

Appendix Chapter X

State Environmental Policy Act Process and Office of Community Development Requirements for Adoption of this Title

The following pages include the State Environmental Policy Act process, including environmental checklist, adoption of the EIS for the Chehalis Comprehensive Plan, the threshold determination of non-significance, and other related documents, for the review and adoption of this document.

Any correspondence relating to this document from the state Office of Community Development is also included in the following pages and/or the Community Development Office.
[Ord. 810B § 6, 2006.]



**Washington State
Department of Transportation**

Sid Morrison
Secretary of Transportation

Aviation Division

King County Int'l Airport / Boeing Field
8900 East Marginal Way South
Seattle, WA 98108-4024

(206) 764-4131 / 1-800-552-0666
Fax (206) 764-4001

April 4, 2000

Mr. Robert W. Nacht
Community Development Manager
Department of Community Services
City of Chehalis
1321 S. Market Boulevard
P.O. Box 871
Chehalis, WA 98532

Dear Mr. Nacht:

This correspondence is in response to your request for comments on the City's draft development regulation, Section 17.30, creating an Airport Service District (ASD) for the Chehalis-Centralia Airport. The Washington State Department of Transportation (WSDOT) Aviation Division would like to thank you for the opportunity to review and comment on the proposed ordinance. The WSDOT Aviation Division views this opportunity as an important step in forging new cooperative partnerships between your community and the WSDOT Aviation Division. We would also like to commend the city for developing such an ordinance and we stand ready to provide technical assistance to you as you formulate the ordinance to protect the Chehalis-Centralia Airport from encroachment by incompatible land uses.

As you are now aware, our review of the City of Chehalis' proposed ASD Ordinance is guided by RCW 36.70A.510 which amended the Growth Management Act. Our charge guided by those amendments is to encourage jurisdictions with general aviation airports to:

- actively discourage the siting of land uses that are incompatible with airports or present hazards to flight;
- actively encourage intermodal connections where appropriate; and
- recognize the airport as a locally important public facility.

We have reviewed the preliminary documents and we would like to offer the following comments as you consider revisions to the draft ordinance.

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RCW 36.70A.510 - Encroachment of Incompatible Land Uses mainly address "off-airport" land use issues. Typically, the strategy used to prevent encroachment of an airport is to :

- Avoid the placement of structures which would penetrate the airport's airspace (called "Height Hazards" or "Obstructions"); and
- Avoid land uses which, in the event of an aircraft accident, would increase the severity of the accident.

Therefore, there are two types of encroachment to address:

- Height Hazards; and
- Accident Safety Zones.

Height Hazards (Obstructions to Air Navigation)

Lewis County's existing Title 17 Zoning Ordinance (Section 17.90) establishes the airspace surfaces for the Chehalis-Centralia Airport, as well as the height limitations within those airspace surfaces. In effect, the county already has a height hazard ordinance on the books.

We have reviewed this ordinance in comparison to other model ordinances and have found the ordinance contains a majority of the language the WSDOT Aviation Division would recommend. Ms. Michelle Whitfield, an Aviation Planner with our office, recently provided comments to the County suggesting some minor revisions that would serve to clarify and strengthen the ordinance. We are enclosing a copy of her comment letter for informational purposes only.

Accident Safety Zones

The Chehalis-Centralia Airport is already encroached by several existing incompatible land uses such as the Wal Mart and K Mart, a motel, several highway-related commercial businesses, as well as single-family residential uses. In these situations, it is very difficult to change the existing land uses.¹ However, there are three opportunities for addressing the issues of "safety" and incompatible land uses. These opportunities exist when:

- the city zones vacant property;
- when redevelopment of existing incompatible land use occurs; and

¹ It should be noted that RCW 36.70A.510 only applies to new (i.e., future) incompatible land uses.

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- during the development review process.

Restricting the use of land everywhere within the vicinity of airports is impractical. Rather, the application of solid land use planning principals within and near these zones will allow a vast range of potential land uses within these zones. The best land use strategy is to have greater land use restrictions in locations where the risk of an accident is comparatively higher.

The potential severity of an off-airport accident is highly dependent (among other things) upon the "nature" and "intensity" of the land use at the accident site. The three characteristics most important in evaluating airport compatible land uses are:

- Population Density
- Residential versus Nonresidential
- Special Function Land Uses

Population Density - The most direct means of reducing the risk of a severe off-airport aircraft accident is to limit land uses which concentrate large numbers of people.

Residential versus Nonresidential Land Use - Residential land use is typically afforded a high degree of protection not only for the reasons of safety, but also to limit residents exposure to noise. Therefore, residential land use is typically not considered a compatible land use within any accident safety zones, unless the number of dwelling units per acre is very low and the long term projected number of operations at the airport remain relatively low, or when the zone is already characterized by dense residential land use.

Special Function Land Uses - Because of their special functions or unique requirements, certain types of land use are normally not considered a compatible use. These uses fall into five main categories:

- Large concentrations of school age children, young adults, the elderly or infirm.
- Above ground storage of large quantities of hazardous or flammable material.
- Manufacturing processes which tend to produce large quantities of smoke or steam such as a large asphalt plant or waste to energy plants.
- Land uses which produce glare or excessive undirected light.

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- Land uses which attract large quantities of birds such as land fills, large open reservoirs or evaporation ponds.

To protect against new incompatible land uses adjacent to the Chehalis-Centralia Airport, the WSDOT Aviation Division offers the following land use strategies as guidelines, or options, for the city to consider when determining the compatibility of particular land uses adjacent to the airport.

When evaluating the city's current zoning ordinance for compatibility of permitted land uses within **ALL** Zones, some suggested guidelines to use are:

1. Consider prohibiting all Special Function Land Uses. These would include uses such as schools, medical institutions, hospitals, nursing homes, daycare facilities and churches.
2. Consider permitting non-residential land uses subject to the suggested Population Densities and Special Land Use guidelines.
3. Consider requiring downward shading of lighting to reduce glare.
4. Evaluate permitted conditional uses with an emphasis on compatible land use.

When evaluating the city's current zoning ordinance for compatibility of permitted land uses **within and near Zones 1, 2, 3 and 5**, some suggested guidelines to use are:

1. Avoid land uses which concentrate people indoors or outdoors.
2. Zone land uses, which by their nature, will be relatively unoccupied by people.
3. To the greatest extent possible during the site development process, shift structures away from the runway centerlines.
4. Recommend landscaping requirements which establish only low growing vegetation.

With respect to evaluating residential uses near the Chehalis-Centralia Airport, we would recommend the following guidelines:

1. Consider prohibiting all residential uses within Zones 1, 2 and 5.
2. Limit residential densities to a maximum of 1 dwelling unit per 5 acres within Zone 3.

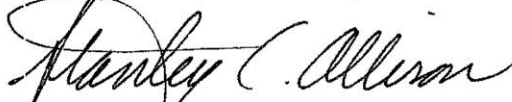
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3. Limit residential densities to a maximum of 1 dwelling unit per 2.5 acres within Zones 4 and 6.
4. Consider prohibiting mobile home parks within Zones 2, 3, 4, and 6.

Please understand that the WSDOT Aviation Division's role is to serve in an advisory capacity only, providing tools that may be beneficial to your decision-making process. While our mission is to be an advocate for aviation, it is the community of Chehalis and Lewis County that ultimately share the obligation for protecting the Chehalis-Centralia Airport. The ASD Overlay is a tremendous first step in achieving that goal and we commend you on considering our recommendations as you develop your ordinance.

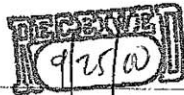
Should you have any questions, thoughts or concerns about this review, please feel free to contact me at 1-800-552-0666. We extend our continued support to achieving the goals of planning under the Growth Management Act and integrating your local airport into that effort.

