010 Purpose.

Master planned resorts in Lewis County are intended to enhance and diversify the recreational and economic opportunities that complement the natural and cultural attractiveness of the area without having significant adverse impacts on environmental and natural features, cultural or historic resources and their settings, or existing development. This chapter provides for the development of planned resorts with well-designed visitor-oriented accommodations, including residential, recreational, and commercial uses consistent with the comprehensive plan.

## 17.20E.020 ~~Designation criteria for master planned resorts~~ Applicability.

This title applies to development proposed for lands designated as Master Planned Resort (MPR) on the Lewis County Comprehensive Plan. The MPR is an overlay zone, where the underlying zoning remains in effect. A property owner(s) may choose to comply entirely with the standards of the underlying zoning, except as related to transient accommodations, or entirely with the standards of the MPR overlay zone. ~~Master planned resorts may be developed as a Type III binding site plan application when:~~

~~(1) The comprehensive plan specifically identifies policies to guide the development of master planned resorts;~~

~~(2) The comprehensive plan and development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the master planned resort, except in areas otherwise designated for urban growth under RCW 36.70A.110;~~

~~(3) The county includes a finding as a part of the approval process that the land is better suited, and has more long-term importance, for the master planned resort than for the commercial harvesting of timber or agricultural production, if located on land that otherwise would be designated as forest land or agricultural land under RCW 36.70A.170;~~

~~(4) The county ensures that the resort plan is consistent with the development regulations established for critical areas; and~~

## Commentary

The list of allowed uses is now included in Table 2 of Title 17.42, LCC. There is no need to repeat allowed uses in this section.

~~(5) On-site and off-site infrastructure and service impacts have been fully considered and appropriate mitigation measures have been established.~~

**17.20E.030 Permitted uses.**

See 17.42 Table 2 Summary of Land Uses. ~~The following uses are permitted provided the uses are part of an approved master planned resort pursuant to this chapter:~~

(1) Prohibited uses.

(a) Use of the subject property will be bound by the approved application and/or development agreement. No other use is allowed without the receipt of necessary approvals.

(b) Where the underlying base zone allows transient accommodations pursuant to Chapter 17.42, Table 2, LCC, new transient accommodations shall be prohibited unless approved through a binding site plan associated with a Master Planned Resort development.

(c) Proximity to a master planned resort designation, development or an associated extension of infrastructure shall not provide a basis for a comprehensive plan amendment to change the land use designation for property adjacent to the resort to a land use district with greater development density or more intensive uses.

~~(1) Visitor-oriented accommodations such as lodges, hotels, motels, bed and breakfast facilities, rental homes and cabins, rental condominiums, rental townhouses, time-share units, similar transient lodging facilities, convention and conference facilities, and appropriate support facilities.~~

~~(2) Residential dwellings such as single-family dwellings, multifamily dwellings, condominiums, townhouses, time-share units, and other residential dwellings compatible with the purposes of this section.~~

~~(3) Developed recreational facilities such as golf courses, clubhouses, pro shops, and sports and spa facilities, and undeveloped recreational areas.~~

~~(4) Boat docks and marinas compatible with the purposes of this section and the Lewis County shoreline master program.~~

~~(5) Commercial facilities and services such as restaurants, barber shops, beauty salons, specialty shops, real estate and other professional offices, grocery stores, pet boarding and care facilities, and other such services which provide for the needs of the community's residents and visitors and which are compatible with the purposes of this section.~~

~~(6) Open space areas such as lakes, wetlands, golf courses, greenbelts, buffers, and wildlife preserves.~~

## Commentary

The intent of the Master Planned Resort provisions is to have one application for Binding Site Plan that includes all property under the overlay. All development in the MPR zone should be self-contained and oriented inward, thus intended to serve the MPR and not allow expansion and impacts outward.

~~(7) Facilities necessary for public safety such as fire and security stations, waste disposal, and utilities within the master planned resort or the county, notwithstanding any limiting provision of this chapter to the contrary.~~

~~(8) Transportation related facilities, emergency medical facilities, and storage structures and areas, provided these uses are ancillary to the master planned resort.~~

~~(9) Cultural community and entertainment facilities such as theaters, amphitheaters, galleries, arts and craft centers, and interpretive centers which are compatible with the purposes of this section.~~

**17.20E.040 ~~Minimum s~~Standards.**

The following ~~minimum~~ standards apply to all master planned resorts. All standards shall be met.~~:~~

~~(1) A master planned resort, when approved in accordance with this chapter, is established as an overlay zone and, as such, does not alter the existing, underlying zoning designation. Development standards of this chapter shall, as applied to an approved master planned resort, supersede those of the underlying zone.~~

~~(2) Master planned resorts are urban-scale developments located in the rural area.~~

~~(3) The resort, including buffers and open space under the control of the development, is sited on a parcel or parcels of land no less than 40 contiguous acres.~~

~~(4) Existing state or county roads are adequate, or need minimal improvements, to serve the development.~~

~~(5) Capital facilities, utilities, and services, including those related to sewer, water, stormwater, security, fire suppression, and emergency medical, provided on site shall be limited to meeting the needs of the master planned resort. Such facilities, utilities, and services may be provided to a master planned resort by outside service providers including municipalities and special purpose districts; provided, that all costs associated with service extensions and capacity increases directly attributable to the master planned resort are fully borne by the resort. A master planned resort and service providers may enter into agreements for shared capital facilities and utilities; provided, that such facilities and utilities serve only the master planned resort or urban growth areas.~~

~~(6) At least 40 percent of the total of the site area, shall be dedicated to a mixture of permanent open space, natural areas, and/or active recreational areas, excluding streets, and parking areas.~~

(1) General standards. In addition to any other applicable standards, the standards in Table 1 shall be met.

## Commentary

**17.20E.040(2)**

The Master Planned Resort may be served by private water, sewer, transportation, security, etc. It is also anticipated that special districts or public providers provide the services. However, the cost of the shared services shall be covered by the Master Planned Resort owners, not the general public.

**17.20E.040(3)**

Master Planned Resorts are in a natural setting and should have an abundance of unpaved, natural open areas that provide recreation for users of the resort, as well as maintaining wildlife habitat.

**17.20E.040(4)**

There must be housing provided for employees of the master planned resort. There must be at least one (1) dwelling per every 10 hotel rooms, or every 10 bedrooms associated with short-term rentals or bed and breakfast establishments. For example, a resort with a 200-unit hotel and 25 two-bedroom cabins, 250 transient accommodation units total, is required to provide 25 dwelling units for employees. In addition, this example resort with 250 transient accommodation units, may include no more than 22 non-employee, long-term residential units, such as owner-occupied vacation homes.

Table 1: General Development Standards

| Development Standard | Commercial/Mixed Uses | Residential Uses |
|---|---|---|
| Minimum setbacks (feet) | | |
| Front | 0 | 10 |
| Rear | 5 | 5 |
| Side | 5 | 5 |
| Maximum building Height (feet)[1] | | |
| Habitable space | 40 | 35 |
| Non-habitable space | 65 | 50 |
| Minimum on-site parking | | |
| Vehicle spaces per dwelling unit | 0.5 | 1 |
| Vehicle spaces for commercial uses | See Chapter 17.17.220 | |

[1] Height shall be measured as feet above the mean ground level. See Chapter 17.80, Airport Obstruction Zone, for additional requirements.

~~(7) Active recreational uses such as golf courses, pools, tennis courts and playing fields shall be provided to adequately meet the needs of the residents and guests of the master planned resort.~~

(2) Capital facilities. Capital facilities, utilities, and services, including those related to sewer, water, stormwater, security, fire suppression, emergency medical, and transportation provided on site shall be limited to meeting the needs of the master planned resort and shall not serve any property or development outside of the master planned resort. Roads shall meet private road standards pursuant to Chapter 12.60, LCC. Such facilities, utilities, and services may be provided by outside service providers through a shared services agreement, including municipalities and special purpose districts; provided that all costs associated with service extensions and capacity increases directly attributable to the master planned resort are fully borne by the resort.

(3) Open space. At least 40 percent of the total of the site area, shall be dedicated to a mixture of permanent open space, natural areas, and/or active unpaved recreational areas (e.g., golf course), excluding streets, parking areas and private yards associated with residential uses. Pedestrian and bicycle paths, separated by at least three (3) feet from streets, except at access points, may be counted towards meeting the 40 percent open space requirement.

(~~8~~4) Residential uses. At least one (1) residential dwelling unit per every 10 transient accommodation units shall be provided for employees of the master planned resort. A transient accommodation unit is the equivalent of one (1) hotel room or one (1) bedroom in a short-term rental or bed and breakfast. Employee housing may be single family or multifamily. Additional long-term residential dwelling units for non-employees may be provided and shall not exceed 10 percent of the total transient accommodation units. ~~The maximum density for residential dwellings including hotel and motel units shall not exceed two units per gross acre of the overall master planned resort. Residential dwellings for long-term occupancy shall be limited to no more than 10 percent of the total number of residential units.~~

~~(9) Parking shall be provided for in accordance with a transportation management plan as submitted with the application and approved for the project.~~

## Commentary

**17.20E.040(5)**

Commercial uses are encouraged in master planned resorts; however, the commercial uses should be designed and oriented to serve the master planned resort, not the surrounding properties. Signs for the commercial uses should not be advertising outward of the master planned resort.

**17.20E.040(6)**

In addition, the outer edge of the master planned resort should include a vegetated buffer that provides screen of the resort. A berm with shrubs and trees planted on top of the berm, or a shrub hedge with trees shall be included.

~~(10) The minimum lot area, width, frontage and yard requirements, setback standards, street standards, and building heights otherwise applying to development in the underlying zone(s) may be modified consistent with the master planned resort, as approved in conformance with this chapter.~~

~~(11) The tract or tracts of land included in a proposed master planned resort must be in one ownership or control or the subject of a joint application by the owners of all the property included.~~

~~(12) All uses within the master planned resort shall be harmonious with each other through the use of special design, placement, or screening.~~

~~(13) Unless otherwise approved in accordance with applicable sign regulations, on-premises signs and off-premises signs shall be designed and erected in conformance with design guidelines, as submitted and approved with the project and off-premises signs shall be limited to those necessary for directional purposes.~~

(~~14~~5) Commercial uses. Commercial uses ~~services~~ ~~provided as part of the master planned resort~~ shall be contained within the ~~development~~ master planned resort and shall be oriented to serve the master planned resort. Driveway entrances to commercial uses shall be provided from the interior roads of the master planned resort. Signs shall be placed within the master planned resort and shall not be facing outward of the master planned resort, except one (1) monument sign may be placed at the primary entrance; see 17.142.207 Signs for additional standards. The protection of public views shall be considered in orienting such commercial services.

(6) Landscaping and screening. Landscaping installed for stormwater management may be counted towards meeting the landscaping requirements. Landscaping required below may not be counted towards meeting the requirement for 40% open space. Trees shall be selected and located to minimize the potential for interfering with or damaging power lines, underground utilities, or impervious surfaces, and to minimize potential damage to structures and injuries to people.

(a) Parking lots shall include at least one (1) tree and three (3) shrubs for every four (4) parking spaces.

(b) The external parcel boundaries of the master planned resort area, except within 10 feet of a road approach, shall be landscaped with at least one (1) tree every 20 feet on center and five (5) shrubs per every 10 linear feet. All shrubs and trees shall be native to the Pacific Northwest. Existing trees and shrubs that are retained may be counted towards this landscaping requirement. New trees must meet the setback requirements.

**17.20E.050 ~~Master plan a~~Approval process.**

(1) Permit type. The master planned resort may be approved through a Binding Site Plan, which is a Type III application decided by the Hearing Examiner. The Binding Site Plan shall include all tract(s) of land with the MPR zoning designation.

## Commentary

Expansion of the MPR boundary is not allowed through Lewis County Code. The MPR boundary would be processed as a Comprehensive Plan map amendment. However, within the outer boundary of the MRP, the Binding Site Plan could be amended by the Hearing Examiner.

(2) Ownership. The tract or tracts of land included in a master planned resort must be in one ownership or control or the subject of a joint application by the owners of all the property included. All contiguous tracts of land within the master planned resort zone shall be included in the binding site plan application.

(~~1~~3) ~~Phasing of development, expansion, and future use of land shall be addressed as follows:~~

~~(a)~~ Phasing. The county recognizes that economic and other considerations may necessitate the phasing of a master planned resort. Project phasing may occur in accordance with the standards for land divisions in LCC 17.05.140.

~~(c) Use of the subject property will be bound by the approved application and/or development agreement. No other use is allowed without the receipt of necessary approvals.~~

(~~d~~4) Environmental remediation. The owners of land approved and used for a master planned resort development shall be responsible for appropriate and suitable environmental remediation and/or restoration of the site in the case of abandonment of the project. The responsible party shall be identified in the development agreement and/or master plan approval. The responsibility for appropriate and suitable environmental remediation and/or restoration will be determined through environmental review of the application and commensurate with the impacts of the specific use permitted. An environmental remediation and/or restoration plan shall be established in the development agreement and master plan approval.

(~~b~~5) ~~Expansion or a~~ Amendments. Amendment of the approved master planned resort:

~~(i) Beyond the boundaries of the original site plan, shall require a new master plan application and hearing as required in this chapter.~~

~~(ii) W~~within the boundaries of the original site plan, shall require a ~~master~~ binding site plan amendment by the hearing examiner.

~~(2) Infrastructure. Proximity to a master planned resort designation, development or an associated extension of infrastructure shall not provide a basis for a comprehensive plan amendment to change the land use designation for property adjacent to the resort to a land use district with greater development density or more intensive uses.~~

**~~17.20E.060 Approved master planned resort.~~**

~~The approved master planned resort binds the project proponents and their successors to the proposed project as approved, applicable development standards of this chapter, and conditions of approval, if any. Approval of the master planned resort confirms that the proposal is consistent with the purpose of and provisions for master planned resorts and the comprehensive plan and provides the basis upon which subsequent permits, including building permits, may be reviewed and issued.~~

# Commentary

**LEWIS COUNTY CODE 17.30 Resource Lands.**

# Chapter 17.30
# RESOURCE LANDS

Sections:

Article I. General Provisions

17.30.010 Authority and title.
17.30.020 Purpose.
17.30.030 Policy.
17.30.040 Interpretation.
17.30.050 Duration.
17.30.060 Judicial review.

*Article II. Reserved*

Article III. General Requirements

17.30.290 Applicability.
17.30.300 Relationship to other regulations.
17.30.310 Exemptions.
17.30.360 Nonconforming activities.
17.30.370 Notification of proximity to natural resource lands - Conflict mitigation.
17.30.380 Nonregulatory incentives.
17.30.390 SEPA.
17.30.400 Judicial or legislative modification.
17.30.410 Cost recovery.

Article IV. Forest Resource Lands

17.30.420 Classification.
17.30.430 Designation.
17.30.440 ~~Uses~~ Purpose.
17.30.450 ~~Primary~~ Permitted uses.
~~17.30.460 Accessory uses.~~
~~17.30.470 Incidental uses.~~
~~17.30.475 Special uses.~~
17.30.490 Maximum density and minimum lot area.
17.30.500 Setbacks.
17.30.510 Water supply.
17.30.520 Access.
17.30.530 Surveys.
17.30.560 Process for petitioning for designation as a forest land of local importance ("opt-in").

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# Commentary

Article V. Agricultural Resource Lands

17.30.570 Farmland of local importance.
17.30.580 Maps and inventory.
17.30.590 Use exceptions in ARL.
17.30.600 Relief from errors in ARL designation.
17.30.605 ~~Uses~~ Purpose.
17.30.610 ~~Primary~~ Permitted uses.
~~17.30.620 Accessory uses directly connected with agricultural activity.~~
~~17.30.623 Accessory uses not directly connected with agricultural activity.~~
~~17.30.630 Incidental uses.~~
~~17.30.635 Special uses.~~
17.30.650 Maximum density and minimum lot area.
17.30.660 Setbacks.
17.30.670 Process for petitioning for designation as a farmland of local importance ("opt-in").
17.30.680 Nonregulatory incentives.

Article VI. Mineral Resource Lands

17.30.720 Classification.
17.30.730 Designation.
17.30.740 Maps and inventory.
17.30.750 ~~Primary~~ Permitted uses.
~~17.30.760 Accessory uses.~~
~~17.30.770 Incidental uses.~~
17.30.790 Standards for existing permits.
17.30.800 Lot size/density.
17.30.810 Setbacks - Buffers.
17.30.820 Preferential right to manage resources - Right to mine.
17.30.850 Process for petitioning for designation as a mineral resource land ("opt-in").

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# Commentary

## Article 1. General Provisions

[No Change]

## Article II. Reserved

[No Change]

## Article III. General Requirements

### 17.30.290 Applicability.

[No Change]

### 17.30.300 Relationship to other regulations.

[No Change]

### 17.30.310 Exemptions.

The following activities shall be exempt from the provisions of this chapter:

(1) Existing and ongoing agricultural activities may persist ~~on lands designated as resource lands on the effective date of the ordinance codified in this chapter~~;

(2) Normal and routine maintenance and operation of existing irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, landscape amenities, farm ponds, fishponds, manure lagoons, and animal water ponds; provided, that such activities do not involve conversion of any resource lands to other than resource land uses;

(3) Maintenance, operation, repair, or replacement of utility facilities and associated rights-of-way, including but not limited to reasonable access roads, and construction of utility facilities reasonably necessary;

(4) Passive recreational uses, sport fishing or hunting, scientific or educational review, or similar minimal-impact, nondevelopment activities;

(5) Site investigative work required by a city, county, state, or federal agency in conjunction with the preparation of a land use application submittal such as surveys, soil logs, percolation tests, and other related activities. In any such activity, resource lands are avoided where possible and minimized where necessary, and disbursed to the extent possible;

# Commentary

(6) Maintenance, operation, reconstruction of or addition to existing roads, streets, and driveways; provided, that reconstruction of any such facilities does not extend outside the previously disturbed area;

(7) Any projects currently under review and "vested" as that term is used in RCW 19.27.095 and 58.17.033 by local, state, or federal agencies prior to official adoption of the ordinance codified in this chapter are exempt from this chapter and will be grandfathered under previous resource lands protection measures; provided, however, "vested properties" shall include any property acquired for development purposes where the following qualifications have been met: (a) the purchase includes lands designated as resource lands pursuant to this chapter; (b) the purchaser can demonstrate through some objective means that the property was acquired for present development purposes (e.g., more than generalized intent, such as a feasibility study, nature of purchaser's business, or other facts or data); and (c) the earnest money agreement is complete and binding on both parties within 90 days prior to the effective date of the ordinance codified in this chapter; and provided further, such additional vested rights shall be in effect only for the subdivision of such property in fact completed (final plat recorded) within 18 months of the effective date of the ordinance codified in this chapter.

**17.30.360 Nonconforming activities.**

An established use or existing structure that was lawfully permitted prior to adoption of the ordinance codified in this chapter, but which is not in compliance with this chapter, shall be processed under this section and not under Chapter 17.155 LCC. The nonconforming activity may continue subject to the following:

(1) Nonconforming uses shall not be expanded or changed in any way that increases the nonconformity without a permit reviewed as a Type III application per Chapter 17.05 LCC or other approval issued pursuant to the provisions of this chapter;

(2) Existing structures shall not be expanded or altered in any manner which will increase the nonconformity without a permit reviewed as a Type III application per Chapter 17.05 LCC or other approval issued pursuant to the provisions of this chapter, except single-family dwellings and accessory structures may be expanded or altered as follows: reconstruction, remodeling, or maintenance of one-family dwellings and accessory structures existing on the effective date of the ordinance codified in this chapter shall be allowed; provided, that a one-time only expansion of the building footprint does not increase that footprint by more than 25 percent;

(3) Activities or Uses Which Are Abandoned. A use discontinued for 60 months shall be presumed abandoned, but such presumption may be rebutted. An abandoned use or structure is allowed to resume only if in compliance with this chapter; and

## Commentary

(4) Nonconforming structures destroyed by fire, explosion, or other casualty may be replaced or restored if reconstruction of the same facility is commenced within two years of such damage. The reconstruction or restoration shall not serve to expand, enlarge, or increase the extent of the nonconformity.

