



## Community Development Department

1321 S Market Blvd. Chehalis, WA 98532

(360) 345-2229 / Fax: (360) 345-1039

[www.ci.chehalis.wa.us](http://www.ci.chehalis.wa.us) email: [comdev@ci.chehalis.wa.us](mailto:comdev@ci.chehalis.wa.us)

# CHEHALIS PLANNING COMMISSION AGENDA

Special meeting of May 14, 2024

6:00 PM - Chehalis City Hall Council Chamber, 350 N Market Boulevard

Position 1	Gladis Mendez	Staff:	Todd Johnson, City Planner
Position 2	Melissa Cox, Chair		Laura Fisher, Permit Technician
Position 3	Vacant		
Position 4	Kyle McKerricher, Vice chair		
Position 5	vacant		
Position 6	Scott Forsman		
Position 7	Derek Dodd		

## AGENDA ITEMS:

1. Call to Order
2. Roll Call
3. Approval of minutes from April 9, 2024.
4. Citizen Business for items not listed elsewhere on the agenda.
5. Commission Business
  - A. Discussion of summer schedule (June 11, July 10<sup>th</sup>, August 14
  - B. Updates of changes to work plan? (new additions in underline)  
Work plan for 2024.
    - a. Rezone and comprehensive plan map amendment hearings (May 14<sup>th</sup>)
    - b. Amendments to use table for Shelters (June Meeting)
    - c. Work on MRC (Mixed Residential commercial)
    - d. work on OSG zone (Open Space Government)
6. Public Hearing
  - 2023 Comprehensive Plan Map amendments (Continuation of the public hearing from March 5<sup>th</sup> 2024)
    - a. RZ 23-002 Newaukum Ventures Comprehensive Plan Map Amendment and UGA Expansion
    - b. RZ 23-003 201 Hanna Lane Rezone and Comprehensive Plan Map Amendment
    - c. RZ-23-004 Shovel Ready Rezone and Comprehensive Plan Map Amendment
    - d. UGA-PFA-23-001 Port of Chehalis Rezone and Comprehensive Plan Amendment
  - Recommendation to council
7. Public Workshop
  - I. None
8. Adjourn Meeting
  - I. Next meeting will be on June 11 , 2024.

Join Zoom Meeting

<https://us06web.zoom.us/j/83158558483?pwd=XgLAWN2SPMxphjFayWR2Q2QNEEE92g.1>

Meeting ID: 831 5855 8483

Passcode: 504507

1 **Planning Commission**

2 **Meeting Minutes 4-09-2024**

3 6:05pm Chairperson Melissa Cox called meeting to order.

4 Roll call taken. Present: Scott Forsman, Kyle McKerricher, Melissa Cox, Derek Dodd

5 Melissa moves to approve the minutes from the March meeting as well as the January meeting.

6 Laura agrees to email them to Chairperson Melissa Cox for signature.

7 There being no Citizen Business, Melissa moves to item 5 on the agenda Commission Business and  
8 to go through the Work Plan for 2024.

9 Todd Johnson clarifies the changes in dates for the Work Plan. He explains that the SEPA needs to  
10 go before DRC. He will complete the SEPA process and bring it back to Planning Commission for  
11 additional recommendation to Council. The city has received applications for the vacancies to  
12 Planning Commission and is in the process of conducting interviews. That will be going to the  
13 council meeting on the 22<sup>nd</sup>.

14 Laura Fisher introduces Anne Feldman as the city's new Permit Technician who will also be  
15 assisting with meetings and minutes.

16 Lance Bunker Public Works Director is present.

17 6:09 pm Melissa Cox moves to item 6 on the agenda, Public Hearing.

18 Todd Johnson explains that the draft document incorporates all previous discussions to date. Staff  
19 received another public comment from Chris Aldrich with RB Engineering who is here tonight. Todd  
20 reviews the draft Landscape Code document with the commissioners to finalize each section  
21 discussed previously where items were removed and added or changed.

22 7:03pm Chris Aldrich with RB Engineering approaches to provide public comment.

23 Melissa Cox provides the recommendations to the council. She recommends editing the  
24 Landscape Code before proceeding to council. *Those edits made by staff are as follows:*

25 Page 3 Root Barrier to have more open language that gives options for alternatives.

26 Todd Johnson will delete the specific standard and reference an approved list from Public Works.  
27 He will delete the approved equivalent.

28 Page 11 Types of Landscaping specifics to ground cover plants.

29 Todd confirms it should state that ground cover plants be placed to achieve full coverage within  
30 three years and staggered for an effective covering.

31 Page 14 No bond to be placed. Todd will delete the requirements for private landscaping and  
32 corresponding bond language in 17.28.090. He understands to leave all the performance and  
33 maintenance standards in.

34 Melissa concludes that with confirmation of those edits to the language in the code, the Planning  
35 Commission will vote. All in favor. None opposed. Motion carried unanimously.

36 Chairperson Melissa Cox confirms that the Planning Commission recommends the Landscape  
37 Code be moved on to city council. Meeting adjourned.

38

39 Approved by: \_\_\_\_\_

40 Chair, Melissa Cox

41 Recorded by: \_\_\_\_\_

42 Planning Technician, Laura Fisher

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## **SUMMARY / INTRODUCTION**

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Application #: RZ-23-002  
Report Date: 3/1/2024  
Prepared By: Todd Johnson, City of Chehalis Planner

**Project Description:** Newaukum Ventures seeks an amendment to the City of Chehalis Comprehensive Plan and Zoning Map to include the Chehalis Westlund-Enbody properties within the Urban Growth Area (UGA), as expanded by Lewis County Ordinance 1337. The request includes a proposed zoning designation of MRC - Mixed Residential/Commercial for the subject properties.

**Project proposal:** Comprehensive Plan & Zoning Map Amendment Request - Newaukum Ventures

**Applicable Regulations:**

The staff report on the Comprehensive Plan and Zoning Map Amendment request by Newaukum Ventures was informed by the following sections and codes as criteria:

1. Lewis County Ordinance No. 1337
2. City of Chehalis Comprehensive Plan Goals and Policies
3. City of Chehalis Zoning Regulations
4. Environmental Protection and Floodplain Management (WAC 365-196-310(1)(b)(iii)(C))
5. Public Facilities and Services
6. Transportation
7. Water & Sewer Infrastructure
8. Storm Water Management

## **BACKGROUND INFORMATION**

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In November 2022, the Lewis County Board of County Commissioners adopted Ordinance 1337, expanding the City of Chehalis UGA to include the Chehalis Westlund-Enbody properties, encompassing the following tax parcels: 017873003000, 017880001003, 107880001001, 107880001002, 17846003006, 17846001006, 017846003002, 17846001005, & 17874001000. A deed restriction was recorded in August 2023 to comply with the conditions set forth in Ordinance 1337, particularly regarding the 100-year floodplain and the 2007 mapped flood area.

## **ANALYSIS**

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### Characteristics of Requested Zoning (MRC - Mixed Residential/Commercial):

**Purpose:** To promote mixed-use developments combining residential living with commercial services, enhancing economic vitality and livability.

**Uses:** Allows a range of residential options and commercial uses such as retail, offices, and local services.

**Development Standards:** Includes standards on building heights, setbacks, lot coverage, and landscaping to ensure compatibility with surroundings.

### Alignment with Comprehensive Plan Goals:

**Growth Management:** Supports city goals by focusing development within the UGA, promoting efficient land use.

**Economic Development:** Encourages economic growth through mixed-use projects.

**Environmental Stewardship:** The deed restriction aligns with goals to mitigate flood risks and preserve natural habitats.

### Criteria Match:

**Consistency with Land Use Goals:** Matches goals of diversifying housing options and enhancing local commercial activities. This Urban Growth Boundary amendment is also necessary to bring the City's Urban Growth Boundary into compliance with the adopted Lewis County Urban Growth Boundary.

**Public Benefit:** Potential to provide significant benefits through improved service accessibility and additional housing varieties and types.

### **Recommendation**

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Given the proposal's alignment with the Comprehensive Plan's goals, zoning principles, and environmental stewardship objectives, the request requires a SEPA review and possibly some additional information from the applicant. Request any additional information needed for PC review and request the applicant prepare a SEPA ECL for publication.

### **Suggested Action:**

Request additional information from the applicant as needed for planning commission review and recommendation to be considered at a future Planning Commission hearing and a motion to continue this hearing until the information is received and SEPA has been published.

Exhibits:

Exhibit A: Lewis County Ordinance 1337

Exhibit B: Deed Restriction

Exhibit C: DRC notes and recommendations.

# JSA CIVIL

Engineering | Planning | Management

September 12, 2023

Mr. Todd Johnson  
City of Chehalis  
Community Development  
1321 S Market Blvd  
Chehalis, WA 98532

Re: Newaukum Ventures –  
Comprehensive Plan & Zoning Map Amendment Request

Dear Mr. Johnson,

In November of 2022, the Lewis County Board of County Commissioners adopted Ordinance 1337, in which the City of Chehalis Urban Growth Area was amended to include the “Chehalis Westlund-Enbody” properties (tax parcels: 017873003000, 017880001003, 107880001001, 107880001002, 17846003006, 17846001006, 017846003002, 17846001005, & 17874001000). A copy of Lewis County Ordinance 1337 is provided as **Exhibit A**.

Ordinance 1337 also stated that “the City of Chehalis is required to place a conservation easement over the fullest extent of the 100-year floodplain plus the 2007 mapped flood area on all parcels added to the city’s urban growth area associated with [sic] Westlund-Enbody property.” Pursuant to this requirement, a complying deed restriction was recorded in August 2023 and is provided as **Exhibit B**.

In accordance with CMC 17.09.210(C)(2) Newaukum Ventures (AKA Westlund-Enbody properties) requests that the City of Chehalis amend its Comprehensive Plan and Zoning Map to conform with Lewis County Ordinance 1337. We further request the subject properties have a designated zoning of MRC-Mixed Residential/Commercial.

Respectfully,

Brandon Johnson, PE  
Principal  
JSA Civil, LLC

n:\2 - projects\135 newaukum ventures\135.001 oncall engineering\correspondence\to\2023-0912 comprehensive plan amendment request\2023-0912 comp plan amendment request - nv.docx

# EXHIBIT A - ORDINANCE 1337

## BEFORE THE BOARD OF COUNTY COMMISSIONERS LEWIS COUNTY, WASHINGTON

### IN THE MATTER OF:

ORDINANCE NO. 1337

ADOPT ORDINANCE 1337 TO AMEND THE LEWIS  
COUNTY COMPREHENSIVE PLAN AND  
ASSOCIATED ZONING MAP DESIGNATIONS

### NOW THEREFORE BE IT ORDAINED

DONE IN OPEN SESSION this 22nd day of November, 2022.

APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

Barbara Russell  
By: Barbara Russell,  
Deputy Prosecuting Attorney

Lindsey R. Pollock, DVM  
Lindsey R. Pollock, DVM, Chair

ATTEST:



Sean D. Swope  
Sean D. Swope, Vice Chair

Rieva Lester  
Rieva Lester,  
Clerk of the Lewis County Board of  
County Commissioners

F. Lee Grose  
F. Lee Grose, Commissioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

<b>ADOPT ORDINANCE 1337 TO AMEND</b>	)	
<b>THE LEWIS COUNTY COMPREHENSIVE PLAN</b>	)	
<b>AND ASSOCIATED ZONING MAP DESIGNATIONS</b>	)	<b>ORDINANCE 1337</b>
	)	

**WHEREAS**, RCW 36.70A.040 requires Lewis County to plan under and in accordance with the Growth Management Act; and

**WHEREAS**, RCW 36.70A.130 requires that comprehensive plans be subject to continuing review and evaluation by each county at a frequency no more than once every year; and

**WHEREAS**, RCW 36.70A.130 requires comprehensive plan changes to be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained; and

**WHEREAS**, RCW 36.70A.040 requires adoption of development regulations consistent with comprehensive plans; and

**WHEREAS**, in the year 2022, the Lewis County Planning Commission reviewed the proposed amendments to the Lewis County Comprehensive Plan map and associated zoning map designations as shown in Exhibit A; and

**WHEREAS**, staff provided notice for public hearings before the Lewis County Planning Commission on the proposed amendments in the manner prescribed in Chapters 17.05 and 17.12 LCC on June 9, 2022, July 7, 2022, August 4, 2022, and August 11, 2022; and

**WHEREAS**, the Lewis County Planning Commission held public hearings on the proposed amendments shown in Exhibit A on June 28, 2022, July 17, 2022, July 26, 2022, and August 23, 2022; and

**WHEREAS**, following the public hearings, the Planning Commission deliberated and determined that all but one of the proposed the amendments met the intent and requirements of the Growth Management Act, were consistent with the Lewis County Comprehensive Plan and Countywide Planning Policies, and were in accordance with the public interest. The Planning Commission determined that the proposal to amend the City of Chehalis urban growth area for Assessor's tax parcel number 017904002002, known as the Breen property, was not in the public interest; and

**WHEREAS**, on September 14, 2022, the Planning Commission signed a Letter of Transmittal recommending approval of six of the proposed amendments and recommending rejection of one of the proposed amendments, as shown in Exhibit A; and

**WHEREAS**, on October 18, 2022, the Lewis County Board of County Commissioners (BOCC) passed Resolution 22-328 to hold a public hearing on Ordinance 1337 and directed the Clerk of the Board to provide notice of the hearing; and



**WHEREAS**, the BOCC held duly noticed public hearing on the proposed amendments to the Lewis County Comprehensive Plan and associated zoning map designations beginning on November 1, 2022, recessing and continuing to November 8, 2022; and

**WHEREAS**, the BOCC found that the proposed the amendments met the intent and requirements of the Growth Management Act, were consistent with the Lewis County Comprehensive Plan and Countywide Planning Policies, and all proposals, except the City of Chehalis – Breen proposal (Exhibit A, Attachment 1) and the YMCA Rezone (Exhibit A, Attachment 4), to be in the best interest of the public.

**NOW THEREFORE BE IT RESOLVED** the BOCC finds the proposed amendment to the City of Chehalis urban growth area for the parcel listed in Exhibit A, Attachment 1, known as the Breen property, is not in the public interest and hereby denies the amendment to the Lewis County Comprehensive Plan and associated zoning designation; and

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for the parcels listed in Exhibit A, Attachment 4, known as the Mineral Lake YMCA rezone, is not in the public interest and hereby denies the amendment to the Lewis County Comprehensive Plan and associated zoning designation; and

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment to the City of Chehalis urban growth area for parcels listed below, known as the Westlund-Enbody property, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the amendment to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 2; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Chehalis Westlund- Enbody	017873003000	Urban Growth Area	City – Urban Growth Area
	017880001003		
	017880001001		
	017880001002		
	017846003006		
	017846001006		
	017846003002		
	017846001005		
	017874001000		

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC requires that prior to development (as defined Lewis County Code Chapter 17), the City of Chehalis is required to place a conservation easement over the fullest extent of the 100-year floodplain plus the 2007 mapped flood area on all parcels added to the city's urban growth area associated with Westlund-Enbody property, as shown in Exhibit A, Attachment 2; and

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment to the City of Centralia urban growth area for parcels listed below meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 3; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Centralia	021586003005 021586003001 010592007000 010592006001 010592008003 021586004000 021586003006 010592005000 010592004000 010592003000 010592002000 010592001000 021587001000 021589005000 021589004002 021589004001	Urban Growth Area	City – Urban Growth Area

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for parcels listed below, known as the Good-Avapollo Mining Opt-in rezone, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 5; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Good-Avapollo Mining Opt-in	028043004001 028043004002 028061000000 028025001000 028024001000	Mineral Resource Land	Mineral Resource Land (MRL)

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for the parcel listed below, known as the De Goede rezone, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 6; and

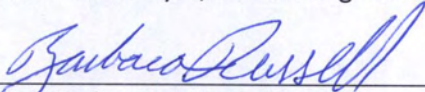
Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
De Goede	028519065005	Other Rural Land	Rural Development District 5 (RDD-5)

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for the parcel listed below, known as the Adna Grocery Store rezone, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 7; and

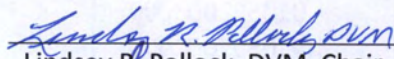
Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Adna Grocery Store	018752001000	Small Community	Small Town Mixed Use (STMU)

**NOW THEREFORE BE IT FURTHER RESOLVED** that the BOCC directs staff to produce an Official Lewis County zoning map or maps, as required by Chapter 17.200 of the Lewis County Code, which reflects the decisions made in this ordinance.