Sincerely,



STANLEY C. ALLISON
Aviation Planner

cc: Theresa Smith, WSDOT Aviation Division
Mary Legry, WSDOT SW Region
Chris Parsons, Growth Management Section, DCTED
Jerry Otto, Manager, Chehalis-Centralia Airport



Sept. 20, 2000
929 N.W. Pennsylvania
Chehalis, Wa. 98532

Chehalis Planning Department
P.O. Box 871
Chehalis, Wa. 98532

Dear Sir or Madam:

We own a home on the north end of Pennsylvania Ave. that is currently surrounded on three sides by industrial property.

On the N.E. is Brenson Transport, across the street is the American Legion, to the S.E. is West Coast Mills and to the South is Superior Refuse and an unused Paint Shop. To the north is an empty equipment yard.

The houses on the east side of the 900 block of Pennsylvania are zoned industrial while the two houses on the west side are zoned residential.

We feel due to the circumstances the proposed boundary line be moved from the center of the street in front of our property to the alley in back of our property.

Sincerely,
Hyll Mosteller
Lenera Mosteller

Terry Mattis
945 NW Pennsylvania Ave.
Chehalis, WA 98532
Ph. # (360) 748-7866
E-mail: racerx1965@earthlink.net



September 20, 2000

Chehalis Planning Department
P.O. Box 871
Chehalis, WA 98532

Re: Proposed West Side Chehalis Historic District Boundary

Dear Sir or Madam:

I am a home owner that lives on the north end of Pennsylvania Ave. that disagrees with the current proposed boundary line. The houses on the east side of Pennsylvania Ave. are zoned light industrial, and, once sold and developed, would render my neighbors' property and mine, less valuable. I enjoy living here, don't get me wrong, but I wouldn't want to be surrounded on three sides by Industry either. Currently, directly to the north is now an empty equipment yard, NE is Sorenson Transport, across the street is the American Legion Hall, to the SE is West Coast Mills, and directly to the S is Superior Refuse and also an unused paint shop. I think it is unfair that houses on the East side of the 900 block of Pennsylvania Ave. are zoned light industrial while the two houses on the West side of the 900 block of Pennsylvania Ave. are zoned residential, proposed historical. I'd like to propose that the boundary line be re-evaluated so that it is beneficial to everyone it affects. Please feel free to contact me regarding this matter at the address or phone number above. I look forward to hearing from you soon.

Sincerely,

Terry Mattis
Homeowner

DEPARTMENT OF GENERAL ADMINISTRATION

Divisions:

Grants
Facilities
Fleet Services
Risk Management
Information Services

LARRY M. KEETON, DIRECTOR

November 30, 2001

Mr. Bob Nacht
Planning Board
City of Chehalis
Chehalis WA 98532

Dear Mr. Nacht,

Lewis County General Administration requests that the City of Chehalis change the current usage designation of the following areas during your current rezoning efforts. Request these areas be zoned for central public facility governmental to facilitate the construction of an addition directly south of the existing jail. The affected parcels are as follows:

44 SW Chehalis Ave (purchased by County from Westlands)

The South Half of Lots 7 and 8, Block G, Eliza Barrett's Alfred Street Addition to the City of Chehalis, as recorded in Volume 2 of plats, page 152, records of Lewis County, Washington.

41 SW Pacific Ave (purchased by County from Westlands)

The southerly 50 feet of Lots 5 and 6, Block G, Eliza Barrett's Alfred Street Addition to the City of Chehalis, as recorded in Volume 2 of plats, page 152, records of Lewis County, Washington.

40 SW Chehalis Ave (purchased by County from Pinkerton)

The north half of Lots 7 and 8, Block G, Eliza Barrett's Alfred Street Addition to the City of Chehalis, as recorded in Volume 2 of plats, page 152, records of Lewis County, Washington.

33 SW Chehalis Ave (property owned by Thomas & Wendy Knee)

The north 50 feet of even width of Lots 5 and 6, Block G, Eliza Barrett's Alfred Street Addition to the City of Chehalis, as recorded in Volume 2 of plats, page 152, records of Lewis County, Washington.

287 SW Alfred St (purchased by County from Hyland, Et al)

Lots 1 and 2, Block H, Eliza Barrett's Alfred Street Addition to the City of Chehalis, as recorded in Volume 2 of plats, page 152, records of Lewis County, Washington.

248 SW Alfred St (currently being purchased by County from Kimmett)

The west 36 feet of Lot 20 and the east 4 feet of Lot 21, all in Block F, Main Street Addition to Chehalis, as recorded in Volume 2 of plats, page 64.

We appreciate your support in rezoning this area for the future of the County.



Larry M. Keeton
Director of General Administration
Lewis County

cc: Larry Keeton, GA Director
File

REC'D 12/3/01 R

Community Services
1321 S. Market

December 3, 2001

Comments on Proposed Uniform Development Regulations
for the City of Chehalis

My name is John T. Mudge. I reside at 190 Sanderson Road, an area that has recently been included in the Chehalis UGA.

The size of the UGA is about the same as the current city - in short, a doubling of the area. The new land contains a wide variety of uses ranging from the Port of Chehalis industrial park to farms and ranches. Parcel sizes vary from under 1/2 acre to 40 acres or more. The UGA also contains streamfront land on the Dillenbaugh, home to anadromous fish. Coal and Salzer Creeks are also within the City's purview but I am not aware if they contain anadromous fish.

The proposed development regulations are seriously deficient in the overall treatment of critical areas, in my opinion. Appendix Chapter S has been pasted onto the DRs but not incorporated into them as an integral part. The Shorelines Master Program is little better and basically does nothing to protect shorelines but merely describes procedures for abusing them.

However, my concerns are a little more specific. The GMA RCW 36.70A.170 requires cities to designate critical areas, one of which, "fish and wildlife habitat conservation areas" has been badly handled in the proposed DRs. The City plans to rely on GMA guidelines - but I am unaware any guidelines exist. If there are relevant WACs or other rules they should be cited. The "identified programs" mentioned should also be listed. If the specifics are not there, how will anyone know what is OK and how will the Administrator apply any rules or set mitigating conditions? Clearly, the language in Appendix Chapter S is mere puffery and not intended to have the slightest impact.

The SMP, Appendix Chapter R, contain much tombstone verbiage which has no application to Chehalis. For example, there are Policies on Piers and Docks and Regulations. Is there any place they could possibly apply?

On the other hand, there are no provisions to protect stream banks, setbacks, shading, stormwater runoff control or other similar provisions. The general statements in Chapter S and blaming the lack specific information is not only unacceptable but fails to comply with the GMA RCW 36.70A.172. That section requires use of Best Available science. WAC 365-195-900 through 925 provide guidance. This was brought to the attention of elected city officials by letter dated August 4, 2000 from the Department of Community, Trade and Economic Development. Not a word seems to address these

requirements. Nor do any provisions of Parts 2 through 5 of the DRs establish any requirements. There are extensive requirements for signs, garage sales and similar trivia but nothing on critical areas protection.

Just exactly what actions is a hearing examiner/building official supposed to take based on Chapter S? On what may a subdivider rely? Whether or not a project is covered by SEPA and whether or not the SEPA checklist covers the issue, the City still must provide Best Available Science provisions and protect appropriate habitat. As it is, the hearing examiner/building official may simply say there are no rules to apply.

On another front, it seems clear this proposed action is of sufficiently broad import as to require a SEPA review. Furthermore, alternatives must be offered to the proposed action. The City's Comprehensive Plan probably contained some sort of SEPA review but whether or not it was truly adequate was not tested as no petition for review was filed. Regardless, that plan was prepared before the addition of the Jackson Highway (enlarged) suburban enclave was added to the UGA¹. Since the GMHB has held (see footnote 1) that the EIS for the UGA is a County responsibility but the City is responsible for the City area, it is clear coordination is needed as the DRs clearly cover both the City itself and the UGA. Much work appears to be required by the City based on what I have seen. Determinations of nonsignificance and/or use of a phased review process were both held by the GMHB as improper since those devices were used "...as a mechanism for merely postponing, addressing, or determining adverse environmental impacts from different courses of action.." (FDO case 99-2-0027c, p.27).

