

CITY OF MOSSYROCK
GROWTH MANAGEMENT
DIRECTORY

2008

*update completed
2010*



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DIRECTORY

2008 UPDATE

Prepared by the
Mossyrock Planning Commission

With assistance from
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Lewis County Community Development

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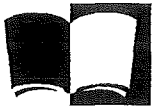
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INTRODUCTION

Welcome to the City of Mossyrock **Growth Management Directory**. The purpose of the **Directory** is to combine all of the City's growth management tools into one simple, straightforward document. It has been prepared to assist the community plan for the future and meet the requirements of the Growth Management Act, RCW 36.70A and Planning and Zoning in Code cities, RCW 35A.63.



The **Directory** has four major sections. This organization makes the **Directory** easy for citizens and city officials to use when planning or making land use decisions.

- ⊙ **Section I** contains the ordinances adopting the directory and subsequent amendments as adopted by the City Council. This makes the Directory and its contents part of the municipal laws governing the City of Mossyrock.
- ⊙ **Section II** is the *Comprehensive Plan for Future Development*. This section provides the policies that guide all future public and private development decisions in the city. The *Comprehensive Plan for Future Development* covers future development both in the existing city limits and the Urban Growth Area. Any regulations managing development in the city must reflect the policies in the *Comprehensive Plan for Future Development*. This includes not only the *Rules for Land Development* in Section III, but other plans and ordinances relating to development activities, such as those pertaining to sewer, water, and street improvements.
- ⊙ **Section III** is the *Rules for Land Development*. These are specific regulations governing the use of land, buildings, and structures within the city's two development districts. It also establishes standards and procedures for annexation, subdividing land, protecting critical areas, administering permits, and enforcing regulations in the Directory.

© **Section IV** contains *Technical Planning Information*. This section includes the information used in the writing of the previous two sections, the *Comprehensive Plan for Future Development* and *Rules for Land Development*. In addition, citizens, developers, and city officials looking for information about the City of Mossyrock will find this section particularly useful.

The city first adopted the Directory in 1996. Subsequent changes in state growth management laws, the completion of major sewer and water system facility plans, and the general need to update information in the Technical Planning Information was the reason for the first amendment to the original Directory in October 1999. The need to generally update the Directory, especially the Rules for Land Development pertaining to critical areas, brought about this second amendment.

SECTION 1
ADOPTION

SECTION 2
COMPREHENSIVE PLAN FOR
FUTURE DEVELOPMENT

SECTION II: COMPREHENSIVE PLAN FOR FUTURE DEVELOPMENT

SECTION OVERVIEW

The foundation to the Comprehensive Plan for the Future Development of the City of Mossyrock relies on linkages between community history, life in the city today, and citizen hopes for the future. The building blocks for the plan are found in the traditions of the past; realities of the present; and citizens' viewpoints.

Traditions of the Past



Mossyrock started as a traditional crossroads settlement along the Cowlitz River at the eastern end of the Klickitat Prairie in the 1840's. Travelers found rest, food, and a place to engage in the exchange of information and ideas at this crossroads. As farmers settled in the surrounding area, the community became a service center for rural agricultural activities. The community of Mossyrock in the early years was a:

- ❖ Trading post for fur trappers;
- ❖ Stopping place for adventurers;
- ❖ Shipping point on the Northern Pacific Railroad,
- ❖ Market center with general merchandise stores, grocers, hotel, post office;
- ❖ Place to catch the daily stage to Chehalis;
- ❖ Farming area with diaries, fruit growers, and ranching;
- ❖ Center for education and social activities for the surrounding area; and,
- ❖ Influenced in the early 1900's by the construction of the Mayfield Dam.

Realities of the Present



Mossyrock is a crossroads and service community at the intersection of US Highway 12 and State Route 122. The city is a local commercial center for surrounding rural homes and agricultural activities.

Travelers stop for rest, food, supplies, gas, and information as they pass through the city going east or west to the many recreational opportunities in the area. Today the City of Mossyrock:

- ❖ Is a Code City incorporated in 1948;
- ❖ Has an estimated population of 486;
- ❖ Supports two retail market areas: the city's downtown commercial center along State Street and the travelers market area at the intersection of US 12 and SR 122;
- ❖ Has neighborhoods with mixed housing types and some people who work in their neighborhoods in home occupations;
- ❖ Enjoys public school activities as a community hub.
- ❖ Is proud of the three outstanding 1930's brick school buildings on Williams Street;
- ❖ Maintains an agricultural tradition with active farming within the city limits and extension of water and sewer services to farms as far as two miles from the city limits;
- ❖ Continues to be influenced by the building of the Mossyrock Dam in 1968 that brought new residents from flooded communities in the area and attracts tourists to the Mossyrock County Park at Riffe Lake; and
- ❖ Is building a new foundation for future growth by making significant progress in updating and expanding city infrastructure and facilities.

Citizens' Viewpoints for the Future



The original Directory was adopted in 1996 after several citizen participation activities were held including an all-day street fair listening post, a community-wide questionnaire, and public hearings. At this time, citizens gave their views on the future development for the Mossyrock community. The Directory has been amended three times since in 2002, 2005, and 2008 each time with citizen participation.

The citizens view the City of Mossyrock within the next twenty years as a place where people will:

- ❖ Show respect for people's private property rights;
- ❖ Appreciate the spirit of freedom for residents to live in neighborhoods with a variety of housing choices, from homes on large lots to homes close together on small lots;
- ❖ Support business growth and prosperity in keeping with the purpose of the city as a small, friendly community serving as a crossroads for travelers and a market place for the surrounding agricultural and rural residents;
- ❖ Realize that, to be effective, city government must balance rules and public investments in a way that address both individual citizens and community concerns;
- ❖ Recognize the elementary, middle, and high schools as a focal point of educational and community activities for the city and surrounding area; and,
- ❖ Respect the importance of open spaces, farm activities, and wooded areas for both the economic prosperity and enjoyment of residents.

A VISION FOR MOSSYROCK 2025

Mossyrock is a crossroads city at the intersection of US Highway 12 and State Route 122 at the eastern end of the Klickitat Prairie. The city is a service center for rural agricultural activities, hobby farms, and a vital community for retirees and

families. Travelers stop for services and supplies as they pass through the city going to other destinations, or stopping to enjoy the natural beauty and the many near by recreational opportunities. Visitors often chose to stay in the city for a few days to relax and enjoy the community's quiet, friendly small town atmosphere. Looking at Mossyrock in twenty years, we see:

- ❖ A community that has grown to be a home for around 920 people;
- ❖ A vital downtown commercial district along State Street and an active traveler's service center at the crossroads of US 12 and SR 122;
- ❖ Established neighborhoods with a mixture of single family homes, duplexes, several garden apartments, and well-kept manufactured housing parks;
- ❖ People's private investments in their homes and businesses supported by wise public investment in effective and efficient water and sewer systems, safe streets, and quality city services; and
- ❖ Farm lands, wooded areas, crops and pastureland, and several new parks as important open space features of the city and the city's urban growth area.

POLICY FRAMEWORK

The following policy statements will govern public decisions in a way that help citizens and officials achieve the Comprehensive Plan. This policy framework reflects citizens' desires for their preferred future, the Growth Management goals of the State of Washington, and the Lewis County Countywide Planning Policies.

Policies for Future Land Uses



Land development districts that reflect the traditional character of the city will guide changing land uses and development. Each district will have a List of Permitted Uses that may include specific performance standards. The Planning Commission and City Council may add new uses to this list after review.

Beeth

The *Neighborhood District* provides for single family and duplex homes; schools, churches, parks, and agricultural activities; manufactured homes and apartments; and, home businesses, professional offices, and bed and breakfast establishments. The density in the Neighborhood District is set at no more than five dwelling units per acre for single family residences or 25 dwelling units per acre for apartments. Clustering dwelling units or placing homes on a variety of lot sizes will achieve this density. If clustered, building sites must accommodate future streets.

The *Market District* provides for shopping and service opportunities for residents of the city and surrounding area, visitors, and travelers. Land uses such as retail sales and services, small equipment sales and repair, offices, public buildings, motels, recreational vehicle parks, and light industry are suitable for this district. The minimum density in the Market District is a lot size of 2,500 square feet and allowable lot coverage of up to 100%, including buffers and off-street parking.

Land annexed into the city from the Urban Growth Area will be in the Neighborhood District unless noted otherwise by the City Council.

Policies for Establishing the Urban Growth Area

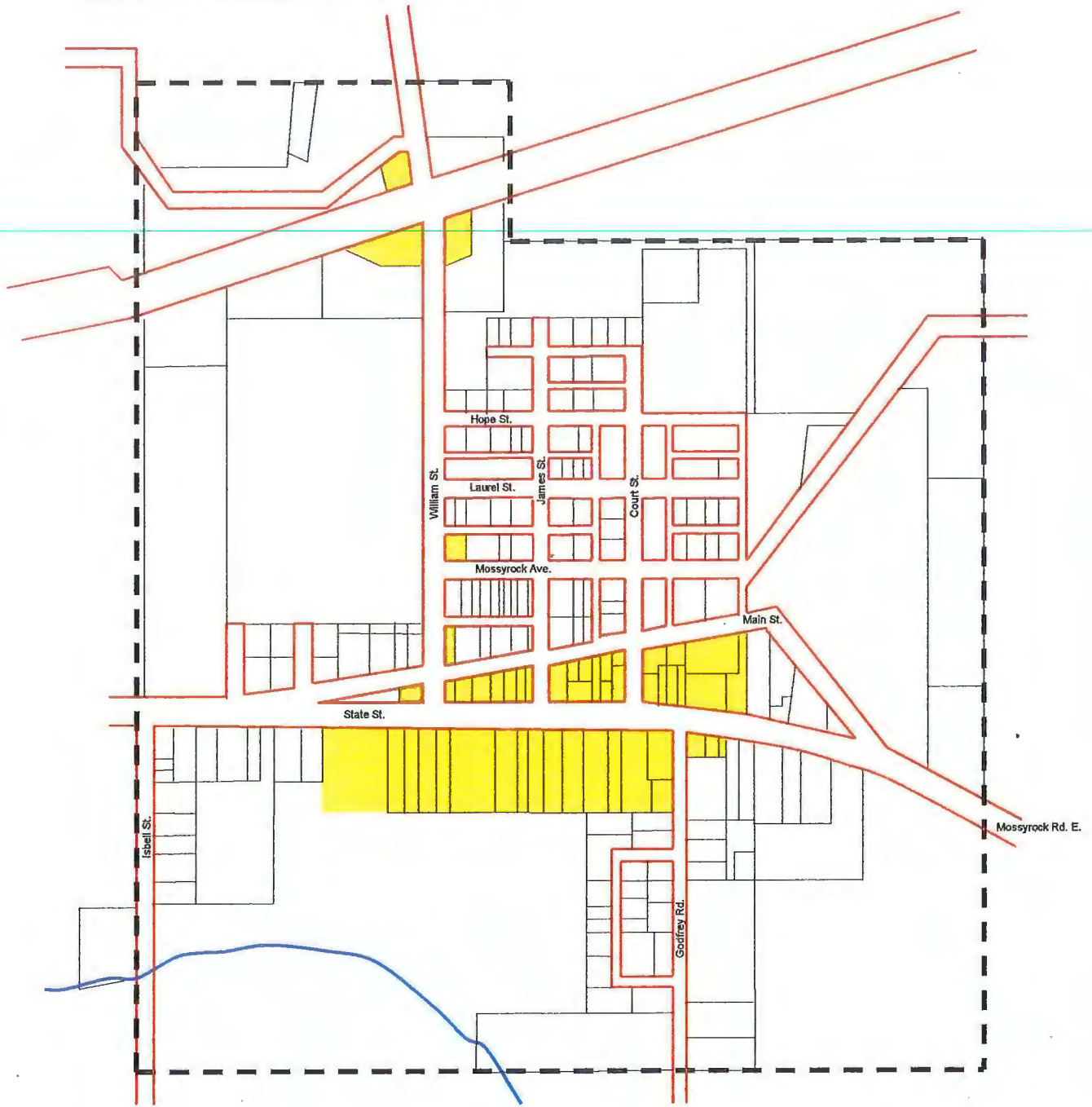


It is important for Lewis County to establish an Urban Growth Area in cooperation with Mossyrock that stresses cost effective planning. Future Urban Growth Area expansion may be necessary for the City to adequately address land supply to meet the goals of the Growth Management Act.

The Mossyrock Urban Growth Area will:

- ❖ Provide sufficient land to accommodate the city's twenty-year population projection;

City of Mossyrock Development Districts



Key

Market District

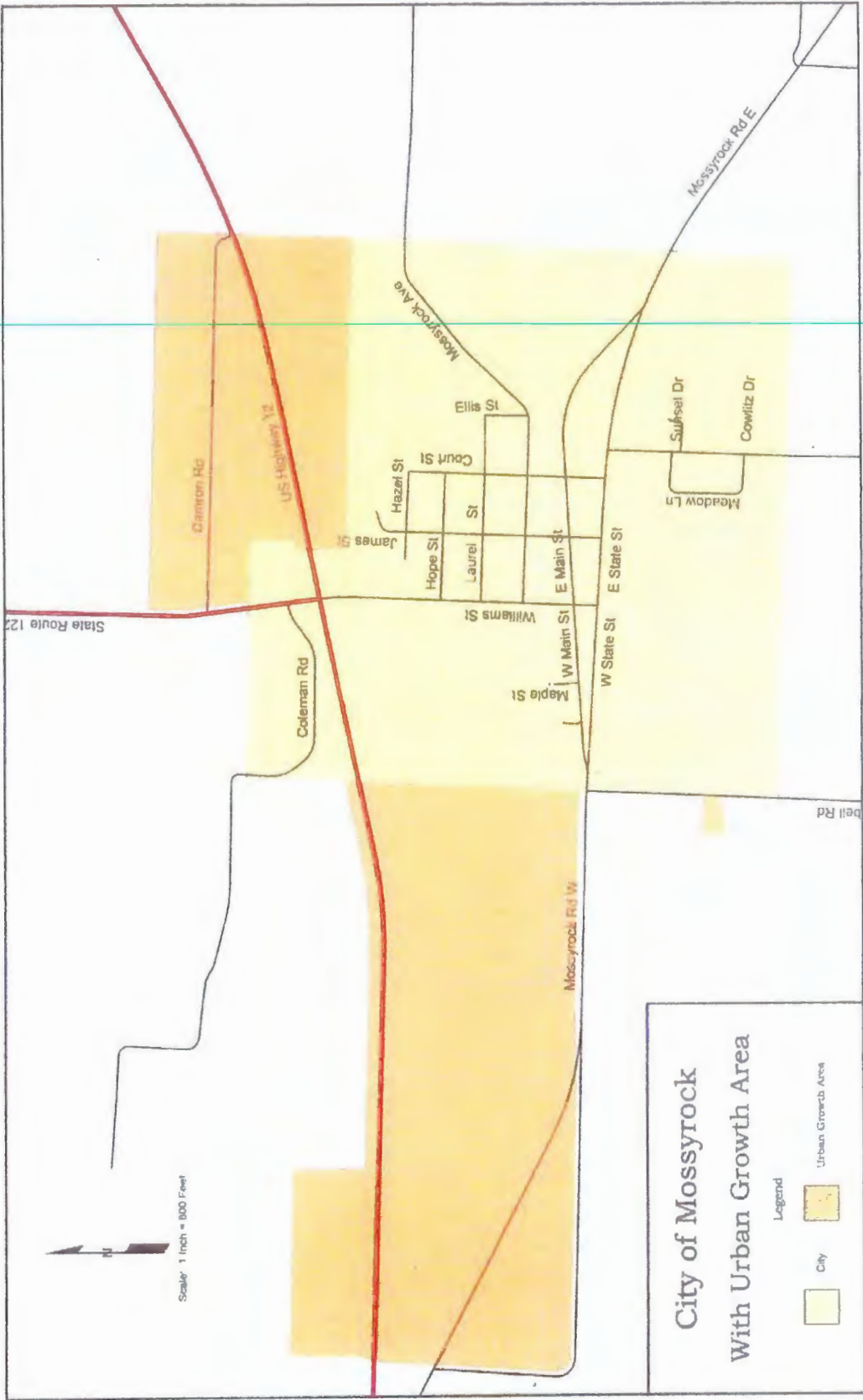
Neighborhood District

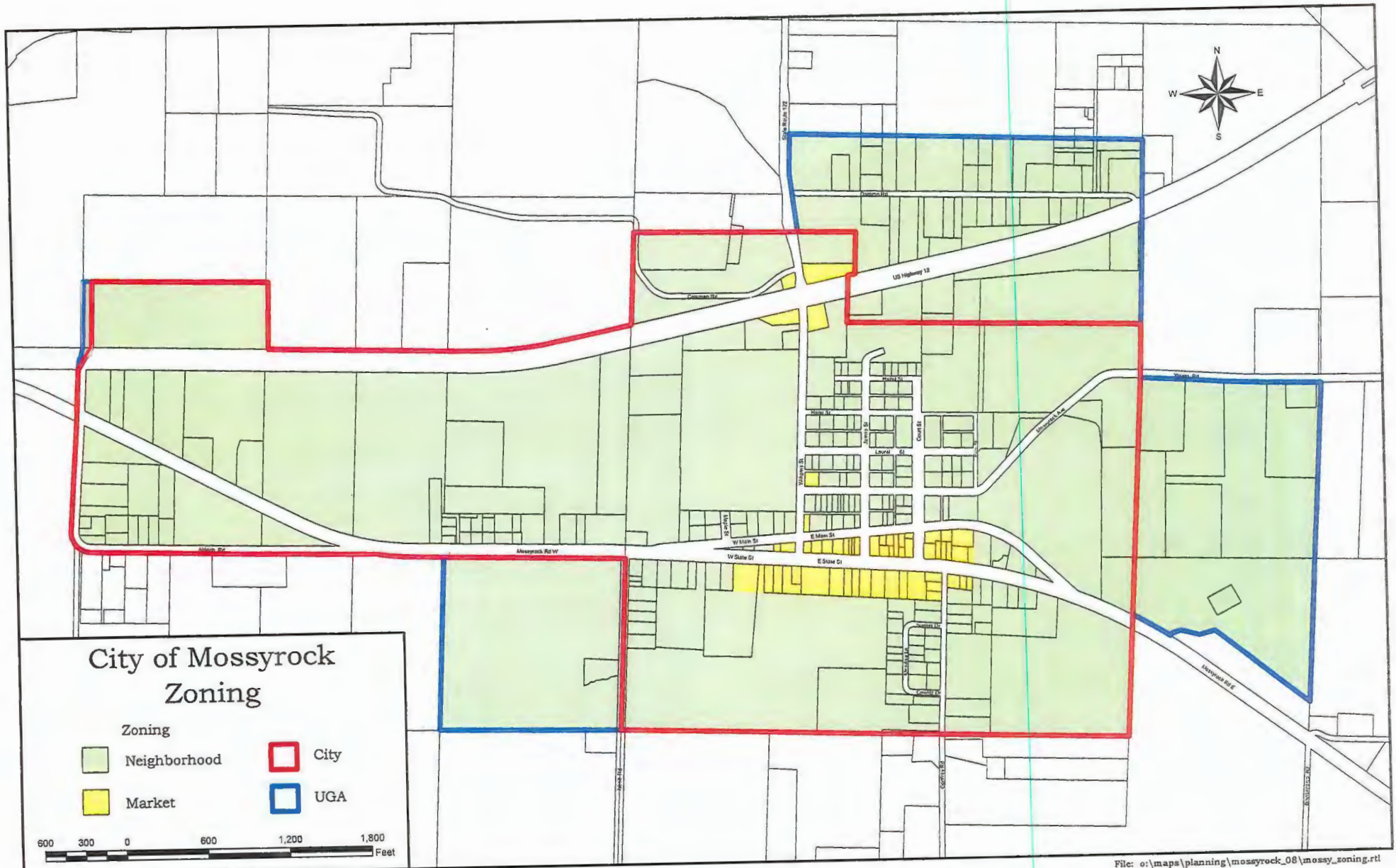
City Limits



- ❖ Deliver adequate public facilities and services for existing and future populations;
- ❖ Protect critical areas;
- ❖ Contain greenbelts and open space; and,
- ❖ Reflect the desire of the community to maintain a rural lifestyle.

An inter-local agreement between Mossyrock and Lewis County helps to maintain appropriate land uses and regulations within the Urban Growth Area outside of the city limits. This agreement should facilitate streamlined processing for development permits within the Urban Growth Area.





City of Mossyrock Zoning

Zoning



Neighborhood



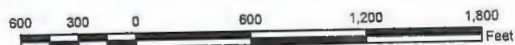
City



Market



UGA



Date: November 13, 2008

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Parks, Open Space, and Recreation

The Parks, Open Space, and Recreation Element reflect the following framework goals that are highlighted in black:

FRAMEWORK GOALS

- 1: Promote a sense of place by requiring quality building and development that is not just compatible with the surrounding environment, but enhances the community spirit.**
- 2: Support a variety of housing opportunities for Mossyrock’s diversifying population that are affordable, that enhance a safe and livable community, and that prepare and protect our families for life in the 21st Century.
- 3: Pursue a strong and diverse economy and assure economic development that creates a “Heart” for Mossyrock and balances regional objectives, while complementing the unique neighborhood character.
- 4: Protect the natural environment and preserve environmentally sensitive areas.**
- 5: Promote improvements to human services as the community changes and diversifies.**
- 6: Assure effective and efficient public investment for quality public services, facilities, and utilities.**
- 7: Balance the transportation needs of the community with regional objectives through improvement of both street and multimodal systems for Mossyrock’s present and future population.
- 8: Provide for inclusive and meaningful citizen involvement in community planning decisions.**

City of Mossyrock

The City of Mossyrock is comprised of 697 citizens, with approximately 51% of the population female and 48% male. The primary industry of the Mossyrock area is predominantly agricultural and tourist bases.

The Mossyrock area provides a great deal of summer recreational opportunities such as boating, water skiing, and fishing. In the fall and winter months the area receives a large number of individuals drawn to the area to hunt for large wild game in our abundant timberlands. Once the snow arrives people pass through on US Highway 12 to snow ski at White Pass Ski Resort, sixty-four miles to the east. This area is surrounded with agricultural diversity of Christmas tree farms (2.3 million trees were harvested in Washington in 2006); Blueberry farms, and DeGoedes Bulb Farm - with its spring tulip collection. Inside the city limits of Mossyrock there is one large Blueberry farm and one large Christmas tree farm.

This is an area rich in historical significance. Mossyrock started as a traditional crossroads along the Cowlitz River at the eastern end of the Klickitat Prairie in the 1840's. Travelers found rest, food and a place to engage in exchange of information and ideas at this crossroads. As farmers settled in the surrounding area, the community became a service center for rural agricultural activities. The community of Mossyrock in the early years was:

- A trading post for fur trappers
- Stopping place for adventurers
- Shipping point for the Northern Pacific Railroad
- Center for education and social activities for the surrounding area
- In the 1900's saw a large influx of people and buildings for the building of the Mayfield Dam

Mossyrock is considered the geographic "Heart of Lewis County". The City of Mossyrock is approximately twelve (12) miles west of the City of Morton and thirty-one (31) mile east of the City of Chehalis the Lewis County Seat.

Intent

The Growth Management Act goals that relate to parks, recreation, and open space planning are particularly important in ensuring that the area's high quality of life is sustained as the City grows. The purpose of the Parks, Open Space and Recreation Element is to provide direction for the planning, development and maintenance of a park and open space system for the City. As the City matures and economic and population growth continues to occur, the need for more land for parks and open space will grow.

The Parks, Open Spaces and Recreation Element serve two related purposes. The first is to determine the type and level of park and recreational services that are desired by the residents

of the City. The second purpose is to identify and protect a system of public and private open space lands. Open Space may or may not be publicly owned. It is valued for wildlife habitat, trails, recreation, and connection of critical areas. Open space areas serve multiple purposes, including greenbelt buffers between developments and may be used for agriculture.

Existing Conditions

The City classifies active parks according to the following:

Community Parks: This classification is suited for more intensive recreational facilities, such as athletic complexes, swimming pools, picnicking, walking, viewing and sitting areas. They are usually fifteen (15) acres or larger and contain recreational facilities that serve populations within a two (2) mile radius.

Inventory:

There are currently no Community Parks in the City of Mossyrock.

Whispering Prairie

Passive Parks/ Open Spaces:

Passive Parks/ Open Spaces are lands that are intended to be left primarily in their natural state with little or no facility improvements. Passive parks and open space often contain distinctive geological, botanic, historic, scenic or other critical area, or natural resource land features. They are intended for passive recreational use in a natural setting.

Inventory:

Table 1. Inventory of the City Passive Parks/ Open Spaces by acreage

Passive Park Inventory	
Park Inventory	Passive Parks/ Open Spaces
Mossyrock Gardens	.75
Totals	.75 acres

MOSSYROCK GARDEN is located on each end of State Street with .46 acres on the west end and .29 acres on the east end. There is a picnic table in each with no parking at either location.

MOSSYROCK COMMUNITY CENTER is located at ²¹⁹231 East State Street. This site includes Mossyrock City Hall, Mossyrock Police Department and support access to city services, civic functions, and recreational use of the property.

While the City of Mossyrock currently has no active parks services there are surrounding private and State park facilities.

TACOMA CITY LIGHT has a privately owned and operated camping and lake access facility with a swimming beach and a boat launch and 60 group camp sites. Tacoma City Lights Mossyrock Park is approximately three (3) miles east of city limits. This is a pay to use facility.

MAYFIELD LAKE COUNTY PARK is approximately four (4) miles west of city limit providing camping sites, children’s play area, lake access swimming area and a boat launch. This is a pay to use camping facility.

IKE KINSWA STATE PARK is approximately four and a half (4.5) miles north of city limits is a 454 acre camping facility. Ike Kinswa State Park provides 103 camp sites, 46,000 feet of shoreline, lake access via a boat launch and swimming beach. This is a pay to use camping facility.

Private Open Space:

In addition to the City-owned passive parks and open space noted above, there are privately-owned properties in Mossyrock that have “current use assessment” tax classification (authorized by RCW 84.34) for open space, timberlands and agriculture. While these properties are not available for active recreational uses, they provide visual open space as long as they remain in the “current use” tax classification of open space, farm and agriculture, or timberland. In 2010, the Lewis County Assessor’s office reported 0 acres with a “current use” tax designation of open space, 112.29 acres with agriculture and farm, 3.01 acres with timberland.

Other Recreation Facilities:

Though not a part of the City Park system, school facilities provide recreational opportunities for citizens when schools are not in session. Mossyrock School District is an integral part of our community and provides access to playground equipment when possible. As with any school there are limited times that these facilities can be made available for public use, as well as other limiting restrictions such as no skateboarding on school grounds and use of the outdoor half basket ball court and track only. These facilities are available for use only when other activities are not taking place at the school which limits availability to weekends and late evening only after 6:30 p.m. most days. Table 2 shows a list of associated facilities.

Table 2 Other Recreational Facilities

School Related Recreational Facilities Available For Public Use			
Facility	Ball Field	Sports Field	Track
Mossyrock School K-12	NO	NO	YES

Future Parks and Recreation Demand

PUBLIC PARTICIPATION

All public information guide lines were followed as set out in the 2008 comprehensive plan. A public survey was conducted and four (4) public hearings were held in relation to the development and adoption of this plan update.

Through survey materials and public meetings the community members have stated they desire to have the following top five (5) things in order of ranked importance by survey respondents. At the first meeting there were 123 community members in attendance, 43 at the second meeting, 36 at the third and 30 at the fourth meeting:

- Quality recreation center in town to include children's playground facilities, Open green spaces for picnicking and community gatherings, Skate park, Swimming pool
- Clean safe parks in town
- Access to recreation facilities by all community members
- Sidewalks from residence to downtown
- Trails

Through public discussion community members expressed the desire to also have the following incorporated into park facilities:

- Recreation center with computer access point
- Library type facilities

A clean and safe environment for community members and families to gather and play was the number one (1) request of survey respondents.

While the schools provide some of these facilities, they are unavailable for use during school hours and during summer vacation. Therefore the communities expressed desire for these facilities and resources remain unfulfilled.

The school and Mossyrock Memorial Garden currently provide the only public access to green open space in the City limits of Mossyrock.

CAPITAL IMPROVEMENT PROGRAM

PROJECT TYPE	PROJECT YEAR	COST ESTIMATES
Land Acquisition	2011	300,000
Trail Development	2012	60,000
Playground Development	2013	80,000
Skate Park Development	2014	80,000
Swimming Pool Construction	2015	800,000
Recreation Center Construction	2016	1,500,000

These projects will be completed with a combination of Community donated funds, time, labor, capital improvement dollars, RCO and other grant funding. The exact dates and project scope are to be determined by engineers, feasibility studies and City Council Members.

Policies for Including Open Spaces and Greenbelts



Open spaces and green belts will include critical areas, public parks, landscape buffers, and walking paths. Open spaces will be throughout the city. The city will encourage the retention of agricultural activities as open space by supporting the right to farm and allowing the keeping of livestock within the city limits. Directing development away from steep slopes of 15% or greater, wetlands, and aquifer recharge areas will protect additional open space. The city will depend on the city's State Environmental Policy Act (SEPA) Ordinance to assess environmental impacts and define mitigation measures related to land development activities to assure public health, safety, and adequate open space.

Policies for Protecting of Surface & Ground Water



Managing land use activities and development practices will assure protection of the quality and quantity of surface and ground water. The city will follow a wellhead protection program for the city's public water wells. Development will be required to provide adequate storm water management as specified by the City Engineer. Development near or adjacent to environmentally sensitive areas, such as wetlands and Klickitat Creek, shall create no impacts on water quality.

Policies for Protecting Critical Areas



Critical areas in the Mossyrock Urban Growth Area include wetlands, geologically hazardous areas, aquifer recharge areas, fish and wildlife habitat conservation areas and frequently flooded areas. These lands are important community assets that the city will strive to protect in a reasonable manner that balances public needs with private property rights. The city shall implement regulatory controls that:

- ❖ Protect the capacity of wetlands to provide flood control; recharge groundwater; improve water quality; stabilize streambeds; and act as habitat for priority species;
- ❖ Prevent development activities in geologically hazardous areas that pose a threat to life and property;
- ❖ Prohibit activities over or near aquifer recharge areas that reduce groundwater quality and quantity;
- ❖ Reduce the impact of development within frequently flooded areas; and,
- ❖ Maintain fish and wildlife species in suitable habitats within their natural geographic distribution.

Policies for Housing



The city will help residents safeguard the value of their homes by maintaining acceptable levels of public facilities and services to protect property values. The city will welcome assistance from people or groups who can help low- and moderate-income people with housing rehabilitation. The City will also support the formation of a countywide housing authority in Lewis County.

The city will encourage a mix of new homes within the city limits and urban growth area to fulfill the need for approximately 200 new dwelling units to accommodate projected population growth in the next 20 years. Housing developers will receive accurate and timely information from the city on regulations and procedures. The city will process new permit applications in a prompt and timely manner.

Policies for Public Facilities and Services

Managing Public Facilities and Services



The city will maintain satisfactory government services and the following capital facilities:

- ❖ Water and sewer systems, including transmission lines;
- ❖ Street lights;
- ❖ City buildings, and,
- ❖ City streets.

Careful attention to the long-term annual operating and maintenance needs of new or expanded capital facilities is important for Mossyrock. Expenditures in the city's Six-Year Capital Facilities Plan will follow the priorities below:

1. Remedy an urgent or emergency condition that is dangerous to public health or safety;
2. Correct existing deficiencies;
3. Meet the needs of planned growth; and,
4. Add new capital facilities.

Paying for Capital Facilities

All city residents and businesses will contribute equally to correcting existing deficiencies and only those new or expanded capital facilities that benefit everyone. Development will pay its own way through requirements for improvements in subdivisions, charges for utility hook-ups, and voluntary contributions for off-site impacts. The city will look to the following revenue sources to finance the Six-Year Capital Facilities Plan: grants and loans, contributions, revenues bonds, and general obligation bonds. The city will support public/private partnerships to develop new public services and facilities that can improve the everyday quality of life for residents and aid community economic development.

Policies for Transportation

City Streets



The city will have standards for city streets to protect public safety, guarantee safe access to all land uses, provide for off street parking, and assure walking and bicycle passage between homes, school, and shopping activities. As specified in the Southwest Washington Regional Transportation Plan, city arterial streets will maintain at least a service Level D standard for Williams Street, State Street and Godfrey Road. Any expansion of the street system will establish logical connections to existing streets for efficient traffic circulation. New development shall have functional connections with adjoining existing development.

Paying for Streets

The city will make investments in the street system based on the required Six-Year Street Plan. Public expenditures for streets will follow these priorities:

1. Remedy an urgent or emergency condition that is dangerous to public health or safety;
2. Correct existing deficiencies; and,
3. Preserve existing infrastructure; and
3. Add desirable new streets or amenities.

All city residents and businesses will contribute equally to correcting existing deficiencies in the city's street system and the only the cost of new or improved city streets that benefit everyone. New development will pay its own way through subdivisions requirements and voluntary contributions for off-site impacts. The city will look to the following revenue sources to finance the Six-Year Street Plan: grants and loans; contributions; property tax; state-shared Motor Vehicle Excise and Fuel Taxes; and, if feasible, a street utility tax.

Amenities



If finances allow, the city will develop sidewalks and/or trails along existing city streets to separate pedestrian from vehicular traffic. An effort will be made to use landscaping, coordinated street signage, and street lighting to enhance the visual appeal of the city. The city will require sidewalks and streetlights in all new public and private projects.

Policies for Utilities



The city will cooperate with all utility providers to see that the community has adequate and affordable electrical, telecommunication, and cable television services. The location of both public and private utility transmission facilities will be in the public right-of-way. The city engineer shall establish standards for placement of utilities in city right-of-ways and utility providers must complete restoration of right-of-way to city standards in a reasonable period. Dedication of all new right-of-ways will require ample land for placement of utility transmission facilities.

Utility providers, both public and private, will consider the existing landscape when constructing and maintaining their transmission facilities. The city will supervise tree trimming on rights-of-way and request utility providers to respect community values when trimming trees on private property. The city will *encourage* utility providers to place existing services underground and *require* developers of new subdivisions to have all utilities underground.

Policies for Regional Planning

Siting of Essential Public Facilities



The city recognizes its obligation to cooperate in the siting of public facilities of a regional-, state-, or nation-wide nature. Mossyrock will do this through active involvement with the Lewis County Planned Growth

Committee and the Countywide Planning Policies.

Coordination



The City will make every effort to meet the regional coordination requirements of the Growth Management Act. The city will review the plans and regulations of adjacent jurisdiction to meet consistency requirements. Inter-local agreements will be maintained with other jurisdictions to coordinate development standards and cover situations when transportation impacts created by new or expanded public or private development activities are anticipated to have inter-jurisdictional consequences.

The City of Mossyrock is also interested in ongoing regional economic development planning and will participate in regional development activities. The city will have active representation on the Lewis County Economic Development Council.

PLAN IMPLEMENTATION

This implementation strategy outlines a process to help the community carryout their comprehensive plan. It is built on three major ingredients: citizen participation, public investment, and rules and standards for new development.

Citizen Participation



Citizens and local government working together for a better future is the key to effective community planning for the City of Mossyrock. This is

recognized in state law that requires citizen participation in comprehensive planning activities. The following strategy supports early and continuous citizen participation in land use planning activities by citizens and community groups.

In addition to legal requirements, volunteer efforts are the heart of community progress. Many actions that citizens identified in the community participation program leading to the development of this Directory cannot be carried out by local government alone, but require a partnership of the city with individuals, families, and community groups.

The City Council, Planning Commission, and city staff will follow these principles for citizen participation in community planning:

- ❖ Encourage citizens to take part in community planning through creative, positive participation with open discussion and clear and fair decision procedures;
- ❖ Share with the community what state and federal law requires and what is open to change;
- ❖ Understand that there are no "dumb comments" and that people in the community have different points of view;
- ❖ Respect every citizen's knowledge and don't reject citizen ideas prematurely by saying "*That won't work*";
- ❖ Tell the community how the city used their suggestions and comments in making planning decisions; and,
- ❖ Support volunteer efforts and public/private partnerships for the benefits of all residents.

Action Strategies



Planning Commission Procedures

1. Direct all meetings and public hearings following an adopted set of procedural rules that guarantees everyone an equal opportunity to participate.
2. Make information about plans and proposals available to citizens in advance of any meeting.
3. Allow public participation in workshops regarding major development proposals or changes to the Growth Management Directory and publish materials at least fifteen days in advance of a hearing for public review.
4. Provide official notice of all public hearings fifteen days prior to the hearing date for permit applications, plan amendment(s) or changes to the land development rules.
5. Provide notice of all Planning Commission meetings or workshops in advance by posting notices at City Hall, the Post Office, School, and city businesses and notify areas newspapers.
6. Conduct public hearings for all amendments to the *Community Growth Management Directory* and make a recommendation to the City Council based on findings of fact.
7. Conduct the official "open record public hearing" for land development permit applications.
8. Schedule a time at each Planning Commission to listen to community ideas and concerns.
9. Sponsor an annual citizen workshop for residents and business people to discuss ideas for changes and improvements to the city's growth management planning process.



City Council Procedures

1. Direct public hearings following an adopted set of procedural rules that guarantees everyone an equal opportunity to participate.
2. Provide official notice of all public hearings fifteen days prior to the hearing date for amendment(s) to the *Community Growth Management Directory*, variances, appeals or administrative decisions, and “closed record” appeals of Planning Commission land development permit decisions.
3. Conduct public hearings for all amendments to the *Community Growth Management Directory* recommended to the City Council by the Planning Commission.
4. Conduct a "closed record appeal" of all appeals of land development permit decisions made by the Planning Commission.
5. Act as the city’s Board of Adjustment, conduct public hearings and decide:
 - a. Applications for variances from the Rules for Development, Section III: *Community Growth Management Directory*, based on special circumstance relating to the physical aspects of a property to assure development rights and privileges permitted to other properties in the district; and,
 - b. Appeals from, orders, decisions, or determinations made by city official(s) in the administration or enforcement of the provisions of the *Community Growth Management Directory*.

Changing the Comprehensive Plan



The City of Mossyrock will only consider changes to Sections II and III of the *Community Growth Management Directory* once annually. Any request to add, delete, or rephrase the text or change the Official Development District Map will be reviewed by the City as long as it is within the minimum requirements of state law. Any citizen, property owner in Mossyrock, or the City Council may initiate changes.

The city will maintain a list of suggested changes to Sections II and III of the *Directory* on file at City Hall. This file will be available for review by the public during regular office hours. The City Clerk will forward this file to the City Council for their review on a quarterly basis.

The procedures for changing Section II and III of the *Directory* are:

1. A request may be submitted by application at any time to the City Clerk. The request shall specify the exact text change(s) to the Growth Management Directory or boundary change(s) to the Official District Map and the factual reasons why these changes are needed.
2. The proponent will comply with the the State Environmental Protection Act (SEPA) and submit an environmental checklist to the city as part of the process.
3. If the City Council requests change(s) by motion, the City Clerk will be responsible for completing the application and assuring SEPA requirements are met.
4. The City Clerk will transmit each completed application for change(s) and necessary SEPA information to the Planning Commission.
5. The Planning Commission will review each application and determine if it is complete, or if more information is needed to make a reasonable decision. If the Planning Commission determines more information is needed on any application, it will submit a written request to the City Clerk who will notify the applicant.

6. The Planning Commission will review each complete application under SEPA consistent with the Growth Management Act to consider the cumulative impacts overall.
7. The Planning Commission will conduct duly noticed public hearing(s) in September of each year for all applications received by August 31st of that calendar year.
8. The Planning Commission will prepare a Finding of Fact Report and recommendations for each application as one amendment package and will forward this information to the City Council by October of each year.
9. The City Council will either accept the recommendations and set a public hearing date or request more information from the Planning Commission.
10. The City Council will hold a duly noticed public hearing to take testimony on all applications before December 31st for all applications received by August 31st of that calendar year. Immediately following the public hearing, the City Council may act to adopt the proposed changes.
11. Prior to the final adoption, by ordinance, of any changes to Section II and III of the *Growth Management Directory*, the City Council shall submit a copy of the proposed change(s) to the Department of Community, Trade, and Economic Development (CTED) for review and comment as required by Chapter 365-195-820 of the Washington Administrative Code. CTED has at least 60 days upon receipt of the copy to conduct its review and provide comments on the proposed changes. Once the city receives comments from CTED, or if they chose not to comment by the end of the review period, final adoption by the City Council may proceed.
12. Upon final adoption by the City Council, the City Clerk will prepare an addendum document or reproduce Sections II and III of the *Directory* showing all changes. The City Clerk will issue a notice of adoption to CTED and the public within 10 days of adoption.

Community Volunteer Efforts



The city can play an influential role in encouraging greater community volunteerism by:

1. Jointly promoting a set of community activities that bring people together, such as picnics, celebration parades, and pot luck suppers. Team with organizations such as the School, Fire District, Chamber of Commerce, Four-H Clubs, etc.
2. Sharing sponsorship of an annual community-pride day with local civic groups to encourage residents to clean up their yards and businesses to fix up and repair buildings, signs and landscaping.
3. Promoting citizen efforts to preserve the heritage of the community by assisting volunteers to maintain the city's historical scrap book, salute regional efforts to celebrate the history of east Lewis County, and encourage local businesses to have information on the area's history.
4. Accommodating local non-profit cultural and arts events and programs by offering use of the community center at a rental fee to cover only operating costs.
5. Partnering with local community groups.

Public Investments



Public investment in water and sewer systems, city buildings, streets, street lighting, storm water management, and parks support the public's health, safety, welfare, and economic benefit. Public investment plans

help:

- ❖ Match capital spending choices with planning and financial policies;
- ❖ Give an overall view of the community's fiscal needs to avoid too much emphasis on a single project;
- ❖ Balance resource demands for annual operating expenses with long term capital investments; and,
- ❖ Inform people when public facilities will become available.

Additionally, the concurrency requirement of the Growth Management Act requires that adequate public facilities are available when the impact of development occurs.

State law mandates cities to prepare two separate financial plans for supervising long-term public investment. The Six-Year Capital Facilities Plan identifies proposed improvements, expansions and/or new capital facilities and sources of public money to finance the Plan. The Six-Year Street Plan identifies street, bicycle, and pedestrian projects and funding sources. The city must monitor and maintain both plans annually so that they continue to support the land use plan and identify adequate funding.

Capital Facilities, Utilities, and Transportation



Each city planning under the Growth Management Act must sufficiently plan for public services. This includes a Six-Year Plan to finance capital facilities and transportation projects to meet a level of growth consistent with the land use plan to guarantee basic levels of service that promote public safety and welfare.

The city of Mossyrock currently provides a variety of services including police, sewer, and water. The City has full-time police force for road patrol, crime prevention, and traffic and City code enforcement. The City also contracts with Lewis County Emergency Management Services for 911 dispatch and fire protection is provided by Lewis County Fire District #3.

Sewer Service

Sewer treatment for Mossyrock is provided by the City. Wastewater is treated at a facility located at 154 East Main Street. The old lagoon system was recently replaced by an extended aeration activated sludge plant and effluent is discharged into the Mayfield Reservoir. The collection system consists of approximately 21,000 lineal feet with two lift stations. One of the pump stations, located at Meadow Lane, needs to be elevated out of a potential flood area. The City has remained in

compliance with the Department of Ecology and received a permit reauthorization in 2008 for a period of 5 years and has sufficient capacity to maintain levels of service for future growth. The City's General Sewer Plan is adopted and incorporated into this Plan. The sewer plan shows the mapped location of existing facilities and the City's service area.

Water Utilities

The City of Mossyrock Water System Comprehensive Plan was approved in 2006. This Plan shows the mapped location of existing facilities and the service area. It also includes complete data, analyses, and an improvement and financial program sufficient to support future growth. The City of Mossyrock Water System Comprehensive Plan is adopted and incorporated into the Mossyrock Growth Management Directory.

The city owns and operates the water system. As of 2004, the City served 510 connections. The existing system consists of two wells with a combined capacity of 350 gpm, three storage reservoirs with a combined capacity of 407, 000 gallons, and a distribution system that extends northwest and south of the city limits. This service area covers approximately 800-acres. In 2006, the city a water right certificate was issued for the City allowing for an additional 200 gpm of instantaneous withdrawal and an additional 143.6 ac-ft/yr of total withdrawal. With this, based on annual growth rates and equivalent connections, the City has capacity to serve future growth within its existing service area.

Fire Protection for the service area is provided by Lewis County Fire District #3. The system has capacity for fire flow consistent with criteria provided by the Fire Chief.

Transportation

A safe and efficient transportation system is an essential component for development in any community. Williams and State Street are the classified minor collectors which provide primary access through the City and connect with State

Route 12 which provides regional travel throughout Lewis County. Approximately one mile of State Route 12 lies within the City limits at its northern boundary. State Route 12 is also part of the White Pass Scenic Byway.

The City owns and maintains 4.78 miles of local access streets which provide circulation throughout the City, including schools, government facilities, residential, and commercial areas. The road network throughout the City is largely rural although there are limited sidewalk and pedestrian facilities throughout the City. Transit service is provided by the Lewis Mountain Highway Transit. This regional transit service serves Eastern Lewis County between Packwood and Centralia.

Although the City has not adopted specific levels of service, it plans under the levels of service (LOS) required under the Growth Management Act which recommends LOS "D" within urban areas. Currently, all City streets and intersections (unsignalized) operate within LOS "A" or "B".

City of Mossyrock Capital Improvement Project Summary

Capital facilities are those structures, improvements, or other major assets that are provided for public purposes and services including, but not limited to, potable water, sanitary sewer, stormwater, sidewalks, and roads.

The following plan addresses capital facility and transportation projects to meet growth demands for the next six years. Furthermore, it identifies existing deficiencies and necessary capital improvements that the city must make to create, expand, or modify a capital facility to meet its obligations to provide basic public health and safety and meet or maintain service standards as new development occurs.

Project	Funding Source	Estimated Cost	Completion by
Godfrey Street Improvements	TIB, City	200,000	2011
State Street Resurface	ARRA, TIB, City	\$65,000	2009
West Main Street Resurface (State Street to Williams Street)	TIB, City	\$60,000	2010

James Street Improvement (State Street to Mossyrock Ave.)	TIB, PWT, City	\$100,000	2018
Court Street Improvements (Mossyrock Avenue to E. Main Street.)	TIB, PWT, City	\$110,000	2020
Meadow Lane Pump Station Elevation	CDBG, PWTF, USDA RD, DOE SRF, City	\$105,000	2012
Damron Road Water Line Extension	CDBG, PWTF, USDA RD, DOE SRF, LID, City	\$300,000	2020

Funding for Transportation projects is typically available through the Transportation Improvement Board (TIB) small city programs: Small City Arterial Program, Small City Preservation Program, and Small City Sidewalk Program. Public Works Trust Fund (PWTF) supplies low interest loans with a small local match. SAFETEA-LU (FHWA) funding is available on a limited basis for eligible projects. The City of Mossyrock is a member of the Lewis County Transportation Strategy Council (LCTSC).

Funding for water/sewer infrastructure is available through several sources. Community Development Block Grant (CDBG) programs, Department of Ecology (DOE) State Revolving Fund (SRF), USDA Rural Development (RD) are funding options available to the City. The City may consider increased water rates or creation of a Limited Improvement District (LID) to fund extension and improvement of water lines.

City of Mossyrock Capital Improvement Project Summary

This is a revision of the identified project list and time table as presented on pages II-23 and II-24 of the council approved 2008 Comprehensive Plan revision year 2010. This revision is being completed to account for correction solutions to newly identified deficiencies.

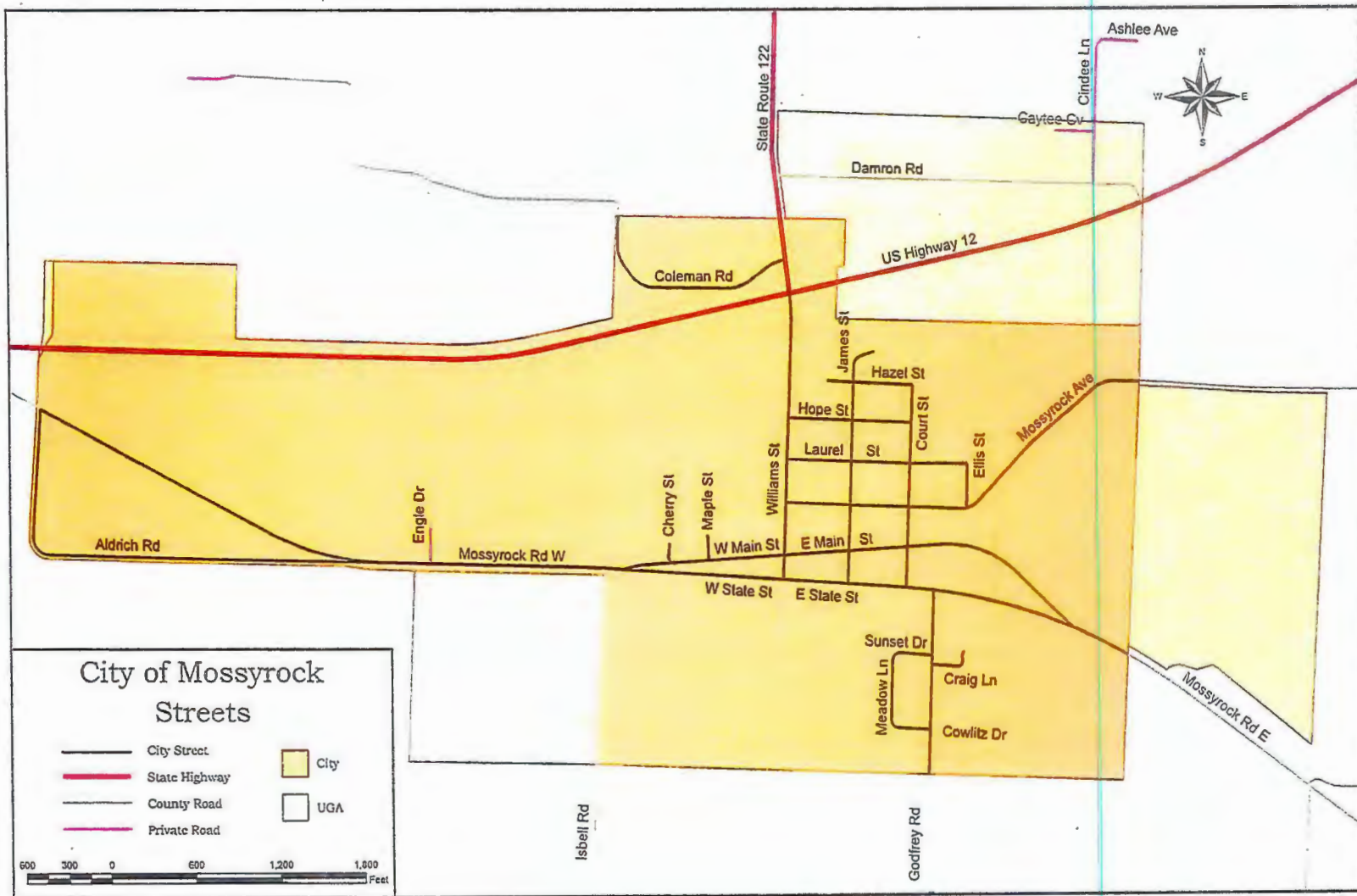
Capital facilities are those structured, improvements, or other major assets that are provided for public purposes and services including, but not limited to, potable water, sanitary sewer, storm water, sidewalks, and roads.

The following plan addresses capital facility and transportation projects to meet growth demands for the next four years. Furthermore, it identifies existing deficiencies and necessary capital improvements that the city must make to create, expand or modify a capital facility to meet its obligations to provide basic public health and safety and meet or maintain service standards as new development occurs.

Project	Funding Source	Estimated Cost	Completion by
Court Street and Mossyrock Avenue Improvements and Storm Water Repair	TIB, PWTF, CITY	\$445,000	2010
Sidewalk project West Main to 300 block Mossyrock Rd W	TIB, CITY, PWTF	365,000	2011
Godfrey Road Improvements and Storm Water Repair	TIB, CITY, PWTF	\$200,000	2012
West Main Street Resurface	TIB, CITY, PWTF	\$200,000	2013
James Street Improvements	TIB, CITY, PWTF	\$200,000	2014
East Main Street Resurface	TIB, CITY, PWTF	\$200,000	2015

Funding for Transportation projects is typically available through the Transportation Improvement Board (TIB) small city programs: Small City Arterial Program, Small City Preservation Program, and Small City Sidewalk Program. Public Works Trust Fund (PWTF) supplies low interest loans with a small local match, SAFETEA-LU (FHWA) funding is available on a limited basis for eligible projects. The City of Mossyrock is a member of the Lewis County Transportation Strategy Council (LCTSC).

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Date: November 14, 2008

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SECTION 3
RULES FOR LAND
DEVELOPMENT

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ARTICLE I: CREATION OF DEVELOPMENT DISTRICTS

Part 1. Creation of Districts

In order to regulate the use of land, buildings, and structures in accordance with Section II, the Comprehensive Plan for Future Development, and the provisions of Section III, the Rules for Land Development, the City of Mossyrock is hereby divided into the following development districts:

1.01 The Neighborhood District

The purpose of the Neighborhood District is to regulate development to protect the neighborhood character and rural residential lifestyle of the City of Mossyrock.

1.02 The Market District

The purpose of the Market District is to support business growth and encourage commercial development to maintain a vital downtown and an active tourist/service center for the economic stability of the City of Mossyrock.

1.03 The Official Development District map

This ordinance shall consist of the text herein and, as thought contained herein, a map identified as the "Land Development District Map" of the City of Mossyrock. This Official Development District Map shall bear the official seal^{of} of the City of Mossyrock and be available for public viewing at the Mossyrock City Hall.

1.04 Development District Boundary Changes

Changes in the boundaries of a Development District shall be made by ordinance of the City Council by adopting an amended Official Development District Map. Changes shall be made only once each year according to the procedures established in Section II, under changing the Comprehensive Plan of the City of Mossyrock Growth Management Directory.

Part 2. Annexations

Any uses contained within the boundaries of an annexation must comply with these Rules for Land Development. In order to not cause undue economic hardship on uses that existed before an annexation, they may continue under the provisions in Article V, Part 2.

ARTICLE II: GENERAL PROVISIONS

This Article contains rules that apply to all land use activities within the City of Mossyrock's corporate limits.

Part 1. Structures

1.01 Placement of Structures on Lots

The placement of all newly constructed structures shall conform to the requirements of the Uniform Building Code and the Uniform Fire Code.

1.02 Clear Vision Area

A property owner shall maintain a clear vision area of at least fifteen (15) feet from the corners of all property at the intersection to two streets. A clear vision area shall contain no sight-obscuring structures or planting exceeding forty-eight (48) inches in height, except for trees with branches and foliage removed to a height of eight (8) feet above the ground.

1.03 Height Standards

No building, structure, or accessory building shall exceed two stories, or thirty five (35) feet, in height unless a variance is granted under Article VIII, Part 8 of this ordinance. This provision does not apply to antennas.

Part 2. Public Streets and Parking

2.01 Access to Lot

Future lots shall be adjacent to a public street. All buildings shall also be located on the lot in such a way as to provide safe and convenient access for fire protection and required off-street parking. Each lot created through the subdivision of land in Article VI and Article VIII, Part 6.03 shall have access to a public street. The street line of each lot created shall be no less the twenty-five (25) feet in width.

2.02 Ingress and Egress

A parking area serving more than two (2) automobiles shall have ingress or egress so that no vehicle shall ~~back onto a public street or otherwise cause or create unsafe or hazardous conditions for traffic on adjacent streets or roads.~~

2.03 Required Parking Spaces

Off-street parking in conjunction with all land or building uses established after the enactment of this ordinance shall be provided according to Table 1 below. No on-street parking shall fulfill the parking requirements for any use.

Table 1. Off-Street Parking Requirements

Land Use	Number of Required Spaces
Single Family Home, Duplexes, Manufactured Homes, & Apartments	1 for each dwelling unit
Food stores, markets, and shopping centers having more than 2000 square feet of gross floor area	1 for each 200 square feet of gross floor area of the building with public access
Motels and Bed and Breakfast Establishments	1 for each rental room
Residential care facilities and adult homes	1 for each 5 regular beds plus 1 for each employee
Public assembly facilities	1 for each three seats
Business offices and medical clinics	1 for each 250 square feet of gross floor area with access to the public
All other general commercial	1 for each 100 square feet of interior gross floor space with public access
Manufacturing	1 for each employee

2.04 Grading and Surfacing Standards

All required off-street parking areas shall be at least graded and graveled.

2.05 Commercial and Light Manufacturing Uses Generating Greater than 25 auto trips per day

Commercial and light-manufacturing uses capable of generating traffic volumes of greater than twenty five (25) auto trips per day shall be located on an arterial street or highway to lessen the impact on local and collector City public streets. Access to commercial and light-manufacturing uses shall meet ingress and egress standards for arterial streets or highways.

2.06 Loading and Service Space Requirements

Each business building requiring service vehicles for shipments or deliveries shall have an off-street loading space with access to a public street. The size of the place shall be

large enough to accommodate all servicing of vehicles. No servicing vehicle shall extend into a public street when using the loading space.

Part 3. Environmental Standards

3.01 Air Quality Standards

The emission of any air pollutants by any use shall be subject to RCW, Chapter 70.94 and WAC, Chapters 173.400-401 and 173.460.

3.02 Noise Level Standards

The intensity of sounds emitted by any use to adjacent properties shall not exceed the levels stated in WAC, 173.60 and 173.62.

3.03 Light and Glare Standards

Land uses creating intensive glare or light shall screen the view of this glare or light from any point along the property line in accordance with Part 4.03 of this Article.

3.04 Toxic Chemical Storage

All toxic chemicals shall be stored in containers and at locations that prevent leakage and are not hazardous to ground water sources and adjacent or nearby properties.

3.05 City Public Utility Connections

New development shall connect to the City of Mossyrock public water and sewer systems. Existing on-site wastewater disposal systems shall be in conformance with WAC, Chapter 246-272.

Part 4. Aesthetic Standards

4.01 Prohibited Signs

The following signs are prohibited:

- a. Signs determined to interfere with the view of traffic signs, signals or devices, approaching or merging traffic, and pedestrian and vehicular traffic.
- b. Sign containing uncomfortably intense lights.
- c. Signs determined by the Building Official to be structurally unsafe.
- ~~d. Signs for discontinued businesses or activities.~~

4.02 Political Campaign Signs

Candidates may display political campaign signs thirty (30) days before an election and must be removed no later than seven (7) days after the election. A sign(s) of a successful candidate in a primary election may remain until the final election. The candidate for whom a sign promotes is responsible for its removal.

4.03 Standards for Buffers and Screens

Buffers and screens may be required as a condition of a development permit to reduce impacts created by light, glare, and noise on adjacent and areas properties. The width of buffers or screens may vary to account for natural features, volumes, proposed setback in design, or other factors. The general rule is that the more intensive the proposed use and its potential for adverse impacts on adjacent or areas properties, the larger the buffer or screen that will be required.