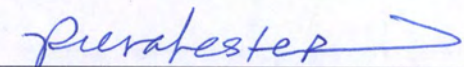
APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

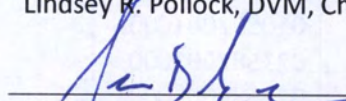
  
By: Civil Deputy Prosecuting Attorney

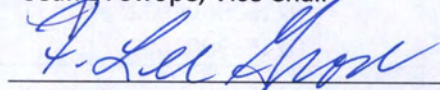
BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

  
Lindsey R. Pollock, DVM, Chair

ATTEST:

  
Rieva Lester, Clerk of the Board

  
Sean D. Swope, Vice Chair

  
F. Lee Grose, Commissioner



# EXHIBIT B - DEED RESTRICTION

3596861

MISC

2:25:40 PM Total Pages: 18 Fees: 220.50  
CPA, Lewis County Auditor, Chehalis, Washington



AFTER RECORDING, RETURN TO:  
Dickson Frohlich Phillips Burgess PLLC  
111 21<sup>st</sup> Avenue SW  
Olympia, Washington 98501

## DECLARATION OF RESTRICTIONS

Grantor:	Newaukum Ventures, LLC, a Washington limited liability company
Grantee:	City of Chehalis, a Washington municipal corporation
Legal Description: (abbreviated)	S14 T13N R2W LTS A, B, and C 935319 S13 T13N R2W PT W1/2 SW 1/4 S13 T13N R2W PT NW1/4 SW 1/4 W HWY
Assessor's Tax Parcel ID Nos:	017880-001-001 017880-001-002 017880-001-003 017846-001-005 017846-001-006 017846-003-006
Reference Nos. of Documents	

**THIS DECLARATION OF RESTRICTIONS** ("Declaration") is made and entered into the 10 day of August, 2023, by and between Newaukum Ventures, LLC, a Washington limited liability company ("Grantor") and the City of Chehalis, a Washington municipal corporation ("Grantee"), for the benefit of the public.

### RECITALS

**A. WHEREAS**, Grantor is the owner of approximately 247 acres of real property located in the vicinity of Newaukum Golf Drive, Chehalis, Lewis County, Washington, (hereafter, the "Newaukum Property" or "Property"); and

**B. WHEREAS**, the Newaukum Golf Course encompasses a portion of the Property, and the southern portion of the Property is also partially encumbered by wetlands and the floodplain of the Chehalis River; and

C. **WHEREAS**, in 2020, Grantor submitted an application to the City of Chehalis to expand the City's Urban Growth Area ("UGA") to include the Newaukum Property in order to allow for future development; and

D. **WHEREAS**, on November 22, 2022, following review and public hearings required pursuant to the Lewis County Planned Growth process, City and County codes, and the Growth Management Act (RCW 36.70A), the Lewis County Board of County Commissioners approved Ordinance No. 1337, a copy of which is attached as **Exhibit A**, which amended the Lewis County Comprehensive Plan and Associated Zoning Regulations; and

E. **WHEREAS**, as adopted, Ordinance No. 1337 expanded the Chehalis UGA to include the Newaukum Property (described therein as the "Westlund-Enbody" property) and rezoned the Property from Rural Development District (RDD-5) to "City - Urban Growth Area," and;

F. **WHEREAS**, Washington State Growth Management Act regulations (specifically, WAC 365-196-310(1)(b)(iii)(C)) allow for urban growth area expansions into the one-hundred-year flood plain of any river, provided that the following conditions are met:

(C) The land is owned by a jurisdiction planning under this chapter or the rights to the development of the land have been permanently extinguished, and the following criteria are met:

- (I) The permissible use of the land is limited to one of the following: Outdoor recreation; environmentally beneficial projects including, but not limited to, habitat enhancement or environmental restoration; stormwater facilities; flood control facilities; or underground conveyances; and
- (II) The development and use of such facilities or projects will not decrease flood storage, increase stormwater runoff, discharge pollutants to fresh or salt waters during normal operations or floods, or increase hazards to people and property.

and;

G. **WHEREAS**, in order to comply with WAC 365-196-310(1)(b)(iii) (C), Ordinance No. 1337 imposed a condition of approval which provides in pertinent part as follows:

...prior to development (as defined Lewis County Code Chapter 17), the City of Chehalis is required to place a conservation easement over the fullest extent of the 100-year floodplain plus the 2007 mapped flood area on all parcels added to the city's urban

growth area associated with [sic] Westlund-Enbody property, as shown in Exhibit A, Attachment 2 ...

and;

**H. WHEREAS,** Grantor desires through the recording of this Declaration to impose permanent development restrictions on those portions of the Property containing the floodplain and the 2007 mapped flood area, which are legally described on **Exhibit B** and depicted in **Exhibit C**, in compliance with the requirements of Ordinance No. 1337 (collectively, the “Floodplain”); and

**I. WHEREAS,** the City of Chehalis has reviewed the Declaration and concurs that it satisfies the requirements of Ordinance No. 1337.

### COVENANTS

**NOW, THEREFORE,** in consideration of the above and the covenants, terms, conditions, and restrictions herein, Grantor does hereby establish real property covenants on the Floodplain as follows:

**1. Declaration of Real Property Covenant.** Grantor voluntarily establishes this Declaration in perpetuity over the Floodplain on the terms and conditions set forth herein exclusively for the purpose of permanently extinguishing development rights within the Floodplain.

**2. Purpose.** It is the purpose of this Declaration to prevent any development within the Floodplain except as expressly provided for herein.

**3. Prohibited Uses.** Except for the purpose of maintaining the state and condition of any portion of the existing Newaukum Valley Golf Course, any development within the Floodplain is prohibited. Without limiting the generality of the foregoing, the following activities and uses are expressly prohibited:

**a. Construction and Improvements.** The placement or construction of any buildings, structures, or other improvements of any kind, including without limitation, utilities, septic systems, communication lines, communication towers, storage tanks and pipelines.

**b. Development.** Any residential, commercial, or industrial use or activity.

**4. Covenant Running with the Land.** Any and all requirements of the laws of the State of Washington to be satisfied in order for the provisions of this Declaration to constitute deed restrictions and covenants running with the land shall be deemed to be satisfied in full, and any requirements or privileges of estates are intended to be satisfied, or in the alternate, an equitable servitude has been created to insure that these restrictions run with the land. Each and every contract, deed, or other instrument hereafter executed conveying the

Property or portion thereof (excluding instruments granting security interests) shall expressly provide that such conveyance is subject to this Declaration; provided, however, that the covenants contained herein shall survive and be effective regardless of whether such contract, deed or other instrument hereafter executed conveying the Property or portion thereof provides that such conveyance is subject to this Declaration.

5. **Scope and Effect.** The terms and conditions of this Declaration:
- a. shall go into effect immediately upon recording;
  - b. shall be deemed covenants running with the land and shall continue as servitude running in perpetuity with the Property;
  - c. shall inure to the benefit of Grantee and the public;
  - d. shall inure to the benefit of and bind Grantor;
  - e. shall inure to the benefit of and bind future owners of any title interest in the Property to the same extent they apply to and bind Grantor as if each had been an original signatory to this Declaration;
  - f. shall survive any subsequent transfer of any title interest in the Property;
  - g. are unconditional and shall not be limited in any manner; and
  - h. shall not preclude repair and maintenance of existing improvements, required to maintain and/or sustain operation of the Newaukum Valley Golf Course.

6. **Terms Binding.** No transfer, mortgage, lease, license, easement, or other conveyance of any interest in or right to occupancy in all or any part of the Property by any person shall affect the terms and conditions of this Declaration.

7. **Perpetual Duration.** This Declaration shall be binding servitude running with the Property in perpetuity.

8. **Specific Performance.** Grantor confirms that damages at law may be an inadequate remedy for a breach of any provision hereof. The rights and obligations hereunder shall be enforceable by specific performance, injunction or other equitable remedy, but nothing herein contained is intended to or shall limit or affect any rights at law or by statute or otherwise of Grantee for a breach or threatened breach of any provisions hereof. The rights and obligations of Grantor and Grantee hereunder shall be enforceable in equity as well as at law or otherwise.

9. **General Provisions**

a. **No Waiver.** The failure of Grantee to promptly enforce any right or remedy under this Declaration shall not constitute a waiver thereof and shall not affect or impair the liability of Grantor.

b. **Entire Agreement.** This Declaration sets forth all covenants, promises, agreements, conditions and understandings between Grantor and Grantee concerning the matters addressed in this Declaration, and there are no covenants, promises, agreements, conditions, or understandings, either oral or written, between the parties other than as set forth in this Declaration. No subsequent alteration, amendment, change, or addition to this Declaration shall be binding upon the parties unless reduced to writing and signed by Grantee (or its successor) and all owners of a title interest in the Property.

c. **Construction; Severability.** If any provision of this Declaration is invalid, illegal, or unenforceable, such provision shall be considered severed from the rest of this Declaration and the remaining provisions shall continue in full force and effect as if the invalid provision had not been included. In no event shall this Declaration be rendered unenforceable if any applicable laws, regulations, guidance, or policies change as to form or content after the Closing Date.

d. **Governing Law; Venue.** This Declaration shall be governed by and construed in accordance with the laws of the State of Washington. Venue for any lawsuit arising out of this Declaration shall be in a court of competent jurisdiction in Lewis County, Washington.

e. **Attorneys' Fees.** In any action to interpret or enforce any of the terms or conditions of this Declaration, the prevailing party shall be entitled to recover its reasonable attorneys' fees and litigation expenses, including those incurred at trial or on appeal.

f. **Authority.** The undersigned represents that Grantor is the current fee owner of the Property and is the authorized representative of Grantor to execute and record this Declaration.

IN WITNESS WHEREOF, the Grantor has set its hand on the date first written above.

**GRANTOR:**  
**NEWAUKUM VENTURES, LLC**, a  
Washington limited liability company

By: Joseph O. Enbody  
Joseph O. Enbody  
Its: Governor

By: Trevor L. Westlund  
Trevor L. Westlund  
Its: Governor

**APPROVED AS TO FORM:**  
**CITY OF CHEHALIS**

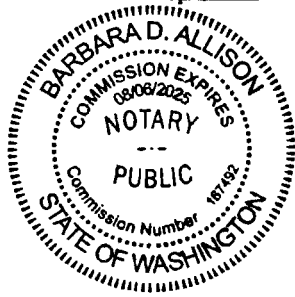
By: Kevin T. Nelson  
Kevin T. Nelson  
Its: City Attorney



STATE OF WASHINGTON )  
 ) ss:  
County of Lewis )

I certify that I know or have satisfactory evidence that Joseph O. Enbody is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Governor of Newaukum Ventures, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: this 10<sup>th</sup> day of August, 2023.

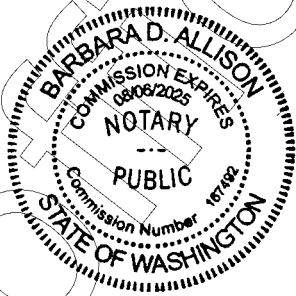


Barbara D. Allison  
Barbara D. Allison  
[Print Name]  
NOTARY PUBLIC for the State of Washington  
Residing at Chehalis WA  
My Commission Expires: 8/6/2025

STATE OF WASHINGTON )  
 ) ss:  
County of Lewis )

I certify that I know or have satisfactory evidence that Trevor L. Westlund is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Governor of Newaukum Ventures, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: this 10<sup>th</sup> day of August, 2023.



Barbara D. Allison  
Barbara D. Allison  
[Print Name]  
NOTARY PUBLIC for the State of Washington  
Residing at Chehalis WA  
My Commission Expires: 8/6/2025

**Exhibit A**

**Ordinance No. 1337**

Unofficial Record

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF:**

**ORDINANCE NO. 1337**

**ADOPT ORDINANCE 1337 TO AMEND THE LEWIS  
COUNTY COMPREHENSIVE PLAN AND  
ASSOCIATED ZONING MAP DESIGNATIONS**

**NOW THEREFORE BE IT ORDAINED**

**DONE IN OPEN SESSION this 22nd day of November, 2022.**

**APPROVED AS TO FORM: BOARD OF COUNTY COMMISSIONERS  
Jonathan Meyer, Prosecuting Attorney LEWIS COUNTY, WASHINGTON**

Barbara Russell  
By: Barbara Russell,  
Deputy Prosecuting Attorney

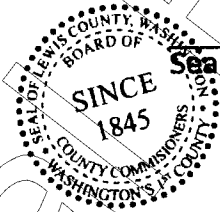
Lindsey R. Pollock, DVM  
Lindsey R. Pollock, DVM, Chair

**ATTEST:**

Sean D. Swope  
Sean D. Swope, Vice Chair

Rieva Lester  
Rieva Lester,  
Clerk of the Lewis County Board of  
County Commissioners

F. Lee Grose  
F. Lee Grose, Commissioner



**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

**ADOPT ORDINANCE 1337 TO AMEND )  
THE LEWIS COUNTY COMPREHENSIVE PLAN )  
AND ASSOCIATED ZONING MAP DESIGNATIONS )      **ORDINANCE 1337**  
)**

**WHEREAS, RCW 36.70A.040 requires Lewis County to plan under and in accordance with the Growth Management Act; and**

**WHEREAS, RCW 36.70A.130 requires that comprehensive plans be subject to continuing review and evaluation by each county at a frequency no more than once every year; and**

**WHEREAS, RCW 36.70A.130 requires comprehensive plan changes to be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained; and**

**WHEREAS, RCW 36.70A.040 requires adoption of development regulations consistent with comprehensive plans; and**

**WHEREAS, in the year 2022, the Lewis County Planning Commission reviewed the proposed amendments to the Lewis County Comprehensive Plan map and associated zoning map designations as shown in Exhibit A; and**