While the new Draft EIS for the County discusses the impact of threatened or endangered species and the TMDL situation, no specific actions are recommended for either the Chehalis River or any of its tributaries. This will likely be challenged before the GMHB if not corrected. In the meantime, the City of Chehalis has no acceptable County EIS covering the UGA. May the City proceed?

The proposed DRs allow a phased review pursuant to WAC 197-11-060 (See Part III, sec. 17.15.020(C)(3)). The same point raised by the GMHB may apply here if the purpose is to "postpone..." etc. as was the case with the County. A phased review is, as used in Lewis County, including its cities, a subterfuge to avoid problems. The WAC is, of course, relatively specific as to when it is appropriate. Building officials and hearing examiners must be knowledgeable and follow the WAC proactively. This should be described as policy within the DRs.

Chehalis rules have long been dictatorial and unnecessarily restrictive of property

¹ It appears that the Chehalis Comprehensive Plan predates the addition of any part of the UGA. Furthermore, the GMHB has held the County SEPA EIS inadequate and that SEPA requirements for the UGA are a County responsibility (FDO, p. 27, line 8 case # 99-2-0027c). The County now has a new EIS (dated Nov. 30, 2001) but that draft EIS does not appear to cover UGA areas nor are there any details regarding salmon protection or provisions.

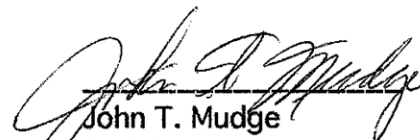
rights. For example, the DRs, Part V, 17.42.100, controls the frequency of garage sales. Is it really necessary to control landscape plantings? (17.42.060(D)) Sec. 17.90.020 restricts parking any vehicle with advertising on the vehicle (relative to a home occupation). These rules, and probably others, are unnecessarily restrictive, especially in the UGA. All such rules should be carefully reviewed for application in the UGA.

Page S-3 of Chapter S states that the UGA is an area of discharge, not recharge, of groundwater and that the presence of iron makes the water not potable. This statement is likely not provable but is nonsense in any event. Water cannot be discharged, presumably to river/creek systems, without replenishment: i.e. recharge. Further, while there is some iron (my water tested 2ppm), it is clearly potable and is fact considerably better than Chehalis water. The Weigle & Foxworthy study indicated limitations to groundwater use in the area. However, the sweeping conclusions and the "Aquifer Recharge Area Finding" are not supported by the report. Portions of the UGA are not within the areas described in the section referred to.

Chapter S also includes an "Agricultural Alternative Selection" paragraph that does not seem to show that the recent "soccer fields" case was considered. It is suggested that counsel review the agricultural portions of Chapter S.

These comments do not necessarily include all issues that may be raised. Time for review has proven to be a significant impediment. However, my core concerns relate to stream protection, habitat restoration, unnecessary restrictions that may impair marketability of property or that may be inappropriate for the UGA. Not covered above, but of concern, are the standards that apply for sidewalks, street lighting and other related matters. Standards applicable to the City proper are not likely to be suitable for the UGA. I am aware the City is concerned about these matters, I am unaware of any resolution. The DRs do not seem to cover these problems unless I overlooked it.

Submitted by:


John T. Mudge
190 Sanderson Rd.
Chehalis, WA 98532

**CHEHALIS PLANNING COMMISSION
And Public Hearing Minutes
for the
Chehalis Draft Development Regulations**

**Activity Building
Monday, December 3, 2001 – 7:00pm**

Commission members present: Chairman John McKerricher; Patty Alvord; Judy DeVaul; Wesley Kerner; and Jim Ward.

Absent: Pete Bezy and Fred Rider.

Others present: Joanne Schwartz, Community Services Director; Robert Nacht, Community Development Manager; and Sharon Ferrier recording minutes.

Interested parties: Wayne Galvin, City Councilman; Bill Lotto, L.C. EDC; and John Mudge.

- I. Chairman John McKerricher called the regular planning commission meeting to order at 7:05p.m.
- II. Judy DeVaul moved to accept the November 5th meeting minutes; Jim Ward seconded; motion passed unanimously.
- III. Chairman John McKerricher recessed the regular meeting and opened the public hearing regarding the draft of the development regulations. His opening statement included:
 - introductions of the commission members (constituting a quorum);
 - asking if any commission member had a legal conflict of interest or appearance of fairness; Judy DeVaul responded saying she was a Port Commissioner -- there were no objections raised.
 - advising anyone in the audience who wanted to present testimony to use the podium, state their name, and complete the sign-up sheet;
 - stating Michael Davolio was not able to attend the meeting;
 - stating the entire meeting was being tape recorded.

[The recorded tape of this meeting will be a part of the official minutes and a copy is available upon request].

A & B. Bob Nacht explained how the proposed regulations are different from the existing regulations, including:

Part I, Sections 17.03.110; 17.06.280; 17.09.030, 115, 140, 160 & 170.

Part II, Sections 17.12.148, 200, 240, & 300;

Part III, Chapter 17.18 shorelines is new in its entirety;

Part IV, Sections 17.30; 17.33; 17.36; 17.38; 17.39; & 17.40;

Part V, Sections 17.51; 17.54; & 17.66;

Part VI, The new proposed zoning map includes: 1) rezone Columbia Harbor site to general commercial; 2) rezone a part of the block at the end of Pennsylvania to industrial based on requests from two owners; 3) rezone Main Street from the freeway interchange to CBD to general commercial; 4) rezone some Riverside area to R-2 residential single family small lot; 5) rezone the school 'delta base' property to essential public facilities; 6) rezone a UGA section of Salisbury & Jackson to R-3; 7) add the Public Works, animal shelter, and firing range area which had been inadvertently omitted; and 8) rezone certain parcels to Essential Public Facilities requested by Lewis County.

Part VII, Sections 17.81; 83, 84, 87, 90, & 93

Appendices distributed are abbreviated versions as indicated and have combined several resolutions to be put in one document.

Bob discussed his memo of December 3rd concerning the recommended revisions to the development regulations.

C. Public Testimony

Bill Lotto, Lewis County EDC - stated the document was a good step ahead.

Recommended: 1) fees are adopted through council action with no public comment, should include the public; 2) Section IV pg. 15 suggest the Port and city coordinate before any city action; 3) be more specific with the Use Chart; 4) review the parking requirements; and 5) has concerns with the zoning change around Hemphill O'Neil.

Response by Bob Nacht to Bill Lotto: 1) fees are adopted by resolution of the council and the public can comment on fees at a city council meeting; 2) we will certainly work with the port and any other agency on these issues; 3) changes for the Use Chart can be accomplished through the public process; 4) parking was estimated from current usage in the community and does not necessarily meet industry standards; the Development Review Committee can change at an administrative level on a case-by-case basis with legitimate documentation, and if there are incorrect parking ratios, we want to know about them; and 5) staff has no issues with leaving the zoning as it currently exists.

John Mudge, 190 Sanderson Road, Chehalis

Read from his December 3, 2001 written comments which he gave to Bob after the meeting and are available upon request.

His main concern is that the city has not addressed the protection of critical areas in Appendix S, and the Shorelines Master Program (Appendix R). He also included the county in his concern (refer to his written comments).

D. There being no further comments or discussion John McKerricher closed the public hearing at 8:45pm and re-opened the regular meeting.

IV. John asked that Mr. Mudge's comments be distributed to the commission for review before the next meeting. The commission's discussion of the proposed revisions to the development regulations was tabled until the next meeting.