**17.30.370 Notification of proximity to natural resource lands – Conflict mitigation.**

[No Change]

**17.30.380 Nonregulatory incentives.**

[No Change]

**17.30.390 SEPA.**

[No Change]

**17.30.400 Judicial or legislative modification.**

[No Change]

**17.30.410 Cost recovery.**

[No Change]

**Article IV. Fores Resource Land**

**17.30.420 Classification.**

[No Change]

**17.30.430 Designation.**

[No Change]

**17.30.440 ~~Uses~~ Purpose.**

[No Change]

**~~17.30.450 Primary~~ Permitted Uses.**

See 17.42, Table 2, Land Use Summary.

DRAFT

## Commentary

~~(1) The growing and harvesting of timber, forest products, and associated management activities in accordance with the Washington Forest Practices Act of 1974 as amended, and regulations adopted pursuant thereto.~~

~~(2) Removal, harvesting, wholesaling, and retailing of vegetation from forest lands including, but not limited to, fuel wood, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs, and mushrooms.~~

~~(3) Agriculture, floriculture, horticulture, general farming, dairy, the raising, feeding and sale or production of poultry, livestock, fur-bearing animals, honeybees including feeding operations, Christmas trees, nursery stock and floral vegetation, and other agricultural activities and structures accessory to farming and animal husbandry.~~

~~(4) Rural governmental services, subject to a Type II administrative approval.~~

~~(5) Extraction and processing of rock, gravel, coal, oil, gas, mineral, and geothermal resources.~~

**~~17.30.460 Accessory Uses.~~**

~~Uses allowed outright where directly connected with and in aid of a forestry activity:~~

~~(1) One single-family dwelling unit or mobile home per lot, parcel, or tract;~~

~~(2) One accessory dwelling unit in conjunction with a single-family dwelling or mobile home. Kitchen facilities may not be provided in accessory dwelling units;~~

~~(3) Storage of explosives, fuels, and chemicals used for agriculture and forestry subject to all applicable local, state, and federal regulations;~~

~~(4) Forestry, environmental, and natural resource research;~~

~~(5) Recreational vehicle parks and campgrounds that meet the requirements of Chapter 17.144 LCC, RV Parks and Campgrounds;~~

~~(6) Recreational facilities such as dispersed camping, trails, trailheads, snowparks, warming huts for climbers and cross-country skiers, boat launches, and accessory uses. Dispersed camping must be associated with other recreational facilities;~~

~~(7) Aircraft landing fields, heliports;~~

~~(8) Watershed management facilities, including but not limited to diversion devices, impoundments, dams for flood control, fire control, and stock watering.~~

## Commentary

**~~17.30.470 Incidental uses.~~**

~~Uses which may provide supplementary income without detracting from the overall productivity of the forestry activity. The listed uses below are allowed where the following elements are found:~~

~~(1) Required Elements.~~

~~(a) The use will not adversely affect the overall productivity of the forest nor affect more than five percent of the prime soils (15 percent as provided below in LCC 17.30.490(3)) on any forest resource lands (including all contiguous tracts or parcels in common ownership) on the date this chapter is effective.~~

~~(b) The use is secondary to the principal activity of forestry.~~

~~(c) The use is sited to avoid prime lands where feasible and otherwise to minimize impact on forest lands of long-term commercial significance.~~

~~(2) Uses Allowed as Incidental Activities.~~

~~(a) Residential subdivision consistent with the requirements of this chapter.~~

~~(b) Saw mills, shake and shingle mills, the production of green veneer and other products from wood residues, chippers, pole yards, log sorting and storage, debarking equipment, accessory uses including, but not limited to, scaling and weigh stations, temporary crew quarters, storage and maintenance facilities, residue storage areas, and other uses involved in the harvesting and commercial production of forest products.~~

~~(c) Treatment of wastewater or application of biosolids when not a forest practice regulated by the state.~~

~~(d) State correction work camps to supply labor for forest management related work projects and for forest fire control.~~

~~(e) Plywood mills, particleboard plants, and drying kilns.~~

**~~17.30.475 Special uses.~~**

~~The following uses may locate in privately owned forest resource lands with a special use permit:~~

~~(1) Marijuana production.~~

~~(2) Type 1 marijuana processing~~.

## Commentary

**17.30.490 Maximum density and minimum lot area.**

[No Change]

**17.30.500 Setbacks.**

[No Change]

**17.30.510 Water supply.**

[No Change]

**17.30.520 Access.**

[No Change]

**17.30.530 Surveys.**

[No Change]

**17.30.560 Process for petitioning for designation as a forest land of local importance ("opt-in").**

[No Change]

**Article V. Agricultural Resources Lands**

**17.30.570 Farmland of local importance.**

[No Change]

**17.30.580 Maps and inventory.**

[No Change]

**17.30.590 Use exceptions in ARL.**

[No Change]

**17.30.600 Relief from errors in ARL designation.**

[No Change]

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## Commentary

The Land Use Summary Table in LCC 17.42 includes all primary and accessory uses allowed in the ARL zone; therefore 17.30.610 and .620 are redundant and removed.

**17.30.605 ~~Uses~~ Purpose.**

The intent and purpose of this section is to maintain and enhance resource-based industries, encourage the conservation of agricultural lands, and discourage incompatible uses. All primary and accessory uses shall be entitled to protection under the protective provisions of Chapter 17.40 LCC.

**~~17.30.610 Primary~~ Permitted uses.**

See 17.42, Table 2, Land Use Summary.

~~(1) Agriculture and agricultural activities including aquaculture, viticulture, floriculture, horticulture, general farming, dairy, the raising, feeding, and sale or production of poultry, livestock, fur-bearing animals, honeybees including feeding operations, Christmas trees, nursery stock, and floral vegetation, agricultural processing facilities, commercial greenhouse operations that are an integral part of a local soil-based commercial agricultural operation, wholesale nurseries, and other agricultural activities.~~

~~(2) Removal, harvesting, wholesaling, and retailing of vegetation from agricultural lands including, but not limited to, fuel wood, cones, Christmas trees, salal, berries, ferns, greenery, mistletoe, herbs, and mushrooms.~~

~~(3) One single-family dwelling unit or mobile home.~~

~~(4) Rural governmental services, subject to a Type II administrative approval.~~

~~(5) Growing and harvesting of timber.~~

**~~17.30.620 Accessory uses directly connected with agricultural activity~~.**

~~Uses allowed outright where directly connected with and in aid of an agricultural activity:~~

~~(1) Storage of explosives, fuels, and chemicals used for agriculture and forestry subject to all applicable local, state, and federal regulations;~~

~~(2) Structures accessory to farming, animal husbandry, and the growing and harvesting of timber;~~

~~(3) Agricultural, environmental, and natural resource research;~~

~~(4) Private aircraft landing fields, heliports;~~

~~(5) Watershed management facilities, including, but not limited to, diversion devices, impoundments, private dams for flood control, fire control, stock watering, and private hydroelectric generating facilities;~~

## Commentary

~~(6) Storage and application of agricultural waste;~~

~~(7) Disposal of farm-generated solid waste and application of biosolids;~~

~~(8) Agricultural storage, distribution, marketing and processing of regional agricultural products from one or more producers, agriculturally related experiences, or the production, marketing, and distribution of value-added agricultural products, including support services that facilitate these activities;~~

~~(9) Nonagricultural accessory uses and activities as long as they are consistent with the size, scale, and intensity of the existing agricultural use of the property and the existing buildings on the site. Nonagricultural~~ Aaccessory uses and activities, including new buildings, parking, or supportive uses, shall not be located outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one (1) acre of agricultural land to nonagricultural uses (RCW 36.70A.177);.

~~(10) Family day care and home businesses.~~

**~~17.30.623 Accessory uses not directly connected with agricultural activity.~~**

~~Uses allowed outright where not directly connected with and in the aid of an agricultural activity:~~

~~(1) An accessory dwelling unit, subject to the standards in Chapter 17.102 LCC, when the unit is not located outside the general area already developed for buildings and residential uses, and does not otherwise convert more than one acre of prime agricultural soils on agriculturally zoned land to nonagricultural use.~~

**~~17.30.630 Incidental uses.~~**

~~Uses which may provide supplementary income without detracting from the overall productivity of the farming activity. The listed uses below are allowed where the following elements are found:~~

~~(1) Required Elements.~~

~~(a) The use is secondary to the principal activity of agriculture.~~

~~(b) The use is sited to promote successful agriculture for the long term on the remaining balance of the parcel. The location of the incidental use, for example, may be sited on soils that are less suitable for agriculture, may be contiguous to a road or other land use that is less conducive to farming, or may be sited to avoid the need to put other infrastructure across an area desirable for agriculture.~~

## Commentary

~~(2) Uses Allowed as Incidental Activities.~~

~~(a) Residential subdivision consistent with the requirements of this chapter;~~

~~(b) Saw mills, shake and shingle mills, and the production of other products from wood residues, chippers, pole yards, log sorting and storage, debarking equipment, accessory uses including, but not limited to, scaling and weigh stations, temporary crew quarters, storage and maintenance facilities, residue storage areas, and other uses involved in the harvesting and commercial production of forest products;~~

~~(c) Agribusiness such as but not limited to retail sales of agricultural products, veterinary clinics, auction yards, farm equipment sale and repair;~~

~~(d) Regulated treatment of wastewater;~~

~~(e) Composting where there is no net loss of soil, managed according to an approved nutrient management plan in conjunction with the local conservation district and NRCS standards and all applicable environmental, solid waste, access, and health regulations.~~

**~~17.30.635 Special uses.~~**

~~The following uses may locate in privately owned agricultural resource lands with a special use permit:~~

~~(1) Marijuana production.~~

~~(2) Type 1 marijuana processing.~~

**17.30.650 Maximum density and minimum lot area.**

[No Change]

**~~17.30.660 Setbacks.~~**

~~(1) For All Non-Farm-Related Development within Agricultural Resource Areas or on Lands Adjacent to or Abutting Agricultural Resource Lands. All structures shall maintain a minimum setback of 100 feet and all wells shall be set back 200 feet from designated agricultural tracts or any tracts used for agricultural purposes within the past five years, except for structures, uses, and activities provided under LCC 17.30.610 through 17.30.650; provided, however, the administrator may reduce the setback where:~~

~~(a) It is not reasonable to accomplish the setback given the topography, soils, or shape of the site; and~~

## Commentary

~~(b) The owner requesting the administrative variance records an agricultural easement for the benefit of the abutting commercial lands of significance, granting a right to all normal and customary~~ agricultural primary or accessory practices in accordance with recommended best management practices in Lewis County.

**17.30.670 Process for petitioning for designation as a farmland of local importance ("opt-in").**

[No Change]

**17.30.680 Nonregulatory incentives.**

[No Change]

**Article VI. Mineral Resource Lands**

**17.30.720 Classification.**

[No Change]

**17.30.730 Designation.**

[No Change]

**17.30.740 Maps and inventory.**

[No Change]

**17.30.750 ~~Primary~~ Permitted uses.**

See 17.42, Table 2, Land Use Summary LCC.

~~(1) Quarrying and mining of minerals or material, including, but not limited to, sand and gravel, sand, rock, clay, coal, and valuable metallic and nonmetallic substances.~~

~~(2) The exploitation, primary reduction, treatment, and processing of minerals or materials, together with the necessary buildings, structures, apparatus, or appurtenances on said property where at least one of the major mineral or material constituents being exploited is from said property, including, but not limited to, concrete hatching, asphalt mixing, brick, tile, terra cotta, and concrete products, manufacturing plants, and rock crushers and the use of accessory minerals and materials from other sources necessary to convert the minerals and materials to marketable products.~~

DRAFT

## Commentary

~~(3) Agricultural crops, open field growing, stock grazing, and the harvesting of any wild crop such as marsh hay, ferns, moss, berries, etc., which may coexist with mineral extraction activities within a common ownership.~~

~~(4) Existing surface mining operations, operating under the authority of the Washington State Surface Mining Act, Chapter 78.44 RCW.~~

~~(5) Mining-related activities and structures.~~

~~(6) The maintenance of gas, electric, water, communication, and public utility facilities.~~

~~(7) Rural governmental services, subject to a Type II administrative approval.~~

~~(8) Residences existing at the time of adoption of the ordinance codified in this chapter and any accessory uses, including home occupations associated with such residences.~~

**~~17.30.760 Accessory uses.~~**

~~Uses allowed outright where directly connected with and in aid of a mining activity:~~

~~(1) One single-family dwelling or mobile home per contiguous ownership or one single-family dwelling or mobile home per 10-acre unit of that contiguous ownership, whichever is the lesser acreage;~~

~~(2) Home occupations associated only with the dwelling;~~

~~(3) Buildings accessory to a single-family dwelling or mobile home, such as garages, storerooms, woodsheds, laundry rooms, playhouses, greenhouses, hobby shops, animal or fowl shelters, or similar and related accessory uses;~~

~~(4) Storage of explosives, fuels, and chemicals used for agriculture, mining, and forestry subject to all applicable local, state, and federal regulations;~~

~~(5) Watershed management facilities including, but not limited to, diversion devices, impoundments, dams for flood control, fire control, stock watering, and hydroelectric generating facilities, when associated with a permitted use or structure.~~

**~~17.30.770 Incidental uses.~~**

~~Uses which may provide supplementary income without detracting from the overall productivity of the mining activity. The listed uses below are allowed where the following elements are found:~~

~~(1) Required Elements.~~

~~(a) The use will not adversely affect the overall productivity of the mining activity.~~

## Commentary

~~(b) The use is secondary to the principal activity of mining.~~

~~(c) The use is sited to avoid prime lands where feasible and otherwise to minimize impact on mineral lands of long-term commercial significance.~~

~~(2) Uses Allowed as Incidental Activities.~~

~~(a) The growing and harvesting of forest products, the operation of portable saw mills and chippers and activities and structures incidental to each, and accessory facilities including, but not limited to, scaling and weigh stations, temporary crew quarters, storage and maintenance facilities, residue storage and disposal areas, and other uses and facilities involved in the harvesting and commercial production of forest products which may coexist with mineral extraction activities within a common ownership.~~

~~(b) Repealed by Ord. 1274.~~

~~(c) Commercial extraction and processing of oil, gas, and geothermal resources.~~

~~(d) Permanent saw mills, shake and shingle mills, plywood mills, green veneer plants, particle board plants and other products from wood residues, chippers, pole yards, log sorting and storage, buildings for debarking, and drying kilns and equipment.~~

~~(e) Structures for agriculture, floriculture, horticulture, general farming, dairy, the raising, feeding and sale or production of poultry, livestock, fur-bearing animals, honeybees including feeding operations, Christmas trees, nursery stock, and floral vegetation and other agricultural structures accessory to farming and animal husbandry.~~

~~(f) Forestry, environmental, and natural resource research facilities.~~

~~(g) Telecommunication facilities and electrical transmission lines.~~

**17.30.790 Standards for existing permits.**

[No Change]

**17.30.800 Lot size/density.**

[No Change]

**17.30.810 Setbacks - Buffers.**

[No Change]

## Commentary

**17.30.820 Preferential right to manage resources - Right to mine.**

[No Change]

**17.30.850 Process for petitioning for designation as a mineral resource land ("opt-in").**

[No Change]

DRAFT

**LEWIS COUNTY CODE 17.42.017 Land Use Summary**

## 17.42.017

The new zoning designation was added to implement new zoning standards for small town UGAs, implemented by LCC 17.17. And, adding a new RRC for $\frac{1}{4}$ acre lot to the existing table.

**Chapter 17.42**
**Zoning Summary**

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

DRAFT

# Commentary

**17.42.10 Purpose.**

Rural lands are divided into a number of zoning districts. The uses permitted in each of the zoning districts are set forth on a zoning chart that is intended to identify uses and limitations.

**17.42.015 Conflicts.**

Where conflicts between the text and the zoning summary chart exist, the chart shall prevail.

**17.42.017 Minimum lot size summary.**

Except within Urban Growth Area – Small Towns, See Table 1 includes the minimum lot size requirements ~~of this section~~.

Table 1: Minimum Lot Size Summary

| Zone | Name | Minimum Lot Size[1] | Notes | Reference |
|---|---|---|---|---|
| | | **Rural Zones** | | |
| **Primary FRL** | Primary Forest Resource Land | 80 acres | Residential subdivision of land may be approved with lot sizes under the allowed minimum provided that 17.30.490(3)(a) through (e) are met. | 17.30.490(1) |
| **Local FRL** | Forest Land of Local Importance | 20 acres | | 17.30.490(2) |
| **ARL** | Agricultural Resource Land | 20 acres | A clustered subdivision may include lots smaller than 20 acres provide that 17.30.650(1)(a)-(c) are met. | 17.30.650<br>16.18 |
| **MRL** | Mineral Resource Land | 10 acres | Exceptions to the minimum lot size may be made if it is found by Lewis County to be a necessary part of or accessory to mining operations. | 17.30.800 |
| **RDD-20** | Rural Development District 20 | 20 acres | In RDD-20, all contiguous property 30 acres or larger, but less than 40 acres, may be divided into two lots. This one-time provision is only applicable to legal lots of record in existence prior to the adoption date of May 12, 2002. Clustering is allowed. | 17.100.15(1)(c)<br>17.100.060(2)<br>16.18 |

DRAFT

## Commentary

The STR-4 zone is a minimum $\frac{1}{4}$ acre lot size with the same allowances as the RRC zones. The STR-4 is removed and a new RRC-B, with $\frac{1}{4}$ acre lot size, is added. The RRC zone codes are changed to be more legible on the official zoning map.

| | | | | |
|---|---|---|---|---|
| **RDD-10** | Rural Development District 10 | 10 acres | In RDD-10, all contiguous property 15 acres or larger, but less than 20 acres, may be divided into two lots. This one-time provision is only applicable to legal lots of record in existence prior to the adoption date of May 12, 2002.<br>Clustering is allowed. | 17.100.15(1)(b)<br>17.100.060(2)<br>16.18 |
| **RDD-5** | Rural Development District 5 | 5 acres | Clustering is allowed. | 17.100.15(1)(a)<br>17.100.060(2)<br>16.18 |
| **STMU** | Small Town Mixed Use | N/A | There is no minimum lot size requirement for STMU. Minimum lot size is determined by health code and available utilities. | 17.45<br>16.05.300(3) |
| **~~STR-4~~** | ~~Small Town Residential~~ | ~~¼ acre~~ | ~~*none*~~ | ~~17.50.050~~ |
| **STI** | Small Town Industrial | N/A | There is no minimum lot size requirement for STI. Minimum lot size is determined by health code and available utilities. | 17.55<br>16.05.300(3) |
| **CC** | Crossroads Commercial | N/A | There is no minimum lot size requirement for CC. Minimum lot size is determined by health code and available utilities. | 17.60<br>16.05.300(3) |
| **FC** | Freeway Commercial | N/A | There is no minimum lot size requirement for FC. Minimum lot size is determined by health code and available utilities. | 17.65<br>16.05.300(3) |
| **RRC-~~R10000~~<u>A</u>** | Rural Residential Center 10 | 10,000 square feet | *none* | 17.95.050(1) |
| **<u>RRC-B</u>** | <u>Rural Residential Center 0.25</u> | <u>¼ acre</u> | <u>*none*</u> | <u>17.95.050(2)</u> |
| **RRC-~~R.5~~<u>C</u>** | Rural Residential Center 0.5 | ½ acre | *none* | 17.95.050(~~2~~<u>3</u>) |
| **RRC-~~R1~~<u>D</u>** | Rural Residential Center 1 | 1 acre | *none* | 17.95.050(~~3~~<u>4</u>) |
| **RRC-~~R2~~<u>E</u>** | Rural Residential 2 | 2 acres | *none* | 17.95.050(~~4~~<u>5</u>) |
| **RAI** | Rural Area Industrial | N/A | There is no minimum lot size requirement for RAI.<br>Minimum lot size is determined by health code and available utilities. | 17.75 |
| **TSA** | Tourist Service Area | 10 acres | *none* | 17.70.040(1) |
| **Park** | Parks and Open Space | N/A | There is no minimum lot size requirement for Park.<br>Minimum lot size is determined by health code and available utilities. | 17.42.020<br>Table 2 |

1 – There are several exceptions to the standard minimum lot size. Please refer to Lewis County Code Title 16, Subdivisions.