The land area of all buffers and/or screens consisting of planted materials shall sufficiently serve its purpose within six (6) months of planting and be properly maintained for as long as the use creating the impact continues. Wall, fences, or earth berms shall be required where noise reduction is necessary. All screens shall be of sufficient height to ensure that the proposed use mitigates light, glare, and noise impacts.

Part 5. Permitted Uses Allowed in All Districts

This section lists all of the permitted uses allowed in all Districts. Uses may be added or deleted to this list in accordance with the amendment procedures for Adding or Deleting to the Permitted Uses Lists in Article VIII, Part 9. All new uses in all Districts, or the expanded portion of an existing use, shall comply with the provisions and standards of this Article.

5.01 Public Community Buildings

5.02 Public Utility Structures Under 35 Feet in Height

Public utility structures under thirty-five (35) feet in height shall be allowed when they:

- a. Serve the intended area with a minimal effect on surrounding property.
- b. Do not degrade scenic views from a public street or private property.
- c. Are buffered, screened, fenced or kept within a structure.

5.03 Farms, Crops, and Pasture for Livestock

All agricultural activities shall be allowed on two (2) or more contiguous acres of land.

5.04 Public Parks

5.05 Public or Private Open Space Left in a Natural, Undisturbed State.

5.06 Walking, Jogging, and Equestrian Trails.

ARTICLE III: THE NEIGHBORHOOD DISTRICT

Part 1. Individual Lots

1.01 Lot Size

The minimum lot area shall be eight thousand seven hundred (8,700) square feet with the exception of residential cluster subdivisions in which lot size shall conform to the standards in Article VI, Part 3.

1.02 Lot Coverage

All structures, including accessory buildings, shall cover no more than fifty percent (50%) of the lot area except as set forth in Article II, Part 1.01. Parking spaces and private swimming pools are excluded when calculating lot coverage.

Part 2. List of Permitted Uses

This section lists all of the permitted uses allowed in the Neighborhood District in addition to those listed in Article II, Part 5. No other uses are allowed. Uses may be added or deleted to this list in accordance with the amendment procedures for Amending Lists of Permitted Uses as provided in Article VIII, Part 9. All new uses in the Neighborhood District, or the expanded portion of an existing use, shall comply with the provisions and standards of this Article.

2.01 Single-Family and Two-Family (Duplexes) Dwellings- Units

2.02 Single-Family Dwelling with Accessory Dwelling Unit

Single-family dwelling units may have an interior accessory dwelling unit provided that the accessory dwelling unit:

- a. Has a floor area of no larger than thirty-percent (30%) of the main dwelling unit;
- b. Does not change the basic single-family appearance of the structure; and,
- c. Provides one (1) off street parking space for the accessory dwelling unit.

2.03 ~~Ap~~artments

The following standards shall apply to all apartments:

- a. Provide a minimum of 100 square feet of recreation space for each dwelling unit in each apartment building or complex of buildings. No more than fifty (50%) percent of this area may be indoors or covered. Where the total required recreation area is three thousand (3000) square feet or less, the outdoor space shall be a continuous piece of land. No part of the recreation space may have driveways, parking, or other automobile use.
- b. Adequate buffers and screening shall separate the recreation space from public streets, parking area, and driveway.
- c. All parking areas shall have buffers to mitigate impacts to surrounding residential uses.
- d. All lights provided to illuminate parking areas shall be so arranged as to direct light away from adjoining land uses.

2.04 Manufactured Homes (Mobile Homes) on Individual lots

Manufacture Homes shall:

- a. Conform to all requirements for any single-family dwelling units as defined by the ordinance;
- b. Bear a tag or seal of approval of the State of Washington or the Department of Housing and Urban Development;
- c. Be provided with a foundation that shall be improved to provide adequate support for the placement of a manufactured home in accordance with the Department of Housing and Urban Development standards;
- d. Have skirting enclosing the space between the home and the ground that provides adequate ventilation and access, and which is properly maintained; and
- e. Be assembled on site in compliance with Department of Housing and Urban Development Standards.

2.05 Manufactured Home (Mobile Home) Parks

All Manufactures Home Parks shall meet the following requirements:

- a. Spaces within a manufactured home park shall contain a minimum of three thousand (3,000) square feet per home.
- b. Each space shall accommodate only one manufactured home.
- c. Unless an intervening firewall is provided, a manufactured home accessory structure shall not be located closer the fifteen (15) feet from any other manufactured home or closer that five (5) feet from a roadway.
- d. The installation of manufactured homes shall comply with Part 2.04 above.
- e. Each manufactured home space shall have:
 - i. A continuing supply of safe and potable water;

- ii. Sanitary facilities and services; and,
- iii. Electricity.

2.06 Home Occupations

All home occupations shall meet the following requirements:

- a. The occupation must be incidental and accessory to the principal residential use of the structure.
- b. The area devoted to the home occupation shall occupy no more than twenty-five percent (25%) or more than five hundred (500) square feet of gross floor area of the residential structure, including all other buildings on the property serving the home occupation.
- c. The home occupation shall not create traffic to and from the residential dwelling unit that is disruptive to the residential area where it is located.
- d. There shall be no more than one non-resident employee at the occupation.
- e. There shall be one off-street parking space for the employee.
- f. The home occupation may have one advertising sign located directly on the dwelling unit with a surface area of no more than 600 square inches.
- g. No home occupation may have freestanding signs.

2.07 Adult Family Homes

2.08 Day Care Centers

2.09 Bed and Breakfast Inns

All Bed and Breakfast Inns shall:

- a. Assure that the owner of the business lives on the premise;
- b. Offer no greater than five (5) rooms for transient guests; and
- c. Limit meals to guests only.

2.10 Professional Offices

2.11 Churches and Meeting and Assembly Halls.

When churches, meeting, or assembly halls are located next to a residence(s), the hours of operation of these uses shall be controlled so as not to disrupt residential uses.

2.12 Schools

2.13 Tiny Homes -
100 sq ft → (600 sq ft) → Bathroom -
Kitchen - w/ Area 171 sq ft
Bedroom - 3000 sq ft unit space.

ARTICLE IV: THE MARKET DISTRICT

Part 1. Individual Lots

1.01 Lot Size

The minimum lot area shall be two thousand five hundred (2500) square feet.

1.02 Lot Coverage

All structures, including accessory buildings, may cover up to one hundred percent (100%) of the lot, including buffers and off-street parking.

Part 2. List of Permitted Uses

This section lists all of the permitted uses allowed in the Market District in addition those uses listed beginning in Article II, Part 5. No other uses are allowed. Uses may be added or deleted to this list in accordance with the amendment procedures for Amending Lists of Permitted Uses as provided in Article VIII, Part 9. All new uses in the Market District, or the expanded portion of an existing use, shall comply with the provisions and standards of this Article.

2.01 Retail Activities Dispensing Commodities or Services

2.02 Professional and Business Offices

2.03 Indoor Entertainment and Recreation Facilities

2.04 Medical Clinics and Residential Care Facilities

2.05 Retail Services Requiring Outdoor Storage or Sales Space

Retail services, which require outdoor storage or sales, shall:

- a. Have all outdoor storage and sales areas adequately buffered to reduce the visual impact of stored material on adjacent properties;
- b. Direct all outdoor lighting in such storage areas such that no direct light is projected on adjoining properties; and,
- c. Limit outdoor retail sales activity from the hours of 7 a.m. to 10 p.m. to limit noise and traffic impacts on adjoining properties.

2.06 Automobile Service Stations

All automobile service stations shall have the leading edge of the base of any pump island no closer than 15 feet from any property line

2.07 Restaurants, Taverns, and Cafes

2.08 Drive-in Restaurants

All drive-in restaurants shall:

- a. Have ingress and egress to an arterial street or highway.
- b. Be designed to insure that all vehicles waiting to be serviced are contained within the property boundaries.

2.09 Veterinary Clinics, Kennels and Animal Hospital

All uses that provide short- or long-term lodging for animals shall prevent all noise, odor, and other obtrusive impacts on adjoining or neighboring property by using buffers or screens.

2.10 Motel

2.11 Recreational Vehicle Parks

All recreational vehicle parks designed for short-term occupancy shall:

- a. Have ingress and egress to an arterial street or highway;
- b. Provide connections for recreational vehicles to water and sanitary facilities and/or provide for disposal of sanitary waste;
- c. Be buffered and/or screened to reduce the impact of noise, light, and visual obtrusiveness to adjoining properties; and
- d. Provide individual lots for each vehicle no smaller than five hundred (500) square feet.

2.12 Contractor's Office, Shops and Storage Yards

In cases where equipment and supplies are stored in the open, such equipment or supplies shall be screened from adjacent lots by buffers and/or screens which reduce the visual and auditory impact of the equipment and supplies.

2.13 Assembly of Small Equipment

2.14 Cabinet, Carpenter's Shop, Furniture Manufacturing and Repair and Fix-It Shops

2.15 Blacksmith and Welding Shops

2.16 Agricultural Processing, Packing, Storage, and Distribution

ARTICLE V: VARIANCES AND NONCONFORMING USES AND STRUCTURES

Part 1. Variances

1.01 Variance Defined

A variance provides a property owner relief when the strict application of the provisions in the Rules for Land Development would impose unusual, practical difficulties or unnecessary physical hardships on the development of a permitted use. The standards for evaluating practical difficulties and unnecessary hardships shall include:

- a. The size, shape, and dimension of a site;
- b. The location of any existing structures on a site or on adjacent property; and
- c. Any geographic or topographic condition on the site or in the immediate vicinity of the site.

A variance cannot be used to allow a non-permitted use to locate within the Neighborhood District or the Market District.

1.02 Criteria for Granting a Variance

The City Council shall grant no application for a variance unless all three of the following standards are met:

- a. The variance does not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and district in which the property is located;
- b. The variance is necessary because of:
 1. Special circumstances relating to the size, shape, topography, location or surroundings of the property, and
 2. To provide it with rights and privileges permitted to other properties in the vicinity and district in which the subject property is located; and,
- c. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and district that the property is located.

1.03 Attaching Conditions

In granting any Variance Permit, the City Council may attach any conditions to the permit deemed necessary to mitigate any possible adverse impacts created by the proposed use.

1.04 Variance Permit Required

No use shall be allowed to vary from the Provisions in Articles II, III or IV of this Ordinance until a Variance Permit has been received by the applicant as specified in Article VIII, Part 8.

Part 2. Nonconforming Uses and Structures

2.01 Nonconforming Uses and Structures Defined

Nonconforming uses and structures are those uses and structures which existed prior to the adoption of amendment of the Rules for Land Development that do not conform to all of the requirements of this Ordinance.

2.02 Continuation of Nonconforming Uses

In order not to cause undue economic hardship to owners of property with nonconforming uses, these uses are allowed to continue under the conditions outlined below.

2.03 Discontinuance of Nonconforming Uses

If a nonconforming use discontinues for a period of twelve (12) months or more, then the nonconforming use is no longer legal and subsequent uses shall conform to this ordinance.

2.04 Destruction of Nonconforming Use or Structure

If a nonconforming structure or use becomes damaged beyond fifty percent (50%) of its assessed value and if it is not returned to use or repaired within twelve (12) months, any future use or structure shall conform to all provisions of the Rules for Land Development.

ARTICLE VI: SUBDIVISION OF LAND

Part 1. Purpose and Exemptions

1.01 Purpose

The purpose of this Article is to establish uniform procedures for dividing land into five or more lots, tracts, parcels, sites or divisions, with public dedications, for the purpose of sale, lease, or transfer of ownership. This Article supplements the requirements of Chapter 58.17, RCW.

1.02 Exemptions

The following actions are exempt from this Article:

- a. Cemeteries and other burial plots;
- b. Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth (1/128) of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land;
- c. Divisions of land made by testamentary provision, or the laws of decent; and,
- d. A division made for the purpose of alternation by adjusting boundary lines between platted or unplatted lots of both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient areas and dimension to meet minimum requirements for width and area for a building site.

Part 2. Approval

2.01 Approval of Subdivision

No subdivision of land shall be allowed in the City of Mossyrock unless it has been approved by the City Council as provided in Article VIII, Part 10.

2.02 Compliance with Rules for Land Development

Every subdivision of land shall comply with the City of Mossyrock Growth Management Directory, all City ordinances, and Chapter 58.17, RCW.

2.03 Subdivisions Next to Highway 12 or Highway 122.

Upon receiving a Subdivision Application for land that is located next to Highway 12 or Highway 122, the City Clerk-Treasurer shall notify the Washington State Department of Transportation by sending copies of the Subdivision Application and, environmental information as appropriate. The Department of Transportation has fourteen (14) days

upon receiving the copies of the Application to comment on the proposed subdivision. Comments received from the Department by the City Clerk-Treasurer shall be forwarded to the Planning Commission for their consideration and the public hearing record.

Part 3. Residential Cluster Subdivisions

3.01 Purpose

The purpose of the residential cluster subdivision is to provide flexibility for a developer to decrease the lot sizes without increasing overall density by placing the remaining land area into open space devoted to recreation, preservation of environmentally sensitive areas, or for agricultural use.

3.02 Cluster Subdivision Requirements

Cluster subdivisions shall conform to the following standards:

- a. Each lot must be of sufficient size and dimensions so that it can support the structure proposed to be located on the lot and be consistent with applicable requirements for public health and safety provisions in Article II;
- b. The number of dwelling units in a residential subdivision may not exceed five (5) dwelling units per gross acre;
- c. In order to use the provisions of Article VI, Part 3, at least 10,000 square feet of open space must be saved.
- d. The land saved by creating lots smaller than the minimum lot area must be set aside as usable open space, not dedicated to the public, and remain under ownership of the developer and/or an owners' association.
- e. Saved open space land cannot be used for roadways, parking areas, and sidewalks.

Part 4. Improvements

4.01 Consideration of Critical Areas

The City of Mossyrock shall consider the physical characteristics of a proposed subdivision site and may either disapprove or approve with conditions a proposed plat to protect critical areas as provided in Article VII, Section III of this ordinance.

4.02 Completion of Required Improvement before Filing of Final Plat

All required preliminary plat improvements shall be completed prior to submittal of the final plat to the City Council. However, in lieu of required completed improvements, the City of Mossyrock may accept a performance bond before final plat approval. The

performance bond shall have satisfactory surety and conditions, or other secure method, for an amount equal to the actual cost of construction and installation of such improvements within the period specified by the City.

4.03 Owner Maintenance of Dedicated Areas until Public Acceptance

The owner shall maintain all facilities and improvements that the owner offers towards public dedication until the appropriate public authority accepts the dedication.

ARTICLE VII: CRITICAL AREAS PROTECTION

Part 1. Purpose

It is not the intent of this article to deny a reasonable use of public or private property, but to assure that land development is accomplished in a manner that will protect critical areas: wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas and fish and wildlife habitat conservation areas.

Part 2. Compliance Critical Areas Protection

All public and private land uses in the City of Mossyrock shall comply with the requirements of this Article as a condition to of any of the following permits:

- a. Building permits for any construction.
- b. Clearing and grading permit.
- c. Subdivision or short subdivision.
- d. Variance.

Part 3. Exempt Activities in Critical Areas

The following uses or activities within a critical area or critical area buffer are exempt from the requirements of this Article to the extent that they are not prohibited by other state or federal laws and do not degrade the critical area.

- a. Conservation, enhancement, restoration, or preservation measures or projects;
- b. Low intensity, passive recreational uses;
- c. Short-term scientific studies and educational uses;
- d. Repair and maintenance of existing public roads, bridges, and storm water facilities;
- e. Walkways without structures;
- f. Public parks;
- g. Site investigation work necessary for land use applications; and
- h. Forest practices governed by RCW 76.09.

Part 4. Emergency Work in Critical Areas

The Mayor may authorize emergency work in critical areas without a permit if s/he determines an imminent threat to public health or safety will occur before completion of normal permit procedures. Emergency work shall be limited to abating the emergency only and restoration of the critical area, if possible, shall follow the emergency.

Part 5. Technical Assessments Required

Applications for building permits, short plats, subdivisions, and variances shall indicate whether any critical area is located on or within 200 feet of the site. The City Clerk-Treasurer or designated representative shall visit the site, and in conjunction with a review of the Growth Management Directory, information provided by the applicant, and any other suitable information, make a determination as to whether or not sufficient information is available to evaluate the proposal. If it is determined that the information presented is not sufficient, the City Clerk-Treasurer shall notify the applicant that additional assessments shall be provided before the issuance of a Notice of Completion.

It shall be the responsibility of an applicant to provide the City with appropriate technical assessments and reports prepared by a qualified expert, if necessary, to fulfill the requirements for application review under Article VIII or any other City, state or federal laws.

Part 6. Wetland Areas

6.01 Wetland Protection Standards

The City shall regulate development activities to protect wetlands that provide public benefit. Development activities shall not diminish the capacity of wetlands to:

- a. Provide flood control and groundwater recharge;
- b. Improve surface and ground water quality by trapping sediments, removing nutrients, and providing chemical detoxification;
- c. Stabilize the streambed along Klickitat Creek; and
- d. Jeopardize federally listed endangered and threatened species.

6.02 Delineating and Rating Wetlands

The City adopts by reference the following maps and best available science resources for wetlands in the Mossyrock Urban Growth Area:

- a. National Wetlands Inventory Map, US Fish and Wildlife Service
- b. Soil Survey of Lewis County Area, Washington, Map Sheets 68 and 69, USDA, 1980

- c. Washington State Wetlands Identification and Delineation Manual, Washington Department of Ecology, 1997, Publication #96-94.
- d. Washington State Wetland Rating System for Western Washington, Washington Department of Ecology, 1993, Publication #93-74.
- e. If the location, designation, or classification of a wetland shown on any map adopted by reference under this code is in conflict with the determination of any field investigation, the latter shall prevail.

6.03 Prohibition of Development within Wetlands

The City prohibits development activities in wetlands unless:

- a. No practical alternative exists for locating the project elsewhere; or
- b. The prohibition precludes any reasonable use of the property.

6.04 Wetland Buffers

A wetland buffer that separates a wetland boundary from a regulated use is mandatory to mitigate adverse impacts of development activities. The following standards shall apply when determining buffer widths:

- a. Buffer widths are measured perpendicularly from the wetland boundary;
- b. Buffer widths are determined according to a wetland's rating:
 - 1. Category I wetlands require a buffer width of 200 feet;
 - 2. Category II wetlands require a buffer width of 100 feet;
 - 3. Category III wetlands require a buffer width of 50 feet; and,
 - 4. Category IV wetlands require a buffer width of 25 feet.
- c. Buffer widths may be reduced if a technical assessment prepared by a qualified expert finds that a lesser width will not adversely affect the function of the wetland or that the use of other mitigation measures achieves the same result.

6.05 Wetland Replacement and Enhancement

If an application for development activities makes it necessary to alter or eliminate a wetland, the applicant shall enhance or replace the wetland based upon a technical assessment and mitigation plan prepared by a qualified expert. Altered wetlands may require enhancement to ensure the same level of wetland function that existed at the time of the permit application. The replacement of eliminated wetlands shall be at a ratio of 1:1 and have an equal or greater wetland rating.

6.06 Wetland Technical Assessments

A qualified expert shall prepare any wetland technical assessments required by the City. The report shall include:

- a. The exact location of the wetland boundary;

- b. An evaluation of wetland functions and values;
- c. An analysis of how the proposed use would or would not diminish the wetland protection standards under Section 6.01 of this Article; and
- d. Recommendations for mitigating adverse environmental impacts on wetland values and functions during construction and post-construction.

Part 7. Geologically Hazardous Areas

7.01 Geologically Hazardous Areas Protection Standards

The City shall regulate development activities in geologically hazardous area to protect the public's health, safety, and welfare. Development activities in geologically hazardous areas shall:

- a. Use best management practices for land clearing, grading, or filling activities;
- b. Preserve or replace vegetation in erosion hazard areas;
- c. Prevent increased surface water discharge or sedimentation to adjacent properties;
- d. Prevent decreased slope stability on adjacent properties;
- e. Design or mitigate projects in geologically hazardous areas to eliminate unsafe conditions to on- and off-site property owners.

7.02 Delineating Geologically Hazardous Areas

The City adopts by reference the following maps and best available science resources for geologically hazardous areas in the Mossyrock Urban Growth Area:

- a. Soil Survey of Lewis County Area, Washington, Map Sheets 68 and 69, USDA, 1980
- b. Geologic Map of the Centralia Quadrangle, Washington, Washington Division of Geology and Earth Resources, 1987
- c. If the location, designation, or classification of a geologically hazardous area shown on any map adopted by reference under this code is in conflict with the determination of any field investigation, the latter shall prevail.

7.03 Geologically Hazardous Areas Technical Assessments

A qualified expert shall prepare any technical assessment required by the City for a geologically hazardous area. The report shall:

- a. Determine the exact boundaries of all geologically hazardous areas affecting the site and the impact of the proposed development on the standards set forth under Section 7.01 of this Article; and
- b. Recommend mitigation measures to ensure compliance with the standards set forth under Section 7.01 or, if mitigation is not possible, recommendations for

adequate buffers from the hazard or hazards to protect public health, safety, and welfare.

Part 8. Aquifer Recharge Areas.

8.01 Aquifer Recharge Areas Protection Standards

The City shall regulate development activities in aquifer recharge areas to protect groundwater quality and quantity for use as a potable water source.

8.02 Delineating Aquifer Recharge Areas

The City adopts by reference the following best available science resources for aquifer recharge areas in the Mossyrock Urban Growth Area:

- a. Geology and Groundwater Resource of West-Central Lewis County, Washington, Weigle and Foxworth, Washington Department of Conservation, Division of Water Resources (Department of Natural Resources), 1962.
- b. City of Mossyrock Water System Comprehensive Plan.
- c. If the location, designation, or classification of an aquifer recharge area shown on any map adopted by reference under this code is in conflict with the determination of any field investigation, the latter shall prevail.

8.03 Aquifer Recharge Area Technical Assessments

A qualified expert shall prepare any technical assessment required by the City for an aquifer recharge area. The report shall include:

- a. A characterization of the site and its relationship to the aquifer;
- b. A discussion of the effects of the proposed development activities and its ability to meet the establish standards of Section 8.01 of this Article; and
- b. Recommended mitigation measures to ensure compliance with the standards set forth under Section 8.01.

Part 9. Fish and Wildlife Habitat Conservation Areas

9.01 Fish and Wildlife Habitat Conservation Areas Protection Standards

The City shall regulate development activities in fish and wildlife habitat conservation areas to maintain species in suitable habitats within their natural geographic distribution and to prevent isolated subpopulations.

9.02 Delineating Fish and Wildlife Habitat Conservation Areas

The City adopts by reference the following maps and best available science resources for fish and wildlife habitat conservation areas in the Mossyrock Urban Growth Area:

- a. Priority Habitat Maps, Washington Department of Fish and Wildlife

9.03 Fish and Wildlife Habitat Conservation Areas Technical Assessments

A qualified expert shall prepare any technical assessment required by the City for development activities on parcels fifteen (15) acres or larger and located within 200 feet of a fish and wildlife habitat conservation area. The technical assessment shall include:

- a. An analysis and discussion of species or habitats known or suspected to be located within two hundred feet (200') of the site;
- b. Evaluation of the effects of the proposed development activities and its ability to meet the establish standards of Section 9.01 of this Article; and
- b. Recommended mitigation measures to ensure compliance with the standards set forth under Section 9.01. In cases where a fish and wildlife habitat conservation area is on or adjacent to a development site, a minimum separation of up to fifty feet (50') or greater may be required for regulated uses if the technical assessment indicates the need for a buffer.

Part 10. Variance

10.01 Variance Application Review

The City shall review variance Applications according to the procedures in Article VIII, Part 8 of this ordinance.

10.02 Additional Requirements

In addition, variances shall not be authorized within a wetland or wetland buffer, on slopes in excess of ten percent (10%), in aquifer recharge areas or fish and wildlife habitat conservation areas except where it can be demonstrated that:

- a. All economic uses are denied, and/or
- b. There are no practical alternatives that would not have other significant environmental impacts.

10.03 Mitigation Measures

Mitigation measures shall be required for impacts caused by extraordinary hardships and use exceptions in Part 9.02 (a) (b) above.

Part 11 Administration

The administration of this Section shall be in accordance with the all the provisions in Article VIII of this ordinance, the Mossyrock Growth Management Directory and all other applicable City, state and federal laws.

ARTICLE VIII: ADMINISTRATION

Part 1. Purpose

The purpose of this Article is to establish procedures for administering the Rules for Land Development in the City of Mossyrock. This includes the requirements and procedures for:

- a. Building Permits;
- b. Short Plats;
- c. Boundary Line Adjustments;
- d. Variance Permits;
- e. Adding or Deleting to the Permitted Use Lists in Articles III and IV;
- f. Subdivision Approval;
- g. Amendments to the Rules for Land Development;
- h. Enforcement of the Rules for Land Development; and
- i. Administrative interpretations.

Part 2. Application Requirements

2.01 Applications

Applications for a building permit, variance permit, adding or deleting to the permitted use lists in Articles III and IV, short plat, subdivision, and amendment to the Rules for Land Development are available at the Mossyrock City Hall from the City Clerk-Treasurer.

2.02 Application, Designated Representative

The applicant shall designate a single person or entity to receive all determinations and notices required by Article VIII.

2.03 Permit Application Conference

- a. The City Clerk-Treasurer or designated representative shall schedule an application conference with the applicant not later than fourteen (14) days after an application has been submitted to:
 1. Review each application for completeness and compliance with provisions of this ordinance and any other applicable codes or ordinances;
 2. Provide an exchange of information regarding the proposed permit, development plan, and/or amendment and applicable elements of Section II, Comprehensive Plan for Future Development in the City of Mossyrock Growth Management Directory, and other development policies, regulations, and requirements; and

3. Identify any additional information required to make the application complete.
- b. The City Clerk-Treasurer may invite the City Engineer or other City representatives, as deemed appropriate, to the application conference.
- c. If the applicant fails to attend the permit application conference, the City Clerk-Treasurer shall notify the applicant in accordance with Article VIII, 2.04 that the application is incomplete. The application will be considered withdrawn if the applicant fails to reschedule an application conference with the City Clerk-Treasurer within fourteen (14) days of the issuance of the Determination of Completeness.

2.04 Determination of Completeness

The City Clerk-Treasurer, or designated representative, shall review all applications for variance permits, adding or deleting to the permitted use lists in Article III and IV, subdivisions, short plats, and amendments to the Rules For Land Development. The procedures for determining the completeness of applications are as follows:

- a. Within fourteen (14) days after receiving the application, the City Clerk-Treasurer shall mail or provide a written determination to the applicant stating either that the permit application is complete or incomplete, and if incomplete, what is necessary to make the application complete.
- b. If the applicant fails to provide the additional information, as requested, within sixty (60) days, the application will be considered as withdrawn by the applicant.
- c. An application shall be deemed complete if the City issues a Determination of Completeness or does not provide a written Determination of Completeness to the applicant within twenty eight (28) days.

2.05 Determination of Completeness, Administrative Permits

- a. Building Permit applications shall be reviewed by the Building Official and determined complete as follows:
 1. ~~Within seven (7) days after receiving the application, the Building Official shall mail or provide a written determination to the applicant stating either that the permit application is complete or incomplete, and if incomplete, what is necessary to make the application complete.~~
 2. If the applicant fails to provide the additional information requested by the Building Official within sixty (60) days, the application will be considered as withdrawn by the applicant.
- b. Short plat applications shall be reviewed by the City Clerk-Treasurer or designated representative and determined complete as follow:
 1. Within seven (7) days after receiving the application, the City Clerk-Treasurer shall mail or provide a written determination to the applicant stating either

that the permit application is complete or incomplete, and if incomplete, what is necessary to make the application complete.

2. If the applicant fails to provide the additional information requested by the City Clerk-Treasurer within ninety (90) days, the application will be considered as withdrawn by the applicant.

2.06 Notice of Application

Upon receipt of a completed application for variance permit, subdivision or a consolidated permit application the City Clerk-Treasurer will provide a Notice of Application to public agencies with jurisdiction at least fifteen (15) days prior to the open record public hearing on the application. A Notice of Application shall include:

- a. Date of application, date of Determination of Completeness for the application and date of Notice of Application;
- b. Description of proposed permits including location, SEPA checklist if applicable, existing environmental documents that evaluate the proposed permit(s), and where the application and any additional studies can be reviewed;
- c. The identification of other permits not in the application to the extent known;
- d. A statement of the public comment period, which shall be not less than fifteen (15) or more than thirty (30) days; and
- e. The date, time, and place of the open record public hearing on the application.

Notice of Application is not required for actions that are categorically exempt from environmental review.

2.07 Application Transmittal

Within five (5) working days after an application is deemed complete, the City Clerk-Treasurer shall forward the completed applications for variance permit, Adding or Deleting to the Permitted Use Lists in Article III and IV, subdivision, and amendment(s) to the Rules for Land Development with all appended information and the Notice of Application, if applicable, as follows:

- a. Application for a variance permit to the Mayor; and
- b. Adding or Deleting to the Permitted Use Lists in Article III and IV, subdivision and amendment(s) to the Rules for Land Development to the Chair of the City Planning Commission.

2.08 Public Notice

- a. The City shall require public notice for all variances, subdivisions, short plats, and consolidated permit applications as follows:
 1. A waterproof sign posted on the site in a conspicuous place and visible to the public which states, in a minimum of two (2) inch high letters, the type of

- permit and the date, time and place of the open record public hearing; and if a Notice of Application is required,
2. Publication of the Notice of Application in a newspaper of general circulation in the area where the proposal is located.
 - b. Public notice for Adding or Deleting to the Permitted Use lists in Article III and IV and amendment(s) to the Rules for Land Development shall be in accordance with RCW 35A.63.070 and RCW 35A63.152.
 - c. The applicant shall be responsible for the cost of public notice requirements for all applications.

Part 3. Determination of Consistency and Concurrency

3.01 Consistency

During application review, the reviewing body or official shall determine that development regulations applicable to the application or, in the absence of pertinent regulations, the adopted City of Mossyrock Growth Management Directory, are consistent by:

- a. Type of land use;
- b. Level of development, such as units per acre or other measures of density;
- c. Availability and adequacy of public facilities needed to serve the development; and
- d. Character of the development, such as development standards.

3.02 Concurrency

During application review, the reviewing body shall determine that concurrency exists at the time when the impacts of development will occur. Compliance with this requirement shall be sufficient to satisfy the concurrency requirements of RCW 58.17.110 and 58.17.060 and WAC 365-195-835. The City reserves the right to deny approval to any application for development if concurrency is not met.

3.03 Inclusion of Determination in Notice of Decision

The City shall include a statement as to the determination of consistency and concurrency in the Notice of Decision for the approval, approval with conditions or disapproval of the application.

Part 4. Identification of Deficiencies

If during permit review, the reviewing body or official identifies deficiencies in the City of Mossyrock Growth Management Directory or any other development regulations of the City of Mossyrock they shall:

- a. Not be used as a comprehensive planning process to stop application review.

- b. Be recorded and consideration for potential amendment(s) to the City of Mossyrock Growth Management Directory on, at least, an annual basis.

Part 5. Notice of Decision

In making an order, requirement, recommendation, determination, or decision in the administration of the Rules for Land Development, the City shall provide to the applicant and to any person who submitted substantive comments on the application prior to the decision, a written Notice of Decision that includes the following:

- a. Findings and conclusions demonstrating a decision is supported by the record;
and
- b. Procedures for appeal.

Part 6. Administrative Approvals

6.01 Building Permit

- a. The Building Official shall review all building permit applications. If during the course of the review of a building permit application the Building Official determines that an application needs additional approval(s) for activities listed in Article VIII Part 1 of the Rules for Land Development, the Building Official shall inform both the applicant and the City Clerk-Treasurer accordingly in writing within three (3) days of receiving the application. No further action will be taken by the Building Official until he/she is notified by the City Clerk-Treasurer of any other permit or amendment approval.
- b. The Building Official shall issue a building permit only when all the Rules for Land Development and other City laws are satisfied.

6.02 Short Plat

- a. In accordance with RCW 58.17.060, the City Clerk-Treasurer, or designated representative, is appointed as the City's administrator who shall approve the subdivision of land into four or less lots, tracts, parcels, sites or divisions, and alterations or the vacation of existing short short plats.
- b. The City Clerk-Treasurer or designated representative shall review the application for a short plat, circulate copies of the proposed short plat to the City Engineer, Planning Commission and other agencies, as necessary, for their approval or disapproval as to appropriate provisions for public health, safety and general welfare for; but not limited to, drainage, potable water, sanitary sewer, streets and to assure safe walking conditions for students who walk to and from school.
- c. The City shall provide written notice of any application for a short plat that is located adjacent to the right of way next to Highway 12 and/or Highway 122 including legal description and a location map to the Washington State

Department of Transportation. The Department shall furnish the City Clerk-Treasurer within fourteen (14) days after receiving notice of the short plat application, a statement with any information that the department deems relevant about the effect of the proposed short plat upon the legal access to the state highway, the traffic carrying capacity of the state highway and the safety of the users of the state highway.

- d. The City Clerk-Treasurer shall review the completed application, comments from the City Engineer, citizens and other interested agencies, and approve or disapprove the short plat within twenty-eight (28) days from the date of a completed application provided:
 1. Approval of a short plat shall include a determination that appropriate provisions are made for public health, safety and the general welfare, the public interest will be served by the short subdivision and the short plat is in conformance with this ordinance and other applicable ordinances;
 2. The City Engineer shall specify any easements necessary prior to approval of the short plat and such easements will be agreed upon and filed prior to approval; and,
 3. A short plat granted approval pursuant to local regulations shall not be deemed approved until filed with the Lewis County Auditor by the applicant.
- e. Lots within a short plat shall not be resubdivided within a period of five (5) years unless the person wishing to resubdivide any such lot applies in the same manner as for a regular subdivision. Such application shall include all of the lots in the original subdivision.

6.03 Boundary Line Adjustments

- a. The boundary lines separating parcels may be adjusted under the provisions of this chapter; provided that such adjustment
 1. Will not result in the creation of any additional lot, tract, or parcel; and
 2. Will not create any lot, tract, or parcel, which contains insufficient area and dimension to meet the requirements of the Rules for Land Development; and
 3. Will not adversely affect access, easements, or drainfields; and
 4. Will be consistent with any applicable health, building, or similar regulations; and
 5. Will not increase the nonconforming aspects of an existing nonconforming lot.
- b. The owner of the subject property or the authorized agent(s) of the owner may apply for a lot line adjustment by submitting to the City Clerk-Treasurer a completed application for a boundary line adjustment.
- c. The City Clerk-Treasurer or designated representative shall review the application for a boundary line adjustment, circulate copies of the proposed short plat to the City Engineer, Planning Commission, and other agencies, as necessary, for their approval or disapproval as to appropriate provisions for

public health, safety, and general welfare for; but not limited to, drainage, potable water supply, sanitary sewer, and streets.

- d. The City Clerk-Treasurer shall review the completed application, comments from the City Engineer, citizens, and other interested agencies, and approve or disapprove the boundary line adjustment within twenty-eight (28) days of the Determination of Completeness.
- e. A boundary line adjustment granted approval pursuant to local regulations shall not be deemed approved until filed with the County Auditor by the applicant.

Part 7. Appeal of an Administrative Approval

Any person aggrieved by orders, recommendations, permits, decisions or determinations made by a City official in the administration or enforcement of the Rules for Land Development may appeal such decision to the City Council in writing; including the date and nature of the decision and the grounds for appeal, within ten (10) days of such decision. The City Council shall:

- a. Conduct a open record appeal hearing not less than fifteen (15) nor more than thirty (30) days after receiving the appeal and issue a decision not later than seven days (7) after the close of the open record public hearing.
- b. The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

Part 8. Variance Permits

8.01 Conditions for Granting Variance Permits

Variances to the Rules for Land Development may be granted only if they conform to the requirements in Article V, Part 1.01, 1.02, 1.03, and 1.04 of Section III, Rules for Land Development of the Mossyrock Growth Management Directory.

8.02 City Council Review

- a. The City Council shall review the variance permit application, conduct an open record public hearing, at least fifteen (15) but not more than thirty (30) days after the Notice of Application is published, review written testimony to assure conformance with the requirements of the Rules for Land Development and any other City ordinances and issue a decision to approve, approve with conditions or deny the application for a variance permit not later than seven days (7) after the close of the open record public hearing.
- b. In granting any Variance Permit, the City Council may attach conditions to the permit deemed necessary to mitigate any possible adverse impacts.

8.03 Appeal

The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

8.04 Time Limit

Substantial construction must start within six (6) months of the issuance of a variance permit. If substantial construction has not been started within six (6) months, the variance permit shall become void.

Part 9. Adding or Deleting to the Permitted Use Lists

9.01 Planning Commission Review

Upon receiving an application for adding or deleting a use to the permitted use lists in Articles III, IV and VII and the special uses in Article VII, Part 5; the Planning Commission shall conduct a public hearing within thirty (30) days after the Planning Commission receives the application. At the hearing, the Planning Commission will review the application, take public testimony and make written recommendations on the proposed addition or deletion to the City Council.

9.02 Standards for a Proposed Added Use

The Planning Commission may include specific performance standard for the proposed new use in their written findings based on mitigation of the following impacts:

- a. Erosion;
- b. Excessive water runoff;
- c. Environmental hazards;
- d. Visual or auditory impacts;
- e. Traffic hazards;
- f. Traffic congestion;
- g. Impact on public facilities;
- h. Fiscal Impact; and,
- i. Any unusual impact associated with the proposed use.

9.02 City Council Review

The City Council at their next public meeting shall set a date for a public hearing to consider the Planning Commission recommendation. The date for the public hearing shall be within thirty (30) days of the receipt of the Planning Commission recommendation. At the public hearing the City Council shall review the application

and the Planning Commission's recommendations, take public testimony and make a final decision. The City Council may decide to:

- a. Deny the application to add or delete a use; or
- b. Refer the matter back to the Planning Commission for further study with the provision that if be returned to the Council within sixty (60) days; or
- c. Accept the application, including any performance standards which it deems necessary to mitigate impacts created by an added use.

9.04 9.03 Appeal

The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

Part 10. Land Subdivision

10.01 Purpose

The purpose of this section is to establish the procedures for approving subdivision of land into more than 4 lots, tracts, parcels, sites or divisions; with public dedications, for the purpose of sale, lease, or transfer of ownership.

10.02 Planning Commission Review

The Planning Commission shall conduct an open record predecision public hearing on the preliminary plat application, at least fifteen (15) but not more than thirty (30) days after the Notice of Application, and take written and public testimony on the application to assure conformance of the proposed preliminary plat to the City of Mossyrock Guide to Community Development and all requirement of Chapter 58.17 RCW and forward a recommendation for approval, approval with conditions, or denial of the preliminary plat application to the City Council within fourteen (14) days following action by the Planning Commission.

10.03 City Council Review

Upon receipt of the Planning Commission recommendation, the City Council, at their next public meeting, shall set a date for a public meeting to consider the recommendation of the Planning Commission on the preliminary plat as follows:

- a. The City Council may adopt or reject the recommendation of the Planning Commission based on the record established at the open record predecision public hearing; or
- b. If, after considering the matter at a public meeting, the City council deems a change in the Planning Commission's recommendation is necessary, they shall

adopt their own recommendations to approve or disapprove the preliminary plat.

10.04 Appeal

The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

10.05 Time Limit

Approval of the preliminary plat shall be effective for one year from the date of approval by the City Council during which time a final plat may be submitted. The City Council may extend the approval period on the written request of the applicant, provided such request is made prior to the expiration of the preliminary approval. No preliminary plat shall receive more than three (3) one year extensions of time.

10.06 Approval of Final Plat

A Subdivision Application becomes a final plat when it is submitted to the City Council for final review and receives approval for filing. The final plat shall show all lots, streets, dedications and conditions placed on the approved Subdivision Application and all improvements shall be constructed except as provided in Part 10 of this Article.

10.07 Filing of Final Plat

After the City Council approves the final plat, the applicant shall file an original of the final plat with the Lewis County Auditor no later than three (3) years from the date of its approval by the City Council, unless as provided in Part 6.08 of this Article. A copy of the Final Plat shall be provided to the Lewis County Assessor and a reproducible copy shall be provided to the City Clerk-Treasurer. Each final plat shall contain:

- a. A statement of approval from the City Engineer as to the layout of streets, alleys and other rights of way, sewage and water systems and other structures; and
- b. Be accompanied by a complete survey of the section or sections in which the plat or replat is made to Department of Natural Resources surveying standards; and
- c. Be acknowledged by the person filing the plat before the Lewis County Auditor; and
- d. Contain a certification from the proper officer(s) in charge of tax collections that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged; and
- e. Show written finding by the City Council approving the plat.

10.08 Extension of Time for filing a Final Plat

The City Council, at the request of the applicant, may extend the required filing period for the final plat for up to one (1) year.

Part 11. Optional Consolidated Review

11.01 Request for Consolidated Review

An applicant may request a consolidated review and decision on two or more required permits which shall be conducted as a single application review and approval process.

11.02 Consolidated Project Review

Consolidated project review combining any of the following; building permit, short plat, subdivision, variance, and/or subdivision, except as specified in 12.03 below, shall be conducted as follows:

- a. The Planning Commission shall hold a public meeting within thirty (30) days after the issuance of the Determination of Completeness to obtain comments from City administrators, the public and/or other agencies on the proposed permits and make a recommendation to the City Council within fourteen (14) days of the public meeting;
- b. The City Council shall conduct an open record predecision public hearing to consider the Planning Commission recommendation and evaluate the proposed permits(s) as required in Section III, Rules for Land Development of this ordinance;
- c. The City Council shall issue a final decision to approve, approve with conditions, or deny the consolidated application not later than thirty days (30) from the date of the public hearing; and
- d. Decisions may be appealed to Superior Court within ten (10) days of the issuance of the decision.

11.03 Consolidated Project Review, Administrative Approvals Only

Project review combining only administrative approvals; building permit, short plat, and/or critical areas permit shall be conducted jointly by the Building Official and City Clerk-Treasurer or designated representative. These officials shall:

- a) Review individual permits to assure they incorporate all the requirements of the Rules for Land Development and other applicable regulations;
- b) Issue a written decision to approve, approve with conditions or deny the permit action not more than five (5) days after the applicant has been provided with a Determination of Completeness for SEPA exempt permits and not more than one hundred twenty (120) days for non-exempt projects; and

- c) An appeal of an administrative decision on the project may be made to the City Council as provided in Part 7 of the Article not later than ten (10) days after the administrative decision is issued.

Part 12. Amendments to the Rules for Land Development

12.01 Authority for Amendment

The City Council may amend the text to the Rules for Land Development whenever public necessity, convenience, and general welfare require such action.

12.02 Initiation of Amendment

Amendments to the text of the Rules for Land Development may be initiated by:

- a. One or more owners of property within the corporate boundaries of the City of Mossyrock.
- b. A motion of the City Council requesting the Planning Commission to set the matter for hearing, or
- c. A motion of the Planning Commission.

12.03 Planning Commission Review

The Planning Commission at their next public meeting shall set a date for a public hearing to review the application to amend the text of the Rules for Land Development not less than fifteen (15) or more than thirty (30) days after receipt of an application or motion for amendment. The Planning Commission shall forward a recommendation for approval or denial of the application to the City Council within fifteen (15) day of the Planning Commission public hearing.

12.04 City Council Review

- a. The City Council shall set a date for a public hearing to review the Planning Commission recommendation to amend the text of the Rules for Land Development not less than fifteen (15) or more than thirty (30) days after receipt of the recommendation. The City Council shall prepare written findings of fact and conclusions to approve, disapprove, or refer the application back to the Planning Commission.
- b. Prior to the final passage of any ordinance adopting an amendment to the Rules for Land Development, the Mayor shall first transmit a copy of the proposed amendment to the Washington State Department of Community, Trade, and Economic Development to allow for review and comment by state agencies in accordance with Chapter 36.70A106(3), RCW. The City Council shall take no action on the final adoption of the amendment for sixty (60) days.

12.05 Appeal

The decision of the City Council shall be final and conclusive within ten (10) days unless appealed to Superior Court.

Part 13. Enforcement

13.01 Filing Complaints

Whenever a violation of the Rules for Land Development occurs, any person may file a complaint. All complaints shall be made in writing to the City Clerk-Treasurer who shall forward the complaint to the City Attorney for review.

13.02 Violations

The City Attorney shall review the complaint and, upon finding a violation, forward it to the City of Mossyrock Chief of Police who shall issue a misdemeanor citation to the property owner for the violation. The Chief of Police shall provide the City Clerk-Treasurer a copy of the citation.

13.03 Penalty Clause

The conviction of any property owner violating the provisions of the Rules for Land Development shall be a misdemeanor, and the fine for that conviction shall be not more than \$100 for each offense. Each day a violation continues shall be considered a separate offense.

13.04 Costs and Fees

Any property owner found in violation of the Rules for Land Development shall pay all attorney and court costs involved in any legal action(s) related to the offense.

Part 14. Interpretation and Application

In their interpretations and application, the Rules for Land Development shall be held to be the minimum requirements adopted for public health, safety, and general welfare. Whenever the requirements of this ordinance differ with requirements of any other lawfully adopted rules, regulation, or ordinance, the most restrictive of those imposing the highest standards shall govern.

ARTICLE IX: DEFINITIONS

Unless otherwise specifically provided, the work and phrases defined in the City of Mossyrock Rules for Land Development shall mean the following:

Accessory: A use, building, or structure, part of a building or other structure which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage.

Accessory living quarters: "Accessory living quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling unit. The term "accessory living quarters" includes "guest house."

Adult family home: The regular family abode of a person or persons who are providing personal care, room and board to more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and provider are capable of meeting standards and qualifications provided for by Chapter 70.128.010 RCW.

Agricultural land: Land primarily devoted to the commercial production of horticultural, viticultural, floricultural, 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, or livestock, and that has long-term commercial significance for agricultural production.

Alley: A public thoroughfare or way which affords only a secondary means of access to abutting property.

Alterations: A change or rearrangement of the structural parts or exit facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another. In buildings for business, commercial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

Apartment: A room or suite of rooms in an apartment house or multifamily dwelling.

Apartment house: See Dwelling, multifamily.

Aquifer recharge area: "Aquifer recharge area" means an area with a critical recharging effect on an aquifer that is vulnerable to contamination and is used as a sole source of potable water supply. Aquifer recharge areas are those areas designated pursuant to:

- a) The Federal Safe Drinking Water Act
- b) RCW 90.44, 90.48, and 90.54, and
- c) WAC 173-100 and 173-200.

Arterial: Any street which has been designed to carry large volumes of traffic and designated as an arterial in the City of Mossyrock Comprehensive Plan for Future Development.

Automobile, boat, trailer, and recreational vehicle sales area: An open area, other than a street, used for the display, sale or rental of new or used automobiles, boats, trailers, or recreational vehicles, and where no repair work is done except minor incidental repair of automobiles, boats, trailers, or recreational vehicles to be sold, displayed, or rented on the premises.

Automobile Service Station: A retail place of business engaged primarily in the sale of motor fuels, but also supplying goods and services required in the operation and maintenance of automotive vehicles.

Bed and Breakfast Inn: A residence that has five (5) or fewer guest rooms where lodging with or without meals is provided for compensation.

Block: A group of lots, tracts, or parcels within well-defined and fixed boundaries.

Buffer: A horizontal distance, measured perpendicularly from a property line, intended to provide attractive spaces to reduce the impacts of proposed uses on adjacent property or natural features.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building height: The vertical distance above "Grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped-roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five foot horizontal distance of the exterior wall of the building. The height of a stepped or terraced building is the maximum height of any segment of the building.

Building line: The line of face or corner of a part of a building nearest the property line, and parallel to the property line.

Building, main: The principal buildings or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted.

Business or commerce: The purchase, sale, offering for sale, or other transaction involving the handling, disposition of any article, service, substance or commodity for livelihood or profit.

Cemetery: Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes.

Church: An establishment, the principal purpose of which is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, and including accessory uses in the main building or in separate buildings or structures, including Sunday School rooms and religious education classrooms, assembly rooms, kitchen, library room or reading room, recreational hall, a one-family dwelling unit and residences on the site for nuns and clergy, but excluding facilities for training of religious orders.

Closed record appeal: An administrative appeal on the record to a local government body or officer, including the legislative body, following an open record public hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

Commission, Planning Commission: The Mossyrock Planning Commission.

Concurrency: "Concurrency" means that adequate public facilities are available when the impacts of development occur.

Corner lot: A lot situated at the intersection of two or more streets, the street frontages of which form an angle not greater than one hundred twenty-eight degrees, and not less than forty-five degrees.

Critical Areas: Critical Areas include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

Day care center: A person or agency that provides care for children during part of the twenty-four-hour day.

Dedication: The deliberate appropriation of land by an owner for any general public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner filing a final plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the City of Mossyrock.

Development: Development covers any and all activities for which a permit is required under the Standards for Future Development.

Development district: An area defined as to boundaries located on an official map in which standards are applied that regulate the impact or effect of an activity on land and neighbors.

Dwelling: A building designed exclusively for residential purposes.

Dwelling, single-family: A detached building designed exclusively for occupancy by one family and containing one (1) dwelling unit.

Dwelling, duplex: A building designed exclusively for occupancy by two families living independently of each other and containing two (2) dwelling units.

Dwelling, multi-family: A building designed exclusively for occupancy by three (3) or more families living independently of each other, and containing three (3) or more dwelling units.

Dwelling unit: One or more rooms occupied by one family and containing kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit.

Family: An individual, or two (2) or more persons related by blood or marriage, or a group of not more than six (6) persons who are not related by blood or marriage.

Fence: A wall or barrier for the purpose of enclosing space or separating parcels of land.

Final plat: The final drawing of the subdivision and dedication that is filed for the record with the county auditor and containing all elements and requirements set forth in Chapter 58.17.160 of the Revised Code of Washington and in Article VIII, Part 10 of the Rules for Land Development.

Fish and wildlife habitat area: Fish and wildlife habitat conservation means land management for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean cooperative and coordinated land use planning is critically important among counties and cities in a region. In some cases, intergovernmental cooperation and coordination may show that it is sufficient to assure that a species will usually be found in certain regions across the state. Fish and wildlife habitat conservation areas include areas with which endangered, threatened, and sensitive species have a primary association; waters of the state; state natural area preserves and natural conservation areas; and streams and rivers planted with game fish by a governmental agency.

Floor area: The sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the center line of division walls. Floor area shall include: Basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet six inches or more, penthouse floors, interior balconies and mezzanines, enclosed porches. Accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps or stairs, terraces, breezeways and open spaces shall not be counted.

Frequently flooded areas: "Frequently flooded areas" are lands in the flood plain subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like. The 100-year flood plain designations of the National Flood Insurance Program shall delineate the presence of frequently flooded areas.

Garage, private: An accessory building or an accessory portion of the main building, designed or used only for the shelter or storage of vehicles owned by or operated only by the occupants of the main building or buildings.

Geologically hazardous areas: Geologically hazardous areas are areas that because of the susceptibility to erosion, sliding, earthquake, or other geological events, are not generally suited to siting commercial, residential, or industrial development consistent with public health or safety concerns. Geologically hazardous areas are characterized by slopes greater than 15% and known erosion, landslides, settling, rock slide, debris flow and/or seismic hazards as defined by the US Department of Agriculture Soil Conservation Service.

Grade: Is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

Growth Management Act: Planning enabling legislation as provided generally in Chapter 36.70A RCW and Chapters 365-190 and 365-195 WAC.

Height: See Building height.

Home occupation: An occupation or profession carried on by a member of the family residing within any dwelling.

Hospital or clinic, small animal: An establishment in which veterinary medical services, clipping, bathing and similar services are rendered to dogs, cats and other small domestic animals and pets.

Junk yard: Any premises devoted wholly or in part to the storage, buying or selling or otherwise handling or dealing in old rags, sacks, bottles, cans, metal, papers, rubber or other articles commonly known as junk.

Kennel: A place where four (4) or more adult dogs or cats or any combination thereof are kept. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.

Loading space: A space on the same site with the use served which provides for the temporary parking of a vehicle while loading or unloading merchandise, materials, or passengers.

Lot: A fractional part of divided lands having fixed boundaries, that meets the minimum general provisions of a district. The term shall include tracts or parcels.

Lot Area: The total horizontal area within the boundary lines of the lot.

Interior lot: A lot other than a corner

Medical clinic: A facility specializing in providing clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by state law to provide facilities and services.

Mineral Resource Land: Lands that include gravel, sand, and valuable metallic substances.

Mobile/manufactured home: A dwelling on one or more chassis for towing to the point of use and designed to be used with a permanent foundation as a residence on a year around basis and which bears an insignia issued by a state or federal regulatory agency indicating that the mobile manufactured home complies with all applicable construction standards. A recreational vehicle is not a mobile/manufactured home.

Modular home: A structure constructed of factory assembled parts that are transported to the building site and assembled at the site. The completed structure is not mobile and should not be considered a manufactured home.

Motel: A building that has more than five (5) guest rooms where lodging with or without meals is provided for compensation. The building may include one (1) apartment for use of the resident manager.

Nonconforming building: A building, or fully erected and maintained prior to this ordinance, but which does not conform to the regulations of this ordinance.

Nonconforming use: A use which was lawfully established and maintained prior to this ordinance, but which does not conform to the regulations of this ordinance.

Open record public hearing: An open record public hearing means a hearing, conducted by a single hearing body or officer authorized by the City of Mossyrock to conduct such hearing, that created record through testimony and submission of evidence and information under procedures prescribed by ordinance or resolution. An open record hearing may be held before a local government's decision on a project permit to be know as a "open record predecision hearing". An "open record appeal hearing" may be held if no open record predecision public hearing of the project permit has been held

Parking area, private: An open area other than a street, alley or other public property, limited to the parking of automobiles of occupants or employees uses to which these facilities are appurtenant.

Parking area, public: An open area other whether publicly or privately owned, which of more than four automobiles and is available to the public.

Parcel: A tract or plat of land of any size which may or may not be subdivided or improved.

Parking space: An area which is improved, maintained and used for the sole purpose of accommodating a motor vehicle.

Plat: A map or representation of a subdivision, showing the division of a tract or parcel of land into lots, blocks, streets, and alleys, or other divisions and dedications.

Plat, short: A map or representation of a subdivision of land into four or less lots, tracts, parcels, sites or divisions.

Preliminary plat: A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

Principal use: The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

Project permit or project permit application: Any land use or environmental permit or license required from the City of Mossyrock for a project action, including but not limited to building permits, subdivisions, and variance permits, but excluding the adoption or amendment of development regulations.

Public meeting: 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 prior to the City of Mossyrock's decision on the permit. A public meeting does not include an open record hearing. The proceeding at a public meeting may be recorded and a report or recommendation may be included the project permit application file.

Public utility: A private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either or which are paid for directly by the recipients thereof. Such services shall include but are not limited to, water supply, electric power, gas, telecommunications, and transportation for persons and freight.

Public utility structure: Structures such as telecommunication and electrical transmission towers, tanks, pumping stations, electrical transformer stations, and similar large equipment that is owned by a public utility that

Qualified Expert. A person preparing a technical assessment who has expertise appropriate to the relevant critical area being assessed. Expertise shall consist of professional credentials and/or certification, any advanced degrees earned in the pertinent scientific discipline from a recognized university, the number of years of experience in the pertinent scientific discipline, recognized leadership in the discipline of interest, formal training in the specific area of expertise, and field and/or laboratory experience with evidence of the ability to produce peer-reviewed publications or other professional literature.

Recreational area, commercial: An area operated for profit and devoted to facilities and equipment for recreational purposes.

Recreational vehicle: A vehicular type unit designed as temporary living quarters for recreational camping or travel uses, with or without motive power. This definition includes vehicles such as travel trailers, truck campers, commercial coaches and motor homes. A recreational vehicle is not a mobile/manufactured home.

Recreational vehicle park: A lot or series of lots designed to provide safe and sanitary temporary housing or storage of recreational vehicles for limited periods of time but which are not intended for use as a manufactured housing park.

Residence: A building or structure, or portion thereof, which is designed for and used to provide an abode for human beings.

Residential care facility: A facility licensed by the State of Washington that cares for at least five people with functional disabilities and is not an "Adult family home".

Roof: A structural over covering over any portion of a building or structure, including the projections beyond the walls or supports of the building or structure.

Schools, elementary, junior high or high: Institutions of learning offering instruction in the several branches of learning and study required by the Educational Code of the State of Washington to be taught in the public and private schools.

Screen: A vertical barrier located in a limited space intended to provide a buffering effect, particularly for noise reduction or visual separation. Screens may consist of existing or planted vegetation, attractive sight obscuring fencing, hedges, walls or earth berms, or similar techniques.

Shoreline of state wide significance: The water area of the Tucannon River together with the land underlying it.

Site area: The total horizontal area within the property lines excluding external streets.

State Environmental Policy Act (SEPA): The environmental review process as provided by Chapter 43.21c RCW and Chapter 197-11 WAC.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, then the space between the floor and the ceiling next above it shall be considered a story. If the finished floor level directly above the basement or cellar is more than six (6) feet above grade, such basement or cellar shall be considered a story.

Street: A public or recorded private thoroughfare which affords primary means of access to abutting property.

Street line: The boundary line between a street and the abutting property.

Structure: Anything constructed in the ground, or anything erected which requires location in the ground, but not including something having location on or in the supporting members of a fences less than six (6) feet in height, or paved areas.

Structural alterations: Any change in the supporting members of a building or structure.

Subdivision: The division or redivision of land into two or more lots, tracts parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

Through lot: A lot having frontage on two streets, including a lot at the intersection of two streets when the side streets of such lot form an internal angle of less than forty-five degrees.

Unlisted uses: Uses which are not specifically named as permitted in any use classification contained within this title.

Use: The nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted.

Wetland: Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated 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. However, wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted by the City of Mossyrock. The methodology used for delineating the presence of wetlands will be the U.S. Army Corps of Engineers 1987 *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*.

Variance: An adjustment in the specific regulations of this title regarding a particular piece of property because it is deprived of the privileges commonly enjoyed by other properties in the same vicinity. This adjustment remedies disparity in privileges.