V. There was no other business.

VI. Next scheduled meeting Monday, December 17, 2001 - 7:00pm - Activity Building conference room.

VII. Meeting adjourned at 8:50pm.

January 7, 2002

Dear Sir:

This letter is to request the rezoning of a section of the parcel # 5604-28-16, as indicated on the enclosed map. The highlighted section, (an existing R1 zoned parcel) is bordered by existing CG zoning. We would request this highlighted section to be rezoned to CG. We have operated a small custom cabinet shop, in this section, under a variance for over 23 years. We are in the process of purchasing this property and would like to expand the business, with the addition of a showroom. We would appreciate your consideration of this request.

Sincerely yours,

Patrick Haagen

Patrick Haagen
Patrick's Specialty Cabinets
1944 S. Market Blvd.
Chehalis, Wa. 98532

We Concur with this request.

*Harold Berove, et al
1940 SE Magnolia Dr.
Chehalis, WA. 98532
(360) 748-8273*

ENVIRONMENTAL CHECKLIST

prepared for the
City of Chehalis, Washington

A. BACKGROUND

ADMINISTRATION COMMENTS ONLY

1. Name of proposed project, if applicable:
City of Chehalis adoption of Development Regulations
2. Name of Applicant:
City of Chehalis, Department of Community Services
3. Address and telephone number of applicant and contact person:

Contact:
Bob Nacht
City of Chehalis
Department of Community Services
1321 South Market Boulevard
Chehalis, WA 98532
tel. 360-748-0271
4. Date checklist prepared: January 10, 2002
5. Agency requesting checklist:

City of Chehalis, WA.
6. Proposed timing or schedule (including phasing, if applicable):

The City Council would adopt the new development regulations subsequent to state review in March, 2002
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:

**ADMINISTRATION
COMMENTS ONLY**

The City of Chehalis prepared an EIS that was integrated with its Comprehensive Plan (CP) adopted on July 12, 1999. The EIS for the CP contemplated that the city's development regulations would be updated to conform to the plan, as required by the Growth Management Act. Therefore, any impacts that may result from this proposed action have been addressed in the previous EIS. That EIS is hereby adopted by reference for this action.

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 governmental approvals or permits that will be needed for your proposal, if known.

Adoption of the Development Regulations by City Council Ordinance.

11. Give a 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 which ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.)

This proposal would implement the city's previously-adopted CP by approving the necessary zoning and development regulations to conform to the goals and policies found in that plan.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street addresses (if any) and legal description including 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.

The proposed regulations would affect all property within the City of Chehalis. In addition, these regulations may be applied (by agreement with Lewis County) to properties within the City's Urban Growth Area (UGA). The UGA is illustrated on page LU-3 of the CP.

B. ENVIRONMENTAL ELEMENTS**1. EARTH**

- a. General description of the site (**bold one**): Flat, rolling, hilly, steep slopes, mountainous, **other: all of the above**.
- b. What is the steepest slope on the site (approximate percent slope)?

The steepest slopes in the city exceed twenty (20%) percent.

- 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.

Soil types found within the city cover a wide variety, ranging from wetlands and flood-prone areas to steep slopes with rock outcroppings. Soils and soil types are discussed and illustrated in the CP on pages NE-6 and NE-7. No soils having long-term commercial significance as farmland occur within the city.

- d. Are there surface indications of history of unstable soils in the immediate vicinity? If so, describe.

Unstable soils, including steep slopes and landslide areas, are found generally in the eastern portion of the City. They are shown in the CP on page LU-11.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

No grading or filling is proposed directly as a result of this proposal. These revised development regulations will assist in regulating future grading and filling within the city.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

n/a

**ADMINISTRATION
COMMENTS ONLY**

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

n/a

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

n/a

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.

n/a

- b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

n/a

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, salt-water, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

ADMINISTRATION
COMMENTS ONLY

The city features a number of surface water bodies, identified in the CP on pages NE-2 through NE-4.

- 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 for this work.

No.

- 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 and/or disposal site.

n/a

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.

n/a

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

The proposal will update regulations that affect flood plains within the city.

- 6) Does the proposal involve any discharges of water materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

n/a

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities of withdrawals or discharges, if known.

n/a

- 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) is/are expected to serve.

n/a

c. Water Runoff (including storm water):

- 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.

n/a

- 2) Will this project generate waste materials which, if not handled properly could enter ground or surface waters? If so, generally describe.

n/a

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

n/a

4. PLANTS

1. Circle (bold) types of vegetation found on the site and list specific species:

- ☐ deciduous tree: example - alder, maple, aspen, other
- ☐ evergreen tree: example - fir, cedar, pine, other
- ☐ shrubs, salmonberry, blackberries
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ wet soil plants: - cattail, buttercup, bullrush, skunk cabbage, black cottonwood, reed canary grass
- ☐ water plants: - water lily, eelgrass, milfoil, other
- ☒ other types of vegetation: **A wide variety of vegetation is found within the city.**

ADMINISTRATION
COMMENTS ONLY

2. What kind and amount of vegetation will be removed or altered?

n/a

3. List threatened or endangered species known to be on or near the site.

None to our knowledge.

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

n/a.

5. **ANIMALS**

- a. Circle (**bold**) any bird 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: **robin, crow** etc.

mammals: **deer**, bear, elk, beaver, other:

fish: bass, **salmon**, trout, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site.

The Chehalis River basin includes areas that may support salmonid species. A more complete discussion of wildlife and fisheries habitat areas is found in the CP on pages NE-9 - NE-10

- c. Is the site part of a migration route? If so, explain.

No.

- d. Proposed measures to preserve or enhance wildlife, if any:

n/a

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.

n/a

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

n/a

- 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:

n/a

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.

n/a

- 1) Describe special emergency services that might be required (for example, chemical spills or explosions).

n/a

- 2) Proposed measures to reduce or control environmental health hazards, if any.

n/a

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, construction, or production equipment, other)?

n/a

- 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 or production equipment, other)? Indicate what hours noise would come from the site.

n/a

- 3) Proposed measures to reduce or control noise impacts, if any:

n/a

8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties?

The city contains a full range of land uses, including residential, commercial, and industrial, at varied densities and intensities of uses.

- b. Has the site been used for agriculture? If so, describe.

Some acreage within the city, particularly adjacent to the I-5 corridor and within the UGA, have been and continue to be used for agricultural purposes.

- c. Describe any structures on the site.

While the city contains a wide range of buildings and structures typically found in an urban environment, the "project" does not involve a specific site.

- d. Will any structures be demolished? If so, what?

n/a

- e. What is the current zoning classification of the site?

See the City Zoning Map, CP page LU-6.

- f. What is the current comprehensive plan designation of the site?

See the Future Land Use Map, CP page LU-3.

**ADMINISTRATION
COMMENTS ONLY**

- g. If applicable, what is the current shoreline master program designation of the site?

The proposal will update the city's Shoreline Master Program.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

See the City Critical Areas Map, CP page LU-11.

- i. Approximately how many people would reside or work in the completed project?

n/a

- j. Approximately how many people would the completed project displace.

n/a

- k. Proposed measures to avoid or reduce displacement impacts, if any:

n/a

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed regulations are intended to make the city's Development Regulations compatible with the CP.

9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

n/a

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

n/a

- c. Proposed measures to reduce or control housing impacts, in any:

n/a

10. **AESTHETICS**

- a. What is the tallest height of any proposed structure(s), not including antennas or chimneys; what is the principal exterior building material(s) proposed?

n/a

- b. What views in the immediate vicinity would be altered or obstructed?

n/a

- c. Proposed measures to reduce or control aesthetic impacts, if any:

n/a

11. **LIGHT AND GLARE**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

n/a

- b. Could light or glare from the finished project be a safety hazard or interfere with views or affect wildlife?

n/a

- c. What existing off-site sources of light or glare may affect your proposal?

n/a..