DRAFT

## Commentary

Table 2 is replaced entirely. For ease of reading, the new Table 2 is not underlined.

The existing Table 2 groups many uses under generalized categories, creating confusion. By expanding the use table, there will be consistency in how the use allowances are implemented. In addition, it will be easier for the public to determine if a particular land use is allowed within any given zone.

While expanding the table, the County attempted to retain the same allowance for most rural zones as existed in 2025. Some changes were made to reflect changes in state law regarding housing, day care facilities and energy production facilities. In addition, the allowances for resource lands were relocated from 17.30 to Table 2.

**17.42.020 Land Use Summary**

See Table 2 of this section.

Table 2: Land Use Summary

| **USE TYPE** | **RURAL** | | | **LAMIRD Type 1** | | | **LAMIRD Type 2** | **LAMIRD Type 3** | | | **RESOURCE** | | | **OTHER RURAL** | | **UGA** | **UGA – Small Towns** | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **RESIDENTIAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Accessory dwelling unit (ADU) [4] | P | P | P | P | P | P | X | X | X | X | P | P | X | X | X | X | P | P | X/P[2] | X | X | P | X | X |
| Assisted living facility, adult family home | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 6 persons | P | P | P | P | P | X | X | X | X | X | X | X | X | X | X | X | P | P | P | P | X | X | X | X |
| 7 or more persons | A | A | X | P | A | X | X | X | X | X | X | X | X | X | X | X | A | A | A | A | A | X | X | X |
| Apartments, condos | X | X | X | A[1] | X | X | X | X | X | X | X | X | X | P | X | X | X | P[1] | P[1] | P[1] | P[1] | X | X | X |
| Co-living, except assisted living facility, adult family home | P | P | P | P | P | X | X | X | X | X | X | X | X | P | X | X | P | P | P | P | P | X | X | X |
| Cottage housing, manufactured home park | X | X | X | A[1] | A[1] | X | X | X | X | X | X | X | X | X | X | X | A[1] | X | X | X | X | X | X | X |
| Crisis housing, safe or shelter home | X | X | X | P | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | P | P | X | X | X |
| Detached Bedroom | P | P | P | P | P | X | X | X | X | X | P | P | X | X | X | X | P | X | X | X | X | X | X | X |
| Duplex | P | P | P | P | P | X | X | X | X | X | X | X | X | X | X | X | P | P | X | X | X | X | X | X |
| Emergency housing (e.g. night-by-night) | X | X | X | P | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | P | P | X | X | X |
| Family day care, childcare provider | P | P | P | P | P | P | X | X | X | X | See home-based | | X | P | X | X | P | P | P | P | P | P | X | X |
| Farm labor housing | P | P | P | P | P | X | X | X | X | X | P | P | X | X | X | X | X | X | X | X | X | X | X | X |
| Non-permanent supportive housing | X | X | X | P | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | P | P | X | X | X |
| Outbuildings – detached garage, barn, shop, shed, chicken coop | P | P | P | P | P | P | X | X | X | X | P | P | P | P | X | X | P | P | P | P[3,4] | X | P | X | X |
| Permanent supportive, transitional housing | X | X | X | P | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | P | P | X | X | X |
| Single family residential | P | P | P | P | P | A | X | X | X | X | P | P | P | P | X | X | P | P | X[3] | X/P[3,4] | X | P | X | A |
| Townhomes, up to six attached dwelling units | X | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | P[1] | P[1] | P[1] | X | X | X | X |
| Triplex | X | X | X | A[1] | A[1] | X | X | X | X | X | X | X | X | P | X | X | X | P[1] | P[1] | P[1] | X | X | X | X |
| Quadplex | X | X | X | A[1] | A[1] | X | X | X | X | X | X | X | X | P | X | X | X | P[1] | P[1] | P[1] | X | X | X | X |
| **COMMERCIAL/PROFESSIONAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Agriculture, agricultural activities, farming (except CAFO) | P | P | P | X | P | P | X | X | P | P | P | P | P | X | X | X | X | X | X | X | X | X | X | X |
| Agritourism | P – ac. | P – ac. | P – ac. | X | P – ac. | P – ac. | X | X | P – ac. | P – ac. | P – ac. | P – ac. | P – ac. | X | X | X | X | X | X | X | X | X | X | X |
| Agricultural Waste Storage | P – ac. | P – ac. | P – ac. | X | X | X | X | X | X | X | P – ac. | P – ac. | X | X | X | X | X | X | X | X | X | X | X | X |
| Animal | | | | | | | | | | | | | | | | | | | | | | | | |
| Kennel, boarding, day care, shelter | A | A | A | A | X | P | X | P | P | X | P – ac. | P – ac. | X | X | X | X | See home-based business | | | P | P | P | P | X |
| Grooming | A | A | A | P | See home-based | P | X | P | P | X | P – ac. | P – ac. | X | X | X | X | See home-based business | | | P | P | P | P | X |

## Commentary

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

| **USE TYPE** | **RURAL** | | | **LAMIRD Type 1** | | | **LAMIRD Type 2** | **LAMIRD Type 3** | | | **RESOURCE** | | | **OTHER RURAL** | | **UGA** | **UGA – Small Towns** | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **COMMERCIAL/PROFESSIONAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Auctioneering | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | A | A | A | A | X | A | X | A | A | A | X | X | X | X | X | | X | X | X | X | A | A | A | X |
| Outdoor | SUP | SUP | SUP | X | X | SUP | X | SUP | SUP | SUP | X | X | X | X | X | | X | X | X | X | A | A | A | X |
| Automotive sales, rental | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 1 acre (outside use) | A | A | A | A | X | A | X | X | P | X | X | X | X | X | X | X | X | X | X | X | P | P | X | X |
| Over 1 acre (outside use) | X | X | X | X | X | A | X | X | A | X | X | X | X | X | X | X | X | X | X | X | P | P | X | X |
| Biosolids application | P – ac. | P – ac. | P – ac. | X | X | X | X | X | X | X | P – ac. | P – ac. | X | X | X | X | X | X | X | X | X | X | X | X |
| Barber, hairdresser | See home-based business | | | P | See home-based | P | X | X | P | X | See home-based business | | | X | X | X | See home-based business | | | P | P | P | X | X |
| Cannabis retail | X | X | X | A | X | A | X | X | A | X | X | X | X | X | X | X | X | X | X | A | A | A | X | X |
| Car washing | X | X | X | A | X | A | X | X | A | X | X | X | X | X | X | X | X | X | X | A | A | A | X | X |
| Confined animal feeding operation | X | X | X | X | X | X | X | X | X | X | SUP | SUP | X | X | X | X | X | X | X | X | X | X | X | X |
| Distribution center | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | P | X | X | X | X | X | P | P | X |
| Electric vehicle charging station | X | X | X | P | P | P | X | P | P | P | X | X | X | X | X | X | X | X | X | P | P | P | P | X |
| Event center, stand alone | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5,000 square feet | A | A | A | A | X | A | X | A | A | X | X | X | X | P | X | X | X | X | X | A | A | A | X | X |
| 5,000 to 10,000 square feet | SUP | SUP | SUP | SUP | X | SUP | X | SUP | A | X | X | X | X | P | X | X | X | X | X | A | A | A | X | X |
| Over 10,000 square feet | X | X | X | X | X | X | X | X | P | X | X | X | X | P | X | X | X | X | X | X | SUP | SUP | X | X |
| Forestry, forest practices | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | X | X | X | X | X | X | X | X |
| Fueling/charging station | | | | | | | | | | | | | | | | | | | | | | | | |
| Automotive, convenience store | P | P | P | P | SUP | P | P | P | P | P | P – ac. | P – ac. | P – ac. | P | X | P | X | X | X | P | P | P | P | X |
| Truck Stop | P | P | P | X | X | X | X | X | P | X | X | X | X | X | X | X | X | X | X | X | X | P | P | X |
| Grocery/household goods, retail | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5,000 square feet | P | P | P | P | P | P | P | P – ac. | P | X | P – ac. | X | X | P | P – ac. | P – ac. | X | X | P | P | P | P | P – ac. | X |
| 5,000 to 10,000 square feet | A | A | A | P | A | P | P | P – ac. | P | X | P – ac. | X | X | P | X | X | X | X | X | P | P | P | P – ac. | X |
| 10,000 up to 20,000 square feet | X | X | X | X | X | X | X | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Home-based business (cottage industries) | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5,000 square feet | P | P | P | P | P | P | X | P | P | X | P | P | P | X | X | X | P | P | P | P | P | P | X | X |
| Over 5,000 square feet | A | A | A | A | A | A | X | A | A | X | P | P | P | X | X | X | P | P | P | P | P | P | X | X |
| Landscaping retail, supply | P | P | P | P | X | P | X | X | P | X | P – ac. | P – ac. | P – ac. | X | X | X | X | X | X | P | P | P | X | X |
| Laundromat, dry cleaner | X | X | X | P | X | P | P | X | X | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Liquor, standalone retail | X | X | X | A | X | A | X | X | A | X | X | X | X | X | X | X | X | X | X | A | A | A | X | X |
| Lodging and accommodations | | | | | | | | | | | | | | | | | | | | | | | | |
| Bed and breakfast | P | P | P | P | P | P | P | X | X | X | X | X | X | P | X | X | P | P | P | P | P | X | X | X |
| Hostel | SUP | SUP | SUP | P | X | P | P | X | X | X | X | X | X | P | X | X | X | X | X | P | P | X | X | X |
| Hotel or motel | SUP | SUP | SUP | P | SUP | P | P | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Time-share units | SUP | SUP | SUP | P | X | X | P | X | X | X | X | X | X | P | X | X | X | X | X | P | P | X | X | X |
| Cabin or Yurt Village | SUP | SUP | SUP | P | SUP | P | P | X | X | X | X | X | X | P | X | X | X | X | X | P | SUP | SUP | X | X |
| Short Term Rental | P | P | P | P | P | P | P | X | X | X | X | X | X | P | X | X | P | P | P | P | P | P | X | X |

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## Commentary

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

| **USE TYPE** | **RURAL** | | | **LAMIRD Type 1** | | | **LAMIRD Type 2** | **LAMIRD Type 3** | | | **RESOURCE** | | | **OTHER RURAL** | | **UGA** | **UGA – Small Towns** | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **COMMERCIAL/PROFESSIONAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Maintenance and repair | | | | | | | | | | | | | | | | | | | | | | | | |
| Automotive, RV, boat, etc. | A | A | A | P | X | P | X | P | P | X | X | X | X | X | X | X | X | X | X | SUP | SUP | P | P | X |
| Heavy equipment | A | A | A | X | X | P | X | P | P | X | X | X | X | X | X | X | X | X | X | X | X | P | P | X |
| Other (e.g., computer, jewelry, furniture, etc.) | See home-based business | | | P | See home-based | P | X | P | P | X | See home-based business | | | X | X | X | See home-based business | | | P | P | P | P – ac. | X |
| Marina | P | P | P | P | P | P | P | P | P | P | X | X | X | P | P | X | X | X | X | P | P | P | P | P |
| Massage, spa, wellness center | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5,000 square feet | A | A | A | P | X | P | P | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| 5,000 to 10,000 square feet | X | X | X | X | X | A | P | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Professional services not otherwise specified | See home-based business | | | P | See home-based | P | X | X | P | X | See home-based business | | | X | X | X | See home-based business | | | P | P | P | P – ac. | X |
| Restaurant | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 2,500 square feet | A | A | A | P | X | P | P | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| 2,500 to 10,000 square feet | X | X | X | P | X | P | P | X | P | X | X | X | X | P | X | X | X | X | X | X | P | P | X | X |
| Mobile Food Units (Food truck, mobile restaurant) | P | P | P | P | P | P | P | P | P | P | P | P | P | P | X | P | X | X | X | P | P | P | P | P |
| Retail, not otherwise defined | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 10,000 square feet | X | X | X | P | X | P | P | P – ac. | P | X | P – ac. | X | X | P | P – ac. | P – ac. | X | X | X | P | P | P | P – ac. | X |
| Up to 20,000 square feet | X | X | X | X | X | X | P | P – ac. | P | X | P – ac. | X | X | P | P – ac. | P – ac. | X | X | X | X | P | P | P – ac. | X |
| Retail, online only | See home-based business | | | | | | | | | | | | | | | | | | | P | P | P | P – ac. | X |
| Storage, self (excluding heavy equipment) | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | A | A | A | A | X | A | A | A | P | A | X | X | X | P – ac. | X | X | X | X | X | X | P | P | P | X |
| Outdoor | A | A | A | A | X | A | A | A | P | A | X | X | X | P – ac. | X | X | X | X | X | X | X | P | P | X |
| Tasting room | P – ac. | P – ac. | P – ac. | A | X | A | P | X | P | X | P – ac. | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Tattoo Parlor | See home-based business | | | P | See home-based | P | X | X | P | X | See home-based business | | | X | X | X | X | X | X | P | P | P | X | X |
| Tavern, bar, public house (standalone) | X | X | X | A | X | A | P | X | P | X | X | X | X | P | X | X | X | X | X | A | A | A | X | X |
| Wedding Venue | A | A | A | P | P | X | X | X | X | X | P – ac. | P – ac. | X | P | P – ac. | X | X | X | X | A | A | X | X | X |
| Winery, brewery, distillery, cidery | | | | | | | | | | | | | | | | | | | | | | | | |
| Micro | A | A | A | A | X | A | X | X | P | X | P – ac. | P – ac. | X | P | X | X | X | X | X | A | A | A | A | X |
| Non-Micro | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| **AMUSEMENT/RECREATIONAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Adult entertainment | X | X | X | X | X | X | X | X | SUP | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Bowling alley, arcade, miniature golf | X | X | X | P | X | P | P | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Casino | X | X | X | X | X | X | X | X | SUP | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |

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## Commentary

| **USE TYPE** | **RURAL** | | | **LAMIRD Type 1** | | | **LAMIRD Type 2** | **LAMIRD Type 3** | | | **RESOURCE** | | | **OTHER RURAL** | | **UGA** | **UGA – Small Towns** | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **AMUSEMENT/RECREATIONAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Dispersed camping | X | X | X | X | X | X | X | X | X | X | X | P | X | P | P | X | X | X | X | X | X | X | X | X |
| Fairgrounds, amusement park, racetrack, water park | SUP | SUP | SUP | X | X | X | X | X | SUP | X | X | X | X | X | SUP | X | X | X | X | X | X | X | X | A |
| Golf course, driving range | P | P | P | X | SUP | X | P | X | X | X | X | X | X | P | P | X | X | X | X | X | P | X | X | P |
| Gym, indoor exercise | A | A | A | P | X | P | P | X | P | X | X | X | X | P | P | X | X | X | X | P | P | P | X | X |
| Movie theater, auditorium, exhibition hall | X | X | X | P | X | X | P | X | P | X | X | X | X | P | X | X | X | X | X | P | P | P | X | X |
| Museum | SUP | SUP | SUP | P | SUP | SUP | P | X | P | X | X | X | X | P | SUP | X | X | X | X | P | P | P | X | P |
| Park, playground | P | P | P | P | P | P | P | X | P | X | X | P | X | P | P | X | A | X | X | P | P | P | X | P |
| Recreational equipment rentals or sales | A | A | A | P | P – ac. | P | P | X | P | X | X | X | X | P | P | X | X | X | X | P | P | P | X | X |
| RV park or campground | SUP | SUP | SUP | SUP | SUP | SUP | P | X | SUP | X | P – ac. | P – ac. | X | P | SUP | X | X | X | X | X | P | P | X | P |
| Shooting range, except associated with law enforcement (see Institutional Uses) | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | SUP | SUP | SUP | X | X | SUP | X | P – ac. | SUP | P – ac. | X | X | X | X | X | P – ac. | X | X | X | X | X | SUP | SUP | X |
| Outdoor | SUP | SUP | SUP | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Sports center, outdoors | A | A | A | P | X | X | P | X | P | X | X | X | X | P | P | X | X | X | X | X | P | P | X | P |
| Trails, trailheads | A | A | A | A | A | A | A | A | A | A | A | P | A | P | P | A | A | A | A | A | A | A | A | A |
| **INSTITUTIONAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Cemetery, crematorium, mausoleum, columbarium, funeral home | P | P | P | P | P | P | X | X | X | X | X | X | X | X | SUP | X | SUP | X | X | X | X | X | X | SUP |
| Community center | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5,000 square feet | P | P | P | P | P | P | P | X | P | X | X | X | X | X | P | X | X | X | X | P | P | P | X | P |
| 5,000 to 10,000 square feet | A | A | A | P | A | A | P | X | A | X | X | X | X | X | X | X | X | X | X | X | SUP | SUP | X | X |
| Correctional, detention facility (not including prisons) | SUP | SUP | SUP | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Educational Facility | | | | | | | | | | | | | | | | | | | | | | | | |
| Child day care center, early learning | X | X | X | P | P | P | X | X | X | X | X | X | X | X | X | X | P | P | P | P | P | X | X | X |
| Kindergarten through high school | P | P | P | P | P | P | X | X | X | X | X | X | X | X | X | X | P | X | X | X | P | X | X | X |
| Post-secondary schools with annual enrollment of less than 5,000 students | P | P | P | P | X | X | X | SUP | P | SUP | P - ac. | P - ac. | P - ac. | X | X | SUP | P | X | X | P | P | P | P | X |
| Post-secondary schools with annual enrollment greater than 5,000 students | SUP | SUP | SUP | SUP | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Emergency services (police, fire, ambulance) | A | A | A | P | A | P | P | P | P | P | A | A | A | P | X | P | P | P | P | P | P | P | P | X |
| Fraternal, lodge | P | P | P | P | P | P | X | X | P | X | X | X | X | P | P | X | P | P | P | P | P | P | P | X |
| Flood control facilities | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| Grange hall | P | P | P | P | P | P | P | X | X | X | P | P | X | X | P | X | X | X | X | X | X | X | X | X |
| Health care facility | | | | | | | | | | | | | | | | | | | | | | | | |
| Doctor, dental office, urgent care | P | P | P | P | X | P | X | X | P | X | X | X | X | P | X | X | X | X | P | P | P | P | X | X |
| Hospital | X | X | X | SUP | X | SUP | X | X | SUP | X | X | X | X | X | X | X | X | X | X | X | SUP | X | X | X |
| Outpatient treatment center | X | X | X | SUP | X | X | X | X | SUP | X | X | X | X | X | X | X | X | X | X | P | P | X | X | X |
| Historic Landmark | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5 parking spaces | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | A | A | A | A | A | A | A | A |
| More than 5 parking spaces | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| Library | X | X | X | P | X | P | X | X | P | X | X | X | X | X | X | X | X | X | X | P | P | P | X | X |