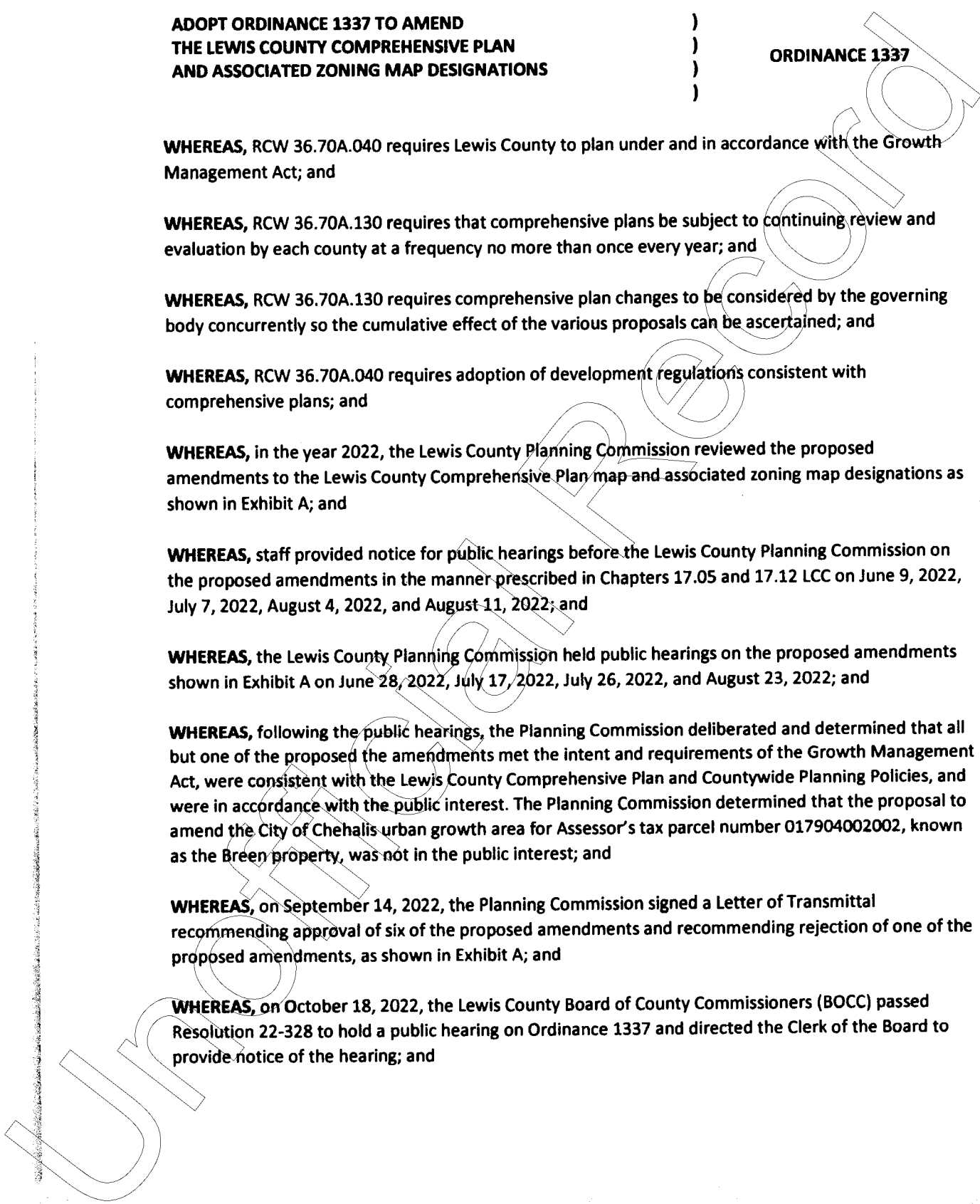
**WHEREAS, staff provided notice for public hearings before the Lewis County Planning Commission on the proposed amendments in the manner prescribed in Chapters 17.05 and 17.12 LCC on June 9, 2022, July 7, 2022, August 4, 2022, and August 11, 2022; and**

**WHEREAS, the Lewis County Planning Commission held public hearings on the proposed amendments shown in Exhibit A on June 28, 2022, July 17, 2022, July 26, 2022, and August 23, 2022; and**

**WHEREAS, following the public hearings, the Planning Commission deliberated and determined that all but one of the proposed the amendments met the intent and requirements of the Growth Management Act, were consistent with the Lewis County Comprehensive Plan and Countywide Planning Policies, and were in accordance with the public interest. The Planning Commission determined that the proposal to amend the City of Chehalis urban growth area for Assessor's tax parcel number 017904002002, known as the Breen property, was not in the public interest; and**

**WHEREAS, on September 14, 2022, the Planning Commission signed a Letter of Transmittal recommending approval of six of the proposed amendments and recommending rejection of one of the proposed amendments, as shown in Exhibit A; and**

**WHEREAS, on October 18, 2022, the Lewis County Board of County Commissioners (BOCC) passed Resolution 22-328 to hold a public hearing on Ordinance 1337 and directed the Clerk of the Board to provide notice of the hearing; and**



**WHEREAS**, the BOCC held duly noticed public hearing on the proposed amendments to the Lewis County Comprehensive Plan and associated zoning map designations beginning on November 1, 2022, recessing and continuing to November 8, 2022; and

**WHEREAS**, the BOCC found that the proposed the amendments met the intent and requirements of the Growth Management Act, were consistent with the Lewis County Comprehensive Plan and Countywide Planning Policies, and all proposals, except the City of Chehalis – Breen proposal (Exhibit A, Attachment 1) and the YMCA Rezone (Exhibit A, Attachment 4), to be in the best interest of the public.

**NOW THEREFORE BE IT RESOLVED** the BOCC finds the proposed amendment to the City of Chehalis urban growth area for the parcel listed in Exhibit A, Attachment 1, known as the Breen property, is not in the public interest and hereby denies the amendment to the Lewis County Comprehensive Plan and associated zoning designation; and

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for the parcels listed in Exhibit A, Attachment 4, known as the Mineral Lake YMCA rezone, is not in the public interest and hereby denies the amendment to the Lewis County Comprehensive Plan and associated zoning designation; and

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment to the City of Chehalis urban growth area for parcels listed below, known as the Westlund-Enbody property, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the amendment to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 2; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Chehalis Westlund-Enbody	017873003000	Urban Growth Area	City – Urban Growth Area
	017880001003		
	017880001001		
	017880001002		
	017846003006		
	017846001006		
	017846003002		
	017846001005		
	017874001000		

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC requires that prior to development (as defined Lewis County Code Chapter 17), the City of Chehalis is required to place a conservation easement over the fullest extent of the 100-year floodplain plus the 2007 mapped flood area on all parcels added to the city's urban growth area associated with Westlund-Enbody property, as shown in Exhibit A, Attachment 2; and

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment to the City of Centralia urban growth area for parcels listed below meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 3; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Centralia	021586003005 021586003001 010592007000 010592006001 010592008003 021586004000 021586003006 010592005000 010592004000 010592003000 010592002000 010592001000 021587001000 021589005000 021589004002 021589004001	Urban Growth Area	City – Urban Growth Area

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for parcels listed below, known as the Good-Avapollo Mining Opt-in rezone, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 5; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Good-Avapollo Mining Opt-in	028043004001 028043004002 028061000000 028025001000 028024001000	Mineral Resource Land	Mineral Resource Land (MRL)

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for the parcel listed below, known as the De Goede rezone, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 6; and

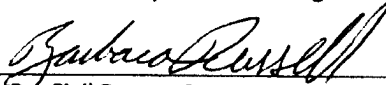
Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
De Goede	028519065005	Other Rural Land	Rural Development District 5 (RDD-5)

**NOW THEREFORE BE IT FURTHER RESOLVED** the BOCC finds the proposed amendment for the parcel listed below, known as the Adna Grocery Store rezone, meets the approval criteria within Lewis County Code 17.12.100 and hereby adopts the following amendments to the Lewis County Comprehensive Plan and associated zoning designations, as shown in Exhibit A, Attachment 7; and

Name	Assessor's Tax Parcels No.	Comprehensive Plan Map Designation	Lewis County Zoning Map Designation
Adna Grocery Store	018752001000	Small Community	Small Town Mixed Use (STMU)

**NOW THEREFORE BE IT FURTHER RESOLVED** that the BOCC directs staff to produce an Official Lewis County zoning map or maps, as required by Chapter 17.200 of the Lewis County Code, which reflects the decisions made in this ordinance.

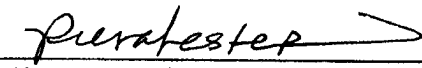
APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

  
By: Civil Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

  
Lindsey R. Pollock, DVM, Chair

ATTEST:

  
Rieva Lester, Clerk of the Board

  
Sean D. Swope, Vice Chair

  
F. Lee Grose, Commissioner



Unofficial

**Exhibit B**

**Legal Description**

**Flood Area**

Unofficial Record



## Newaukum Valley Golf Course 2007 flood plain deed restriction description

That portion of the West Half of the Southwest Quarter of Section 13 and the South Half of the Southeast Quarter of Section 14, in Township 13 North, Range 2 West, W.M., in Lewis County, Washington described as follows:

COMMENCING at the northwest corner of said West Half; thence  $S01^{\circ}52'18''W$  along the west line of said subdivision a distance of 2621.75 feet to the southwest corner of said subdivision and the POINT OF BEGINNING; thence  $S88^{\circ}21'15''E$  along the south line of said subdivision a distance of 1316.14 feet to the southeast corner thereof; thence  $N01^{\circ}54'48''E$  along the east line of said subdivision a distance of 1721.68 feet; thence  $N88^{\circ}05'12''W$  a distance of 10.00 feet; thence  $S09^{\circ}17'44''W$  a distance of 150.00 feet; thence  $S45^{\circ}16'42''W$  a distance of 60.00 feet; thence  $S28^{\circ}18'12''W$  a distance of 55.00 feet; thence  $S15^{\circ}21'06''W$  a distance of 30.00 feet; thence  $S75^{\circ}28'27''W$  a distance of 15.00 feet; thence  $N19^{\circ}30'55''W$  a distance of 23.00 feet; thence  $N46^{\circ}42'31''W$  a distance of 37.00 feet; thence  $S77^{\circ}21'41''W$  a distance of 15.00 feet; thence  $S21^{\circ}23'58''W$  a distance of 40.00 feet; thence  $S09^{\circ}21'36''W$  a distance of 40.00 feet; thence  $S33^{\circ}46'35''W$  a distance of 20.00 feet; thence  $N89^{\circ}02'35''W$  a distance of 15.00 feet; thence  $N29^{\circ}29'41''W$  a distance of 45.00 feet; thence  $S54^{\circ}31'35''W$  a distance of 45.00 feet; thence  $S82^{\circ}36'10''W$  a distance of 28.00 feet; thence  $S17^{\circ}42'43''W$  a distance of 15.00 feet; thence  $S76^{\circ}33'00''W$  a distance of 35.00 feet; thence  $N04^{\circ}26'23''E$  a distance of 20.00 feet; thence  $N11^{\circ}53'22''W$  a distance of 28.00 feet; thence  $N50^{\circ}49'37''W$  a distance of 35.00 feet; thence  $N23^{\circ}58'49''W$  a distance of 50.00 feet; thence  $N29^{\circ}44'49''W$  a distance of 42.00 feet; thence  $N23^{\circ}10'59''E$  a distance of 60.00 feet; thence  $N45^{\circ}25'30''E$  a distance of 40.00 feet; thence  $N32^{\circ}01'57''E$  a distance of 25.00 feet; thence  $S81^{\circ}45'11''E$  a distance of 50.00 feet; thence  $N63^{\circ}26'50''E$  a distance of 20.00 feet; thence  $S57^{\circ}47'26''E$  a distance of 50.00 feet; thence  $N30^{\circ}50'00''E$  a distance of 30.00 feet; thence  $N88^{\circ}01'03''E$  a distance of 46.00 feet; thence  $N21^{\circ}15'58''E$  a distance of 18.00 feet; thence  $N44^{\circ}13'52''W$  a distance of 62.00 feet; thence  $S43^{\circ}02'38''W$  a distance of 38.00 feet; thence  $N65^{\circ}01'57''W$  a distance of 50.00 feet; thence  $N28^{\circ}55'16''W$  a distance of 17.00 feet; thence  $N50^{\circ}55'52''W$  a distance of 87.00 feet; thence  $N00^{\circ}43'21''W$  a distance of 23.00 feet; thence  $N28^{\circ}23'59''E$  a distance of 27.00 feet; thence  $N23^{\circ}34'13''W$  a distance of 25.00 feet; thence  $S53^{\circ}00'48''W$  a distance of 50.00 feet; thence  $S34^{\circ}51'20''W$  a distance of 15.00 feet; thence  $S79^{\circ}06'40''W$  a distance of 25.00 feet; thence  $N83^{\circ}14'08''W$  a distance of 48.00 feet; thence  $S62^{\circ}47'47''W$  a distance of 36.00 feet; thence  $S49^{\circ}38'50''W$  a distance of 66.00 feet; thence  $S17^{\circ}06'33''E$  a distance of 37.00 feet; thence  $S72^{\circ}17'49''E$  a distance of 37.00 feet; thence  $S22^{\circ}49'45''E$  a distance of 31.00 feet; thence  $S73^{\circ}45'36''E$  a distance of 30.00 feet; thence  $S41^{\circ}29'25''E$  a distance of 45.00 feet; thence  $S01^{\circ}00'06''W$  a distance of 20.00 feet; thence  $S47^{\circ}49'10''W$  a distance of 20.00 feet; thence  $S44^{\circ}48'59''W$  a distance of 48.00 feet; thence  $S76^{\circ}09'41''W$  a distance of 45.00 feet; thence  $N35^{\circ}03'48''W$  a distance of 40.00 feet; thence  $N44^{\circ}31'58''W$  a distance of 85.00 feet; thence  $S83^{\circ}44'28''W$  a distance of 65.00 feet; thence  $S53^{\circ}12'43''W$  a distance of 110.00 feet; thence  $S33^{\circ}37'27''E$  a distance of 30.00 feet; thence  $N71^{\circ}16'45''E$  a distance of 65.00 feet; thence  $S23^{\circ}27'24''E$  a distance of 48.00 feet; thence  $S35^{\circ}43'05''W$  a distance of 38.00 feet; thence  $N66^{\circ}42'42''W$  a distance of 30.00 feet; thence  $N53^{\circ}54'12''W$  a distance of 40.00 feet; thence  $S57^{\circ}44'36''W$  a distance of 50.00 feet; thence  $S37^{\circ}24'23''W$  a distance of 40.00 feet; thence  $S72^{\circ}17'14''W$  a distance of 30.00 feet; thence  $S75^{\circ}53'20''W$  a distance of 95.00 feet; thence  $N60^{\circ}19'04''W$  a distance of 75.00 feet; thence  $S86^{\circ}18'54''W$  a distance of 40.00 feet; thence