- d. Proposed measures to reduce or control light and glare impacts, if any:

n/a

12. **RECREATION**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

See CP pages CF-4 to CF-9.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

n/a

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

n/a

13. **HISTORIC AND CULTURAL PRESERVATION**

- a. Are there any places or objects listed on, or proposed for, or eligible for listing in national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

n/a

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

n/a

- c. Proposed measures to reduce or control impacts, if any:

n/a

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.

See, generally, CP Chapter 5.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Twin Transit serves the city.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

n/a

- 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).

n/a

- e. Will the project use (or occur in the immediate vicinity of) water, or air transportation? If so, generally describe.

n/a

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

n/a

- g. Proposed measures to reduce or control transportation impacts, if any:

n/a

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.

n/a

- b. Proposed measures to reduce or control direct impacts on public services, if any.

n/a

16. UTILITIES

- a. Circle (bold) 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.

n/a

III. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project 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 proposal establishes and updates regulations to ensure the orderly and efficient development of land within the City of Chehalis. As development occurs pursuant to these regulations, impacts related to air and water quality, noise, hazardous substances, or other elements may be anticipated. These impacts will be addressed directly through SEPA review of individual project actions.

Proposed measures to protect or conserve plants, animals, fish, or marine life:

Regulations related to wetlands, shorelines, habitats, and other critical areas are intended to protect or conserve plants, animals, fish, and marine life in a manner consistent with state environmental policy.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

See above response.

Proposed measures to protect or conserve plants, animals, fish, or marine life:

See above response.

3. How would the proposal be likely to deplete energy or natural resources?

As development is permitted within the city, some level of depletion of energy and natural resources may be expected to occur.

**ADMINISTRATION
COMMENTS ONLY**

Proposed measures to protect or conserve energy and natural resources?

The proposed action will regulate development in a manner that considers conservation issues.

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?

See above response to question #1.

Proposed measures to protect such resources or to avoid or reduce impacts:

See above response to question #1.

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?

See above response #1.

Proposed measures to avoid or reduce shoreline and land use impacts:

See above response #1.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

See above response #1.

Proposed measures to reduce or respond to such demand(s):

See above response #1.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

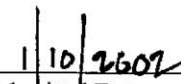
No. The proposal is intended to comply with applicable requirements for environmental protection.

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.



Michael P. Davolio, AICP *Certification #6681*
Director of Planning
David Evans and Associates, Inc.
3700 Pacific Hwy., E, suite 311
Tacoma, WA 98424



Submittal Date

THRESHOLD
DETERMINATION OF NON-SIGNIFICANCE

Description of proposal/project:
ADOPT UNIFORM DEVELOPMENT REGULATIONS (INCLUDING ZONING,
ENVIRONMENTAL, LAND USE, CONSTRUCTION CODES AND OTHER
STANDARDS) FOR CHEHALIS AND ITS URBAN GROWTH AREA.

Proponent/Applicant: CITY OF CHEHALIS (MAYOR / CITY COUNCIL)

Location of proposal/project: CITY OF CHEHALIS ;TAX # 00000-000-000
CITY LIMITS OF CHEHALIS AND THE ADOPTED URBAN GROWTH AREA.

Lead agency: CITY OF CHEHALIS, COMMUNITY SERVICES DEPARTMENT

The lead agency for this proposal/project 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 for public review on request at the office address listed below.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal/project for fourteen (14) days from the date of publication/ mailing. Written comments must be received by 11 FEB 02. Any appeal from this DNS must be initiated in accordance with the provisions of CMC 18.04.270. Comments or appeals which do not contain factual statements directly related to the proposal shall not be considered.

The following conditions/requirements are proposed to be attached to any subsequent permit(s) as mitigation of identified potential impacts:

ANY FUTURE DEVELOPMENT PROJECTS PURSUANT TO THE ADOPTED
REGULATIONS SHALL REQUIRE SUPPLEMENTAL SEPA ANALYSIS AS
PROVIDED WITHIN THE REGULATIONS.

The following agency permits or approvals are identified as being required for this project/proposal:

CHEHALIS CITY COUNCIL APPROVAL (ORDINANCE)
STATE OFFICE OF COMMUNITY DEVELOPMENT APPROVAL UNDER GMA
Responsible Official: Community Development Division Manager.
Mailing Address: Community Services Dept., P.O. Box 871, Chehalis WA 98532
Office Address: Community Services Dept., 1321 South Market Blvd., Chehalis WA
Phone: (360)748-0271 Date of issue: January 16, 2002 File #: 02-A2964

(portion above this line only for publication)

Signature: _____

1/25/02 DISTRIBUTION: CHRONICLE - please publish on 01/29/2002
1/29/02 KELA/KMNT Radio
1/29/02 KITI/LIVE95 Radio
1/29/02 w/m Property owners within 300' (parcel specific proposals)
1/29/02 1A 2A 2B 3A 3B 4A 4B 4C 4D 4E 4F 4G 4H 5A 5B 5C 5D 6A 6B 6C 7A 8A

SEPA Rules

WAC 197-11-965 Adoption notice.

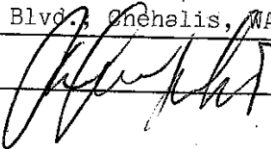
ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

Adoption for (check appropriate box) ☒ DNS ☐ EIS ☐ other _____Description of current proposal Adopt Development Regulations to implement the
Comprehensive Plan.Proponent City of ChehalisLocation of current proposal City of Chehalis and its Urban Growth Area.Title of document being adopted EIS for the Chehalis Comprehensive Plan.Agency that prepared document being adopted City of ChehalisDate adopted document was prepared June 14, 1999Description of document (or portion) being adopted EIS for the Chehalis Comprehensive Plan.

If the document being adopted has been challenged (WAC 197-11-630), please describe:

No Challenge filedThe document is available to be read at (place/time) Chehalis Community Services office,
1321 S. Market Blvd.; Chehalis, WA; M-F; 8-5.

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decisionmaker.

Name of agency adopting document City of ChehalisContact person, if other than
responsible official _____ (RO) Phone: _____Responsible official Robert W. NachtPosition/title Community Development Manager Phone. (360) 748-0271Address P.O. Box 871; 1321 S. Market Blvd., Chehalis, WA 98532Date. 1/18/02 Signature (s) Robert W. Nacht 

CHRONICLE : PLEASE PUBLISH ONE TIME 01/29/02

Community Services Department
P.O. Box 871
Chehalis WA 98532 748-0271
FAX 748-6993

MEMORANDUM

To The Department of Ecology
Shorelands Programs

From R.W. 'Bob' Nacht
Community Development Manager

Date January 30, 2002

Subject Draft Proposed Uniform Development
Regulations for the City of Chehalis

The City of Chehalis has begun the review and adoption process for its revised development regulations to implement the GMA Comprehensive Plan. A component of the proposed regulations includes a revised Shorelines Master Program and Shoreline Substantial Development Permit Requirements. These issues are provided for in Chapter 17.18, Chapter 17.24 and Appendix Chapter R of the enclosed document.

This document has been submitted to OCD for the required 60-day state agency review period. The city is also submitting this document to DOE for its review and comment relating to the 'shorelines' components.

We also anticipate that further revisions of the critical areas and shorelines components of this document will be necessary to comply with the new BAS requirements. The attached agenda report and the scope of work memorandums further explain our intended process and timelines to comply with the various requirements.

The city will be conducting a public hearing on February 11th regarding the entire document and SEPA decision (Appendix Chapter X). We do not expect that final agency comments will be available at that time. We have provided that agency comments (as well as written public comments) will be accepted and reviewed until March 25th by the city council.

Please direct any comments you may have on the enclosed document to:

City of Chehalis
Department of Community Services
P.O. Box 871
Chehalis WA 98532

or fax to 360-748-6993 - attention Bob.