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| **USE TYPE** | **RURAL** | | | **LAMIRD Type 1** | | | **LAMIRD Type 2** | **LAMIRD Type 3** | | | **RESOURCE** | | | **OTHER RURAL** | | **UGA** | **UGA – Small Towns** | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Other rural governmental services, not otherwise specified | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A | A |
| Radio, TV broadcasting | See home-based business | | | P | See home-based | P | X | X | P | X | X | X | X | X | X | X | X | X | X | X | P | P | X | X |
| Research and Development | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Religious, places of worship | | | | | | | | | | | | | | | | | | | | | | | | |
| Up to 5,000 square feet | P | P | P | P | P | P | X | X | P | X | P | X | X | X | P | X | P | P | P | P | P | P | X | X |
| Over 5,000 square feet | A | A | A | P | A | A | X | X | A | X | A | X | X | X | X | X | P | P | P | P | P | P | X | X |
| School bus storage, maintenance, repair | P | P | P | P | P | P | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | A | A | X |
| Veterinarian services | P | P | P | P | X | P | X | X | P | X | P - ac. | X | X | X | X | X | X | X | X | P | P | P | X | X |
| Wireless communication facilities | See Chapter 15.50 LCC | | | | | | | | | | | | | | | | | | | | | | | |
| **INDUSTRIAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Automotive wrecking, dismantling, salvage | X | X | X | X | X | X | X | P | X | P | X | X | X | X | X | P | X | X | X | X | X | X | SUP | X |
| Cannabis, processing | SUP | SUP | SUP | X | X | X | X | SUP | SUP | SUP | P - ac. | P - ac. | X | X | X | X | X | X | X | X | X | X | X | X |
| Data processing center | X | X | X | X | X | X | X | X | X | A | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| General industrial, not otherwise defined | X | X | SUP | X | X | X | X | SUP | X | SUP | X | X | X | X | X | SUP | X | X | X | X | X | X | SUP | X |
| Heavy equipment | | | | | | | | | | | | | | | | | | | | | | | | |
| Sale, rental | X | X | X | X | X | X | X | P | P | P | X | X | X | X | X | P | X | X | X | X | X | SUP | P | X |
| Storage | X | X | X | X | X | X | X | P - ac. | P | P - ac. | P - ac. | P - ac. | P - ac. | X | X | P - ac. | X | X | X | X | X | SUP | P | X |
| Heavy truck/equipment station, washing, maintenance | X | X | X | X | X | X | X | P - ac. | P | P - ac. | P - ac. | P - ac. | P - ac. | X | X | P - ac. | X | X | X | X | X | P – ac. | P – ac. | X |
| Manufacturing | | | | | | | | | | | | | | | | | | | | | | | | |
| Apparel | A | A | A | X | X | X | X | P | X | P | X | X | X | X | X | P | X | X | X | SUP | SUP | SUP | P | X |
| Asphalt, concrete, mineral products | SUP | SUP | SUP | X | X | X | X | P | X | P | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Chemical, fertilizer | SUP | SUP | SUP | X | X | X | X | P | X | P | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Fabrication (metal, hardware, glass, pottery, medical, etc.) | A | A | A | A | X | X | X | P | X | P | X | X | X | X | X | P | X | X | X | SUP | SUP | SUP | P | X |
| Food processing | A | A | A | SUP | X | P | X | P | P | P | P – ac. | X | X | X | X | P | X | X | X | SUP | SUP | SUP | P | X |
| Furniture, cabinetry | A | A | A | A | X | P | X | P | P | P | X | X | X | X | X | P | X | X | X | SUP | SUP | SUP | P | X |
| Mining | | | | | | | | | | | | | | | | | | | | | | | | |
| Below DNR threshold | P | P | P | X | X | X | X | X | X | X | X | P | P | X | X | P | X | X | X | X | X | X | X | X |
| DNR-approved | SUP | SUP | SUP | X | X | X | X | X | X | SUP | X | P | P | X | X | P | X | X | X | X | X | X | X | X |
| Mineral processing, batching | X | X | X | X | X | X | X | X | X | P – ac. | X | X | P – ac. | X | X | P - ac. | X | X | X | X | X | X | X | X |
| Printing, publishing | A | A | A | P | X | A | X | P | X | P | X | X | X | X | X | X | X | X | X | SUP | A | A | P | X |
| Rendering, slaughterhouse, animal processing | P – ac. | P – ac. | P – ac. | X | X | X | X | X | X | X | P – ac. | P – ac. | P – ac. | X | X | X | X | X | X | X | X | X | X | X |
| Retail sales associated with industrial uses | P – ac. | P – ac. | P – ac. | P – ac. | X | P – ac. | X | P – ac. | P – ac. | P – ac. | P – ac. | P – ac. | P – ac. | X | X | P – ac. | X | X | X | P – ac. | X | P – ac. | P – ac. | X |

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| USE TYPE | RURAL | | | LAMIRD Type 1 | | | LAMIRD Type 2 | LAMIRD Type 3 | | | RESOURCE | | | OTHER RURAL | | UGA | UGA – Small Towns | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **INDUSTRIAL** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Solid Waste | | | | | | | | | | | | | | | | | | | | | | | | |
| Hazardous waste treatment, storage | P - ac. | P - ac. | P - ac. | X | X | P - ac. | X | P - ac. | P - ac. | P - ac. | P - ac. | P - ac. | P - ac. | X | X | P | X | X | X | X | X | X | P – ac. | X |
| Landfill | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Mineral, asphalt, concrete | X | X | X | X | X | X | X | A | X | A | X | X | P - ac. | X | X | P | X | X | X | X | X | X | X | X |
| Organic material composting | SUP | SUP | SUP | X | X | X | X | A | X | A | P – ac. | P – ac. | P – ac. | X | X | P | X | X | X | X | X | X | SUP | X |
| Recycling household, commercial | SUP | SUP | SUP | X | X | X | X | A | X | A | X | X | X | X | X | P | X | X | X | X | X | X | SUP | X |
| Transfer station | SUP | SUP | SUP | X | X | SUP | X | A | X | A | X | X | X | X | X | P | X | X | X | X | X | X | SUP | X |
| Warehouse, storage and handling of goods | See home-based business | | | X | X | P | X | P | P | P | P – ac. | P – ac. | P – ac. | X | X | P | X | X | X | X | X | P | P | X |
| Wholesale | X | X | X | X | X | P | X | P | P | P | P – ac. | P – ac. | P – ac. | X | X | P | X | X | X | SUP | SUP | SUP | P | X |
| Wood mill, sawmill, lumber yard | | | | | | | | | | | | | | | | | | | | | | | | |
| Under 20 acres or temporary | A | P | P | X | X | X | X | P | X | P | P | P | X | X | X | X | X | X | X | X | X | X | P | X |
| Over 20 acres | SUP | SUP | SUP | X | X | X | X | SUP | X | SUP | X | X | X | X | X | X | X | X | X | X | X | X | P | X |
| **UTILITIES/TRANSPORTATION** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MPR** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Airport, aircraft landing field, helipad, hangar (domestic, private, general) | SUP | SUP | SUP | X | X | X | X | X | X | P | P - ac. | P - ac. | P - ac. | X | X | X | X | X | X | X | X | P | X | X |
| Battery Energy Storage System (BESS) | | | | | | | | | | | | | | | | | | | | | | | | |
| Minor | A | A | A | X | X | X | X | A | X | P | P - ac. | P - ac. | P - ac. | X | X | P | X | X | X | X | X | X | X | A |
| Major | SUP | SUP | SUP | X | X | X | X | X | X | SUP | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Bus parking, fueling, maintenance shop | | | | | | | | | | | | | | | | | | | | | | | | |
| School | P | P | P | P | X | P | X | X | X | X | P - ac. | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Other | A | A | A | A | X | A | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Bus stop | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Dams, levees, water control facilities | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | X | SUP | SUP | SUP | SUP | SUP | SUP | SUP | SUP |
| Energy production, distribution or storage for off-site use or sale | | | | | | | | | | | | | | | | | | | | | | | | |
| Woody biomass | X | X | SUP | X | X | X | X | P | X | P | P -ac. | P-ac. | X | X | X | P | X | X | X | X | X | X | SUP | X |
| Geothermal | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Hydroelectric, hydropower | A | A | A | A | A | A | A | A | A | A | A | A | A | A | X | P | X | X | X | X | X | X | X | X |
| Hydrogen | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Natural gas | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Nuclear Reactor - Micro | SUP | SUP | SUP | X | X | X | X | X | X | SUP | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Nuclear Reactor | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Solar Power Production - Small | X | X | SUP | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | SUP | SUP | SUP |
| Solar Power Production | X | X | SUP | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Small Wind Energy System | A | A | A | X | X | X | X | A | X | A | X | X | X | X | X | P | X | X | X | X | X | SUP | SUP | SUP |
| Wind Farms | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | P | X | X | X | X | X | X | X | X |
| Other, not specified | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Linear transmission facility | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P |
| Park-and-ride | P | P | P | P | X | P | P | X | P | P | X | X | X | P | X | X | X | X | X | P | P | P | X | X |

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## Commentary

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| USE TYPE | RURAL | | | LAMIRD Type 1 | | | LAMIRD Type 2 | LAMIRD Type 3 | | | RESOURCE | | | OTHER RURAL | | UGA | UGA – Small Towns | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **UTILITIES/TRANSPORTATION** | **RDD-5** | **RDD-10** | **RDD-20** | **STMU** | **RRC** | **CC** | **TSA** | **STI** | **FC** | **RAI** | **ARL** | **FRL** | **MRL** | **MID** | **Park** | **MID** | **RL** | **RM** | **RH** | **MU** | **CBZ** | **AX** | **IND** | **OS** |
| Rest stops without fueling station | A | A | A | X | X | A | P | X | A | X | X | X | X | X | P | X | X | X | X | X | X | A | X | P |
| Sewage, wastewater treatment plant | X | X | X | SUP | SUP | X | X | X | X | X | X | X | X | SUP | X | SUP | SUP | X | X | X | SUP | SUP | SUP | SUP |
| Train station/bus station | SUP | SUP | SUP | SUP | X | X | X | X | P | X | X | X | X | X | X | X | X | X | X | P | P | P | X | X |
| Trucking company | A | A | A | X | X | X | X | P | P | P | P - ac. | P - ac. | P - ac. | X | X | P | X | X | X | X | X | P | P | X |
| Utility services, substation | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | SUP | SUP | SUP | SUP | SUP | SUP | SUP | SUP |

**Legend**

**LAMIRD** = Limited Area of More Intense Rural Development
**RDD** = Rural Development District
**STMU** = Small Town Mixed Use
**RRC** = Rural Residential Center
**CC** = Commercial Crossroads
**TSA** = Tourist Service Area
**STI** = Small Town Industrial
**FC** = Freeway Commercial

**RAI** = Regional Area Industrial
**ARL** = Agricultural Resource Land
**FRL** = Forest Resource Land
**MRL** = Mineral Resource Land
**CBZ** = Commercial Business District
**AX** = Airport District
**IND** = Industrial
**OS** = Open Space

**UGA** = Urban Growth Area
**MPR** = Master Planned Resort
**MID** = Major Industrial Area
**RL** = Residential Low Density
**RM** = Residential Medium Density
**RH** = Residential High Density
**MU** = Mixed Use

**P** = Permitted use
**P – ac.** = Permitted accessory use
**A** = Administrative review
**SUP** = Special Use Permit
**X** = Prohibited

**Footnotes**

1 Multifamily residential housing, which is three (3) or more dwelling units per parcel, is allowed if there is a centralized wastewater treatment facility with adequate capacity. In LAMIRDS, no more than four (4) dwelling units per parcel are allowed.
2 In the Residential High (RH) zone, new accessory dwelling units are permitted if there is an existing primary single-family residence dwelling on the lot.
3 New single family residential dwellings are allowed in the Rural High (RH) and Mixed Use (MU) zones if there is no sewer available within 200 feet of the parcel.
4 New single family residential dwellings and outbuildings such as a garage associated with a single-family residence dwellings are allowed in the Mixed Use (MU) zone as live work, pursuant to 17.17.240.

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~~See Table 2 of this section.~~

~~Table 2: Land Use Summary~~

[Tabel 2 is fully replaced]

~~**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.~~

~~[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.~~

## Commentary

[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.~~

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# Commentary

## LEWIS COUNTY CODE 17.50 Small Town – Residential (STR-4)

The Small Town Residential zone (STR-4) allows for residential uses on minimum $\frac{1}{4}$ acre lots. This is being renamed Rural Residential Center (RRC) with a $\frac{1}{4}$ minimum lot size to simplify the zoning designations and codes. There is no substantive change; it is a name change only, but does require deleting this code chapter.

## ~~Chapter 17.50~~
## ~~Small Towns – Residential (STR-4)~~

**~~17.50.010 Purpose.~~**

~~To promote and protect areas within Lewis County small towns which were historically exclusively residential in character. [Ord. 1292 §10, 2018; Ord. 1170B, 2000]~~

**~~17.50.020 Permitted uses.~~**

~~Allowed uses, shown in Chapter 17.42 LCC, shall be permitted within this district. [Ord. 1292 §10, 2018; Ord. 1179, 2002; Ord. 1170B, 2000]~~

**~~17.50.030 Accessory uses.~~**

~~As defined at LCC 17.10.010, accessory uses are considered part of the permitted uses. [Ord. 1292 §10, 2018; Ord. 1179, 2002; Ord. 1170B, 2000]~~

**~~17.50.050 Maximum density.~~**

~~The maximum density in the STR-4 zone shall be four units per gross acre. [Ord. 1292 §10, 2018; Ord. 1170B, 2000]~~

**~~17.50.060 Development Standards.~~**

~~All development shall be required to conform to the supplementary requirements of Chapter 17.145 LCC. [Ord. 1292 §10, 2018; Ord. 1170B, 2000]~~

# Commentary

## LEWIS COUNTY CODE 17.75.020 AMENDMENTS

Industrial uses on the Port of Chehalis property specifically have to go through the Major Industrial Development process. The code for this section no longer exists. Uses on the Port of Chehalis property can be regulated by the zoning and land use standards that exist now.

# Chapter 17.75

## RURAL AREA INDUSTRIAL (RAI)

Sections:

17.75.010 Purpose.
~~17.75.020 Permitted uses - Curtis Industrial Park.~~
17.75.030 Permitted uses - Ed Carlson Memorial Field.
17.75.035 Permitted uses - General purpose rural industrial sites.

### 17.75.010 Purpose.

[No Change]

### ~~17.75.020 Permitted uses – Curtis Industrial Park.~~

~~(1) The Curtis Industrial Park includes lands used by Weyerhaeuser for log yard and sorting yards and has potential for rail-oriented large scale industrial uses.~~

~~(2) Uses within the planned areas may be limited to rail-oriented industrial uses and/or resource uses and associated supporting uses, or general uses identified in LCC 17.75.035.~~

~~(3) Industrial development within the Port of Chehalis property may be achieved through the process identified in RCW 36.70A.365 and Chapter 17.20 LCC.~~

### 17.75.030 Permitted uses – Ed Carlson Memorial Field.

[No Change]

### 17.75.035 Permitted uses – General purpose rural industrial.

[No Change]

# Commentary

## LEWIS COUNTY CODE 17.95.050 MAXIMUM DENSITY AND MINIMUM LOT SIZE

## Chapter 17.95
## RURAL RESIDENTIAL CENTERS (RRC)

**17.95.010 Purpose.**

[No Change]

**17.95.020 Permitted uses.**

[No Change]

**17.95.030 Accessory uses.**

[No Change]

**17.95.050 Maximum density and minimum lot size.**

Designation criteria. The maximum density and minimum lot size shall be set to reflect the historic development pattern to ~~assure~~ ensure infilling is accomplished at the same or similar density.

(1) For areas designated one unit per 10,000 square feet, the maximum density shall be 4.356 units per gross acre. Such areas shall be designated "RRC-~~R10000~~A" on the official zoning map.

(1) For areas designated one dwelling unit per one-quarter acre, the maximum density shall be four (4) dwelling units per gross acre. Such areas shall be designated "RRC-B" on the official zoning map.

(2) For areas designated one unit per one-half acre, the maximum density shall be two (2) units per gross acre. Such areas shall be designated "RRC-~~R.5~~C" on the official zoning map.

(3) For areas designated one unit per acre, the maximum density shall be one (1) unit per gross acre. Such areas shall be designated "RRC-~~R1~~D" on the official zoning map.

(4) For areas designated one unit per two acres, the maximum density shall be one (1) unit for each two (2) gross acres. Such areas shall be designated "RRC-R~~2~~E" on the official zoning map.

**17.95.060 Development standards.**

[No Change]

# Commentary

## LEWIS COUNTY CODE 17.100.015 GENERAL GUIDELINES.

Describe the goal of the amendments in a general way, leaving the details to the individual amendments.

## Chapter 17.100
## RURAL DEVELOPMENT DISTRICT (RDD)

**17.100.010 General guidelines.**

[No Change]

**17.100.015 General guidelines.**

(1) The Zoning Districts. The Rural Development District is divided into three density districts:

(a) Rural Development District at one dwelling unit per five acres (RDD-5);

(b) Rural Development District at one dwelling unit per 10 acres (RDD-10); and

(c) Rural Development District at one dwelling unit per 20 acres (RDD-20).

~~In the RDD-10 District, all contiguous property 15 acres or larger, but less than 20 acres, may be divided into two lots. In the RDD-20 District, all contiguous property 30 acres or larger, but less than 40 acres, may be divided into two lots. This provision is only applicable to legal lots of record in existence prior to the adoption date of May 12, 2002, and shall not apply to any lot created after that date. This provision is limited to a one-time division of property; no future multiple divisions are permitted.~~

(2) For purposes of subdivision, lot area shall be consistent with the methodology contained in RCW 58.17.040(2).

**17.100.020 General guidelines.**

[No Change]

**17.100.030 General guidelines.**

[No Change]

**17.100.060 General guidelines.**

[No Change]

**17.100.080 General guidelines.**

[No Change]

# Commentary

## LEWIS COUNTY CODE 17.102.050 ALLOWANCE OF ADU

Describe the goal of the amendments in a general way, leaving the details to the individual amendments.

### Code Section

Change made according to Kimley-Horn Comments. From commerce checklist.

## Chapter 17.102
## ACCESSORY DWELLING UNITS

### 17.102.010 Purpose.

[No Change]

### 17.102.020 Applicability.

[No Change]

### 17.102.050 Allowance of accessory dwelling units.

(1) Accessory dwelling units shall meet the following requirements ~~are allowed in Lewis County to provide affordable low income housing under the following conditions~~:

(a) There shall be no more than one accessory dwelling unit per lot in conjunction with a single-family structure.

(b) The accessory dwelling unit shall share the same primary access to a public right-of-way ~~the property~~ as the principal use. Looped driveways shall have two approved road approaches.

(c) The accessory dwelling unit shall conform to the International Residential Code, Department of Labor and Industries standards, and/or all other applicable codes and ordinances.

(d) Where applicable, the accessory dwelling unit and existing residence on the property shall meet the lot size and setback requirements for water and septic systems in accordance with Chapters 8.40 and 8.55 LCC, as well as other relevant codes.

(e) No more than one family shall occupy the accessory dwelling unit.

(f) The accessory dwelling unit shall not contain more than two bedrooms and the total floor area for the accessory dwelling unit shall not exceed 1,296 square feet (to show that it is clearly accessory to the primary use).

(1) The approval of a building permit for an accessory dwelling unit shall include a condition that states that the accessory dwelling unit 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.