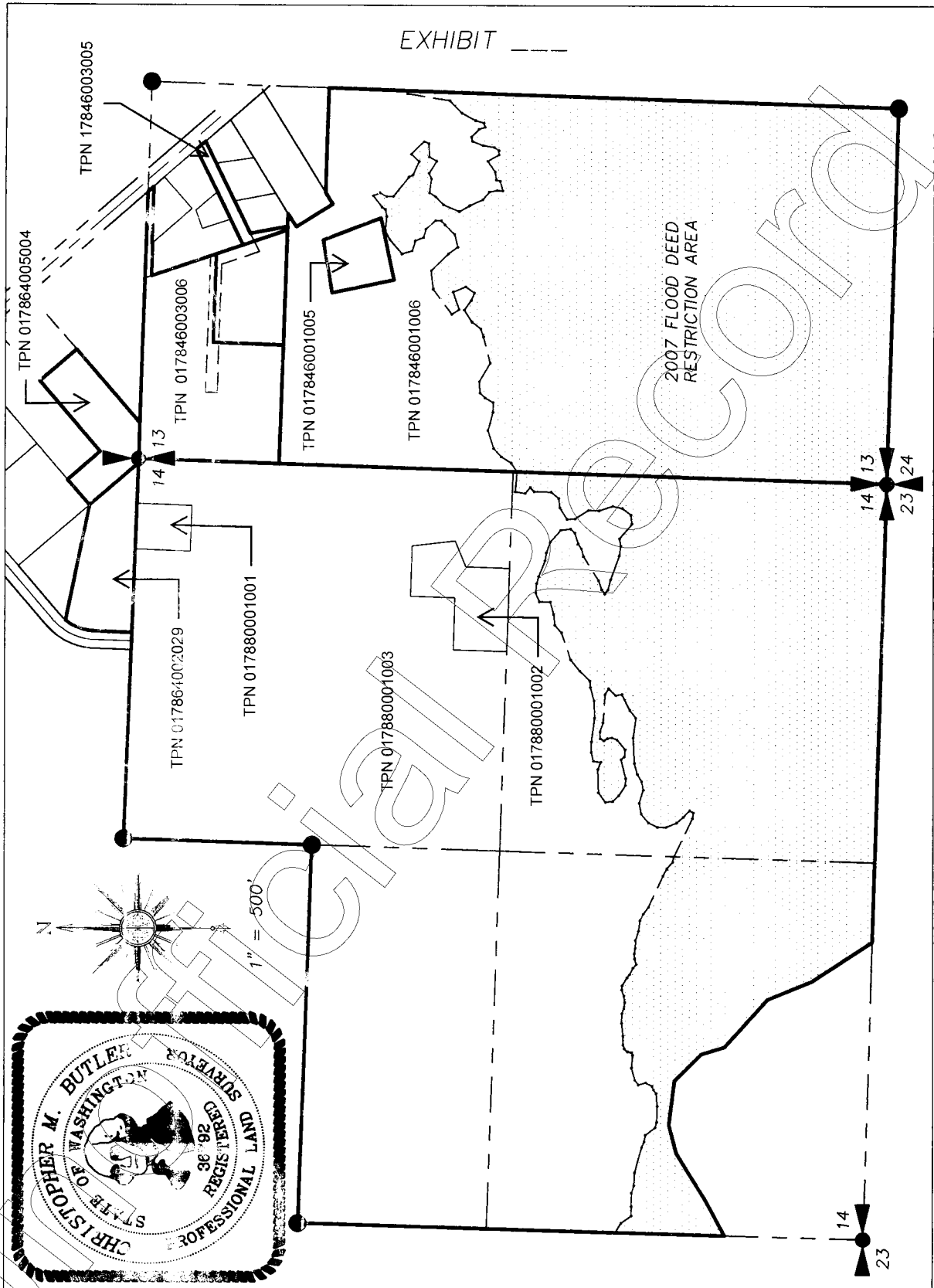
S44°27'01"W a distance of 25.00 feet; thence S28°30'34"W a distance of 32.00 feet; thence N88°43'05"W a distance of 34.00 feet; thence N74°26'17"W a distance of 66.00 feet; thence S71°57'36"W a distance of 66.00 feet; thence S47°01'51"W a distance of 40.00 feet; thence S31°42'56"W a distance of 40.00 feet; thence S56°11'04"W a distance of 38.00 feet to a point on the west line of said West Half which bears S01°52'18"W a distance of 1325.00 feet from the northwest corner of said subdivision; thence N84°24'13"W a distance of 70.00 feet; thence S08°04'55"W a distance of 35.00 feet; thence S48°31'34"E a distance of 28.00 feet; thence S48°45'49"W a distance of 20.00 feet; thence S01°34'46"W a distance of 60.00 feet; thence S39°54'54"W a distance of 35.00 feet; thence S83°00'12"W a distance of 33.00 feet; thence S58°01'43"W a distance of 48.00 feet; thence S04°09'02"E a distance of 28.00 feet; thence S32°48'07"E a distance of 55.00 feet; thence S01°49'07"W a distance of 38.00 feet; thence S18°07'45"E a distance of 50.00 feet; thence S12°49'04"W a distance of 35.00 feet; thence S37°21'08"W a distance of 38.00 feet; thence S84°21'15"W a distance of 32.00 feet; thence N50°03'28"W a distance of 67.00 feet; thence S80°17'24"W a distance of 26.00 feet; thence N81°39'06"W a distance of 35.00 feet; thence N69°28'34"W a distance of 88.00 feet; thence N75°53'18"W a distance of 36.00 feet; thence N51°41'59"W a distance of 18.00 feet; thence N53°24'10"E a distance of 18.00 feet; thence N70°00'33"E a distance of 33.00 feet; thence N57°40'31"E a distance of 100.00 feet; thence N76°08'13"E a distance of 28.00 feet; thence N54°28'38"E a distance of 20.00 feet; thence N72°57'34"E a distance of 40.00 feet; thence N44°32'23"E a distance of 21.00 feet; thence N07°33'34"W a distance of 35.00 feet; thence N47°54'21"W a distance of 55.00 feet; thence N70°42'46"W a distance of 40.00 feet; thence N80°15'25"W a distance of 28.00 feet; thence N67°43'58"W a distance of 60.00 feet; thence N74°00'16"W a distance of 25.00 feet; thence N85°34'18"W a distance of 33.00 feet; thence S67°47'56"W a distance of 33.00 feet; thence S00°20'00"W a distance of 38.00 feet; thence S74°20'15"W a distance of 45.00 feet; thence S83°45'38"W a distance of 38.00 feet; thence S47°05'46"W a distance of 35.00 feet; thence S70°53'38"W a distance of 100.00 feet; thence S50°46'38"W a distance of 50.00 feet; thence S44°19'53"W a distance of 50.00 feet; thence S84°59'30"W a distance of 23.00 feet; thence S74°10'22"W a distance of 48.00 feet; thence S88°08'39"W a distance of 60.00 feet; thence N82°22'40"W a distance of 85.00 feet; thence N89°16'50"W a distance of 38.00 feet; thence S75°24'45"W a distance of 32.00 feet; thence S08°02'52"W a distance of 26.00 feet; thence N67°29'30"W a distance of 28.00 feet; thence S88°43'19"W a distance of 82.00 feet; thence S53°06'38"W a distance of 42.00 feet; thence S05°38'18"E a distance of 25.00 feet; thence S43°08'04"E a distance of 30.00 feet; thence S57°35'15"E a distance of 43.00 feet; thence S87°03'09"E a distance of 25.00 feet; thence N76°15'48"E a distance of 69.00 feet; thence S38°45'25"E a distance of 15.00 feet; thence S82°57'09"E a distance of 25.00 feet; thence N49°55'18"E a distance of 45.00 feet; thence N21°53'13"E a distance of 20.00 feet; thence N09°37'46"W a distance of 15.00 feet; thence N30°35'56"W a distance of 15.00 feet; thence N27°55'13"E a distance of 15.00 feet; thence N88°16'25"E a distance of 25.00 feet; thence S71°36'30"E a distance of 33.00 feet; thence S85°49'05"E a distance of 100.00 feet; thence S58°51'22"E a distance of 24.00 feet; thence S43°58'06"W a distance of 35.00 feet; thence S10°00'52"E a distance of 22.00 feet; thence S63°46'51"W a distance of 62.21 feet; thence S53°02'32"W a distance of 35.00 feet; thence N82°46'50"W a distance of 70.00 feet; thence S87°10'20"W a distance of 90.00 feet; thence S74°29'22"W a distance of 40.00 feet; thence S59°45'04"W a distance of 30.27 feet; thence S79°11'34"W a distance of 30.00 feet; thence N72°20'36"W a distance of 48.00 feet; thence S79°27'35"W a distance of 39.00 feet; thence S50°54'39"W a distance of 40.32 feet; thence

S26°00'31"W a distance of 35.00 feet; thence S00°38'40"W a distance of 30.00 feet; thence S22°30'54"E a distance of 40.00 feet; thence S40°08'48"E a distance of 30.00 feet; thence S45°15'38"E a distance of 33.00 feet; thence S30°08'16"W a distance of 15.00 feet; thence N81°15'48"W a distance of 20.00 feet; thence N64°02'35"W a distance of 148.00 feet; thence N77°01'15"W a distance of 20.00 feet; thence N48°22'35"W a distance of 30.00 feet; thence N61°32'55"W a distance of 30.00 feet; thence N65°19'29"W a distance of 120.00 feet; thence N52°04'52"W a distance of 30.00 feet; thence N62°10'00"W a distance of 25.00 feet; thence N82°14'00"W a distance of 37.00 feet; thence N71°09'56"W a distance of 34.00 feet; thence N88°50'26"W a distance of 27.00 feet; thence N79°57'08"W a distance of 20.00 feet; thence S86°20'35"W a distance of 17.00 feet; thence S71°22'04"W a distance of 21.00 feet; thence N44°34'12"W a distance of 17.00 feet; thence N63°41'11"W a distance of 26.00 feet; thence N49°19'43"W a distance of 15.00 feet; thence N57°26'52"W a distance of 32.00 feet; thence N86°09'42"W a distance of 15.00 feet; thence S69°44'03"W a distance of 23.00 feet; thence S81°24'36"W a distance of 23.00 feet; thence N79°11'59"W a distance of 22.00 feet; thence N69°05'20"W a distance of 18.00 feet; thence N87°45'03"W a distance of 34.00 feet; thence S83°11'09"W a distance of 46.00 feet; thence S89°48'03"W a distance of 30.00 feet; thence S71°53'48"W a distance of 15.00 feet; thence S42°33'50"W a distance of 15.00 feet; thence S10°21'56"W a distance of 15.00 feet; thence S71°26'15"W a distance of 10.00 feet; thence N85°21'08"W a distance of 45.00 feet; thence S75°03'45"W a distance of 45.00 feet; thence S55°29'41"W a distance of 21.00 feet; thence S16°39'45"E a distance of 26.00 feet; thence S27°10'37"W a distance of 26.00 feet; thence S66°39'55"W a distance of 15.00 feet; thence S55°30'30"W a distance of 15.00 feet; thence S85°27'59"W a distance of 45.00 feet; thence N88°25'00"W a distance of 57.00 feet; thence N74°59'25"W a distance of 20.00 feet; thence N37°11'23"W a distance of 43.00 feet; thence N79°42'08"W a distance of 24.00 feet; thence N66°37'01"W a distance of 22.00 feet; thence N74°03'42"W a distance of 92.00 feet; thence N87°07'41"W a distance of 47.00 feet; thence N73°14'09"W a distance of 27.00 feet; thence N88°48'35"W a distance of 47.00 feet; thence N88°51'48"W a distance of 35.00 feet; thence N35°27'53"W a distance of 44.00 feet; thence N57°11'17"W a distance of 39.00 feet to the west line of said South Half of the Southeast Quarter of Section 14; thence S01°44'03"W along said west line a distance of 384 feet, more or less, to the centerline of the Newaukum River; thence Northeasterly and Southeasterly along said centerline a distance of 1460 feet, more or less, to the south line of said subdivision; thence S88°15'45"E along the south line of said subdivision a distance of 1603 feet, more or less, to the POINT OF BEGINNING.

Encompassing 88.40 acres, more or less

**Exhibit C**  
**2007 Mapped Flood Area**

Unofficial Record



# PETITION FOR AMENDMENT

*(check only one)*

- Chehalis Comprehensive Plan (July 12, 1999)
- Chehalis Uniform Development Regulations (March 25, 2002)
- Chehalis Public Works Standards (July, 2005)
- Chehalis Zoning Map (Rezone)
- Other (specify): \_\_\_\_\_

To:           The Honorable Mayor and City Council  
              Chehalis Planning Commission  
              Chehalis Development Review Committee

From:        [The undersigned]

Date:                                (tax parcels: 017873003000, 017880001003, 107880001001, 107880001002, 17846003006,  
  17846001006, 017846003002, 17846001005, & 17874001000).

**Subject:   *Request for Formal Review and Decision on a Proposed Change to the Indicated Document.***

1. The specific location (page number, section number or other identification) of the referenced text or map to be considered for amendment:  
[Amend the City's Comprehensive Plan and Zoning Map to conform with Lewis County Ordinance Number 1337 to show the following tax parcels in the Chehalis Urban Growth Area: TPN: 017873003000, 017880001003, 017880001001, 017880001002, 017846003006, 1748001006, 017846003002, 17846001005, and 17874001000.](#)

2. The specific text proposed to be changed. Use ~~strikethrough~~ format to indicate text proposed to be deleted, and underline format for text proposed to be added. If lengthy, attach additional pages:

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3. Submit a map for the alternative to the existing map. (Attach). Use dashed lines to indicate new lines proposed to be added or moved, and 'X's on removed or revised lines.

[See attached.](#)

4. The specific reason (in detail) why this change is necessary:

To conform with Lewis County Ordinance 1337.

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5. The anticipated/expected affect of this change on the location, vicinity and/or overall community:

Potential future housing and retail areas in the vicinity of the existing Newaukum Village Housing Development and future Port of Chehalis developments.

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6. ***By my signature hereon,*** I hereby certify that I have a full understanding of the implications of the above proposal, and request an opportunity to present testimony at any public hearing(s) held on this petition. I further understand that the Chehalis city council will consider this and any other similar petitions only during the second quarter of a calendar year.