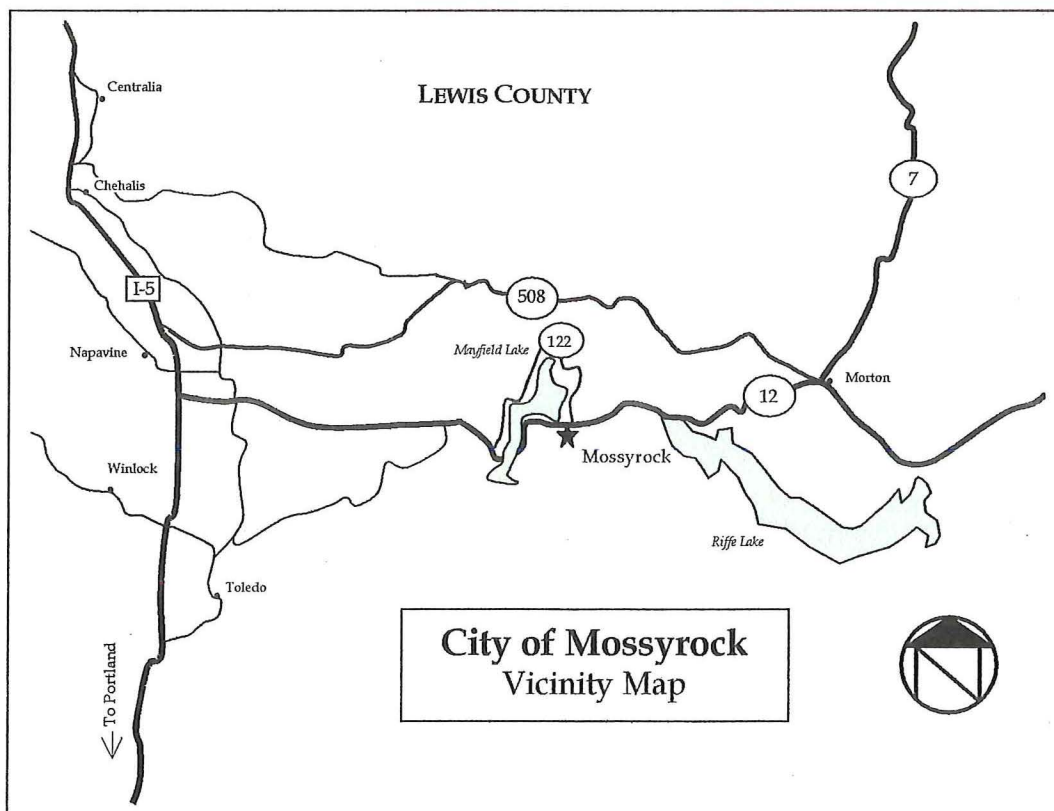
SECTION 4
TECHNICAL PLANNING
INFORMATION

SECTION IV: TECHNICAL PLANNING INFORMATION

THE NATURAL ENVIRONMENT

Location

The City of Mossyrock is located in the Cowlitz River Valley in central Lewis County, Washington. The Mossyrock Urban Growth Area covers portions of Sections 7, 18, and 37 of Township 12 North, Range 3 East and Sections 12 and 13 of Township 12 North, Range 2 East. The main community is located south of the intersection of US Highway 12 and State Route 122 (Harmony Road). Mossyrock lies under the "arch" of the Cowlitz River, which flows approximately one mile to the north and three miles to the east and west. The Cowlitz River has been dammed to form Riffe Lake to the east and Mayfield Lake to the west. Ike Kinswa State Park lies almost three miles directly to the northwest. The cities closest to Mossyrock are Morton (11 miles), Toledo (16 miles), and Chehalis (30 miles).



Climate

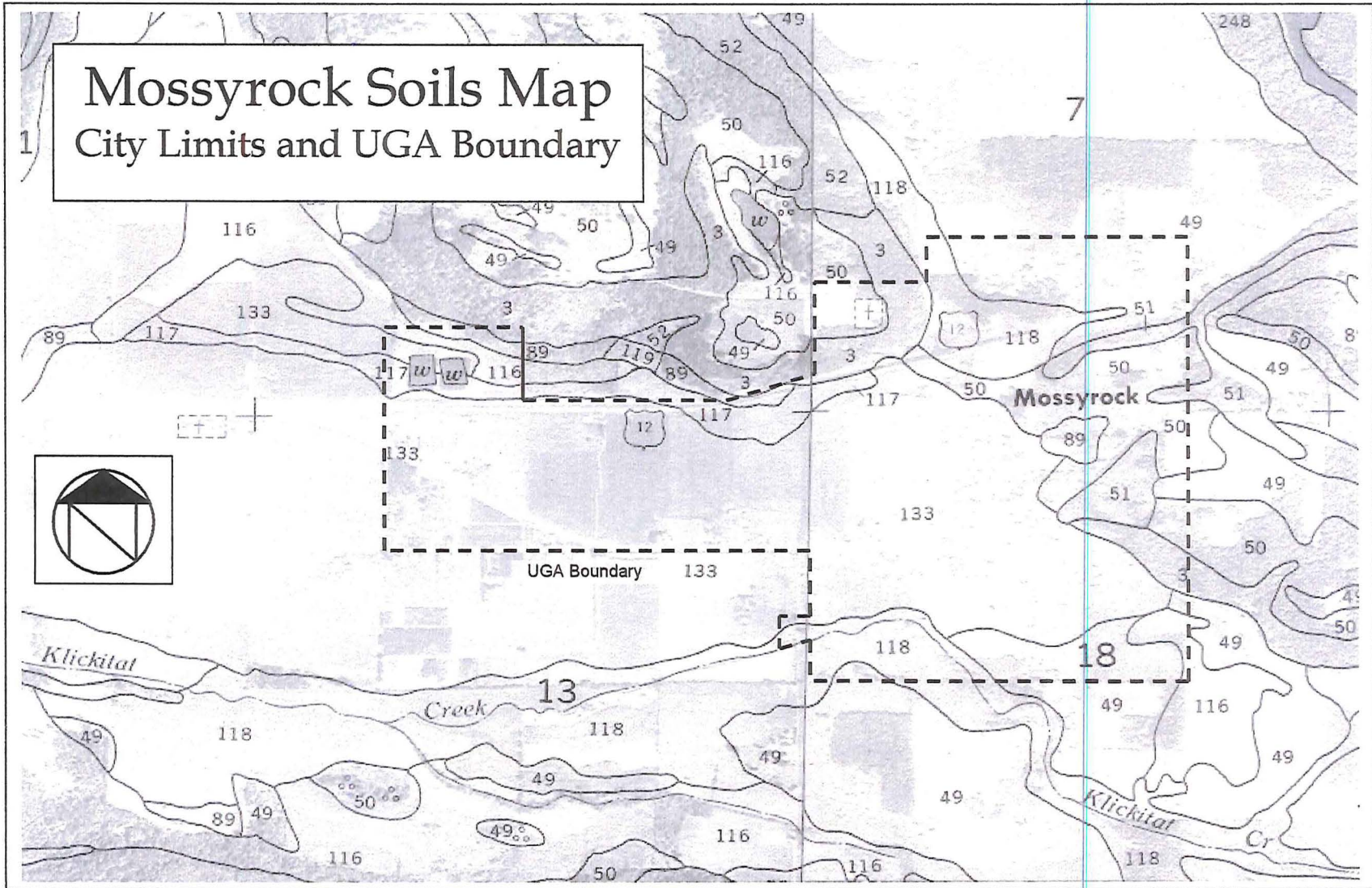
The climate in Mossyrock is typical of inland-marine climates. Summers are relatively dry and cool and winters are mild and wet. Rainfall averages around 45 inches annually and snowfall is generally light. The average daily temperature is around 51°.

Topography

Most development in Mossyrock sets on nearly level prairie at an elevation of nearly 670 feet above sea level. Two large hills that rise slightly over 800 feet in elevation, dominate the eastern and northwestern sections of the city. Except for the hillsides, drainage patterns are generally slow and flow towards to the southwest with Klickitat Creek.

Soils

Deep and well-drained silt loam soils dominate most the surface area of Mossyrock. The soil that covers the largest area is Mossyrock silt loam, normally found on 0% to 3% slopes. Cinebar silt loam soils make up the next largest group of soils and are very similar to the Mossyrock silt loam. Cinebar soils can be found where slopes range from 0% to 30%. Both soils types have moderate permeability and are deep and well-drained. These soils are well-suited agriculturally for hay, pasture, and field crops production. Lacamas soil is another silt loam in the city that forms a band around Klickitat Creek. This soil is similar to Mossyrock and Cinebar silt loams, but it differs in that it drains poorly and typically has a high water table. Other soil-types covering relatively small areas within the city include Andic Xerumbrets, Galvin silt loam, and Klaber silt loam. A table showing the specific properties of these soils and a map of their location follows on the next two pages. The Lacamas and Klaber soil series are the only hydric soils in the Mossyrock Urban Growth Area.



Source: Soil Survey of Lewis County Area, US Department of Agriculture, Soil Conservation Service.

The Natural Resources Conservation Service (NRCS) defines prime farmland as areas with soil types that "...have properties that are favorable for the economic production of sustained high yields of crops." Soils classified as prime farmland by the NRCS in Mossyrock are: Mossyrock (133), Cinebar (49), Lacamas (118), Galvin (89), and Klaber (116). When designating resource lands, however, the city selected not to designate them as soils of long-term commercial significance because of their location within the urban growth area.

Geology

The predominant geology underlying the soils of Mossyrock is a layer of glacier and river deposits of sand, gravel, and rock flour approximately 100 feet known as the Layton Prairie Unit Quaternary Deposits. Lower parts of this layer yields moderately large supplies of groundwater. The two hills in the city and the beneath the Quaternary Deposits lies a bedrock composed of sedimentary and igneous materials, which includes shale, siltstone, sandstone, lava, and conglomerates. This layer generally yields very little groundwater.

There is no specific geological analysis available for the City of Mossyrock, but those areas lying on slopes below 15% show no risk of being within a geologically hazardous area. However, those areas in the city that have slopes greater than 15% could be subject to landslide. Any development on these steeper slopes will require individual site analysis to determine if any geologically hazardous conditions exist.

Surface Waters

Surface waters in Mossyrock include Klickitat Creek and its associated wetland. There is approximately 5 acres of "mapped" wetland situated next to US Highway 12 and State Route 122.

The wetland may or may not meet the GMA definition for "wetland" despite its mapped presence on the National Wetlands Inventory Map.

Soil Characteristics for the Mossyrock Urban Growth Area

Soil Type	Key	Slope in Percent	Limitations					
			Road Construction	Dwellings Without Basements	Dwellings With Basements	Shrink-Swell Potential	Septic Tank Absorption	Drainage
Andic Xerumbrets	3	45-90%	Severe: slope	Severe: slope	Severe: depth to rock, slope	Low	Severe: depth to rock, slope,	Well drained
Cinebar	49	0-8%	Slight	Slight	Slight	Low	Slight	Well drained
Cinebar	50	8-15%	Severe: low strength	Moderate: slope	Moderate: slope	Low	Moderate: slope	Well drained
Cinebar	51	15-30%	Severe: low strength, slope	Severe: slope	Severe: slope	Low	Severe: slope	Well drained
Galvin	89	0-8%	Severe: wetness, low strength	Severe: wetness	Severe: wetness	Low to moderate	Severe: wetness, percs slowly	Somewhat poorly drained
Klaber	116	0-3%	Severe: low-strength, shrink-swell	Severe: shrink-swell	Severe: shrink-swell, wetness	Low to high	Severe: wetness, percs slowly	Poorly drained
Klaber Variant	117	0-3%	Severe: low strength	Severe: wetness	Severe: wetness	Low	Severe: wetness, percs slowly	Poorly drained
Lacamas	118	0-3%	Severe: low strength	Severe: wetness	Severe: wetness	Low	Severe: wetness, percs slowly	Poorly drained
Mossyrock	133	0-3%	Severe: low strength	Severe: low strength	Slight	Low	Slight	Well drained

Source: Soil Survey of Lewis County, US Dept. of Agriculture, Soil Conservation Service

Klickitat Creek is a seasonally flooded, Palustrine wetland (freshwater swamp or bog variety) of the scrub-shrub type with a deep-water linear habitat. Klickitat Creek within the city limits does not have a mean annual flow greater than 20 feet per second; thus, it is not a shoreline of the state under Chapter 173-18 WAC. The creek does not gain this status until it joins an unnamed creek approximately 2½ miles west of the city.¹ No priority species or habitats are associated with Klickitat Creek.

Storm and Ground Water

Mossyrock's storm water management system relies on a combination of natural and man-made systems. The relatively flat terrain of the developed areas and the moderate permeability and high retention capacity of the soils allow percolation to handle much of the storm water. A storm water system consisting of catch basins does exist; however, the city lacks any records or maps showing its design or capacity.

Although there have been no groundwater studies specific to Mossyrock, regional studies do suggest that groundwater exists in large quantities below the surface. The moderate to high permeability of the soil types and underlying geology contribute to the presence of these aquifer sources. Groundwater levels in Mossyrock generally range from 100 feet deep all the way to the surface where it is evident in wetlands and Klickitat Creek. Groundwater sources in the area can be assumed to be highly vulnerable to point and non-point contamination given these conditions. Mossyrock's water system depends on these groundwater resources for its potable water supply.

¹See WAC 173-18-250(39).

Frequently Flooded Areas

Frequently flooded areas are those lands with a one-percent or greater chance of flooding within a given year. The Federal Emergency Management Agency (FEMA) has mapped such an area within the City of Mossyrock that covers approximately 17 acres along Klickitat Creek. Expanding the culvert under Isbell Road could reduce flooding in this area. The city has been participating in the National Flood Insurance Program (NFIP) since 1993. City of Mossyrock Ordinance No. 243 regulates all development within the designated 100-year flood plain and floodway.

Fish and Wildlife Habitat Areas

The Department of Fish and Wildlife designates the Klickitat Prairie area as a priority habitat wintering range for Rocky Mountain and Roosevelt elk belonging to the Mt. Rainier and Mt. Saint Helens herds. It is likely that these elk feed and pass through the Mossyrock Urban Growth Area in regularly large concentrations.

Other fish and wildlife species live in or pass through the city limits. The Klickitat Creek has planted game fish (rainbow and cut-throat trout) and serves as habitat for various bird species. Wooded and pasture areas in the city support a variety of birds, as well as other small and large mammal species such as squirrels, raccoons, possums, skunks, and deer.

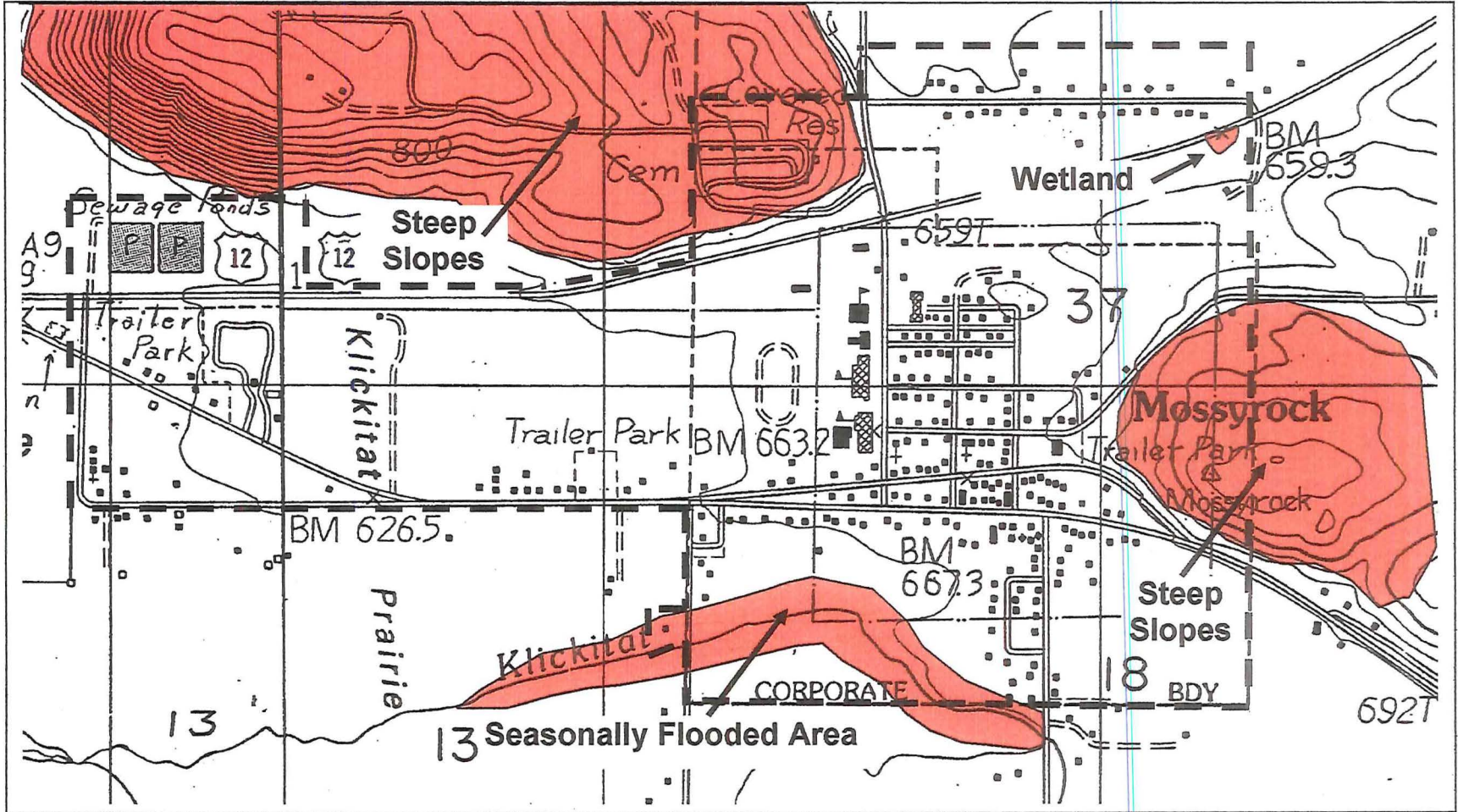
Development Constraints

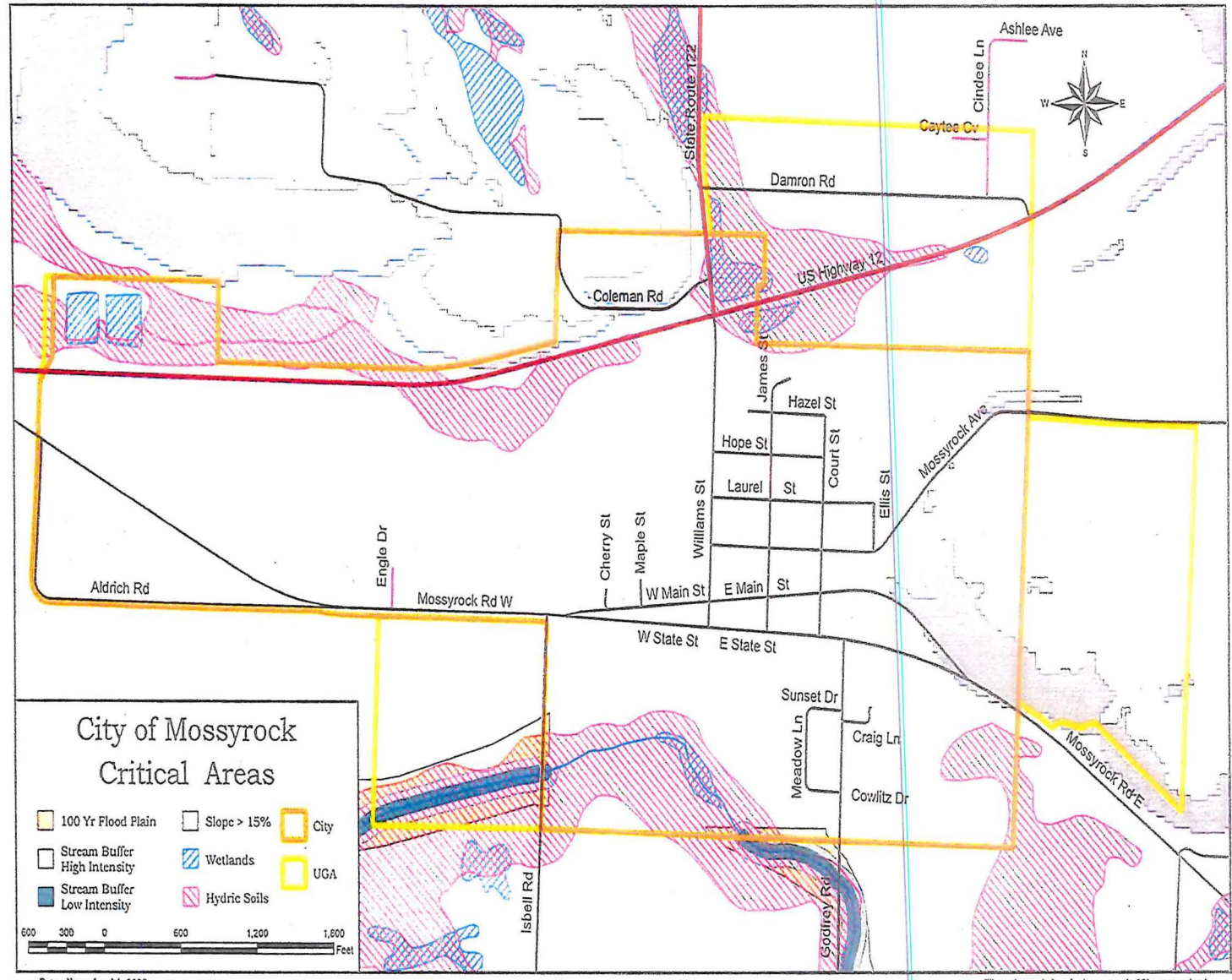
Critical area that could pose development constraints within the city limits and the proposed Urban Growth Area include steep slopes, seasonal flooding, and wetlands. All are quite limited in area and technical assessments are important for determining their capacity to support development. Development on the steep

slopes may require special geologic and soils analysis to ensure structures remain stable and safe. Any work in and immediately adjacent to the wetlands should undergo review to ensure compliance with federal, state, and local laws.

Development of structures along Klickitat Creek should consider the problems associated with seasonal flooding and impact to riparian habitat. The map on the next page identifies the locations of these development constraints.

Mossyrock UGA Development Constraints





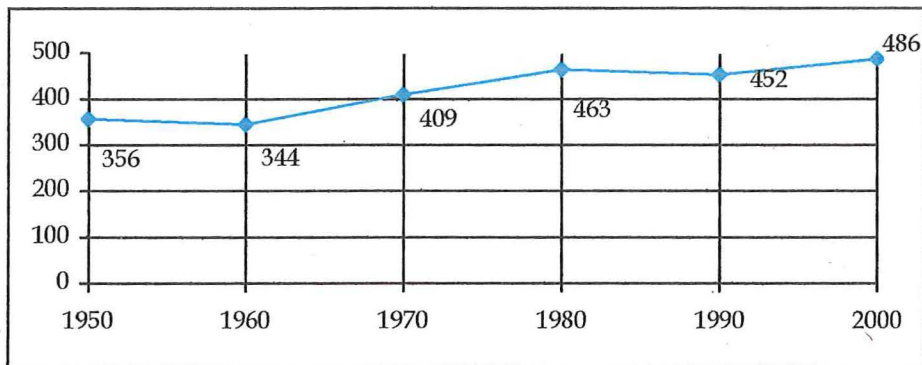
THE HUMAN ENVIRONMENT

Population Trends

Population analysis involves reviewing past trends and using them to make projections for the future.

Historical Trends

The City of Mossyrock formally incorporated in 1948 and has grown at a relatively slow, steady rate of 0.9% over the past 55 years. Mossyrock's population has consistently remained around 0.8% of Lewis County's total population in every US Census since 1950. Between 1990 and 1996, Mossyrock experienced a significant average growth rate of 2.9% annually; however, this trend has since flattened due to infrastructure problems that required a moratorium on new development. The 2000 Census reported a total population of 486 people in 187 households. A high growth rate likely will return to Mossyrock with the lifting of the moratorium.



Source: Office of Financial Management

Projection

The City of Mossyrock, just as the rest of Lewis County, will continue to grow over the next 20 years. The Washington State Office of Financial Management (OFM) has prepared for Lewis County a series of three population projections for the 2000 to 2025 planning period. The table below summarizes the OFM low, intermediate, and high series.

Projection	2000	2025	Net Gain
Low Series	68,600	73,563	4,963
Intermediate Series	68,600	90,678	22,078
High	68,600	113,620	45,020

The development of a 20-year population projection for the City of Mossyrock follows the parameters listed below:

- ❖ Legal requirements under RCW 36.70A.110(2);
- ❖ The following Lewis County Wide Planning Policy that "cities and towns and all urban growth areas shall include areas and residential densities sufficient to accommodate the majority of the County's adopted 20 population projection";
- ❖ The desire of the citizens of the community to grow slowly to a population no larger than 1,000 as expressed in the 1995 *Citizens' Questionnaire On Growth Management Planning*; and,
- ❖ Accepted population projection techniques.

Assuming the City of Mossyrock remains 0.8% of the county's total population, the three OFM population projection scenarios show the range of growth possibilities for the community over the next 25 years. The results of these -projections are in summary below:

Projection	Year 2025
Low Series	589
Intermediate Series	725
High Series	909

The Mossyrock Planning Commission has selected the third projection as the likely growth scenario for the community. It should be noted, however, that a population estimate is simply a "best guess" estimate of the future. A variety of unanticipated economic and social issues can influence population growth within a five-year, let alone 25-year period. Thus, the city must monitor population growth and make periodic adjustments over time to the *Growth Management Directory* and the city's investments.

Socioeconomic Profile

How do socioeconomic statistics for the City of Mossyrock compare to the rest of Lewis County and Washington State? The 2000 US Census presents the following profile:

Selected Characteristic	Mossyrock	Lewis Co.	State
• Median age	32.3	38.4	35.3
• Percent of people 65 years and older	13.4%	15.5%	11.2%
• Percent of people under 18 years	29.6%	26.5%	25.7%
• Percent of population who is white	90.3%	98.0%	81.8%
• People per average household size	2.60	2.57	2.53
• People per average family size	3.20	3.02	3.07
• Percent families headed by women with children	7.0%	6.4%	6.5%
• Percent of family households	61.5%	70.6%	66.0%
• Percent of people 65 & older living alone	28.9%	11.2%	20.4%
• Percent of individuals living in poverty	19.5%	14.0%	10.6%
• Percent of people 65 & older living in poverty	18.2%	9.4%	7.5%
• Percent of families with children under 18 living in poverty	18.9%	20.8%	11.2%
• Percent of families living in poverty	18.6%	10.4%	7.3%
• Per capita income	\$12,216	\$17,082	\$22,973
• Median household income	\$29,750	\$35,511	\$45,776
• Median family income	\$33,542	\$41,105	\$53,760

Land Uses

Current Land Uses

Land uses within the Mossyrock City Limits reflect the community's function as a crossroads for travelers and a service center for the surrounding area. These land uses include homes, businesses, schools, churches, public buildings, cemetery, streets, highway, agricultural activities, and undeveloped vacant land. The map on the next page shows the location of these land uses.

The table below shows the number of acres for each land use as well as the corresponding percent of the total land base.

Land Use	Acres	Percent of Total
Residential	68.9	22.2%
• Single family	49.6	16.0%
• Manufactured housing	15.1	4.9%
• Duplex & Apartments	4.2	1.3%
Commercial	7.1	2.3%
Public Facilities	36.0	11.6%
Churches & Institutions	1.1	0.4%
Utilities	0.5	0.2%
Rights-of-way	43.2	13.9%
Vacant & Non-urban	153.2	49.4%
• Agriculture	60	19.4%
• Vacant with development potential	15	4.8%
• Vacant with development constraints	85	25.2%
TOTAL	310	100.0%

Source: 1995 Land Use Survey

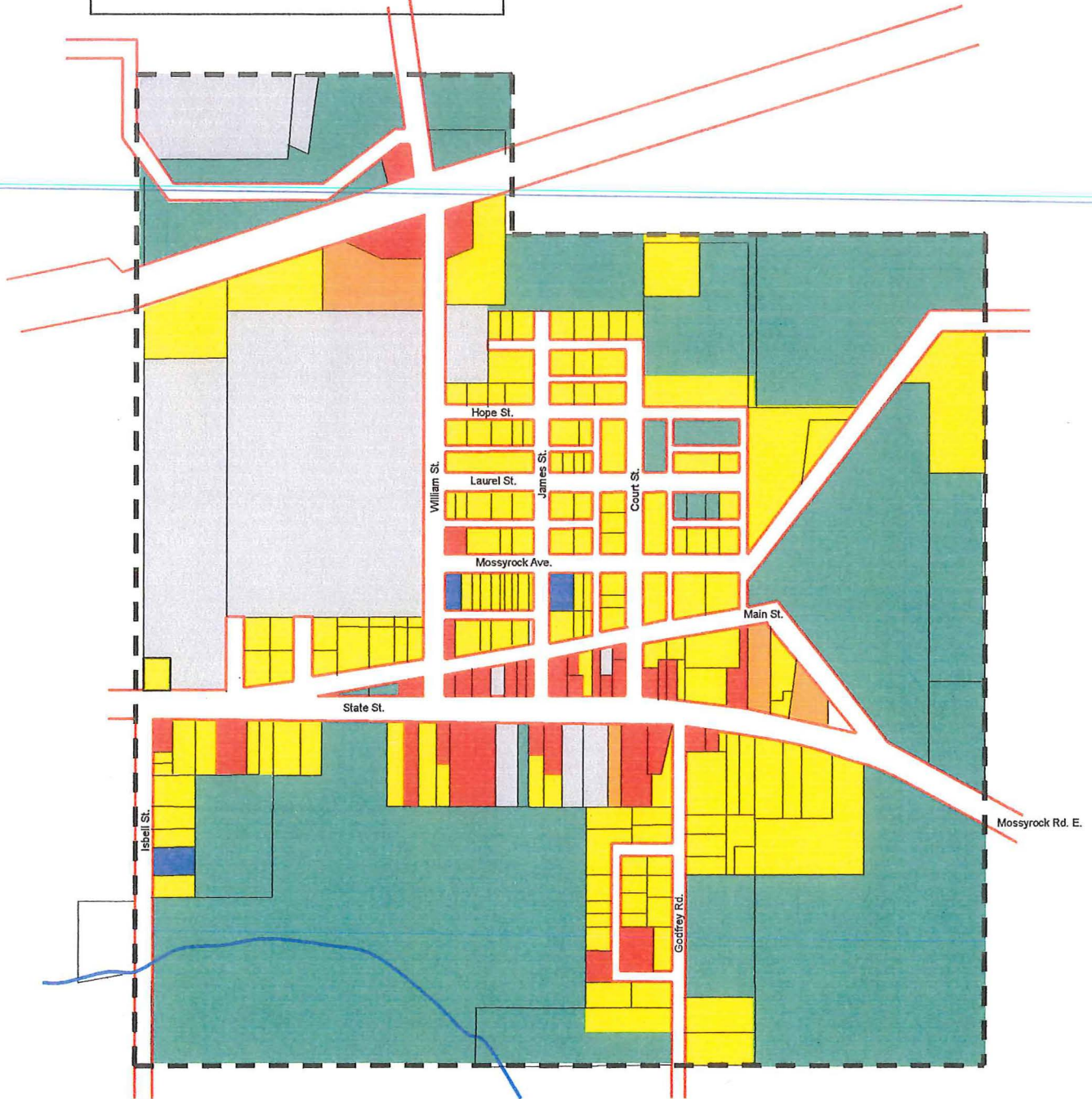
Surrounding Land Uses

Land uses surrounding the city include rural home sites, relatively steep, wooded slopes, and agricultural land. Land uses north of US Highway 12 are limited to rural home sites and agricultural activities. Land is sparsely developed adjacent to, and immediately northwest, of the cemetery and city reservoir. As slopes become less steep farther north along SR 122, there are more rural home sites west of the road. A significant number of rural home sites lie about ¼ mile northeast of the city limits on both side of Damron Road.

There are steep slopes between US Highway 12 and Mossyrock Road due east of the city. Agricultural activities dominate the landscape to the south of Mossyrock Road with a few scattered rural home sites. A new land use pattern is beginning to emerge as rural home sites increase south of US Highway 12 and in all directions from the city limits.

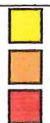
Currently there are a significant number of homes just south of the city limits on Godfrey Road and a number of rural home sites along Blankenship and Swigert

City of Mossyrock Land Use Map



Key

Single family residential
Multi-family residential
Commercial



Churches
Public
Vacant/Non-Urban



Roads. Additional home sites are spread out in the foot hills to the south. Approximately one mile west of the city limits is a manufactured home park and home sites with urban densities lie adjacent to Mossyrock Road. It is important to note that agricultural activities still dominate most of the land uses west of the city on the Klickitat Prairie.

Recreational lands to the southeast and north have a considerable impact on the city. Mossyrock Park, 3 miles east of the city on Riffe Lake, draws people for picnicking, boating, and overnight camping. The Park covers 272 acres along the lakeshore. Primary access to the park is through the city. Ike Kinswa State Park, 454 acres in size, is 3 miles northwest of the city on Mayfield Lake. Camping, picnicking, and boating, as well as extensive hiking trails are available.

Land Supply and Demand Analysis

Land demand analysis estimates the amount of land needed for accommodating future growth. Land supply analysis assesses the availability of land to accommodate future development. The land supply and demand analysis guides how the *Growth Management Directory* designates the City of Mossyrock's proposed urban growth boundary.

Land Supply

Land supply depends on how owners' make decisions about the use of their land, market conditions, and physical and legal constraints. The City of Mossyrock has a limited supply of vacant land suited for urban development due to critical area constraints, size of available parcels, and probable continued agricultural practices within the current city limits.

Of the 153 acres that are presently vacant or used for agricultural activities, approximately 85 acres of this total is unsuitable for development due to serious environmental constraints, such as steep slopes, wetlands, seasonally flooded areas, etc. Another 60 acres of developable land south of State Street is currently in

agricultural use and since the city will allow agricultural activities in the city limits, it is doubtful that all agricultural properties will be converted to urban uses. The analysis assumes that 50 out these 60 acres will remain in agricultural production over the next twenty years.

In terms of infill development, there remains less than one gross acre of vacant land in the downtown area along State Street. About 10 acres of vacant land in the northeast corner of the city has development limitations due to slope, but may be suitable for a residential cluster type development. There is also about one acre of land to the east of Court Street, now in hay, readily convertible to urban land uses. There are also a few scattered, individual residential lots within neighborhoods.

In all, the available land supply within the existing city limits capable of supporting development is around 18 acres.

Land Demand

The anticipated twenty-year population projection for the city is 909, an increase of 423 people. This estimate generates a demand for 163 new housing units based on the current 2.60 people per household size within the city limits. The land base necessary for accommodating this number of new homes is around 35.4 net acres for residential uses.

	DU/AC	Percent of Housing	Number of DU	Needed Net Acres	Needed Gross Acres
Single-family	5	80%	130	26.0	32.5
Duplex	10	5%	8	1.3	1.6
Multi-family	25	15%	25	1.0	1.3
TOTAL	-	100%	164	28.3	35.4

There will be a demand for land used for new commercial activities, public facilities, streets, and open space. Currently, the total land uses devoted to commercial, public facilities, and institutional activities account for nearly .65 acre for every one acre of residential lands. If this ratio continues, 35.4 net residential acres create a demand for approximately 23 net acres for these other land uses.

The city also anticipates a corresponding land demand to accommodate industrial activities within its boundaries as the region grows and infrastructure becomes available. Typical densities for manufacturing processes common to rural areas are around eight workers per net acre. For instance, a small firm employing 50 workers typically would need an estimated 6¼ net acres. The city estimates that at least five firms of this size potentially could locate within the Mossyrock Urban Growth Area over the next 20 years. Five firms of this size would generate a land demand for around 31¼ net acres.

Altogether, accommodating future growth will require approximately 112 gross acres over the next 25 years. Some of this future development may occur within the existing city limits. Currently, there are 75 acres within the existing city limits without development constraints that is either vacant or used for agriculture purposes. A difficult factor to predict is how much of this land will or will not be available for conversion; that is, some landowners may wish to keep the land vacant or in agricultural use. Therefore, it may be assumed that over the next 25 years, about one-quarter of the land will remain in its present use, leaving about 56 acres in the city with development potential.

This amount is half of the total acreage needed to accommodate future growth. As a result, the city will need to expand another 56 acres from its current boundaries into the county. The map on page 7 in Section II delineates an Urban Growth Area that makes up for this land deficit and includes areas close to the city already characterized by urban development receiving city water. This area covers 209 acres. Of this total land area, 87.9 acres already has urban development similar in scale and density to development within the current city boundaries. This allows about 121 acres of land available to accommodate the remaining 56 acres of future growth that cannot fit in the city during the planning. The 65 acre residual between developable land and the anticipated land demand accounts for variances in the market availability of land, provides a compact boundary, and includes sufficient area for unanticipated land contingencies.

Housing

Mossyrock has 206 housing units, of which 132 are single-family residences, 65 are manufactured homes, and nine are duplexes or apartments. The total number of dwelling units dropped slightly between 1990 and 2000 due to a loss of seven single-family residences.

The 2000 US Census shows that 17.5% of Mossyrock's housing was built 1939 or earlier. In comparison, 19.2% of housing in Lewis County and 12.5% of housing statewide was built during this same period. Nearly 65% of residents moved into their homes between 1990 and 2000. Fifteen of the 201 housing units in Mossyrock were built in the past decade.

The Census also estimates that 63.6% of the residences in Mossyrock are owner-occupied and that the median monthly mortgage payment is \$725. The median gross rent in the city is \$480. Nearly 15% of homeowners have monthly housing costs that exceed 35% of their household income. A higher percentage of renters, 21.9%, have monthly housing costs that exceed 35% of their household income.

The median value for owner-occupied homes reported by the 2000 US Census is \$83,900 in Mossyrock, \$117,800 countywide, and \$168,300 statewide. The Washington Center for Real Estate Research reports that the median home price in Lewis County for 2001 was \$104,600.

The 1994 Centralia College Affordable Housing Project conducted a housing condition survey. The survey rated homes on the following scale:

Condition	Definition
Standard	House appears structurally sound with no defects.
Marginal	Unit with one- to- three non-critical defects or one critical defect.
Substandard	Unit with four or more non-critical or two critical defects.

Results of the study revealed that 64% of homes ranked as either marginal or substandard. A summary of the results follow below:

Housing Type	Condition			Total Surveyed
	Standard	Marginal	Substandard	
Single-family	46	64	16	126
Four-Plex	0	1	0	1
Apartments	1	1	1	3
TOTAL	47	66	17	130

City of Mossyrock Public Facilities and Services

The City of Mossyrock provides residents with basic general government services: law enforcement, water, sewer, street lights, and a community center. Fire protection is provided by Fire District #3, public education by School District #206, burial services are available from Cemetery District #2, and library service, for a fee, is available at the Salkum branch of the Timberland Library. The nearest medical services are 14 miles east in Morton. Medical evacuation service, which uses the school district play field for landing and take-off, is available for serious emergencies.

City Buildings

The public buildings owned and operated by the City of Mossyrock include the City Hall, the Community Center, and the old County Shop. The current City Hall, situated at the corner of Main and James Streets, houses the administrative offices and the police station. The building is presently too small to adequately serve city functions and needs replacement. The Community Center, located on State Street, serves a variety of community functions that includes all public meetings for the City Council and Planning Commission, community meetings, and the city's bingo fundraising activity. The old County Road Shop, located immediately east of the Community Center, is undergoing a complete remodel. The city intends to

transfer all City Hall functions to the building by the end of 2002. The city will then place the old City Hall building up for sale.

Law Enforcement

The City of Mossyrock Police Department provides law enforcement. Staffing includes a chief and a full-time patrolman. The department has two patrol vehicles and provides seven eight-hour shifts of police protection to the community.

Street Lights

The city has a limited street lighting system. Streetlights are located along Williams Street and State Street. There are three streetlights on Godfrey Road and one additional light on the northeast corner of Sunset Lane.

Water System

The City of Mossyrock owns and operates a Group A municipal water supply system. The system relies on two wells located immediately beyond the southwest city limits. Well Number 1 is 144 feet deep, has a static water level of 85 feet, and uses a 25 horsepower submersible pump capable of delivering 190 gpm. Well Number 2, put into service in 1996, is 155 feet deep and has a 25 horsepower pump capable of delivering 200 gpm. The city's ground water permit, No. 6340, allows a total extraction of 200 gallons per minute or 145.6 acre feet per year, which is equivalent to 129,983 gallons per day. Currently, the wells have an average daily production of around 176,400 gallons.

Two reinforced concrete tanks provide a total storage capacity of 157,000 gallons to the system. A newly constructed 250,000-gallon reservoir came on line in 2002 to increase storage supply. Distribution is through six-, four-, three-, two-, and one-inch AC and PVC lines. Six-inch lines serve the 14 fire hydrants in the community. The city meets its fire flow requirement of 1,500 gpm for one and one-half hours for multi-family, public, and commercial buildings.

The water system services an area of nearly 800 acres within and beyond the Urban Growth Area. The system primarily supplies the water needs of residential customers. Other system users include a small number of commercial businesses and the school district. System lines extend beyond to the city limits to the west and north for around two miles. There are around 510 hookups currently connected to the system.

Source. The major limiting factor for the city's water system is its water rights. The City currently holds Ground Water Right Certificate No. 6340 for 350 gpm and 145.6 acre-feet per year for both wells. Water Right Permit No. G2-28651 (issued June 1, 2006) increased total rights by 200 gpm and 143 acre-feet per year, allowing both pumps to operate simultaneously.

The city and its consulting engineering firm prepared a wellhead protection plan that the City adopted in February 2000.

Distribution. The majority of the distribution system is comprised of undersized lines that do not meet state requirements. There are two problems currently facing the distribution system: inadequate fire flow in places and unaccounted water loss. As part of the on-going leak detection and repair, the city has steadily been reducing unaccountable water losses by repairing leaks and installing or replacing meters as funds allow. While the system is able to meet present fire flow requirements and maintain a pressure of 20 psi within City limits, the City will need to install an 8-inch water main along Main Street to meet future fire flow demands. The City also needs to continue to install additional fire hydrants and valves on the 6-inch lines within the City to meet minimum hydrant spacing requirements.

Sewer System

Mossyrock operates a sewer collection and wastewater treatment system. The collection system has over 22,000 feet of gravity-fed lines, three-quarters of which are eight-inch diameter lines (17,210 feet). There are also 2,400 feet of 10-inch line, 1,050

of six-inch line, and 1,890 of 4-inch line. The majority of the sewer line installation occurred in 1969. Two new city-owned lift stations serve around 50 households in the Sunset Drive and Isbell Road areas in southern half of the community.

The city constructed a new wastewater treatment facility in 2001. The plant relies on an extended aeration activated sludge basin process. Completed in 2002, this new treatment plant is capable of handling an average flow of 221,000 gallons per day, along with peak daily flows as high as 621,000 gallons. The city discharges plant effluent into Mayfield Reservoir on the Cowlitz River. The city currently operates the treatment system under a National Pollution Discharge Elimination System (NPDES) permit; the permit regulates the amount and quality of the effluent the city may discharge to the Cowlitz River.

The collection and treatment system serves approximately 250 hook-ups within the Urban Growth Area. There are 205 residential accounts, 34 commercial accounts, and 4 public accounts connected to the system. The current population estimate served by the system, both within and outside the Urban Growth Area, is 789. The projected flow for this population size is around 120,000 gallons per day.

The city's Comprehensive Sewer and Wastewater Facility Plan estimates that the sewer system will serve a population base of 1,416 people in 20 years within the Urban Growth Area.² This is equivalent to an average daily flow of 222,100 gallons. The sizing of the system will be able to accommodate this growth.

Collection System Improvements. Despite the recent construction of the wastewater treatment facility and lift stations, the city still needs to correct deficiencies in the collection system. The city proposes major rehabilitation work to remove the current problems caused by infiltration and inflow (I/I). Infiltration is groundwater that seeps into pipes because of breaks, cracks, or separation in lines. Inflow is surface water, such as rain, that pours into the collection system through roof drains and manholes.

Reducing I/I to increase system capacity involves fixing identified manholes, capping clean-outs, and repairing side sewers that connect private homes to the collection lines.

The city anticipates the addition of two new collection lines serving the Damron Road and Highway 12 areas in the Urban Growth Area outside the current city limits. The cost of these two new lines is unknown at present; their design and construction costs will be borne by a future developer.

Facilities and Services Provided by Special Use Districts

Mossyrock School District #206

The Mossyrock School District delivers educational services to 612 students as of October 2001. The district covers the City of Mossyrock and a large area of the Kilckitat Prairie. Total school district population is approximately 2,800. Rapid population growth in the east Lewis County area during the early 1990's affected the district in the last few years. Enrollment increased 16.6% from 525 in 1991 to the current enrollment level, but has flattened the past several years.

The district's primary facilities include elementary, middle, and high schools. All these facilities are located in the City of Mossyrock on the east side of Williams Street south of Highway US 12. The buildings were built in the 1930's and are excellent examples of pre-World War II brick school architecture. The school district completed a \$3.8 million dollar remodeling of the buildings in the fall of 1994. Immediately across the street is the district school bus garage and maintenance facility. If recent growth trends continue, district facilities will soon become inadequate due to overcrowding.

² This estimate includes students and faculty at Mossyrock Elementary, Middle, and High Schools.

Fire District #3

Fire District #3 provides fire protection services to Mossyrock and the surrounding unincorporated area. The district relies on volunteers that include a chief and around 20 firemen. Equipment-wise, the department considers itself in good shape with two pumper trucks, two tankers, a small fire truck, and an aid car. The district also provides first response for emergency health situations, but relies on Fire District #8 in Salkum to help with emergency transport. When extreme emergency medical situations arise, a private carrier from Chehalis is used.

The district is interested in expanding its current fire hall to accommodate additional space needs. Otherwise, the district feels confident in handling the projected future growth within its service area with current resources.

Transportation

Transportation to, from, and within the City of Mossyrock is limited to roads, streets, and sidewalks. US Highway 12 bisects the northern part of the city from east to west, State Route 122 (Harmony Road) joins US 12 from the north, and Mossyrock Road east and west of the city is a well-traveled county road from Riffe Lake joining US Highway 12 about one and a half miles east of the city limits.

Washington State Department of Transportation (WSDOT) traffic counts for 2001 east of the intersection of US 12 and SR 122 (Mile Post 86.88) show 4,700 average daily trips (ADT). SR 12 at this intersection has not seen appreciable growth in ADTs since the early 1990s. WSDOT estimates that truck traffic makes up approximately 16% of all vehicles along this stretch of highway. The WSDOT also reported that for 1996 there were 29 total accidents at this intersection; 8 injury accidents and 1 fatality accident.

There are just over 4.2 miles of city streets. Williams Street, State Street, and Godfrey Road are designated arterial streets. The street pattern north of State Street and south of Highway 12 is generally a classic grid pattern from Williams Street to

Ellis Street. There are only two through streets south of State Street. All streets are paved or have chip/seal surfacing and are in good to excellent condition. There is a sidewalk on the west side of Williams Street and sidewalks on State Street from Williams Street to Godfrey Road.

Regular maintenance and surfacing should keep the existing street system in good order. It is very important for the city to coordinate street projects with sewer and water improvements.

Street from State Street to Highway 12 to coincide with major water system improvements. Resurfacing or other maintenance projects should keep in mind other planned water and sewer system projects that involve street cuts.

Future street design must be capable of supporting the development it serves. The concern exists that there is a real danger that large, undeveloped or agricultural properties will have difficulty developing due to access problems. In particular, the conversion of agricultural land south of State Street between Godfrey Road and Isbell Road will require adequate public roads to the property from State Street and Godfrey and Isbell Road. A similar situation occurs to the east of Godfrey Road and north of Young Road to the city limits.

Safety is another issue for consideration. Vehicles traveling through the city along State Street and traveling to and from Highway 12 present a danger to pedestrians and bicyclists. Increased development will contribute to the problem of conflicts between pedestrians, bicycles, and vehicles along all city streets. Solving this problem may require placing caution signals at locations near the school or Mossyrock Park. In addition, future improvements should stress safe pedestrian crossings, especially if the community becomes involved in any overall design plan for the market district. Careful attention to new streets that serve multi function of vehicle traffic, pedestrian and bicycle paths, and storm water management will be required for the future safety of residents and visitors to the City of Mossyrock.

LEWIS Mountain Highway Transit links Mossyrock to Centralia with three round-trips daily. The non-profit transit agency picks up and drops off passenger in the City at the Mossyrock Community Center. The Lewis County Department of Community Services also provides on-demand transportation assistance for Mossyrock seniors who must travel out-of-town for medical related appointments.

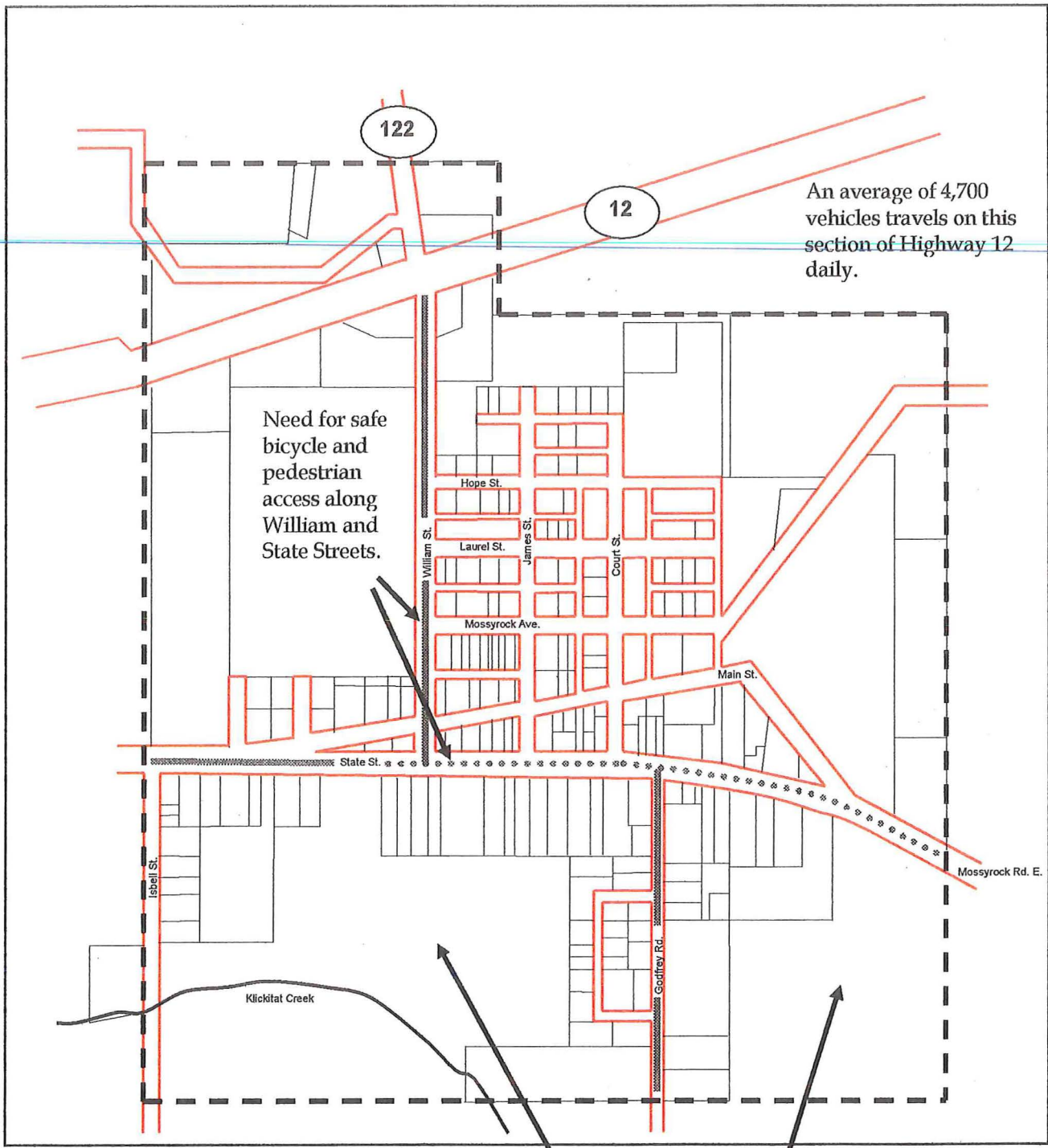
Future Funding for Capital Facilities

The City of Mossyrock is a small community with a limited capacity to raise large sums of money for public projects. Finding the necessary financial resources for the Capital Facilities Plan and the Six-Year Street Program in order to meet the requirements of the Growth Management Act will be difficult. There are always uncertainties in financial planning and the best the city can expect is to look for reasonable alternatives to cover these future costs. Savings and grants are the first choice of funding by most small communities. A concerted effort to secure grant funding is also important for the city to pursue, but it is unwise to count on outside dollars to meet all of the city's needs. Competition for these limited public resources is always high and there are never enough grant dollars to meet the needs of every local government. In addition, low interest loans programs are quickly replacing grants.

Large increases in existing revenue are not likely unless the city expands its tax base through new residential or commercial development, annexation, or adoption of new revenue sources. The city currently uses all major revenue sources available to code cities with the exception of utility taxes. Both public and private utilities are taxable, which can be a significant source of revenue. The city may levy utility taxes on gross operating revenues for water, sewer, solid waste, electric, gas, telephone, and storm water. Revenues from utility taxes may be used for either operating and/or capital expenditures.

A street utility tax is available for street maintenance, operation, and preservation. Under this program, households and businesses pay up to \$2 monthly. The city may also consider forming Local Improvement Districts for smaller street projects. Property owners adjacent to improved streets are assessed the cost of the improvements. Adoption of utility taxes would help in funding some of the smaller capital facility needs such as water storage capacity and street surfacing. It is also useful for leveraging facility grant and loan applications.

City of Mossyrock City Streets and State Highways



Key:

..... Arterial

Protecting access to these areas is important for their future development.



Small cities are at a disadvantage in making use of impact fees authorized by RCW 82.02.050. Impact fees on projects that are typical of small communities fail to yield sufficient revenues to address capital facility needs. The city also faces legal limitations from financing off-site capital facilities to accommodate large developments. In these cases, it will be important for the city and the private developer to come to voluntary agreements on contributions for expanding or building new capital facilities to serve their projects. Another option available to the city is exercising its substantive authority under the State Environmental Policy Act.

The practical choices for enterprise funding are revenue bonds and low interest loans. These financing tools work on the concept that a debt is retired from the revenues paid by the users of a project. Presently, all the city's long-term debt is related to enterprise projects. Outstanding bond indebtedness include two water and sewer revenue bonds issued in 1968. The bonds expire in 2007 and 2009 and carry a balance of \$52,000; the principal and interest payments in 2002 were \$13,015. In 2001, the City issued another \$300,000 in revenue bonds to pay for the water reservoir project. This bond will retire in the year 2038; the 2002 P&I payment was \$16,314.

In addition, the city has several outstanding infrastructure loans. There are two loans with the Public Works Trust Fund: the city owes the PWTF \$26,357 for equipping Well #2 and \$204,627 for the reservoir project. The P&I payments for these two loans totaled \$14,868 for 2002. There is a \$500,000 loan with USDA Rural Development for the recent construction of the wastewater treatment plant and lift stations. The P&I payment in 2002 for this loan was \$27,320.

The city has incurred major financial obligations for water and sewer system improvements. It is doubtful that city residents and businesses can support additional loans or revenue bonds in the near future. The only other source of revenue available to the city to finance major capital facilities and street projects is general obligation bonds. Property tax is the revenue source for general obligation bonds. Statutory limits and voter requirements govern decision concerning general

obligations bonds. The total amount of general obligations bonds the city may issue is limited to not more the 7½% of the community's assessed valuation.

The potential total revenues available from general obligation bonds, based on statutory limits and the city's total 2002 assessed property value of \$14,544,002 is:

\$14,544,002

Statutory Rate	Project Type	Total Potential Revenue
Without Voter Approval ¾ of 1%	General purposes	\$ 109,080
With Voter Approval		
• 2½%	• General purposes	\$ 363,600
• 2½%	• Water, lights, sewer, & parks	\$ 363,600
• 2½%	• Open space, parks	\$ 363,600
TOTAL POTENTIAL GO BOND CAPACITY		\$ 1,199,880

Source: Lewis County Assessor for assessed value

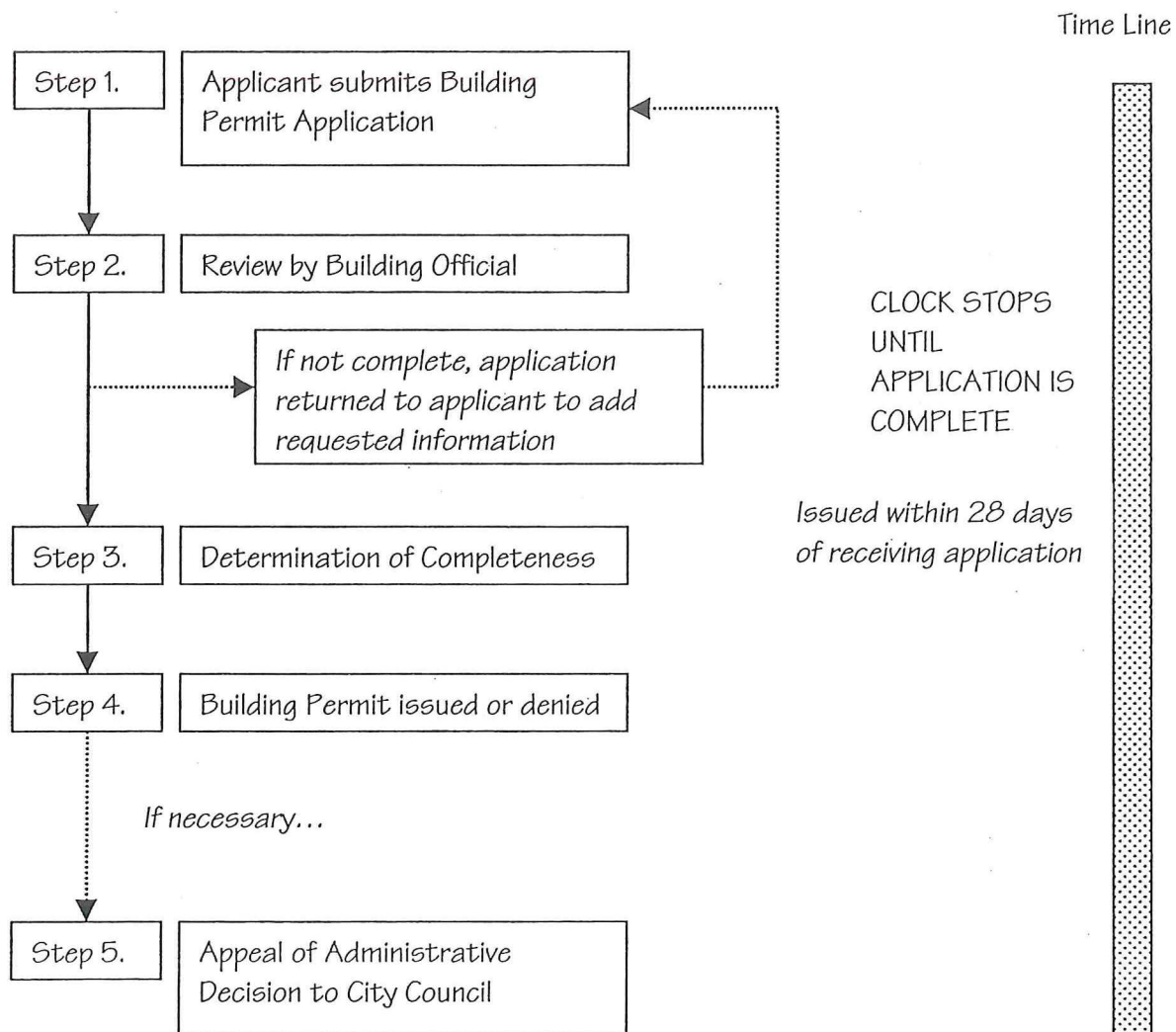
The tax rate for property owners in Mossyrock is currently 2.8167 per \$1,000 of assessed value for improved property. It is extremely unlikely that voters would endorse new general obligation bonds for the current maximum amount available; however, this is the most feasible source of revenue for future capital projects not associated with the water and sewer systems.