# Commentary

## LEWIS COUNTY CODE 17.105 SHORT TERM RENTALS

17.105 is a new code chapter. The intent is to ensure that all short term rentals in Lewis County obtain a permit and demonstrate that basic public health and safety requirements are met.

Multifamily housing is typically more affordable than single family housing for people living in the structure. Therefore, to preserve affordable housing options for residential housing, not commercial short term rentals, multifamily housing is prohibited from being used as short term rentals. There are some exceptions to this prohibition:

1. Multiple lodging accommodations may be provided on parcel if approved as a motel or a cabin or yurt village. Chapter 17.42, Table 2, provides a list of where motels and cabin or yurt villages are allowed and what permitting process is necessary to approve the use.

2. To further encourage affordable housing, within the Onalaska and Packwood Urban Growth Areas, a property owner may provide multifamily housing as short term rentals if 30% of the dwelling units are long term rentals that are price capped at an rent that is affordable to people making 80% of the local Area Median Income. This will be enforced through a Development Agreement between Lewis County and property owner. Market rate rent is considered 100-120%AMI; therefore rent set at 80% AMI is more affordable than the market will typically produce. There are additional incentives offered in Chapter 17.17, UGA – Small Towns, to further encourage property owners to provide affordable housing options.

*This is a new code section and*
*is not underlined for easy of reading*

# Chapter 17.105
# SHORT TERM RENTALS

Sections:


17.105.010 Purpose
17.105.020 Applicability
17.105.030 Allowance of short-term rentals
17.105.040 Standards
17.105.050 Permit Issuance


## 17.105.010 Purpose.

The purpose of this chapter is to ensure that short-term rentals are not having a significant impact on residential housing supply in Lewis County and are operated in a manner that protects public health and safety, while also encouraging the economic benefits of tourism.

## 17.105.020 Applicability.

This chapter applies to dwelling units or portions thereof that meet the definition of "short-term rental" in section 17.10.190.

## 17.105.030 Allowance of short-term rentals.

Short-term rentals are allowed as described in Chapter 17.42 with the following limitations:

(1) The following may be permitted as short-term rentals:

(a) Single family residences, accessory dwelling units, duplexes, tiny homes and detached bedrooms.

(b) Recreational vehicles and trailers.

(c) Yurts and similar structures.

(2) Multifamily residences shall not be provided as short-term rental, except if the requirements of 17.17.210 have been met. Three or more detached residential buildings, recreational vehicles, trailers or yurts located on a single parcel may be approved as a Cabin or Yurt Village, see Chapter 17.42, Table 2, Land Use Summary. Detached bedrooms that are provided as accessory to a primary short-term rental, and not provided as a separate short-term rental for rent, shall not be counted as a standalone short-term rental for the purposes of determining the number of short-term rentals per parcel.

## Commentary

17.105.030(3) is intended to make sure that if a STR is to be used as an event venue it is permitted as such and meets the requirements related to water, on-site septic and parking. If a property is permitted as an event venue, it is allowed to also have a STR and promote that STR as part of the event venue.

17.105.040(2) septic system are typically designed based on the number of bedrooms in the structure, with an assumed occupancy of 2 people per bedroom. There is typically capacity for acute episodes of heavy use, but are not designed for sustained overuse. Many STRs in Lewis County were built as homes or vacation homes, not as commercial lodging accommodations, and as such the septic capacity is based on the assume occupancy of 2 people per bedroom. To protect public health and the environment, a maximum occupancy needs to be met. However, there are circumstances where an existing septic system has additional capacity. For example, some neighborhoods were platted and the septic systems installed prior to construction of houses. It is possible for a septic system to have capacity for a 3-bedroom house and the a 2-bedroom house to have been built, leaving capacity for an additional bedroom. In this scenario, the property owner could ask to have the occupancy of the 2-bedroom be set with an additional 2 people of occupancy, for a total of 9 people. It is also possible for a property owner who is building a new STR to install a septic system that has capacity for the occupancy the property owner wants to support.

17.105.040(4) it is not required that garbage or recycling be stored indoors; however, the receptacles need to be secure enough to reduce the risk of wildlife getting into garbage. Bear, elk and crows are all present in Lewis County and will tip over garbage cans and distribute the garbage dozens of feet away, sometimes on neighboring properties or in the road or in rivers and streams.

17.105.040(5) the property owner needs to provide information to the guests about any local burn restrictions. Often in the summer Lewis County enacts a burn ban on any outdoor burning, including recreational fires, due to very dry conditions and the risk of wildfires. Guests need to be made aware of the restrictions when enacted and must follow the restriction.

(3) Short-term rentals shall not be used for commercial events, such as a wedding venue, except properties that meet the requirements of the Lewis County Code as an event center or wedding venue, see Chapter 17.42, Table 2, Land Use Summary.

**17.105.040 Standards.**

(1) The owner or legal representative shall obtain a short-term rental permit from Lewis County Department of Community Development. Permits shall be renewed annually.

(2) The maximum occupancy shall be no more than two (2) guests per bedroom plus three (3) additional guests, or maximum occupancy shall be based on the design capacity of the approved on-site septic system, whichever is greater. A guest is a person over two (2) years of age.

(3) A minimum of one (1) on-site parking space per bedroom or unit shall be provided.

(4) Solid waste service shall be provided, or garbage shall be stored in a completely secure receptacle(s).

(5) Information shall be provided to all quests regarding current local burn restrictions.

**17.105.050 Permit issuance.**

(1) The short-term rental permit shall be processed as a Type I application.

(2) To obtain a permit, the property owner or agent authorized to act on the property owner's behalf shall demonstrate that all of the following are met:

(a) The standards listed subsection 17.105.040.

(b) If the short term rental is a residential building, a certificate of occupancy, an approved building permit or an inspection completed within the previous three (3) years by a qualified professional is required.

(c) There is a permitted and properly functioning septic system, sewer connection or other legally permitted wastewater treatment system.

(d) There is an approved water source that meets minimum potable water standards.

(e) Proof of paid taxes and fees associated with the property.

## Commentary

(f) Valid liability insurance of one million dollars or more that covers the use of the short-term rental unit as required by RCW 64.37.050.

(3) Any short-term rental permit shall be renewed annually based on the permit issuance date. Failure to renew a permit within one (1) year of the permit renewal deadline shall result in automatic revocation of the permit.

(4) A property owner may voluntarily relinquish a short-term rental permit upon written 30-day notice to the Lewis County Department of Community Development and shall cease all short-term rental operations on the subject property following written confirmation of the permit revocation from the County.

(5) Beginning on July 1, 2026, failure to obtain and maintain a short-term rental permit, including meeting the standards of subsection 17.105.040 and 17.105.050, shall be processed as a code violation pursuant to Chapter 1.20.

DRAFT

# Commentary

## LEWIS COUNTY CODE 17.110 STATE ENVIRONMENTAL POLICY ACT

Most of the changes in this section are to correct reference to RCWs and WACs. There are substantive changes to the categorical exemptions.

## Article I. Title

[No Change]

## Article II. Authority

[No Change]

## Article III. General Requirements

**17.110.030 Basic requirements.**

[No change]

### 17.110.050 Designation of responsible official.

(1) For those proposals for which the county is the lead agency, the responsible official shall be the environmental review officer.

(2) For all proposals for which the county is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement (EIS), and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in WAC 173-80~~6~~2-020.

(3) The county shall retain all documents required by the SEPA rules (Chapter 197-11 WAC) and make them available in accordance with Chapter 42.17 RCW.

### 17.110.060 Lead agency determination and responsibilities.

(1) The department within the county receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for the proposal under WAC 197-11-050 and 197-11-922 through 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.

(2) When the county is the lead agency for the proposal, the department receiving the application shall forward the application package and environmental checklist for the proposal to the environmental review officer who shall supervise compliance with threshold determination requirements and, if an EIS is necessary, shall supervise the preparation of the EIS.

## Commentary

The Washington Administrative Code (WAC) allows different thresholds for single family and multifamily residential development and those are now added to the Lewis County Code. The WAC also allows personal storage buildings, that are not provided for rent or other commercial purposes, to be exempt.

(3) When the county is not the lead agency for a proposal, all departments of the county shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No county department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the county may conduct supplemental environmental review under WAC 197-11-6~~0~~20.

(4) If the county or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within 15 days of receipt of the determination, or the county must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the 15-day time period. Any such petition on behalf of the county may be initiated by any county department.

(5) Departments of the county are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944; provided, that the responsible official and any department that will incur responsibilities as the result of such agreement approve the agreement.

(6) Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal.

**17.110.070 Additional timing considerations.**

[No Change]

## Article IV. Categorical Exemptions and Threshold Determinations

**17.110.080 Determinations.**

[No change]

**17.110.090 Flexible thresholds for categorical exemptions.**

(1) Lewis County establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:

(a) For single family residential dwelling units in WAC 197-11-800(1)(b)(i): Up to ~~five~~ four (4) dwelling units;

## Commentary

(b) For multifamily residential units in WAC 197-11-800(1)(b)(ii): Up to 16 units;

(~~b~~c) For agricultural structures in WAC 197-11-800(1)(b)(iii): Up to 30,000 square feet;

(~~c~~d) For office, school, commercial, recreational, service, or commercial storage buildings in WAC 197-11-800(1)(b)(iv~~ii~~): Up to 4,000 square feet and up to 20 parking spaces;

(i) For personal storage buildings in WAC 197-11-800(1)(b)(iv): Up to 12,000 square feet

(~~d~~e) For parking lots in WAC 197-11-800(1)(b)(iv): Up to 20 parking spaces;

(~~e~~d) For ~~land~~fill~~s~~ and excavation~~s~~ in WAC 197-11-800(1)(b)(v): Up to 500 cubic yards.

(2) Whenever the county establishes new exempt levels under this section, it shall send them to the:

Department of Ecology

Headquarters Office

Olympia, Washington 98504

under WAC 197-11-800(1)(c).

**17.110.100 Use of exemptions.**

[No change]

**17.110.110 Environmental checklist.**

[No change]

**17.110.120 Mitigated DNS.**

[No change]

**17.110.130 Appeals of threshold determinations.**

[No change]

## Article V. Environmental Impact Statement (EIS)

[No change]

## Commentary

## Article VI. Commenting

[No change]

## Article VII. Using Existing Environmental Documents

[No change]

## Article VIII. SEPA and Agency Decisions

[No change]

## Article IX. Definitions

[No change]

## Article X. Categorical Exemptions

[No change]

## Article XI. Agency Compliance

[No change]

## Article XII. Forms

[No change]

# Commentary

## LEWIS COUNTY CODE 17.125 ESSENTIAL PUBLIC FACILITIES

Describe the goal of the amendments in a general way, leaving the details to the individual amendments.

Explain why the amendment was made. Include intent to provide additional interpretation when needed. Site RCWs or WACs, or other support, as appropriate. Figures and pictures may also be included.

# Chapter 17.125
# ESSENTIAL PUBLIC FACILITIES

Sections:

17.125.010 Purpose
17.125.020 Applicability
17.125.040 Procedure

**17.125.010 Purpose.**

The purpose of this chapter is to identify means of siting essential public facilities within ~~the rural zones of~~ Lewis County. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, regional transit authority facilities, state and local correctional facilities, solid waste handling facilities, drug treatment programs, recovery residences, mental health facilities, and community transitional facilities. ~~Within incorporated UGAs [UGAs] city criteria shall prevail.~~

**17.125.020 Applicability.**

The standards and procedures apply to institutional, utility and transportation facilities allowed pursuant to Chapter 17.42 LCC. The facility may be run by either a public or private entity.

**17.125.030 Procedure.**

(1) [No Change]

(2) [No Change]

(3) [No Change]

# Commentary

## LEWIS COUNTY CODE 17.127 ENERGY PRODUCTION AND STORAGE FACILITIES.

The intent of the Energy Facilities code chapter is support and facilitate new energy production in the Major Industrial District (MID) zone, which is the decommissioned TransAlta coal mine. All types of energy production and storage are permitted in the MID zone. The reason this location is preferred in Lewis County is because it has most of the necessary infrastructure including transmission and natural gas lines, has been used for energy production in the past and is located far from populated centers.

Energy production and storage for commercial uses is limited in all other zones. Lewis County's resources land – agricultural and forestry – occupy 75% of the land mass. Agricultural and forestry uses are a vital part of the County's economy, and it is prioritized to protect those resource lands and not allow energy production and storage to reduce the commercial viability of agriculture or forestry.

*This is new code.*
*It is not underlined for readability.*

# Chapter 17.127
# Energy Production and Storage Facilities

Sections:

Article I. Administration


17.127.010 Purpose
17.127.020 Applicability
17.127.030 Procedure


Article II. Standards


17.127.040 General Standards
17.127.050 Geothermal
17.127.060 Hydroelectric / Hydropower
17.127.070 Hydrogen
17.127.080 Natural Gas
17.127.090 Nuclear Reactor
17.127.100 Solar Power Production Facilities
17.127.110 Wind Farms
17.127.120 Battery Energy Storage System
17.127.130 Abandonment and Decommissioning

## Commentary

**17.127.020 Applicability.**

On-site energy production and storage that is for the owner's use and is not distributed off of the site for commercial sale is exempt from these requirements. For example, a house with a solar array on the roof that powers the house is exempt. It is ok for the home owner to sell back extra power generated on-site and still be exempt from this code section.

## Article I. Administration

### 17.127.010 Purpose.

The purpose and intent of this chapter is to establish a process for establishing and maintaining energy production and storage facilities in Lewis County. The standards are intended to protect the health, welfare, safety, and quality of life of the general public, to protect resource lands and rural character, and to ensure compatibility with land uses in the vicinity of these facilities.

### 17.127.020 Applicability.

Chapter 17.127 LCC applies to uses listed in Chapter 17.42 Table 2 LCC for the primary purpose of producing or storing energy. Distribution of energy is considered an accessory use to energy production and storage. Non-commercial, on-site energy production and storage is exempt. Energy production and storage facilities that are not listed in Chapter 17.42 Table 2 or prohibited within a specific zoning designation shall obtain a permit through the State of Washington to be sited in Lewis County.

### 17.127.030 Procedure.

See Chapter 17.42 Table 2, and Chapter 17.05, LCC.

## Article II. Standards

### 17.127.040 General Standards

In addition to applicable standards found in Chapter 17.142 LLC, the following general standards shall apply to all energy production and storage facilities.

(1) Federal and state requirements. All applicable federal and state requirements shall be met including but not limited to Water Rights, Title 90 RCW; Southwest Clean Air Agency (SWCAA); Emergency Response and Spill Prevention Plan, Chapter 90.56 RCW; Washington State Department of Health, Chapter 70A.388 RCW Nuclear Energy; and Geothermal Resources Act, Chapter 78.60 RCW.

(2) Fire protection. All energy production and storage facilities shall have a Lewis County Fire Marshal approved fire management plan provided by the applicant prior to any county permit approval. Energy production and storage facilities, when applicable shall use as zoning reference the following standards: National Fire Protection Association 1: Fire Code, National Fire Protection Association 70: National Electric Code, National Fire Protection Association 855: Standard for the Installation of Stationary Energy Storage Systems, National Fire Protection Association: BESS Fact Sheet, and the International Fire Code in order to ensure that the system installations are meeting safety best practices. Additional requirements may be required by the Lewis County Fire Marshal.

## Commentary

### 17.127.060 Hydroelectric / Hydropower

Hydroelectric and hydropower can occur where there are water resources that have capacity to produce commercially viable energy; therefore, this use is allowed in all zones in Lewis County.

(2) Electrical Housing. All electrical equipment shall be safely and appropriately enclosed from unintentional access by means such as barrier fencing, equipment cabinetry or similar means. All access doors to electrical equipment shall remain locked unless access is necessary. Appropriate warning signage (e.g., electrical hazards) shall be placed on all electrical equipment.

(3) Screening. All energy facilities shall meet the screen standards in Section 17.142.205 LCC, except energy facilities on parcels zoned Major Industrial District (MID).

**17.127.050 Geothermal**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, geothermal facilities shall meet all of the following:

(1) Any person proposing to drill a well or redrill an abandoned well for geothermal resources shall file with the Washington State Department of Natural Resources a written application for a permit to commence such drilling or redrilling.

**17.127.060 Hydroelectric / Hydropower**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, hydroelectric and hydropower facilities shall meet all of the following:

(1) A Fish Passage Plan shall be approved by Washington Department of Fish and Wildlife for all projects affecting stream flow.

(2) A flood hazard analysis shall be completed for facilities located within FEMA floodplain.

**17.127.070 Hydrogen**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, hydrogen facilities shall meet all of the following:

(1) All equipment associated with the facility shall be setback at least 1,000 feet from residential property lines, school, hospitals, and at least 500 feet from any water body or wetland.

(2) Storage tanks shall not exceed 15,000 gallons unless secondary containment is provided.

(3) Owners/operators of hydrogen energy production facilities shall complete and maintain an approved Hazard Materials Management Plan.

## Commentary

**17.127.090**

Pursuant to the RCW, before the agency issues a license to an applicant, DOH shall give notice of such application to the county legislative authority. The county legislative authority or the official or employee selected by it, shall have the right to file with the agency within twenty (20) days after date of transmittal of such notice, written objections against the applicant or against the activity for which the license is sought, and shall include with such objections a statement of all facts upon which such objections are based, and in case written objections are filed, may request and the agency may in its discretion hold a formal hearing under chapter 34.05 RCW. Upon the granting of a license under this section DOH shall send a duplicate of the license or written notification to the county legislative authority.

**17.127.080 Natural Gas**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, natural gas facilities shall meet all of the following:

(1) All equipment associated with the facility shall be setback at least 1,000 feet from residential property lines, school, hospitals, and drinking water sources and at least 300 feet from public roads.

(2) Audible sound due to operations shall not exceed 55dBA during the day and 45dBA at night at the property line.

**7.127.100 Solar Power Production Facilities**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, solar power production facilities shall meet all of the following:

(1) All equipment associated with the facility may occupy a single parcel, or combination or parcels under common ownership, of which at least one parcel shall be at least 10 acres in size.

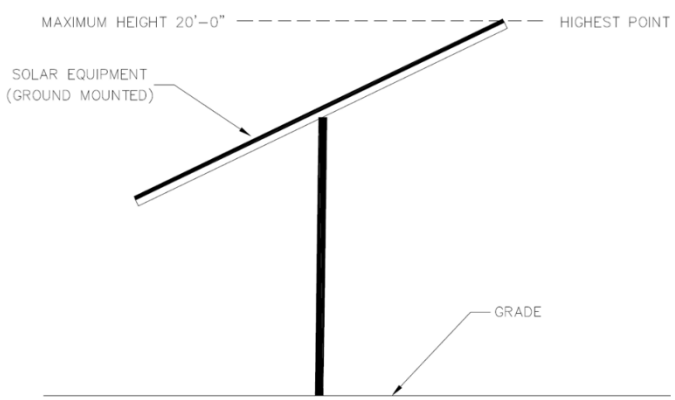
(2) All equipment associated with the facility shall be setback at least 100 feet of any adjacent parcel where residential development is permitted.

(3) All equipment associated with the facility shall not exceed a maximum of 20 feet in height as measured from grade at the base of the equipment to its highest point during operation, as shown in Figure 1, except substations or transmission lines.

(4) Glare resistant panels shall be required.

(5) Any disturbed areas that are not permanently occupied by equipment shall be re-vegetated.