Signature (x): \_\_\_\_\_

Printed name: Brandon Johnson, PE on behalf of Newaukum Ventures

Mailing address: 111 Tumwater Blvd SE, C210  
Tumwater, WA 98501

Phone #: (360) 269-6346

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**OFFICE USE ONLY:**

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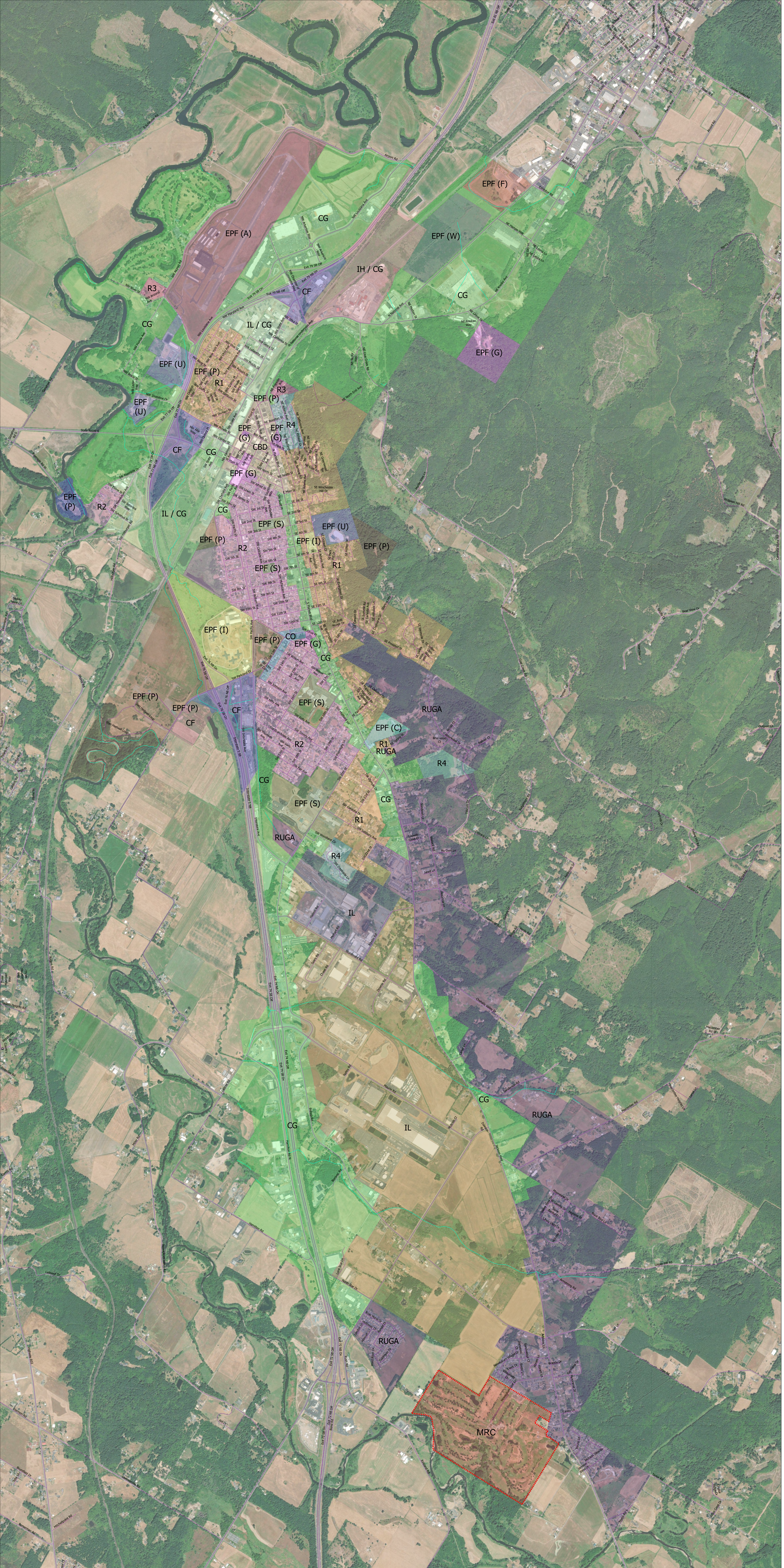
Received \_\_\_\_\_ By \_\_\_\_\_ File # \_\_\_\_\_

Fee paid on \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt # \_\_\_\_\_

Submit to the Development Review Committee on: \_\_\_\_\_

Submit to the Planning Commission on: \_\_\_\_\_

Submit to the City Council on: \_\_\_\_\_







Building and Planning Department  
1321 S. Market Blvd., Chehalis, WA 98532  
360.345.2229/Fax: 360.345.1039  
www.ci.chehalis.wa.us email: comdev@ci.chehalis.wa.us

SEPA #: SEPA-24-009

### DETERMINATION OF NONSIGNIFICANCE

**Description of proposal:** UGB amendment and Rezone Request for the Newaukum Ventures properties. Newaukum Ventures seeks an amendment to the City of Chehalis Comprehensive Plan and Zoning Map to include the Chehalis Westlund-Enbody properties within the Urban Growth Area (UGA), as expanded by Lewis County Ordinance 1337. The request includes a proposed zoning designation of MRC - Mixed Residential/Commercial for the subject properties.

**Proponent:** Newaukum Ventures, LLC  
C/O JSA Civil, LLC  
Brandon Johnson, PE  
111 Tumwater Blvd SE, Suite C210  
Tumwater, WA 98501  
360-515-9600

**Location of proposal:** The proposal requests expansion of the City of Chehalis the UGA mapping and zoning assignment of MRC for the following tax parcels:

017880001003: Section 14, Township 13N, Range 02W: +/- 124.91 Acres  
017880001001: Section 14, Township 13N, Range 02W: +/- 0.71 Acres  
017880001002: Section 14, Township 13N, Range 02W: +/- 1.94 Acres  
012846003006: Section 13, Township 13N, Range 02W: +/- 6.29 Acres  
017846001006: Section 13, Township 13N, Range 02W: +/- 63.08 Acres  
017846001005: Section 13, Township 13N, Range 02W: +/- 1.02 Acres

**Lead agency:** City of Chehalis

The Chehalis Building and Planning Department has determined that this proposal 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 City. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments and appeals must be submitted by 4 PM on May 6, 2024.

Responsible Official: Todd Johnson, TRJ Planning Inc.  
Position/title: Planner, City of Chehalis  
Phone: (360) 345.2229  
Address: 1321 S. Market Blvd., Chehalis, WA 98532

Signature: Todd Johnson  
Todd Johnson, Planner Date: April 20, 2024.

You may appeal this determination to City of Chehalis – Building and Planning Department, 1321 S. Market Blvd., Chehalis, WA 98532. You should be prepared to make specific factual objections. All substantive appeals must be filed with City of Chehalis in writing with a \$500 fee plus the cost of the hearing examiner submitted by 4:00 PM on May 6, 2024.

# SEPA<sup>1</sup> Environmental Checklist

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## Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

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<sup>1</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

# A. Background

[Find help answering background questions<sup>2</sup>](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background)

**1. Name of proposed project, if applicable:**

Newaukum Comprehensive Plan & Zoning Map Amendment

**2. Name of applicant:**

Newaukum Ventures, LLC

**3. Address and phone number of applicant and contact person:**

JSA Civil, LLC  
Brandon Johnson, PE  
111 Tumwater Blvd SE, Suite C210  
Tumwater, WA 98501  
360-515-9600

**4. Date checklist prepared:**

March 12, 2024

**5. Agency requesting checklist:**

City of Chehalis

**6. Proposed timing of schedule (including phasing, if applicable):**

The purpose of this SEPA is to annex 6 tax parcels, held by Newaukum Ventures, LLC, into the City of Chehalis' Urban Growth Area (UGA) and to assign a zoning designation of MRC – Mixed Residential/Commercial to the tax parcels upon annexation.

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

It is expected that new development will follow annexation and zoning assignment. As development occurs, the properties will be required to go through the City's land use process and address impacts created by development proposals.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

At the request of the City of Chehalis, a deed restriction has been placed over a portion of the site following the ordinary high-water mark (OHWM) of the 2007 flood area to prevent development within the 100-year and 500-year floodplain. According to Lewis County GIS, the annexation area likely includes critical areas consisting of streams, wetlands, waterbodies, floodplains, and steep slopes. These critical areas will not be affected by the annexation and zoning actions, however, future development propels will need to identify and protect and/or mitigate impacts to critical areas.

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<sup>2</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

**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.**

There are no known pending applications for governmental approvals of other proposals directly affecting the property, however, the Lewis County Board of County Commissioners (BOCC) previously passed Ordinance No. 1337 amending the County's comprehensive plan and zoning map designations of the subject parcels.

**10. List any government approvals or permits that will be needed for your proposal, if known.**

City of Chehalis UGA Annexation Approval

**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 SEPA is for the annexation of 6 tax parcels into the Chehalis UGA and zoning assignment of said parcels. No development or construction is associated with this proposal. The annexed parcels will be zoned for a combination of commercial and residential uses.

**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 proposal requests annexation into the UGA and zoning assignment of MRC for the following tax parcels:

- 017880001003: Section 14, Township 13N, Range 02W: +/- 124.91 Acres
- 017880001001: Section 14, Township 13N, Range 02W: +/- 0.71 Acres
- 017880001002: Section 14, Township 13N, Range 02W: +/- 1.94 Acres
- 012846003006: Section 13, Township 13N, Range 02W: +/- 6.29 Acres
- 017846001006: Section 13, Township 13N, Range 02W: +/- 63.08 Acres
- 017846001005: Section 13, Township 13N, Range 02W: +/- 1.02 Acres

## B.Environmental Elements

### 1. Earth

[Find help answering earth questions](#)<sup>3</sup>

**a. General description of the site:**

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

The parcels include a varied terrain of flat, rolling, and steep slopes.

**b. What is the steepest slope on the site (approximate percent slope)?**

The steepest slope on the site is approximately 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

Per the USDA Natural Resource Conservation Service Web Soil Survey (<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>), the parcels contain the following soil types:

- Alvor silty clay loam
- Aquic Xerofluvents, overflow
- Chehalis silty clay
- Lacamas silt loam
- Newberg fine sandy loam
- Reed silty clay loam
- Reed silty clay loam, channeled
- Salkum silty clay loam
- Scamman silty clay loam

This proposal does not propose soil removal.

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

There are no known surface indications or history of unstable soils in the immediate vicinity.

**e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

No filling, excavation, or grading are proposed with the annexation and zoning assignment of these properties.

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<sup>3</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

- f. **Could erosion occur because of clearing, construction, or use? If so, generally describe.**

Not applicable for annexation and zoning assignment.

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

Not applicable for annexation and zoning assignment.

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

Not applicable for annexation and zoning assignment.

## 2. Air

[Find help answering air questions](#)<sup>4</sup>

- a. **What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

Not applicable for annexation and zoning assignment.

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

There are no known off-site sources of odor or emissions that may affect this proposal.

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

Not applicable for annexation and zoning assignment.

## 3. Water

[Find help answering water questions](#)<sup>5</sup>

- a. **Surface:**

[Find help answering surface water questions](#)<sup>6</sup>

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.**

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<sup>4</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

<sup>5</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

<sup>6</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

The subject parcels contain year-round streams, ponds, and wetlands which drain to the Newaukum River along the southern limits of the parcels being annexed.

- 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.**

No work is currently proposed over, in, or adjacent to the described waters.

- 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.**

No fill or dredge material will be placed in or removed from surface water or wetlands by this annexation and zoning assignment.

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

No surface water withdrawals or diversions are proposed by the annexation and zoning assignment.

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

Yes, a portion of the site is within the 100-year floodplain and a deed restriction has been placed over the OHWM of the 2007 Flood to limit development within the floodplain.

- 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.**

Not applicable for annexation and zoning assignment.

**b. Ground:**

[Find help answering ground water questions](#)<sup>7</sup>

- 1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

No groundwater will be withdrawn as part of the annexation and zoning assignment.

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

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<sup>7</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

No waste material will be discharged into the ground as part of the annexation and zoning assignment.

**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.**

No stormwater changes are proposed by the annexation and zoning assignment processes. Future development will be required to comply with current regulations in effect at the time of application.

- 2. Could waste materials enter ground or surface waters? If so, generally describe.**

No waste materials will be generated by the annexation and zoning assignment processes.

- 3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

No stormwater or drainage revisions are proposed by the annexation and zoning assignment processes. Future development will be required to comply with current regulations in effect at the time of application.

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

No stormwater or drainage revisions are proposed by the annexation and zoning assignment processes. Future development will be required to comply with current regulations in effect at the time of application.

## 4. Plants

[Find help answering plants questions](#)

**a. Check the 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**
- orchards, vineyards, or other permanent crops.**
- 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?**

No vegetation will be removed or altered as a part of the annexation and zoning assignment processes.

**c. List threatened and endangered species known to be on or near the site.**

Per the U.S. Fish & Wildlife Service IPaC map (<https://ipac.ecosphere.fws.gov/>), Kincaid's Lupine is a threatened flowering plant potentially located on or near the site. There is no known presence of Kincaid's Lupine on the subject parcels, however, we are noting the potential. No impacts to threatened or endangered species by the proposed annexation and zoning assignment processes.

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

No landscaping or vegetation improvements are proposed by the annexation and zoning assignment processes.

**e. List all noxious weeds and invasive species known to be on or near the site.**

There are no known noxious weeds or invasive species on or near the subject parcels.

## 5. Animals

[Find help answering animal questions](#)<sup>8</sup>

**a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**

Examples include:

- **Birds:** hawk, heron, eagle, songbirds, other: typical crows and raptors present in rural environments
- **Mammals:** deer, bear, elk, beaver, other: opossum, squirrels, moles, voles, mice
- **Fish:** bass, salmon, trout, herring, shellfish, other:

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

Per the U.S. Fish & Wildlife Service IPaC map (<https://ipac.ecosphere.fws.gov/>), threatened species known to be on or near the site include the North American Wolverine, Marbled Murrelet, Streaked Horned Lark, Yellow-billed Cuckoo, and Bull Trout. The Northwestern Pond Turtle is a proposed threatened species; the Monarch Butterfly is a candidate for listing, and Taylor's Checkerspot is an endangered species. There is no known presence of the aforementioned species located on the subject properties, however, we are noting the potential. No impacts to threatened or

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<sup>8</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

endangered species are anticipated by the proposed annexation and zoning assignment processes.

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

Yes, the site is located within the Pacific Flyway.

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

No measures are proposed at this time.

**e. List any invasive animal species known to be on or near the site.**

There are no invasive animal species known to be on or near the site.

## 6. Energy and natural resources

[Find help answering energy and natural resource questions](#)<sup>9</sup>

**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.**

Not applicable for the annexation and zoning assignment processes.

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

No impacts to the potential use of solar energy by adjacent properties will be caused by the annexation or zoning assignment processes.

**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.**

Not applicable for the annexation and zoning assignment processes.

## 7. Environmental health

[Health Find help with answering environmental health questions](#)<sup>10</sup>

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

Not applicable for the annexation and zoning assignment processes.

**1. Describe any known or possible contamination at the site from present or past uses.**

Not applicable for the annexation and zoning assignment processes.

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<sup>9</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

<sup>10</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

2. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

Not applicable for the annexation and zoning assignment processes.

3. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

Not applicable for the annexation and zoning assignment processes.

4. **Describe special emergency services that might be required.**

Not applicable for the annexation and zoning assignment processes. Needs for emergency services will be addressed with any future development applications.

5. **Proposed measures to reduce or control environmental health hazards, if any.**

Not applicable for the annexation and zoning assignment processes. Potential environmental health hazards will be addressed with any future development applications.

#### b. Noise

1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

No changes are expected with the annexation and zoning assignment. Noise impacts from future development, if any, will be addressed at the time of application.

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)?**

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

3. **Proposed measures to reduce or control noise impacts, if any:**

Not applicable for the annexation and zoning assignment processes. No measures are proposed at this time.

## 8. Land and shoreline use

[Find help answering land and shoreline use questions](#)<sup>11</sup>

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

The subject parcels are currently used as the Newaukum Valley Golf Course which includes existing commercial and residential uses. Surrounding uses include single- and multi-family residential and farmland.

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<sup>11</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

No, the subject parcels have not been used as working farmlands or forest lands.

- 1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

No impacts will be created by the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

- c. Describe any structures on the site.**

The subject parcels contain a combination of existing structures including commercial, multi-family, single-family, and equipment sheds.

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

No structures will be demolished under this proposal.

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

The subject parcels are zoned UGA – City of Chehalis by Lewis County and are currently not zoned by the City of Chehalis.

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

The site is not currently included within the City's comprehensive plan map. The parcels are identified as UGA – City by Lewis County's comprehensive plan.

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

A portion of the site is located within the Rural Conservancy Shoreline Environment Designation for Lewis County.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

Yes, based on Lewis County GIS mapping, the site contains suspected steep slopes, wetlands, streams, waterbodies, and is partially located within the floodplain. A deed restriction has been placed over the portion of the parcels generally following the 2007 flood OHWM.

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

No changes to residency or employment will be created by the annexation and zoning assignment processes.

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

No people will be displaced by the annexation and zoning assignment processes.

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

No measures are proposed at this time. Future impacts caused by new development will be addressed at the time of application.

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

No development is being proposed by the annexation and zoning assignment process. Future development will be reviewed for compatibility at the time of application.

**m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:**

No impacts to agricultural or forest lands will be caused by the annexation and rezoning processes. Impacts from future development will be addressed at the time of application.