APPENDICES

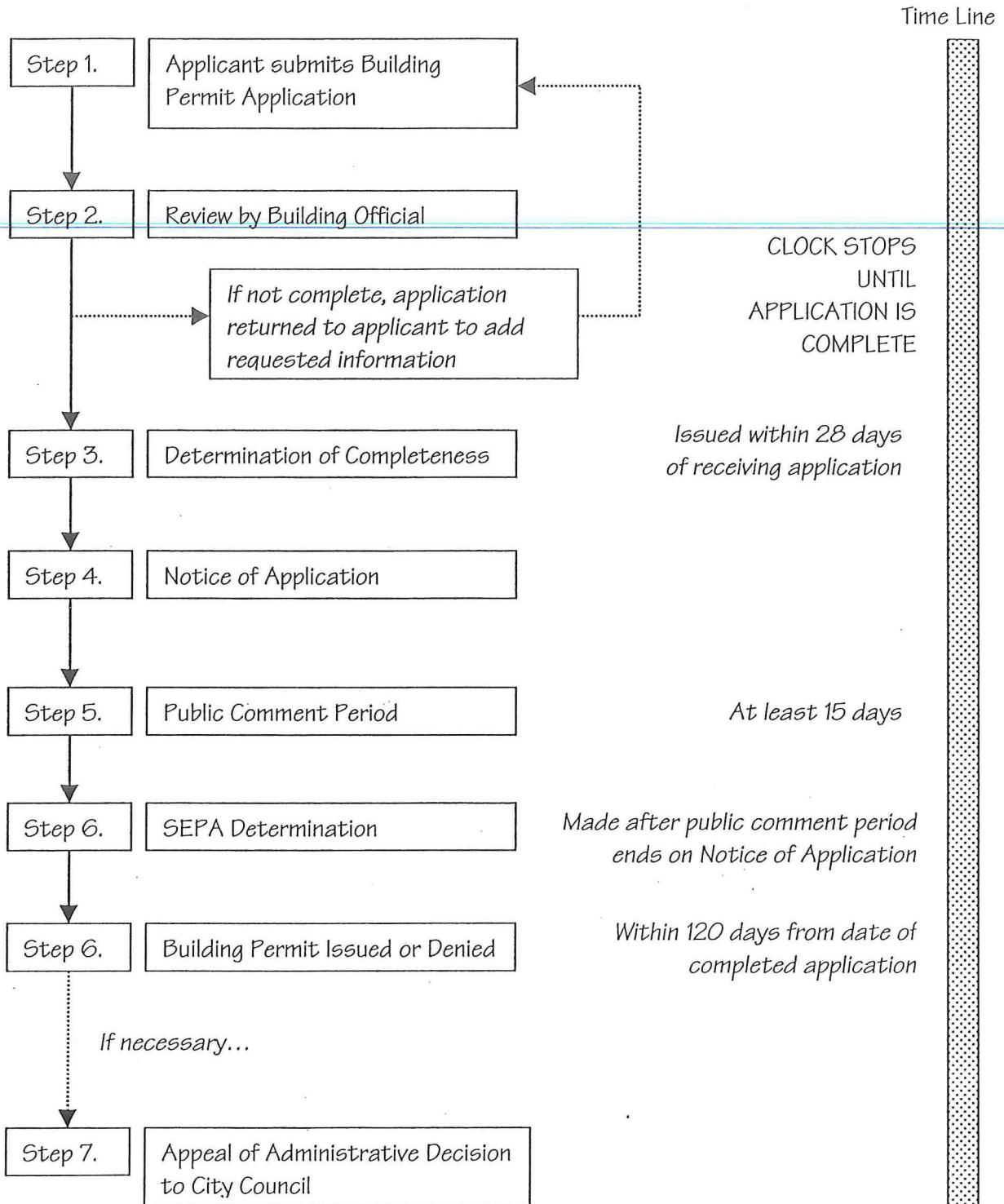
ILLUSTRATED PROCEDURES FOR SECTION III, ARTICLE VIII

The illustrated procedures assist the reader of Section III, Article VIII in understanding administrative procedures in the text. The flow charts are simplified renditions of specific Parts and do not replace the text. Please use them only as a supplement to the Growth Management Directory.

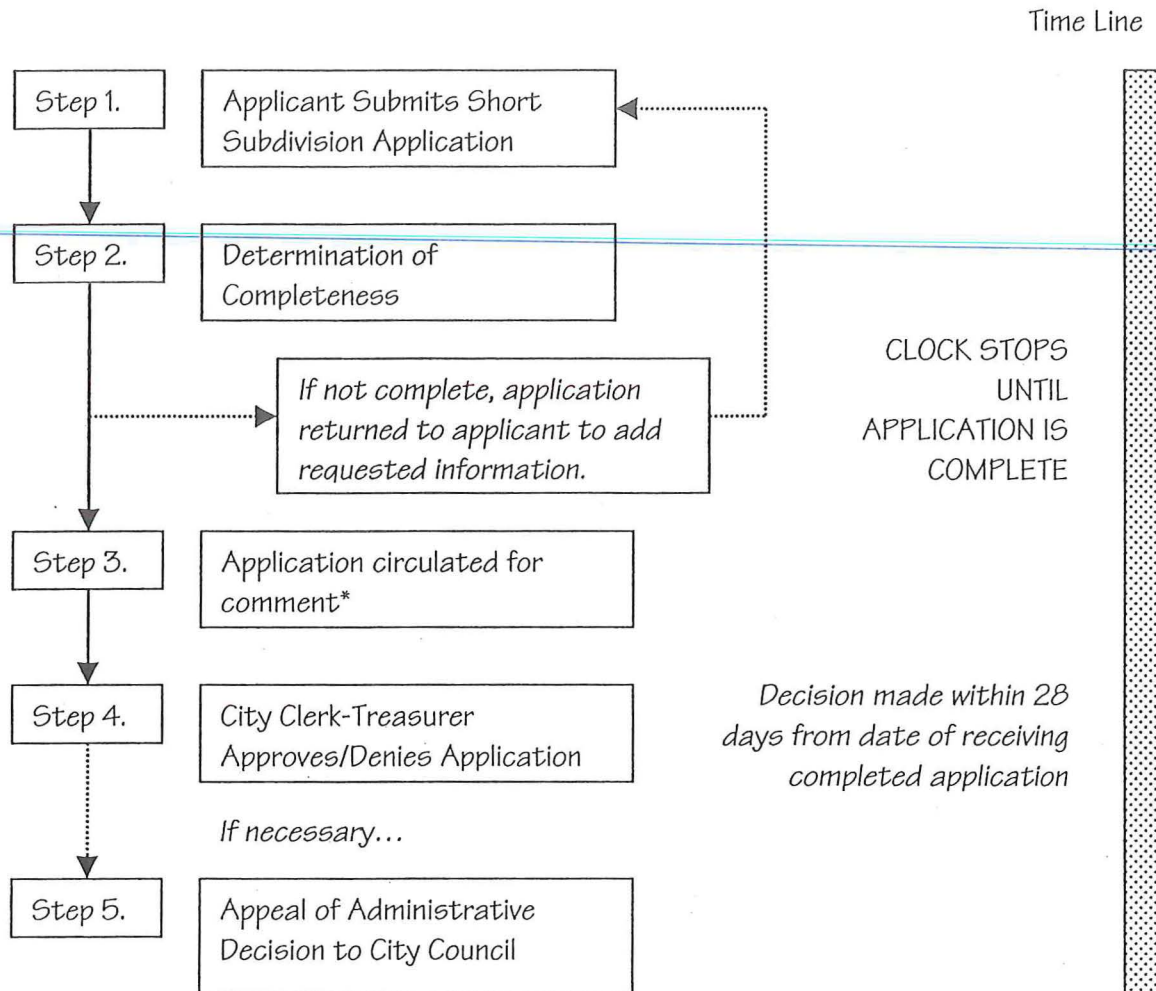
1. Procedures for a Building Permit exempt from SEPA as provided in Article VIII, Parts 2.05, 6.01, and 7.



2. Procedures for a Building Permit not exempt from SEPA as provided in Article VIII, Parts 2.05, 2.06, 6.01, 7 and Mossyrock Environmental Policy Ordinance.

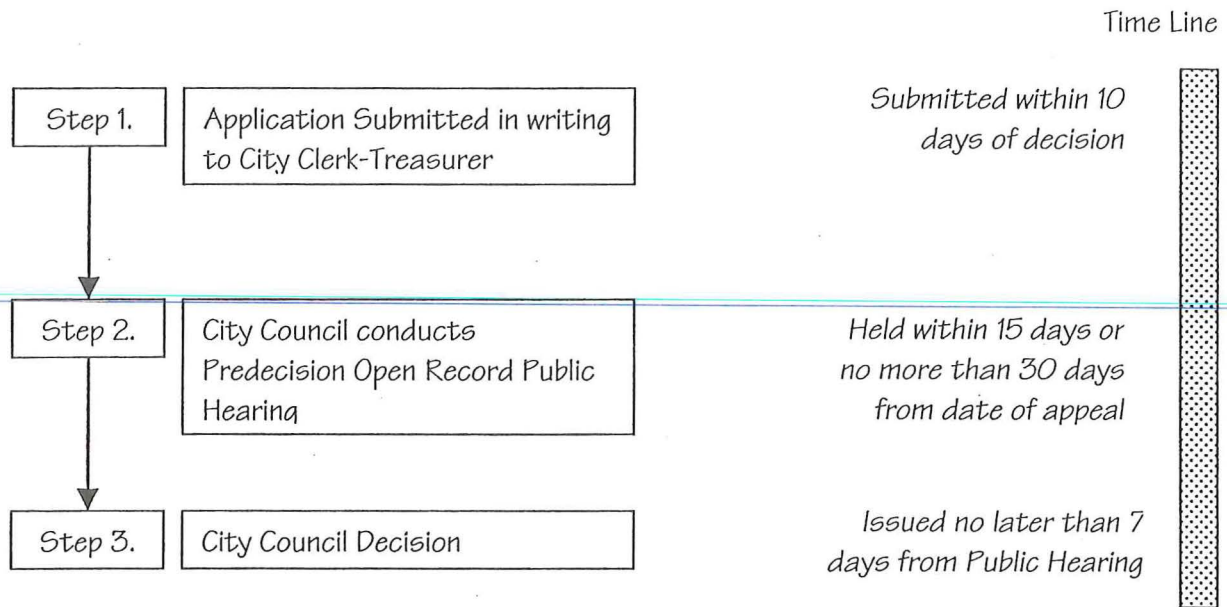


3. Procedures for Short Subdivisions as provided in Article VIII, Parts 2.05, 6.02, and 7.

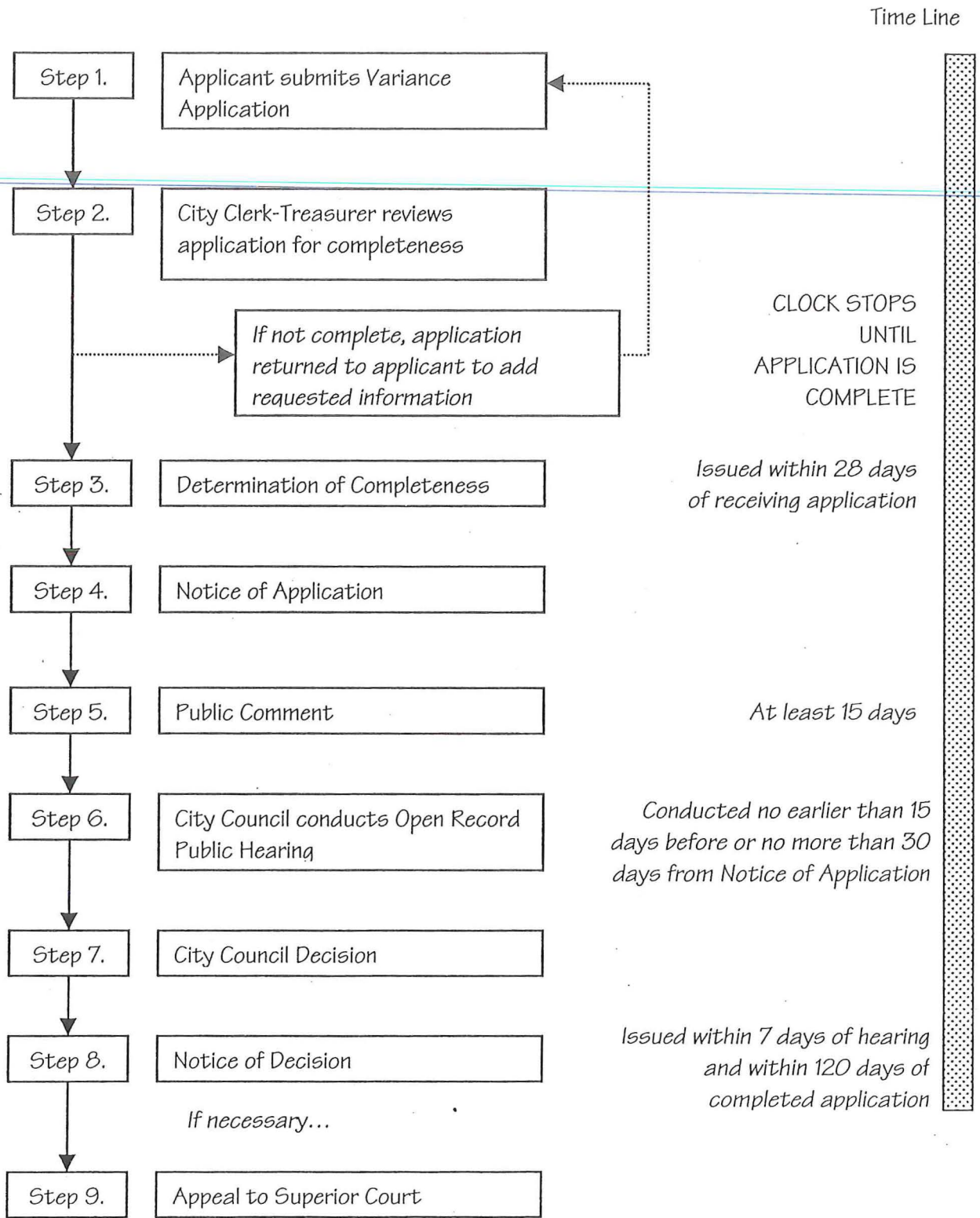


**PLEASE NOTE: If an applicant's proposed short subdivision is next to Highway 12 or 122, the Town must notify WSDOT. WSDOT has 14 days from their date of receiving a copy of the application to comment. See Article VI, Part 2.03. Short subdivisions undertaken partly or wholly within lands covered by water or in critical areas must comply with SEPA.*

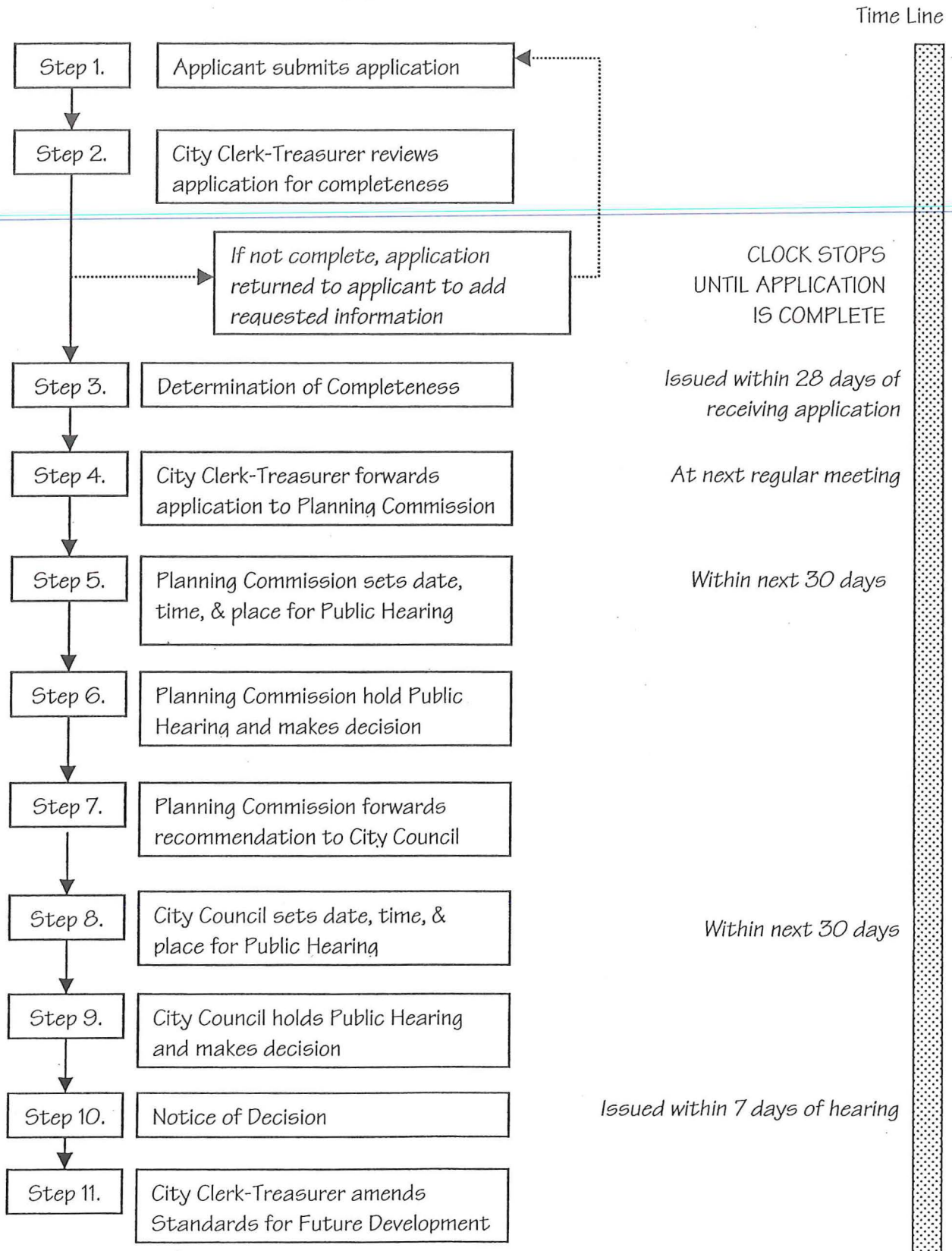
4. Procedures for Administrative Appeal as provided in Article VIII, Part 7.



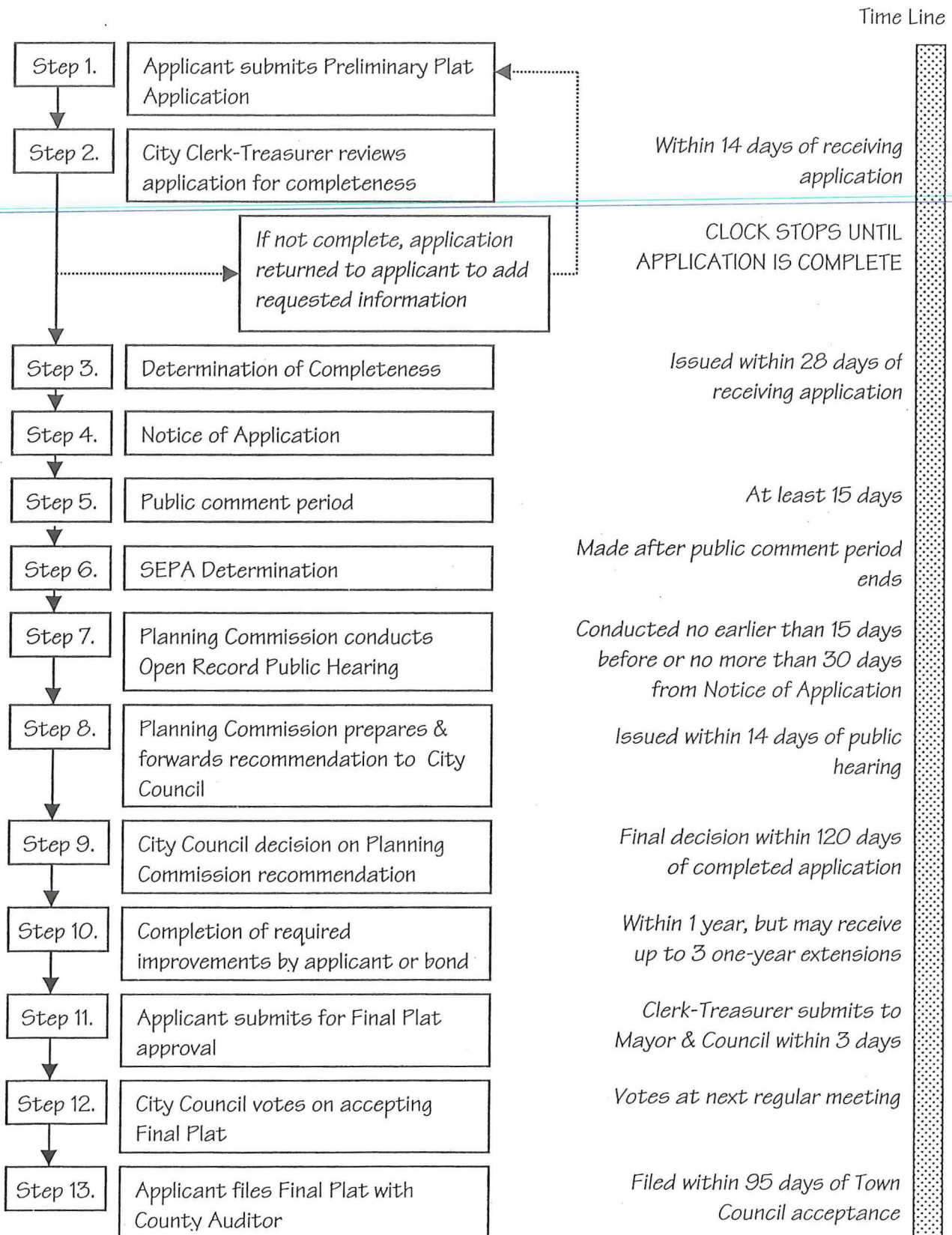
5. Procedures for Variance Permit as provided in Article VIII, Parts 2.04, 2.06, 2.08, 5, and 8.



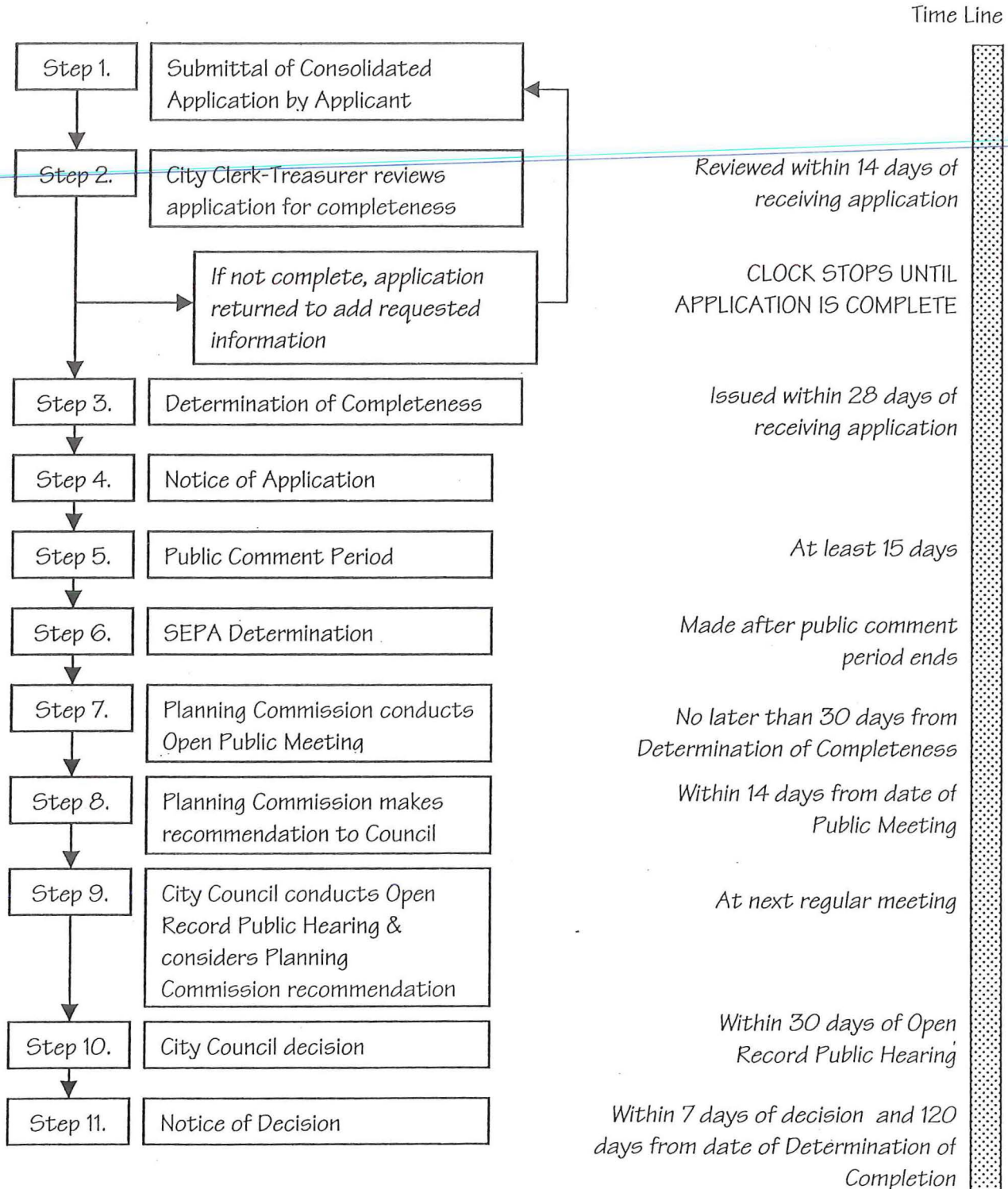
6. Procedures for Adding or Deleting to the Lists of Permitted Uses as provided in Article VIII, Parts 2.04, 5, and 9.



7. Procedures for subdividing land as provided in Article VIII, Parts 2.04, 2.06, 2.08, 5, and 10.



8. Consolidated Permit Review for Combining Building Permits, Short Subdivision, Variance Permits, and/or Subdividing land as provided in Article VIII, Parts, 2.04, 2.06, 2.08, 5, and 11.



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City of Mossyrock

DETERMINATION OF NONSIGNIFICANCE

Description of current proposal: 2008 Growth Management Directory Update

Proponent: City of Mossyrock

Location of current proposal: City of Mossyrock and the Urban Growth Area

Lead Agency: City of Mossyrock

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on the proposal for 14 days from **October 30, 2008.**

Comments must be submitted to 2025 NE Kresky Ave. Chehalis Washington, 98532 or bmkincai@co.lewis.wa.us by **November 13, 2008.**

Contact person, if other than responsible official:

Barbara Kincaid Phone: (360) 740-1389

Responsible official: Thomas Meade

Position/title: Mayor Phone: (360) 983-3300

Address: City of Mossyrock P.O. Box 96, Mossyrock, WA 98564

Signature _____ Date: _____

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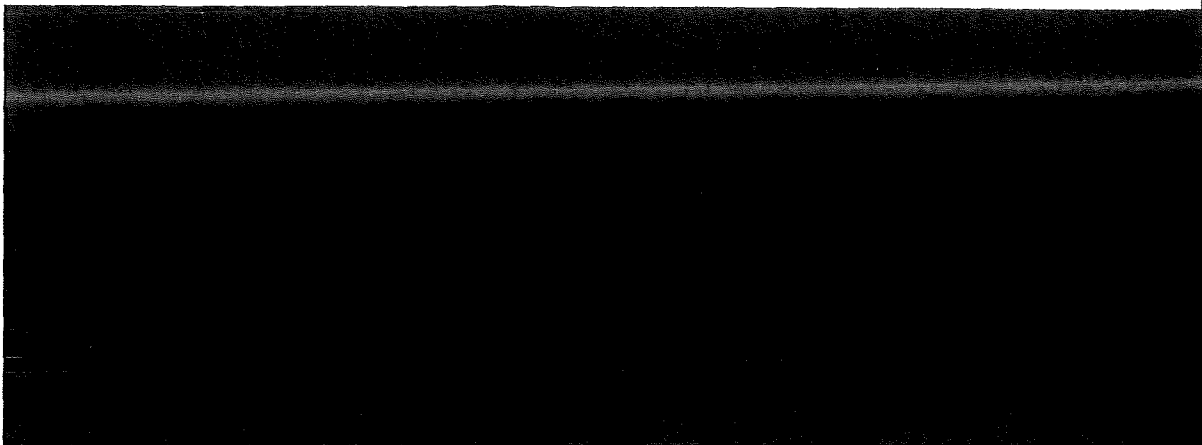
Address: City of Mossyrock P.O. Box 96, Mossyrock, WA 98564

Signature

Thomas E. Meade

Date:

11/14/08



Chapter 17.35A
CRITICAL AREAS*

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- 17.35A.020 Statement of purpose and goals.
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*Code reviser's note: Ord. 1204 adds a new Chapter 17.35A, Critical Areas, that shall apply to all activities except agricultural uses.

Article I. Purpose

17.35A.010 Statement of authority and title.

This chapter is established pursuant to RCW 36.70A.060 and shall be known as the Lewis County critical areas ordinance. [Ord. 1204 Exh. A § 2, 2008]

17.35A.020 Statement of purpose and goals.

The purpose of this chapter is to identify and protect the functions and values of critical areas using the best available science, protect human health and safety, and give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries as required by the Growth Management Act (RCW 36.70A.172) by supplementing the development regulations contained in various ordinances of Lewis County and other applicable state and federal laws by providing additional controls and measures to protect critical areas and human health and safety. This chapter is adopted under the authority of Chapters 36.70 and 36.70A RCW.

This chapter is premised on a perceived community vision that calls for minimum critical areas designations and protection standards, consistent with the requirements of Chapter 36.70A RCW.

The intent of this chapter is to achieve the goal of protecting critical areas while facilitating the processing of relevant land use and development applications in a timely fashion with minimum intrusion on individual freedom, with a maximum of consistency and predictability.

This chapter balances the requirements and goals of critical areas protection and use of best available science with other Growth Management Act goals identified by the county in consideration of local goals and circumstances to provide for growth in the community and direct economic development, plan for housing, business centers and open space/parks, and provide adequate public services and capital facilities as growth occurs. [Ord. 1204 Exh. A § 2, 2008]

17.35A.030 Statement of policy.

(1) It is a policy of Lewis County that the beneficial functions, structures, and values of

critical areas be protected as identified in this chapter, and further that potential dangers or public costs associated with inappropriate use of such areas be eliminated or substantially reduced by reasonable regulation of uses within, adjacent to, or directly affecting such areas. Reasonable regulation shall be achieved by the balancing of individual and collective interests.

(2) The county-wide planning policies identified private property rights as the primary priority and all applications of this chapter shall be cognizant and consistent with private property rights.

(3) No permit granted pursuant to this chapter shall remove an applicant's obligations with respect to applicable provisions of any other federal, state, or local law or regulation, including, but not limited to, the acquisition of any other required permit or approval.

(4) Mitigation Priorities.

(a) Avoid the impact altogether by not taking a certain action or parts of any action where reasonable noncritical area alternatives are available;

(b) Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

(c) Rectify the impact by repairing, rehabilitating, or restoring the affected environment;

(d) Reduce or eliminate the impact over time by preservation and maintenance of critical area functions during the life of the action;

(e) Compensate for the impact by replacing, enhancing, or providing substitute resources or environments in lieu of critical areas impacted; and/or

(f) Monitor the impact and take appropriate corrective measures where appropriate.

(5) Mitigation Application.

(a) Lewis County respects the right of property owners to use their property consistent with the guidelines presented. Priorities in subsection (4) of this section are preferences to guide development and application of this code and may be mixed to facilitate reasonable use of property, with increasing mitigation applied to the greater impacts to protect the functions, systems, and values identified.

(b) The priorities in subsection (4) of this section shall not be used to deny a permit for activities specifically authorized in critical areas or buffers where reasonable noncritical area alternatives are not available as specified in LCC 17.35A.530.

(6) The assessor is required to consider the impacts on property values including the restrictions in this chapter in assessing property in Lewis County.

(7) Existing property uses will be regulated only to the extent necessary to protect the

ecological functions of critical areas and protect human health and safety.

(8) This chapter will apply to alteration to any critical area or related buffer defined herein; provided, that review shall be incorporated, wherever possible, in review of existing development permits required by Lewis County. [Ord. 1204 Exh. A § 2, 2008]

17.35A.040 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- (1) Liberally construed to serve the purpose of this chapter.
- (2) Deemed neither to limit nor repeal any other powers under state statute.
- (3) Considered in the review of impacts under the State Environmental Policy Act (SEPA) to determine whether the requirements for environmental analysis and mitigation measures in these provisions provide adequate mitigation for some or all of the project's specific adverse environmental impacts to which the requirements apply, and specifically whether a proposed use or activity poses an unusual or extraordinary risk to a critical area system. [Ord. 1204 Exh. A § 2, 2008]

17.35A.050 Duration.

The development regulations for critical areas, as set forth in this chapter, shall be reviewed during consideration of the implementing regulations for the Lewis County comprehensive plan, adopted pursuant to Chapter 36.70A RCW. [Ord. 1204 Exh. A § 2, 2008]

17.35A.060 Judicial review.

Judicial review of any final decision made hereunder shall be appealable pursuant to the Land Use Appeals Act, Chapter 36.70C RCW. [Ord. 1204 Exh. A § 2, 2008]

Article II. Definitions

17.35A.070 Administrator.

"Administrator" means the planning manager of the Lewis County department of community development or his or her designee.

Forest practices not regulated under Chapter 76.90 RCW and WAC Title 222 are not included in this definition. [Ord. 1204 Exh. A § 2, 2008]

17.35A.080 Alluvial fan hazard.

"Alluvial fan" means a low, outspread, relatively flat to gently sloping deposit of sediment and organic debris, shaped like an open fan or segment of a cone, deposited by streams or debris flows where they issue from narrow, steep valleys upon a plain or broad valley or wherever the gradient of the stream suddenly decreases. An alluvial fan hazard is present where: (1) the flow path below the hydrographic apex is uncertain, (2) abrupt deposition and ensuing erosion of sediment may occur as a stream or debris flow loses its competence to carry material eroded from a steeper, upstream source area, and (3) an environment where the combination of sediment availability, slope, and topography creates a hazardous condition. [Ord. 1204 Exh. A § 2, 2008]

17.35A.085 Alteration.

"Alteration" means a human-induced action which materially affects a regulated critical area, such as a physical change to the existing condition of land or improvements containing, but not limited to, construction, clearing, filling, and grading. [Ord. 1204 Exh. A § 2, 2008]

17.35A.090 Aquifer.

"Aquifer" means a saturated permeable geologic unit that can transfer substantial quantities of water under ordinary hydraulic gradients. [Ord. 1204 Exh. A § 2, 2008]

17.35A.095 Aquifer recharge area.

"Aquifer recharge area" means the area in which rainwater and other surface waters percolate downward through surface soil and underlying geologic formations that are permeable enough to allow significant additions of water to an underlying aquifer. [Ord. 1204 Exh. A § 2, 2008]

17.35A.100 Best management practices (BMPs) - Wetlands section.

"Best management practices (BMPs)," for the wetlands section, means conservation practices or systems of practices and management measures that:

(1) Control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxics, and sediment; and

(2) Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical, and biological characteristics of wetlands. [Ord. 1204 Exh. A § 2, 2008]

17.35A.105 Best management practices (BMPs) - Aquifer recharge areas section.

"Best management practices (BMPs)," for the aquifer recharge areas section, means physical, structural, and/or managerial practices that when used singly, or in combination, prevent or reduce the adverse environmental impacts to or pollution of ground water. Such practices may include schedules of activities, prohibitions of practices, maintenance procedures, and other management practices, to prevent or reduce pollution of ground water. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage, leaks, sludge, or water disposal, or drainage for raw material storage. [Ord. 1204 Exh. A § 2, 2008]

17.35A.110 Buffer - Geologically hazardous area.

For the purpose of the geologically hazardous area section, a "buffer" is an area established to protect the integrity or functions and values of a geologically hazardous area from potential adverse impacts. [Ord. 1204 Exh. A § 2, 2008]

17.35A.115 Buffer - Stream, wetland and habitat critical areas.

For purposes of the wetland, stream, and habitat critical area sections, a "buffer" means an undisturbed area of native vegetation that is contiguous to and provides an area for related ecological functions to take place including, but not limited to, the continued maintenance, functioning, and/or structural stability of the wetland, stream, and habitat and/or separates and protects the ecological functions from adverse impacts associated

with nearby land uses and shall reflect the sensitivity of the resource and the type and intensity of human activity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.116 Buffer - Geologically hazardous areas.

For purposes of geologically hazardous areas, a “buffer” means an undisturbed area preserved to provide an assurance that activities that subject people or property to risk will be located out of the area of influence of landslides or similar geological hazards and for the protection of native vegetation to provide slope stability and reduce the risk of erosion. [Ord. 1204 Exh. A § 2, 2008]

17.35A.120 Classification.

“Classification” means defining value and hazard categories to which critical areas will be assigned. [Ord. 1204 Exh. A § 2, 2008]

17.35A.121 Channel migration zone (CMZ).

“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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.125 Clearing.

“Clearing” means the removal of timber, brush, grass, ground cover, or other vegetative matter from a site, which exposes the soil. [Ord. 1204 Exh. A § 2, 2008]

17.35A.130 Commercially viable use of land.

“Commercially viable use of land” means a use which will return an economic return to the land and for which commercial financing is normally and reasonably available. The fact that other uses may create a higher return or land value is irrelevant. [Ord. 1204 Exh. A § 2, 2008]

17.35A.135 Compensation project.

“Compensation project” means actions necessary to replace project-induced critical area and associated buffer losses, including land acquisition, planning, construction plans, monitoring, and contingency actions. [Ord. 1204 Exh. A § 2, 2008]

17.35A.140 Critical area functions.

“Critical area functions” means the physical, chemical, and biological processes or attributes of a critical area. [Ord. 1204 Exh. A § 2, 2008]

17.35A.145 Critical area values.

“Critical area values” means the critical area processes or attributes that are valuable or beneficial to society. [Ord. 1204 Exh. A § 2, 2008]

17.35A.150 Critical areas.

“Critical areas” means all wetlands, frequently flooded areas, aquifer recharge areas, fish and wildlife habitat conservation areas, and geologically hazardous areas, as those terms are used and defined herein. [Ord. 1204 Exh. A § 2, 2008]

17.35A.155 Critical facilities.

“Critical facilities” means facilities for which a significant chance of damage as a result of a geological hazard would be too great. Critical facilities include, but are not limited to, schools; hospitals; police, fire, and emergency response installations; nursing homes; and installations which produce, use, or store hazardous materials or hazardous waste. [Ord. 1204 Exh. A § 2, 2008]

17.35A.160 Dangerous wastes.

“Dangerous wastes” means those wastes designated in WAC 173-303-070 through 173-303-120 as dangerous or extremely hazardous or mixed waste. As used in Chapter 173-303 WAC, the words “dangerous waste” will refer to the full universe of wastes regulated by that chapter, and will be used interchangeably with “hazardous waste.” [Ord. 1204 Exh. A § 2, 2008]

17.35A.165 Debris flow.

“Debris flow” means the 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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.170 Designation.

“Designation” means taking a formal legislative action to adopt classifications, inventories, and regulations. [Ord. 1204 Exh. A § 2, 2008]

17.35A.175 Determination.

“Determination” 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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.180 Erosion control.

“Erosion control” means on-site and off-site control measures that are needed to control conveyance and/or deposition of earth, turbidity or pollutants after development, construction, or restoration. [Ord. 1204 Exh. A § 2, 2008]

17.35A.185 Erosion hazard areas, severe.

“Erosion hazard areas, severe” means those areas identified by the United States Department of Agriculture Soil Conservation Service as having “severe” rill and inter-rill erosion hazard and areas subject to severe streambank erosion. [Ord. 1204 Exh. A § 2, 2008]

17.35A.186 Erosion hazard areas, moderate.

“Erosion hazard areas, moderate” means those areas identified by the United States Department of Agriculture Soil Conservation Service as having “moderate” rill and inter-rill erosion hazard. [Ord. 1204 Exh. A § 2, 2008]

17.35A.190 Extraordinary hardship.

"Extraordinary hardship" means the strict application of this chapter and/or programs adopted to implement this chapter by the administrator would cause or create severe financial loss, unreasonable safety risk, or health harm to the party seeking exception, waiver, or variance under this chapter. [Ord. 1204 Exh. A § 2, 2008]

17.35A.195 Fish and wildlife habitat conservation areas.

"Fish and wildlife habitat conservation areas" means land area which meets the definition thereof pursuant to WAC 365-190-080(5) and includes all lands within the following categories:

(1) Areas with which endangered, threatened, and sensitive species have a primary association including areas with which "priority species" as defined by the Washington Department of Fish and Wildlife have a primary association.

(2) "Priority habitats" as identified by the Washington Department of Fish and Wildlife. Priority habitats are areas with one or more of the following attributes pertaining to state species listed as endangered or threatened: comparatively high wildlife density, high wildlife species richness, significant wildlife species richness, significant wildlife breeding habitat, significant wildlife seasonal ranges, significant movement corridors for wildlife, limited availability, and/or high vulnerability.

(3) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat. These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds of less than three years' duration, and landscape amenities. However, naturally occurring ponds shall include those artificial ponds intentionally created with the approval of a regulatory authority from dry areas to mitigate adverse impact upon other ponds.

(4) Lakes, ponds, streams, and rivers planted with game fish as defined by RCW 77.08.020, including fish planted under the auspices of federal, state, local, or tribal programs, or which support priority fish species as identified by the Washington Department of Fish and Wildlife.

(5) Habitats and species of local importance as designated in this chapter.

(6) Waters of the state as defined in WAC Title 222.

(7) State natural area preserves and natural resource conservation areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.205 Flood - Flooding.

"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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.210 Forest practice.

"Forest practice" means any activity regulated by Chapters 222-12 through 222-50 WAC. [Ord. 1204 Exh. A § 2, 2008]

17.35A.215 100-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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.220 Frequently flooded areas.

“Frequently flooded areas” means the floodways and associated floodplains in the latest edition of the Federal Emergency Management Agency Flood Insurance Rate Maps (FIRMs) for Lewis County or the best available information based on past flood records or special studies. [Ord. 1204 Exh. A § 2, 2008]

17.35A.225 Geologically hazardous areas.

“Geologically hazardous areas” means areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. [Ord. 1204 Exh. A § 2, 2008]

17.35A.230 Ground water.

“Ground water” means that part of the subsurface water that is in the zone of saturation (below the water table), as distinct from vadose water (above the water table). [Ord. 1204 Exh. A § 2, 2008]

17.35A.235 Habitat management plan.

“Habitat management plan” means a plan prepared for a regulated wildlife habitat critical area and intended to provide for the site-specific protection of endangered, threatened, and sensitive species and their habitats. The plans are to be based on the unique characteristics of the species, as well as surrounding land uses in relation to the proposed activity and landowner goals. [Ord. 1204 Exh. A § 2, 2008]

17.35A.238 Hazard tree.

“Hazard tree” means any tree that is susceptible to immediate fall due to its condition (damaged, diseased, or dead) or other factors, and which because of its location is at risk of damaging permanent physical improvements to property or causing personal injury. [Ord. 1204 Exh. A § 2, 2008]

17.35A.240 Hazardous substances.

“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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.245 High intensity uses.

“High intensity uses” means uses which by their nature have the potential for substantial effect on critical areas. High intensity uses, where applicable, are defined separately in regulations for individual critical areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.250 Hydric soil.

"Hydric soil" means a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of a hydric soil shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual (RCW 36.70A.175). [Ord. 1204 Exh. A § 2, 2008]

17.35A.252 Impervious surface.

"Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow compared to natural conditions prior to development. Common impervious surfaces may include, but are not limited to, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of storm water. [Ord. 1204 Exh. A § 2, 2008]

17.35A.253 Incidental amounts.

"Incidental amounts" means amounts unlikely to create negative health and/or safety impacts. [Ord. 1204 Exh. A § 2, 2008]

17.35A.254 Infiltration.

"Infiltration" means the downward entry of water into the immediate surface of soil. [Ord. 1204 Exh. A § 2, 2008]

17.35A.255 In-kind compensation.

"In-kind compensation" means to replace critical areas with substitute areas whose characteristics and functions mirror those destroyed or degraded by a regulated activity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.260 Land use development permits or approvals.

"Land use development permits" means all approvals by Lewis County for land alteration or change in use, including, but not limited to, subdivision approvals including short plats, preliminary plat approvals, shoreline substantial development permits, site plans for mobile home parks, building permits for any new structure or which increase an existing structure's floor area by more than 10 percent or 500 square feet, whichever is less; building permits for structures that have associated grading or filling activity; and road approval permits. [Ord. 1204 Exh. A § 2, 2008]

17.35A.265 Landslide hazard areas.

"Landslide hazard areas" means areas potentially subject to landslides based on a combination of geologic, topographic, and hydrogeologic factors. They include areas susceptible because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors. [Ord. 1204 Exh. A § 2, 2008]

17.35A.270 Low intensity uses.

"Low intensity uses" means uses which by their nature generally have a low level of adverse effect on critical areas. Low intensity uses, where applicable, are defined separately in regulations for individual critical areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.275 Mine hazard areas.

“Mine hazard areas” means areas underlain by, adjacent to, or affected by mine workings such as adits (mine entrances), gangways (haulage tunnels), drafts, or air shafts. [Ord. 1204 Exh. A § 2, 2008]

17.35A.280 Mitigation.

“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 generally falling into the following classification, listed in order of preference:

- (1) Avoiding an impact altogether by not taking a certain action or parts of actions;
- (2) Minimizing impacts by limiting the degree or magnitude of an action and its implementation;
- (3) Rectifying impacts by repairing, rehabilitating, or restoring the affected environment;
- (4) Reducing or eliminating an impact over time by preservation and maintenance operations during the life of the action;
- (5) Compensating for an impact by replacing or providing substitute resources or environments; and
- (6) Monitoring the mitigation and taking remedial action when necessary. [Ord. 1204 Exh. A § 2, 2008]

17.35A.281 Mitigation - Creation (establishment).

“Creation” means the manipulation of the physical, chemical, or biological characteristics within a critical 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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.282 Mitigation - Enhancement.

“Enhancement” 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 is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in some ecological functions and can lead to a decline in other ecological functions, but does not result in a gain in area. For example, activities related to wetlands typically consist of planting vegetation, controlling nonnative or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities. [Ord. 1204 Exh. A § 2, 2008]

17.35A.283 Mitigation - Re-establishment.

“Re-establishment” means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historical functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). For

example, activities related to wetlands could include removing fill material, plugging ditches, or breaking drain tiles. [Ord. 1204 Exh. A § 2, 2008]

17.35A.284 Mitigation - Rehabilitation.

“Rehabilitation” means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Rehabilitation results in a gain in ecological function but does not result in a gain in area. For example, activities related to wetland mitigation could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland. [Ord. 1204 Exh. A § 2, 2008]

17.35A.285 Mitigation - Restoration.

“Restoration” means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historical functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into re-establishment and rehabilitation. Re-establishment represents a net gain in acres while rehabilitation does not. [Ord. 1204 Exh. A § 2, 2008]

17.35A.286 Moderate intensity uses.

“Moderate intensity uses” means uses which by their nature generally have a moderate level of adverse effect on critical areas. Moderate intensity uses, where applicable, are defined separately in regulations for individual critical areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.287 Mudflow.

“Mudflow” is a general term for a mass-movement landform and a process characterized by a flowing mass of predominantly fine-grained earth material possessing a high degree of fluidity during movement. If more than half of the solid fraction of such a mass consists of material larger than sand size, the term “debris flow” is preferable. The water content of mudflows may range up to 60 percent with increasing fluidity. Mudflows grade into muddy floods; with less fluidity, they grade into earthflows. [Ord. 1204 Exh. A § 2, 2008]

17.35A.290 Native vegetation.

“Native vegetation” means plant species which are indigenous to the site in question. [Ord. 1204 Exh. A § 2, 2008]

17.35A.295 Person.

“Person” means an individual, firm, copartnership, association, corporation, or other legal entity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.300 Priority habitats.

“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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.305 Priority habitat and species database.

“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 three products:

- (1) Lists of the Washington Department of Fish and Wildlife's most important habitats and species;
- (2) Management recommendations for each priority habitat and species; and
- (3) Maps showing the geographic location of priority habitats and species. [Ord. 1204 Exh. A § 2, 2008]

17.35A.315 Priority species.

"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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.320 Protection.

"Protection" means action to avoid or mitigate impacts to in order to preserve the structure, values, and functions of the natural environment. [Ord. 1204 Exh. A § 2, 2008]

17.35A.325 Pyroclastic flow.

"Pyroclastic flow" means the geologic process and products of hot clouds of ash, volcanic rock, and gas that flow rapidly downslope under gravity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.330 Qualified critical area professional.

"Qualified critical area professional" means a person or a team of persons with 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.

(1) 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.

(2) A qualified professional for habitat conservation areas must have a degree in wildlife biology, ecology, fisheries, or closely related field and demonstrated professional experience related to the subject species/habitat type.

(3) A qualified professional for geologically hazardous areas must be a professional geologist, a professional engineering geologist or a professional engineer, with specific education and demonstrated professional competence related to geologic hazards. For mine hazard assessment, 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.

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

(5) A qualified professional for frequently flooded areas 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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.335 Relative density.

“Relative density” is a method for evaluating the density of trees in relation to the theoretical maximum density for trees of the same size and species. It is preferable to a simple density (trees/acre) because it is a more accurate measure of occupied growing space and suppression mortality. Relative density equals the basal area of all trees in the stand divided by the square root of the quadratic mean diameter. [Ord. 1204 Exh. A § 2, 2008]

17.35A.336 Secondary containment.

“Secondary containment” must be:

(1) Impervious to the materials held in the primary container(s).

(2) Large enough to hold 100 percent of the material in the largest container, or 10 percent of the total volume of all containers, or whichever volume is larger.

(3) Large enough to also hold rainwater which would reasonably be expected to collect in 24 hours during a major storm, if the containment is exposed to the weather. [Ord. 1204 Exh. A § 2, 2008]

17.35A.340 Seismic hazard areas.

“Seismic hazard areas” means areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction; or surface faulting. [Ord. 1204 Exh. A § 2, 2008]

17.35A.345 Sensitive, endangered, threatened species.

Lewis County adopts the state definitions as set forth in WAC 232-12-001, 232-12-011, and 232-12-014. [Ord. 1204 Exh. A § 2, 2008]

17.35A.350 Septage waste.

“Septage waste” means septic tank or holding tank pumpage which has not been subject to a wastewater treatment process. [Ord. 1204 Exh. A § 2, 2008]

17.35A.355 Sewage sludge.

“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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.360 Significant.

“Significant” means a condition which would have a negative impact on human health and/or safety or upon ecological functions as determined by a recognized authority. [Ord. 1204 Exh. A § 2, 2008]

17.35A.365 Significantly affect the quality.

“Significantly affect the quality” means a measurable impact on characteristics thereof, on a relative or absolute basis, of which more than a moderate level of effect is a reasonable probability. [Ord. 1204 Exh. A § 2, 2008]

17.35A.369 Storm water.

“Storm water” means that portion of precipitation that does not naturally percolate into the mound or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed facility. [Ord. 1204 Exh. A § 2, 2008]

17.35A.370 Storm water management facilities.

“Storm water management facilities” includes measures to control storm water flow and water quality, and may include, but is 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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.375 Streams.

“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. This 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. [Ord. 1204 Exh. A § 2, 2008]

17.35A.380 System function and values.

“System function and values” is a technical term used to identify the role of a critical area in a given area as opposed to its mere physical presence and size. It is used most often when comparing alternatives for mitigation purposes. [Ord. 1204 Exh. A § 2, 2008]

17.35A.381 Use.

“Use” means purpose for which a property is occupied and utilized, that may include a variety of activities related to the use. Uses may be categorized according to a variety of systems, in a number of manners that emphasize shared characteristics; land use is typically classified in terms of agricultural, residential, commercial, industrial, etc.; uses may be characterized in terms of high, moderate, and low intensity based on characteristics that impact other uses or activities. [Ord. 1204 Exh. A § 2, 2008]

17.35A.385 Utility lines.

“Utility lines” means a pipe, conduit, cable, or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electrical power, gas, communications, and storm water or

sanitary sewer transport facilities. [Ord. 1204 Exh. A § 2, 2008]

17.35A.390 Volcanic hazard areas.

“Volcanic hazard areas” means areas subject to pyroclastic flows, lava flows, debris avalanche, inundation by debris flows, mudflows, or related flooding from volcanic activity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.392 Water table.*

In pervious granular materials the “water table” is the upper surface of the body of free water which completely fills all openings in material sufficiently pervious to permit percolation. In fractured impervious rocks and in solution opening, it is the surface at the contact between the water body in the openings and the overlying ground air. [Ord. 1204 Exh. A § 2, 2008]

* Code reviser’s note: Ord. 1204 adds two sections numbered 17.35A.395. This section has been editorially renumbered to avoid duplication.

17.35A.395 Well head protection area.

“Well head protection area” means the area (surface and subsurface) managed to protect ground water-based public water supplies. [Ord. 1204 Exh. A § 2, 2008]

17.35A.400 Watershed.

“Watershed” means an area draining to the surface water systems of the Chehalis, Cowlitz, Deschutes, or Nisqually Rivers. [Ord. 1204 Exh. A § 2, 2008]

17.35A.405 Wetland.

“Wetland” or “wetlands” means areas that are defined by RCW 36.70.A.030(21) and 90.58.380 as areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically 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. Wetlands shall be delineated in accordance with the manual adopted by the Washington State Department of Ecology pursuant to RCW 90.58.380. [Ord. 1204 Exh. A § 2, 2008]

17.35A.415 Wetland enhancement.

See “enhancement.” [Ord. 1204 Exh. A § 2, 2008]

17.35A.420 Wetland functions and values.

“Functions” refer to the physical, biological, chemical, and geologic interactions among different components of the environment that occur within a wetland. Wetlands perform many valuable functions and these can be grouped into three categories: functions that improve water quality, functions that change the water regime in a watershed such as flood storage, and functions that provide habitat for plants and animals. “Values” refer to

wetland processes, characteristics, or attributes that are considered to benefit society. [Ord. 1204 Exh. A § 2, 2008]

Article III. General Requirements

17.35A.430 Applicability.

This chapter classifies and designates critical areas in Lewis County and establishes regulations for the protection of critical areas' ecological functions and values, human health and safety, and gives special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. Lewis County shall not grant any permit, license, or other development approval to alter the condition of any land, water, or vegetation, or to construct or to alter any structure or improvement, nor shall any person alter the condition of any land, water, or vegetation, or construct or alter any structure or improvement, for any development proposal within a critical area or its buffer regulated by this chapter, except in compliance with the provisions of this chapter. Failure to comply with the provisions of this chapter shall be considered a violation and subject to enforcement procedures. [Ord. 1204 Exh. A § 2, 2008]

17.35A.440 Relationship to other regulations.

Areas characterized by a particular critical area may also be subject to other regulations due to the overlap of multiple functions of critical areas. In the event of any conflict between these regulations and other regulations of the county, the regulations which provide the greater protection for the particular critical areas still apply. No permit granted pursuant to this chapter shall remove the applicant's obligation to comply in all respects with the provisions of any federal, state, or local law or regulation. [Ord. 1204 Exh. A § 2, 2008]

17.35A.450 General exemptions and allowed activities.

(1) The following activities shall be exempt from the provisions of this chapter, subject to the provisions for mitigation, provided:

(a) Emergency actions, including those activities necessary to prevent an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for compliance with the requirements of this chapter.

Emergency actions that create an impact to a sensitive area or its buffer shall use reasonable methods to address the emergency; in addition, they must have the least possible impact to the sensitive area or its buffer. The person or agency undertaking such action shall notify the administrator within 14 working days following commencement of the emergency activity, except for county-wide or regional disasters for which the director shall provide alternative deadlines.

After the emergency, the person or agency undertaking the action shall fully fund and conduct necessary restoration and/or mitigation for any impacts to the sensitive area and buffers resulting from the emergency action. The person or agency undertaking the action shall obtain all approvals required for this chapter. Restoration and/or mitigation activities must be initiated within one year of the date of the emergency, and completed as provided for in this chapter;

(b) Passive recreational uses, sport fishing or hunting, hiking, canoeing, viewing, nature study, photography, scientific or educational review, or similar minimal impact, nondevelopment activities;

(c) Site investigative work required by a city, county, state, or federal agency in conjunction with the preparation of a land use application submittal or monitoring of restoration or mitigation sites, such as surveys, soil logs, percolation tests, and other related activities. In any such activity, impacts on environmentally critical areas must be avoided where possible and minimized where necessary, and disbursed to the extent possible. Critical areas shall be restored to the pre-existing level of function and value within one year after tests are concluded;

(d) ~~Maintenance of existing, lawfully established landscaping and gardens within a~~ critical area or its buffer, including, but not limited to, mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden crops, pruning, and replanting and replacement of ornamental vegetation or indigenous native species to maintain the condition and appearance of such areas as they existed prior to adoption of this code. Household herbicides, pesticides, and fertilizers may be used to maintain existing landscaping and gardens within critical area buffers, but not in wetlands, streams, or other water bodies, when applied at times and rates specified on the label in accordance with Washington State Department of Agriculture and other applicable regulations. This provision shall not apply in areas designated in project approvals as buffer areas, mitigation sites, or other areas protected via conservation easements or similar restrictive covenants;

(e) Forest practices governed by a valid forest practices permit granted by the Washington State Department of Natural Resources, except where land is proposed to be converted to non-forest use, as provided in RCW 76.09.050 and 76.09.240 including the provisions of WAC 222-16-050(2):

(i) The lands have been or are proposed to be converted under a conversion option harvest plan to a use other than commercial forest product production as provided in RCW 76.09.050 and 76.09.240;

(ii) On lands which have been platted after January 1, 1960, as provided in RCW 76.09.050 and 76.09.240;

(iii) Forest practices which would otherwise be Class III, but which are taking place on lands which are not to be reforested because of likelihood of future conversion to urban development as provided by WAC 222-16-060 and 222-34-050;

(iv) Forest practices involving timber harvesting or road construction on lands that are contained within urban growth areas, designated pursuant to Chapter 36.70A RCW.