**Figure 1 – Solar Power Production Facility Equipment Maximum Height**



## Commentary

**17.127.110 Wind Farms**

RCW 70A.550 Wind Energy facilities – Light pollution

RCW 54.04.190 Production and distribution of biodiesel, ethanol, and ethanol blend fuels—Crop purchase contracts for dedicated energy crops—Production and utilization of renewable natural gas and renewable hydrogen—Sale of renewable natural gas, green electrolytic hydrogen, renewable hydrogen, and biogenic carbon dioxide.

**17.127.110 Wind Farms**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, wind farm facilities shall meet all of the following:

(1) In Urban Growth Areas, except Major Industrial Districts (MID), wind turbines shall not exceed a total height of 75 feet as measured from the ground at grade level at the tower to the tip of the rotor blade when extended vertically and rotors shall not exceed 30 feet in diameter.

(2) Any tower shall be set back at least 1.2 times the total height, as measured from the ground at grade level at the tower to the tip of the rotor blade when extended vertically, from all outer property lines, unless an easement is secured from the adjacent property.

(3) Wind turbines shall be painted a non-reflective, non-obtrusive color. Small wind energy towers shall maintain galvanized steel, brushed aluminum, white or gray finish, unless FAA standards require otherwise.

(4) No wind turbine shall be artificially lighted, except to the extent required by the FAA or other applicable authority.

(5) No wind turbine shall be used for displaying any advertising except for reasonable identification of the manufacturer.

(6) Electrical controls, control wiring and powerlines shall be wireless or underground after reaching grade from the turbine and extending away from the base of the tower. Wiring may be exposed vertically from the turbine to the base of the tower.

## Commentary

### 17.127.120 Battery Energy Storage System

BESS are not regulated under a single, specific RCW chapter dedicated only to battery storage. However, BESS facilities in Washington State are regulated through a combinations of RCWs, WACs and local codes, covering energy, land use, fire safety, and environmental protection.

RCW 54.04.190 Production and distribution of biodiesel, ethanol, and ethanol blend fuels—Crop purchase contracts for dedicated energy crops—Production and utilization of renewable natural gas and renewable hydrogen—Sale of renewable natural gas, green electrolytic hydrogen, renewable hydrogen, and biogenic carbon dioxide.

RCW 80.50 Energy Facility Site Evaluation Council (EFSEC) oversees large energy projects, including some energy storage facilities when paired with generation. Applies to storage associated with generation over certain thresholds.

(7) Audible sound due to operations shall not exceed 55 dBA for any period of time, when measured at the outer property line of any abutting property. The sound level may, however, be exceeded during short-term events such as utility outages and/or severe windstorms. During operations, the project shall comply with applicable state noise standards.

(8) The rotor blade tip of any wind turbine shall, at its lowest point, have ground clearance of no less than (15) feet, as measured at the lowest point of the arc of the rotor blades.

(9) The following safety requirements shall apply to all facilities.

a. Wind turbine towers shall not be climbable up to 15 feet above ground level.

b. All small wind energy systems shall be equipped with manual and/or automatic overspeed controls to limit rotation of the rotor blades to a speed below the designed limits of the system.

**17.127.120 Battery Energy Storage System (BESS)**

In addition to the general standards in 17.127.040 LCC and any other applicable standards, battery energy storage system (BESS) facilities shall meet all of the following:

(1) BESSs shall be constructed, maintained, and operated in accordance with applicable industry standards and best practices, including but not limited to National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems, 2020 Edition and subsequent additions; Underwriters Laboratories (UL) 9540A Ed. 4-2019, Standard for Test Method for Evaluating Thermal Runway Fire Propagation in Battery Energy Storage Systems and subsequent editions.

(2) BESS facilities and equipment shall be completely enclosed by a secure fence that consists of a fence at least eight (8) feet high with a locking gate. A clearly visible warning sign shall be placed on the fence informing individuals of potential voltage hazards.

(2) BESS facilities and equipment shall not be used to display signs or advertising except for signs at ground level identifying the equipment manufacturer, the facility owner/operator, emergency contact information, and appropriate warnings as required by national, state and local laws.

(3) BESS and any related facilities or equipment shall meet all of the following:

## Commentary

(a) Be located at least 100 feet from any adjacent parcel and located at least 200 feet away from any adjacent parcel where residential development is permitted. BESS facilities that are adjacent to parcels where a substation is located are not required to be setback from the parcel containing the substation.

(b) Areas within 20 feet on each side of any BESS facility or equipment shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted provided that they do not form a means of readily transmitting fire.

(6) The [1-hour] average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall not exceed a noise level of 55 dBA as measured at the outside wall of any non-participating residence or occupied community building. Applicants may submit equipment and component manufacturers noise ratings to demonstrate compliance. The applicant may be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard. State noise standards also apply.

(7) Operators of BESS facilities with total combined energy storage exceeding 600 kWh must complete a hazard mitigation analysis, utilize fire suppression designs and equipment, conduct fire and explosion testing in accordance with UL 9540A, develop emergency planning, and conduct annual training of maintenance staff.

### 17.127.130 Abandonment and Decommissioning

(1) At any time, an energy production and storage facility is scheduled to be decommissioned or is abandoned or discontinued, the owner or operator shall notify the Lewis County Building Official and Lewis County Fire Marshal, or their designee. Upon discontinuation of use, the owner or operator shall physically remove all related structures and equipment within 90 days from the date of discontinuation of use. This period may be extended at the discretion of Lewis County Building Official or their designee. The term "physically remove" shall in include, but not be limited to:

(a) Removal of all above grade structures and equipment.

(b) Restoration of the location of the energy production and storage facility to its natural condition, except that any landscaping, grading or below-grade foundation may remain.

## Commentary

(c) If any energy production and storage facility is not operational for a period of 12 consecutive months, the Lewis County Building Official or designee will notify the Lewis County Code Compliance Officer, who may issue a Notice of Abandonment to the owner or operator of the facility. The owner shall have the right to respond to the Notice of Abandonment within 30 days of the notice receipt date. The Lewis County Code Compliance Officer may withdraw the Notice of Abandonment and notify the owner that the notice has been withdrawn if the owner provides sufficient information to demonstrate that the facility has not been abandoned.

(d) If the owner fails to respond to the Notice of Abatement or if after review by the Lewis County Code Compliance Officer it is determined that the facility has been abandoned or discontinued, the owner or operator of the facility shall remove all structures and equipment at the owner's sole expense within three (3) months of receipt of the Notice of Abandonment. If the owner fails to physically remove the structures and equipment after the Notice of Abandonment procedure, the County shall have the authority to enter the subject property and physically remove the structures and equipment and to recover costs associated with that removal from the property owner.

(2) The site shall be restored within six (6) months of removal. The owner of any energy production and storage facility shall demonstrate decommission assurances to Lewis County in the form of a surety bond or escrow account to cover the cost of removal in the event the facility must be removed by Lewis County. The intent of this requirement is to guarantee performance (not just provide financial insurance) to protect the public interest and the County budget from an unanticipated, unwarranted burden to decommission an energy production and storage facility. The proponent shall submit a fully inclusive estimate of the costs associated with removal prepared by a qualified Washington State licensed engineer that is accepted by Lewis County. The decommissioning funds shall be equivalent to 125% of the engineer’s estimated cost for the purpose of guaranteeing completion of the work. The decommissioning assurance shall be reevaluated every five (5) years to ensure sufficient funds for decommissioning, and if deemed appropriate at that time, the amount of decommissioning funds shall be adjusted accordingly.

# Commentary

## LEWIS COUNTY CODE 17.142.020 GENERAL LAND USE STANDARDS

**Chapter 17.142**
**LAND USE STANDARDS**

**17.142.020 General land use standards.**

(1) [No Change]

(2) [No Change]

(3) General Use Standards. The following criteria are used to help determine the conformance with the general findings for land uses:

(a) The applicable portions of the Lewis County Code, and the Lewis County road development standards.

(b) The handling and treatment of dangerous or hazardous waste in accordance with LCC Title 8, Chapter 173-303 WAC, and other applicable standards.

(c) The maximum environmental noise levels established by Chapter 173-60 WAC and incorporated herein by reference, together with any adjustments authorized therein.

(d) The air quality standards adopted by the Southwest Clean Air Agency (SWCAA) and any SWCAA permit issued for a project.

(e) Exterior light fixtures, except those required by the Federal Aviation Administration (FAA), shall be pointed downward, hooded and shielded to prevent glare and light from trespassing onto neighboring properties. FAA required lights shall be minimized to the extent practicable in consultation with the FAA and as required by RCW 70A.550 for wind energy facilities. Wind turbines over 200 feet shall have obstruction lighting per FAA regulations. Aviation obstruction light-mitigation technology systems shall be FAA-approved.

(~~e~~f) The terms of any permit issued for a project by a resource agency, including Washington State Department of Fish and Wildlife, HPA, water quality permit, Chapter 90.48 RCW, shoreline permit, Chapter 90.58 RCW, or permit issued by the U.S. Army Corps of Engineers.

(~~f~~g) Conditions imposed in any final environmental determination, mitigated determination of nonsignificance or final environmental impact statement under Chapter 43.21C RCW.

(~~g~~h) Health standards for wells and drain fields as set forth in sections such as Chapters 8.40 and 8.41 LCC.

## Commentary

(~~h~~i) Flood hazard standards as set forth in Chapter 15.35 LCC.

(~~i~~j) Stormwater standards as set forth in Chapter 15.45 LCC.

(~~j~~k) The supplemental requirements of Chapter 17.145 LCC.

(~~k~~l) Other applicable standards.

# Commentary

## LEWIS COUNTY CODE 17.142.080 AMENDMENTS

### Code Section

See below original language on RCW **36.70A.070**:

(5)(d)(i)(C) Any development or redevelopment in terms of building size, scale, use, or intensity may be permitted subject to confirmation from all existing providers of public facilities and public services of sufficient capacity of existing public facilities and public services to serve any new or additional demand from the new development or redevelopment. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5) and is consistent with the local character. Any commercial development or redevelopment within a mixed-use area must be principally designed to serve the existing and projected rural population and must meet the following requirements:

(I) Any included retail or food service space must not exceed the footprint of previously occupied space or 5,000 square feet, whichever is greater, for the same or similar use, unless the retail space is for an essential rural retail service and the designated limited area is located at least 10 miles from an existing urban growth area, then the retail space must not exceed the footprint of the previously occupied space or 10,000 square feet, whichever is greater; and

(II) Any included retail or food service space must not exceed 2,500 square feet for a new use, unless the new retail space is for an essential rural retail service and the designated limited area is located at least 10 miles from an existing urban growth area, then the new retail space must not exceed 10,000 square feet;

For the purposes of this subsection (5)(d), "essential rural retail services" means services including grocery, pharmacy, hardware, automotive parts, and similar uses that sell or provide products necessary for health and safety, such as food, medication, sanitation supplies, and products to maintain habitability and mobility.

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

**Chapter 17.142**
**LAND USE STANDARDS**

**17.142.080 Commercial~~/industrial~~ buildings in certain LAMIRDs.**

~~(1) A special use permit is required in the Small Town Mixed Use, Small Town Industrial and Rural Residential Center/Shoreline Residential zones when certain proposals exceed the sizes specified below:~~

~~(a) Commercial/industrial uses, specified in Chapter 17.42 LCC, that exceed 15,000 square feet and do not otherwise require a special use permit in the Small Town - Mixed Use/Commercial (STMU) and the Rural Residential Center/Shoreline Residential (RRC/SR) zones.~~

~~(b) Commercial/industrial uses, as specified in Chapter 17.42 LCC, that exceed 20,000 square feet in the Small Town - Industrial (STI) zone.~~

~~(c) These provisions do not apply to home-based businesses.~~

(1) Pursuant to RCW 36.70A.070(5)(d)(i)(C), commercial buildings that include retail or food service uses and are located in a Type I LAMIRD, which is designated as Small Town Mixed Use (STMU), Rural Residential Center (RRC) and Commercial Crossroad (CC) on the official zoning map, must not exceed the footprint of previously occupied space or 5,000 square feet, whichever is greater, for the same or similar use, or 2,500 square feet for a new use, unless the retail space is for an essential rural retail service and the designated LAMIRD is located at least 10 miles from an existing urban growth area, then the retail space must not exceed the footprint of the previously occupied space or 10,000 square feet, whichever is greater. Essential rural retail service means services including grocery, pharmacy, hardware, automotive parts, and similar uses that sell or provide products necessary for health and safety, such as food, medication, sanitation supplies, and products to maintain habitability and mobility.

~~(2) Special conditions.~~

~~(a) The facility shall contain uses of a type and scale found in small towns/rural settlements.~~

~~(b) Off-street parking shall be sized to accommodate the intended uses.~~

(~~c~~2) The public facilities and services that serve the commercial use shall be sized and located in a manner that is consistent with rural character and does not encourage urban development outside of urban growth areas. The ~~adequacy and rural~~ adequate public facilit~~y~~ies and services test~~s~~ of Chapter~~s~~ 17.130 ~~and 17.150 LCC~~ shall be met.

# Commentary

## LEWIS COUNTY CODE 17.142.090 AMENDMENTS

This amendment is to add new industrial zoning (IND) due to zoning designations for Small Town UGA.

Screening and buffering is not a standalone standards and this section reference that new standard as required.

**17.142.~~090~~165 Organic Material Composting facilities.**

(1) An administrative permit is required for facilities in small town industrial (STI) zones and urban growth area – small towns in the industrial (IND) zones.

(2) Standards. All of the following standards must be met:

(a) Structures are required to be set back at least 100 feet from abutting lot lines if the abutting lot is not zoned RAI, IND or STI. If the abutting lot is RAI, IND or STI, then standard setbacks in Chapter 17.145 LCC apply.

(b) All organic material composting facilities shall meet the screening standards in Section 17.142.205. ~~LCC Screening around the perimeter of the site must be provided. Screening may include fences, walls, vegetation, earth berms with vegetation, or a combination of these or other methods. The screening must be at least six feet high and must obscure at least 80 percent visibility of all equipment and structures as seen from rights-of-way and adjacent properties.~~

~~(i) All vegetation used for screening must be of sizes, types, numbers and siting adequate to achieve 80 percent opacity within three years.~~

~~(ii) All vegetation used for screening must be maintained in a healthy condition. Vegetation used for screening that dies must be replaced within six months.~~

# Commentary

## LEWIS COUNTY CODE 17.142.100 CLUSTERED TOURIST USES

Interstate 5 is the primary transportation corridor on the West Coast serving California, Oregon and Washington. The community of Lewis County utilizes the interchanges for fuel, convenience groceries and restaurants, as well as an employment basis. Allowing clustering of tourist uses at each interchange supports the rural population.

The Rural Development District zoning designation applies to land near each of the 5 interchanges. The allowed uses listed under (1) are already allowed within the Rural Development Districts; however, the permitting processes vary. This change allows the clustered tourist uses to be approved through a single Administrative review process as long as the parcel is located within 1,000 feet of the interchange.

The maximum square footage is being clarified that it is based on the building footprint. The intention is to allow groups of buildings, often attached, that occupy no more than 30,000 square feet of the parcel. A hotel or motel may have a second story that is not counted towards this maximum footprint. Outdoor uses, such as semitruck parking at a fueling station, are not counted towards the maximum square footage.

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**Chapter 17.142**
**LAND USE STANDARDS**

**17.142.100 Clustered tourist uses.**

(1) Clustered tourist uses incorporate a group of uses that are targeted to the traveling public. These uses include:

(a) ~~Bed and breakfast uses~~ Lodging and Transient Accommodations.

~~(b) Motels/inns.~~

(~~c~~b) ~~Food service establishments~~ Restaurants.

(~~d~~c) ~~Convenience grocery or fuels~~ Retail.

(d) Fueling/charging stations.

(e) Truck stops.

(f) Automative maintenance and repair.

(g) Transit facilities.

(2) ~~Convenience~~ Clustered tourist uses may be located:

(a) On parcels within the Rural Development District (RDD) that are located within 1,000 feet of ~~the~~ an Interstate 5 exit ~~63 or 68~~ on- or off-ramp~~s~~.

(b) Within the Freeway Commercial (FC) ~~Z~~zone or Small-Town Mixed-Use (STMU) ~~Z~~zone.

(3) The maximum square footage of building~~s~~ footprint for an entire group of clustered tourist uses shall ~~be~~ not exceed 30,000 square feet. No ~~individual use~~ standalone building shall exceed a 15,000 square feet ~~in size~~ footprint.

(4) Clustered tourist uses may be approved through a Type I Administrative review.

# Commentary

## LEWIS COUNTY CODE 17.142.102 DATA PROCESSING CENTER

Data processing centers have three primary impacts on adjacent properties and the public – noise, vibration and aesthetics.

To address noise and vibration, the data processing center needs to be enclosed in a building and the building needs to be constructed using sound and vibration absorbing and isolating technology. To provide additional noise and vibration mitigation between a data center and residential uses, a barrier or wall is required between properties, as well as landscaping to reduce aesthetic impacts.

Large data processing centers typically have long horizontal facades. The facades need to be modulated to reduce aesthetic impacts when facing a public or private road. The use of clear glass or change in building look is required and the main entrances needs to be accentuated. In addition, exterior lighting is often used for security and should not impact adjacent properties; therefore, it must be pointed down and not create light spill off of the site.

In addition to these standards, an adequate facilities assessment will be required, and the local fire district may require additional mitigation.

All state and federal requirements also apply.

*This is new code.*
*It is not underlined for readability.*

## Chapter 17.142
## LAND USE STANDARDS

### 17.142.102 Data Processing Center.

(1) Noise and vibration.

(a) All equipment associated with the data processing center shall be enclosed within a building(s).

(b) Building materials shall include installation of sound-absorptive materials for all walls, ceilings and floors.

(c) If the data center is in a multi-tenant building, vibration isolation technology shall be installed in walls or floors that separate the data processing center from other uses.

(d) An acoustic barrier or wall at least eight (8) feet tall shall be constructed on all exterior property boundaries, except within 10 feet of a driveway. The barrier or wall shall be setback 10 feet from the abutting property line. Outside the barrier or wall, at least one (1) shrub shall be planted for every ten (10) horizontal feet of barrier or wall.

(2) Building façade.

(a) Reflective surfaces, such as mirrored glass or polished metal, are prohibited.

(b) The main entrance shall be differentiated from the building façade by a change in material, pattern, texture or color and the entrance shall project or recess from the adjoining building plane by at least five (5) feet.

(3) Lighting. All exterior lighting shall meet section 17.142.020, Lighting, LCC.

# Commentary

## LEWIS COUNTY CODE 17.142.107 DETACHED BEDROOMS

The allowed density in most Lewis County zones is one single family residence and one accessory dwelling unit with no more than two bedrooms. If a property owner has a single-family residence and two detached bedrooms, then capacity has been maximized and no additional dwelling units will be allowed on that parcel. A property owner may not have a single-family residence, accessory dwelling unit and two detached bedrooms.

Detached bedrooms also considered a dwelling unit for the purposes of housing density. For example, the RDD and RRC zones allow one house and one accessory dwelling unit per parcel as the maximum housing density. If there is one house and one detached bedroom, that bedroom is counted as the ADU. There cannot be one house and two detached bedrooms, because for housing density that would count as one house and two ADU which is not allowed.

*This is new code.*
*It is not underlined for readability.*

## Chapter 17.142
## LAND USE STANDARDS

### 17.142.107 Detached bedrooms.

(1) No more than two (2) detached bedrooms are allowed per parcel.

(2) A detached bedroom is considered as a dwelling unit for the purposes of housing density.

# Commentary

## LEWIS COUNTY CODE 17.142.110 AMENDMENTS

Add requirements for fences over seven feet in height area addressed through Chapter 15, Building Codes, LCC. This is duplicative and not necessary and is therefore removed.