Thank you for your consideration and comments.

**CITY OF CHEHALIS
AGENDA REPORT**

To The Honorable Mayor and City Council

From The Planning Commission
 Joanne Schwartz, Community Services Director
 Bob Nacht, Community Development Manager

Date January 22, 2002

Subject GMA Development Regulations

Issue

The state Growth Management Act requires that certain counties and all cities located within them adopt comprehensive plans, and development regulations to implement those plans. Proposed development regulations have been drafted for the city (and its urban growth area), and are presented now to start the council review and adoption process.

Background

Chehalis' compliance with the Growth Management Act has been a long, and sometimes arduous, process. It began with citizen task force work in the early 1990s, resulting in a new comprehensive plan adopted in July 1999, and has progressed to the attached proposed Uniform Development Regulations.

Discussion

The comprehensive plan and these proposed regulations are the result of more than three years of discussion, dialogue and compromise by the planning commission. While it is expected that continuous review and updating will be necessary, this draft document addresses both the requirements of the Growth Management Act, and the practical needs and impacts of development in the community.

One of the goals of staff and the commission was to create a single document containing the answers to all development related questions. The city currently has over a dozen different ordinances and sections in the municipal code containing development regulations. Some of our critical regulations, like floodplain development and shorelines management, are currently appendices of other regulations and are not codified. Unless you know where to look for these regulations, you won't find them. The proposed regulations are considerably more 'user friendly,' and provide a more thorough source of information for development related questions.

There will actually be two components to the regulation of development in the city - these proposed 'Uniform Development Regulations' that generally address development issues on private property, and the forthcoming revised 'Public Works Standards' that will address development issues relating to public property and utilities. Both of these documents will be necessary to implement the comprehensive plan as required.

Some of the sections proposed in the draft development regulations are new concepts for Chehalis. During the drafting process, several issues were identified by staff as having no criteria or guidance in the existing regulations. Some existing processes and procedures simply don't work well and can be fixed with new language. The ultimate goal of these regulations is to provide a predictable review and decision process for the developer (and the general public) without creating negative impacts on the community.

The draft regulations may appear to be cumbersome and complex when first reviewed, but they are actually much easier to use than the existing ordinances. Staff will explain the construction of the document and 'how easy it is to use' during a worksession meeting of the council. Some of the perceived complexity will involve new or revised technical and performance standards for development. Many of these standards have never been addressed before by the city, and will need to be explained in greater detail.

Anticipated Council Review and Adoption Schedule

- January 28 ~ presentation of the proposed development regulations to the council
~ submit draft document to the state Office of Community Development (OCD) for required 60-day state agency review
- February 5 ~ conduct worksession meeting
(staff and members of the planning commission will explain the development of the document and why certain regulations are proposed)
- February 11 ~ conduct public hearing on proposed development regulations and SEPA determination
~ direction to staff regarding any changes to the document
- February 25 ~ discussion of public comments
~ discussion of state agency comments
~ direction to staff
~ ordinance adopting the proposed development regulations (first reading)
- March 11 ~ discussion of state agency comments
~ direction to staff
- March 25 ~ ordinance adopting the final draft of the regulations (second reading)

After Adoption of the Regulations

The legislature has amended the Growth Management Act to require that all comprehensive plans and development regulations be updated to include provisions for using Best Available Science (BAS) in all development permitting. The Act requires that local governments conduct an analysis of their plans and regulations to determine if they comply with the new provisions of the Act. The city has received a \$15,000 grant from OCD for this review and update process.

Between now and September 1 (the required compliance date), staff and a consultant will prepare revisions to the comprehensive plan and development regulations to comply with the Act concerning BAS.

The specific requirements for what constitutes BAS have not been legally defined, therefore the endeavor could be quite interesting and complex. As case law and opinions are developed over the next few months, we may get a clearer picture of what will actually be required. In any case this project could significantly alter some of the environmental sections of the proposed development regulations.

Recommendation/Council Action Desired

A worksession has been scheduled for February 6 at 7:00p.m. for the council to begin reviewing the proposed development regulations, and a public hearing will be scheduled for February 11 during the regular council meeting.

Reviewed by _____ City Manager

February 11, 2002

The Chehalis city council met in regular session on Monday, February 11, 2002, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Wayne Galvin, Tony Ketchum, Dr. Isaac Pope, Fred Rider, Chad Taylor, and Bob Venemon. Staff present included: Dave Campbell, City Manager; Caryn Foley, City Clerk; Bill Hillier, City Attorney; David Kelly, Administrative Services Director; Jim Nichols, Public Works Director; Joanne Schwartz, Community Services Director; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Becky Fox, Court Administrator; Bob Nacht, Community Development Manager; Ron Parkhill, Acting Street Superintendent; Marilyn Riebe, Grants Administrator; Andy Sennes, Property Manager; and Patrick Wiltzius, Wastewater Superintendent. Members of the news media in attendance included Paul Alleva of *The Chronicle*.

Mayor Spahr thanked the members of the audience for attending. He noted that the issue listed under citizens business relating to gambling would be discussed during second reading of Ordinance No. 717-B, which was included on the agenda.

1. **Consent Calendar**. Councilor Galvin moved to approve the consent calendar comprised of the following items:

a. Minutes of the regular city council meeting of January 28, 2002;

b. October 30, 2001, Payroll Vouchers No. 17274 – 17399; October 20, 2001, Claim Vouchers No. 59145 – 59171 in the amount of \$451,054.38; Transfer Voucher No. 1495 in the amount of \$1,666.23; November 30, 2001, Payroll Vouchers No. 17400 – 17521; November 30, 2001, Claim Vouchers No. 59421 – 59446/59448 in the amount of \$445,751.69; Transfer Voucher No. 1497 in the amount of \$1,556.58; December 31, 2001, Claim Vouchers No. 55522/57250/58045 in the amount of \$25,912.57; January 31, 2002, Claim Vouchers No. 57221 – 57401 in the amount of \$276,320.61; January 31, 2002, Payroll Vouchers No. 16350 – 16354 (old warrants), 18000 – 18134 in the amount of \$473,522.50; Transfer Voucher No. 1496 in the amount of \$19,256.74; Transfer Voucher No. 1499 in the amount of \$115,000.00; Transfer Voucher No. 1502 in the amount of \$115,000.00; and Transfer Voucher No. 1503 in the amount of \$1,541.09;

c. Appointment of Janet Andersen to a six-year term on the Civil Service Commission expiring December 31, 2007; and

d. Authorizing the administrative services director to invest monies for the city with U.S. Bancorp Investments, Inc.

The motion was seconded by Councilor Pope.

Councilor Ketchum asked where the city's monies were currently invested.

Dave Campbell indicated that monies were invested in a variety of places, including banks, and with the state in the local government investment pool.

David Kelly stated that monies were invested in state-approved locations in various accounts, mostly in CDs. The motion carried unanimously.

2. **Public Hearing – GMA Development Regulations**. Dave Campbell stated the council held a work session last Wednesday to begin review of the proposed development regulations, and during the next few weeks it would be up to the council to adopt the regulations prior to becoming law.

Bcb Nacht stated that in 1999, the council adopted a new revised comprehensive plan under the requirements of the Growth Management Act. The planning commission and staff then began the process of drafting development regulations to implement the comprehensive plan. He noted that the second component of implementation of the comprehensive plan included the forthcoming public works standards. Mr. Nacht indicated that in November the planning commission solicited input from special interest groups. He indicated that they tried to develop a document that was user friendly and contained appropriate standards for the community. Mr. Nacht stated that most of the regulations in the document were the same as what currently existed, some had minor changes, others were significantly different, and new ones were added. In December, the planning commission began soliciting input from the general public and a public hearing was held. He stated that some changes were made to the document as a result of the public testimony. Mr. Nacht stated that the last update to the document was dated January 22, and would soon be available on CD and e-mail.