(2) The following actions shall be allowed subject to the specific performance standards enumerated, compliance with other applicable regulations and implementation of BMPs designed to reduce or eliminate effects on critical areas:

(a) Normal and routine maintenance and operation of existing public and private detention facilities, wastewater treatment facilities, grass-lined swales, instream detention facilities, flood control facilities, or similar facilities; provided, that activities do not expand the facility beyond the approved dimensions;

(b) Maintenance, operation, repair, reconstruction or replacement of existing utility facilities and associated rights-of-way, including but not limited to reasonable existing access roads; except replacement of facilities within a water body, wetland or associated buffer that results in additional disturbance of a critical area or associated buffer;

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

(d) The removal with hand labor and light equipment of any invasive vegetation designated by the Lewis County weed control board and, in addition, English ivy (*Hedera helix*); Himalayan blackberry (*Rubus discolor*, *R. braceros*); and evergreen blackberry (*Rubus laciniatus*);

(e) Any projects currently under review and "vested" under common law, state law, or local law, and as that term is used in RCW 19.27.095 and 58.17.033 prior to official adoption of the ordinance codified in this chapter are exempt from this chapter and will be processed under previous critical areas protection measures.

(3) Alteration of critical areas and buffers may be allowed for water-dependent or water-oriented uses permitted in accordance with the Lewis County shoreline master program (SMP) where the facility is located, designed, constructed, and operated to minimize and, where possible, avoid critical area and buffer area disturbance to the maximum extent feasible; and impacts are mitigated in accordance with this chapter. [Ord. 1204 Exh. A § 2, 2008]

17.35A.460 Application requirements.

No separate "application" or permit is required if the criteria and requirements of this section are addressed in connection with a land use or development permit required by Lewis County. An activity that alters a critical area or associated buffer that is not addressed by an existing permit shall require an approval that shall be administered in accordance with procedures adopted by the administrator. [Ord. 1204 Exh. A § 2, 2008]

17.35A.470 Designation of the administrator.

(1) The planning manager of the Lewis County department of community development or his or her designee shall be responsible for applying the provisions and requirements of this chapter.

(2) The director is authorized to adopt such rules as are necessary and appropriate to implement this chapter.

(3) The director may prepare and require the use of such forms as are necessary to its administration. [Ord. 1204 Exh. A § 2, 2008]

17.35A.480 Appeals.

(1) Any decision of the administrator in the administration of this chapter may be appealed in accordance with the appeal provisions provided in the underlying permit. If no appeal is provided, the applicant may submit an appeal to the hearing examiner. The decision shall be based on the record at the time the decision was issued.

(2) Appeals shall be filed in writing in duplicate with the hearing examiner within 10 calendar days of the date of the action being appealed. The appeal must specify the code section under which error is alleged and state facts from the record to demonstrate prima facie violation of the section in question.

(3) Upon the filing of an appeal, the hearing examiner shall set the time and place at which the matter will be considered. At least 10 calendar days' notice of such time and place, together with one copy of the written appeal, shall be given to the appellant. The appeal shall follow the requirements for a closed record appeal in Chapter 2.25 LCC.

(4) The hearing examiner may reverse or affirm wholly or in part the decision of the administrator. The hearing examiner may also remand if it appears that new or supplemental information may change the result reached. [Ord. 1204 Exh. A § 2, 2008]

17.35A.490 Penalties and enforcement.

(1) It shall be unlawful for any person, firm, corporation, or association, or agent thereof, to violate any provision of this chapter.

(2) Each violation of this chapter or of any regulation, order, or ruling promulgated hereunder shall be subject to enforcement pursuant to LCC 1.20.020. In addition, pursuant to LCC 1.20.010 any violation of this chapter shall be a misdemeanor under RCW 36.32.120(7).

(3) In addition to or in lieu of the above penalty, an action may be instituted in superior court to prevent, restrain, correct or abate any violation of this chapter, or of any order or ruling made in connection with administration or enforcement. The court shall adjudge to the plaintiff such relief, by way of injunction (which may be mandatory) or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purposes of this chapter and of the regulations adopted and orders and rulings made pursuant thereto. [Ord. 1204 Exh. A § 2, 2008]

17.35A.520 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, 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 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 or other approval issued pursuant to the provisions of this chapter, except one-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 is allowed if expansion outside the critical area or buffer is not feasible, and provided the expansion is outside a waterbody or wetland and in the direction opposite from the critical areas protected, does not increase that footprint by more than 25 percent and; provided, that if on a geologically hazardous area a technical report demonstrates that the use does not constitute a risk to occupants or adjacent lands;

(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

(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, except as provided in subsection (2) of this section. [Ord. 1204 Exh. A § 2, 2008]

17.35A.530 Reasonable use and variances.

Permit applicants who are unable to comply with the specific standards of this chapter may seek approval pursuant to the reasonable use or variance standards and procedures provided for in this section. If an applicant for a proposal demonstrates to the satisfaction of the administrator that application of the standards of this chapter would constitute an extraordinary hardship to the applicant, a variance to such standards shall be granted if the applicant also demonstrates all the following to the satisfaction of the administrator:

(1) Reasonable Use Standard. This chapter is not intended to preclude all reasonable economic use of property. If the application of this chapter would deny all reasonable economic use of the subject property, including agricultural use, use or development shall be allowed if an applicant for a proposal demonstrates all the following to the satisfaction of the administrator:

(a) There is no portion of the site where the provisions of this chapter allow reasonable economic use, including agricultural use or continuation of legal nonconforming uses;

(b) That there is no feasible alternative to the proposed activities, including locating the activity on a contiguous parcel that has been under the ownership or control of the applicant since the effective date of the ordinance codified in this chapter, change in use, reduction in density, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the critical area and its related buffer;

(c) That the proposed activities will result in minimum feasible alteration or impairment to the critical area's functional characteristics and its existing environment;

(d) That disturbance of critical areas has been minimized by locating any necessary alteration as far as possible from critical areas and the project employs all reasonable methods to avoid or mitigate adverse effects on critical area functions and values, including maintaining existing topography, and hydrology and maintaining or enhancing existing vegetation through site planning including road or driveway location. Disturbance or activities shall be located in a related buffer to the extent possible rather than in the critical area;

(e) That the proposed activities will not jeopardize the continued existence of species listed by the federal government or the state as endangered, threatened, or sensitive species or habitats;

~~(f) That the proposed activities will not significantly affect the quality of ground water or surface water quality;~~

(g) That the proposed activities comply with all state, local, and federal laws, including those related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal;

(h) That any and all alterations to critical areas and their related buffers will be mitigated as required by the provisions of this chapter;

(i) That there will be no injury to nearby public or private property and no significant effect upon the health, safety, or welfare of persons within or outside of the property; and

(j) That the inability to derive reasonable economic use of the property is not the result of deliberate actions by the applicant or prior owners after the effective date of the ordinance codified in this chapter.

(k) In the case of development of a single-family dwelling on a single contiguous parcel under one ownership as of the effective date of the ordinance codified in this chapter, the director may approve up to 2,500 square feet of land disturbance as part of ministerial building permit approval without meeting criteria in subsections (1) (a) and (b) of this section; provided, that additional disturbance may be allowed for a driveway required to be longer than 50 feet in order to meet criteria in subsection (1) (d) of this section.

(2) Notice of a reasonable use request shall be given in conjunction with the notice of any permit application; provided, that if such permit application does not require a public hearing, the reasonable use request for a use other than specified in subsection (1)(k) of this section shall be scheduled for hearing before the administrator upon the same notice as provided for other public hearings required by county subdivision ordinance.

(3) Variance Standards. In cases where the reasonable use criteria do not apply, or for variance from other standards of this chapter, the hearing examiner may grant a variance from the requirements in this chapter in accordance with the procedure and criteria in LCC 17.160.010. [Ord. 1204 Exh. A § 2, 2008]

17.35A.540 Nonregulatory incentives.

The following nonregulatory incentives shall apply to all critical areas:

(1) Assessment Relief.

(a) The Lewis County assessor shall consider the impact of the critical area regulations contained in this chapter on property values when determining the fair market value of land.

(b) Any owner of a critical area and its buffer who has dedicated a conservation easement to or entered into a perpetual conservation restriction with a department of the local, state, or federal government; or to a nonprofit organization to permanently control some or all of the uses and activities within this area may request that the Lewis County assessor reevaluate that specific area with those restrictions.

(c) The administrator shall notify the assessor's office of any application of this chapter which results in building restrictions on a particular site.

(2) Open Space. Subject to the criteria established by law, any person who owns a critical area as identified by this chapter may apply for current use assessment pursuant to Chapter 84.34 RCW. The Open Space Tax Act allows Lewis County to designate lands, which should be taxed at their current use value. The county has programs for agricultural lands, small forest lands less than 20 acres in size, and other open spaces. Lewis County has adopted a public benefit rating system which classifies properties on the basis of their relative importance of natural and cultural resources, the availability of public access, and the presence of a conservation easement. These features are given a point value, and the total point value determines the property tax reduction. Lands with an important habitat or species would commonly qualify for this voluntary program. Applications are approved by the board of county commissioners following a public hearing.

(3) Conservation Easement. Any person who owns an identified critical area as defined by this chapter may offer a conservation easement over that portion of the property designated a critical area naming the county or its qualified designee under RCW 64.04.130 as the beneficiary of the easement. The purpose of the conservation easement shall be to protect, preserve, maintain, restore, limit the future use of, or conserve for open space purposes the land designated as critical area(s), in accordance with RCW 64.04.130. Details governing easement restrictions and conditions of acceptance shall be negotiated between property owners and the county. Acceptance of such an easement and the consideration therefor, if any, shall be discretionary with the county and subject to the priorities for and availability of funds.

(a) The administrator may attach such additional conditions of acceptance as deemed necessary to assure the preservation and protection of the affected wetlands and buffers within conservation easements to assure compliance with the purposes and requirements of this chapter.

(b) The responsibility for maintaining conservation easements shall be held by the overlying lot owner(s) or other appropriate entity as approved by the administrator.

(c) Lewis County may establish appropriate processing fees for such conservation easements. [Ord. 1204 Exh. A § 2, 2008]

17.35A.550 SEPA.

This chapter is a written policy of Lewis County enforceable through the State Environmental Policy Act, Chapter 43.21C RCW and specifically RCW 43.21C.065. [Ord. 1204 Exh. A § 2, 2008]

17.35A.560 Judicial or legislative modification.

Should the Growth Management Act (Chapter 36.70A RCW) or the implementing regulations (Chapter 360-190 WAC) be challenged or modified by a court of competent jurisdiction or modified by the legislature in any way affecting this chapter, this chapter shall be brought before the board of county commissioners not less than 30 days after such action is final to determine what, if any, changes may be required by reason of such action. [Ord. 1204 Exh. A § 2, 2008]

17.35A.570 Cost recovery.

Unfunded costs incurred by the county, or its citizens, which are properly chargeable to the state or state agencies shall be billed to such agencies consistent with applicable rules and regulations for such cost recovery. [Ord. 1204 Exh. A § 2, 2008]

17.35A.571 Administration.

(1) When the administrator determines a proposed development or activity is within, abutting, or is likely to adversely affect a critical area or buffer pursuant to the provisions of this chapter, he/she shall:

- (a) Determine the likely presence of a critical area including field verification or consultation with agencies with expertise;
- (b) Determine appropriate use as provided in this code and require project plans to incorporate appropriate setbacks or buffers to avoid critical areas, and meet specific performance standards;
- (c) If needed to establish the presence of critical areas or establish appropriate development or mitigation measures, require a critical area assessment report from the applicant that has been prepared by a qualified professional;
- (d) Review and evaluate the proposal, the critical area report, and relevant information; and
 - (i) Determine whether the development proposal conforms to the purposes and performance standards of this code;
 - (ii) Assess the potential impacts to the critical area and determine if they can be avoided or minimized;
 - (iii) Determine if any mitigation proposed by the applicant is sufficient to protect the functions and values of the critical area and public health, safety, and welfare concerns consistent with the goals, purposes, objectives, and requirements of this code; and

(iv) Impose any required conditions to assure compliance with this code, including mitigation measure implementation and monitoring.

(2) County Permits. Compliance with the requirements of this section shall be considered a material element of any permit approval. All technical analysis shall be by a qualified critical area professional. Information demonstrating compliance with the standards of this section shall be submitted in connection with all proposed development. A written finding of compliance, together with the reasons for such finding, shall be required in connection with the issuance of any county permit for a high intensity use.

(3) Other Agency Permits and Standards. The county desires to limit overlapping regulations and conflicting regulations. To this end, the county recognizes that a number of other permitting agencies do take steps to protect wetland areas. Where permits are required by other agencies in addition to the county, the county shall coordinate review and conditions to the maximum extent feasible. [Ord. 1204 Exh. A § 2, 2008]

17.35A.572 Critical area assessment report authority and use.

(1) When the administrator determines a proposed development is within, abutting, or is likely to adversely affect a critical area or buffer pursuant to the provisions of this chapter, he/she shall have the authority to require a technical study. A qualified professional, as defined by this chapter, shall prepare the report consistent with best available science. The intent of these provisions is to require a reasonable level of technical study and analysis sufficient to protect critical areas. The analysis shall be commensurate with the value or sensitivity of a particular critical area and relative to the scale and potential impacts of the proposed activity.

(2) The assessment report shall:

(a) Demonstrate that the submitted proposal is consistent with the purposes and specific standards of this chapter;

(b) Describe all relevant aspects of the development proposal and critical areas adversely affected by the proposal and assess impacts on the critical area from activities and uses proposed; and

(c) Identify proposed mitigation and protective measures as required by this chapter.

(3) The administrator shall review the critical areas assessment report for completeness and accuracy. The administrator may retain, at the applicant's expense, a qualified professional to perform peer review of the conclusions and may consult with agencies with expertise. The administrator may reject or request revision of the field and literature findings and conclusions reached in a critical areas assessment report when the assessment is inaccurate, incomplete, or does not fully address the critical areas impacts involved.

(4) Critical areas assessment reports shall generally be valid for a period of five years. Future land use applications may require preparation of new or supplemental critical area assessment reports unless it can be demonstrated to the satisfaction of the administrator

that the previously prepared report is adequate for current analysis. The administrator may also require the preparation of a new critical area assessment report or a supplemental report when new information is found demonstrating that the initial assessment is in error. If the administrator requires more information in the report, he/she shall make the request in writing to the applicant stating what additional information is needed and why.

(5) Applicants shall provide reports and maps in an electronic format that allows site data to be incorporated into the county geographic information system (GIS) database; provided, that the administrator may waive this requirement for single-family developments. Applicants are encouraged to coordinate with the administrator regarding electronic submittal guidelines. This requirement shall not be construed as a requirement to use specific computer software. [Ord. 1204 Exh. A § 2, 2008]

17.35A.573 Critical area assessment report general content.

At a minimum, a critical areas assessment report shall include the following information as well as any specific information required in provisions for the specific critical area:

(1) A site plan showing the proposed development footprint and clearing limits, all relevant critical areas and buffers within and abutting the site, a written description of the project, an examination of project on-site design alternatives, and an explanation of why the proposed activity requires a location on, or access across, a critical area and why alternatives are not feasible;

(2) A written description of the critical areas and buffers on or abutting the site, including their size, type, classification or rating, condition, disturbance history, and functions and values;

(3) An analysis of potential adverse critical area impacts associated with the proposed activity including, but not limited to, effects related to clearing, grading, noise, light/glare, drilling, damming, draining, creating impervious surface, managing storm water, releasing hazardous materials, and other alterations;

(4) An analysis of how critical area impacts or risks will be avoided and/or minimized, and/or an analysis of the proposed measures to prevent or minimize hazards. When impacts cannot be avoided, the report shall include a plan describing mitigation that will be provided to replace critical area functions and values altered as a result of the proposal;

(5) The dates, names, and qualifications of the persons preparing the report and documentation of analysis methods including any fieldwork performed on the site; and

(6) Additional information requested by the administrator for the assessment of critical area impacts or otherwise required by the subsequent articles of this chapter. [Ord. 1204 Exh. A § 2, 2008]

17.35A.574 Critical area protective measures.

(1) Signage. The administrator as a condition of permit approval may require that the outer boundary of a critical area or buffer be identified with signs or markers when

needed to minimize potentially harmful intrusions from adjacent land uses, to alert citizens to a potential public health or safety risk associated with a critical area, or to accomplish other objectives specifically provided for elsewhere in this chapter. The administrator shall provide specifications on the type, content, and size of the signs prior to permit approval. The signs shall be posted near primary access points and approximately every 200 feet along the critical area boundary unless the administrator determines that less frequent spacing is adequate considering the size and location of the site.

(2) Notice on Title. The owner of any property containing a critical area or buffer for which a development permit is about to be issued shall record a notice with the county auditor real estate records in a format approved by the administrator and provide a copy of the filed notice to the planning and development services department at the time the permit is issued. The notice shall state the general presence of the critical area or buffer on the property, and the fact that limitations on actions in or affecting the critical area or buffer exist. The notice shall provide that restrictions on use within the critical area exist until such time as the administrator approves a change in restriction and such approval is filed. This notice on title shall not be required for a development proposal by a public agency or public or private utility within a right-of-way or easement for which they do not have fee-simple title.

(3) Easements or Tracts. Prior to final approval of any subdivisions, short subdivisions, or binding site plans, the part of the critical area and required buffer that is located on the site shall be protected by clearly showing the boundary of the critical area and buffer together with a restriction on use as well as one of the following mechanisms:

(a) Placed in a separate tract or tracts owned in common by all lots within a subdivision. This is the preferred means of protection in a subdivision of 10 or more lots or where a mechanism for shared management can be demonstrated. This tract may be dedicated to a public agency or public or private land trust;

(b) Covered by a protective easement, or public or private land trust dedication; or public or private land trust dedication;

(c) Preserved through an appropriate permanent protective mechanism that provides the same level of permanent protection as designation of a separate tract or tracts as determined by the county administrator or hearing examiner.

(4) Building Setback. In order to protect vegetation or other features of the critical area from disturbance during construction, buildings and other structures are to be set back a minimum distance of 15 feet from the edge of a critical area buffer or from the critical area where no buffer is required. This provision may be modified by the administrator upon submittal by the applicant of a specific construction proposal that demonstrates that the buffer area or critical area will not be disturbed. The following uses are allowed in the building setback:

(a) Landscaping;

(b) Uncovered decks;

- (c) Building overhangs;
- (d) Impervious surfaces such as driveways, parking lots, roads, and patios; provided, that such surfaces conform to the applicable water quality standards and that construction equipment does not enter or damage the buffer or critical area;
- (e) Clearing and grading; and
- (f) Wells. [Ord. 1204 Exh. A § 2, 2008]

17.35A.575 General mitigation requirements.

Developments permitted pursuant to this chapter that adversely impact or alter a critical area or buffer shall include mitigation sufficient to minimize risks associated with geologic hazards and/or maintain or replace critical area functions and values.

(1) Mitigation Sequence. When an alteration or impact to a critical area is proposed, the applicant shall demonstrate that all reasonable efforts have been taken to mitigate impacts in the following prioritized order:

- (a) Avoiding the adverse impact altogether by not taking a certain action or parts of an action, or moving the action.
- (b) Minimizing adverse impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology and engineering, or by taking affirmative steps to avoid or reduce adverse impacts.
- (c) Rectifying the adverse impact by repairing, rehabilitating or restoring the affected environment.
- (d) Reducing or eliminating the adverse impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the adverse impact by replacing, enhancing, or providing similar substitute resources or environments and monitoring the adverse impact and the mitigation project and taking appropriate corrective measures.

(2) Mitigation for individual projects may include a sequenced combination of the above measures as needed to achieve the most effective protection or compensatory mitigation for critical area functions. The administrator may enter into an agreement with property owners in conjunction with other regulatory agencies that provides for programmatic mitigation of impacts; provided, that the mitigation program produces equal or greater mitigation of ecological functions as that provided by the specific standards of this chapter.

(3) Mitigation Plan. Compensatory mitigation shall be provided for all unavoidable adverse alterations to a critical area or buffer. A mitigation plan shall be developed in accordance with an approved critical area assessment report. The analysis shall be commensurate with the value or sensitivity of a particular critical area and relative to the scale and potential impacts of the proposed activity.

(4) The mitigation plan shall be prepared by a qualified professional; provided, that the administrator may waive the requirement to hire a qualified professional to prepare a mitigation plan when the required mitigation involves standard planting or enhancement practices. The waiver shall not be granted for mitigation practices involving wetland creation, rehabilitation and/or restoration.

(5) The mitigation plan shall contain the following information:

(a) A description and scaled drawings of the activities proposed to reduce risks associated with geologic hazards and/or flooding, and/or to mitigate for impacts to critical area functions and values. This shall include all clearing, grading/excavation, drainage alterations, planting, invasive weed management, installation of habitat structures, irrigation, and other site treatments associated with the development activities.

(b) Specific information on construction or the proposed mitigation activity including timing, sequence, equipment needs, and best management practices.

(c) A description of the functions and values that the proposed mitigation area(s) shall provide, and/or a description of the level of hazard mitigation provided.

(d) An evaluation of potential adverse impacts on adjacent property owners resulting from the proposed mitigation and measures to address such impacts. Mitigation projects shall not result in adverse impacts to adjacent property owners.

(e) A description of the measurable goals, objectives, and performance standards that the proposed mitigation action(s) shall achieve.

(f) A description of how the mitigation measures will be evaluated and monitored to determine if the performance standards are being met, including a program and schedule for construction and post-construction monitoring of the mitigation project.

(g) Identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates that project performance standards are not being met.

(h) Additional information as required by the administrator or subsequent articles of this chapter. [Ord. 1204 Exh. A § 2, 2008]

17.35A.576 Mitigation monitoring and assurance.

(1) The administrator shall have the authority to require that compensatory mitigation projects be monitored annually for at least five years to establish that performance standards have been met. Required monitoring reports shall be submitted to the county annually during the monitoring period to document milestones, successes, problems, and contingency actions of the compensatory mitigation. The administrator may reduce the monitoring timeframe to three years for minor mitigation projects involving critical area or buffer re-vegetation or vegetation enhancement, but not for projects involving wetland creation, wetland restoration, stream restoration or other activities that require manipulation of soils or water. All mitigation areas shall be maintained and managed to prevent degradation and ensure protection of critical area functions and values subject to

field verification by the administrator.

(2) The administrator shall have the authority to extend the monitoring period, require corrective measures, and/or require additional monitoring reports beyond the initial monitoring period for any project that does not meet the performance standards identified in the mitigation plan, or does not provide adequate replacement for the functions and values of the impacted critical area.

(3) Permanent protection of areas or facilities shall be achieved through deed restriction or other protective covenant.

(4) Mitigation Assurance. The applicant shall demonstrate sufficient capability to implement the mitigation, monitor the site, and make corrections if the project fails to meet projected goals. The administrator may require the following to ensure that the mitigation is fully functional:

(a) The applicant shall post a mitigation surety in the amount of 125 percent of the estimated cost of the uncompleted mitigation actions. The surety shall be based on an itemized cost estimate of the mitigation activity including clearing and grading, plant materials, plant installation, irrigation, weed management, monitoring, and other costs.

(b) The surety shall be in the form of an assignment of funds or other means approved by the administrator.

(c) Surety authorized by this section shall remain in effect until the administrator determines, in writing, that the standards bonded for have been met. Surety shall generally be held by the county for a period of five years to ensure that the required mitigation has been fully implemented and demonstrated to function, and may be held for longer periods when necessary. Surety for construction may be reduced after initial completion in an amount not to exceed the cost of monitoring plus not less than 25 percent of the construction cost.

(d) Depletion, failure, or collection of surety funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, or monitoring.

(e) Public development proposals shall be relieved from having to comply with the bonding requirements of this section if the agency demonstrates public funds have previously been committed for mitigation, maintenance, or monitoring and will be available throughout the monitoring period.

(5) Default. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within 30 days after it is due or comply with other provisions of an approved mitigation plan shall constitute a default, and the county may demand payment of any financial guarantees or require other action authorized by the county code or any other law. Any funds recovered pursuant to this section shall be used to complete the required mitigation. [Ord. 1204 Exh. A § 2, 2008]

17.35A.577 Performance-based critical area standards.

(1) The county may provide for an alternative critical area protection plan for a major development including:

- (a) Fully contained community as provided for in LCC 17.20.060(1).
- (b) Master planned resorts as provided for in LCC 17.20.060(2).
- (c) Major industrial developments as provided for in RCW 36.70A.365.
- (d) Public or private parks or recreation facilities, including golf courses, greater than 10 acres.

(2) The alternative critical area protection plan may be used to satisfy the requirements of this code and provide protective measures and buffers that differ from the specific standards and requirements thereof, when it is demonstrated that all of the following circumstances exist:

- (a) The proposed plan results in equal or greater protection and conservation of critical areas than would be achieved using the standards of this code as demonstrated through scientific analysis of the ecological processes, functions and values provided by the plan in comparison to the standards of this code.
- (b) The plan shall include baseline studies that clearly describe the ecological processes, functions and values provided by the existing site and how those processes relate to watershed or similar scale functions.
- (c) The plan shall contain specific use and management strategies to achieving equal or greater protection and conservation of critical areas and shall document through scientific analysis when, where, and how such strategies are equivalent to or more effective than compliance with the specific standards of this code.
- (d) The plan shall contain clear and measurable standards for achieving compliance with the specific provisions of the plan. A monitoring and adaptive management plan shall specify how such standards will be monitored and measured over the life of the plan, and provide a fully funded contingency plan with appropriate performance assurances if any element of the plan does not meet standards for performance. Phased plans or reserved areas may be specified to limit build-out of the entire site until monitoring of early phases demonstrates the success of the approach.
- (e) The proponent(s) shall demonstrate the organizational and fiscal capability to carry out the purpose and intent of the plan, including establishment of corporate entities capable of sustaining funding through public or private assessments.
- (f) The plan shall be prepared by qualified professionals in each of the critical areas addressed and shall be peer reviewed by qualified professionals representing the county and/or by agencies with expertise. The plan and supporting information shall be provided to other agencies with permit authority over features of the plan with an

adequate review and comment period.

(3) The plan shall be reviewed and approved as part of overall approval of the proposed use, or if a specific approval process is not specified, in accordance with the provisions for a special use permit in LCC 17.160.020. Consultation with agencies with expertise and jurisdiction over the resources may be incorporated into the review to assist with analysis and identification of appropriate performance measures that adequately safeguard critical areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.578 Mitigation banking.

(1) The county may approve mitigation banking as a form of compensatory mitigation for wetland and habitat conservation area impacts when the provisions of this chapter ~~require mitigation and when it is demonstrated that the use of a bank will provide~~ equivalent or greater replacement of critical area functions and values when compared to on-site mitigation; provided, that all of the following criteria are met:

(a) Banks shall only be used when they provide significant ecological benefits including long-term conservation of critical areas, important species, habitats and/or habitat linkages, and when they are consistent with the county comprehensive plan and create a viable alternative to the piecemeal mitigation for individual project impacts to achieve ecosystem-based conservation goals.

(b) The bank shall be established in accordance with the Washington State Draft Mitigation Banking Rule Chapter 173-700 WAC or as revised, Chapter 90.84 RCW, and the federal mitigation banking guidelines as outlined in the Federal Register Volume 60, No. 228, November 28, 1995. These guidelines establish the procedural and technical criteria that banks must meet to obtain state and federal certification.

(c) Preference shall be given to mitigation banks that implement restoration actions that have been identified formally by an adopted watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a Salmonid Recovery Plan or project that has been identified on the Salmon Recovery Board Habitat Project List or by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement.

(2) Mitigation banks shall require an administrative use permit as provided by LCC 17.160.050(3) and shall be subject to a formal review process including public review as follows:

(a) The bank sponsor shall submit a bank prospectus for county review. The prospectus shall identify the conceptual plan for the mitigation bank, including:

(i) The ecological goals and objectives of the bank;

(ii) The rationale for site selection, including a site map and legal description of the prospective bank site;

(iii) A narrative demonstrating compliance with the Comprehensive Plan, associated development standards and this chapter, watershed planning documents prepared and adopted pursuant to Chapter 90.32 RCW, and/or the

Salmonid Recovery Plan;

(iv) A description of the existing site conditions and expected changes in site conditions as a result of the banking activity, including changes on neighboring lands;

(v) Conceptual site design;

(vi) Description of the proposed protective mechanism such as a conservation easement; and

(vii) Demonstration of adequate financial resources to plan, implement, maintain, and administer the project.

(b) The administrator shall review the bank prospectus either by participating in the state's Mitigation Bank Review Team (MBRT) process and/or by hiring independent, third-party expertise to assist in the review.

(c) If the administrator determines that the bank prospectus is complete, technically accurate, and consistent with the purpose and intent of this chapter, he/she shall schedule review of an administrative use permit as provided by LCC 17.160.050(3).

(d) Approval of an administrative use permit as provided by LCC 17.50.0505(1) shall be considered a conditional notice to proceed. The approval shall not be construed as final approval of the bank proposal, but shall indicate approval to proceed with the development of the mitigation bank instrument, which details all of the legal requirements for the bank.

(e) Upon receipt of a draft mitigation banking instrument from the bank sponsor and major project permit application, the administrator shall review the banking instrument in consultation with the MBRT and/or other third-party expert. Following review of the mitigation banking instrument and major project permit, the administrator shall certify and approve, conditionally certify and approve, or deny the bank proposal in accordance with the conditions of the administrative use permit.

(3) The award of bank credits for an approved bank may be based on habitat acreage, habitat quality, and contribution to a regional conservation strategy that has been approved by the county and other appropriate regulatory agency(ies). Credit availability may vary in accordance with agreed upon performance criteria for the development of the resource value in question. Awarded bank credits, subject to the approval of the county and regulatory agency(ies), may be made transferable. Whether out-of-kind mitigation credit will be allowed at a particular bank will require a fact-specific inquiry on a case-by-case basis for the project creating the impacts. [Ord. 1204 Exh. A § 2, 2008]

Article IV(A). Wetlands

17.35A.580 Identification.

(1) Wetlands shall be identified in accordance with the requirements of RCW 36.70A.175. Unless otherwise provided for in this chapter, all areas within the county meeting the

criteria in the Washington State Wetlands Identification and Delineation Manual (Ecology Publication No. 96-94), as revised, are hereby designated critical areas and are subject to the provisions of this chapter.

(2) The administrator may accept the delineation of a specific wetland performed by or for other agencies where a formal delineation was performed in conjunction with a referenced permit with equivalent methodology.

(3) The administrator may accept a written determination by the U.S. Army Corps of Engineers, or the Washington State Department of Ecology (Ecology) that a specific parcel is not a wetland, as long as the determination is still applicable under state or federal law. [Ord. 1204 Exh. A § 2, 2008]

17.35A.590 Classification.

(1) Classes of Wetlands. Wetlands shall be rated based on categories that reflect the functions and values of each wetland. Wetland categories shall be based on the criteria provided in the Washington State Wetland Rating System for Western Washington, revised August 2004 (Ecology Publication No. 04-06-025), as determined using the appropriate rating forms contained in that publication. These categories are generally defined as follows:

(a) Category IV Wetlands. Category IV wetlands are wetlands of limited resource value as indicated by a total rating system score of less than 30 points on the Ecology rating forms. They typically have vegetation of similar age and class, lack special habitat features, and/or are isolated or disconnected from other aquatic systems or high quality upland habitats.

(b) Category III Wetlands. Category III wetlands have important resource value as indicated by a total rating system score of between 30 and 50 points on the Ecology rating forms.

(c) Category II Wetlands. Category II wetlands have significant value based on their function as indicated by a total rating system score of between 51 and 69 points on the Ecology rating forms. They do not meet the criteria for Category I rating but occur infrequently and have qualities that are difficult to replace if altered.

(d) Category I Wetlands. Category I wetlands are those wetlands of exceptional value in terms of protecting water quality, storing flood and storm water, and/or providing habitat for wildlife as indicated by a total rating system score of 70 points or more on the Ecology rating forms. These are wetland communities of infrequent occurrence that often provide documented habitat for sensitive, threatened or endangered species, and/or have other attributes that are very difficult or impossible to replace if altered. [Ord. 1204 Exh. A § 2, 2008]

17.35A.591 Exemption.

(1) Wetlands with an area of 1,000 square feet or less shall be exempt from these regulations, where it has been shown by the applicant that they:

(a) Are not associated with a riparian corridor;

(b) Are not part of a wetland mosaic; and

(c) Do not contain habitat identified as essential for local populations of priority species identified in LCC 17.35A.651 and 17.35A.720.

(2) Category III and IV wetlands 2,500 square feet or less that meet the criteria in subsection (1) of this section, and that do not score 20 points or greater in the habitat score, may be displaced with mitigation as specified in LCC 17.35A.620. [Ord. 1204 Exh. A § 2, 2008]

17.35A.600 Allowed activities in wetlands and buffers.

(1) The following uses are allowed in wetland or buffer areas subject to the priorities, protection, and mitigation requirements of this article:

(a) Utility lines serving local delivery systems, hydroelectric generating facilities not including electrical substations, sewage pumping stations, and petroleum product pipelines not including transformers or other facilities containing hazardous substances may be located in Category II, III, and IV wetlands and their buffers and/or Category I wetland buffers when no feasible conveyance alternative is available. These facilities shall be designed and constructed to minimize physical, hydrologic, and ecological impacts to the wetland, if the following criteria are met:

(i) There is no reasonable location outside the wetland or wetland buffer based on analysis of system needs, available technology, and alternative routes. Location within a wetland buffer shall be preferred over a location within a wetland.

(ii) The utility line is located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and vegetation.

(iii) Clearing, grading, and excavation activities are limited to the minimum necessary to install the utility line, which may include boring, and the area is restored following utility installation.

(iv) Buried utility lines shall be constructed in a manner that prevents adverse impacts to subsurface drainage. This may include the use of trench plugs or other devices as needed to maintain hydrology.

(v) Impacts on wetland functions are mitigated in accordance with LCC 17.35A.620.

(b) Public and private roadways and railroad facilities, including bridge construction and culvert installation, if the following criteria are met:

(i) There is no reasonable location outside the wetland or wetland buffer based on analysis of system needs and alternative routes. Location within a wetland buffer shall be preferred over a location within a wetland.

(ii) Facilities parallel to the wetland edge are located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and

vegetation.

(iii) Clearing, grading, and excavation activities are limited to the minimum necessary, which may include placement on elevated structures as an alternative to fill, where feasible.

(iv) Impacts on wetland functions are mitigated in accordance with LCC 17.35A.620.

(c) Access to private development sites may be permitted to cross Category II, III, or IV wetlands or their buffers, pursuant to the criteria in subsection (1)(b) of this section. Alternative access shall be pursued to the maximum extent feasible.

Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified, including placement on elevated structures as an alternative to fill, if feasible.

(d) Maintenance, repair, or operation of existing structures, facilities, or improved areas, including minor modification of existing serviceable structures within a buffer zone where modification does not adversely impact wetland functions.

(e) Storm water conveyance or discharge facilities such as dispersion trenches, level spreaders, and outfalls may be permitted within a Category II, III, or IV wetland buffer on a case-by-case basis if the following are met:

(i) Due to topographic or other physical constraints, there are no feasible locations for these facilities to discharge to surface water through existing systems or outside the buffer. Locations and designs that infiltrate water shall be preferred over a design that crosses the buffer.

(ii) The discharge is located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and vegetation and avoids long-term rill or channel erosion.

(f) Regional storm water detention/retention facilities, identified in an adopted plan of an appropriate public agency if adopted after implementation of these regulations, and if the plan has undergone review for compliance with this chapter.

(g) On-site sewage disposal system conventional drainfields may be permitted in the outer 50 percent of a Category II, III and IV wetland buffer when they are an accessory to an approved residential structure, if the following conditions are met:

(i) It is not feasible to connect to a public sanitary sewer system.

(ii) There is no reasonable location outside the wetland buffer based on analysis of conditions within the contiguous property owned by the applicant.

(iii) The facility is located as far from the wetland edge as possible and is designed and constructed in a manner that minimizes disturbance of soils and vegetation.

(iv) Clearing, grading, and excavation activities are limited to the minimum necessary and the area is restored following installation.

(h) Conservation, preservation, or enhancement projects that protect functions and values of the critical area system, including activities and mitigation, are allowed pursuant to the mitigation priorities identified in LCC 17.35A.030(4).

(2) The following uses are necessary to fully enjoy and understand wetlands or to provide resource activities and are permitted without any specific protection or mitigation other than may be identified in an applicable permit:

(a) Outdoor recreational or educational activities which do not significantly affect the function of the wetland or regulated buffer (including wildlife management or viewing structures, outdoor scientific or interpretive facilities, trails, hunting blinds, etc.) and meet the following criteria:

(i) Trails shall not exceed four feet in width and shall be made of gravel or pervious material.

(ii) The trail or facility is located in the outer 25 percent of the buffer of a Category I and II wetland and the outer 50 percent of the buffer of other wetlands, unless a location closer to the wetland edge is required for interpretive purposes.

(iii) The trail or facility is constructed and maintained in manner that minimizes disturbance of the wetland or buffer and avoids removal of trees in excess of four inches in diameter. Trails or facilities within wetlands shall be placed on an elevated structure as an alternative to fill.

(b) Harvesting wild crops which do not significantly affect the function of the wetland or regulated buffer (does not include tilling of soil or alteration of wetland area).

[Ord. 1204 Exh. A § 2, 2008]

17.35A.605 Use intensity.

(1) Low intensity uses and activities are those that provide a context in which many of the ecological functions related to wetlands can occur on adjacent land subject to low intensity uses and activities outside of protected areas. Land alteration associated with low intensity uses is slight and human activities are infrequent or at a low level of intensity. Wildlife habitat functions in particular are accommodated to a large extent on land subject to low intensity use. Low intensity uses, facilities, and activities include, but are not limited to:

(a) Forestry;

(b) Low intensity open space uses and activities, including but not limited to hiking, bird-watching, hunting, and similar activities;

(c) Unpaved trails; provided, that the width does not exceed four feet and is on slopes no greater than 35 percent;

(d) Utility corridors without maintenance roads and with little to no periodic vegetation management; and

(e) Harvesting wild products, including the gathering of mushrooms, pinecones, and understory plants involving limited and isolated excavation, but not including tilling of soil.

(2) Moderate intensity uses and activities provide a context in which a limited number of the ecological functions related to wetlands can occur on adjacent land subject to moderate intensity uses and activities listed outside of protected areas. The proximity impacts of moderate intensity uses are either of moderate frequency or a moderate level. Wildlife habitat uses in particular are accommodated to a limited extent on land subject to moderate intensity use and activities. Uses, facilities, and activities include, but are not limited to:

(a) Residential use at one unit/acre or less;

(b) Parks characterized by open space without extensive areas of turf and largely limited to interpretive facilities and trails;

(c) Paved trails; provided, that the width does not exceed 10 feet and on side slopes no greater than 35 percent;

(d) Logging roads and farm access roads that are unpaved and used primarily for access to forests or farmland on less than a daily basis, except during harvest periods; and

(e) Utility corridors or right-of-way shared by several utilities and including access/maintenance road.

(3) High intensity uses and activities provide a context in which few of the ecological functions related to wetlands can occur on adjacent land. The proximity impacts of such uses are great and require buffering for attenuation. Few habitat functions are provided on lands devoted to high intensity uses. Uses, facilities, and activities include, but are not limited to:

(a) Residential use at greater than one unit/acre;

(b) Commercial use;

(c) Industrial use;

(d) Institutional use;

(e) Retail use; and

(f) Park and recreation uses and facilities involving a high level of alteration of the natural environment, parking and recreation areas, and areas often associated with use of fertilizers, pesticides, and herbicides and include, but are not limited to, golf courses, ball fields, recreation centers, and similar uses. [Ord. 1204 Exh. A § 2,

2008]

17.35A.610 Protection.

Protection of wetland areas may be accomplished through one or a combination of the factors set forth in this section:

(1) Buffers.

(a) For wetlands that have a low level of function for wildlife habitat as indicated by a habitat function score of less than 20 points on the wetland rating form (Ecology Publication No. 04-06-025), the buffers shall be as follows:

Wetland Category	Use Intensity		
	Low Intensity	Moderate Intensity	High Intensity
Category IV	25	40	50
Category III	50	60	80
Category II	50	75	100
Category I	50	75	100

(b) For wetlands that have a moderate level of function for wildlife habitat as indicated by a habitat function score of 20 to 28 points on the wetland rating form (Ecology Publication No. 04-06-025), the buffers shall be as follows:

Wetland Category	Use Intensity		
	Low Intensity	Moderate Intensity	High Intensity
Category IV	25	40	50
Category III	60	100	150
Category II	75	See subsection (2) of this section	See subsection (2) of this section
Category I	125	See subsection (2) of this section	See subsection (2) of this section

(c) For wetlands that have a high level of function for wildlife habitat as indicated by a habitat function score of 29 points or more on the wetland rating form (Ecology Publication No. 04-06-025), the buffers shall be as follows:

Use Intensity
Moderate

Wetland Category	Intensity	High Intensity	Low Intensity
	Buffer Width (feet)		
Category IV	25	40	50
Category III	75	110	150
Category II	100	See Subsection (2) of this section	See Subsection (2) of this section
Category I	100	See Subsection (2) of this section	See Subsection (2) of this section

(2) Buffer Standards for Moderate and High Wildlife Function for Category II and III Wetlands.

The administrator may use the following buffer dimensions as an alternative for those indicated above, based on the habitat function score from the wetland rating form (Ecology Publication No. 04-06-025).

Points for Habitat from Wetland Rating Form																		
	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
High Intensity Land Use	100	110	120	130	140	150	170	190	210	230	250	270	280	290	300	300	300	300
Moderate Intensity Land Use	75	80	85	95	110	125	135	145	160	175	190	210	225	225	225	225	225	225

(3) Provisions for single-family development on parcels of five acres or greater:

(a) The following buffers may be utilized for single-family residences and accessory buildings on parcels of five acres or more in size, provided the standards in subsection (3)(b) of this section are met:

Wetland Category	Habitat Points		
	Less than 20	20 to 28	29 or greater
	Buffer Width (feet)		
Category IV	25	25	NA
Category III	40	60	75

Category II	50	80	100
Category I	50	100	150

(b) In order to utilize the buffers in subsection (3)(a) of this section, the development and use adjacent to the buffer must meet the following standards:

- (i) The site must be on average slopes of 25 percent or less;
- (ii) A single-family dwelling and accessory structures may be located within 100 feet of the buffer if no other location further from the critical area is feasible. If located within 100 feet of the buffer, the single-family dwelling and accessory structures shall not result in more than 5,000 square feet of vegetation disturbance;
- (iii) All drainage from impervious surfaces shall be infiltrated;
- (iv) At the perimeter of the developed area appropriate measures shall be implemented to control intrusion of domestic animals into the buffer area and a continuous row of native coniferous trees shall be planted to attenuate light and glare impacts and visibility of the development for wildlife from within the buffer;
- (v) The relative density of forest within the buffer must be 20 or greater with native understory. If the relative density is less than 20, the buffer shall be planted with native coniferous seedlings or native deciduous trees, or a combination, based on the native plants characteristics of the site. Plantings shall result in a post-planting (simple) density of not less than 300 trees per acre (including existing coniferous and deciduous trees greater than six inches in diameter). Native understory must be present or installed throughout the buffer area at densities characteristic of native evergreen forests, or native understory shall be planted at native densities. If planting is required, plant survival will be monitored annually for five years following planting, with plant survival a minimum of 80 percent over the monitoring period.

(4) Other Protections. Uses with proximity impacts such as noise, light, glare or other characteristics that may affect wetland ecological functions may be required to provide greater buffers than indicated, or provide site design and layout or operational measures to reduce those impacts to levels appropriate to the designated buffer including screening of the buffer edge with dense plantings or fencing.

(5) Order of Precedence. The setbacks for all critical areas shall be overlapping and the most restrictive shall apply. [Ord. 1204 Exh. A § 2, 2008]

17.35A.611 Buffer width reduction with specific mitigation.

(1) The administrator may allow reduction of buffer dimensions as provided below, provided the specific mitigation measures in subsection (2) of this section are incorporated into adjacent development:

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Mitigated Buffer Width - Points for Habitat from Wetland Rating Form

	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
Buffer	75	80	85	95	110	125	135	145	160	175	190	210	225	225	225	225	225	225

(2) The specific mitigation measures that shall be incorporated into adjacent development in order to utilize the buffer dimensions specified in subsection (1) of this section shall be as follows; provided, that the administrator may approve alternative measures that are demonstrated by the applicant to have equivalent effectiveness in reducing impacts on wetland functions:

Impact Type	Typical Facility	Measures to Reduce Impacts
Storm water runoff	<ul style="list-style-type: none"> • Parking lots • Roads • Manufacturing • Residential areas • Commercial • Landscaping 	<ul style="list-style-type: none"> • Provide storm water detention and treatment meeting 2005 Storm Water Management Manual for all impervious surfaces that drain to the wetland • Provide infiltration, except where soil conditions preclude • Prevent flow from lawns that directly enters the buffer through swales or other interception
Lights	<ul style="list-style-type: none"> • Residential • Warehouses • Manufacturing • Parking lots 	<ul style="list-style-type: none"> • Provide no or few windows on buildings adjacent to wetlands • Do not locate parking lots adjacent to wetland, or provide light mounting of less than five feet and provide screening through fencing and vegetation • Do not place building security lights on the side of buildings adjacent to the wetland
Noise	<ul style="list-style-type: none"> • Residential • Commercial • Warehouse • Manufacturing 	<ul style="list-style-type: none"> • Locate activity that generates noise away from wetland • Place loading areas, garbage pickup and other pickup/delivery functions on the building side furthest removed from the wetland
Toxic runoff	<ul style="list-style-type: none"> • Pesticides • Herbicides • Fertilizer 	<ul style="list-style-type: none"> • Provide non-turf landscaping within 25 feet of buffer • Require development and implementation of integrated pest management plan to reduce chemical use
Pets and human disturbance	<ul style="list-style-type: none"> • Residential areas 	<ul style="list-style-type: none"> • Fence buffer area with chain link or equivalent fencing • Plant dense native vegetation to delineate buffer edge
Lack of native	<ul style="list-style-type: none"> • Buffer will not 	<ul style="list-style-type: none"> • Ensure minimum vegetation relative density of

vegetation in buffer	provide functions	20 or plant to 300 stems per acre
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[Ord. 1204 Exh. A § 2, 2008]

17.35A.612 Averaging buffer widths.

The width of a buffer may be averaged, thereby reducing the width of a portion of the buffer and increasing the width of another portion, if all of the following requirements are met:

(1) Averaging to improve wetland protection may be permitted when all of the following conditions are met:

- (a) The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a "dual-rated" wetland with a Category I area adjacent to a lower rated area.
- (b) The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the wetland and decreased adjacent to the lower functioning or less sensitive portion.

(2) Averaging to allow reasonable use of a parcel may be permitted when all of the following are met:

- (a) Buffer averaging is necessary to accommodate existing conditions, such as topography, existing roads, or other public facilities, or similar features that prevent reasonable development in compliance with standard buffers.
- (b) There are no feasible alternatives to the site design that could be accomplished without buffer averaging.
- (c) Averaging will not impair or reduce the habitat, water quality purification and enhancement, storm water detention, ground water recharge, shoreline protection, erosion protection, and other functions of the wetland and buffer as demonstrated by a report from a qualified wetland professional.

(3) Any buffer averaging must meet the following criteria:

- (a) The total area of the buffer on the subject property is not less than the buffer which would be required if averaging was not allowed and all increases in buffer dimension for averaging must be generally parallel to the wetland boundary to avoid creating buffer panhandles.
- (b) No part of the width of the buffer is less than 75 percent of the required width or as specified in the table below, or if the criteria in subsection (2) of this section are met, whichever results in a greater buffer.

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Wetland Category	Use Intensity		
	Low Intensity	Moderate Intensity	High Intensity
	Buffer Width (feet)		
Category IV	50	50	50
Category III	50	60	80
Category II	50	75	100
Category I	50	75	100

[Ord. 1204 Exh. A § 2, 2008]

17.35A.620 Mitigation.

(1) Where a project requires the disruption of a wetland, the wetland system, function, and values shall be protected or enhanced through mitigation as specified in this section. A mitigation plan shall be prepared that describes how the proposed mitigation will replace the functions and values of the altered wetland.

(2) Wetland Mitigation. Alteration of wetlands shall require the creation, restoration, or enhancement of wetlands to provide equivalent or greater functions and values. In order to address the risk and time lag associated with creating, restoring, or enhancing wetlands, the following acreage replacement ratios shall be required, except as provided for in subsections (6) and (7) of this section.

Compensation for wetland alterations shall occur in the following order of preference:

- (a) Re-establishing wetlands on upland sites that were formerly wetlands.
- (b) Rehabilitating wetlands for the purposes of repairing or restoring natural and/or historical functions.
- (c) Creating wetlands on disturbed upland sites such as those consisting primarily of nonnative, invasive plant species.
- (d) Enhancing significantly degraded wetlands.
- (e) Preserving additional buffer area in Category I or II wetlands beyond that required by county standards, or preserving wetlands not required to be preserved by other regulatory programs; provided, that preservation shall only be allowed in combination with other forms of mitigation and when the administrator determines that the overall mitigation package fully replaces the functions and values lost due to development.

These ratios assume that the replacement wetland will be similar in type and structure to the wetland being altered. Acreage replacement ratios are indicated in the table below.

Wetland Mitigation Type and Replacement Ratio*

Wetland Category	Re-establishment	Rehabilitation	Creation	Enhancement
Category IV	1.5:1	2:1 to 3:1	1.5:1 to 2:1	3:1 to 6:1
Category III	2:1	3:1 to 4:1	1.5 to 2:1	4:1 to 8:1
Category II	3:1	4:1 to 6:1	3:1	6:1 to 12:1
Category I	4:1 to 6:1	8:1 to 12:1	6:1	12:1 to 24:1

*Ratio is the replacement area:impact area.

(3) Buffer Mitigation. Compensation for wetland buffer impacts, other than buffer averaging, shall occur at the following minimum ratios:

Category IV - ratio of 1:1

Category III - ratio of 1:1

Category II - ratio of 1.5:1

Category I - 2.5:1

Compensatory mitigation for buffer impacts may include enhancement of degraded buffers by planting native species, removing structures and impervious surfaces within buffers, and other measures.

(4) Special Provisions for Small, Isolated Wetlands. The administrator may exempt one wetland for any contiguously owned parcel from the provisions of this code, if they meet the following criteria:

- (a) Is Category III and does not exceed 2,500 square feet or is Category IV and does not exceed 4,000 square feet;
- (b) Is not associated with a riparian corridor;
- (c) Is not part of a wetland mosaic;
- (d) Does not score 20 points or greater for habitat; and
- (e) Does not contain habitat identified as essential for local populations of priority species identified by Washington Department of Fish and Wildlife.

(5) Adaptive Management Program for Small Isolated Wetlands. The county will implement a monitoring and adaptive management program that includes:

- (a) Collection of survey data on all wetlands exempted;
- (b) Periodic assessment by a qualified professional of data collected and assessment of potential cumulative impacts. Said assessment will include:
 - (i) Assessment at five years after implementation of this provision, or when data

17.35A.622 Wetland mitigation plan.

In addition to meeting the requirements of LCC 17.35A.620, a mitigation plan for wetland and wetland buffer impacts shall meet the following requirements:

(1) The plan shall be based on applicable portions of the latest edition of the Washington State Department of Ecology Guidelines for Developing Freshwater Wetland Mitigation Plans and Proposals, or equivalent;

(2) The plan shall contain sufficient information to demonstrate that the proposed activities are logistically feasible, constructible, ecologically sustainable, and likely to succeed. Specific information to be provided in the plan shall include:

(a) The rationale for site selection including:

(i) General description and scaled drawings of the activities proposed including, but not limited to, clearing, grading/excavation, drainage alterations, planting, invasive plant management, installation of habitat structures, irrigation, and other site treatments associated with the development activities and proposed mitigation action(s);

(ii) A description of the ecological functions and values that the proposed alteration will affect and the specific ecological functions and values the proposed mitigation area(s) shall provide, together with a description of required or recommended mitigation ratios and an assessment of factors that may affect the success of the mitigation program;

(iii) Overall goals of the plan, including wetland function, value, and acreage;

(iv) Description of baseline (existing) site conditions including topography, vegetation, soils, hydrology, habitat features (i.e., snags), surrounding land use, and other pertinent information;

(b) Field data confirming the presence of adequate hydrology (surface and/or ground water) to support existing and compensatory wetland area(s);

(c) Nature of mitigation activities, including area of restored, created, enhanced, and preserved wetland, by wetland type;

(d) Detailed grading and planting plans showing proposed post-construction topography; general hydrologic patterns; spacing and distribution of plant species; size and type of proposed planting stock; watering or irrigation plans; and other pertinent information;

(e) A description of site treatment measures including invasive species removal, use of mulch and fertilizer, placement of erosion and sediment control devices, and best management practices that will be used to protect existing wetlands and desirable vegetation;

(f) A demonstration that the site will have adequate buffers sufficient to protect the

wetland functions into perpetuity;

(g) Specific measurable performance standards that the proposed mitigation action(s) shall achieve together with a description of how the mitigation action(s) will be evaluated and monitored to determine if the performance standards are being met. Identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates that project performance standards are not being met. The performance standards shall be tied to and directly related to the mitigation goals and objectives;

(h) Cost estimates for the installation of the mitigation program, monitoring, and potential corrective actions if project performance standards are not being met;

(3) All compensatory mitigation projects shall be monitored for a period necessary to establish that performance standards have been met, but generally not for a period less than five years. The administrator shall have the authority to extend the monitoring period and require additional monitoring reports for up to 10 years when any of the following conditions apply:

(a) The project does not meet the performance standards identified in the mitigation plan;

(b) The project does not provide adequate replacement for the functions and values of the impacted sensitive area;

(c) The project involves establishment of forested plant communities, which require longer time for establishment;

(d) Reports shall be submitted annually for the first three years following construction and at the completion of years five, seven, and 10 if applicable to document milestones, successes, problems, and contingency actions of the compensatory mitigation;

(4) Mitigation Surety. A performance assurance shall be provided to guarantee installation, monitoring, and performance of mitigation actions in accordance with LCC 17.35A.576; provided, that the time period for the surety may be extended for the length of the monitoring period;

(5) Monitoring Reports. Mitigation monitoring reports shall include information sufficient to document and assess the degree of mitigation success or failure as defined by the performance standards contained in the approved mitigation plan. Information to be provided in annual monitoring reports shall include the following:

(a) Number and location of vegetation sample plots used to document compliance with performance standards;

(b) Measurements of the percent survival of planted material, plant cover, stem density, presence of invasive species, or other attributes;

(c) For sites that involve wetland creation, re-establishment or rehabilitation, and

collected on exempt wetlands reaches 50 sites;

(ii) The assessment shall be reviewed by a peer group consisting of the Washington State Department of Ecology and Washington Department of Fish and Wildlife;

(iii) A staff recommendation and recommendation of Ecology and Washington Department of Fish and Wildlife shall be submitted to the planning commission and board of county commissioners outlining potential changes to this provision of the code to address the results of the assessment;

(c) At the time a wetland mitigation bank is established that includes portions of the county within the receiving area, the county shall consider implementing a mitigation requirement for exempt wetlands within the area served;

(6) Increasing or Decreasing Replacement Ratios. Mitigation ratios may be increased or decreased based on the following circumstances:

(a) Degree of uncertainty as to the probable success of the proposed mitigation;

(b) The period of time between alteration of the wetland and replacement of lost functions and values;

(c) Projected gains or losses in functions and values; provided, that findings of special studies coordinated with agencies with expertise demonstrate that no loss of wetland functions or values results from a reduced ratio; and

(d) A minimum acreage replacement ratio of 1.5:1 shall be required except as provided in subsection (7) and (8) of this section.

(7) Replacing Functions and Values. In lieu of area-based mitigation provided above, an applicant may propose mitigation in the form of equivalent functions and values. Such a proposal shall:

(a) Only be allowed when the wetland being altered is not a Category I or II wetland.

(b) Include documentation (the "report") from a qualified critical area professional that describes how the proposed mitigation will replace or improve upon the functions and values provided by the altered wetland. This shall include a detailed assessment of the functions and values provided by the wetland to be altered and a detailed assessment of the functions and values to be provided by the proposed mitigation action. The report shall demonstrate:

(i) Degree of uncertainty as to the probable success of the proposed mitigation;

(ii) The period of time between alteration of the wetland and replacement of lost functions and values;

(iii) Projected gains or losses in functions and values; provided, that findings of special studies coordinated with agencies with expertise demonstrate that no

loss of wetland functions or values results from a reduced ratio.

(c) Be reviewed by county or other agency staff with expertise in wetland mitigation.

(8) Mitigation Banking. The process of creating wetlands to be used as mitigation for wetland impacts is encouraged. Close coordination with all potential permitting agencies is necessary to implementing a mitigation bank. The provisions of this chapter may be fulfilled by a wetland bank in accordance with LCC 17.35A.591, provided the administrator determines that mitigation is equivalent to that required by this code. [Ord. 1204 Exh. A § 2, 2008]

17.35A.621 Wetland review and reporting requirements.

(1) When critical area maps or other sources of credible information indicate that a site proposed for development or alteration may contain wetlands or wetland buffers, the administrator shall require a site evaluation (field investigation) by a qualified professional to determine whether or not a regulated wetland is present and, if so, its relative location in relation to the proposed project area on site. If the administrator determines that a wetland is more likely to be present, the administrator shall require a wetland study. If no regulated wetlands are present, then a wetland review will be considered complete.

(2) A wetland assessment study describes the characteristics of the subject property and adjacent areas. The assessment shall be completed pursuant to the information provided in LCC 17.35A.620 and include the following:

- (a) Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;
- (b) Determination of the wetland category and standard wetland buffers;
- (c) Field identification and delineation of wetland boundaries. For on-site wetlands, the assessment shall include the dominant and subdominant plant species; soil type, color and texture; sources of hydrology (patterns of surface and subsurface water movement, precipitation, etc.), topography, and other pertinent information;
- (d) Identification of sensitive areas and buffers within 300 feet of the site and an estimate of the existing approximate acreage for each. The assessment of off-site wetlands shall be based on available information and shall not require accessing off-site properties;
- (e) A detailed description of the effects of the proposed development on wetland and buffer function and value, including the area of direct wetland disturbance; area of buffer reduction or averaging including documentation that functions and values will not be adversely affected by the reduction or averaging; effects of storm water management; proposed hydrologic alteration including changes to natural drainage or infiltration patterns; effects on fish and wildlife species and their habitats; clearing and grading impacts; temporary construction impacts; and effects of increased noise, light, or human intrusion; and
- (f) A mitigation plan, if applicable, meeting the requirements outlined in LCC 17.35A.622. [Ord. 1204 Exh. A § 2, 2008]

hydrologic observations of soil saturation/inundation as needed to demonstrate that a site meets the wetland hydrology criterion;

(d) Representative photographs of the site;

(e) A written summary of overall site conditions and recommendations for maintenance actions if needed; and

(f) Other information that the administrator deems necessary to ensure the success of the site. [Ord. 1204 Exh. A § 2, 2008]

17.35A.640 References.