## 9. Housing

[Find help answering housing questions](#)<sup>12</sup>

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

No housing units will be provided by the annexation and zoning assignment processes.

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

No housing units will be eliminated through the annexation and zoning assignment processes.

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

No measures are proposed at this time. Impacts from future development will be addressed at the time of application.

## 10. Aesthetics

[Find help answering aesthetics questions](#)<sup>13</sup>

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

No additional structures are proposed with this proposal.

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

No views will be altered or obstructed by this proposal. Impacts from future development will be addressed at the time of application.

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

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<sup>12</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

<sup>13</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

No aesthetic impacts will be caused by the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

## 11. Light and glare

[Find help answering light and glare questions](#)<sup>14</sup>

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

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

## 12. Recreation

[Find help answering recreation questions](#)

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

The site contains the Newaukum Valley Golf Course facility which includes a golf course, clubhouse, and restaurant.

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

No recreational uses will be displaced by the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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

No measures are proposed at this time. Impacts from future development will be addressed at the time of application.

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<sup>14</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

### 13. Historic and cultural preservation

[Find help answering historic and cultural preservation questions](#)<sup>15</sup>

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

No, there are no buildings, structures, or sites located on or near the subject parcels that are eligible for listing in national, state, or local preservation registers.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

Based on the Department of Archaeology and Historic Preservation's WISAARD map (<https://wisaard.dahp.wa.gov/Map>), the site is located within Tribal Areas of Interest to the Yakama Nation, Nisqually, Quinault, Squaxin, Cowlitz, and Confederated Tribes of The Chehalis Reservation. The predictive model layer indicates the subject parcels are very high risk to contain environmental factors with archaeological resources. No new development is proposed with the annexation and rezoning processes. Impacts from future development will be addressed at the time of application.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

A query of the Department of Archaeology and Historic Preservation's WISAARD map (<https://wisaard.dahp.wa.gov/Map>) was performed on March 12, 2024.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

No new development is proposed by the annexation and rezoning processes. Impacts from future development will be addressed at the time of application.

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<sup>15</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

## 14. Transportation

[Find help with answering transportation questions](#)<sup>16</sup>

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The subject parcels are served by Jackson Highway and Newaukum Golf Drive. No new roads or modification of existing roadways are proposed by the annexation and rezoning processes.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

Yes, the affected geographic area is served by Lewis County Transit.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

No new roads or modification of existing roadways are proposed by the annexation and rezoning processes. Impacts from future development will be addressed at the time of application.

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

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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<sup>16</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>



## 15. Public services

[Find help answering public service questions<sup>17</sup>](#)

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Not applicable for the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

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

No measures are proposed with the annexation and zoning assignment processes. Impacts from future development will be addressed at the time of application.

## 16. Utilities

[Find help answering utilities questions<sup>18</sup>](#)

- 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.**

No new utilities or modifications to existing utilities are proposed by the annexation and zoning assignment processes. Utility impacts created by future development will be addressed at the time of application.

## C. Signature

[Find help about who should sign<sup>19</sup>](#)

**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.**

**X**

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**Type name of signee:** Nick Wheeler

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<sup>17</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

<sup>18</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

<sup>19</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

**Position and agency/organization:** Business Manager | JSA Civil, LLC

**Date submitted:** March 13, 2024

## **D. Supplemental sheet for nonproject actions**

[Find help for the nonproject actions worksheet<sup>20</sup>](#)

**Do not** use this section 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 annexation and zoning assignment to MRC will allow development of residential and commercial uses. New and or expanded uses may result in incremental increases in emissions to air and noise through typical construction and occupancy of future development. The discharge of water will be regulated under applicable regulations in place at the time of application to limit impacts of such discharges. Any production, storage, or release of toxic and/or hazardous substance will be regulated by the appropriate authority having jurisdiction to reduce the impact of releases.

Impacts will be addressed on a case-by-case basis at the time of application.

- **Proposed measures to avoid or reduce such increases are:**

Future development will be required to follow City of Chehalis regulations for stormwater, development, critical areas, and habitat. Impacts will be addressed on a case-by-case basis at the time of application.

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

No impacts to plants, animals, fish, or marine life are anticipated from the annexation and rezoning processes. Impacts from future development will be addressed and/or mitigated in accordance with City of Chehalis code at the time of application.

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

A deed restriction has been placed over the OHWM of the 2007 flood on the subject parcels to protect plants, animals, fish, and marine life. Impacts created by future development will be addressed and/or mitigated in accordance with City, State, and Federal code requirements, as necessary, at the time of application.

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

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<sup>20</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

The annexation and rezoning, once completed, will allow for new development proposals for commercial and residential uses resulting in incremental increases in usage of water, power, and sanitary sewer services. Utility usage and impacts will be addressed on a case-by-case basis at the time of application.

- **Proposed measures to protect or conserve energy and natural resources are:**

New development will be required to comply with current State energy code requirements at the time of application.

**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 proposed annexation and zoning assignment will allow for an increase in development near critical areas. Critical area impacts to features such as streams, wetlands, and waterbodies will be protected through buffering and/or mitigation on a case-by-case basis at the time of application.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

A deed restriction has been placed over the 2007 flood OHWM to restrict new development within the floodplain on the subject parcels. Other critical area impacts, if any, will be addressed on a case-by-case basis by jurisdictional staff at the time of application.

**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?**

It is anticipated that new development will eventually occur on portions of the subject parcels after the annexation and zoning assignment are completed. Land and shoreline use will be evaluated on a case-by-case basis at the time of application.

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

Critical areas will be protected through buffering and/or mitigation in accordance with current jurisdictional regulations in place at the time of application. New development will be restricted from occurring in the 2007 flood overlay through the previously executed deed restriction following the 2007 flood OHWM.

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

No increases to demands on transportation or public services and utilities are anticipated from the annexation and zoning assignment processes. Future increased demands on transportation and public services and utilities will be evaluated on a case-by-case basis at the time of application.

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

No measures are proposed with the annexation and zoning assignment processes. Measures will be proposed and/or evaluated at the time of application for new development.

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

A deed restriction has been placed over the portions of the subject parcels impacted by the Ordinary High Water Mark (OHWM) of the 2007 flood to restrict development within the floodplain. Future development proposals will be required to comply with local, state, and federal laws and requirements in place at the time of application.

RECEIVED  
Building & Planning

FEB 8 2024

City of Chehalis

Tracy Spencer  
208 Kirkland Rd  
Chehalis, WA 98532  
360-740-4255

To: City of Chehalis, Community Development Department  
Attn: Todd Johnson  
RE: Notice of Application for Comprehensive Plan Map Amendments

As a longtime resident of Lewis County, I find myself affected by land use change and urban sprawl. I know that laws and regulations are in place to further this process. I doubt that I can offer any new insight to the process, but feel compelled to offer my perspective. Most of my concern is directed toward the Newaukum Golf Course, surrounding properties, and the Breen property. The north portion of the Breen property is wetlands, the south end field is in the flood plain. I know that laws and rules are in place for protections for both wetlands and floodplain areas. My question? Who is going to hold the people doing the expansion accountable? I have seen property in this local area with wetlands and floodplain issues overburdened with fill. I propose that the Chehalis Community Development Department take a pause and think about a few more of these concerns.

1. Has the City of Chehalis considered the effects of urban sprawl and is the City using acreage that it already has access too?
2. Is a proper storm water plan implemented in the area with high density housing?
3. Are there plenty of natural and public resources available?
  - a. Water for continued growth
  - b. Sewer hookup to city system
  - c. Power
  - d. Police. Is the current police force capable of increased area population?
  - e. Fire Protection. Will the new development have hydrant resources?
  - f. Schools
  - g. Roads, the current roads are rural access, not built for heavy traffic.
  - h. Parks

There is no single solution to slow the conversion of our rural and agricultural land to other uses, but partnerships and collaboration with outside interests are key. No one is going to save our rural landscape and agricultural land if people don't value it.

Regards,

Tracy Spencer



## Community Development

2025 NE Kresky Avenue  
Chehalis WA 98532

May 6, 2024

To: SEPA Administrator

RE: Newaukum Ventures LLC Comprehensive Plan map change and rezone / MSC24-0018

Date Received: April 18, 2024

Comments Due: May 6, 2024

Thank you for the opportunity to review and comment on the above project. Lewis County Community Development circulated your documents to the Environmental Health and Public Works departments for their comments. Following are the County comments:

### Community Development:

- The checklist uses incorrect terminology related to the urban growth area. There is no annexation associated with an urban growth area; an annexation would only be associated with the city limits, which is not the request as presented in the checklist. It is assumed the checklist is therefore related only to the rezoning of the parcels and the following comments pertain only to the rezoning.
  - Per Ordinance 1337, the floodplain has had a deed restriction placed on it to prevent development. The County shall retain all administration and permitting authority under Chapter 17.38 Critical Areas Ordinance, Frequently Flooded Areas.
  - Authority over Lewis County Board of Health regulations on potable water and on-site septic systems shall be retained by Lewis County.
  - Any subsequent reviews of this UGA project that include a related notice(s) published by the City shall be forwarded to the Senior Project Planner, Lewis County Department of Community Development, for internal county review and county comment. For all other project permit applications, including a SEPA Threshold Determination, notices and staff reports, under the authority granted to the city under Section 2(B) of the Interlocal Agreement,

the county requests the city forward copies to the Lewis County Department of Community Development Director.

- The City shall not approve any land use that causes resulting service levels to drop below adopted levels of service for County roads as cited in the Transportation Element adopted by County Comprehensive Plan, without first requiring mitigation acceptable to the County. The City shall use the SEPA and/or a site plan process (whichever is applicable) to obtain approval of the County for such mitigation. Once the TIA is ready for county review, the applicant shall submit the document(s) and the review fee to the Lewis County Permit Center to initialize the review. The TIA needs to meet the standards provided in Lewis County Code (LCC) 12.60 Article IV – Traffic Analysis Guidelines.
  - Front yard setback from County right-of way must be consistent with LCC 15.15.040 Setback.
  - County road closures shall be administered by Lewis County Code Title 12.
  - Utility installation associated with Lewis County franchise within Lewis County rights-of-way shall be administered by Lewis County pursuant to Lewis County Code Title 12 and RCW 36.55 & 36.75.
- Building: No Comments

Public Works:

- No Comments

Environmental Health:

- No Comments

Respectfully,

*Megan Sathre*

Megan Sathre  
Lewis County Community Development  
[Megan.Sathre@lewiscountywa.gov](mailto:Megan.Sathre@lewiscountywa.gov)

# Development Review Committee Agenda

Chehalis Building and Planning Department

April 24, 2024, at 9 A.M.

Meeting Location: Chehalis Airport Conference Room

## 4/24/2024 DRC Minutes.

**Staff Present-** Ron Buckholt- City Planner, Todd Johnson- City Planner, Anne Feldman- Permit Technician, Michael Thomas- Engineering Technician, Angie Elder- Community Services Officer Chehalis Police, Lance Bunker- Public Works Director/Interim City Manager, Fritz Beierle-Street/Storm Superintendent, Justin Phelps- Wastewater Superintendent, Rick Mack- Fire Department.

**The City of Chehalis is considering multiple updates to the comprehensive plan mapping designations and intends to issue a SEPA DNS Determination for the following:**

### **9:00 AM SEPA-24-009; UGB amendment and Rezone Request for the Newaukum Ventures properties**

Parcels 017873003000, 017846001005, 017846001006, 017846003002, 017846003006, 017880001001, 017880001002, and 017880001003

Newaukum Ventures seeks an amendment to the City of Chehalis Comprehensive Plan and Zoning Map to include the Chehalis Westlund-Enbody properties within the Urban Growth Area (UGA), as expanded by Lewis County Ordinance 1337. The request includes a proposed zoning designation of MRC - Mixed Residential/Commercial for the subject properties.

Planning- The comments period for this proposal closes May 6<sup>th</sup>.

Motion to approve by Michael Thomas, Motion Seconded by Justin Phelps- Motion approved by vote.

### **9:15 AM SEPA-24-010; Rezone Request for 201 Hannah Lane**

Parcel 017875055031

The applicant, Kyle Wheeler, requests a rezone for the property located at 201 Hannah Lane from R1 (Residential) to MRC (Mixed Residential Commercial).

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve and proceed by Ron Buckholt, Seconded by Rick Mack – Motion approved by vote.

### **9:30 AM SEPA-24-011; Rezone Request for Shovel Ready LLC**

Parcels 017769033001, 017767002000

Shovel Ready LLC requests rezoning of parcels #017767002000 and #017769033001 from a mix of CG (General Commercial) and IL (Light Industrial) to uniformly IL (Light Industrial) to facilitate broader development options.



Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve by Justin Phelps, seconded by Rick Mack- Motion passed by vote.

**9:45 AM SEPA-24-012; Rezone Request for the Port of Chehalis**

Parcels 017857003005, 017857003006

The Port of Chehalis proposes a zoning adjustment aligning the zoning boundary with existing natural drainage features to support effective land use and environmental management.

Planning- Comments Period for this project closes May 6<sup>th</sup>.

Public Works- Utilities cross both parcels. This would possibly need to be addressed if there are any future development plans.

Motion to Approve by Michael Thomas, seconded by Fritz Beierle- Motion passed by vote.

**10:00 AM Interdepartmental staff meeting.**

Join Zoom Meeting

<https://us06web.zoom.us/j/83910241095?pwd=dUIlYm0rTkt6SHZCZjkxUTRlVDBUUT09>

**Community Development Department**

1321 S Market Blvd. Chehalis, WA 98532

(360) 345-2229 / Fax: (360) 345-1039

[www.ci.chehalis.wa.us](http://www.ci.chehalis.wa.us) email: [comdev@ci.chehalis.wa.us](mailto:comdev@ci.chehalis.wa.us)

## SUMMARY / INTRODUCTION

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**Application #:** Rezone Request RZ-23-003 at 201 Hannah Lane

**Report Date:** March 1, 2024

**Prepared By:** Todd Johnson, City of Chehalis Planner

**Project Description:** The applicant, Kyle Wheeler, requests a rezone for the property located at 201 Hannah Lane from R1 (Residential) to MRC (Mixed Residential Commercial). The proposal raises concerns regarding compatibility with comprehensive plan goals, zoning regulations, and stormwater management responsibilities. The applicant submitted a narrative addressing these concerns.

### **Applicable Regulations and Comprehensive Plan Sections**

This staff report utilizes specific citations from the City of Chehalis Comprehensive Plan and Zoning Code, emphasizing the necessary standards for approval:

#### *1. Chehalis Comprehensive Plan, Land Use Element*

Compatibility with Neighboring Uses: The proposed zoning change does not align with the land use goals outlined in the Comprehensive Plan, specifically regarding maintaining the character of residential neighborhoods and ensuring appropriate transitions between different land uses (Comprehensive Plan, Land Use Element, Section 1.10.6).

#### *2. Chehalis Zoning Code, Mixed Residential Commercial (MRC) Zoning Requirements*

Allowed Uses: A request for rezone and comprehensive plan amendment must consider all the allowed uses in the zone because once a property is rezoned, there is an expectation that one or more of those uses would be developed. The request for MRC zoning fails to meet several critical criteria, including compatibility with adjacent land uses, provision of necessary services, and adherence to development standards aimed at preserving community character (Zoning Code, MRC Zoning Section).