Dave Campbell recommended that the council continue the public hearing to February 25.

Mayor Spahr closed the regular meeting at 3:10 p.m. and opened the public hearing.

February 11, 2002

Loren Lane, (1195 Highway 603, Chehalis) chair of the Lewis County Shelter Program, stated that emergency sheltering had been taking place in the community for about ten years under the auspices of the community's churches. The program began as a winter shelter program from November through March and evolved to a year-round one for men and women. He indicated there was a great need for shelter for families that should be addressed in the document, and he expressed concern that the proposed regulations would limit the availability and opportunity to have emergency shelters.

Bob Nacht commented that the issue of shelters was probably not adequately addressed in the proposed document. He explained that historically the function of a homeless shelter within an approved church facility was considered an ancillary use of the facility and had never been dealt with before. The intent of the proposed regulations was to regulate homeless shelters as an occupancy or use, not as an ancillary part of an existing church use.

Mayor Spahr indicated the issue came up during the council's work session, but didn't know if it would be rectified to the standard that Mr. Lane was requesting.

Bob Nacht reiterated the need for a clear definition of what a homeless shelter was and identifying whether a homeless shelter should be permitted as an outright use or occupancy, or as an accessory use. He indicated that any change would have to be a directive from the council or a recommendation from the planning commission to the council.

Rebecca Ambrose, (444 NE Adams Avenue #6, Chehalis) Executive Director of the Lewis County Shelter Program, talked about the need for a family shelter. She stated there were currently two shelters – one for men, and one for women and children – both with very limited space. Ms. Ambrose explained that shelter use was on a temporary placement basis through the graces of two churches, but there was no permanent site. They wanted to establish a program to deal with the issue of shelter for families, which was a problem throughout the country. She stated that the Lewis County Shelter Program provided basic food, shelter, and clothing resources, required people to remain clean and sober while in shelter, and put them on a program that allowed them to build back their lives. Ms. Ambrose believed the quality and character of a community was determined by how effectively it dealt with problem issues. She provided several statistics for the program during 2001.

Michaelle Sorlie, (126 Costi Drive, Chehalis) a case manager for the Lewis County Shelter Program, stated that the people who came to the shelter weren't transients, but local people, some being families who sometimes had to be split up because there was not a permanent site for them. She indicated the biggest problem was that there just wasn't enough room, and people were even sent to hotels on occasion.

Steve Carmick, Chairman of the Board for the Salvation Army, indicated that the Salvation Army supported homeless shelters. He explained there were two separate populations of homeless people. The first included male transients that sometimes had issues with drugs, alcohol, or psychiatric problems that required rehabilitation. He noted that the Lewis County Shelter Program was not in that business. He encouraged the council to make it possible for there to be a shelter in Chehalis for women and children. He submitted a copy of an article that appeared in *The Chronicle* on Saturday entitled, "The homeless myth." Mr. Carmick stated the draft document made it impossible to open a homeless shelter because it limited them to R-4 neighborhoods, which included the area around Adams and Jefferson Avenues. There were no appropriate buildings for a shelter in that area, along with a lack of parking. He thought the council needed to accept the fact that there were homeless people in the community and over 90% of them were Lewis County residents, and nationwide 52% were under the age of 12. He asked the council to: 1) allow shelters to be located in R-2, R-3, R-4, and Central Business District (CBD) zones as a conditional use; 2) designate one parking space for every two households, plus staff, instead of the proposed one space for every three beds; 3) allow shelters to be located in Essential Public Facilities (EPF) zones; 4) delete the requirement that a shelter had to be on an arterial street in an EPF zone; and 5) not put homeless shelters such as the one run by the Lewis County Shelter Program in the same category as adult entertainment zones. Mr. Carmick indicated he would be putting his comments in writing.

Esther Hamilton stated she had been in the community for about four years, and went from an income of about \$2,000 a month to \$600 a month. If it wasn't for the Lewis County Shelter Program she would not have a place to live.

Mayor Spahr asked for clarification on what kinds of questions the council could ask during the public hearing.

Bill Hillier advised the council that technically, they could not make queries during a public hearing.

Mayor Spahr indicated it was difficult not to make comments because the council knew the shelter issue was a problem, and they were working to address it.

Linda Geiger (3851 Jackson Highway, Chehalis) stated she was the shelter coordinator for the Human Response Network (HRN). She explained that the HRN sheltered clients of domestic violence and sexual assault, and about 40% of their clients went back to their domestic violence situation because there was not enough housing. Last month alone, 33 families

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were served by the HRN, and there were currently five women and eleven children under the age of seven being housed. She was concerned about the way the development regulations were currently written with respect to shelters. Ms. Geiger stated that if it wasn't for the Lewis County Shelter Program picking up the HRN overflow, she didn't know where the women would go. She noted that over 90% of the women and children were from Chehalis and Centralia and she believed that we needed to take care of our own.

Vicky Gee, (215 Blakeley Lane, Toledo) Families Services Director for the Salvation Army, wanted the council to understand that a majority of the homeless people in the community were neighbors and relatives who had experienced something terrible or tragic in their lives. She believed they needed to be taken care of so they were not living on the streets or in their cars, and were given a plan to get back on their feet. Ms. Gee stated that the various organizations were working together to make sure that no one fell through the cracks, but a family shelter was desperately needed.

Ernie Gilliam (2088B Jackson Highway, Chehalis) stated he was a former shelter client and was now the manager of the men's shelter. He was living in his car because he didn't know about the men's shelter. He went to the Salvation Army where he was able to take a shower and was given a bed and food to eat at the shelter. The next day he met with a case worker to create a plan to get back on his feet. Mr. Gilliam stated the Lewis County Shelter Program was proactive and they wanted people to help themselves.

Mayor Spahr commented that the council recognized during its work session that there were some shortcomings in the proposed regulations for shelters and the issue would be worked on during the next two weeks. He stated that the council would like to have written comments and help in getting the proper kinds of shelters in the proper kinds of places.

Carol Sue Hogan (550 SW Newaukum Avenue, Chehalis) stated that she attended St. Timothy's Episcopal Church in Chehalis and very much supported the shelter program, although her church community was very small and could not help as much as they would like to. She asked that the council not limit where the shelters could be located.

Peter Yuhase (2088B Jackson Highway, Chehalis) stated he was homeless and had lived in the community for 20 years. Mr. Yuhase stated that he used to have his own business and never thought he would end up homeless and scared to death. He explained that he became disabled and was unable to work and had no place to go. He went to the Salvation Army and was directed to the Lewis County Shelter Program where he was made to feel safe. He stated that the shelter program had rules and regulations, but they were good rules and regulations that everybody had to follow. Mr. Yuhase noted that space was very limited and at one time there were nine men in the small shelter. He stated he was going through computer school and he volunteered his vehicle for transportation because he was still lucky enough to have a car. He took people to get clothes and food, and took people to work. He added that he had never seen so much good or so many good people that wanted to help others.

There being no further public comment, Councilor Galvin moved to continue the public hearing to the next regular council meeting of February 25 at 3:05 p.m. for additional public comments. The motion was seconded by Councilor Pope and carried unanimously.

Councilor Taylor asked how they knew if someone was transient or not.

Steve Carmick stated there was a screening process that included the individual's residence history.

Councilor Taylor asked if Mr. Carmick was familiar with the shelter in Olympia, and if that was the kind of shelter he wanted for this community.

Mr. Carmick indicated he knew of it, but was not familiar with it, so he could not compare the two directly. He stated that the existing shelters were not meeting the demands, and what was desperately needed was a family shelter.

Councilor Galvin asked what they did with transients.

Mr. Carmick indicated that transients were served, but statistically those people were en-route to somewhere else and only spent a night or two.