The approximate location and extent of wetland and hydric soils are shown on the county's critical area maps. Maintenance of maps does not imply that land outside mapped areas does not contain wetlands. Preparation and maintenance of such maps shall not create liability on the part of Lewis County, or any officer or employee thereof, for any damages that result from reliance on said maps or any decision lawfully made hereunder. Critical area maps and other information may be relied upon by the administrator as a basis for requiring field investigation and special reports. In the event of a conflict between information contained in the critical area maps and information resulting from a field investigation, the latter shall prevail. The following references provide an indication of wetland locations.

Reference sources:

(1) National Wetland Inventory USGS quadrangle maps on file at the county offices.

(2) Natural Resources Conservation Service, soils map for Lewis County, hydric soils designations. [Ord. 1204 Exh. A § 2, 2008]

Article IV(B). Aquatic Habitat

17.35A.650 Purpose.

Lewis County's policy is to protect fish and aquatic habitat as part of habitat conservation areas classified pursuant to Article IV(C) of this chapter in order to:

(1) Identify and protect areas with which endangered, threatened, and sensitive species have a primary association;

(2) Identify and protect habitats and species of local importance, including those waters of the state, lakes, ponds, and riparian habitat essential to their protection; and

(3) Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. [Ord. 1204 Exh. A § 2, 2008]

17.35A.651 Identification of aquatic habitat.

The following resources are identified as critical areas for the purposes of this chapter:

(1) Endangered, threatened, or sensitive species listed by the Washington Department of Fish and Wildlife together with the areas with which they have a primary association.

(2) Endangered or threatened species listed in accordance with the federal Endangered Species Act together with the areas with which they have a primary association.

(3) Habitats and species of local importance, including:

- (a) Western brook lamprey;
- (b) Pacific lamprey;
- (c) Fresh water mussels; and
- (d) Western toad.

Species may be nominated by agencies of the public in the same manner as provided for wildlife in LCC 17.35.720(6).

(4) Waters of the state as defined in RCW 77.55.011 and 90.56.010, including shorelines of the state as defined in RCW 90.58.010.

(5) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat.

(6) Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.660 Classification.

Streams are classified in accordance with the Washington State Department of Natural Resources (DNR) as provided in WAC 222-16-030 with the following revisions:

(1) "Type S water" means all waters, as inventoried as shorelines of the state under Chapter 90.58 RCW and the rules promulgated pursuant to Chapter 90.58 RCW, including periodically inundated areas of their associated wetlands.

(2) "Type F-A water" means segments of natural waters other than Type S waters, which are within defined channels greater than 10 feet in width, as defined by the ordinary high water mark and periodically inundated areas of their associated wetlands, except as regulated by LCC 17.35A.580, or within lakes, ponds, or impoundments having a surface area of one-half acre or greater at seasonal low water and which in any case contain fish habitat, as well as riverine ponds, wall-based channels, and other channel features that are used by fish for off-channel habitat.

(3) "Type F-B water" means segments of natural waters other than Type S waters which are within defined channels less than 10 feet in width, as defined by the ordinary high water mark and periodically inundated areas of their associated wetlands, except as regulated by LCC 17.35A.580, or within lakes, ponds, or impoundments having a surface area of one-half acre or greater at seasonal low water and which in any case contain fish habitat, as well as riverine ponds, wall-based channels, and other channel features that are used by fish for off-channel habitat.

(4) "Type Np water" means all segments of natural waters within defined channels that

are perennial nonfish habitat. Perennial streams are waters that do not go dry any time of a year of normal rainfall. However, for the purpose of water typing, Type Np waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.

(5) "Type Ns water" means all segments of natural waters within defined channels that are not Type S, F, or Np waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np water. Ns waters must be physically connected by an above-ground channel system to Type S, F, or Np waters. [Ord. 1204 Exh. A § 2, 2008]

17.35A.670 Allowed activities in waters and buffers.

(1) The following uses are specifically allowed in waters and buffer areas subject to the priorities, protection, and mitigation requirements of this article:

(a) Utility lines serving local delivery systems, not including electrical substations, sewage pumping stations, petroleum product pipelines, transformers, or other facilities containing hazardous substances, may cross water bodies and their buffers when no feasible conveyance alternative is available and shall be designed and constructed to minimize physical, hydrologic, and ecological impacts, if the following criteria are met:

(i) There is no reasonable location outside the water body or buffer based on analysis of system needs, available technology, and alternative routes. Location within a buffer shall be preferred over a location within a water body.

(ii) The utility line is located as far from the water body edge as possible and in a manner that minimizes disturbance of soils and vegetation.

(iii) Clearing, grading, and excavation activities are limited to the minimum necessary to install the utility line, which may include boring, and the area is restored following utility installation.

(iv) Buried utility lines shall be constructed in a manner that prevents adverse impacts to subsurface drainage. This may include the use of trench plugs or other devices as needed to maintain hydrology.

(v) Impacts on ecological functions are mitigated in accordance with LCC 17.35A.690.

(b) Public and private roadways and railroad facilities, including bridge construction and culvert installation, if the following criteria are met:

(i) There is no reasonable location outside the water body or buffer based on analysis of system needs and alternative routes. Location within a buffer shall be preferred over a location within a water body.

(ii) Crossings of water bodies shall minimize the buffer area disturbed by alignment as close to perpendicular to the edge of the water body as possible.

(iii) Crossings shall be designed in accordance with the standards in LCC 17.35A.683.

(iv) Impacts on aquatic functions are mitigated in accordance with LCC 17.35A.690.

(c) Access to private development sites may be permitted to cross a water body or its buffer, pursuant to the criteria in subsection (1)(b) of this section. Alternative access shall be pursued to the maximum extent feasible. Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified, including placement on elevated structures as an alternative to fill, if feasible.

(d) Maintenance, repair, or operation of existing structures, facilities, or improved areas, including minor modification of existing serviceable structures within a buffer zone where modification does not adversely impact water-based functions.

(e) Storm water conveyance or discharge facilities such as dispersion trenches, level spreaders, and outfalls may be permitted within the buffer to a water body on a case-by-case basis if the following are met:

(i) Due to topographic or other physical constraints, there are no feasible locations for these facilities to an existing conveyance or outside the buffer. Locations and designs that infiltrate water shall be preferred over a design that crosses the buffer and discharges to surface water.

(ii) The discharge is located as far from the water body as possible and in a manner that minimizes disturbance of soils and vegetation and avoids long-term rill or channel erosion.

(f) Regional storm water detention/retention facilities, identified in an adopted plan of an appropriate public agency if adopted after implementation of these regulations and if the plan has undergone review for compliance with this chapter.

(g) On-site sewage disposal system conventional drainfields may be permitted in the outer 25 percent of a buffer to a water body when accessory to an approved residential structure, if the following conditions are met:

(i) It is not feasible to connect to a public sanitary sewer system;

(ii) There is no reasonable location outside the water body buffer based on analysis of conditions within the contiguous property owned by the applicant;

(iii) The facility is located as far from the water body edge as possible and is designed and constructed in a manner that minimizes disturbance of soils and vegetation; and

(iv) Clearing, grading, and excavation activities are limited to the minimum necessary and the area is restored following installation.

(h) Conservation, preservation, or enhancement projects to protect functions and values of the critical area system, including activities and mitigation allowed pursuant to the mitigation priorities identified in LCC 17.35A.030(4).

(2) The following uses might be necessary to fully enjoy and understand fisheries habitats or to provide resource activities and are permitted without any specific protection or mitigation other than may be identified in an applicable permit:

(a) Outdoor recreational or educational activities which do not significantly affect the function of the fisheries habitat or regulated buffer (including wildlife management or viewing structures, outdoor scientific or interpretive facilities, trails, hunting blinds, etc.) and meet the following criteria:

(i) Trails shall not exceed four feet in width and shall be made of gravel or pervious material.

(ii) The trail or facility is located in the outer 25 percent of buffers to Type S and F waters and the outer 50 percent of other buffers unless a location closer to the edge of the water body is required for interpretive purposes.

(iii) The trail or facility is constructed and maintained in a manner that minimizes disturbance of the water body or buffer and avoids removal of trees in excess of four inches in diameter. Trails or facilities within a water body shall be placed on an elevated structure as an alternative to fill.

(b) Harvesting wild crops which do not significantly affect the function of the fisheries habitat or regulated buffer (does not include tilling of soil or alteration of fisheries habitat area).

(c) Bank protection and flood protection, including flow control structures for regional retention/detention systems when developed in accordance with standards in LCC 17.35A.684.

(d) Instream fish and/or wildlife habitat enhancement.

(3) Stream relocation or restoration when a plan is submitted as part of the critical area study which demonstrates that the following criteria are met:

(a) The relocation or restoration will not significantly degrade water quality, fish or wildlife habitats, or aquifer recharge (if hydrologically connected to a wetland).

(b) The plan must contain and show the following information: a topographic survey showing existing and proposed topography and location of the new stream channel; and provisions for landscaping and long-term maintenance and for filling and revegetating the prior channel, if appropriate.

(c) The relocation will maintain or improve the functions and values of the fisheries habitat system, and if feasible restore a channelized stream to a more natural configuration.

(d) Natural materials and vegetation normally associated with the water body will be utilized.

(e) Spawning, rearing, and nesting areas will be created, if appropriate.

(f) Aquatic populations directly affected by the activity will be re-established, if appropriate.

(g) Current water flow characteristics compatible with fish habitat areas will be maintained.

(h) Relocation of Type S streams (shoreline of the state) shall be prohibited unless the relocation has been identified formally by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement or identified in watershed planning documents prepared and adopted pursuant to Chapter 90.82 RCW, the Salmonid Recovery Plan, or the Salmon Recovery Board Habitat Project List or county shoreline restoration plan.

(4) Timing. Work in or adjacent to water shall be conditioned to avoid time periods when aquatic species are particularly sensitive to damage or disturbance. The administrator may implement this provision through adoption of conditions of the Washington Department of Fish and Wildlife imposed pursuant to Chapter 220-110 WAC, or through specific provisions relating to site and resource conditions. [Ord. 1204 Exh. A § 2, 2008]

17.35A.680 Protection.

(1) Standard Buffer Width Requirements. The buffers for waters regulated under this article shall be as follows:

Stream Type	Buffers
Type S Water - "shorelines of the state" per Chapter 90.58 RCW	150
Type F Water A - waters other than Type S waters that contain fish habitat and have width of greater than 10 feet	150
Type F Water B - waters other than Type S waters that contain fish habitat and have width of less than 10 feet	100
Type Np Water - natural waters that are perennial nonfish habitat streams	75
Type Ns Water - seasonal, nonfish habitat streams	75

(2) Alternative buffer standards for single-family development on parcels of five acres or greater:

The administrator may utilize the following buffer dimensions as an alternative for single-family residences and accessory buildings on parcels of five acres or more in size, in compliance with the standards in LCC 17.35A.610(3), Provisions for single-family development on parcels of five acres or greater.

	Reduction

Stream Type	with Additional Conditions
Type S water - "shorelines of the state" per Chapter 90.58 RCW	100
Type F water A - waters other than Type S waters that contain fish habitat and have width of greater than 10 feet	100
Type F water B - waters other than Type S waters that contain fish habitat and have width of less than 10 feet	75
Type Np water - natural waters that are perennial nonfish habitat streams	50
Type Ns water - seasonal, nonfish habitat streams	50

(3) Measurement. For streams, the buffer shall be measured horizontally in a landward direction from the ordinary high water mark. [Ord. 1204 Exh. A § 2, 2008]

17.35A.681 Averaging buffer width.

The width of a buffer may be averaged, thereby reducing the width of a portion of the buffer and increasing the width of another portion, if all of the following requirements are met as documented in an aquatic assessment report:

(1) Averaging to improve aquatic habitat may be permitted when all of the following conditions are met:

- (a) The water body and buffer has significant differences in characteristics that affect its functions.
- (b) The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the aquatic habitat and decreased adjacent to the lower functioning or less sensitive portion.

(2) Averaging to allow reasonable use of a parcel may be permitted when all of the following are met:

- (a) Buffer averaging is necessary to accommodate existing conditions, such as topography, existing roads, or other public facilities, or similar features that prevent reasonable development in compliance with standard buffers.
- (b) There are no feasible alternatives to the site design that could be accomplished without buffer averaging.
- (c) Averaging will not impair or reduce the habitat, water quality purification and enhancement, storm water detention, ground water recharge, shoreline protection, erosion protection, and other functions of the stream and buffer as demonstrated by a report from a qualified professional.

(3) Any buffer averaging must meet the following criteria:

(a) The total area of the buffer on the subject property is not less than the buffer which would be required if averaging was not allowed and all increases in buffer dimension for averaging must be generally parallel to the edge of the water body to avoid creating buffer panhandles.

(b) No part of the width of the buffer is less than 75 percent of the required width or as specified in the table below, or if the criteria in subsection (2)(b) of this section are met, whichever results in a greater buffer.

(c) Enhancement of reduced buffer areas may be required as necessary to ensure a vegetation community that fully performs buffer function and to ensure that no net loss of buffer functions results from width averaging.

(d) No part of the width of the buffer is less than 75 percent for Type S and F-A waters or 50 percent for Type F-B, Type NP and Type Ns waters, except if the criteria in subsection (2)(b) of this section are met. If the provisions for alternative buffer standards for single-family development on parcels of five acres or greater in LCC 17.35A.680(2) are used, averaging may take place only in compliance with subsection (2) of this section. [Ord. 1204 Exh. A § 2, 2008]

17.35A.682 Riparian buffer increase.

The administrator may increase the width of the standard buffer on a case-by-case basis, based on a critical area study, when a larger buffer is required to:

(1) Protect critical habitats as outlined in LCC 17.35A.720, or to maintain viable populations of priority species of fish and wildlife dependent on a specific water body; or

(2) Protect the function and value of the water body from proximity impacts of adjacent land use, including noise, light, and other disturbance, not sufficiently limited by buffers provided above.

(3) Add protection if adjacent land has a gradient such that buffers will be less effective; in such cases, buffers shall extend to a 30 percent greater dimension where lands within the standard stream buffer in LCC 17.35A.680(1) include slopes in excess of 25 percent and the standard buffer in LCC 17.35A.680(1) is less than 100 feet.

(4) Consider geologic hazards; in such cases, buffers shall extend to the extent required for geologic hazards in LCC 17.35A.922 for slopes of 35 percent or greater, or to a point 25 feet beyond the top of the 35 percent slope, whichever extent is greater. [Ord. 1204 Exh. A § 2, 2008]

17.35A.683 Standards for crossing water bodies.

Public and private roadways and railroad facilities, including bridge construction and culvert installation, may be approved only if the following criteria and standards are met:

(1) There is no reasonable location outside the water body or buffer based on analysis of system needs and alternative routes. Location within a buffer shall be preferred over a location within a water body.

(2) Crossings of water bodies shall minimize the buffer area disturbed by alignment as

close to perpendicular to the edge of the water body as possible.

(3) Facilities parallel to the edge of the water body shall be located as far from the edge as possible and in a manner that minimizes disturbance of soils and vegetation.

(4) Clearing, grading, and excavation activities are limited to the minimum necessary, which may include placement of crossings and approaches on elevated structures as an alternative to fill, where feasible.

(5) Bridges are preferred for all stream crossings and are required for Type S and F-A streams, unless demonstrated to be infeasible. Culverts, where approved, shall be designed according to applicable state and federal guidance criteria for fish passage as identified in Washington Department of Fish and Wildlife Fish Passage Design at Road Culverts, March 1999, and/or the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000 (and subsequent revisions), and in accordance with a state hydraulic project approval. The applicant or property owner shall maintain fish passage through the bridge or culvert. Existing culverts will be removed or corrected if the culvert is detrimental to fish passage or water quality, and a feasible alternative exists, or if part of a road reconstruction and the criteria above for bridges is met.

(6) Facilities design shall demonstrate that the proposal will maintain or enhance ecological functions, through appropriate analysis by qualified professionals, including but not limited to:

(a) Minimize interruption of natural processes such as channel migration;

(b) Maintain existing stream gradient;

(c) Provide for the downstream movement of stream substrate and large woody debris (LWD); and

(d) Provide for the movement of all fish and wildlife including multiple benefits of wildlife corridors by providing adequate horizontal clearance on each side of the ordinary high water mark, and adequate vertical clearance above the ordinary high water mark. [Ord. 1204 Exh. A § 2, 2008]

17.35A.684 Standards for bank stabilization and protection.

Stabilization of the bank or a water body may be approved only when the following criteria and standards are met:

(1) New development shall be designed to avoid the need for bank stabilization. Land division shall be designed to assure that each lot may be developed in the future without the need for structural bank protection.

(2) New or expanded bank stabilization and protection structures shall be allowed only in cases where geotechnical analysis documents that a primary structure is in imminent danger from shoreline erosion caused by natural processes, or where waiting until the need is immediate would foreclose opportunities to avoid impacts on shoreline ecological functions, and where moving the structure outside of the area of erosion is infeasible.

Alternatives that relocate structure and allow natural stream and other processes to continue are preferred.

(3) Replacement of existing bank stabilization or protection structures with a similar structure is permitted if there is a demonstrated need to protect primary uses or structures, or public facilities including roads and bridges, railways, and utility systems. A geotechnical analysis may be required to document that alternative solutions are not feasible or do not provide sufficient protection. Existing structures that are being replaced shall be removed where a net loss in habitat would occur. Replacement structures shall not encroach waterward of the ordinary high water mark or the existing shore defense structure unless the primary use being protected is a residence that was occupied prior to January 1, 1992, and there are overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing stabilization structure.

(4) Groins are prohibited, except as a component of a professionally designed management program that encompasses an entire reach for which alternatives are infeasible, or where installed to protect or restore or enhance ecological functions.

(5) New or expanded bank stabilization and protection structures may be permitted to protect projects with the primary purpose of enhancing or restoring ecological functions, or hazardous substance remediation permits pursuant to Chapter 70.105D RCW when non-structural approaches, such as vegetation planting, and on-site drainage improvements are not feasible or do not provide sufficient protection.

(6) The size of bank stabilization and protection structures shall be limited to the minimum necessary to provide protection for the primary structure or use it is intended to protect.

(7) Hard structural bank stabilization or protection shall generally not be authorized except when a geotechnical report confirms that flexible defense works constructed of natural materials, including soft solutions, bioengineering, or vegetative stabilization, are infeasible.

(8) New, expanded, or replacement bank stabilization or protection structures shall not be permitted unless it can be demonstrated that the proposal will maintain or enhance ecological functions, including but not limited to:

(a) Maintenance of existing stream substrate and gradient;

(b) Recruitment of large woody debris;

(c) Preservation or restoration of nearshore vegetation and shading and temperature attenuation functions; and

(d) Preservation of fish habitat, including that related to anadromous fish. [Ord. 1204 Exh. A § 2, 2008]

17.35A.685 Standards for docks, launch ramps, and instream structures.

Docks, launch ramps, and other instream structures shall comply with the following criteria:

(1) New docks should only be allowed for public access, as an accessory to water-dependent uses, or associated with a single-family residence; provided, that it is designed and used only as a facility for access to watercraft.

(a) To limit the effects on ecological functions, the number of docks should be limited and new subdivisions should employ shared moorage whenever feasible. Docks on shorelines of the state must comply with policies and regulations of the Lewis County shoreline master program.

(b) Docks shall be located and designed to minimize adverse effects on ecological processes through:

(i) Docks shall not be located where they will interfere with:

(A) Maintenance of existing substrate and stream processes gradient;

(B) Recruitment of large woody debris;

(C) Maintenance of nearshore vegetation and shading and temperature attenuation functions; and

(D) Preservation of fish habitat, including that related to anadromous fish.

(ii) Docks shall minimize reduction in ambient light level by limiting width to the minimum necessary and shall not exceed four feet in width, except where specific information on use patterns justifies a greater width. Materials that will allow light to pass through the deck may be required including grating on walkways or gangplanks in nearshore areas.

(iii) Approaches shall utilize piers or other structures to span the entire upper foreshore to the point of intersection with stable upland soils and shall be designed to avoid interfering with stream processes.

(iv) Pile spacing shall be the maximum feasible to minimize shading and avoid a wall effect that would block or baffle currents, sediment movement, or movement of aquatic life forms, or result in structure damage from driftwood impact or entrapment.

(v) Docks should be constructed of materials which will not adversely affect water quality or aquatic plants and animals in the long term.

(2) Launch ramps may be permitted for access to the water for the public, or for residents of a development, or for water-dependent use subject to the following criteria:

(a) Technical studies accompanying an application shall demonstrate that launch ramps will not interfere with fluvial processes.

(b) Ramps shall be placed and maintained near flush with the bank slope. Preferred ramp designs, in order of priority, are:

(i) Open grid designs with minimum coverage of beach substrate;

(ii) Seasonal ramps that can be removed and stored upland;

(iii) Structures with segmented pads and flexible connections that leave space for natural beach substrate and can adapt to changes in beach profile.

(3) Instream structures, including dams, other than those regulated exclusively by the Federal Energy Regulatory Commission shall be permitted only when multiple public benefits are provided and ecological impacts are fully mitigated. Instream structures on shorelines of the state shall be regulated in accordance with the Lewis County shoreline master program. Instream structures on other streams shall require a special use permit as provided by LCC 17.160.020.

(a) Instream structure locations shall avoid areas of high habitat value for aquatic organisms, specifically anadromous fish.

(b) Instream structures shall be designed to produce the least feasible effect on fluvial processes. Small dams that minimize change in gradient shall be preferred.

(c) Instream structures shall provide mitigation of all impacts on aquatic species and habitat.

(d) Fish passage shall be provided for all dams, in accordance with Chapter 77.57 RCW.

(e) A construction bond for 150 percent of the cost of the instream structure shall be filed prior to construction.

(f) A maintenance agreement shall specify responsibility for maintenance, shall incorporate the maintenance schedule specified by the design engineer, shall require annual inspections by a civil engineer licensed in the state of Washington and shall stipulate abandonment procedures which shall include, where appropriate, provisions for site restoration.

(g) Instream structures shall comply with the floodway zero rise requirements as established in the Code of Federal Regulations at 44 CFR 60.3(d)(3). [Ord. 1204 Exh. A § 2, 2008]

17.35A.690 Mitigation conditions.

Unless otherwise provided by this section, mitigation shall be required for loss of area or function and value of water bodies and buffers regulated under this section. When mitigation is required by this section, it shall address restoration, rehabilitation, and compensation in accordance with the following requirements:

(1) Restoration is required when a stream or buffer regulated under this section has been altered prior to project approval unless the alteration was authorized by law, or when streams and/or buffers are temporarily affected by construction or any other temporary phase of a project.

(2) Mitigation is required when a water body or buffer regulated under this section is permanently altered as a result of project approval or activity.

(3) On-site mitigation is preferred so as to assure that the plan results in mitigation for direct impacts resulting from the alteration.

(4) Off-site mitigation will be used only in those situations where appropriate, adequate on-site mitigation is not reasonable or desirable to achieve. Off-site mitigation is allowed where it better serves the purposes of this chapter. When off-site mitigation is allowed, it must occur within the same subdrainage basin as the project impact.

(5) Mitigation shall be completed prior to granting of final occupancy, or the completion or final approval of any development activity for which mitigation measures have been required. Bonding at 150 percent of the cost of uncompleted mitigation activities is an acceptable alternative to completion where a contract to complete the work is in force. [Ord. 1204 Exh. A § 2, 2008]

17.35A.691 Review and reporting requirements.

(1) When critical area maps or other sources of credible information indicate that a site proposed for development or alteration may contain aquatic resources, the administrator may apply the mapped classification of the water body or, where there is uncertainty, may require a site evaluation (field investigation) by a qualified professional to determine whether or not an aquatic resource is present and if so, its relative location in relation to the proposed project area on site. If the administrator determines that an aquatic resource is more likely to be present, the administrator may require a more detailed study and shall require a study if modification of the water body or buffer is proposed. If no regulated aquatic resources are present, then the review will be considered complete.

(2) An aquatic assessment study describes the characteristics of the subject property and adjacent areas. The assessment shall include the following:

(a) Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;

(b) Determination of the aquatic resource category and standard buffers;

(c) Identification of critical areas and buffers within 300 feet of the site and an estimate of the existing approximate acreage for each. The assessment of off-site resources shall be based on available information and shall not require accessing off-site properties;

(d) Proposed development activity; and

(e) A detailed description of the effects of the proposed development on aquatic resources and buffer function and value, including the area of direct disturbance; area of buffer reduction or averaging including documentation that functions and values will not be adversely affected by the reduction or averaging; effects of storm water management; proposed hydrologic alteration including changes to natural drainage or infiltration patterns; effects on fish and wildlife species and their habitats; clearing and grading impacts; temporary construction impacts; and effects of increased noise, light, or human intrusion.

(3) Provisions to reduce or eliminate adverse impacts of the proposed development

activities including, but not limited to:

- (a) Buffering and clustering of development;
- (b) Retention of native vegetation;
- (c) Access limitations;
- (d) Seasonal restrictions on construction activities in accordance with the guidelines developed by the Washington Department of Fish and Wildlife, the U.S. Army Corps of Engineers, the Salmonid Recovery Plan and/or other agency or tribe with expertise and jurisdiction over the subject species/habitat; and
- (e) Other appropriate and proven low impact development techniques. [Ord. 1204 Exh. A § 2, 2008]

17.35A.700 References.

The approximate location and classification of streams and other aquatic resources are shown on the county's critical area maps. Maintenance of maps does not imply that land outside areas mapped does not contain aquatic resources. Preparation and maintenance of such maps shall not create liability on the part of Lewis County, or any officer or employee thereof, for any damages that result from reliance on said maps or any decision lawfully made hereunder. Critical area maps and other information may be relied upon by the administrator as a basis for administering provisions of the code requiring field investigation and special reports. In the event of a conflict between information contained in the critical area maps and information resulting from a field investigation of stream typing, the latter shall prevail. For the location and extent of priority habitat and species protected by this section, the Washington Department of Fish and Wildlife shall be relied upon for providing best available information.

The following references provide an indication of fisheries resources. Field conditions shall be used to determine the existence or extent of any classified stream area.

Reference sources:

- (1) Washington Department of Natural Resources base maps for stream types and topography;
- (2) Washington Department of Fish and Wildlife Washington Rivers Information System, Salmon and Steelhead Inventory. [Ord. 1204 Exh. A § 2, 2008]

Article IV(C). Wildlife Habitat

17.35A.720 Identification.

Lewis County adopts as critical terrestrial wildlife habitat areas:

- (1) The Washington Department of Fish and Wildlife Priority Habitats and Species Recommendations for Species and Habitats, for:
 - (a) Endangered species listed at WAC 232-12-014;

- (b) Threatened species listed at WAC 232-12-001;
 - (c) Sensitive species listed at WAC 232-12-011.
- (2) Bald eagle habitat pursuant to RCW 77.12.655 and WAC 232-12-292.
- (3) Federally designated threatened or endangered species.
- (4) State natural area preserves and natural resource conservation areas including:
- (a) Washington Department of Natural Resources designated natural areas preserves and natural resource conservation areas;
 - (b) Washington Department of Fish and Wildlife-designated wildlife recreation areas;
 - (c) Areas designated for wildlife management by the Federal Energy Regulatory Commission as the result of licensing of dams or other energy resources.
- (5) The following species and their habitat are designated as species of local importance and locally important habitat areas:
- (a) Elk wintering habitat; and
 - (b) Western toad.
- (6) In addition to the species, habitats, and wildlife corridors identified above, the county may designate additional species, habitats of local importance, and/or wildlife corridors as follows:
- (a) In order to nominate an area, species, or corridor to the category of locally important, an individual or organization must:
 - (i) Demonstrate a need for special consideration based on:
 - (A) Declining population;
 - (B) Sensitivity to habitat manipulation;
 - (C) Commercial, recreational, cultural, or other special value; or
 - (D) Maintenance of connectivity between habitat areas;
 - (ii) Propose relevant management strategies considered effective and within the scope of this chapter;
 - (iii) Identify effects on property ownership and use; and
 - (iv) Provide a map showing the general species or habitat location(s).
 - (b) Submitted proposals shall be reviewed by the administrator and may be forwarded to the Washington State Departments of Fish and Wildlife, Natural

Resources, and/or other local, state, federal, and/or tribal agencies or experts for comments and recommendations regarding accuracy of data and effectiveness of proposed management strategies.

(c) If the administrator finds the proposal to be complete and accurate, he shall forward the nomination to the Lewis County planning commission for consideration of whether the nomination is consistent with the purposes and intent of this chapter, as well as the goals and objectives of the Lewis County comprehensive plan and the Growth Management Act. The administrator shall hold public meetings or hearings and take other action as provided by Chapters 17.12 and 17.165 LCC.

The purpose of this section shall be the protection of such habitat consistent with the property rights of the property owners and occupants of Lewis County. [Ord. 1204 Exh. A § 2, 2008]

17.35A.730 Classification.

The designation of a site as a wildlife critical habitat area shall apply to those lands where the habitat in fact exists. [Ord. 1204 Exh. A § 2, 2008]

17.35A.740 Allowed activities in critical wildlife areas and buffers.

(1) The following uses are specifically allowed in critical wildlife habitat or buffer areas subject to the priorities, protection, and mitigation requirements of this article:

(a) Utility lines serving local delivery systems, not including electrical substations, sewage pumping stations, petroleum product pipelines, transformers, or other facilities containing hazardous substances, may be located in terrestrial wildlife habitat areas and their buffers when no feasible conveyance alternative is available and shall be designed and constructed to minimize physical, hydrologic, and ecological impacts to the wetland, if the following criteria are met:

(i) There is no reasonable location outside the terrestrial wildlife habitat areas and their buffers on analysis of system needs, available technology, and alternative routes.

(ii) The utility line is located as far from the terrestrial wildlife habitat areas and their buffers as possible and in a manner that minimizes disturbance of soils and vegetation.

(iii) Clearing, grading, and excavation activities are limited to the minimum necessary to install the utility line.

(iv) Impacts on terrestrial wildlife functions are mitigated in accordance with LCC 17.35A.760.

(b) Public and private roadways and railroad facilities, including bridge construction and culvert installation, if the following criteria are met:

(i) There is no reasonable location outside the terrestrial habitat area and buffer based on analysis of system needs, and alternative routes. Location within a wetland buffer shall be preferred over a location within a wetland.

(ii) Clearing, grading, and excavation activities are limited to the minimum necessary, and are scheduled to avoid the seasons and time periods when species are most sensitive, such as nesting times.

(iii) Impacts on terrestrial wildlife habitat functions are mitigated in accordance with LCC 17.35A.760.

(c) Access to private development sites may be permitted to cross terrestrial habitat areas pursuant to the criteria in subsection (1)(b) of this section. Alternative access shall be pursued to the maximum extent feasible. Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified.

(d) Maintenance, repair, or operation of existing structures, facilities, or improved areas, including minor modification of existing serviceable structures within a terrestrial habitat area, where modification does not adversely impact critical wildlife area functions and values.

(e) Regional storm water detention/retention facilities, identified in an adopted plan of an appropriate public agency where no reasonable nonwildlife habitat alternative is available.

(f) Conservation, preservation, or enhancement projects that protect functions and values of the critical area system, including activities and mitigation, are allowed pursuant to the mitigation priorities identified in LCC 17.35A.030(4).

(i) The activities are conducted in accordance with all applicable provisions of this chapter and other state and federal requirements, including applicable permit requirements of the Hydraulics Code (Chapter 77.55 RCW) and a hydraulic project approval, if required.

(2) The following uses are necessary to fully enjoy and understand critical wildlife habitat areas or to provide resource activities and are permitted without any specific protection or mitigation other than may be identified in an applicable permit:

(a) Outdoor recreational or educational activities which do not significantly affect the function of the critical wildlife area or buffer (including wildlife management or viewing structures, outdoor scientific or interpretive facilities, trails, hunting blinds, etc.);

(b) Harvesting wild crops which do not significantly affect the function of the critical wildlife area or buffer (does not include alteration of a critical wildlife area);

(c) Bank protection and flood protection, including flow control structures for regional retention/detention systems as regulated in LCC 17.35A.684 and 17.35A.685.

(3) Habitat relocation or enhancement when a plan is submitted as part of the critical area study which demonstrates that the following criteria are met:

- (a) The relocation or enhancement will improve the critical area wildlife habitats;
- (b) The plan must contain and show the following information: a topographic survey showing existing and proposed topography and location of the new habitat, and provisions for landscaping and long-term maintenance;
- (c) The relocation will maintain or improve critical wildlife area habitat functions and values;
- (d) Natural materials and vegetation normally associated with the habitat system will be utilized;
- (e) Feeding, rearing, and nesting areas will be created, if applicable;
- (f) Threatened, endangered, or sensitive species will be re-established, if applicable; and
- (g) Critical wildlife area characteristics compatible with relevant threatened, endangered, or sensitive species habitat areas will be restored. [Ord. 1204 Exh. A § 2, 2008]

17.35A.750 Protection.

(1) Lewis County adopts the recommendations of Washington Department of Fish and Wildlife Management Recommendations for Washington's Priority Habitats and Species, as may be amended, for habitat protection and buffer creation and maintenance for listed species.

(2) In reviewing any land use development permit application involving a property on which priority habitat may be located, the administrator shall consult maps of priority habitats and species and other available information and initiate review if the site is within the area of potential effect as defined by the radius of potential effect. The administrator shall maintain revisions to Appendix A, Priority Species and Habitat Geographic Identification, included at the end of this chapter, to comply with the current Washington Department of Fish and Wildlife recommendations for state-listed species and the current U.S. Fish and Wildlife Service management recommendations for federal-listed species.

(3) In reviewing any land use development permit application involving a property on which priority habitat is located, and to accomplish the priorities and protections of this chapter, the administrator shall condition any approval consistent with recommendations derived from criteria and recommendations from the Washington Department of Fish and Wildlife Management Recommendations for Washington's Priority Habitats and Species and U.S. Fish and Wildlife Service management recommendations for federal-listed species. Said recommendation shall be implemented in the context of the location and importance of the parcel in the protection of the species identified and the potential impacts of the proposed land use activity. Variation from the management recommendations may be implemented with the concurrence of Washington Department of Fish and Wildlife and may require preparation of a habitat assessment report as provided in LCC 17.35A.751. The administrator shall maintain revisions to Appendix B, Current Buffers for Priority Species, included at the end of this chapter to comply with the

current Washington Department of Fish and Wildlife recommendations for state-listed species and the current U.S. Fish and Wildlife Service management recommendations for federal-listed species. Divisions of land, including subdivisions and short subdivisions, shall include provisions to assure that each lot may be developed consistent with wildlife management recommendations with designation of buffer areas as needed. All plats and short plats will clearly show the boundary of any areas where use or development are restricted together with the terms of the restriction. A habitat assessment report may be required to assess needs for habitat connectivity and movement, as well as other management criteria.

(4) Review of development that may affect bald eagle habitat shall be consistent with RCW 77.12.655 and WAC 232-12-292. For any application within the review area for bald eagle in Appendix A included at the end of this chapter, the administrator shall notify the Washington Department of Fish and Wildlife pursuant to WAC 232-12-292(4.4). The administrator shall issue development permits only after certification from Washington Department of Fish and Wildlife that the development is in compliance with an approved habitat management plan.

(5) Review of development adjacent to a state natural area preserve, natural resource conservation area, or federal wildlife refuge shall provide for notification of the management agency for the facility, except for activities accessory to agricultural or forestry use or single-family development, unless the county has entered into a memorandum of understanding with the agency. Unless otherwise provided by a memorandum of agreement, if a public review period is provided for an approval, comments of the agency shall be entertained within that time period. If no public review period is provided, 14 days shall be for public review. The administrator may require a habitat management plan, or impose additional conditions, beyond those provided for priority species to provide reasonable protection to wildlife habitat within the preserve or conservation area.

(6) Review of development within the habitat of a designated species of local importance and locally important habitat areas shall consist of the following:

(a) Elk Wintering Habitat. Habitat continuity for elk wintering areas shall be provided through review of new subdivisions and major road and highway construction or alteration within the following areas:

(i) Subdivisions in areas designated in the Washington Department of Fish and Wildlife Priority Habitats and Species database as elk wintering areas shall provide open space corridors for elk movement across the site that will not be blocked by fences or structures. Adequate dimensions for such corridors shall be determined in consultation with Washington Department of Fish and Wildlife. Joint use of other open space such as stream corridors and wetland areas is encouraged.

(ii) Major roads with average daily traffic greater than 2,000 shall provide for elk movement across the roadway within areas designated in the Washington Department of Fish and Wildlife Priority Habitat and Species database as elk movement corridors. Corridors consistent with stream or other open space with

bridges adequate to provide for elk movement are encouraged. Other provisions such as signage, sensing, and signalization or other grade-separated crossing shall be determined in consultation with Washington Department of Fish and Wildlife.

(b) Western toad habitat will be protected in Sections 30, 31, 32, Twn. 12, R 4E and Sections 3, 4, 9, 10, 11, and 12, Twn. 11, R 4E within areas designated in the Washington Department of Fish and Wildlife Priority Habitat and Species database as areas of Western toad habitat through the following provisions:

(i) Subdivisions shall provide corridors for toad movement across the site. Adequate design and dimensions for such corridors shall be determined in consultation with Washington Department of Fish and Wildlife. Joint use of other open space such as stream corridors and wetland areas is encouraged.

(ii) New roads or major improvements to existing roads shall provide for movement of dispersing toadlets with a minimum of roadkill. Structures to funnel toadlets through culverts or other crossings are encouraged. Adequate design and dimensions for such corridors shall be determined in consultation with Washington Department of Fish and Wildlife.

(iii) Development may be conditioned to provide specific features that reduce toad mortality, including but not limited to enclosed roof downspout drainage and other features designed to avoid entrapment or hindrance of movement. [Ord. 1204 Exh. A § 2, 2008]

17.35A.751 Habitat assessment report.

(1) A habitat assessment report may be required to document the character of habitat and assist in determining appropriate buffers.

(2) The habitat assessment report shall describe the characteristics of the subject property and adjacent areas; an assessment of buffers alternatives, including the Washington Department of Fish and Wildlife recommendations; and may include field identification and/or delineation of habitat areas, analysis of historical aerial photos, review of public records, and interviews with adjacent property owners as necessary to determine potential effects of the development action on critical areas. Assessment reports shall include the following site- and proposal-related information unless the administrator determines that any portion of these requirements is unnecessary given the scope and/or scale of the proposed development:

(a) A map drawn to scale or survey showing the following information:

(i) Topographic, hydrologic, and vegetative features;

(ii) The location and description of wildlife and habitat features, and all critical areas on or abutting the site;

(iii) Proposed development activity; and

(iv) Existing physical features of the site including buildings, fences, and other

structures, roads, parking lots, utilities, water bodies, etc.

(b) An analysis of how the proposed development activities will affect the fish and wildlife habitat conservation area and/or buffer, including the area of direct disturbance; effects of storm water management; proposed alteration to surface or subsurface hydrology; natural drainage or infiltration patterns; clearing and grading impact; temporary construction impacts; and effects of increased noise, light, or human intrusion.

(c) Provisions to reduce or eliminate adverse impacts of the proposed development activities including, but not limited to:

(i) Buffering and clustering of development;

(ii) Retention of native vegetation;

(iii) Access limitations;

(iv) Seasonal restrictions on construction activities in accordance with the guidelines developed by the Washington Department of Fish and Wildlife, the U.S. Army Corps of Engineers, the Salmonid Recovery Plan and/or other agency or tribe with expertise and jurisdiction over the subject species/habitat; and

(v) Other appropriate and proven low impact development techniques.

(d) Assessment of the management recommendations developed by Washington Department of Fish and Wildlife through its Priority Habitat and Species program and potential modifications based on the analysis above.

(e) When appropriate due to the type of habitat or species potentially present or the project area conditions, the administrator may also require that the report include additional information including, but not limited to, direct observations of species use or detailed surface and subsurface hydrologic features both on and adjacent to the site. The assessment of off-site conditions shall be based on available information and shall not require accessing off-site properties.

(f) When appropriate, a mitigation plan may be incorporated in the habitat assessment report.

(3) A habitat assessment report shall be prepared in consultation with the Washington Department of Fish and Wildlife and/or other federal, state, local, or tribal resource agencies with jurisdiction and expertise in the subject species/habitat.

(4) At the request of the applicant for a single-family residence, the administrator may determine that county staff will gather the required information in this section for applicants; provided, that:

(a) Staff is available, as determined at the discretion of the administrator, and subject to workload and scheduling constraints.

(b) The cost of county staff services shall be fully reimbursed by the applicant. The administrator may require posting of the estimated cost of services. [Ord. 1204 Exh. A § 2, 2008]

17.35A.760 Mitigation conditions.

(1) County Permits. Unless otherwise provided by this section, mitigation shall be required for loss of area or functions and values of wildlife habitat regulated under this section. When mitigation is required by this section, a habitat assessment report shall address restoration, rehabilitation, and alternatives in accordance with the following requirements:

(a) Restoration is required when a wildlife habitat regulated under this section has been altered prior to project approval unless the alteration was authorized by law, or when wildlife habitats are temporarily affected by construction or any other temporary phase of a project.

(b) Mitigation is required when a wildlife habitat regulated under this section is permanently altered as a result of project approval or activity and shall follow the mitigation sequence in LCC 17.35A.030(4).

(c) On-site mitigation is preferred.

(d) Off-site mitigation will be used only in those situations where appropriate, adequate on-site mitigation is not reasonable or desirable to achieve. Off-site mitigation is allowed where it better serves the purposes of this chapter. When off-site mitigation is allowed, it must occur within the same subbasin or wildlife management unit as the project impact.

(e) Mitigation shall be completed prior to granting of final occupancy, or the completion or final approval of any development activity for which mitigation measures have been required. Bonding at 150 percent of the cost of uncompleted mitigation activities is an acceptable alternative to completion where a contract to complete the work is in force. [Ord. 1204 Exh. A § 2, 2008]

17.35A.770 Processing.

Compliance with the requirements of this section shall be considered a material element of any permit approval.

Adverse effects shall be mitigated to ensure continuation of baseline populations for all priority species and any other species of local importance. Baseline populations are those population levels known to have been supported by the area in question with relative stability over the decade preceding the proposed development. Creation of isolated subpopulations of those species shall be avoided.

(1) County Permits. Compliance with the requirements of this section shall be considered a material element of any permit approval. All technical analysis in connection with high intensity uses shall be by a qualified critical area professional. Information demonstrating compliance with the standards of this section shall be submitted in connection with all proposed development. A written finding of compliance, together with the reasons for

such finding, shall be required in connection with the issuance of any county permit for a high intensity use.

(2) Other Agency Permits and Standards. The county desires to limit overlapping regulations and conflicting regulations. To this end, the county recognizes that a number of other permitting agencies do take steps to protect wildlife areas. Where permits are required by other agencies, in addition to the county, the county shall coordinate review and conditions to the maximum extent feasible. [Ord. 1204 Exh. A § 2, 2008]

17.35A.790 Mapping and references.

The county shall use Washington Department of Fish and Wildlife priority species maps and other relevant information as a source of information on the probable location of critical species. Sensitive information may not be released to the public pursuant to wildlife agency guidelines. Maintenance of maps does not imply that land outside areas mapped does not contain habitat resources. Preparation and maintenance of such maps shall not create liability on the part of Lewis County, or any officer or employee thereof, for any damages that result from reliance on said maps, or any decision lawfully made hereunder. The priority habitats and species database, other critical area maps, and other information may be relied upon by the administrator as a basis for administering provisions of the code requiring field investigation and special reports. In the event of a conflict between information contained in the critical area maps and information resulting from a field investigation, the administrator shall coordinate with the Washington Department of Fish and Wildlife to determine whether field records are adequate to depart from priority species maps or to determine additional study that may be needed to substantiate a change in application of priority species information. [Ord. 1204 Exh. A § 2, 2008]

Article IV(D). Aquifer Recharge Areas

17.35A.840 Purpose.

Once ground water is contaminated, it is difficult to clean and the cost of cleanup may be prohibitive. Because water, especially potable water, is such a vital resource, Lewis County will work to protect the water quality of its critical aquifers. Therefore, it is the policy of Lewis County to accomplish the following:

- (1) To prevent significant degradation of ground water resources;
- (2) To recognize the potential connection between surface and ground water resources;
- (3) To balance competing needs for water under regulated activities while preserving essential natural functions and processes; and
- (4) To comply with Chapter 90.48 RCW, the Water Pollution Control Act of the state of Washington. [Ord. 1204 Exh. A § 2, 2008]

17.35A.850 Classification.

Aquifer recharge areas are categorized according to the following standards and those contained in Table 1:

- (1) Category I - Severe Aquifer Sensitivity. "Category I - Severe aquifer sensitivity" are

those areas which provide rapid recharge with little protection, having highly permeable soils. The predominant soil series and types are those listed in Category I in Table 1.

(2) Category II - Moderate Aquifer Sensitivity. "Category II - Moderate aquifer sensitivity" are those areas with aquifers present, but which have a surface soil material that encourages run-off and slows water entry into the ground. The predominant soil series and types are those listed as Category II in Table 1.

(3) Category III - Slight Aquifer Sensitivity. "Category III - Slight aquifer sensitivity" are those areas of low ground water availability and whose soil series are derived from basaltic, andesitic, or sedimentary rock or ancient glacial till, which are parent material for soils with more clays at the surface. These geological formations do not provide abundant ground water. The predominant soil series and types are those listed as Category III in Table 1.

Table 1. Aquifer Sensitivity Rating for Lewis County Soil Types

Soil Survey Map No. and Soil Series/Name	Category I Severe	Category II Moderate	Category III Slight
1. Alvor			X
2. Andaquepts			X
3. Andic Xerumbrepts			X
4. Aquic Xerofluvents		X	
5. Astoria			X
6-10. Baumgard			X
11-15. Bellicum		X	
16-20. Benham		X	
21-22. Boistfort			X
23-25. Bromo		X	
26-28. Buckpeak			X
29-30. Bunker			X
31-41. Cattcreek		X	
42-44. Centralia			X
45-46. Centralia Variant			X
47-48. Chehalis		X	
49-56. Cinebar		X	
57-60. Cispus		X	

61. Cloquato	X		
62-69. Colter		X	
70-74. Cotteral		X	
75. Cryaquepts		X	
76. Cryohemists			X
77-78. Dobbs			X
79-83. Domell			X
84. Doty		X	
85. Elochman			X
86-87. Ferteg			X
88. Fluvaquentic Humaquepts	X		
89-90. Galvin		X	
91. Glenoma	X		
92. Greenwater	X		
93-98. Hatchet			X
99-103. Hoffstadt			X
104. Indianola	X		
105-107. Jonas			X
108-110. Katula			X
111-113. Katula-Bunker Complex			X
114-115. Katula-Rock Outcrop			X
116-117. Klaber		X	
118-120. Lacamas			X
121-122. Lates			X
123. Ledow	X		
124-125. Lytell			X
126-127. Mal			X
128-129. Mashel			X
130-132. Melbourne		X	
133. Mossyrock		X	
134. Murnen			X

135. National	X		
136-137. Nesika	X		
138-139. Netrac	X		
140-144. Nevat		X	
145-147. Newaukum		X	
148. Newberg	X		
149. Nisqually	X		
150-151. Ohana			X
152-154. Olequa		X	
155-158. Olympic		X	
159-165. Pheeny			X
166. Pits	X		
167-169. Prather		X	
170. Puget		X	
171. Puyallup	X		
172-173. Reed		X	
174-179. Reichel			X
180. Riverwash	X		
181-185. Rock outcrop			X
186. Rubbleland			X
187-190. Salkum			X
191-192. Sauvola			X
193-195. Scamman		X	
196-203. Schneider			X
204. Schooley		X	
205. Semiahmoo			X
206-207. Siler	X		
208-211. Skate	X		
212. Spanaway	X		
213. Squally		X	
214-220. Stahl			X
221-223. Swem			X

224. Thrash			X
225-227. Tradedollar		X	
228-229. Vader			X
230-235. Vailton			X
236. Voight			X
237-239. Walville			X
240-241. Wilkeson			X
242-246. Winston	X		
247. Xerorthents, Spoils			X
248. Xerorthents, Steep		X	
249. Zenker			X
250-253. Zynbar			X
254-255. Zynbar Variant			X

[Ord. 1204 Exh. A § 2, 2008]

17.35A.860 Designation.

(1) Lands of Lewis County meeting the classification criteria for aquifer recharge areas are hereby officially designated, pursuant to the mandate of RCW 36.70A.060 and 36.70A.170, as critical aquifer recharge areas.

(2) Aquifer Recharge Areas - Rating System Determinations. In cases of disputed soil series, or series boundary, and resulting aquifer recharge category, the administrator shall use all available information, including reports by the United States Geological Survey and technical assessments submitted in accordance with Table 1 of this chapter, to make the final determination. This may include consultation with the USDA Natural Resource Conservation Service, the Washington Department of Natural Resources Division of Geology and Earth Resources, or a soil scientist certified by the American Registry of Certified Professionals in agronomy, crops, and soils. In areas that have been disturbed or the surface soil removed, as in gravel pits, the administrator shall determine the most appropriate category with geological and hydrological information. [Ord. 1204 Exh. A § 2, 2008]

17.35A.870 Allowed activities.

(1) The following uses are specifically allowed in aquifer recharge areas subject to the priorities, protection, and mitigation requirements of this article:

- (a) Utility lines and facilities, regional transmission facilities, and local delivery systems where reasonable nonaquifer recharge area alternatives are unavailable, not including new electrical substations, sewage pumping stations, petroleum product pipelines, and not including transformers or other facilities containing hazardous substances;

(b) Public and private roadways and railroad facilities, including bridge construction and culvert installation, where reasonable nonaquifer recharge area alternatives are unavailable;

(c) Maintenance, repair, or operation of existing structures, facilities, or improved areas, including minor modification of existing serviceable structures where modification does not adversely impact aquifer recharge area functions;

(d) Single-family residence and ordinary residential improvements on an existing legal lot where nonaquifer recharge area alternatives are unavailable;

(e) Regional storm water detention/retention facilities, identified in an adopted plan of an appropriate public agency if adopted after implementation of these regulations and if the plan has undergone review for compliance with this chapter;

(f) Conservation, preservation, or enhancement projects to protect functions and values of the critical area system, including activities and mitigation allowed pursuant to the mitigation priorities identified in LCC 17.35A.030(4).

(2) The following uses are necessary to fully enjoy and understand aquifer recharge areas or to provide resource activities and are permitted without any specific protection or mitigation other than may be identified in an applicable permit:

(a) Outdoor recreational or educational activities which do not significantly affect the function of the aquifer recharge area (including wildlife management or viewing structures, outdoor scientific or interpretive facilities, trails, hunting blinds, etc.); and

(b) Harvesting wild crops which do not significantly affect the function of the aquifer recharge area. [Ord. 1204 Exh. A § 2, 2008]

17.35A.880 Protection.

(1) Low Intensity Uses. Low intensity uses shall be all uses not defined as high intensity uses in subsection (2) of this section.

Any development on aquifer sensitive soils shall:

(a) Prohibit buried tanks of any petroleum or hazardous material unless the tank is double-wall protected;

(b) Prohibit the discharge of petroleum or hazardous materials to any ditch, swale, or other nonimpervious surfaced area where migration to the aquifer is a reasonable likelihood; and

(c) Require oil-water separators for any impervious surface areas 5,000 square feet or larger.

(2) High Intensity Uses. High intensity uses shall have the same protective standards as low intensity standards and shall comply with additional requirements where specifically listed below, where using hazardous materials in excess of small quantity generator status, and shall comply with requirements identified on the registered label or material

safety data sheets.

(3) High Intensity Uses. The uses in Table 2 shall be reviewed as high intensity uses within any aquifer recharge area regardless of the size. In addition, high intensity uses shall consist of any use where any petroleum or hazardous wastes as defined in Chapter 123-303 WAC are used or stored in excess of limits identified in Lewis County health department health regulations consistent with Chapter 123-303 WAC, as a risk to ground water quality.

(4) Additional Protection for Specified High Intensity Uses. The following protection standards shall apply to aquifer recharge area review and approval of uses or activities by the administrator set forth in LCC 17.35A.870 within aquifer recharge areas. Certain uses and activities conducted within some aquifer sensitivity categories, as identified in Table 2 of this chapter, will require the submission of a technical assessment to the administrator. The submission of additional information may also be required for some of the uses and activities identified within this subsection.

Table 2. High Intensity Uses within Aquifer Recharge Areas

	On Sewerage System			Not on Sewerage System		
	Category			Category		
	1	2	3	1	2	3
1. Biological Research	S	S	S	S	S	S
2. Chemical Manufacturing, Mixing and Remanufacturing	X/S	X/S	S	X	X	X
3. Chemical Research	S	S	S	S	S	S
4. Chemical Waste Reprocessing	X/S	X/S	S	X	X	X
5. Dry Cleaning (not clothing pick-up)	S	S	S	X	X	X
6. Electroplating	S	S	S	X	X	X
7. Fabric Coating	S	S	S	S	S	S
8. Fiberglass Lamination Process	S	S	S	S	S	S
9. Fuel Pipelines	S	S	S	S	S	S
10. Furniture Stripping	S	S	S	X/S	X/S	X/S
11. Garages - Municipal, County, State	S	S	S	X/S	X/S	X/S
12. Solid Waste Disposal Facilities	X	X	S	X	X	S
13. Metal Processing with Etchers and Chemicals	S	S	S	X	X	X
14. Printing and Publishing	S	S	S	S	S	S
15. Solid Waste Handling/Processing	S	S	S	S	S	S

16. Storage Tanks Above Ground	S	S	5	S	S	S
17. Storage Tanks Underground	S	S	S	S	S	S
18. Subdivision creating lots less than two acres in size	S	S	S	S	S	S
19. Tanning	S	S	S	X/S	X/S	X/S
20. Textile Dyeing	S	S	S	X/S	X/S	X/S
21. Vehicle Repair	S	S	S	S	S	S
22. Vehicle Wrecking	S	S	S	S	S	S
23. Wood Preservers	X/S	X/S	S	X/S	X/S	S
24. All other activities using, handling, or storing hazardous materials, or generating hazardous materials by their activities or actions	S	S	S	S	S	S
25. Activities requiring an NPDES permit for process water or generating a waste water stream exceeding single family residential strength, quantity, or quality	S	S	S	X/S	X/S	X/S

Notes:

X = Prohibited.

S = Allowed subject to the standards of this chapter.

X/S = These uses shall be prohibited when proposed at the usual commercial or industrial scale. Small scale uses or using nonhazardous materials may be permitted when the quantity, nature of the materials used or stored on site and mitigation methods proposed create no significant risk to ground water.

(a) Aboveground Storage. Aboveground storage of petroleum products, wastewater or hazardous substances or dangerous wastes as defined in Chapter 173-303 WAC, or any other substances, solids, or liquids in quantities identified by the Lewis County health department environmental health section, consistent with Chapter 173-303 WAC, as a risk to ground water quality, shall be accompanied by a design and management plan prepared by a qualified professional to assure that the facility is designed, constructed, and operated so as to:

(i) Prevent the release of such substances to the ground, ground waters, or surface waters;

(ii) Have around and under it an impervious secondary containment area enclosing or underlying the container or part thereof;

(iii) Provide a written spill response plan, when requested, and give immediate spill notification to the Lewis County health department environmental health section; and

(iv) Provide readable labeling as to contents and hazardous characteristics.

(b) Underground Storage Tanks and Vaults. Underground storage tanks and vaults used for the storage of petroleum products, wastewater, or hazardous substances or dangerous wastes as defined in Chapter 173-303 WAC, or any other substances, solids, or liquids in quantities identified by the Lewis County health department environmental health section, consistent with Chapter 173-303 WAC, as a risk to ground water quality, shall conform to Chapter 173-360 WAC and be accompanied by a design and management plan prepared by a qualified professional to assure that the facility is designed, constructed and operated so as to:

(i) Prevent release, corrosion, or structural failure for the operational life of the tank or vault;

(ii) Be cathodically protected against corrosion, constructed of noncorrosive material, or steel clad with a noncorrosive material, or designed in a manner to prevent the release or threatened release of any stored substance;

(iii) Use material in the construction or lining of the tank which is compatible with the substance to be stored;

(iv) Provide for release detection method(s); and

(v) Provide a written spill response plan, when requested, and give immediate spill notification to the Lewis County health department environmental health section.

(c) Solid Waste Disposal. Landfills and other solid waste disposal facilities shall be accompanied by a design and management plan prepared by a qualified professional demonstrating that such facilities will not significantly impact ground water resources.

The design and management plan shall provide the following information:

(i) Geologic setting and soils information of the site and the surrounding area;

(ii) Water quality data, including pH, temperature, conductivity, nitrates, and bacteria;

(iii) Location and depth of any perched water tables;

(iv) Recharge potential of the facility in terms of permeability and transmissivity;

(v) Local ground water flow, direction, rate and gradient;

(vi) Location, depth, and other water quality data mentioned in subsection (4)(c) (ii) of this section on the three shallowest wells or springs located within 1,000 feet of the site;

(vii) Surface water locations within 1,000 feet of the site;

(viii) Assessment of the effects of the proposed project on ground water quality and quantity;

(ix) Recommendations on appropriate mitigation, if any, to assure that there is no significant effect on the quality of ground water;

(x) Provisions for contaminant release detection.

All lands on which the report indicates the proposed development would probably negatively affect the quality of the aquifer shall be prohibited unless the report can satisfactorily demonstrate that these negative impacts would be overcome in such a manner as to prevent significant effect on the quality of ground water.

Ground water quality monitoring may be required in cases where ground water contamination is considered a credible risk. A monitoring plan shall be developed by a qualified professional, be approved by the county, and conducted at the expense of the property owner and/or occupying business or enterprise having conducted the activities identified in this subsection.

(d) Junk Yards, Salvage Yards, Wrecking Yards, and Recycling Centers.