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

**Chapter 17.142**
**LAND USE STANDARDS**

**~~17.142.110 Fences greater than seven feet.~~**

~~(1) Fences greater than seven feet in height measured from existing average grade will be permitted along the side and rear property lines if the following information is submitted and administrative approval granted as provided below:~~

~~(a) Plan(s) showing the location of the proposed fence on the site plan and all buildings within 50 feet.~~

~~(b) Information about the type of fence material, proposed height, and construction details.~~

~~(2) The administrative approval shall find the following has been met in the approval decision:~~

~~(a) The fence shall not modify or impede existing drainage patterns.~~

~~(b) The fence must be erected and maintained within the property lines, and no fence shall be erected to encroach upon a public right-of-way or access easement(s).~~

~~(c) The supporting members of the fence, if erected along or adjacent to a property line, shall face the tract or parcel of land upon which the fence is erected.~~

~~(d) The maintenance of the fence shall be accessible from the property on which the fence is located. If access is needed from abutting property owners, a maintenance easement shall be established and recorded with the county between property owners. The applicant shall be responsible for obtaining and recording any maintenance easement(s) between property owners and shall provide the recorded easement to Lewis County community development prior to approval.~~

~~(e) The fence will not be located within a clear view triangle per LCC 17.145.140.~~

~~(f) The placement of the fence will not interfere with above and below ground utility easements and their maintenance. If the proposed fence is within a utility easement, written verification from the appropriate utility company that it does not interfere is required prior to approval.~~

~~(g) The building official, planning and public works directors or their designee shall find that the fence as proposed will not be detrimental to the neighborhood in terms of view, light, and air or injurious to traffic safety and meets construction requirements/regulations as prescribed in the Lewis County Code.~~

# Commentary

## LEWIS COUNTY CODE 17.42.120 and 130 AMENDMENTS

### Code Section

17.142.120 – updating to support the new sign code 17.142.205

17.142.130 - We needed to update this section because the new land use table changes support home-based businesses and does not mention small businesses anymore.

**Chapter 17.142**
**LAND USE STANDARDS**

**17.142.120 Home-based business ~~that are permitted outright.~~**

The following standards apply to home-based businesses ~~that are considered a permitted use~~:

(1) All home-based businesses must be located on the parcel or contiguous to the parcel upon which the owner or manager resides.

(2) The use of the dwelling unit for the home-based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

(~~1~~3) No more than two (2) persons, other than the family residing on the premises, shall be engaged in such occupation.

(~~3~~4) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home business, other than one sign, meeting the standards of Chapter 17.142.207, ~~not exceeding four square feet in area, non-illuminated and mounted on the property~~; ~~provided,~~ except that day care facilities with 10 children or less may use yard areas for recreation.

(~~4~~5) No traffic shall be generated by such home-based businesses in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home business shall meet the off-street parking requirements as specified in this title and shall not be located in a required front yard. No more than two (2) vehicles used for the operation of the business may be parked on the site at any time.

(~~5~~6) No equipment or process that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal senses off the subject lots shall be used in a permitted home occupation. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuation in line voltage off the premises.

~~**17.142.130 Home-based businesses and isolated small businesses that require an administrative or special use permit.**~~

~~The following standards apply to home-based businesses and isolated small businesses that require an administrative or special use permit:~~

## Commentary

(1) Title 17.42, Table 2, Land Use Summary specified when home-based business are allowed and what permitting processes are required. Therefore, this section is not needed.

(2) This does not need to be stated because the CAO and Shoreline always apply.

(3) This retained and moved up in the section.

(4) Business licensing through Washington State addresses this, therefore this section is not necessary.

(5) Cumulative impacts are addressed when the Adequate Facilities requirements of Chapter 17.130 LCC are triggered, therefore this is duplicative and unnecessary.

~~(1) Permit Requirement.~~

~~(a) An administrative permit is required for facilities up to 5,000 square feet in size, including home-based businesses that change the outward appearance of a residence or building premises.~~

~~(b) A special use permit is required for facilities between 5,000 and 10,000 square feet in size.~~

~~(2) New facilities shall be in conformance with the Lewis County critical areas ordinance, and shall be required to identify and take steps to protect resource activities where such activities occur nearby.~~

~~(3) All home-based businesses must be located on property contiguous to the parcel upon which the owner or manager resides.~~

~~(4) A permit granted under this section shall be applicable to the facilities approved. When an owner desires to move and to move the business, a new permit shall be required.~~

~~(5) The cumulative effect of similar uses in the neighborhood must be identified to assure that the land is capable of accommodating the use without creating the need for new services or facilities which are not rural in nature.~~

# Commentary

## LEWIS COUNTY CODE 17.142.140 and 150 AMENDMENTS

This amendment is made to comply language with RCW Title 314 from marijuana to cannabis. This amendment is also necessary to add the new zoning designation IND (Industrial Small Town UGA) to the code amendment.

**17.142.140 ~~Marijuana~~ Cannabis production and processing.**

(1) The location of all ~~marijuana~~ cannabis production and/or processing, including related structures, shall not be closer than 100 feet from any property line, except when ~~not~~ located in the Small Town Industrial (STI), urban growth area – small town Industrial (IND) ~~and~~ or Rural Area Industrial Districts (RAI) the underlying zoning setback requirements shall be met.

(2) The location of all ~~marijuana~~ cannabis production and/or processing, including related structures, shall be on parcels with direct access to a public ~~road~~ right-of-way.

(3) No ~~marijuana~~ cannabis production and/or processing shall occur on parcels less than five (5) acres in area, except in the Small Town Industrial (STI), urban growth area – small town Industrial (IND) ~~and~~ or Rural Area Industrial Districts (RAI) zones. A special use permit for ~~marijuana~~ cannabis production and/or processing may require odor control measures to protect neighboring properties from potential odor nuisances, as specified by the director of community development pursuant to LCC 5.20.030(1).

(4) No facility used for ~~marijuana~~ cannabis production and/or processing shall use permanent standby or portable power generators using combustible fuels as a sole source of electrical power, except during periods of power outages.

(5) Any outside lighting proposed for ~~marijuana~~ cannabis production and/or processing, including security lighting, shall meet the standards of Chapter 17.142.020, Lighting ~~have hoods and/or shields to prevent light transmission to neighboring properties~~.

(6) The position of cameras required for surveillance systems for ~~marijuana~~ cannabis production and/or processing shall not intrude on the privacy of neighboring properties.

(7) All structures serving ~~marijuana~~ cannabis production and/or processing shall conform to LCC Title 15, except as provided under RCW 19.27.065.

(8) All structures and uses serving production and/or processing of recreational ~~marijuana~~ cannabis shall conform to LCC Title 8, pertaining to solid waste disposal, and to Chapter 8.40 LCC or Chapter 173-216, 173-218, or 173-303 WAC, as appropriate, pertaining to sewage or wastewater disposal.

(9) The development of a ~~marijuana~~ cannabis producing and/or processing facility that will generate a liquid industrial waste shall address either:

(a) [No Change]

(b) [No Change]

(c) [No Change]

## Commentary

(10) The development of a ~~marijuana~~ cannabis producing and/or processing facility shall implement a fully approved public water supply consistent with Chapter 246-290 WAC or Chapter 8.55 LCC.

(11) All structures and uses serving ~~marijuana~~ cannabis production and/or processing shall conform to the licensing requirements of Chapter 5.20 LCC.

(12) In addition to the buffer requirements stated in Chapter 314-55 WAC, ~~marijuana~~ cannabis production and/or processing shall not locate within 1,000 feet of any hospital or any family home child care center as defined in WAC 170-296A-1000. The distance shall be measured as the shortest straight-line distance from the property line of the ~~marijuana~~ cannabis production or processing facility to the property line of the hospital or family home childcare center.

(13) A special use permit granted under Chapter 17.158 LCC for ~~marijuana~~ cannabis production and/or processing shall expire automatically if the Washington State Liquor and Cannabis Board revokes the facility's valid license issued under Chapter 314-55 WAC or if the facility's license under Chapter 5.20 LCC expires, is revoked, or ceases to be valid.

**17.142.150 ~~Marijuana~~ Cannabis retailers**

(1) External ~~security~~ lighting ~~for marijuana retailers shall shield glare or light transmission to neighboring properties~~ shall meet the standards of Chapter 17.142.020, Lighting.

(2) The position of cameras required for surveillance systems for ~~marijuana~~ cannabis retailers shall not intrude on the privacy of neighboring properties.

(3) ~~Marijuana~~ Cannabis retailers shall conform to LCC Title 8, pertaining to solid waste disposal, and to Chapter 8.40 LCC or Chapter 173-216, 173-218, or 173-303 WAC, as appropriate, pertaining to sewage or wastewater disposal.

(4) ~~Marijuana~~ Cannabis retailers shall implement a fully approved public water supply if and to the extent required by Chapter 246-290 WAC and Chapter 8.55 LCC.

(5) All structures and uses serving ~~marijuana~~ cannabis retail shall conform to LCC Title 15, except as provided under RCW 19.27.065.

(6) All structures and uses serving ~~marijuana~~ cannabis retail shall conform to the licensing requirements of Chapter 5.20 LCC.

(7) ~~Marijuana~~ Cannabis retailers shall locate on parcels with direct access to the following transportation routes under the standards of the Washington State Department of Transportation: state highways, local arterials, and local major collectors.

## Commentary

(8) Pursuant to RCW 39.50.331 any cannabis retailer shall not locate within 1,000 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or library, or any game arcade admission to which is not restricted to persons aged 21 years or older. In addition ~~to the buffer requirements stated in Chapter 314-55 WAC~~, ~~marijuana~~ cannabis retailers shall not locate within 1,000 feet of any community center, hospital, or correctional/detention facility ~~or any family home child care center as defined in WAC 170-296A-1000~~. The distance shall be measured as the shortest straight-line distance from the property line of the ~~marijuana~~ cannabis retailer to the property line of the specified use ~~hospital or family home child care center~~.

(9) No ~~marijuana~~ cannabis retailer shall locate on a parcel that is within the same ZIP postal code region as any other ~~marijuana~~ cannabis retailer, except that in the region corresponding to the 98532 postal code, one (1) retailer may locate on each side of Interstate 5. Only ~~marijuana~~ cannabis retailers in unincorporated Lewis County shall be counted when considering this limitation: ~~Marijuana~~ cannabis retailers located within an incorporated town or city shall not preclude the location of another retailer within the same ZIP code.

(10) A special use permit granted under Chapter 17.158 LCC for a ~~marijuana~~ cannabis retailer shall expire automatically if the Washington State Liquor and Cannabis Board revokes the facility's valid license issued under Chapter 314-55 WAC or if the facility's license under Chapter 5.20 LCC expires, is revoked, or ceases to be valid.

# Commentary

## LEWIS COUNTY CODE 17.142.160 AMENDMENTS

### 17.142.160(1)

(1) This amendment is made to apply only for LAMIRDS due to new zoning designations for the Small Town UGAs that allow multifamily developments with different parameters.

(2) This change is made to comply with the new State regulation enacted by ESB5471, which amended RCW 36.70A allowances for middle housing.

**17.142.160 Multifamily housing in LAMIRDs.**

(1) Multifamily housing is only allowed in LAMIRDs that have centralized water and wastewater facilities that are able to accommodate the density of the units.

(2) The density of a multifamily housing development shall not exceed four (4) units per lot ~~24 units per acre~~.

# Commentary

**LEWIS COUNTY CODE 17.142.180 Religious buildings, community centers, grange halls, and similar structures for public assembly**

This section is removed. Off-street parking is addressed in Chapter 17.145.

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

**~~Chapter 17.142~~**
**~~LAND USE STANDARDS~~**

**~~17.142.180 Religious buildings, community centers, grange halls, and similar structures for public assembly.~~**

~~(1) New religious buildings, community centers, grange halls and similar quasi-public use buildings in residential use districts zone shall not cover more than 35 percent of their lots.~~

~~(2) Off-street parking shall be required and shall meet the standards of Chapter 17.145 LCC.~~

DRAFT

# Commentary

## LEWIS COUNTY CODE 17.142.205 Screening

Many sections of the LCC include screen and buffering standards. Those are consolidated to one standard that each other section now references.

*This is a new code section and*
*is not underlined for easy of reading*

**Chapter 17.142**
**LAND USE STANDARDS**

## 17.142.205 Screening.

For development or improvements where screening is required, screening around the perimeter of the site must be provided. Screening may include fences, walls, vegetation, earth berms with vegetation, or a combination of these methods. Screening shall meet all of the following standards:

(a) The screening shall be at least six (6) feet high.

(b) Fences and walls shall be articulated by at least two (2) feet in depth, or one shrub or one tree shall be planted on the outside of the fence or wall, for every 25 feet of fence or wall length.

(c) All vegetation used for screening must be of sizes, types, numbers and siting adequate to achieve 80 percent opacity within three (3) years.

(d) The use of vegetation as screening and buffering is prohibited within 20 feet of any facilities or equipment associated with Battery Energy Storage Systems.

(e) All vegetation must be maintained in healthy condition and vegetation used for screening that dies must be replaced within six (6) months.

DRAFT

# Commentary

## LEWIS COUNTY CODE 17.142.207 SIGNS

The intent of the new sign standards is to prohibit signs on Lewis County property that are authorized by Lewis County, Wahington State or the Federal government. And to prohibit other signs that are a hazard, including digital billboards, which do not match rural character.

Most signs are exempt from the requirements including way finding (e.g., entrance, exit), murals, signs for institutions (schools, churches, etc.), real estate signs, political signs, signs located on a business structure, memorial plaques, and many other signs. Freestanding signs need to meet setback standards and signs over a certain size need to meet height requirements; therefore, a permit is required for those signs.

*This is a new code section and*
*is not underlined for easy of reading*

**Chapter 17.142**
**LAND USE STANDARDS**

## 17.142.207 Signs

(1) Purpose. The purpose of the sign standards is to ensure signs are designed to be compatible with existing and future land uses; support commercial communications that recognize the needs of local businesses; ensure safe and thoughtful placement; allow creative and innovative design; and promote proper maintenance.

(1) Applicability. Any sign that is to be erected, relocated, constructed, replaced or altered shall obtain permit, unless specifically exempt under LCC 17.142.207(3).

(2) Prohibitions.

(a) Signs on Lewis County property or within public rights-of ways and easements, unless erected by Lewis County, or their designee, the State of Washington or a branch of the federal government. Signs previously placed on Lewis County property or within the public rights-of-way or easements without the controlling agency's consent are not considered unlawful and are subject to removal.

(b) Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or by obstructing or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians. Flashing or revolving red, green, blue or amber lights shall be prohibited on any sign. Any sign, which by glare or method of illumination constitutes a hazard to traffic, shall be prohibited. No sign may use the words "stop," "look," "danger," or any other word, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse drivers or pedestrians.

(c) Flashing signs (except legally installed electronic signs), signs which revolve in excess of five (5) revolutions per minute, signs which contain wind-actuated elements or swinging signs.

(d) Digital billboards of any size and non-digital billboards measuring more than 10 feet high and 22 feet wide.

(e) Abandoned signs or signs not properly maintained, showing neglect, or in a dilapidated or hazardous condition. Hazardous signs may be required to be repaired or removed.

# Commentary

(3) Exemptions. The following are exempt from meeting the sign standards and no permit is required:

(a) Existing signs may persist, except pursuant to 17.142.207(2).

(b) Replacement and maintenance of signs when the location, dimensions and lighting of the sign are unchanged. Painting, repainting, cleaning, repairing, and other normal maintenance unless structural or electrical changes are made. Changing of advertising copy or message on a lawfully erected sign.

(c) Signs that are required by law.

(d) Wayfinding signs such as address signs, street signs, pedestrian/bicycle trail signs, parking signs, historic or scenic site signs or plaques, or other signage required for the safe movement of vehicle or pedestrian traffic.

(e) Essential public needs signs such as restrooms, telephones, entrance, exit, etc.

(f) Official public notices, official court notices.

(g) School, library, religious, charitable or similar signs when located on the premises of the institution.

(h) Murals, painted wall designs or patterns that do not represent a business product, service, trademark or that do not identify the user.

(i) Memorial plaques nine (9) square feet or less in size.

(j) Flags that do not advertise a commercial business.

(k) Non-commercial signs affixed to the building such as address numbers or letters, plaques or inscriptions.

(l) Signs painted or attached inside a window.

(m) Temporary signs.

(i) Real estate signs six (6) square feet or less in size in residential zones and 32 square feet or less in size in commercial and industrial zones, that are removed once the property is sold.

## Commentary

(ii) Political campaign signs that are removed within one (1) week following an election for which the candidate or issue is on the ballot.

(iii) Construction signs limited to two (2) per project denoting the architect, engineer, contractor or developer, not to exceed 32 square feet for the first sign and 12 square feet for the second, that are removed within one (1) month of completion of construction.

(iv) Estate or garage sale signs eight (8) square feet or less in size, that are in place for no more than ten (10) days.

(v) Sandwich boards, that are removed at the end of each business day or the completion of a special event.

(vi) Special occasion signs, such as a holiday, wedding, retirement, anniversary, graduation, fair, or community event that are removed within one (1) week after the special event.

(vii) Flags that advertise a commercial business that are removed at the end of each business day.

(viii) Portable traffic control or directional information that do not block safety sight lines of motorists pulling into or out from a business or within safety sight triangles on corner lots.

(o) Commercial business signs.

(i) Two (2) wall-mounted or roof-mounted signs per business where one sign does not exceed 64 square feet in size and the second sign does not exceed 32 square feet. Each sign shall meet all setback requirements or shall not extend more than five (5) feet outward from any wall or roof surface, whichever is less.

(ii) For home-based businesses, one (1) wall-mounted sign not to exceed four (4) square feet and not illuminated.

(iii) Gas station signs.

(4) Standards. Each freestanding sign shall meet all of the following standards. Additional sign standards apply within urban growth area – small towns pursuant to Chapter 17.17.

(a) Each sign shall be adequately constructed, and securely and substantially anchored so as to withstand wind pressure in accordance with the requirements of the Washington State Building Code and shall meet the International Building Code standards as now in force or hereafter amended in every other respect. Signs containing electrical circuitry shall meet the requirements of the Washington State Department of Labor and Industries standards, all state laws, as now in force or hereafter amended, and an approved electrical testing lab.

## Commentary

(b) Each sign shall meet all county and state setback requirements.

(c) Each sign shall not obstruct or detract from automotive, bicycle or pedestrian visibility at any intersection or pedestrian crossing and all signs, except a multi-business complex monument sign, shall be placed a minimum of eight (8) feet above any paved or graveled surface designated for automotive, bicycle or pedestrian access.

(d) Each commercial business shall be allowed not more than one (1) freestanding commercial sign not to exceed 64 square feet in size, except home-based business shall not exceed four (4) square feet in size.

(e) A multiple-business complex shall be allowed not more than one (1) freestanding monument sign not to exceed 100 square feet in size, excluding the base, pedestal or mount, with a maximum height of 25 feet. The sign may not be used entirely for only one (1) tenant unless it is limited to 32 square feet. Individual tenants in a multiple-business complex may not erect individual freestanding signs but may erect one (1) wall-mounted sign that meets the standards of 17.142.207(3)(o)(i).

# Commentary

## LEWIS COUNTY CODE 17.142.210 Surface Mining Areas

The only change is to extended hours of operation.

**Chapter 17.142**
**LAND USE STANDARDS**

**17.142.210 Surface mining areas.**

(1) Applicability. This section applies to the creation of new surface mining areas or the expansion of lawfully permitted activities beyond an approved DNR reclamation plan area in effect on July 26, 1999; provided, however, this does not cover any mining activity which is less than three acres in size.

(2) Mine Development Standards. All permits issued pursuant to this section shall require the following minimum standards. The hearing examiner may increase buffers and mitigation when good cause is shown.