#### *3. Environmental Protection and Floodplain Management*

Stormwater Management: The parcel's importance to the neighboring housing development and its designation for stormwater treatment and flow control are crucial. The applicant's proposal does not adequately address how stormwater management will be sustained under the new zoning designation, as required by the City's stormwater management guidelines and the Department of Ecology's 2019 Stormwater Manual (WAC 365-196-310(1)(b)(iii)(C)).

## **BACKGROUND INFORMATION**

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The subject property is adjacent to both R1 single family residential and in the City of Napavine commercial/ Industrial zoned lots. The property currently serves a dual purpose as a stormwater management facility and a memorial/bird sanctuary. The applicant's narrative indicates a desire to maintain the current uses while also exploring commercial development opportunities. However, the request poses significant concerns regarding zoning compatibility, environmental stewardship, and the maintenance of essential services.

## **ANALYSIS**

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**Spot Zoning Concerns:** The proposed rezone to MRC, which is a combination of the GC and R3 multifamily zoning standards, would create an inconsistent zoning patch within a predominantly single-family residential area, raising issues of "Spot Zoning," which is discouraged by City planning policies and state regulations due to potential adverse impacts on surrounding properties. The higher densities permitted in the R3 zone or the commercial uses directly adjacent to the single-family residential neighborhood are incompatible with these existing uses. The applicant cites an approved mixed-use development in the additional narrative submitted, but also recognizes that the commercial uses were not included in the current project.

**Stormwater Management:** The parcel's crucial role in regional stormwater management and the lack of a clear plan for integrating existing stormwater infrastructure into the proposed development model are problematic. The Development Review Committee's notes highlight the need for detailed information on managing stormwater post-development, which the applicant has not satisfactorily provided (DRC Meeting Minutes, February 7, 2024). The additional narrative submitted by the applicant provides some information on the existing stormwater facility and use but does not include any indication of what would occur if the stormwater facility would be developed for a multi-family residential or commercial use. The applicant states that a sign is one potential use that could be developed, but with a rezone and comprehensive plan amendment specific uses should not be considered because any of the permitted or conditional uses in the zone are allowed with the rezone.

**Environmental and Community Impact:** The transition of a parcel with significant ecological and memorial value to a mixed-use commercial designation without a clear, beneficial purpose or plan poses risks to community values and environmental quality.

## **Recommendation**

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Given the proposal's apparent conflict with the zoning principles and environmental stewardship objectives the request requires a SEPA review and possibly some additional information from the applicant. Request any additional information needed for PC review and request the applicant prepare a SEPA ECL for publication.

**Suggested Action:**

Request additional information from the applicant as needed for planning commission review and recommendation to be considered at a future Planning Commission hearing and a motion to continue this hearing until the information is received and SEPA has been published.

Exhibits:

Exhibit A: Applicant Narrative - 201 Hannah Lane

Exhibit B: Development Review Committee Meeting Minutes

City of Chehalis,

Thank you for taking the time to review my rezone request.

To demonstrate how this parcel meets the standards for MRC zoning, this property abuts both residential and commercial lots within the Chehalis UGA. This parcel's western most line along Rush Road connects to a commercially zoned Washington Department of Natural Resources service lot in addition to the residential lots within the Glacier Ridge PUD which this parcel's stormwater facilities currently service. Additionally, this parcel's southern property line is the jurisdictional line where Napavine's jurisdiction takes over. Napavine's zoning in this area is also commercial with the parcel to my south containing a handful of commercial businesses. It is my understanding Napavine's zoning is unable to be considered in this process, however I think this large commercial development, which my parcel shares its largest property line with, speaks to the mixed use nature of the neighborhood the same as the DNR lot abutting this parcel within the UGA does. It is also my understanding that a PUD development such as the Glacier Ridge PUD is specifically intended for mixed use development. In fact, Glacier Ridge PUD, the entire PUD development, was zoned general commercial with no vested rights to residential development. It is my understanding that the 39 homes of what is now Glacier Ridge PUD were once intended to be a commercial area to service the Holloway Springs development which surrounds this PUD and the parcel had no vested rights to residential development to begin with which is why it was rezoned to the current mixed use PUD it is today to allow for the housing which was built there.

To demonstrate how the stormwater facility and existing stormwater would be managed should development occur I would first mention that to the best of my knowledge this stormwater system was originally installed for a commercial mini storage facility. Referencing a previous review of concept done by one former developer, chehalis file number AC-06-133, what is now the Glacier Ridge PUD was originally going to be a mixed use development with 16 houses on the north and a mini storage and RV storage facility to the south. To my knowledge the stormwater ponds on this parcel were originally developed for this mini storage facility before development plans abruptly changed near final approval to become 39 residential lots with no commercial facility that you see today. In this previous review by the city of chehalis it is specifically noted the property now known as Glacier Ridge PUD was commercially zoned with no right to residential development. It was intended to be the commercial services for the larger development, Holloway Springs, which surrounds it.

To address the concern this property's existing use is as a bird sanctuary and memorial pond as well as providing stormwater service to the homes within the mixed use PUD. The existing use is as a memorial pond (the retention ponds) along the ridge of which there are 11 birdhouses, each with a single letter painted on the bottom. Together, those birdhouse letters spell out K.a.l.i. W.a.s. H.e.r.e. Ms. Kali was a dear friend of mine who passed away abruptly in 2019 and who the memorial was established for. The sanctuary is not open to the public nor is there public access to the parcel. It is simply a roadside monument to one person's freedom of expression to be viewed at a moment's glance, similar to the Hamilton Sign nearby, Gospodor's Monuments outside Toledo or other roadside monuments to freedom of expression throughout America. To speak to any development goals, I am requesting a rezone to be better suited to eventually request a reasonable sign installation to advertise the sanctuary and diversity in our community it is intended to represent. Chehalis recently permitted such a sign, in a residentially zoned area without a rezone, for the Newaukum Valley Golf Course and I am simply requesting the same. I fully understand the ponds and their maintenance have and will always exist as part of any development of this parcel but that does not mean this parcel does not also have adequate services, space, and location to serve a complimentary purpose as well.

To address the concern of maintenance of the stormwater system should development occur - this parcel has a recorded stormwater maintenance agreement with Lewis County in place under auditor filing 3309359 which can and has been enforced previously by Lewis County. This agreement runs with the land no matter who takes possession of it and is specific to the stormwater facilities and maintaining the public benefit which those facilities provide. The agreement covers a broad range of maintenance requirements and is bound to the land no matter if other development were to occur or ownership were to transfer. Though the agreement lists Lewis County as the jurisdiction it is my understanding through conversations with DPA Russell and others at the county that these contract rights would convey to the city of Chehalis once full annexation occurred. My property and any future owner are bound by the terms of this agreement indefinitely.

To address the use or intended use, according to the use chart available online under 17.78.020 a "backyard wildlife habitat" is an allowed accessory use in residential areas and a "constructed wetland habitat" is a permitted use in commercial areas. My bird sanctuary / wildlife habitat / constructed wetland just happens to also be commercial in nature as a roadside monument that may wish to eventually develop an advertisement sign to better explain these on site services to passersby.

Please let me know if you would like a copy of either the previous city documents or the maintenance agreement referenced in this narrative.

I hope I have addressed your concerns about how this parcel meets the intent of the area it is within and how the site could be developed for the allowed or conditional uses while still preserving the existing system and nature of the neighborhood during any current or future roadside monument to freedom of expression development. Please let me know if there are additional questions or concerns I may address.

Respectfully,  
Kyle Wheeler - 201 Hannah Lane rezone applicant.

From: **Kyle Wheeler** <[kyle88wheeler@gmail.com](mailto:kyle88wheeler@gmail.com)>

Date: Thu, Dec 1, 2022 at 10:20 AM

Subject: Rezone Petition - 201 Hannah Lane

To: <[tbaraconi@ci.chehalis.wa.us](mailto:tbaraconi@ci.chehalis.wa.us)>, <[jmcdrummond@ci.chehalis.wa.us](mailto:jmcdrummond@ci.chehalis.wa.us)>, Jill Anderson <[janderson@ci.chehalis.wa.us](mailto:janderson@ci.chehalis.wa.us)>, Isabel Vander Stoep <[isabel@chronline.com](mailto:isabel@chronline.com)>, Emily Fitzgerald <[emily@chronline.com](mailto:emily@chronline.com)>

Happy December!

This email is a formal request to rezone parcel 017875055031 as known as 201 Hannah Lane. The current zoning is residential and I would like to rezone it to the newly created mixed residential commercial zoning. Please include all attachments of historical context as part of this petition.

If possible I would also request my petition be included with all other petitions in the coming year and not "forgotten" and denied the full hearing with a complete planning commission that was granted to all other rezone petitioners besides myself in 2021.

Best,

Kyle

Lewis County Lollipop Guild, LLC.  
PO BOX 1411 Toledo, WA 98591  
(360) 864-6541 team@lclg.org

RECEIVED  
Building & Planning  
JAN 27 2021  
City of Chehalis



January 26th, 2021

Dear City Of Chehalis Community Development Board,

We are requesting a rezone of tax parcel 017875055031. The current zoning is residential and we are seeking a rezone to commercial industrial, connecting to the existingly zoned area abutting this parcel on the west of Rush Road.

Thank you,

Kyle Wheeler - Representative



**Subject:** Re: Rezone petition - 201 Hannah Lane  
**Date:** Tuesday, December 26, 2023 at 12:13:49 PM Pacific Standard Time  
**From:** Todd Johnson  
**To:** Kyle Wheeler, Kassi Mackie

Thank you for the additional information on this Kyle. The background does help me to understand your frustration with the past processing of your application. Although this information isn't relevant to the current application, it does help me to understand the background.

I'm working to get the notice of applications sent out and published for the four applications in the 2023 processing cycle. This cycle is limited to the pending applications the City had received in 2022 and 2023. This includes your request. I agree that the ultimate use of the properties being considered does not have any influence on the rezone request and that will not be a factor in staff's consideration of the request. We will focus on consistency with the comprehensive plan policies, zoning criteria for designation and state GMA guidance and zoning rules and policies. Once I get the notice of application published and mailed, I'll begin work on the staff reports and scheduling and noticing the public hearings.

Please feel free to send any additional information you feel is helpful to support your request. I'll include all the information you send in the record for the project.

Thank you-

Todd Johnson  
City of Chehalis Consulting Planner  
TRJ Planning Inc.

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**From:** Kyle Wheeler <[kyle88wheeler@gmail.com](mailto:kyle88wheeler@gmail.com)>  
**Date:** Saturday, December 23, 2023 at 8:31 AM  
**To:** Todd Johnson <[tjohnson@ci.chehalis.wa.us](mailto:tjohnson@ci.chehalis.wa.us)>, Kassi Mackie <[kmackie@ci.chehalis.wa.us](mailto:kmackie@ci.chehalis.wa.us)>  
**Subject:** Re: Rezone petition - 201 Hannah Lane

**NOTICE:** This message originated outside of the City network - **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe!

Todd,

There were a lot of parallels to this YMCA case and the way Ms. Baraconi and Ms. Hillier disparately treated me previously. I'd particularly like to highlight a quote in here - "The ruling claims that, regardless of the commission's motivation, the decision was outside the scope of the law. In other words, *the landowner's identity and its eventual goal of building a youth camp should have been irrelevant.*" This is very similar to the concerns I noted multiple times in both writing and verbally at my hearing about how Ms. Baraconi brought both my personal identity and my eventual development goals into her staff report. For instance, she spent an entire page

of a staff report, for a rezone, discussing the sunlight which may be blocked by a billboard that doesn't exist yet and has no place in the rezone conversation. We can discuss sunlight - in the permitting process, not the rezone petition. The bulk of Baraconi's staff report was directly related to my *personal identity* and Baraconi's assumptions of *development goals* at a property which I originally purchased to memorialize a dead friend - however that still ends up manifesting because I'm still not going anywhere whether I get a rezone for a billboard or just maintain 11 little gay birdhouses out there as it currently sits.

I did want it reiterated that I hope my identity and/or perceived development plans don't affect this process again and are not referenced in staff reports during the rezone process. I worked hard to let the disparate treatment I experienced go the first time, simply try again and not pursue the path the YMCA did to overturning Baraconi's bias. There are obviously parts I'm still hanging onto but I do expect a fair shot on an even playing field even if I'm just a determined citizen navigating all of this as I go without a vast legal team to assert my rights for me.

Respectfully to the city, a lot of these disparate treatment issues I approached their manager Jill Anderson about numerous times as they were occurring back then. It is my firm opinion Jill went out of her way to justify or ignore the disparate treatment she was witnessing despite being clearly told about the liability at the time. I still have trepidations with Jill's involvement in any capacity as well given this context, but understand it will be minimal.

I know I'll never get an apology over the way I was treated by the city and its agents back then, so I have to convince myself the city at least understands what they did to me was wrong at this point and learned from it to be better in the future.

To be very clear - you, Todd, the one figuring out all these messes and bitter people left behind by Baraconi and Hillier's malicious incompetence, have given me no indication that any of this will happen again and every indication otherwise. I have certainly appreciated that after all this time whether the end result is a result I like or not.

Just needed to say all that after this recent news and for my own healing and clearing of the past to try to move forward. Thanks for hearing me out.

Hope you had a gentle holiday,

Kyle

<https://www.chronline.com/stories/proposed-lawsuit-ruling-says-lewis-county-did-disparately-treat-the-ymca,331488>

Kassi - I'd appreciate it if you could please record this message in its entirety as a public comment at the next council meeting.

On Wed, Dec 6, 2023 at 2:11 PM Todd Johnson <[tjohnson@ci.chehalis.wa.us](mailto:tjohnson@ci.chehalis.wa.us)> wrote:

Thanks Kyle. I do understand your frustration. It is my goal to assemble these all for review and provide the required public notice and follow the adopted procedures.

I'd like to assemble what I have for your request and share it with you either in person or electronically to be sure I have all of the documents and the correct versions of everything. I'm doing this for all of the requests we are processing so it may take a couple of weeks to get it all assembled.

I'll email you a like so you can review those electronically and if you'd like to set up an appointment to review the file in person I'd be happy to do that too.

I will also note the potential conflict of interest when this is scheduled for planning commission. I cannot force a member of the pc to recuse themselves from this but I can note it and it would be up to that member to comment on it or recuse themselves from the decision making process. I can work with you more on that as we get closer to the planning commission meetings. We do currently have a newer chair. Chair Cox is currently the chair of the planning commission. I'll also ask the city attorney how to handle the potential conflict with his position. I won't need legal guidance on these until we get closer to the public meetings and hearings. I'll let you know what I find on that as well.

Let me know if you have additional questions or information.

Thanks for working with me on this.

Todd

On Dec 6, 2023, at 1:44 PM, Kyle Wheeler <[kyle88wheeler@gmail.com](mailto:kyle88wheeler@gmail.com)> wrote:

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I just wanted you aware of the additional history to explain the level of frustration and resentment I obviously have for some of this. I acknowledge that while also understanding you personally had absolutely nothing to do with any of that... but it is a history I have here regardless of us hopefully working from a clean slate. I've worked pretty hard to accept living with all that and continue moving forward.

Very much appreciate you attempting to handle this process a little better than it has been. I did have a small detail to clarify - your original response mentioned my correspondence in 2020, 2021, and 2022 about all this I do want to make sure you are aware I have only ever been given one review, in 2022, of my original 2020 application and even then, that review was done in a private separate panel of about half of the planning commission after the full commission completed the regular process reviewing everyone else's requests but my own, singularly misplaced petition. I'm fine with an answer I don't like - but a lot of my pain in this area still comes from having been singled out and treated differently throughout the quasijudicial process the way the city's former planner and former attorney did to me.