Rebecca Ambrose stated that when people came in they were asked where the last place was that they received mail. She stated that the state made great strides about two years ago and defined where a person lived was where they stood at the moment. It was done because homeless children living in cars were denied access to education.

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Councilor Rider asked what they did with homeless people that were drug or alcohol dependent. He explained that the regulations were drafted to include homeless shelters and did not distinguish the different types of shelters. Councilor Rider indicated that may have been wrong, but they did not have input like they were receiving today.

Ms. Ambrose explained that people were required to be clean and sober for 72 hours. If someone calls when they are drunk they could go to jail or to a detox facility because they did not want people detoxing in shelters. If people wanted to address their issues the program would bring them in on the agreement that they complete detox and attend meetings, while remaining clean and sober in the shelter program.

Steve Carmick stated that the Salvation Army dealt with serious alcoholics and drug users by sending them to adult rehab centers in Portland, Tacoma, and Seattle.

Councilor Rider asked what happened to the children of those individuals.

Mr. Carmick explained they could not maintain custody of children while in a rehab center and would have to make arrangements for the children to be somewhere else.

Mayor Spahr thought the debate going on would basically take place during a conditional use hearing, and was not what the council was addressing now. The council was trying to set guidelines for where shelters should be placed, not making cases for one kind of shelter or another. He asked if they could discriminate on certain kinds of shelters.

Bob Nacht stated that once a concept was identified they could use definitions and definitive terms to segregate the specific issues trying to be dealt with and then define how they would be dealt with.

Mayor Spahr asked if Mr. Nacht had enough information to take back to the planning commission.

Bob Nacht indicated he did.

3. Public Hearing – FEMA Hazard Mitigation Grant Program. Dave Campbell stated the purpose of the public hearing was to accept public comment on the interest in submitting a grant application to FEMA for hazard mitigation, including flood-related hazards, earthquake-related hazards and planning for hazard eliminations.

Marilyn Riebe announced that she would be available after the council meeting if anyone wanted more information. She stated that Lori Hergertz and Joan Sterling from the Washington State Emergency Management Division were in attendance. She explained that the public hearing was convened to determine if there was sufficient interest in the community to warrant the submission of an application to the Federal Emergency Management Hazard Mitigation Program, administered by the Washington State Emergency Management Division. The grant focus was on repetitive flooding, seismic retrofitting, and all-hazards planning, and a non-binding letter of intent to apply was due February 15.

Ms. Riebe thought that most people were interested in saving their homes from flood damage. The flood activities under the grant included home elevation, neighborhood buyout, and home moving to flood-safe properties. She noted that home elevations had to be at least one foot above the base flood elevation or flood of record, and she suggested that funding for home elevations be capped at \$30,000 to \$35,000 per home because that was about the average cost to elevate a home. Homeowners would be required to make a 12.5% local match. The match could also be made by the city, but she did not see how that would be beneficial for the city. Anything above the grant limit and local match would be the responsibility of the home owner. She provided cost samples of home elevations and noted that any home elevation would have to be done to building codes. She also noted that areas created under a home by elevation could not be used for habitation.

Ms. Riebe next described the buyout program. Homes would be appraised by an independent appraiser and offers would be made at fair market value, not assessed value. She stated that neighborhood program approaches were preferred so that areas could be taken off tax rolls because they could not be used for housing or permanent structures. She noted that the city used this kind of program several years ago to purchase homes near the city's wastewater treatment plant.

The third option was to move homes to flood-safe properties, which was probably the least interesting option because most people probably didn't have a second piece of property to move their home. Another issue was whether the home could even be moved.

Ms. Riebe stated that the second emphasis of the grant was seismic retrofitting, including the stabilization and reinforcement of buildings to withstand predetermined levels of earthquake activity. She stated that the building being seismically retrofitted must have shown public benefit.

Lewis County Shelter Program

serving community needs since 1992

Post Office Box 131

Chehalis Washington 98532-0131

February 19, 2002

Chehalis City Council
Attn: Bob Spahr
80 NE Cascade Avenue
Chehalis WA 98532

*12/20
copies to M + Cory Council
and Bob Nacht.
F.I. - Dan*

Dear Mr. Spahr:

I am writing to you, as you requested during the Chehalis City Council Meeting on Monday, February 11, 2002, when the council heard public testimony about the proposed Chehalis City Zoning Code. As you remember, there was testimony from several organizations, including not only the Lewis County Shelter Program, but also the Human Response Network and The Salvation Army, as well as from citizens who had been helped by the shelters. What the council heard could be summarized as follows:

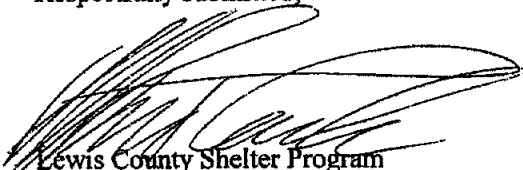
1. The people who are temporarily homeless in Lewis County are not transients but are long-time Lewis County residents. Approximately 90% of the temporarily homeless people served by agencies in Lewis County have lived in Lewis County for at least 2-3 years, or have family ties in Lewis County.
2. The majority of the homeless are children under the age of 12.
3. Lewis County has a major need for an emergency shelter for women and families with children who have temporarily lost their home, until more long-term arrangements for them can be made. They have no other resources but to request emergency shelter from our program. We'd prefer not to use apartments, lest our clients get too comfortable and lose part of the motivation to move back towards self-sufficiency. Apartments restrict the ability of the program to effectively provide intervention and support services for the participant to rebuild towards self-reliance.
4. Lewis County Shelter Program does not accept those individuals who have criminal warrants nor those who can't or won't remain totally clean and sober during their shelter stay. We don't house or provide treatment for those who have unresolved problems with alcohol, drugs or those who have psychiatric issues. That's done by rehabilitation centers, which are currently defined in your proposed code as R145 uses.

Chehalis City Council
Attn: Bob Spahr
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5. Homeless shelters should be allowed in zones R2, R3 and R4 at least as a straight conditional use (Symbol "C"). Of course, nothing prohibits the City from imposing reasonable conditions.

I am enclosing for the Planning Commission copies of articles which appeared in *The Chronicle* on February 9, 2002, which go into more detail on both the need for shelter and why it would not detract from the character of our city.

Respectfully submitted,



Lewis County Shelter Program
By: Stephen T. Carmick

Enclosures for:
Council Members
Chehalis Planning Commission

c: Paul Alleva, *The Chronicle*

FINAL
DETERMINATION OF NON-SIGNIFICANCE

Description of proposal/project:

ADOPT UNIFORM DEVELOPMENT REGULATIONS (INCLUDING ZONING,
ENVIRONMENTAL, LAND USE, CONSTRUCTION CODES AND OTHER

Proponent/Applicant: CITY OF CHEHALIS (MAYOR / CITY COUNCIL)

Location of proposal/project: CITY OF CHEHALIS ;TAX # 00000-000-000

Lead agency: CITY OF CHEHALIS, COMMUNITY SERVICES DEPARTMENT

The lead agency for this proposal/project 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. Any appeal from this DNS must be initiated in accordance with the provisions of CMC 18.04.270. Appeals which do not contain factual statements directly related to the proposal shall not be considered.

The following permit(s), mitigating conditions and/or requirements shall be inherent conditions of any subsequent development permit or approval:

ANY FUTURE DEVELOPMENT PROJECTS PURSUANT TO THE ADOPTED
REGULATIONS SHALL REQUIRE SUPPLEMENTAL SEPA ANALYSIS AS
PROVIDED WITHIN THE REGULATIONS.

Responsible Official: Community Development Division Manager
Address: 1321 S. Market Blvd.; P.O. Box 871, Chehalis, WA 98532
Phone: (360)748-0271 Date of issue: 03/04/02 File #: 02-E091

Signature: _____

Director Approval: _____