Commercial and noncommercial enterprises in this category shall show that an adverse impact on ground water quality will not occur. To ensure such impact will not occur, the administrator shall require a design and management plan prepared by a qualified professional to include the following:

(i) Site-specific geologic and soils information indicating the recharge potential of the facility site in terms of permeability and transmissivity;

(ii) Location and depth of any perched water tables;

(iii) Identification of permanent and temporary or seasonal surface water bodies on the site and within 1,000 feet of the site;

(iv) Assessment of the effects of the proposed project on ground water quality and quantity;

(v) A written management plan that describes the best management practices to be used to prevent the contamination of ground water and/or soil. The written plan shall be approved by the administrator and a copy of the plan shall be located at the site and must be made available upon request by the administrator during normal business hours;

(vi) Ground water quality monitoring may be required in cases where ground water contamination is considered a credible risk. A monitoring plan shall be developed by a qualified professional, be approved by the county, and conducted at the expense of the property owner and/or occupying business or enterprise having conducted the activities identified in this subsection;

(e) Divisions of Land. Subdivisions, short subdivisions, and other divisions of land shall be evaluated for their impact on ground water quality. The following measures

may be required as determined by the Lewis County health department environmental health section:

(i) An analysis by a qualified professional of the potential nitrate loading to the ground water may be required to assess the impact on ground water quality;

(ii) Alternative site designs, specific sewage disposal systems or other facilities are required to reduce contaminant loading where site conditions indicate that the proposed action will measurably degrade ground water quality. Where uncertainty exists, phased development may be required with ground water quality monitoring of the initial phases conducted by a qualified professional at the expense of the property owner and/or developer. The results of the monitoring shall be considered prior to approval of future phases;

(iii) Open spaces may be required on development proposals overlying areas highly susceptible to contamination of ground water resources;

(iv) Community/public water systems are encouraged and may be required where site conditions indicate a high degree of potential contamination to individual wells from on-site and off-site sources;

(v) It may be required that contaminants be removed from storm water runoff prior to their point of entry into surface or ground water resources in accordance with specific plans prepared by a qualified professional to include using available and reasonable best management practices and approved by the Lewis County engineer.

(f) Storm Water Standards for Commercial and Industrial Uses. The following standard shall apply to all new commercial and industrial land uses which either:

(i) Have greater than 5,000 square feet of impervious area; or

(ii) Handle, store, dispose, transport, or generate hazardous substances or wastes defined as dangerous or extremely dangerous wastes under Chapter 173-303 WAC (regardless of quantity), which may come in contact with storm water runoff including, but not limited to, gas stations and distributors, car washes, trucking companies, and paint shops;

Such uses shall provide design and management plans prepared by a qualified professional to include removal of contaminants prior to their entry into surface or ground water resources using available and reasonable best management practices. Standard drywells are prohibited. Maintenance of storm water treatment systems must be assured as a condition of permit approval.

(g) Parks, Schools, and Recreation Facilities. A management plan prepared by a qualified professional to address fertilizer, herbicide, and pesticide management practices of schools, parks, golf courses, and other nonresidential facilities that maintain large landscaped areas shall be submitted, evaluated for effectiveness, approved, implemented, and monitored in relation to best management practices as recommended by the Cooperative Extension Service.

(h) Utility Transmission Facilities. New or expanded utility facilities which carry oil, gas, or any hazardous substance as defined by Chapter 173-303 WAC, as well as electrical substations, gas pumping facilities, and sewage and water pump stations shall provide design and management plans prepared by a qualified professional to include hydrogeologic information, assessment of potential risks of ground water contamination, spill prevention measures and an emergency spill management plan.

(i) Sewage Sludge and Septage Waste Disposal. Sewage sludge and septage waste disposal shall be prohibited within Category I aquifer recharge areas. Disposal within Category II and III aquifer recharge areas shall require a design and management plan prepared by a qualified professional to include the following:

(i) Site-specific geologic and soils information indicating the recharge potential of the facility site in terms of permeability and transmissivity;

(ii) Location and depth of any perched water tables;

(iii) Identification of permanent and temporary or seasonal surface water bodies on the site and within 1,000 feet of the site;

(iv) Assessment of the effects of the proposed project on ground water quality and quantity;

(v) A management plan that describes facilities and practices to prevent the contamination of ground water and/or soil;

(vi) Ground water quality monitoring may be required in cases where ground water contamination is considered a credible risk likely or strongly suspected. Said monitoring plan shall be developed by a qualified professional, be approved by the county, and will be conducted at the expense of the property owner and/or enterprise conducting the use.

(j) Hazardous Substances and Petroleum Activities. All other activities or actions involving the use, handling, storage, or generation of any amount of hazardous materials shall be subject to the protection standards set forth in Chapter 173-303 WAC. Waste oil generating activities shall be subject to the provisions of Chapter 70.951 RCW. Facilities with more than one 55-gallon drum or 450 pounds of hazardous substances or petroleum products on site at any one time shall:

(i) Keep and follow a written spill response plan; and

(ii) Establish a written best management practices plan that is site-specific to prevent contamination of the environment.

Facilities shall report any significant spill out of containment to the Lewis County health department environmental health section within seven days of that spill. [Ord. 1204 Exh. A § 2, 2008]

17.35A.890 Mitigation conditions.

(1) Mitigation Conditions. In addition to the standards and criteria set forth in LCC 17.35A.880(1) through (4), the administrator may impose additional conditions which ensure that the specific use or activity will not significantly degrade ground water quality. Such conditions may include, but are not limited to, the following:

- (a) A written management plan for wastewater, hazardous products and hazardous waste, petroleum products and petroleum waste, and other materials judged by the administrator to be detrimental to ground water quality, that when implemented using best management practices, will prevent ground water contamination;
- (b) Upgrading available on-site spill response equipment;
- (c) Employee spill response training;
- (d) Emergency service coordination measures; and
- (e) Ground water monitoring. [Ord. 1204 Exh. A § 2, 2008]

17.35A.900 Processing.

(1) Compliance with the requirements of this section shall be considered a material element of any permit approval. All technical analysis in connection with high intensity uses shall be by a qualified critical area professional. Information demonstrating compliance with the standards of this section shall be submitted in connection with all proposed development. The administrator may provide for an abbreviated review process for low intensity use relying on standard best management practices. A written finding of compliance, together with the reasons for such finding, shall be required in connection with the issuance of any county permit for a high intensity use.

(2) Other Agency Permits and Standards - Policy. The county desires to limit overlapping regulations and conflicting regulations. To this end, the county recognizes that a number of other permitting agencies do take steps to protect aquifer recharge areas and the county shall coordinate review and conditions to the maximum extent feasible. [Ord. 1204 Exh. A § 2, 2008]

Article IV(E). Geologically Hazardous Areas

17.35A.910 Purpose.

It is the purpose of this article to minimize hazards to the public from development activities on or adjacent to areas of geological hazard. For purposes of this chapter, geologically hazardous areas include the following: erosion hazard areas, landslide hazard areas, seismic hazard areas, mine hazard areas, and volcanic hazard areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.920 Erosion and landslide hazard areas.

(1) Classification of Erosion and Landslide Hazard Areas.

- (a) Erosion hazard areas include severe and moderate erosion hazard areas.
 - (i) Severe erosion hazard areas are those areas that have severe or very severe erosion potential as detailed in the soil descriptions contained in the Soil

Survey of Lewis County Area, Washington, 1987, Soil Conservation Service, USDA.

(ii) Moderate erosion hazard areas are those areas that have moderate erosion potential as detailed in the soil descriptions contained in the Soil Survey of Lewis County Area, Washington, 1987, Soil Conservation Service, USDA.

(b) Landslide hazard areas are those areas meeting any of the following criteria:

(i) Areas with evidence of failure, such as areas designated as quaternary slumps, earthflows, mudflows, or landslides, including those areas shown on maps published by the United States Geological Survey or Department of Natural Resources Division of Geology and Earth Resources; areas that show evidence of historical failure or instability, including, but not limited to, back-rotated benches on slopes; areas with structures that exhibit structural damage such as settling and racking of building foundations; areas that have toppling, leaning, or bowed trees caused by ground surface movement; and areas that show past sloughing or calving of bluff sediments, resulting in a vertical or steep bluff face with little or no vegetation;

(ii) Areas that are rated as unstable due to characteristics of the earth material and topography, including slopes exceeding 35 percent with a vertical relief of 10 or more feet, except areas composed of competent rock or constructed slopes designed and approved by a geotechnical engineer licensed in the state of Washington and experienced with the site, or engineered slopes that show stable physical characteristics based on analysis by a qualified professional;

(iii) Any area with all of the following:

(A) A slope greater than 15 percent;

(B) Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and

(C) Springs or ground water seepage;

(iv) Slopes that are parallel or sub-parallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials;

(v) Slopes having gradients greater than 80 percent subject to rockfall during seismic shaking;

(vi) Areas potentially unstable as a result of rapid stream incision and streambank erosion or undercutting. These include slopes exceeding 10 feet in height adjacent to streams, lakes, and coastal shorelines and with more than a 35 percent gradient;

(vii) Areas located in a canyon, on an alluvial fan, or presently or potentially subject to inundation by debris flows or catastrophic flooding;

(viii) Areas included in the Slope Stability Study of the Centralia-Chehalis Area, Lewis County, Washington, by Allen J. Fiksdal, Department of Natural Resources, Division of Geology and Earth Resources, 1978. Areas mapped as "unstable," "landslides," and "old landslides" (if slopes are in excess of 30 percent);

(ix) Areas located outside the study area on the Slope Stability Study of the Centralia-Chehalis Area, regardless of slope, that are mapped as "landslide debris" in the following open file reports and maps at a scale of 1:100,000 available from the Washington State Department of Natural Resources, Division of Geology and Earth Resources:

(A) Open File Report 87-11, Centralia Quadrangle, by H.S. Schasse, 1987,

(B) Open File Report 87-16, Mount Rainier Quadrangle, by H.S. Schasse, 1987,

(C) Open File Report 87-4, Mount St. Helens Quadrangle, by W.M. Phillips, 1987,

(D) Open File Report 87-8, Chehalis River and Westport Quadrangle, by R.L. Logan, 1987,

(E) Open File Report 87-5, Mount Adams Quadrangle, by M.A. Korosec, 1987,

(F) Open File Report 87-2, Astoria and Ilwaco Quadrangle, by T.J. Walsh, 1987;

(x) Areas at risk from snow avalanches as evidenced by existing deposits and vegetation.

(2) Designation of Erosion and Landslide Hazard Areas. Lands of Lewis County meeting the classification criteria for erosion and landslide hazard areas are hereby, under Chapter 36.70A RCW, designated as erosion and landslide hazard areas, respectively.

(3) Applicability.

(a) When any provision of any other ordinance of Lewis County conflicts with this section, that provision which is more stringent shall apply unless specifically directed otherwise in this chapter.

(b) The provisions of this section shall apply to any land use development permits in a landslide hazard area; provided, however, that the alteration and minor expansion of pre-existing structures may be permitted as long as the risk associated with an erosion or landslide hazard area does not increase as certified through analysis by a qualified professional, based on specific development plans.

(4) Maps and Inventory. The approximate location and extent of geologically hazardous areas are shown on the county's critical area maps. The county shall update the maps as

new hazard areas are identified and as new information becomes available. The maps and reports cited should be used only as a general guide for landslide hazard investigation. Detailed site investigations may be needed for site-specific hazard identification and regulation. Maintenance of maps does not imply that land outside mapped geologically hazardous areas will be without risk. Preparation and maintenance of such maps shall not create liability on the part of Lewis County, or any officer or employee thereof, for any damages that result from reliance on said maps or any decision lawfully made hereunder. [Ord. 1204 Exh. A § 2, 2008]

17.35A.921 Development standards for erosion hazard areas.

Uses and activities shall conform to the following standards:

(1) Severe erosion hazards areas shall be protected to provide multiple benefits including reduction of erosion, reduction of sedimentation in water bodies, and preservation of related ecological values. Modification of topography and vegetation shall be strictly limited.

(a) Subdivision within erosion hazard areas shall be clustered where possible to reduce disturbance and removal of vegetation. Land that is located partially or wholly within a severe erosion hazard area or its buffer may be divided; provided, that each resulting lot has sufficient buildable area outside of the severe erosion hazard area with provision for drainage, erosion control, and related features that will not adversely affect the hazard area or vegetation, and an erosion control plan is developed by a qualified professional and implemented as provided below.

(b) Existing contiguous parcels under single ownership within severe and moderate erosion hazard areas may be developed to provide for reasonable use in accordance with a vegetation and erosion management plan developed by a qualified professional and implemented as provided below.

(2) Moderate erosion hazards areas shall be protected through adequate provisions to limit erosion and sedimentation during construction and use.

(3) An erosion control plan for a severe and moderate erosion hazard area shall incorporate the following, and shall be coordinated with requirements under other county codes and state National Pollutant Discharge Elimination System permits and other agency requirements:

(a) Alteration of topography and disturbance and removal of vegetation shall be minimized by location on the least sensitive portion of the site. In a land division or multi-unit development, structures should be clustered.

(b) To conform to existing topography of the site and reduce topographic modification, foundations shall conform to the natural contours of the slope and be stepped/tiered where possible.

(c) Roads, driveways, other vehicular access, trails, walkways, and parking areas should be located in the least sensitive area of the site and designed with low gradients and/or parallel to the natural contours of the site. Retaining walls shall be

preferred over cut and fill slopes to minimize topographic modification.

(d) Clearing and Grading.

(i) The area of clearing and grading shall be minimized to the maximum extent feasible;

(ii) Impervious surfaces shall be minimized to the maximum extent feasible;

(iii) Clearing and grading to create a flat area for lawn or recreation is prohibited in severe erosion hazard areas;

(iv) Undergrowth shall be preserved to the maximum extent feasible.

(e) Erosion Control Management.

(i) The area of vegetation disturbance shall be minimized through a staging plan to develop sites in sequence with full stabilization of early phases, such as infrastructure installation, before disturbance for structures and other facilities in order to minimize erosion potential.

(ii) Erosion and sedimentation control facilities such as silt fences shall be installed prior to any clearing and grading.

(iii) Disturbed areas shall be protected from erosion through implementation of best management practices, including groundcovers (approved geotechnical controls) such as filter fabrics, immediately after disturbance. Vegetative cover shall be re-established on disturbed surfaces as soon as feasible.

(f) A drainage plan shall be developed by a qualified professional that includes:

(i) Surface drainage, including downspouts, shall not be used in erosion hazard areas. Drainage originating above an erosion hazard area shall be collected and directed by a tight line drain, and provided with an energy dissipative device for discharge to a swale or other acceptable natural drainage areas.

(ii) Storm water retention and detention systems, including percolation systems utilizing buried pipe, are prohibited on severe erosion hazard areas and strongly discouraged on moderate erosion hazard areas unless an analysis by a qualified professional certifies that such a system will not result in an increase in erosion. Said systems shall be designed by a qualified professional. The qualified professional shall also certify that the systems are installed as designed and function as predicted.

(iii) On-site sewage disposal system drainfields are prohibited on severe erosion hazard areas and strongly discouraged on moderate erosion hazard areas unless analysis by a qualified professional certifies that such a system will not result in an increase in erosion. Said system shall be designed by a qualified professional. The qualified professional shall also certify that the systems are installed as designed and function as predicted. The septic system

drainfield must be in compliance with the regulations of the Lewis County health department or its successors.

(g) Utility lines and pipes shall be permitted in severe and moderate erosion hazard areas only where analysis by a qualified professional certifies that such a system will not result in an increase in erosion. Said system shall be designed by a qualified professional. The qualified professional shall also certify that the systems are installed as designed and function as predicted. [Ord. 1204 Exh. A § 2, 2008]

17.35A.922 Development standards for landslide hazard areas.

Uses and activities permit shall conform to the following standards:

(1) Protection of Landslide Area and Buffer. The landslide hazard area and associated buffer shall be protected from disturbance, except in compliance with the standards of this section. Modification of topography and vegetation in landslide hazard areas shall be stringently limited to provide multiple benefits of long-term stability of sensitive slopes and related benefits including reduction of erosion potential, reduction of storm water runoff, and preservation of related ecological values. Unless otherwise provided or as part of an approved alteration, removal of vegetation from a landslide hazard area or related buffer shall be prohibited. The landslide and buffer shall include woody vegetation adequate to stabilize the soil and prevent mass wasting. If the designated buffer area lacks adequate woody vegetation, the administrator shall have the authority to require vegetation restoration or other measures to improve slope stability.

(2) A buffer shall be established from all edges of landslide hazard areas. The size of the buffer shall be determined by the administrator to minimize or eliminate the risk of property damage, death, or injury and effects on other elements of the environment resulting from earth movement caused in whole or part by the development.

(a) The buffer from the top of a slope shall be designed to protect persons and property from damage due to catastrophic slope failure and slope retreat over the lifetime of its use and provide an area of vegetation to promote shallow stability, control erosion, and multiple benefits to wildlife and other resources. The minimum dimension of the buffer shall be equal to the greater of:

(i) The distance from the top of slope equal to the vertical distance from the toe of slope to the top of slope;

(ii) The distance from the top of the slope equal to the distance from the toe of the slope upslope at a slope of 2:1 (horizontal to vertical) to a point that intersects with the site's ground elevation; or

(iii) Fifty feet from the top of the slope.

(b) The minimum buffer from the bottom of a slope shall provide for safety of persons and property from the run-out resulting from slope failure and shall be the greater of:

(i) The height of the slope; or

(ii) Fifty feet from the toe of the slope.

(3) Design Standards.

(a) Subdivision within landslide hazard areas and associated buffers shall be clustered where possible to reduce disturbance and removal of vegetation. Land that is located partially within a landslide hazard area or its buffer may be divided; provided, that each resulting lot has sufficient buildable area outside of the hazardous area and buffer with provision for drainage, erosion control, and related features that will not adversely affect the hazard area or its buffer. Land within a landslide hazard area and its buffer may not be subdivided to create buildable sites within the landslide hazard area unless the standards for alteration are met as provided below. All plats and short plats will clearly show the boundary of the hazard area and buffer together with a restriction prohibiting development within the hazard area.

(b) Existing contiguous parcels under single ownership within landslide hazard areas and associated buffers may be developed to provide for reasonable use in accordance with LCC 17.35A.923 and the standards for alteration as provided below.

(c) Roads, driveways, other vehicular access, trails, walkways, and parking areas may be permitted only if the standards for alteration below are met and the applicant demonstrates that no other feasible alternative exists, including through the provisions of Chapter 8.24 RCW. If access through hazardous areas is granted, exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified. Access roads and trails shall be engineered and built to standards that avoid the need for major repair or reconstruction beyond that which would be required in nonhazard areas and shall be:

(i) Located in the least sensitive area of the site.

(ii) Designed to minimize topographic modification with low gradients and/or parallel to the natural contours of the site.

(iii) Retaining walls shall be preferred over cut and fill slopes to minimize topographic modification.

(d) Structures may be permitted only if the standards for alteration below are met and shall be designed to meet the following standards:

(i) Structures shall be located on the least sensitive portion of the site and clustered where possible to reduce disturbance and removal of vegetation.

(ii) Foundations should conform to the natural contours of the slope and foundations should be stepped/tiered where possible to conform to existing topography of the site.

(iii) Retaining walls shall be preferred over cut and fill and shall be incorporated

into structures wherever feasible.

(e) Clearing and grading may be permitted only if the standards for alteration below are met and shall meet the following standards:

(i) Clearing and grading shall minimize ground disturbance to the maximum extent feasible to accommodate allowed development and generally shall not extend more than 10 feet beyond the approved development;

(ii) Undergrowth shall be preserved to the extent feasible; and

(iii) No dead vegetation (slash), fill, or other foreign material shall be placed within a landslide hazard area, other than that approved for bulkheads or other methods of streambank stabilization as provided in regulations for streams in this chapter and under the shoreline master program.

(f) Drainage.

(i) Surface drainage, including downspouts, shall not be directed across the face of a hazard area. If drainage must be discharged from the top of a hazard area to its toe, it shall be collected above the top and directed to the toe by a tight line drain, and provided with an energy dissipative device at the toe for discharge to a swale or other acceptable natural drainage areas.

(ii) Storm water retention and detention systems, including percolation systems utilizing buried pipe, shall be located outside the landslide hazard area and its buffer, unless standards for alteration in LCC 17.35A.923 are met.

(g) On-site sewage disposal system drainfields shall be located outside the landslide hazard area and its buffer, unless standards for alteration in LCC 17.35A.923 are met. The septic system drainfield must be in compliance with the regulations of the Lewis County health department or its successors.

(h) Utility lines and pipes shall be permitted in landslide hazard areas only when standards for alteration in LCC 17.35A.923 are met. The line or pipe shall be located above ground and properly anchored and/or designed so that it will continue to function in the event of an underlying slide.

(i) Lot Size. For the purpose of determining lot sizes within hazard areas, the administrator shall review available information, including any required geotechnical assessments, and make a decision on a case-by-case basis based on the reports.
[Ord. 1204 Exh. A § 2, 2008]

17.35A.923 Standards for alteration of landslide hazard areas and buffers.

(1) Confirmation of Presence of Landslide Hazard Area. The administrator may determine that a landslide hazard is not present on a site based on analysis by a qualified professional as provided in LCC 17.35A.330 that establishes that a risk of slope failure is not present on a specific site as a result of the absence of the indicators enumerated in LCC 17.35A.920(1)(b) based on a specific analysis of site conditions.

(2) Alteration of Landslide Hazard Area and Buffer. The administrator may allow alteration of a landslide hazard area and buffer in cases where the administrator finds that reasonable development cannot be accommodated on portions of the site not subject to landslide hazards and buffers and if analysis by a qualified professional establishes compliance with the following standards, based on specific development plans:

(a) The proposed development will not result in a risk of landslide that may affect development on the subject property or other properties in the vicinity, and will not result in a greater risk or a need for increased buffers on neighboring properties. For unconsolidated deposits, development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions and 1.2 for dynamic conditions. Analysis of dynamic conditions shall be based on a minimum horizontal acceleration as established by the current version of the International Building Code.

(b) Measures to maintain slope stability, such as drainage systems, must be of a design that will assure operation without facilities requiring regular maintenance that would jeopardize stability if the facility fails.

(c) The development will not increase erosion or sedimentation risk on the site.

(d) The development will not increase surface water discharge or sedimentation to adjacent properties beyond pre-development conditions.

(e) Such alterations will not adversely impact other critical areas.

(f) Landslide hazard areas on unconsolidated deposits with a gradient of 40 percent where the toe of slope is within the buffer area of a wetland, stream, pond, or lake are not eligible for alteration of landslide hazard areas but may be subject to alteration of buffers.

(3) The qualified professional performing the analysis shall monitor installation of all facilities related to the development and certify that systems are installed as designed to meet the approval criteria in subsection (2) of this section. [Ord. 1204 Exh. A § 2, 2008]

17.35A.924 Development standards for alluvial fan hazard areas.

Uses and activities shall conform to the following standards;

(1) Protection of Alluvial Fan Hazard Area and Buffer. The alluvial fan hazard area and associated buffer shall not be subject to human use and development to minimize or eliminate the risk of property damage, death, or injury, except in compliance with the standards of this section.

(2) Because of uncertainty as to the exact location of an alluvial fan hazard area, a buffer of 100 feet from the designated edge of the hazard area shall be defined to minimize or eliminate the risk of property damage, death, or injury, until the preparation, approval, and implementation of a detailed alluvial fan hazard mitigation plan.

(3) Subdivision within alluvial fan hazard areas and associated buffers shall be

prohibited. Land that is located partially within an alluvial fan hazard area or its buffer may be divided; provided, that each resulting lot has sufficient buildable area outside of the hazard area and buffer. All plats and short plats will clearly show the boundary of the alluvial fan hazard together with a restriction prohibiting development within the hazard area.

(4) No new critical facility may be constructed or located in an alluvial fan hazard. An existing critical facility may be not be expanded, except in conformance with subsection (6) of this section.

(5) Existing contiguous parcels under single ownership within alluvial fan hazard areas and associated buffers may be developed to provide for reasonable use in accordance with LCC 17.35A.530; provided, that:

(a) Analysis by a qualified professional certifies that the development is on the portion of the site least subject to risk;

(b) The location and design of the development, including any protective features, will not adversely affect the safety or usability of other properties; and

(c) The owner executes a covenant that shall run with the land, filed for record with the Lewis County auditor that:

(i) Acknowledges that the development is within an alluvial fan and may be subject to changes in stream channels or debris flows that potentially endanger property and life;

(ii) The owner, and all future owners, take complete responsibility for development and occupation of the residence and holds Lewis County, its employees, and others harmless for any damage suffered; and

(iii) The owner and all future owners agree to participate in future establishment of any governmental entity charged with development and maintenance of facilities to manage alluvial fan risks and any future charges or assessments associated with management of alluvial fan hazards.

(6) Development other than specified in subsection (4) of this section may be allowed in alluvial fan hazard areas only if:

(a) The fan has been subject to a study and management plan that identifies risks and hazards associated with a 500-year return period debris flow or the maximum credible event that could impact the alluvial fan and identify mitigation measures;

(b) The study includes a management plan with specific mitigating measures deemed by Lewis County to suitably reduce risks; and

(c) Implementation of the plan has been committed to by a suitable entity empowered to develop and maintain the facilities identified to mitigate risks and is empowered to levy assessments on benefited properties to develop and maintain such mitigating measures in perpetuity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.930 Mine hazard areas.

(1) Classification of Mine Hazard Areas. Mine hazard areas are those areas within 100 horizontal feet of a mine opening at the surface or which are underlain at a depth of 300 feet or less by mine workings identified in the Washington State Department of Natural Resources, Division of Geology and Earth Resources, Open File Report 94-7; The Washington State Coal Mines Map Collection: A Catalog, Index, and User's Guide, by H.W. Schaase, M. Lorraine Koler, Nancy A. Eberle, and Rebecca A. Christie, 1994, 107 pages; Open File Report 84-6, Inventory of Abandoned Coal Mines in the State of Washington, by F.V. LaSalata, M.C. Meard, T.J. Walsh, and H.W. Schaase, 1985, 42 pages; and specific maps and surveys of mine workings on file with the Division of Geology and Earth Resources.

(2) Designation of Mine Hazard Areas. Lands of Lewis County meeting the classification criteria for mine hazard areas are hereby, under Chapter 36.70A RCW, designated as mine hazard areas.

(3) Applicability.

(a) When any provision of any other ordinance of Lewis County conflicts with this section, that provision which is intended for mine hazard areas shall apply, unless specifically directed otherwise in this chapter.

(b) The provisions of this section shall apply to land use and development permits; provided, that the alteration and minor expansion of pre-existing structures may be permitted as long as the risk associated with a mine hazard area does not increase as certified through analysis by a qualified professional, based on specific development plans.

(4) Maps and Inventory.

(a) Mine hazard areas in subsection (1) of this section, including the approximate location and extent of mine hazard areas, shall be shown on the county's critical area maps. The county shall update the maps as new information becomes available. Said maps and reports should be used only as a general guide for mine hazard investigation. Detailed site investigations may be needed for site-specific hazard identification and regulation. Maintenance of maps does not imply that land outside mapped mine hazard areas will be without risk. Preparation and maintenance of such maps shall not create liability on the part of Lewis County, any officer or employee thereof, for any damages that result from reliance on said maps or any decision lawfully made hereunder.

(b) The above referenced maps and reports may be relied upon by the administrator as a basis for requiring field investigation and special reports. In the event of a conflict between the information shown in the reports and the results of a field investigation, the latter shall prevail. [Ord. 1204 Exh. A § 2, 2008]

17.35A.931 Development standards for mine hazard areas.

Development on or near a mine hazard area requires the applicant to first demonstrate

that no hazard to health or safety, persons, or property exists at the proposed site as a result of the development. If a proposal is located on or near a mine hazard area, a study by a qualified professional and accompanying geotechnical report may be required.

(1) Development within mine hazard areas shall be accompanied by technical studies by qualified professionals that assess the potential risk from mine entries, shafts, and ventilation facilities; investigate potential future trough subsidence or sinkhole development due to collapse of abandoned coal mines; and identify specific measures to mitigate the risk in accordance with the criteria below.

(a) Mine entries and shafts shall be permanently sealed using controlled backfill and/or grouting, or an approved, engineered seal and shall include permanent diversion of surface drainage away from the shaft or mine entry.

(b) Existing sinkholes and shallow prospect excavations shall be backfilled to surface using controlled placement of suitable backfill and shall include permanent diversion of surface drainage away from existing sinkholes and prospect excavations.

(c) Potential sinkhole hazards shall be assessed by a qualified professional utilizing direct subsurface investigation that demonstrate coal mine workings either do not exist, or that the workings have fully collapsed so that there is no remaining potential for sinkhole development, or show that the hazards associated with any voids that are identified are fully mitigated by backfilling, grouting, or other approved means such that the potential for sinkhole development is eliminated.

(d) Any coal mine waste dump shall be demonstrated to be stable through analysis by a qualified professional. If the coal mine waste dump does not meet the stability criteria, it shall be regraded or otherwise mitigated to meet stability criteria. If springs or seeps discharge from the coal mine waste dump, materials shall be removed or regraded to expose the source of the spring or seep. Coal mine waste material shall be covered with a minimum of two feet of clean soil and be revegetated with native vegetation. Development shall not be permitted within 100 feet of any coal mine waste dump that shows evidence of current or past combustion. Development may be permitted over coal mine waste material only if an investigation and analysis by a qualified professional identifies feasible construction criteria for foundation stability and performance.

(e) Mine gas hazards shall be mitigated by backfilling all mine entries, shafts, and sinkholes and providing appropriate venting.

(f) Mine fire potential shall be assessed through analysis by a qualified professional. Development shall not be permitted within 100 feet of workings where investigations indicate the possible presence of combustion in the underlying seam or seams.

(2) Every development shall include appropriate construction standards established by a qualified professional in accordance with the criteria below.

(a) Foundations shall be designed by a Washington State licensed structural

engineer, with consideration of the subsidence effects documented for the site and the requirements of the International Building Code as provided by the criteria below.

(i) The forces generated by subsidence effects of tilt and strain shall be treated as live loads with the appropriate load factors and/or factors of safety in design. Friction drag force loads must be combined simultaneously with lateral earth pressure loads, with both loads treated as earth pressure in load combinations. The design requirements may be applied independently of the friction and earth pressure loads.

(ii) Foundations and slabs on grade shall be designed to resist the ultimate friction forces for tension and/or compression as determined from the geotechnical investigation.

(iii) Ultimate passive soil pressure shall be assessed for all vertical surfaces in contact with foundation soil due to horizontal strain occurring from a subsidence. Ultimate pressures, and the distribution, shall be determined by a qualified engineer or geologist in accordance with established engineering practice.

(iv) Foundations shall be designed to resist the shears and movements generated.

(v) Utility lines shall not be rigidly connected to the foundation wall. A flexible joint shall be provided at the point of transition from soil support to building support for all utilities.

(vi) Positive drainage shall be designed for positive gravity flow under the most critical predicted subsidence conditions.

(b) Roads and utilities shall be designed to accommodate the magnitudes of strains and tilts documented by technical studies through adequate strength to resist the forces of maximum predicted subsidence-related tilts and strains, or by adequate flexibility to accommodate the resulting deformations.

(i) Roadways shall be flexible material and shall have a minimum slope of not less than one-half percent plus the slope of the maximum predicted subsidence profile to facilitate maintaining positive drainage.

(ii) Bridges shall be designed to safely accommodate twice the maximum strains and tilts predicted at the bridge location.

(iii) Water utilities shall be designed to provide for twice the maximum predicted tilts and strains, including service lines, structures, and related appurtenances.

(iv) The sewer and storm drainage utility design shall be able to provide for 1.5 times the maximum predicted tilts and strains, including service lines, structures, and related appurtenances. Design grades shall provide positive gradient after allowing for the maximum predicted subsidence.

(v) Storm drainage detention and retention facilities shall be designed to remain functional following the occurrence of twice the maximum predicted tilts and strains. Such facilities may be located in mine hazard areas only if all risk of sinkhole development has been eliminated.

(vi) Electric and gas cables and pipelines shall be designed to accommodate the maximum predicted tilts and strains with suitable safety factors applied to these magnitudes such that failure of the utility line will not present a risk to public safety. The applicant shall present certification from the respective private utility that utilities have been designed in accordance with the above.
[Ord. 1204 Exh. A § 2, 2008]

17.35A.932 Standards for mine hazard studies.

(1) A mine hazard study shall contain all available documentary information about mine workings and the results of a surface reconnaissance that shall identify any public safety mine hazards, mine waste dumps, or evidence of mine subsidence or sinkholes and shall include:

(a) Historical mining data, including available copies of original mine records for mine workings.

(b) A map showing property boundaries, mine hazard boundaries, and any potential hazards identified on or within 100 feet of the property.

(2) Shallow hazards such as entry portals, shaft collars, ventilation shafts, prospects, and mine waste dumps may be investigated by test pits or trenching, providing the method enables an investigation to an adequate depth for the hazard being investigated.

(3) Site-Specific Evaluation of Potential Trough Subsidence.

(a) Review of available records of original mine workings that could potentially influence the site by trough subsidence.

(i) Locations, depths, and thicknesses of such seams and workings.

(ii) Workings that could potentially influence the site shall be determined by projecting the downdip limit angle from the lowest limit of the documented workings to the ground surface. Mine workings are considered to potentially influence the property if the property lies within the line at which the limit angle intersects the ground surface.

(b) Subsurface conditions may be evaluated by drilling. Drilling is the most acceptable method for providing information for reducing the remaining mine height value used in subsidence calculations to less than the height of the original workings.

(i) Drillholes shall be logged continuously from 100 feet above to 20 feet below mine workings, including lithology at five-foot intervals, drill fluid circulation, penetration rate, and free fall of the drill string.

(ii) Greater confidence will be placed in core drilling logs than rotary drilling logs.

(iii) As a guideline, a minimum of one drillhole penetrating each seam that could potentially cause trough subsidence at the site should be drilled for each 200-foot length of the adit.

(iv) Surface geophysics, or other indirect means, may be used to assist in projecting information between and beyond drillholes, but shall not be accepted as the sole method for evaluating the condition of underground mine workings and calculating remaining mine height.

(c) Calculation of trough subsidence magnitudes, tilts, and strains shall be in accordance with the empirical function method of the British National Coal Board, as presented in their Subsidence Engineers' Handbook, adjusted to reflect the effects of inclined seams and a downdip limit angles encountered, and shall be based on a conservative evaluation of site conditions developed from the review of available records, site investigation, and subsurface exploration.

(i) Direct field evidence or a review of detailed mine records shall be used to calculate the subsidence factor, the downdip limit angle.

(ii) Remaining mine height shall be presumed to be equal to the seam thickness for the subsidence calculations unless evidence from drilling justifies modification.

(iii) The calculation of potential tilts and strains shall consider effects of individual panel widths and barrier pillar widths. If direct subsurface investigation indicates that the mine workings are fully collapsed, an estimate of potential surface settlements due to consolidation of rubble and loose material shall be made for the cumulative effect of all seams that could induce trough subsidence at the site.

(d) Site plans shall be prepared showing the proposed development and calculated magnitudes of potential subsidence, strains, and tilts at the property boundaries and at the locations of any proposed structures.

(i) A map showing contours of potential subsidence magnitudes, strains, and tilts throughout the property shall be submitted for use in design of roads and utilities.

(ii) Appropriate recommendations shall be provided for structural and civil design requirements.

(4) Site-Specific Evaluation - Potential Sinkhole Hazards.

(a) Review of available records shall be as in subsection (1)(a) of this section.

(b) Subsurface conditions for workings located within 200 feet of the ground surface shall be investigated by drilling.

(i) Drillhole sites shall be selected at representative locations and at representative working depths. A minimum of five drillholes shall be drilled along the alignment of any linear structure, such as roads or utility lines designed to cross a mine hazard area. No fewer than one drillhole per acre shall be provided for a site.

(ii) Core drilling is preferred, but is not compulsory. Rotary drilling is an acceptable method, provided it is used in combination with downhole geophysical logging, including caliper logs. Drilling shall penetrate immediately above and through the predicted mine workings locations to facilitate interpretation of the condition of the mine workings.

(iii) Drillholes shall be logged continuously throughout their length, including lithology at five-foot intervals for rotary drillholes, drill fluid circulation, penetration rate, and free fall of the drill string.

(5) The administrator may waive or reduce engineering study and design requirements for alterations in mine hazard areas for:

(a) Mobile homes;

(b) Additions or alterations that do not increase occupancy or significantly affect the risk of structural damage or injury; and

(c) Buildings that are not dwelling units or used as places of employment or public assembly. [Ord. 1204 Exh. A § 2, 2008]

17.35A.940 Seismic hazard areas.

(1) Classification of Seismic Hazard Areas. For the purposes of this classification, a seismic hazard area is any area subject to:

(a) Underlying deposits indicative of a risk of liquefaction during a seismic event;

(b) Areas subject to slope failure during a seismic event;

(c) Areas subject to surface faulting during a seismic event; and

(d) Areas that are at risk of mass wasting due to seismic forces.

Seismic hazards shall be as identified in Washington State Department of Natural Resources seismic hazard maps for Western Washington and other geologic resources.

(2) Designation of Seismic Hazard Areas. Lands of Lewis County meeting the criteria for seismic hazard areas are hereby, under Chapter 36.70A RCW, designated as seismic hazard areas.

(3) Applicability.

(a) When any provision of any other ordinance of Lewis County conflicts with this section, that provision which is intended for seismic hazard areas shall apply unless specifically directed otherwise in this chapter.

(b) The provisions of this section shall apply to land use development permits; provided, that the expansion of pre-existing structures and facilities shall be exempt as long as the hazard to health or safety, persons, or property does not increase.

(4) Maps and Inventory.

(a) Maps of seismic hazard areas as defined in subsection (1) of this section, including the approximate location and extent of seismic hazard areas, shall be shown on the county's critical area maps. The county shall update the maps as new information becomes available. Said maps and reports should be used only as a general guide for mine hazard investigation. Detailed site investigations may be needed for site-specific hazard identification and regulation. Maintenance of maps does not imply that land outside mapped mine hazard areas will be without risk. Preparation and maintenance of such maps shall not create liability on the part of Lewis County, any officer or employee thereof, for any damages that result from reliance on said maps or any decision lawfully made hereunder.

(b) The administrator may require site-specific field studies or special reports for the location of critical facilities within seismic hazard areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.941 Development standards for seismic hazard areas.

All development within areas that meet the classification criteria for seismic hazard areas shall comply with the following criteria:

(1) If evaluation of site-specific subsurface conditions by a qualified professional demonstrates that the proposed development site is not subject to the conditions indicating seismic risk in LCC 17.35A.940(1), the provisions of this subsection shall not apply.

(2) If subject to seismic risk, the applicant will implement appropriate engineering design based on analysis by a qualified professional of the best available engineering and geological practices that either eliminates or minimizes the risk of structural damage or injury resulting from seismically induced settlement or soil liquefaction, including compliance with the following criteria:

(a) Land within seismic hazard areas may be divided; provided, that each resulting lot has sufficient buildable area outside of the hazard area, or appropriate limitations on building and reference to appropriate standards are incorporated into the approval. All plats and short plats will clearly show the boundary of the hazard area together with a restriction prohibiting development within the hazard area.

(b) Public roads, bridges, utilities, and trails shall be allowed when there are no feasible alternative locations, and geotechnical analysis and design are provided that ensure the roadway, bridge and utility structures and facilities will not be susceptible to damage from seismic-induced ground deformation. Mitigation measures shall be designed in accordance with the most recent version of the American Association of State Highway and Transportation Officials (AASHTO) Manual or other appropriate document.

(c) Structures in seismic hazard areas shall conform to applicable analysis and design criteria of the International Building Code.

(3) The administrator may waive or reduce engineering study and design requirements for alterations in seismic hazard areas for:

(a) Mobile homes;

(b) Additions or alterations that do not increase occupancy or significantly affect the risk of structural damage or injury; and

(c) Buildings that are not dwelling units or used as places of employment or public assembly. [Ord. 1204 Exh. A § 2, 2008]

17.35A.950 Volcanic hazard areas.

(1) Classification of Volcanic Hazard Areas. Volcanic hazard areas are areas where the risk to life and property by a large volcanic event is high. These areas in Lewis County include debris flow, mudflow, and volcanic-induced flooding zones. Volcanic hazards in Lewis County are imposed by the two nearby volcanic peaks, Mount St. Helens and Mount Rainier, which lie sufficiently far from the county that risks of lava flows, pyroclastic flows, and volcanic ashfall deposits are extremely minimal. Mudflows and debris flows, which occur in the drainage basins that headwater on the active volcanos, Mt. St. Helens and Mt. Rainier, are described in the following reports:

(a) Development and Routing of Mudflow Resulting from Hypothetical Failure of Spirit Lake Debris Dam, Washington, by D.L. Kresch, Water Resource Investigations Report 91-4028, U.S. Geological Survey, 1992, 29 pages.

(b) Sedimentology, Behavior and Hazards of Debris Flows at Mount Rainier, Washington, by K.M. Scott, P.T. Pringle, and J.W. Vallance, Open-File Report OP-90-0385, U.S. Geological Survey, 1992, 106 pages.

(2) Designation of Volcanic Hazard Areas. Lands of Lewis County meeting the classification criteria for volcanic hazard areas are hereby, under Chapter 36.70A RCW, designated as volcanic hazard areas.

(3) Applicability.

(a) When any provision of any other ordinance of Lewis County conflicts with this section, that provision which is intended for volcanic hazard areas shall apply unless specifically directed otherwise in this chapter.

(b) The provisions of this section shall apply only to all land use development permits; provided, that the expansion of pre-existing structures and facilities shall be exempt as long as the hazard to health or safety, persons, or property does not increase.

(4) Maps and Inventory.

(a) Volcanic Hazard Areas. See subsection (1) of this section.

(b) The reports cited in subsection (1) of this section may be relied upon by the administrator as a basis for requiring field investigations and special reports. In the event of a conflict between information contained in said reports and information shown as a result of a field investigation, the latter shall prevail. [Ord. 1204 Exh. A § 2, 2008]

17.35A.951 Development standards for volcanic hazard areas.

(1) No new critical facilities shall be constructed or located in volcanic hazard areas except that:

(a) Expansion of existing schools may be allowed with provision of an evacuation plan that provides a reasonable assurance that occupants can be relocated to a safe haven with the warning times provided by existing or committed volcanic hazard warning systems.

(b) Development of new critical facilities with an occupancy of 100 persons or more may be allowed if findings are made that there is no feasible location within the service area outside volcanic hazard areas and with provision of an evacuation plan that provides a reasonable assurance that occupants can be relocated to a safe haven within the warning times provided by existing or committed volcanic hazard warning systems.

(c) Development of new critical facilities with an occupancy of 100 persons or less, or that is occupied fewer than 100 days per year, may be allowed if findings are made that there is no feasible location within the service area outside volcanic hazard areas. Provision of an evacuation plan that provides a reasonable assurance that occupants can be relocated to a safe haven within the warning times provided by existing or committed volcanic hazard warning systems is recommended but not required.

(2) Other development shall be allowed with:

(a) An evacuation plan shall be provided for all lodging and public assembly uses with posting of the plan in all occupied rooms.

(b) Execution of a covenant by property owners that runs with the land and is filed with the Lewis County auditor that:

(i) Acknowledges that the development is within a volcanic hazard area subject to debris flows and other hazards that potentially endangers property and life;

(ii) The owner and all future owners take complete responsibility for development and occupation of the residence and hold Lewis County, its employees and others, harmless for any damage suffered; and

(iii) Acknowledges that evacuation is the sole responsibility of the owner or occupant and that information on potential evacuation routes and holding areas is available to the owner from local emergency management agencies. [Ord. 1204 Exh. A § 2, 2008]

17.35A.955 Channel migration hazard area identification.

(1) The channel migration zone shall be a corridor that includes the present channel and is defined by:

(a) The maximum width occupied by channels in the past based on the period during which records of channel location are available and topographic and geologic evidence.

(b) Where the current active channel is near the edge of the historical meander belt, the corridor shall be extended the distance equal to the median amplitude of all historical channel meanders measured as centered upon the historical migration zone.

(2) Where natural geologic features will affect the predicted migration, the corridor width shall be modified to consider such natural constraints.

(3) Where linear structures such as arterial roads, railroads, or flood hazard reduction facilities managed by public agencies are likely to be protected from future bank erosion or channel movement due to existing programs for public maintenance, the corridor width may be modified to the boundaries of such structures.

(4) Best available information shall be used for the designation of channel migration zones. Where detailed channel migration zone studies have been completed, such information shall be employed. Areas that are identified as potential channel migration hazards based on sound scientific evidence, but which are pending further study shall be regulated based on best available information (generally topographic features), or based upon specific studies performed by qualified professionals on behalf of applicants.

(5) The channel migration zone may be modified by the administrator based on a study provided by an applicant prepared by a qualified professional that demonstrates there are specific geologic, landform, hydraulic, sediment transport, or other factors that demonstrate that a specific area is not in the channel migration zone. Such a study must investigate areas upstream and downstream of the review site that could influence migration of the channel and channel migration corridor. The study will map historical channel areas; the boundary of the greatest bank loss in erodible materials present at the subject site based on the channel migration base width established in the regional study of the area; determine sediment deposition reaches for determining potential avulsion sites in the project influence area; map the terraces in the study area and quantify the rates of terrace recession based on historical maps and photographs; and map fixed boundaries such as bedrock, lahar, or other ancient terraces, and certified levees or other built structures where channel movement is limited and not likely to occur in the future. [Ord. 1204 Exh. A § 2, 2008]

17.35A.956 Development standards for channel migration hazard areas.

Uses and activities shall conform to the following standards.

(1) Protection of Channel Migration Zone. The channel migration zone shall not be subject to human use and development to minimize or eliminate the risk of property

damage, death, or injury, except in compliance with the standards of this section.

(2) Subdivision within the channel migration zone shall be prohibited. Land that is located partially within a channel migration zone may be divided; provided, that each resulting lot has sufficient buildable area outside of the hazard area. All plats and short plats will clearly show the boundary of the hazard area together with a restriction prohibiting development within the hazard area.

(3) A new critical facility, or expansion of an existing facility within a channel migration zone, may be permitted if:

(a) Findings are made that there is no feasible location within the service area outside the channel migration zone and that the potential risk has been assessed and is acceptable both to the service provider and the county as the responsible entity for consideration of the general welfare;

(b) The new facility or expansion results in an occupancy of 100 persons or less, or is occupied fewer than 100 days per year;

(c) Analysis by a qualified professional certifies that the development is on the portion of the site least subject to risk;

(d) The location and design of the critical facility, including any protective features, will not adversely affect the safety or usability of other properties.

(4) Existing contiguous parcels under single ownership within a channel migration zone may be developed to provide for reasonable use in accordance with LCC 17.35A.530; provided, that:

(a) Analysis by a qualified professional certifies that the development is on the portion of the site least subject to risk;

(b) The location and design of the development, including any protective features, will not adversely affect the safety or usability of other properties; and

(c) The owner executes a covenant that shall run with the land, filed for record with the Lewis County auditor that:

(i) Acknowledges that the development is within a channel migration zone and may be subject to changes in stream channels that potentially endanger property and life;

(ii) The owner and all future owners take complete responsibility for development and occupation of the residence and holds Lewis County, its employees and others, harmless for any damage suffered; and

(iii) The owner and all future owners agree to participate in future establishment of any entity charged with development and maintenance of facilities to manage channel migration risks and any future charges or assessments associated with management of a channel migration zone.

(5) Development other than specified in subsections (3) and (4) of this section may be allowed in a channel migration zone only if:

- (a) The channel migration zone has been subject to a study and management plan prepared by a qualified professional;
- (b) The plan includes specific mitigating measures deemed by the administrator or other appropriate decision maker to suitably reduce risks; and
- (c) Implementation of the plan has been committed to by a suitable entity empowered to develop and maintain the facilities identified to mitigate risks and is empowered to levy assessments on benefited properties to develop and maintain such mitigating measures in perpetuity. [Ord. 1204 Exh. A § 2, 2008]

17.35A.960 Geologically hazardous areas review and reporting requirements.

(1) When critical area maps or other sources of credible information indicate that a site proposed for development or alteration is located or may be located within a geologically hazardous area the administrator shall have the authority to require the submittal of a geological assessment report.

(2) A geological assessment report is an investigation process to evaluate the geologic characteristics of the subject property and adjacent areas. The geological assessment shall include a field investigation and may include the analysis of historical aerial photographs, review of public records and documentation, and interviews with adjacent property owners. The report shall include the following if the administrator determines that any portion of these requirements is unnecessary given the scope and/or scale of the proposed development:

- (a) A description of the areas on the site, the surrounding areas that influence or could be influenced by the site, or areas within 300 feet of the site that meet the criteria for geologically hazardous areas as set forth in LCC 17.35A.920.
- (b) A scaled site plan showing:
 - (i) The type and extent of geologic hazard areas and any other critical areas, and buffers on, adjacent to, or that are likely to impact or influence the proposal, including properties upslope of the subject site;
 - (ii) The existing site topography preferably accurate to within two-foot contours; and
 - (iii) The location of existing and proposed clearing, vegetation alteration, topographic modification, fill, structures, access roads, parking areas, storage of materials, water and sewer and other utilities, and drainage facilities, with dimensions.
- (c) A description of the site features, including surface and subsurface geology, hydrology, soils, and vegetation found in the project area and in all critical areas addressed in this code. This may include surface exploration data such as borings, drill holes, test pits, wells, geologic reports, and other relevant reports or site

investigations that may be needed to make conclusions or recommendations about the site under investigation.

(d) A description of the geologic and other relevant processes affecting the property or affected by development of the property including soil erosion, deposition, or accretion.

(e) A description and assessment of the vulnerability of the site to seismic and other geologic processes and a description of any potential hazards that could be created or exacerbated as a result of site development.

(f) A description and assessment of the risk associated with the proposed development, including risks associated with standards and buffers associated with this code and the level of risk associated with alternative proposals for development within or with less setback from the area of geological hazard.

(g) A description and analysis of the risk associated with the measures proposed to mitigate the hazards, ensure public safety, and protect property and other sensitive areas, including the risk of failure of facilities due to uncertainty about existing conditions, or future failure of the mitigation measures.

(h) The assessment shall provide additional information and address specific standards and criteria specified for individual geologically hazardous areas above. [Ord. 1204 Exh. A § 2, 2008]

Article IV(F). Frequently Flooded Areas

17.35A.980 Purpose.

The purpose of the frequently flooded areas article is to help the public and private sectors avoid losses due to flood conditions in specific areas. [Ord. 1204 Exh. A § 2, 2008]

17.35A.990 Classification.

For the purposes of this chapter, frequently flooded areas within Lewis County shall be classified using the following criteria: frequently flooded areas shall be those lands identified by the Federal Emergency Management Agency as those areas falling within the 100-year frequency floodplain in the Flood Insurance Study for Lewis County, Washington, Unincorporated Areas, the most current version thereof, with accompanying flood insurance rate maps and floodway maps or the best available information based on past flood records or special studies. [Ord. 1204 Exh. A § 2, 2008]

17.35A.1000 Designation.

Lands within Lewis County meeting the classification criteria for frequently flooded areas are hereby so designated and subject to the standards and requirements set forth below. [Ord. 1204 Exh. A § 2, 2008]

17.35A.1010 Standards for permit decisions.

Development within designated frequently flooded areas shall be in compliance with Chapter 15.35 LCC, as now or hereafter amended, and/or the Lewis County shoreline master program, as now or hereafter amended. [Ord. 1204 Exh. A § 2, 2008]

Appendix A Priority species and habitat geographic identification.*

For each listed species, the criteria below define the geographic limits commonly used by Lewis County staff to trigger the need for review. Additional information in a habitat assessment report may be required.

This information is updated by the administrator to reflect changes in Washington Department of Fish and Wildlife and U.S. Fish and Wildlife Service management guidelines:

- Bald eagle: activity within 800 feet of nests; 400 feet of communal roosts, with cross reference to requirements of WAC 232-12-292.
- Golden eagle (state candidate): activities that may remove shrub cover within 1.9 miles of nests.
- Sandhill crane: activity within 1,312 feet of nest sites; 1,640 feet of night roosts; 2,625 feet of feeding areas.
- Common loon (state sensitive): activity within 492 feet of nest sites and brood rearing areas.
- Marbled murrelet: 0.5 mile around nest tree.
- Northern spotted owl: 0.7 mile around nest tree.
- Northern goshawk (state candidate): activity within 420 acres centered on nest site.
- Peregrine falcon (state sensitive): activity within 0.5 mile of nesting cliffs.
- Pileated woodpecker (state candidate): activity within suitable habitat.
- Vaux's swift (state candidate): activity within 400 feet of suitable nesting habitat.
- Townsend's big-eared bat (state candidate): activity within 450 feet of known or potential nursery sites.
- Fisher travel corridors: activity within 600 feet of suitable habitat. [Ord. 1204 Exh. A § 2, 2008]

*Code reviser's note: Appendix A references standards developed by the Washington Department of Fish and Wildlife and is subject to change without amendment to the code if the WDFW standards change.

Appendix B Current buffers for priority species.*

Current buffer requirements for specific species consistent with Washington Department of Fish and Wildlife management guidelines.

Recommended species and associated buffers (radius) for high intensity uses are indicated with additional standards, where applicable, for moderate and low intensity uses:

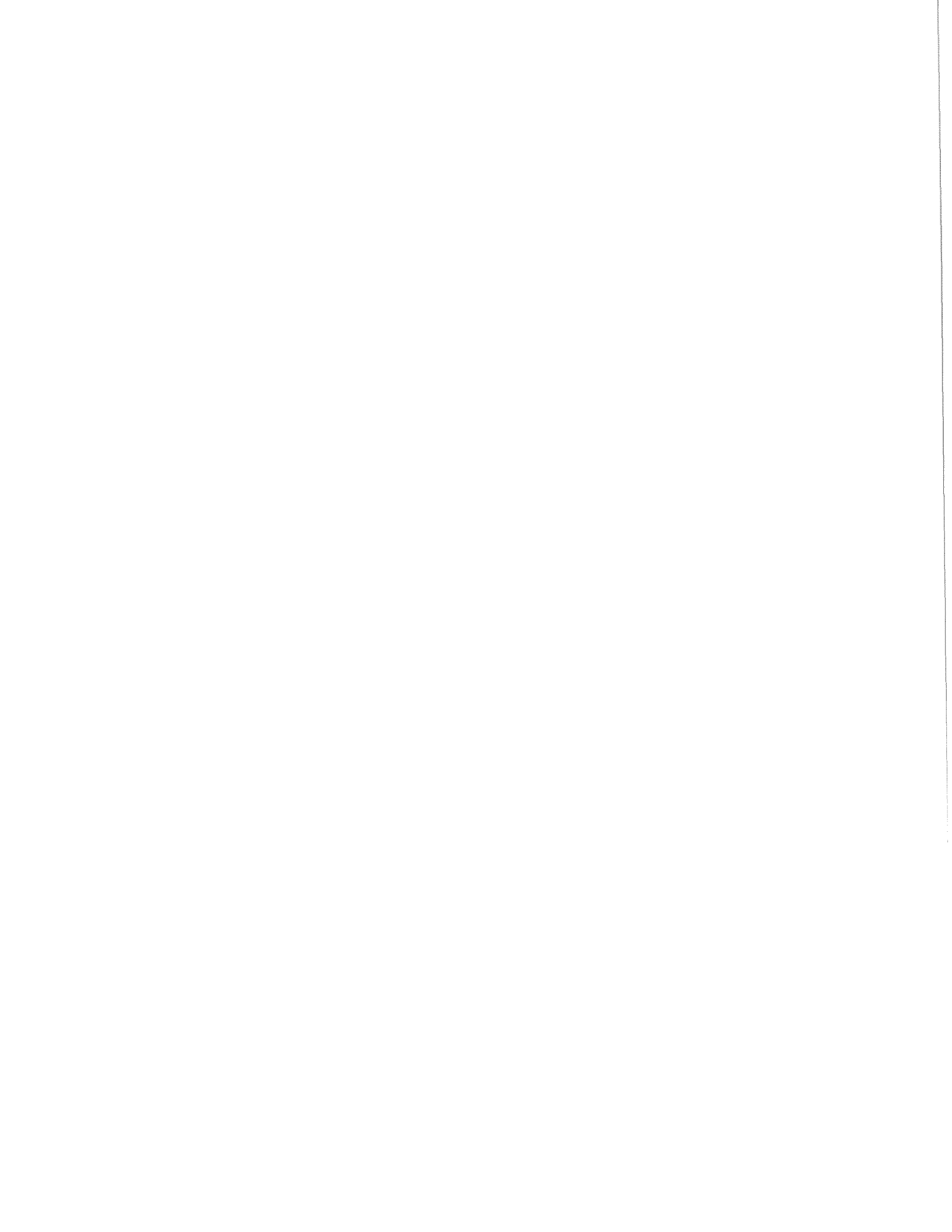
- Bald eagle nest sites: 800 feet; communal roosts: 400 feet; assess potential impact to exposed foraging areas within 1,500 feet.
- Golden eagle nest sites (state candidate): establish on a case-by-case basis.
- Sandhill crane nest sites: 1,300 feet for foot and vehicular traffic. No roads or buildings within 1,650 feet of night roosts or 2,625 feet of feeding areas.
- Common loon nest sites (state sensitive): 500 feet of nest sites and brood-rearing areas.
- Marbled murrelet: 0.5 mile around nest tree.
- Northern spotted owl: 0.7 mile around nest tree.
- Northern goshawk nest sites (state candidate): 30 acres; post-fledging areas, 420 acres.
- Peregrine falcon nesting cliffs (state sensitive): avoid disturbance and restrict access during breeding season within 0.5 mile of cliff rim, 0.25 mile of cliff face.
- Vaux's swift nest sites (state candidate): 400 feet.
- Townsend's big-eared bat nursery sites (state candidate): 450 feet. [Ord. 1204 Exh. A § 2, 2008]

*Code reviser's note: Appendix B references standards developed by the Washington Department of Fish and Wildlife and is subject to change without amendment to the code if the WDFW standards change.

This page of the Lewis County Code is current through Ordinance 061410, passed June 14, 2010.

Disclaimer: The Clerk of the Board's Office has the official version of the Lewis County Code. Users should contact the Clerk of the Board's Office for ordinances passed subsequent to the ordinance cited above.

County Website:
<http://www.lewiscountywa.gov/>
 County Telephone: (360) 740-1120
 Code Publishing Company



CITY OF MOSSYROCK SEPA ENVIRONMENT CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:
Amendments to the City of Mossyrock Growth Management Directory
2. Name of applicant:
City of Mossyrock
3. Address and phone number of applicant and contact person:
Mayor Tom Meade
City of Mossyrock
P.O. Box 96
Mossyrock, WA
4. Date checklist prepared:
October 25, 2008
5. Agency requesting checklist:
City of Mossyrock
6. Proposed timing or schedule (including phasing, if applicable):
Estimated adoption date by the City of Mossyrock is December 2008
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
The Growth Management Directory underwent the environmental review process in 1995 during its initial release. Amendments in 1999 also underwent the environmental review. In both cases, the city's threshold decision was a determination of nonsignificance. This environmental review only pertains to the 2008 amendments.
A more complete discussion of environmental data contained in the checklist is in the Technical Planning Information section of the Growth Management Directory. It is a compilation of pre-existing environmental information about the Natural and Human Environments in the community.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
No
10. List any government approvals or permits that will be needed for your proposal, if known.
Compliance review by the Growth Management Division of the Washington Department of Community, Trade, and Economic Development.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This non-project action consists of amendments to the City of Mossyrock Growth Management Directory. These amendments are part of the City's ongoing review to ensure compliance with the Growth Management Act. The 2008 revisions are not substantial and are primarily to update information in the Directory.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The City of Mossyrock is in eastern Lewis County, Washington, covering portions of Sections 7, 18, and 37 of Township 12N, Range 3E and Sections 12 and 13 of Township 12N, Range 3E.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

Most of the land area within the city and its urban growth area is flat, although slopes in excess of 15% lie on the northeast city limit boundary and along western areas along Mossyrock Road East.

b. What is the steepest slope on the site (approximate percent slope)?