(a) Setbacks/Screening.

(i) A 50-foot setback from the mine property and from all abutting property, consistent with and subject to the reduction provisions of LCC 17.30.810, shall be maintained for areas of direct cut or fill connected with resource extraction operations. For mining operations, the setbacks may be increased when necessary to provide lateral support for abutting properties or public rights-of-way.

(ii) A 25-foot-wide screen, consisting of sight-obscuring vegetation, berms, or other methods approved by Lewis County, shall be maintained within the 50-foot setback on the mine property. This screen is meant to conceal the mine from public rights-of-way and/or property used for residential purposes.

(iii) Any direct extraction operation areas within a public utility right-of-way shall be subject to the written conditions of approval from the affected utility, which shall be incorporated into the permit.

(iv) A 200-foot setback shall be maintained between any mining activity and any existing structure occupied for sleeping or eating purposes but not including accessory structures such as barns or outbuildings, existing at the date of application.

(b) Road Use. To assure the maintenance and development of adequate county roadways, owners of surface mining operations may be required to enter into a haul route agreement with the county engineer upon adoption and implementation of a haul route agreement program. The haul route agreement shall address impacts immediately attributable to the project use.

## Commentary

(c) Traffic Safety. The operator may be required to install traffic improvement, control, and warning signs to assure adequate access and traffic safety.

(d) Noise/Bright Lights.

(i) No development or activity shall exceed the maximum environmental noise levels established by Chapter 173-60 WAC.

(ii) Bright lights shall be shaded or shielded from adjoining residential properties.

(e) Surface Mining Operation within Critical Aquifer Recharge Areas. Surface mining operations within critical aquifer recharge areas (as designated in Chapter 17.38 LCC) shall meet the following standards:

(i) Fuel tanks and oil drums shall be double containment construction and protected by bermed areas having adequate capacity to accommodate, contain, and allow the removal of petroleum spills. Fuel nozzles shall not contain locking devices. Fuel storage shall be above ground. Fueling of mobile equipment shall be located at least 20 feet above the seasonal high ground water level or within lined and bermed areas with adequate capacity to accommodate, contain, and allow the removal of petroleum spills. Where the nature of the operation is such that the machinery cannot be moved for fueling, or the aquifer is less than 20 feet from the surface, the hearing examiner may approve an alternative fueling plan which accomplishes aquifer protection.

(ii) All operations shall maintain a fuels/hazardous waste management plan maintained by the operator and available on the site at all times.

(iii) Surface mines shall not use any noxious, toxic, flammable, compactable, or combustible materials not specifically authorized by Lewis County Department of Health for backfill or reclamation. Noncontaminated process water used for gravel washing shall be routed to settling ponds to minimize off-site discharges. A general permit from the Department of Ecology for process and stormwater discharge may substitute for these requirements.

(iv) On-site truck and equipment wash runoff shall be routed to retention facilities equipped with an oil-water separator prior to its release to settling ponds.

(v) Use of chemicals, petroleum or hazardous products, and disposal of such products, in concrete or asphalt plant operations within critical aquifer recharge areas shall meet the standards set forth in Chapter 90.48 RCW and Chapter 173-303 WAC.

## Commentary

Hours of operation are intended to limit the impact on adjacent property owners. The Hearing Examiner sets the hours of operation.

(f) Public Safety. Owners of surface mines shall ensure their operation(s) will not be hazardous to neighboring uses. Blasting activities shall be conducted so that ground vibrations comply with all state laws about peak particle velocity, air pressure, and other state requirements, including but not limited to Chapter 9 of the Blasting Guidance Manual identified below. All fly-rock shall be contained within the site. All activities shall comply with the standards set forth in official guidelines, including but not limited to Office of Surface Mining U.S. Department of Interior, Blasting Guidance Manual, 1987 ed., Explosives: WAC 296-52-493, Part F, or as revised.

(g) Surface Water Permit. A National Pollutant Discharge Elimination System (NPDES) sand and gravel general permit or individual permit, as appropriate, shall be a condition of approval and incorporated herein by reference.

(h) Hours of Operation. Regular hours of operation shall be between the hours of 6:30 a.m. and 7:00 p.m.; blasting shall only occur during the time period between 10:00 a.m. and 4:00 p.m. Prior to any blast, 24-hour notice shall be given to all property owners or residences within 500 feet of any mine property line. If a blast does not occur as scheduled in a notification, 24-hour renotification shall be required. The hearing examiner may inquire into the proposed hours of operation and set additional limits when deemed necessary to protect quiet enjoyment of neighboring residential properties. The hearing examiner may include provisions for exceptions from established regular hours of operation. Extended hours may be requested and approved under conditions set by the hearing examiner~~, particularly~~ if a declared emergency exists or for work on public works contracts ~~where an emergency~~ that may require work outside regular hours and in either situation the request is for less than six (6) consecutive months.

(3) Exceptions. This permit process shall not be applicable to mines regulated under federal mining laws.

# Commentary

## LEWIS COUNTY CODE 17.145 Supplemental Setbacks

### 17.145.020

Adding 16.05.300(d) to the subsection to implement new standards to Chapter 17.17.100 UGA Small Towns, Density and Lot Size.

## Chapter 17.145
## SUPPLEMENTAL REQUIREMENTS

### 17.145.010 Purpose.

[No Change]

### 17.145.020 Required Setbacks.

(1) The minimum required setbacks shall be as follows. See also Chapter 17.17, Urban Growth Area – Small Towns, 17.20B, Major Industrial Development and 17.20E, Master Planned Resort.

| Setback | RDD | STMU | RRC | CC | TSA | STI | FC | RAI | ARL | FRL | MRL | PARK |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Front | | | | | | | | | | | | |
| From public right-of-way | As defined in Chapter 15.15 LCC | | | | | | | | | | | |
| From private right-of-way easement | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| From public right-of-way | As defined in Chapter 15.15 LCC | | | | | | | | | | | |
| From alley[1] | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| From property line | 5 | 5 | 5 | 5 | 10 | 10 | 5 | 10 | 5 | 5 | 5 | 5 |
| From alley[1] | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| From property line | 15 | 10 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| From abutting residential zone | 0 | 0 | 0 | 15 | 25 | 15 | 15 | 25 | 0 | 0 | 0 | 0 |

# Commentary

| ~~**Setback**~~ | ~~**Residential**~~ | ~~**Commercial**~~ | ~~**Industrial**~~ |
|---|---|---|---|
| ~~Front~~ | ~~-~~ | ~~-~~ | ~~-~~ |
| ~~From public right-of-way~~ | ~~As defined in Chapter 15.15 LCC~~ | | |
| ~~From private right-of-way easement~~ | ~~0~~ | ~~0~~ | ~~0~~ |
| ~~Side~~ | ~~-~~ | ~~-~~ | ~~-~~ |
| ~~From public right-of-way~~ | ~~As defined in Chapter 15.15 LCC~~ | | |
| ~~From alley[1]~~ | ~~5~~ | ~~5~~ | ~~5~~ |
| ~~From property line~~ | ~~5~~ | ~~10~~ | ~~10~~ |
| ~~Rear~~ | ~~-~~ | ~~-~~ | ~~-~~ |
| ~~From alley[1]~~ | ~~5~~ | ~~5~~ | ~~5~~ |
| ~~From property line~~ | ~~15~~ | ~~0~~ | ~~0~~ |
| ~~From abutting residential zone~~ | ~~-~~ | ~~25~~ | ~~50~~ |

[1] In no instance shall parking associated with the proposed structure be allowed in an alley, or allowed to back directly into an alley.

(2) [No Change]

(3) [No Change]

(4) [No Change]

**17.145.030 Height limit.**

[No Change]

**17.145.040 Off-street parking and loading requirements.**

(1) This section ~~is~~ only applies to Chapters 17.45, Small Towns – Mixed Use/Commercial (STMU), 17.55, Small Towns – Industrial (STI), ~~and~~ 17.60, Crossroads Commercial (CC), and 17.95, Rural Residential Centers (RCC).

(2) [No Change]

(3) [No Change]

(4) {No Change]

## Commentary

(5) [No Change]

(6) [No Change]

(7) [No Change]

(8) [No Change]

(9) Parking space requirements. ~~For the purpose of this ordinance~~ Except within urban growth area – small town, the following minimum parking space requirements shall apply~~.~~:

(a) Residential

(i) Single family, accessory dwelling units (ADUs), duplex, triplex, quadplex, townhomes, cottage housing, and detached bedrooms – two (2) parking spaces for every dwelling unit.

(ii) Apartments and condos – three (3) parking spaces for every two (2) dwelling units.

(iii) Cohousing, assisted living, farm labor housing, adult family home, crisis housing, emergency housing, permanent supportive housing and non-permanent supportive housing – one (1) parking space for every bed.

(iv) Family day care, childcare provider as a home-based business – two (2) parking spaces in addition to parking spaces required for the residential dwelling.

(b) Commercial/Professional

(i) Home-based business – two (2) parking spaces in addition to parking spaces required for the residential dwelling.

(ii) Retail – one (1) parking space for every 250 square feet of floor area.

(iii) Restaurant – one (1) parking space for every 100 square feet of floor area.

(iv) Fueling station – one (1) parking space for every two (2) employees, plus one (1) parking space for every 250 square feet of floor area.

(v) Kennel, animal boarding, shelter – one (1) parking space for every employee, plus two (2) additional parking spaces.

(vi) Lodging and accommodations, except short term rental – one (1) parking space for every unit, plus one (1) parking space for every two (2) employees. For hostels, two (2) beds is the equivalent of one (1) unit.

## Commentary

(vii) Short term rental – one (1) parking space per bedroom.

(viii) Event center, wedding venue – one (1) parking space for every four (4) seats or guests at peak use.

(ix) Family care, child care as a standalone business – two (2) parking spaces for every classroom, plus one (1) parking space for every employee.

(x) Storage – one (1) parking space for every two (2) employees, plus two (2) parking spaces.

(xi) Automotive sales, rental – one (1) parking space for every employee, plus two (2) additional parking spaces. Vehicle storage or showing areas shall not be counted towards parking requirements.

(xii) Professional office – one (1) parking space for every 200 square feet of floor area.

(xiii) Other commercial and professional not otherwise specified – one (1) parking space for every 200 square feet of floor area.

(c) Amusement/Recreation

(i) Recreational equipment rentals or sales – one (1) parking space for every two (2) employees, plus two (2) additional parking spaces. Vehicle storage or showing areas shall not be counted towards parking requirements.

(ii) RV park, campground - one (1) parking space for every two (2) employees. Parking associated with camp sites shall not be counted towards meeting parking requirements.

(ii) Trailhead – three (3) parking spaces, plus one (1) parking space for every five (5) miles of trail.

(iv) Fair grounds, amusement park, golf course, driving range, sport center, racetrack, water park – 20 parking spaces per one (1) acre of land. Exhibition halls and auditoriums (e.g., grandstands) shall be additive.

(v) Gym – one (1) parking space for every 250 square feet of floor area.

(vi) Museum – one (1) parking space for every 300 square feet of floor area.

(vii) Movie theater, auditoriums, exhibition hall – one (1) parking space for every four (4) seats.

(viii) Bowling alley, arcade, miniature golf - one (1) parking space for every 250 square feet of floor area.

## Commentary

(ix) Casino, adult entertainment – one (1) parking space for every 100 square feet of floor area. Exhibition halls and auditoriums (e.g., grandstands) shall be additive.

(x) Other amusement or recreation, not otherwise specified – two (2) parking spaces for every employee, plus one (1) parking space for every 200 square feet of floor area or five (5) parking spaces for every one (1) acre of land, whichever is greater.

(c) Institutional

(i) Community center, fraternal lodge, grange hall – one (1) parking space for every 250 square feet.

(ii) Religious, place of worship – one (1) parking space for every four (4) seats.

(iii) Cemetery, crematorium, mausoleum, columbarium, funeral home – one (1) parking space for every 100 square feet of floor area, plus one (1) parking space for every acre of land designated for internment.

(iv) School, kindergarten through high school – two (2) parking spaces for every classroom, plus one (1) parking space for every four (4) seats in an auditorium, gymnasium or stadium.

(v) School, post-secondary – one (1) parking space for every three (3) students, plus one (1) parking space for every four (4) seats in an auditorium, gymnasium or stadium.

(vi) Library – one (1) parking space for every 300 square feet of floor area.

(vii) Health care facility, not including a hospital, veterinarian – one (1) parking space for every two (2) employees, plus one (1) parking space for every exam room.

(viii) Emergency services – one (1) parking space for every two (2) employees.

(ix) Hospital – one-and-one-half (1.5) parking spaces for every bed.

(x) Historic landmark – three (3) parking spaces, plus one (1) parking space for every one (1) acre of land.

(xi) Radio, TV broadcasting – one (1) parking space for every two (2) employees.

(d) Industrial – one (1) parking space for every two (2) employees, plus two (2) parking spaces. Retail sales associated with industrial uses shall have one (1) parking space for every 250 square feet of floor area.

(e) Transportation/Utilities

(i) Rest stop without fueling station – five (5) parking spaces per acre of land.

## Commentary

(ii) Airport, aircraft landing field, helipad – whichever is great, five (5) parking spaces; or one (1) parking space for every two (2) employees, plus one (1) parking space for every hangar or slip.

(iii) Bus station, train station – one (1) parking space for every four (4) passengers at peak use.

(iv) Other transportation utilities, not otherwise specified – one (1) parking space for every two (2) employees, and two (2) parking spaces.

~~(a) Administration buildings (public or private): 1 for each 200 square feet of floor area.~~

~~(b) Apartments: 3 for each 2 units.~~

~~(c) Apartment hotels: 3 for each 2 units.~~

~~(d) Art galleries: 1 for each 300 square feet of floor area.~~

~~(e) Auditoriums: 1 for each 4 seats.~~

~~(f) Automobile service stations (which also provide repair): 1 for each gasoline pump and 2 for each service bay.~~

~~(g) Banks: 1 for each 200 square feet of floor area.~~

~~(h) Boarding houses: 1 for each bed.~~

~~(i) Bowling alley: 4 for each alley or lane plus one additional space for each 100 square feet of the area used for restaurant, cocktail lounge, or similar use.~~

~~(j) Business and commercial (general): 1 for each 300 square feet of floor area.~~

~~(k) Business schools: 1 for each 2 classroom seats.~~

~~(l) Cartage, express, and parcel delivery: 1 for every employee (on the largest shift for which the building is designed) and 1 for each motor vehicle maintained on the premises.~~

~~(m) Child care centers: 2 for each classroom but not less than 6 for the building.~~

~~(n) Children's homes: 1 for each 3 beds.~~

~~(o) Churches: 1 for each 4 seats.~~

~~(p) Colleges: 1 for each 3 students.~~

~~(q) Dance floors: 1 for each 100 square feet of floor area used for the activity.~~

DRAFT

## Commentary

~~(r) Dental clinics: 1 for every 200 square feet of floor area of examination.~~

~~(s) Dining rooms: 1 for each 100 square feet of floor area.~~

~~(t) Dormitories: 1 for each bed.~~

~~(u) Duplex: 2 for each unit.~~

~~(v) Elementary school: 1 for each teacher and 1 for every 8 seats in auditoriums or assembly halls.~~

~~(w) Financial institutions: 1 for each 200 square feet of floor area.~~

~~(x) Fraternities: 1 for each bed.~~

~~(y) Freight terminals: 1 for every employee (on the largest shift for which the building is designed) and 1 for each motor vehicle maintained on the premises.~~

~~(z) Funeral parlors: 1 for each 100 square feet of floor area in slumber rooms, parlors, or service rooms.~~

~~(aa) High school: In accordance with SPI guidelines and a traffic report on the specific size and location of the school to assure that parking is adequately contained on site for daily and regular use.~~

~~(bb) Homes for the aged: 1 for each 3 beds.~~

~~(cc) Hospitals: 1 1/2 for each bed.~~

~~(dd) Hotels: 1 per each sleeping room plus 1 space for each 2 employees.~~

~~(ee) Junior high schools: 1 for each teacher and 1 for every 8 seats in auditoriums or assembly halls.~~

~~(ff) Kindergartens: 2 for each classroom but not less than 6 for the building.~~

~~(gg) Libraries: 1 for each 300 square feet of floor area.~~

~~(hh) Manufacturing uses: 1 for every employee (on the largest shift for which the building is designed) and 1 for each motor vehicle maintained on the premises.~~

~~(ii) Medical clinic: 1 for every 200 square feet of floor area of examination, treating room, office, and waiting room.~~

~~(jj) Mobile homes: 2 for each unit.~~

DRAFT

## Commentary

~~(kk) Mortuaries: 1 for each 100 feet of floor area in slumber rooms, parlors, or service rooms.~~

~~(ll) Motels: 1 per each sleeping room plus 1 space for each 2 employees.~~

~~(mm) Multifamily dwelling: 3 for each 2 units.~~

~~(nn) Museums: 1 for each 300 square feet of floor area.~~

~~(oo) Night clubs: 1 for each 100 square feet of floor area.~~

~~(pp) Nursing homes: 1 for each 3 beds.~~

~~(qq) Nursery schools: 2 for each classroom but not less than 6 for the building.~~

~~(rr) Offices: 1 for each 200 square feet of floor area.~~

~~(ss) Parks, golf courses, cemeteries, and other uses consisting primarily of open space: 1 for each acre of land; provided that this requirement may be increased or decreased by the Administrator or hearing examiner, as appropriate, based on anticipated intensity of use of the property.~~

~~(tt) Retail stores: 1 for each 250 square feet of floor area.~~

~~(uu) Restaurants: 1 for each 100 square feet of floor area.~~

~~(vv) Rooming houses: 1 for each bed.~~

~~(ww) Sanitariums: 1 for each beds.~~

~~(xx) Service building: 1 for each 200 square feet of floor area.~~

~~(yy) Single-family dwelling: 2 for each unit.~~

~~(zz) Skating rinks: 1 for each 100 square feet of floor area used for the activity.~~

~~(aaa) Sports arenas: 1 for each 4 seats.~~

~~(bbb) Storage uses: 1 for every employee (on the largest shift for which the building is designed) plus 1 for each motor vehicle used in the business.~~

~~(ccc) Swimming pools (outdoor-public, community or club): 1 for each 5 persons capacity plus 1 for each 4 seats or 1 for each 30 square feet of floor area used for seating purposes, whichever is greater.~~

~~(ddd) Taverns: 1 for each 100 square feet of floor area.~~

## Commentary

~~(eee) Technical schools: 1 for each 2 classroom seats.~~

~~(fff) Theaters: 1 for each 4 seats.~~

~~(ggg) Trade schools: 1 for each 2 classroom seats.~~

~~(hhh) Universities: 1 for each 3 students.~~

~~(iii) Wholesale uses: 1 for every employee (on the largest shift for which the building is designed) plus 1 for each motor vehicle used in the business.~~

(10) [No Change]

(11) [No Change]

(12) [No Change]

(13) [No Change]

(14) [No Change]

(15) [No Change]

**17.145.060 Driveways.**

[No Change]

**17.145.090 Junk.**

[No Change]

**17.145.130 Lot area.**

[No Change]

**17.145.140 Clear view triangle.**

[No Change]

# Lewis County 2045

*Shaping the Future of Lewis County*

VOLUME 1 – Comprehensive Plan
VOLUME 2 – Zoning Designations
VOLUME 3 – Development Regulations
VOLUME 4 – Critical Areas Ordinance (available October)
VOLUME 5 – Supporting Documents

https://lewiscountywa.gov/departments/community-development/comprehensive-plan-and-development-regulation-amendments/comprehensive-plan-periodic-update/