30%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Soils include: Andic Xerumbrets, Cinebar, Galvin, Klaber, Lacamas, and Mossyrock soil series. All of these soils, except the Xerumbrets, are prime farmland soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There is no direct evidence of unstable soils within the urban growth area.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

The Directory amendments will not contribute to any filling or grading.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

The Directory amendments do not involve any future clearing, construction, or use.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

The Directory amendments will not increase impervious surfaces within the planning area.

Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Article VIII, critical areas protection within the Rules for Land Development provides for control erosion, especially from geologically hazardous areas and floodplains. In addition, clearing and grading permits within the Building Code control other potential erosion situations. The city will rely on the State Environmental Policy Act review process to evaluate impacts created by future projects as well as require appropriate mitigation.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

The Directory amendments will not affect air quality.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

The city has adopted RCW 70.94 and WACs 173.400-401 and 460. In addition, the city will rely on the State Environmental Policy Act review process to evaluate impacts created by future projects as well as require appropriate mitigation.

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Klickitat Creek and its associated wetland and approximately 5 acres of NWI mapped wetland at US Highway 12 and State Route 122.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This is a non-project SEPA.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not known.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

It is not probable that surface water withdrawals will occur.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes, southern portion of the city along Klickitat Creek.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

The Directory amendments do not promote water withdrawals or groundwater discharges.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The Directory amendments will not increase or decrease the amount of waste materials discharged into the ground.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The Directory amendments will not create increased stormwater runoff.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

The proposed Directory amendments seek to preserve water quality, especially for wetlands. The Directory amendments provides for professional assessment and, if necessary, mitigation based on the best available science.

4. Plants

a. Check or circle types of vegetation found on the site:

_____ deciduous tree: alder, maple, aspen, other

_____ evergreen tree: fir, cedar, pine, other

_____ shrubs

_____ grass

_____ pasture

_____ crop or grain

_____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

_____ water plants: water lily, eelgrass, milfoil, other

_____ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

The Directory aims to preserve vegetation in specific situations, especially in relation with wetlands, geologically hazardous areas, and fish and wildlife habitat conservation areas.

c. List threatened or endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The Directory amendments are not site specific.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

None

c. Is the site part of a migration route? If so, explain.

The urban growth area lies within priority habitat for Rocky Mountain and Roosevelt elk herds.

d. Proposed measures to preserve or enhance wildlife, if any:

The Directory amendments do not change previously adopted policies for review and mitigation procedures for projects that may affect priority habitat areas.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The Directory amendments do not result in any consumption of energy needs.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

No

1) Describe special emergency services that might be required.

None

2) Proposed measures to reduce or control environmental health hazards, if any:

None

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None

3) Proposed measures to reduce or control noise impacts, if any:

None

8. Land and shoreline use

What is the current use of the site and adjacent properties?

The city mostly consists of urban and agricultural uses. A few areas are undeveloped critical areas consisting of steep slopes.

b. Has the site been used for agriculture? If so, describe.

There are areas within the city and its urban growth area used for agricultural purposes. These activities include hay, alfalfa, pasture lands, and nursery crops.

c. Describe any structures on the site.

A full range of residential, commercial, and institutional structures lie within the project area.

d. Will any structures be demolished? If so, what?

None

e. What is the current zoning classification of the site?

The city and its urban growth areas have two zoning classifications for development. They are called the Neighborhood (Residential) District and the Market (Commercial) District.

f. What is the current comprehensive plan designation of the site?

Residential and Commercial

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

The Directory amendments will not increase or decrease population levels in the community.

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

None

Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The Directory amendments were proposed to ensure internal consistency and consistency with the Growth Management Act. They also undergo state and public review prior to local adoption.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

c. Proposed measures to reduce or control housing impacts, if any:

None

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable

b. What views in the immediate vicinity would be altered or obstructed?

Not applicable

c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

None

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The Mossyrock area has a wide range of designated and informal recreational opportunities. Within the city, the school district has playfields. There are a state and county park on Mayfield Lake; additional water sports are available on the Cowlitz River and Riffe Lake. The surrounding area is good for a wide range of outdoor activities.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None

13. Historic and cultural preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known

c. Proposed measures to reduce or control impacts, if any:

The City relies on the SEPA process and the Washington State Department of Archaeology and Historic Preservation for guidance on potential historic and cultural impacts.

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The urban growth area has city local and arterial streets, state roads and arterials, and State Routes 12 and 122.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes, Lewis Mountain Highway currently provides public transit to Mossyrock. The bus stops at the Mossyrock Community Center.

c. How many parking spaces would the completed project have? How many would the project eliminate?

None

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None

g. Proposed measures to reduce or control transportation impacts, if any:

None

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No

b. Proposed measures to reduce or control direct impacts on public services, if any.

None

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date Submitted:

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed Directory amendments will not directly increase discharges to water, emissions to air; production, storage, or release of toxic or hazardous substances, or the production of noise.

Proposed measures to avoid or reduce such increases are:

The Directory's *Rules for Land Development* specifically prohibits or mitigates any of these impacts to critical areas. The Rules require that projects meet broad protection standards as well as undergo delineation and assessment. Projects must meet these requirements or face denial of any required permit.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The Directory includes policies and regulations to protect plants, animals, and fish in critical areas.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The *Rules* require that projects meet broad protection standards as well as undergo delineation and assessment. Projects must meet these requirements or face denial of any required permit.

3. How would the proposal be likely to deplete energy or natural resources?

Not applicable

Proposed measures to protect or conserve energy and natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The review and resulting proposed amendments to the Directory are intended to be consistent with the Growth Management Act with regard to the required provisions for protecting critical areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The *Rules* require that projects meet broad protection standards as well as undergo delineation and assessment. Projects must meet these requirements or face denial of any required permit.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The Directory and *Rules* amendments seek to preserve no net loss of wetlands and to protect the riparian habitat of Klickitat creek.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The *Rules* in the Directory specifically protect wetlands. The *Rules* require that projects meet broad protection standards as well as undergo delineation and assessment. Projects must meet these requirements or face denial of any required permit.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed Directory amendments will not place increased demands on transportation or public utilities.

Proposed measures to reduce or respond to such demand(s) are:

None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Directory amendments must meet the general requirements of Chapter 36.70A RCW and Chapter 365-195 WAC. Agencies with jurisdiction have the opportunity to comment on its adequacy in meeting these, and other, state laws.

FORMS

City of Mossyrock

Boundary Line Adjustment Application

A Boundary Line Adjustment is a division made for the purpose of alteration by adjusting boundary lines between platted or unplatted lots, or both, which does not create any additional lot, tract parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site. No Boundary Line Adjustment shall be allowed in the City of Mossyrock unless it has been approved by the City Clerk-Treasurer.

General Information Section

① Subject Property(ies) Address(es): _____

② Legal Description of Property(ies): _____

③ Applicant Name: _____

④ Applicant Address: _____

⑤ Daytime Telephone: _____

⑥ Name of Property Owner
if different than Applicant: _____

⑦ Address of Property Owner
if different than Applicant: _____

⑧ Designated Representative: *If you wish to have someone other than yourself represent your Boundary Line Adjustment request at the application conference, please provide the name, address and daytime telephone number of that person below.*

⑨ All correspondence regarding this application will be sent to the name and address listed for the applicant (under ③ and ④) unless noted differently below:

Project Information Section

In addition to completing the *General Information Section*, the applicant for a boundary line adjustment shall submit two copies of the following items:

- ① A plat using a scale of 50 feet to one inch or larger which depicts the existing property configuration, including all lot line dimensions.
- ② A plat using a scale of 50 feet to one inch or larger which depicts the proposed property configuration, including all lot line dimensions.
- ③ A legal description of the existing property configuration and proposed property configuration, prepared by a licensed professional surveyor.

Certification

I hereby certify that all information provided on this application is correct to the best of my knowledge. I also agree that I must attend the Application Conference scheduled by the City Clerk.

Original Signature of Applicant in Ink

Date

Please retain a copy of your application for your records.

For Office Use Only:

Application number..... _____

Date received _____

Application received by _____

Fee collected \$ _____

Date/Time of Application Conference _____

Date of Determination of Completeness..... _____

Distribution date to City Depts., Engineer and Planning Commission _____

Date of Notice of Application _____

Date of Decision _____

Decision: _____

Date Filed with County Auditor _____

Attach copies of any correspondence sent to the applicant to this Application.

For Office Use Only:

Date received _____

Application received by _____

Date transmitted to Planning Commission Chair _____

Date of SEPA Threshold Decision _____

Date/Time of Planning Commission Open Record Public Hearing _____

Date of Planning Commission Decision _____

Decision: _____

Date/Time of City Council of public meeting _____

Date of preliminary City Council Decision _____

Decision: _____

Date of transmittal of amendment to state agencies _____

Date of City Council public meeting to consider comments by state _____

Effective date of amendment(s) _____

Attach copies of any correspondence, reports, and minutes to this Application.

For Office Use Only:

Application Number _____

Date received _____

Fee collected _____

Application received by _____

Date/Time of Application Conference _____

Date of Determination of Completeness _____

Distribution date to WSDOT if property next to Highway 12 or 122 _____

Distribution date to City Depts., Engineer, and Planning Commission _____

Date of Notice of Application _____

Date and Result of SEPA Threshold Decision (after end of comment period) _____

Date of Decision _____

Decision: _____

Date Filed with County Auditor _____

Attach copies of any correspondence sent to the applicant to this Application.

City of Mossyrock Notice of Application

The City of Mossyrock hereby issues this Notice of Application on the following Application for a:

- Building Permit
- Variance
- Short Subdivision
- Preliminary Plat Subdivision
- Amendment to the Growth Management Directory
- Other Permits (if known): _____

from:

Name of Applicant: _____

Address of Applicant: _____

for the following project:

A State Environmental Policy Act (SEPA) Environmental Checklist on this project is available for public review and comment.

A Determination of Completeness on the Application was issued by the City on the following date: _____

The Public Comment Period for this application begins on _____ and ends on _____. Any individual may also provide comment at a public hearing when it is required for this application.

A public hearing will be held on this application before the: _____

on the following time and date at the Mossyrock City Hall: _____

All existing environmental documents and application materials are available for public review prior to the public hearing at the City Clerk-Treasurer's Office in the Mossyrock City Hall, 154 East Main, P.O. Box 96, 98564-0096, during normal business hours.

Date of this Notice of Application: _____

Certification

I hereby certify that all information provided on this application is correct to the best of my knowledge. I also agree that I must attend the Application Conference scheduled by the Mossyrock City Clerk-Treasurer.

Original Signature of Applicant in Ink

Date

Please retain a copy of your application for your records.

For Office Use Only:

Application Number _____

Date received _____

Fee collected \$ _____

Application received by _____

Date/Time of Application Conference _____

Date of Determination of Completeness _____

Date of transmittal to Chair of the Planning Commission _____

Date of Notice of Application _____

Newspaper publication date (10 days prior to hearing) _____

Mailing to property owners within 300 feet _____

Date of SEPA Threshold Decision _____

Date/Time of Open Record Hearing before Planning Commission _____

Date of Decision _____

Decision: _____

Date/Time of City Council Public Meeting _____

Date of Decision _____

Decision: _____

Notice of Decision sent to applicant _____

Attach copies of any correspondence sent to the applicant to this Application.

City of Mossyrock

Application for Amending the GROWTH MANAGEMENT DIRECTORY

Section II, the COMPREHENSIVE PLAN FOR FUTURE DEVELOPMENT, may be amended no more frequently than once every year in accordance with the procedures on page 13. The text of the RULES FOR DEVELOPMENT, including adding or deleting to the list of permitted uses in Articles III, IV, and VII, may be amended whenever public necessity, convenience and general welfare requires such action.

General Information Section

- ① Applicant Name: _____
- ② Applicant Address: _____
- ③ Daytime Telephone: _____
- ④ Designated Representative: *If you wish to have someone other than yourself represent your Code Amendment request before future public hearings and meetings, please provide the name, address and daytime telephone number of that person below.*
- _____
- _____
- ⑤ All correspondence regarding this application will be sent to the name and address listed for the applicant (under ② and ③) unless noted differently below:
- _____
- _____
- ⑥ A State Environmental Policy Act (SEPA) Environmental Checklist must be filled-out and submitted with this application.

Code Amendment Application Information Section

This is a request to amend (*Please check all that apply*):

- Text within the COMPREHENSIVE PLAN FOR FUTURE DEVELOPMENT.
- Text within the RULES FOR LAND DEVELOPMENT.
- Development District Map in the COMPREHENSIVE PLAN FOR FUTURE DEVELOPMENT.

Code Amendment Application Information Section (Continued)

Text Amendments. If applicable, please state which part(s) of the COMPREHENSIVE PLAN FOR FUTURE DEVELOPMENT and/or RULES FOR LAND DEVELOPMENT you wish to amend and for what reason(s):

Please attach additional pages if needed.

Map Changes. If applicable, please state which area(s) of the Development Districts Map, including legal description(s), you wish to change and for what reason(s):

Please attach a map showing the requested changes.

Please feel free to additional pages if needed or include any photographs, drawings or other materials you feel will help us understand your application.

Certification

I hereby certify that all information provided on this application is correct to the best of my knowledge. I also agree that I must attend the open record public hearing before the Planning Commission.

Original Signature of Applicant in Ink

Date

Please retain a copy of your application for your records.

City of Mossyrock Variance Application.

"A variance provides a property owner relief when the strict application of the provisions in the Rules for Land Development would impose unusual, practical difficulties or unnecessary physical hardships on the development of a permitted use. The standards for evaluating practical difficulties and unnecessary hardships shall include:

- a. The size, shape, and dimension of the site;
- b. The location of any existing structures on site or on adjacent property; and
- c. Any geographic or topographic condition on the site or in the immediate vicinity of the site."

The complete procedures for obtaining a variance are provided under Article VIII, Part 8 of the RULES FOR DEVELOPMENT.

General Information Section

- ① Subject Property Address: _____
- ② Legal Description of Property: _____
- ③ Applicant Name: _____
- ④ Applicant Address: _____
- ⑤ Daytime Telephone: _____
- ⑥ Name of Property Owner: _____
- ⑦ Address of Property Owner : _____
- ⑧ Designated Representative: *If you wish to have someone other than yourself represent your variance request at the application conference and before future hearings, please provide the name, address and daytime telephone number of that person below.*
- _____
- _____
- ⑨ All correspondence and hearing notices regarding this application will be sent to the name and address listed for the applicant (under ③ and ④ above) unless noted differently below:
- _____
- _____



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

Insurance Building, PO Box 43113 • Olympia, Washington 98504-3113 • (360) 902-0555

June 30, 2008

Dear City, Town, and County Officials:

This letter officially transmits April 1, 2008, population determinations for cities, towns, and counties. These 2008 population determinations will be used to allocate certain revenues to local governments according to RCW 43.62.020 and RCW 36.13.100. Allocations to counties based on these numbers should begin July 2008. Allocations to cities and towns based on these numbers should begin in January 2009.

As required by the Growth Management Act this letter also transmits the percentage increase in population for each county over the preceding ten years, April 1, 1998 through April 1, 2008.

These April 1, 2008, population determinations are being sent to the highest elected official in all local jurisdictions, the population contact for all cities and towns, county planners, and regional planning agencies. Please inform other interested persons of these figures.

If you have any questions, please contact me at (360) 902-0599.

Sincerely,

A handwritten signature in cursive script, appearing to read "Theresa J. Lowe".

Theresa J. Lowe
Chief Demographer

Enclosures

**Office of Financial Management April 1 Population Determinations
Official Change from April 1, 1998 to April 1, 2008**

In accord with the Growth Management Act this table reports the percent increase in population estimates for each county over the preceeding ten years as determined by the Office of Financial Management.

Please Note: Percent change is based on official estimates released each July 1. Historical estimates are the original estimates and will not match the intercensal population estimates on various data sites.

	Population Estimates		Change	
	1998	2008	Number	Percent
Washington	5,685,300	6,587,600	902,300	15.87
Adams	15,900	17,800	1,900	11.95
Asotin	20,000	21,400	1,400	7.00
Benton*	137,500	165,500	28,000	20.36
Chelan*	62,600	72,100	9,500	15.18
Clallam*	66,700	69,200	2,500	3.75
Clark*	328,000	424,200	96,200	29.33
Columbia*	4,200	4,100	-100	-2.38
Cowlitz	93,100	99,000	5,900	6.34
Douglas*	31,400	37,000	5,600	17.83
Ferry*	7,300	7,700	400	5.48
Franklin*	44,400	70,200	25,800	58.11
Garfield*	2,400	2,300	-100	-4.17
Grant*	69,400	84,600	15,200	21.90
Grays Harbor	67,900	70,900	3,000	4.42
Island*	72,500	79,300	6,800	9.38
Jefferson*	26,500	28,800	2,300	8.68
King*	1,665,800	1,884,200	218,400	13.11
Kitsap*	229,000	246,800	17,800	7.77
Kittitas*	31,400	39,400	8,000	25.48
Klickitat	19,100	20,100	1,000	5.24
Lewis*	68,600	74,700	6,100	8.89
Lincoln	10,000	10,400	400	4.00
Mason*	48,300	56,300	8,000	16.56
Okanogan	38,400	40,100	1,700	4.43
Pacific*	21,500	21,800	300	1.40
Pend Oreille*	11,200	12,800	1,600	14.29
Pierce*	686,800	805,400	118,600	17.27
San Juan*	12,600	16,100	3,500	27.78
Skagit*	98,700	117,500	18,800	19.05
Skamania	9,900	10,700	800	8.08
Snohomish*	568,100	696,600	128,500	22.62
Spokane*	410,900	459,000	48,100	11.71
Stevens*	37,600	43,700	6,100	16.22
Thurston*	199,700	245,300	45,600	22.83
Wahkiakum	3,900	4,100	200	5.13
Walla Walla*	54,600	58,600	4,000	7.33
Whatcom*	157,500	191,000	33,500	21.27
Whitman	41,400	43,000	1,600	3.86
Yakima*	210,500	235,900	25,400	12.07

*Counties fully planning under the Growth Management Act.

Source: Dept. of Community, Trade and Economic Development, Growth Management Program.

**April 1 Population of Cities, Towns, and Counties
Used for Allocation of Selected State Revenues
State of Washington**

Caution: Annual change may not be valid due to corrections and data changes. Estimates for individual years may not be comparable. Estimates in this series are not revised based on information that becomes available after the estimate date.
Evaluate growth by looking at the growth between the last census and most current estimate.

County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
Adams	16,428	16,600	16,600	16,600	16,700	17,000	17,300	17,600	17,800
Unincorporated	7,905	8,001	8,045	7,965	7,985	8,230	8,435	8,605	8,665
Incorporated	8,523	8,599	8,555	8,635	8,715	8,770	8,865	8,995	9,135
Halton	98	119 *	105	105	105	105	105	105	105
Lind	582	580	570	575	570	565	565	560	560
Othello	5,847	5,895	5,905	5,970	6,050	6,120	6,205	6,340	6,495
Ritzville	1,736	1,745	1,725	1,735	1,740	1,730	1,730	1,730	1,740
Washtucna	260	260	250	250	250	250	260	260	235
Asotin	20,551	20,700	20,700	20,600	20,700	20,900	21,100	21,300	21,400
Unincorporated	12,119	12,225	12,245	12,195	12,295	12,490	12,660	12,840	12,930
Incorporated	8,432	8,475	8,455	8,405	8,405	8,410	8,440	8,460	8,470
Asotin	1,095	1,095	1,110	1,115	1,125	1,130	1,165	1,180	1,210
Clarkston	7,337	7,380	7,345	7,290	7,280	7,280	7,275	7,280	7,260
Benton	142,475	144,800	147,600	151,600	155,100	158,100	160,600	162,900	165,500
Unincorporated	33,169	33,350	34,610	34,965	35,830	36,075	36,195	36,525	34,450
Incorporated	109,306	111,450	112,990	116,635	119,270	122,025	124,405	126,375	131,050
Benton City	2,624	2,720	2,725	2,790	2,815	2,840	2,840	2,860	2,855
Kennewick	54,751	55,780	56,280	57,900	58,970	60,410	61,770	62,520	65,860
Prosser	4,838	4,865	4,905	4,940	4,985	5,045	5,045	5,075	5,075
Richland	38,708	39,350	40,150	41,650	42,660	43,520	44,230	45,070	46,080
West Richland	8,385	8,735	8,930	9,355	9,840	10,210	10,520	10,850	11,180
Chelan	66,616	67,100	67,600	67,900	68,400	69,200	70,100	71,200	72,100
Unincorporated	29,238	29,510	29,665	29,730	29,840	29,985	30,145	30,760	30,850
Incorporated	37,378	37,590	37,935	38,170	38,560	39,215	39,955	40,440	41,250
Cashmere	2,965	3,070	3,045	2,975	2,980	2,980	2,980	2,980	2,990
Chelan	3,526	3,535	3,535	3,600	3,645	3,680	3,755	3,835	3,995
Entiat	957	975	990	1,010	1,010	1,055	1,105	1,130	1,160
Leavenworth	2,074	2,080	2,095	2,115	2,165	2,180	2,195	2,225	2,295
Wenatchee	27,856	27,930	28,270	28,470	28,760	29,320	29,920	30,270	30,810
Clallam	64,179 \$	64,454 \$	64,900	65,300	65,900	66,800	67,800	68,500	69,200
Unincorporated	38,328 \$	38,519 \$	38,970	39,265	39,660	40,305	40,635	40,985	41,215
Incorporated	25,851	25,935	25,930	26,035	26,240	26,495	27,165	27,515	27,985
Forks	3,120	3,145	3,130	3,125	3,125	3,125	3,165	3,175	3,205
Port Angeles	18,397	18,420	18,430	18,470	18,530	18,640	18,970	19,010	19,170
Sequim	4,334	4,370	4,370	4,440	4,585	4,730	5,030	5,330	5,610
Clark	345,238	352,600	363,400	372,300	383,300	391,500	403,500	415,000	424,200
Unincorporated	166,279	170,430	175,710	179,825	184,650	188,955	196,090	201,135	206,830
Incorporated	178,959	182,170	187,690	192,475	198,650	202,545	207,410	213,865	217,370
Battle Ground	9,322	10,040	11,110	12,560	14,220	14,960	15,810	16,240	16,710
Camas	12,534	12,970	13,540	14,200	15,360	15,460	15,880	16,280	16,700
a Center	1,654	1,735	1,805	1,855	1,990	2,095	2,315	2,440	2,510
idgefield	2,147	2,175	2,145	2,185	2,195	2,630	3,225	3,680	4,015
ancouver	143,560	145,300	148,800	150,700	152,900	154,800	156,600	160,800	162,400
ashougal	8,595	8,790	9,100	9,775	10,770	11,350	12,270	12,980	13,480
odland part	92	95	85	85	80	90	90	75	85
olt	1,055	1,065	1,105	1,115	1,135	1,160	1,220	1,370	1,470
olumbia	4,064	4,100	4,100	4,100	4,100	4,100	4,100	4,100	4,100
orporated	1,279	1,255	1,255	1,255	1,255	1,255	1,250	1,250	1,240
orporated	2,785	2,845	2,845	2,845	2,845	2,845	2,850	2,850	2,860
n	2,655	2,715	2,715	2,715	2,715	2,715	2,720	2,720	2,730
ck	130	130	130	130	130	130	130	130	130

**April 1 Population of Cities, Towns, and Counties
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State of Washington**

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Evaluate growth by looking at the growth between the last census and most current estimate.

County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
Cowlitz	92,948	93,900	94,400	94,900	95,300	95,900	96,800	97,800	99,000
Unincorporated	38,792	39,195	39,485	39,745	40,000	40,290	40,590	41,125	41,550
Incorporated	54,156	54,705	54,915	55,155	55,300	55,610	56,210	56,675	57,450
Castle Rock	2,130	2,125	2,120	2,140	2,150	2,140	2,135	2,135	2,145
Kalama	1,783	1,840	1,870	1,935	1,950	1,980	2,025	2,105	2,475
Kelso	11,895	11,860	11,770	11,830	11,800	11,820	11,840	11,840	11,900
Longview	34,660	35,100	35,310	35,290	35,340	35,430	35,570	35,710	35,880
Woodland <i>part</i>	3,688	3,780	3,845	3,960	4,060	4,240	4,640	4,885	5,050
Douglas	32,603	32,800	33,100	33,600	34,200	34,700	35,700	36,300	37,000
Unincorporated	22,317	22,469	20,539	20,855	21,330	21,780	19,665	20,180	20,815
Incorporated	10,286	10,331	12,561	12,745	12,870	12,920	16,035	16,120	16,185
Bridgeport	2,059	2,080	2,065	2,070	2,075	2,075	2,075	2,090	2,070
Coulee Dam <i>part</i>	125	125	176 *	175	175	175	175	175	175
East Wenatchee	5,757	5,770	7,965	8,140	8,255	8,300	11,420	11,480	11,570
Mansfield	319	321 *	320	320	325	325	325	330	330
Rock Island	863	865	860	865	870	875	865	865	865
Waterville	1,163	1,170	1,175	1,175	1,170	1,170	1,175	1,180	1,175
Ferry	7,260	7,300	7,300	7,300	7,300	7,400	7,500	7,550	7,700
Unincorporated	6,306	6,310	6,325	6,325	6,330	6,425	6,510	6,565	6,700
Incorporated	954	990	975	975	970	975	990	985	1,000
Republic	954	990	975	975	970	975	990	985	1,000
Franklin	49,347	50,400	51,300	53,600	57,000	60,500	64,200	67,400	70,200
Unincorporated	13,686	13,765	12,915	12,175	12,305	12,455	12,730	13,325	14,000
Incorporated	35,661	36,635	38,385	41,425	44,695	48,045	51,470	54,075	56,200
CConnell	2,956	2,970	3,100	3,190	3,195	3,195	3,200	3,205	3,255
Kahlotus	214	215	215	215	220	220	220	220	215
Mesa	425	440	440	440	440	440	440	440	440
Pasco	32,066	33,010	34,630	37,580	40,840	44,190	47,610	50,210	52,290
Garfield	2,397	2,400	2,400	2,400	2,400	2,400	2,400	2,350	2,300
Unincorporated	880	880	885	885	890	885	875	830	775
Incorporated	1,517	1,520	1,515	1,515	1,510	1,515	1,525	1,520	1,525
Pomeroy	1,517	1,520	1,515	1,515	1,510	1,515	1,525	1,520	1,525
Grant	74,698	75,900	76,400	77,100	78,300	79,100	80,600	82,500	84,600
Unincorporated	35,797	36,230	36,625	36,815	37,240	37,660	38,455	39,550	40,395
Incorporated	38,901	39,670	39,775	40,285	41,060	41,440	42,145	42,950	44,205
Coulee City	600	600	590	590	605	600	600	600	600
Coulee Dam <i>part</i>	4	5	0 *	0	0	0 +	0	0	0
Electric City	922	950	950	955	950	950	955	970	980
Ephrata	6,808	6,895	6,865	6,855	6,890	6,930	6,950	7,025	7,065
George	528	535	540	525	525	525	530	530	545
Grand Coulee	897	926 *	910	920	925	925	930	930	935
Hartline	134	135	130	130	135	135	135	145	145
Krupp	60	65	65	65	65	60	60	60	60
Mattawa	2,609	2,820	2,850	3,025	3,265	3,290	3,330	3,340	3,350
Moses Lake	14,953	15,210	15,420	15,730	16,110	16,340	16,830	17,440	18,310
Quincy	5,044	5,165	5,140	5,165	5,255	5,265	5,395	5,455	5,700
Royal City	1,823	1,825	1,800	1,815	1,815	1,870	1,875	1,885	1,900
Soap Lake	1,733	1,730	1,720	1,730	1,735	1,735	1,740	1,750	1,765
Warden	2,544	2,565	2,555	2,540	2,540	2,575	2,575	2,575	2,600
Wilson Creek	242 *	244 *	240	240	245	240	240	245	250

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Evaluate growth by looking at the growth between the last census and most current estimate.

County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
Grays Harbor	67,194	68,500	68,400	68,800	69,200	69,800	70,400	70,800	70,900
Unincorporated	25,548 \$	26,770 \$	26,995 \$	27,265 \$	27,295	27,505	27,620	27,860	27,870
Incorporated	41,646 \$	41,730 \$	41,405 \$	41,535 \$	41,905	42,295	42,780	42,940	43,030
Aberdeen	16,461	16,490	16,250	16,320	16,410	16,450	16,470	16,450	16,460
Cosmopolis	1,595	1,595	1,565	1,630	1,590	1,600	1,635	1,645	1,650
Elma	3,049	3,050	3,175	3,060	3,085	3,105	3,100	3,140	3,125
Hoquiam	9,097	9,035	8,945	8,855	8,885	8,875	8,845	8,845	8,795
McCleary	1,484 \$	1,475 \$	1,440 \$	1,450 \$	1,455	1,475	1,540	1,555	1,555
Montesano	3,312	3,325	3,325	3,345	3,375	3,420	3,550	3,550	3,565
Oakville	675	680	670	680	675	680	710	715	720
Ocean Shores	3,836	3,930	3,930	4,065	4,240	4,385	4,605	4,705	4,805
Westport	2,137	2,150	2,105	2,130	2,190	2,305	2,325	2,335	2,355
Island	71,558	72,400	73,100	74,000	74,800	76,000	77,200	78,400	79,300
Unincorporated	49,081	49,635	50,494	50,680	51,085	51,450	52,035	52,795	53,325
Incorporated	22,477	22,765	22,606	23,320	23,715	24,550	25,165	25,605	25,975
Coupeville	1,723	1,735	1,730	1,745	1,745	1,785	1,820	1,855	1,915
Langley	959	970	996 *	1,005	1,030	1,045	1,055	1,060	1,080
Oak Harbor	19,795	20,060	19,880	20,570	20,940	21,720	22,290	22,690	22,980
Jefferson	26,299 \$	26,446 \$	26,600	26,700	27,000	27,600	28,200	28,600	28,800
Unincorporated	17,965 \$	18,016 \$	18,145	18,270	18,465	18,855	19,380	19,735	19,875
Incorporated	8,334	8,430	8,455	8,430	8,535	8,745	8,820	8,865	8,925
Port Townsend	8,334	8,430	8,455	8,430	8,535	8,745	8,820	8,865	8,925
King	1,737,046 \$	1,758,312 \$	1,774,312 \$	1,779,300	1,788,300	1,808,300	1,835,300	1,861,300	1,884,200
Unincorporated	349,234 \$	353,040 \$	351,136 \$	351,843	356,795	364,498	367,070	368,255	341,150
Incorporated	1,387,812 \$	1,405,272 \$	1,423,176 \$	1,427,457	1,431,505	1,443,802	1,468,230	1,493,045	1,543,050
Algona	2,460	2,500	2,525	2,590	2,605	2,660	2,695	2,725	2,740
Auburn <i>part</i>	42,901	43,420	43,970	43,890	43,670	43,540	43,820	44,300	60,400
Beaux Arts Village	307	310	295	302	300	297	300	310	310
Bellevue	109,827	111,500	117,000	116,400	116,500	115,500	117,000	118,100	119,200
Black Diamond	3,970	4,015	4,015	3,995	4,000	4,080	4,085	4,120	4,155
Bothell <i>part</i>	16,119 \$	16,244 \$	16,264 \$	16,250	16,250	16,250	16,600	16,950	17,130
Burien	31,881	31,830	31,810	31,480	31,130	31,040	31,080	31,410	31,540
Carnation	1,893	1,920	1,905	1,905	1,895	1,900	1,900	1,900	1,905
Clyde Hill	2,890	2,900	2,895	2,830	2,790	2,780	2,795	2,810	2,805
Covington	13,783	13,840	14,395	14,850	15,190	16,610	17,240	17,190	17,360
Des Moines	29,267	29,600	29,510	29,120	29,020	28,960	29,020	29,090	29,180
Duvall	4,616	4,860	5,190	5,460	5,545	5,595	5,735	5,845	5,925
Enumclaw <i>part</i>	11,116	11,180	11,195	11,140	11,160	11,190	11,220	11,320	11,470
Federal Way	83,259	83,890	83,850	83,500	83,590	85,800	86,530	87,390	88,040
Hunts Point	443	455	455	445	450	450	480	480	475
Issaquah	11,212	12,950	13,790	15,110	15,510	17,060	19,570	24,710	26,320
Kenmore	18,678	18,790	19,180	19,200	19,170	19,290	19,680	19,940	20,220
Kent	79,524	81,900	84,275	84,210	84,560	84,920	85,650	86,660	86,980
Everett	45,054	45,770	45,790	45,630	45,800	45,740	47,180	47,890	48,410
Everett Forest Park	12,871 \$	12,889 \$	12,860	12,750	12,770	12,730	12,770	12,770	12,810
Evans Valley	14,209	14,590	15,040	15,730	16,280	17,870	19,140	20,020	20,480
Evans	3,011	2,990	3,010	2,970	2,955	2,930	2,945	2,950	2,955
Friday Harbor	22,036	21,970	21,955	21,840	21,830	21,710	21,860	22,380	22,650
Friday Harbor <i>part</i>	814	815	815	820	800	815	825	825	825
Friday Harbor Castle	7,737	7,815	8,205	8,320	8,375	8,890	9,175	9,550	9,720
Friday Harbor Sandy Park	6,392	6,405	6,395	6,345	6,400	6,385	6,415	6,435	6,425
Friday Harbor Bend	4,746	4,755	4,735	4,680	4,660	4,685	4,690	4,705	4,710

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County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
King <i>continued</i>									
Pacific part	5,373	5,380	5,405	5,525	5,545	5,640	5,815	5,945	6,120
Redmond	45,256	45,490	46,040	46,480	46,900	47,600	49,890	50,680	51,320
Renton	50,052	51,140	53,840	54,900	55,360	56,840	58,360	60,290	78,780
Sammamish	34,104	34,560	34,660	35,930	36,560	38,640	39,730	40,260	40,550
SeaTac	25,496	25,380	25,320	25,100	25,130	25,140	25,230	25,530	25,720
Seattle	563,376 \$	568,102 \$	570,802 \$	571,900	572,600	573,000	578,700	586,200	592,800
Shoreline	53,296 \$	53,421 \$	53,250	52,730	52,740	52,500	52,830	53,190	53,440
Skykomish	214	215	215	210	210	210	210	210	210
Snoqualmie	1,631	3,416 *	4,210	4,785	5,110	6,345	7,815 *	8,600	9,360
Tukwila	17,181	17,230	17,270	17,230	17,240	17,110	17,930	18,000	18,080
Woodinville	9,809 \$	9,825 \$	9,830 \$	9,905	9,915	10,140	10,350	10,390	10,560
Yarrow Point	1,008	1,010	1,010	1,000	990	960	970	975	970
Kitsap	231,969	233,400	234,700	237,000	239,500	240,400	243,400	244,800	246,800
Unincorporated	159,896	160,625	161,345	162,000	164,960	167,920	169,090	170,000	170,500
Incorporated	72,073	72,775	73,355	75,000	74,540	72,480	74,310	74,800	76,300
Bainbridge Island	20,308	20,740	20,920	21,350	21,760	22,200	22,600	23,080	23,180
Bremerton	37,259	37,260	37,530	38,730	37,520	34,580	35,910	35,810	36,860
Port Orchard	7,693	7,810	7,900	7,910	8,060	8,250	8,310	8,350	8,420
Poulsbo	6,813	6,965	7,005	7,010	7,200	7,450	7,490	7,560	7,840
Kittitas	33,362	34,000	34,800	35,200	35,800	36,600	37,400	38,300	39,400
Unincorporated	13,614	14,120	14,520	14,785	14,910	15,375	15,780	16,510	17,465
Incorporated	19,748	19,880	20,280	20,415	20,890	21,225	21,620	21,790	21,935
Cle Elum	1,755	1,755	1,775	1,775	1,785	1,800	1,810	1,835	1,865
Ellensburg	15,414	15,460	15,830	15,940	16,390	16,700	17,080	17,220	17,330
Kittitas	1,105	1,105	1,100	1,120	1,130	1,135	1,135	1,135	1,145
Roslyn	1,017	1,017	1,020	1,020	1,020	1,020	1,020	1,020	1,015
South Cle Elum	457	543 *	555	560	565	570	575	580	580
Klickitat	19,161	19,300	19,300	19,300	19,300	19,500	19,800	19,900	20,100
Unincorporated	12,536	12,665	12,720	12,775	12,765	12,960	13,160	13,310	13,490
Incorporated	6,625	6,635	6,580	6,525	6,535	6,540	6,640	6,590	6,610
Bingen	672	675	670	655	645	655	680	680	680
Goldendale	3,760	3,745	3,720	3,650	3,690	3,650	3,715	3,715	3,725
White Salmon	2,193	2,215	2,190	2,220	2,200	2,235	2,245	2,195	2,205
Lewis	68,600	69,500	70,200	70,400	70,700	71,600	72,900	74,100	74,700
Unincorporated	40,821	41,367	41,920	42,145	42,415	43,213	44,117	45,073	45,365
Incorporated	27,779	28,133	28,280	28,255	28,285	28,387	28,783	29,027	29,335
Centralia	14,742	14,950	15,040	15,110	15,200	15,340	15,430	15,520	15,540
Chehalis	7,057	7,015	7,055	7,010	6,980	6,990	7,025	7,045	7,215
Morton	1,045	1,040	1,050	1,025	1,015	1,025	1,127 *	1,140	1,140
Mossyrock	486	490	490	485	480	480	485	485	485
Napavine	1,383	1,352 *	1,360	1,330	1,330	1,328 +	1,400	1,492	1,610 *
Pe Ell	657	660	660	660	660	599 *	666 *	670	670
Toledo	653	684 *	685	685	685	685	685	685	690
Vader	590	605	605	610	595	600	615	620	625
Winlock	1,166	1,337 *	1,335	1,340	1,340	1,340	1,350	1,370	1,360
Lincoln	10,184	10,200	10,200	10,100	10,200	10,100	10,200	10,300	10,400
Unincorporated	4,520	4,494	4,563	4,561	4,572	4,470	4,540	4,615	4,720
Incorporated	5,664	5,706	5,637	5,539	5,628	5,630	5,660	5,685	5,680
Almira	302	300	295	295	270	275	280	285	285
Creston	232	251 +	243	225	253 *	255	255	255	250

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County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
<i>Lincoln continued</i>									
Davenport	1,730	1,735	1,720	1,690	1,730	1,730	1,745	1,745	1,745
Harrington	431 *	425	429	434	430	420	420	420	420
Odessa	957	960	950	930	950	950	950	955	960
Rearidan	608	610	605	595	610	610	620	630	630
Sprague	490	505	490	490	490	495	495	495	490
Wilbur	914	920	905	880	895	895	895	900	900
Mason	49,405	49,600	49,800	50,200	50,800	51,900	53,100	54,600	56,300
Unincorporated	40,963	41,130	41,305	41,655	42,105	43,165	44,295	45,705	47,320
Incorporated	8,442	8,470	8,495	8,545	8,695	8,735	8,805	8,895	8,980
Shelton	8,442	8,470	8,495	8,545	8,695	8,735	8,805	8,895	8,980
Okanogan	39,564	39,700	39,800	39,600	39,600	39,600	39,800	39,800	40,100
Unincorporated	23,647	23,745	23,938	23,810	23,830	23,870	23,949	23,939	24,145
Incorporated	15,917	15,955	15,862	15,790	15,770	15,730	15,851	15,861	15,955
Brewster	2,189	2,205	2,200	2,200	2,195	2,190	2,200	2,195	2,195
Conconully	185	190	193 *	190	190	190	190	190	200
Coulee Dam <i>part</i>	915	915	854 *	840	850	850	850	850	850
Elmer City	267	270	265	265	265	265	241 *	241	240
Nespelem	212	210	210	210	210	205	210	205	205
Okanogan	2,484	2,480	2,455	2,450	2,435	2,435	2,485	2,445	2,470
Omak	4,721	4,730	4,740	4,705	4,700	4,685	4,705	4,735	4,750
Oroville	1,653	1,670	1,665	1,675	1,670	1,660	1,665	1,710	1,715
Pateros	643	640	640	615	610	610	625	620	620
Riverside	348	330	325	320	320	320	320	320	325
Tonasket	1,013 *	1,010	1,020	1,005	1,005	1,000	1,000	990	1,000
Twisp	938	955	945	955	960	965	990	980	985
Winthrop	349	350	350	360	360	355	370	380	400
Pacific	20,984	21,000	21,000	20,900	21,000	21,300	21,500	21,600	21,800
Unincorporated	13,969	13,885	13,940	13,880	13,955	14,200	14,255	14,325	14,445
Incorporated	7,015	7,115	7,060	7,020	7,045	7,100	7,245	7,275	7,355
Ilwaco	950	950	945	940	955	975	1,015	1,040	1,070
Long Beach	1,283	1,385	1,340	1,345	1,360	1,395	1,455	1,460	1,510
Raymond	2,975	2,975	2,985	2,960	2,970	2,975	3,005	3,005	3,005
South Bend	1,807	1,805	1,790	1,775	1,760	1,755	1,770	1,770	1,770
Pend Oreille	11,732	11,800	11,800	11,800	11,900	12,200	12,300	12,600	12,800
Unincorporated	8,735	8,710	8,735	8,810	8,920	9,210	9,300	9,529	9,700
Incorporated	2,997	3,090	3,065	2,990	2,980	2,990	3,000	3,071	3,100
Cusick	212	210	210	205	210	210	205	210	205
Ione	479	475	465	440	425	425	420	420	425
Metaline	162	160	160	160	160	160	165	165	170
Metaline Falls	223	225	225	220	220	220	225	286 *	285
Newport	1,921	2,020	2,005	1,965	1,965	1,975	1,985	1,990	2,015
Pierce	700,818 \$	713,398 \$	724,998 \$	733,700	744,000	755,900	773,500	790,500	805,400
Unincorporated	315,359 \$	323,741 \$	329,124 \$	332,980	339,477	345,940	355,089	365,910	377,660
Incorporated	385,459 \$	389,657 \$	395,874 \$	400,720	404,523	409,960	418,411	424,590	427,740
Luburn <i>part</i>	146	565	1,040	1,465	2,465	3,930	5,135	6,170	6,605
Monney Lake	9,687	9,980	12,360	12,950	13,740	14,370	15,230	15,740	16,220
Muckley	4,145	4,330	4,410	4,505	4,510	4,515	4,535	4,555	4,560
Carbonado	621	650 *	647	655 +	658 +	645 +	666 +	655	655
Pont	2,452	2,855	3,295	3,685	4,425	5,410	6,610	7,045	7,390
Porterville	2,012	2,040	2,070	2,095	2,165	2,330	2,385	2,380	2,375

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	2000	2001	2002	2003	2004	2005	2006	2007	2008
Pierce <i>continued</i>									
Edgewood	9,089	9,220	9,320	9,405	9,440	9,460	9,510	9,560	9,595
Enumclaw <i>part</i>	0	0	0	0	0	0	0	0	0
Fife	4,784	4,820	4,815	4,905	4,885	4,855	6,135	7,180	7,525
Fircrest	5,868	5,890	5,925	5,935	5,995	6,080	6,260	6,270	6,315
Gig Harbor	6,465	6,485	6,540	6,655	6,680	6,765	6,765	6,780	6,910
Lakewood	58,293 \$	58,272 \$	58,662 \$	58,940	59,010	58,850	59,000	58,950	58,780
Milton <i>part</i>	4,981	5,005	5,180	5,205	5,225	5,285	5,665	5,695	5,710
Orting	3,931 \$	4,186 \$	4,060	4,295	4,440	4,820	5,560	5,940	6,075
Pacific <i>part</i>	154	145	145	140	135	130	125	110	105
Puyallup	33,014	33,900	34,920	35,490	35,690	35,830	36,360	36,790	36,930
Roy	260	367 *	865	870	865	865	875	870	875
Ruston	738	740	740	745	745	745	740	750	755
South Prairie	382	430 *	440	440	435	440	440	440	440
Steilacoom	6,049	6,085	6,095	6,120	6,160	6,175	6,200	6,220	6,255
Sumner	8,504	8,585	8,670	8,780	8,835	8,940	9,025	9,035	9,060
Tacoma	193,556	194,500	194,900	196,300	196,800	198,100	199,600	201,700	202,700
University Place	29,933	30,190	30,350	30,720	30,800	30,980	31,140	31,300	31,440
Wilkeson	395	417 *	425	420	420	440	450	455	465
San Juan	14,077	14,400	14,600	14,800	15,100	15,500	15,700	15,900	16,100
Unincorporated	12,088 \$	12,380	12,555	12,760	13,025	13,350	13,490	13,680	13,860
Incorporated	1,989 \$	2,020	2,045	2,040	2,075	2,150	2,210	2,220	2,240
Friday Harbor	1,989 \$	2,020	2,045	2,040	2,075	2,150	2,210	2,220	2,240
Skagit	102,979	104,100	105,100	106,700	108,800	110,900	113,100	115,300	117,500
Unincorporated	44,506	44,815	45,205	45,830	46,455	47,250	47,886	48,640	49,720
Incorporated	58,473	59,285	59,895	60,870	62,345	63,650	65,214	66,660	67,780
Anacortes	14,557	14,840	14,910	15,110	15,470	15,700	16,170	16,400	16,640
Burlington	6,757	6,995	7,190	7,315	7,425	7,550	8,120	8,400	8,460
Concrete	790	790	790	780	785	815	840	845	845
Hamilton	309	325	340	340	340	330	330	330	325
La Conner	761	765	775	760	785	795	839 *	900	885
Lyman	409	410	415	425	440	450	450	450	445
Mount Vernon	26,232	26,460	26,670	27,060	27,720	28,210	28,710	29,390	30,150
Sedro-Woolley	8,658	8,700	8,805	9,080	9,380	9,800	9,755	9,945	10,030
Skamania	9,872	9,900	9,900	9,900	10,100	10,300	10,600	10,700	10,700
Unincorporated	8,079	8,109	8,063	8,075	8,205	8,299	8,457	8,448	8,383
Incorporated	1,793	1,791	1,837	1,825	1,895	2,001	2,143	2,252	2,317
North Bonneville	593	586 +	627	615	685 *	741 *	828 *	882 *	877 *
Stevenson	1,200	1,205	1,210	1,210	1,210	1,260	1,315	1,370	1,440
Snohomish	606,024	618,600	628,000	637,500	644,800	655,800	671,800	686,300	696,600
Unincorporated	291,142	294,088	300,460	305,730	309,418	315,390	316,365	318,685	324,320
Incorporated	314,882	324,512	327,540	331,770	335,382	340,410	355,435	367,615	372,280
Arlington	11,927	12,770	13,280	14,330	14,700	14,980	15,430	16,720	17,050
Bothell <i>part</i>	13,965	14,160	14,490	14,660	14,680	14,750	15,090	15,450	15,730
Brier	6,383	6,440	6,445	6,450	6,460	6,475	6,480	6,480	6,485
Darrington	1,136	1,307 *	1,335	1,385	1,405	1,435	1,465	1,485	1,500
Edmonds	39,544	39,590	39,460	39,580	39,620	39,860	40,360	40,560	40,760
Everett	91,488	95,990	96,070	95,470	96,840	97,500	101,100	101,800	102,300
Gold Bar	2,014	2,035	2,055	2,075	2,075	2,085	2,125	2,175	2,210
Granite Falls	2,347	2,540	2,760	2,915	3,010	3,060	3,095	3,195	3,290
Index	157	160	160	160	157	155	155	160	160

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	2000	2001	2002	2003	2004	2005	2006	2007	2008
Snohomish <i>continued</i>									
Lake Stevens	6,361	6,590	6,640	6,910	7,135	7,185	9,650	13,350	14,560
Lynnwood	33,847	34,010	33,990	34,500	34,540	34,830	35,230	35,490	35,680
Marysville	25,315	26,770	27,580	28,370	28,800	29,460	32,150	36,210	37,060
Mill Creek	11,525	11,970	12,055	12,260	12,760	14,320	17,460	17,620	17,770
Monroe	13,795	14,210	14,670	15,160	15,480	15,920	16,170	16,290	16,550
Mountlake Terrace	20,362	20,370	20,470	20,380	20,390	20,390	20,390	20,810	20,930
Mukilteo	18,019	18,340	18,520	19,190	19,220	19,360	19,620	19,940	20,050
Snohomish	8,494	8,565	8,575	8,640	8,585	8,700	8,920	8,970	9,020
Stanwood	3,923	3,975	4,085	4,190	4,315	4,580	4,940	5,200	5,445
Sultan	3,344	3,775	3,910	4,095	4,135	4,225	4,440	4,530	4,550
Woodway	936	945	990	1,050	1,075	1,140	1,165	1,180	1,180
Spokane	417,939	422,400	425,600	428,600	432,000	436,300	443,800	451,200	459,000
Unincorporated	199,019 \$	202,710 \$	201,453	119,844	120,726	121,848	123,411	126,887	131,762
Incorporated	218,920 \$	219,690 \$	224,147	308,756	311,274	314,452	320,389	324,313	327,238
Airway Heights	4,500	4,490	4,565	4,590	4,590	4,640	4,840	5,030	5,240
Cheney	8,832	9,200	9,305	9,470	9,855	10,070	10,130	10,210	10,180
Deer Park	3,017	3,035	3,045	3,055	3,045	3,100	3,135	3,235	3,345
Fairfield	494	591 *	590	586 +	576 +	589 +	629 +	627 +	603 +
Latah	202 *	205	200 *	194 *	204 *	212 *	207 *	192 *	194 *
Liberty Lake	--	--	4,480 @	4,640	4,950	5,255	5,805	6,580	6,980
Medical Lake	3,815 \$	3,877 \$	3,885	4,215	4,120	4,350	4,510	4,695	4,810
Millwood	1,649	1,650	1,655	1,655	1,645	1,645	1,645	1,665	1,665
Rockford	413	509 *	500	533 +	511 +	484 +	488 +	504 +	499 +
Spangle	240	295 *	290	275 +	297 +	269 +	275	275	275
Spokane	195,629	195,700	195,500	197,400	197,400	198,700	201,600	202,900	204,400
Spokane Valley	--	--	--	82,005 @	83,950	85,010	87,000	88,280	88,920
Waverly	129 *	138 *	132 *	138 *	131 *	128 *	125 *	120 *	127 *
Stevens	40,066	40,300	40,400	40,600	40,700	41,200	42,100	43,000	43,700
Unincorporated	30,585	30,787	30,978	31,131	31,218	31,621	32,482	33,280	33,848
Incorporated	9,481	9,513	9,422	9,469	9,482	9,579	9,618	9,720	9,852
Chewelah	2,186	2,200	2,220	2,250	2,260	2,305	2,315	2,350	2,420
Colville	4,988	5,010	4,970	4,965	4,965	4,980	4,990	5,020	5,040
Kettle Falls	1,527	1,550	1,520	1,535	1,535	1,565	1,600	1,610	1,640
Marcus	161 *	156 *	154 *	169 *	177 *	179 *	168 *	175 *	167 *
Northport	336	312 *	273 *	270	270	275	275	290 *	310
Springdale	283	285	285	280	275	275	270	275	275
Thurston	207,355	210,200	212,300	214,800	218,500	224,100	231,100	238,000	245,300
Unincorporated	114,061	116,300	117,935	119,475	122,265	126,450	131,805	135,605	139,605
Incorporated	93,294	93,900	94,365	95,325	96,235	97,650	99,295	102,395	105,695
Bucoda	628	635	640	645	645	650	650	655	660
Lacey	31,226	31,600	31,860	32,240	32,530	33,180	34,060	35,870	38,040
Olympia	42,514	42,530	42,690	42,860	43,040	43,330	43,740	44,460	44,800
Rainier	1,492	1,485	1,490	1,515	1,540	1,585	1,665	1,705	1,740
Tenino	1,447	1,460	1,470	1,495	1,480	1,500	1,515	1,520	1,525
Tumwater	12,698	12,770	12,730	12,740	12,850	12,950	13,100	13,340	13,780
Yelm	3,289	3,420	3,485	3,830	4,150	4,455	4,565	4,845	5,150
Wahkiakum	3,824	3,800	3,800	3,800	3,800	3,900	3,900	4,000	4,100
Unincorporated	3,259	3,240	3,240	3,240	3,250	3,350	3,345	3,440	3,530
Incorporated	565	560	560	560	550	550	555	560	570
Cathlamet	565	560	560	560	550	550	555	560	570

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Evaluate growth by looking at the growth between the last census and most current estimate.

County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
Walla Walla	55,180	55,200	55,400	55,800	56,700	57,500	57,900	58,300	58,600
Unincorporated	16,150	16,235	16,290	16,405	16,115	16,635	16,925	16,995	16,770
Incorporated	39,030	38,965	39,110	39,395	40,585	40,865	40,975	41,305	41,830
College Place	7,818	7,945	8,035	8,165	8,560	8,690	8,770	8,860	8,935
Prescott	314	315	315	310	315	315	315	315	315
Waitsburg	1,212	1,205	1,210	1,210	1,210	1,230	1,230	1,230	1,230
Walla Walla	29,686	29,500	29,550	29,710	30,500	30,630	30,660	30,900	31,350
Whatcom	166,826 \$	170,600	172,200	174,500	177,300	180,800	184,300	188,300	191,000
Unincorporated	74,231	75,682	76,718	77,796	78,746	79,848	81,066	82,309	83,911
Incorporated	92,595 \$	94,918	95,482	96,704	98,554	100,952	103,234	105,991	107,089
Bellingham	67,171	68,890	69,260	69,850	71,080	72,320	73,460	75,220	75,750
Blaine	3,770	3,855	3,975	4,025	4,115	4,240	4,480	4,650	4,665
Everson	2,035	2,050	2,015	2,030	2,055	2,080	2,135	2,165	2,170
Ferndale	8,758	8,925	8,925	9,155	9,305	9,750	10,280	10,540	10,800
Lynden	9,020	9,285	9,380	9,740	10,010	10,480	10,750	11,150	11,350
Nooksack	863 \$	918 *	920	902 *	910	970 *	1,004 *	1,075	1,090
Sumas	978 *	995 *	1,007 *	1,002 *	1,079 *	1,112 *	1,125 *	1,191 *	1,264 *
Whitman	40,740	40,300	40,600	41,000	41,700	42,400	42,800	42,700	43,000
Unincorporated	6,298 \$	6,305	6,348	6,317	6,327	6,360	6,303	6,295	6,312
Incorporated	34,442 \$	33,995	34,252	34,683	35,373	36,040	36,497	36,405	36,688
Albion	616	625	610	620	620	620	620	625	625
Colfax	2,844	2,835	2,820	2,825	2,845	2,875	2,895	2,905	2,905
Colton	386	390	385	395	395	400	415	420	420
Endicott	355 *	342 +	350	355	360	345	335	331 +	329
Farmington	153	150	150	145	145	145	145	145	140
Garfield	641	640	625	610	640	630	630	630	630
LaCrosse	380	380	370	370	375	350	340	350	350
Lamont	106	105	105	105	105	95	95	90	90
Malden	215	215	215	210	215	210	210	215	215
Oakesdale	420	420	420	415	420	420	420	420	420
Palouse	1,011	1,015	1,005	1,010	1,015	1,010	1,015	1,020	1,025
Pullman	24,948 \$	24,540	24,910	25,300	25,905	26,590	27,030	26,860	27,150
Rosalia	648	660	645	650	650	650	650	650	650
St. John	548	513 *	497 *	518 *	523 *	510 *	517 *	564 *	554 *
Tekoa	826	825	820	820	820	845	835	835	840
Uniontown	345	340	325	335	340	345	345	345	345
Yakima	222,581	224,500	225,000	226,000	227,500	229,300	231,800	234,200	235,900
Unincorporated	93,192	93,171	87,674	87,740	88,317	89,060	88,264	88,305	87,664
Incorporated	129,389	131,329	137,326	138,260	139,183	140,240	143,536	145,895	148,236
Grandview	8,377	8,410	8,415	8,475	8,540	8,705	8,840	9,150	9,335
Granger	2,530	2,575	2,645	2,710	2,760	2,835	2,880	2,955	3,050
Harrah	566 *	614 *	621 *	620	630	630	630	630	630
Mabton	1,891	1,905	1,885	2,045	2,065	2,065	2,075	2,080	2,085
Moxee	821	835	835	850	895	1,310	1,800	2,065	2,415
Naches	643	703 *	705	730 +	758 +	755 +	761 +	805	756 *
Selah	6,310	6,405	6,370	6,500	6,625	6,740	6,840	6,935	7,100
Sunnyside	13,905	14,010	13,970	14,300	14,520	14,710	14,930	15,130	15,210
Tieton	1,154	1,175	1,185	1,185	1,185	1,185	1,195	1,200	1,195
Toppenish	8,946	8,975	8,975	8,940	9,000	9,000	9,015	9,105	9,140
Union Gap	5,621	5,655	5,650	5,665	5,675	5,695	5,685	5,700	5,745
Wapato	4,582	4,555	4,500	4,525	4,525	4,535	4,540	4,540	4,555
Yakima	71,845	73,040	79,120	79,220	79,480	79,480	81,710	82,940	84,300
Zillah	2,198	2,472 *	2,450	2,495	2,525	2,595	2,635	2,660	2,720

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County Municipality	Census	Estimate							
	2000	2001	2002	2003	2004	2005	2006	2007	2008
Washington State	5,894,143 \$	5,974,910 \$	6,041,710 \$	6,098,300	6,167,800	6,256,400	6,375,600	6,488,000	6,587,600
Unincorporated	2,374,593 \$	2,407,904 \$	2,423,073 \$	2,361,802 \$	2,395,226	2,438,882	2,473,714	2,513,805	2,527,130
Incorporated	3,519,550 \$	3,567,006 \$	3,618,637 \$	3,736,498 \$	3,772,574	3,817,518	3,901,886	3,974,195	4,060,470

Liberty Lake, Spokane County, incorporated on August 31, 2001. Spokane Valley, Spokane County, incorporated on March 31, 2003.

The county and municipal populations shown for 2000 are, with a few exceptions, the 2000 federal census Public Law 94-171 counts. Some 2000 counts may differ from the federal census.

* - State Certified Special Census.

+ - Informal population count. Does not meet criteria for a special census.

\$ - Indicates a correction to the federal 2000 census count and/or a revised state estimate.

@ - Incorporation Base. First Office of Financial Management April 1 estimate after incorporation.

Office of Financial Management, Forecasting Division
June 30, 2008