Lastly, please also make sure it has been noted the planning commission chair McKerrischner and new city attorney Nelson both have conflicts of interest previously demonstrated to the city which should have them recused from review my petition. In McKerrischners case, this was overlooked during the one and only review I have received

and he chaired the entire meeting despite the known conflict. If you need further detail on the nature of these conflicts, I'm happy to provide those again though I have done so previous in city records.

I'll keep an eye out for any further updates.

Kyle

On Wed, Dec 6, 2023, 1:23 PM Todd Johnson <[tjohnson@ci.chehalis.wa.us](mailto:tjohnson@ci.chehalis.wa.us)> wrote:

Thanks for the additional information. I'll pass this along separately from the review of the rezone. I was not aware of this issue.

I am also dropping Ron and Kassi from our email string. You are welcome to include them if you like, but as long as the community development email is ccd it becomes a part of the city planning file.

Todd

On Dec 5, 2023, at 9:59 AM, Kyle Wheeler <[kyle88wheeler@gmail.com](mailto:kyle88wheeler@gmail.com)> wrote:

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Just as a matter of personal information for you and Ron here as well if you followed the saga through those previous records, the litigation I was involved in with the city regarding former planner Baraconi and former attorney Hillier overlooking (and instead trying to blame me) for the contractor dumping concrete on my land in 2020 and then improperly constructing an encroaching driveway before selling that house and repeating the process again is still being litigated to have those encroachments removed from being over the stormwater system we are all contractually supposed to have been protecting. I should have summary judgement for it eventually if defense quits stalling and once I have an order to remove the encroachments I will need to discuss a fill and grade with the city to remove not only that encroachment, but another apx 5 yard truck of concrete pieces over 2 feet in size still there next to my memorial ponds that Mr. Marvin never removed in 2020 despite Baraconi claiming to have visited the site and cleared him of the violation. If this leg of the journey is unclear in the record, Baraconi filed those former issues under "Symmetry Properties" so it would not go against Mr. Marvin's license.

I did want the city to be aware that regardless of a rezone or other development, we will eventually need to complete the clean up Baraconi unjustly left me with and I will be requesting a waiver of the fill and grade fee for that when the time comes considering the circumstance. All other encroachments noted on this survey have since been addressed, except the driveways on lot 8 and 9 installed by this former contractor and the lcpud box blocking my sole access point with enough width between lot 7 and 8 to bring in machinery. Don't know how long you and Ron will be consulting before the city has full time staff again, but I wanted that information on the table. I know it is unrelated to the rezone specifically, but something to be mindful of needing to happen eventually.

On Tue, Dec 5, 2023 at 8:28 AM Kyle Wheeler  
<[kyle88wheeler@gmail.com](mailto:kyle88wheeler@gmail.com)> wrote:

Hey Todd,

Thank you for getting this to me - I know yall are paying an enormous amount of catch up. I also know I have a lot of personal history here and you have likely had to read a LOT of words to catch up. I think you have covered the basics of everything - my main point is that this property was commercially zoned until it was spot zoned in the early 2000's, that it is still connected to a commercial zone in chehalis jurisdiction as it abuts the DNR property to the west, and the newly created MRC zoning falls well within all those guidelines.

The former city planner previously wrote a staff recommendation report in 2022 referencing my desire to eventually have a permitted sign placed on this property. I would like to clarify here that any declared intention of potential development should not have any bearing on the rezone process - concerns of a sign should be addressed in the permitting process, not the rezone process as Baraconi previously did. The conversation had no bearing on the rezone petition and the only reason to have included it in the staff report was to skew the perception of the planning commission - which I never received the same full commission review as everyone else during that review. Additionally, related to this permitting discussion are previous concerns regarding the Newaukum Valley Golf Course sign that was permitted - a sign that was placed on an open space residential parcel, without a rezone, with an expired land lease and expired right to redevelopment that was abandoned for a year after it's original sign was demolished. This sign was suspiciously given what I have asked for for 3 years now with little objection from the city in the process. I understand this is a permitting issue and not a rezone issue, but considering permitting was raised to skew the rezone last year, I do want it mentioned here that I eventually intend

to follow up as to why the city permitted one sign such as this golf course sign, illuminated 24 hours a day in a residential area within 60 feet of multiple private residences, on a public road parcel designated as open space, and within a mile of my site as the crow flies, but then deny my own rezone based on a potential application for a permit for a similar sign on my own property... a property that at least historically was a commercial development until being spot zoned and then land swapped to cover that.

Happy to address any additional questions or concerns throughout. Thank you for taking this all on and apologies for the long winded nature of some of my emails trying to clarify the history here.

Kassi - just left you here for this response because I need to reiterate again how much I truly, deeply, appreciate your tact handling all of this. There has been a noted improvement in service at the city since you took over and that should not go unnoticed. You are wonderful, and deserve to know that.

Talk soon,

Kyle

On Mon, Dec 4, 2023 at 6:35 PM Todd Johnson  
<[tjohnson@ci.chehalis.wa.us](mailto:tjohnson@ci.chehalis.wa.us)> wrote:

Hi Mr. Wheeler-

I am a planning consultant who is helping the City of Chehalis to process the 2023 requested comprehensive plan amendments and zone changes. Kassi forwarded me your email message about your pending request, which included an email chain with information on the request.

We are assembling the requests from a number of different applicants who have pending rezone requests and I do see your request on file with the city and your email following up on that.

It looks like the email chain that Kassi forwarded me included a request to rezone the property to MRC. I have a copy of the materials you previously submitted previously in 2020, 2021, and some of the materials in 2022. Those requests were for a rezone from residential to general commercial. From the email chain I read, it appears the request has been updated to be for a Mixed Residential Commercial (MRC) zoning designation.

I see in the emails for ths application that you submitted additional information in an email chain to Tammy in December of 2022. I am

working to compile the information we have on your request and have assigned it with a new 2023 request number for tracking with this group of requests. The application number for this year's request is RZ-23-003.

We are working to evaluate these and schedule them for public notice and hearing with the planning commission early next year. We will then forward them on to City Council for consideration at a public hearing. The Council hearing will likely be in the early 2<sup>nd</sup> quarter of next year.

I'll likely need to follow up with you directly to get any information we need to complete the review and public consideration process. If you have any updated information to support the request to MRC, please send that to me and copy [comdev@ci.chehalis.wa.us](mailto:comdev@ci.chehalis.wa.us) with any submittals or information you send. Please include a reference to RZ-23-003 on any information you send.

Please feel free to contact me with any questions.

Todd Johnson  
City of Chehalis consulting planner

<Survey - AFN 3565794 Final Recorded.pdf>



Building and Planning Department  
1321 S. Market Blvd., Chehalis, WA 98532  
360.345.2229/Fax: 360.345.1039  
www.ci.chehalis.wa.us email: comdev@ci.chehalis.wa.us

SEPA #: SEPA-24-010

### DETERMINATION OF NONSIGNIFICANCE (DNS)

**Description of proposal:** The applicant, Kyle Wheeler, requests a rezone for the property located at 201 Hannah Lane from R1 (Residential) to MRC (Mixed Residential Commercial).

**Proponent:**

Kyle Wheeler  
PO BOX 1411 Toledo, WA 98591  
Phone: 503-801-5226

**Location of proposal:**

Property address(s) is 201 Hannah Lane Chehalis. Parcel No 017875055031 Section 14, Township 13N, Range 02W, W.M.

**Lead agency:** City of Chehalis

The Chehalis Building and Planning Department has determined that this proposal 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 City. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments and appeals must be submitted by 4 PM on May 6, 2024.

Responsible Official: Todd Johnson, TRJ Planning Inc.  
Position/title: Planner, City of Chehalis  
Phone: (360) 345.2229  
Address: 1321 S. Market Blvd., Chehalis, WA 98532

Signature: Todd Johnson  
Todd Johnson, Planner Date: April 20, 2024.

You may appeal this determination to City of Chehalis – Building and Planning Department, 1321 S. Market Blvd., Chehalis, WA 98532. You should be prepared to make specific factual objections. All substantive appeals must be filed with City of Chehalis in writing with a \$500 fee plus the cost of the hearing examiner submitted by 4:00 PM on May 6, 2024.



# SEPA<sup>1</sup> Environmental Checklist

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## Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

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<sup>1</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

## A. Background

[Find help answering background questions](#)<sup>2</sup>

1. Name of proposed project, if applicable: **Dancing Swallows Big Gay Bird Sanctuary and Memorial Ponds – Nonproject proposal**
  
2. Name of applicant: **Kyle Wheeler**
  
3. Address and phone number of applicant and contact person: **201 Hannah Lane Chehalis, WA 98532 PO BOX 1411 Toledo, WA 98591 503-801-5226**
  
4. Date checklist prepared: **3/9/24**
  
5. Agency requesting checklist: **Chehalis Planning Department**
  
6. Proposed timing of schedule (including phasing, if applicable): **Undetermined**
  
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. **Presumably environmental reports were done to install the stormwater system to begin with, however neither the City of Chehalis, City of Napavine nor Lewis County have ever been able to provide me record of this system's development after Holloway Springs was *spot zoned initially* and then Glacier Ridge followed joined that spot zone before they were both given to Chehalis in the municipal land swap in an effort to correct those errors.**
  
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. **WADOT approval if developing a sign within a certain distance of the interstate – proposal is outside this buffer. Building permits from City of Chehalis.**

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<sup>2</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

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.) **I wish to develop a drive by roadside memorial to a dead friend and sell annual sponsorships of birdhouses to offset the maintenance cost for a parcel which had been abandoned by its housing development and which all continue to benefit from without paying to maintain.**
  
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. **Parcel commonly known as 201 Hannah Lane Chehalis.**

## B.Environmental Elements

### 1. Earth

[Find help answering earth questions](#)<sup>3</sup>

- a. General description of the site: **A 1.08 acre parcel of with two stormwater ponds.**

Circle or highlight one: Flat, rolling, **hilly, steep slopes**, mountainous, other:

- b. What is the steepest slope on the site (approximate percent slope)? **Sides of engineered ponds are greater than 35% slope.**
- 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. **Presumably clay. I have not disturbed soil on this site since taking ownership beyond the illegal dumping which occurred in 2020 by a neighboring contractor which the former city planner attempted to blame me for before later admitting it was the contractor and failing to properly resolve.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **No.**

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<sup>3</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. **Once pending litigation can clear encroachments and restore access for large enough machinery then a fill and grade will be need to remove the remaining large concrete debris still left on my parcel by the contractor *which was ignored by the former city planner and former city attorney*. I do not intend to adjust any terrain beyond removing this remaining large scale solid waste which keeps breaking my walk behind machinery. Large machinery is eventually needed to dredge sediment from the ponds according to maintenance agreement, approximately every 5 years or as needed.**
- f. **Could erosion occur because of clearing, construction, or use? If so, generally describe. The existing stormwater maintenance agreement addresses erosion concerns which should be examined during monthly inspection and repaired as needed if noticed.**
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Less than 20%****
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any. **No further measures proposed at this time.****

## 2. Air

[Find help answering air questions](#)<sup>4</sup>

- a. **What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **General vehicle admissions during construction or maintenance.****
- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **The interstate is 600 feet away with ~40,000 cars a day going by creating substantial offsite emissions and noise in this area at all hours. This parcel is next to the WA Department of Natural Resources lot with large maintenance vehicles coming and going on a regular basis. My property line shares 600 feet of property line with a hay field and commercial truck stop.****
- c. **Proposed measures to reduce or control emissions or other impacts to air, if any: **Maintaining parcel in existing natural state and encouraging additional beneficial native vegetation and wildlife.****

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<sup>4</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

### 3. Water

[Find help answering water questions](#)<sup>5</sup>

a. Surface:

[Find help answering surface water questions](#)<sup>6</sup>

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.** [According to county parcels, there was a previous recognized wetland on this parcel which was presumably filled in to allow for the development of the four most southern houses on Hannah Lane as well as to create the retention ponds which exist on this parcel. The neighboring parcel to the south in the City of Napavine also has recognized wetlands which were being actively filled in in 2020 without any permitting and which the former city planner also incorrectly tried to blame me for in addition to the first incident of the contractor dumping concrete waste on my land that year. The former city planner and former city attorney did eventually admit they were once again wrong in yet another personal vendetta against me, of which they had had a few that year.](#)
  
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.** [Routine maintenance to include occasional dredging of existing system as stipulated in maintenance agreement with Lewis County under AFN 3309359. This can only happen once large equipment access is restored.](#)
  
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.** [~1-3 inches of dredge material may be removed every 5+ years to be spread evenly in the northeastern most corner of parcel on the highest ground as stipulated in maintenance agreement with Lewis County under AFN 3309359. This can only happen after large equipment access is restored.](#)
  
4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.** [The existing system is designed to overflow into the recognized wetland area to the south that was being actively filled in in 2020. Having spoke with long time neighbors it was stated to](#)

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<sup>5</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

<sup>6</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

me that this system has never gotten more than half full in the ~15 years they had lived there.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. The south east corner of the parcel which the existing system overflows into is in the 2007 floodplain according to county parcels. Nothing within this proposal is within this area of the parcel.
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:**

[Find help answering ground water questions](#)<sup>7</sup>

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known. **No.**
2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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. **Not applicable.**

**c. Water Runoff (including stormwater):**

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. **Existing stormwater system collects street stormwater in culverts at the bottom of Hannah Lane and London Lane and is conveyed through panhandles to existing stormwater system which overflows into neighboring filled wetlands.**

1. Could waste materials enter ground or surface waters? If so, generally describe. **General urban stormwater contamination risk at presumably the same rate of risk of other similar urban systems.**

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<sup>7</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

2. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **None beyond existing alterations already approved and in place.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **This was presumably addressed during previous development which no municipality has record of after land swap in early 2000's between Chehalis, Napavine and Lewis County after *the spot zoning to put these developments in which* may have occurred.**

## 4. Plants

[Find help answering plants questions](#)

a. Check the 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

orchards, vineyards, or other permanent crops.

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? **When I initially purchased this parcel it was covered in apx 8 feet of invasive blackberries. By hand and with limited access during litigation related to access and encroachment the last few years, I have removed most of this already despite theses access issue limiting the tools which I was able to do this remediation with.**

c. List threatened and endangered species known to be on or near the site. **None that I am aware of.**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any. **Beyond the existing trees I would love to add additional shrubbery and vegetation for native habit, however the former city planner and former city attorney have vehemently insisted I scalp this entire parcel to 12 inches or less at all times.**

- e. List all noxious weeds and invasive species known to be on or near the site. When I initially purchased this parcel it was covered in apx 8 feet of invasive blackberries. By hand and with limited access during litigation related to that access and encroachment over the last few years, I have removed most of this despite access issues limiting the tools which I was able to do this remediation with.

## 5. Animals

[Find help answering animal questions](#)<sup>8</sup>

- a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site. Wasps and other insects, deer, rabbit, cat, heron, mallard, hawk, swallow.
- b. List any threatened and endangered species known to be on or near the site. None that I am aware of.
- c. Is the site part of a migration route? If so, explain. I've seen a deer a few times, but not routinely. Geese and other migratory waterfowl perhaps use it upon occasion but I have not personally observed any species beyond those listed above.
- d. Proposed measures to preserve or enhance wildlife, if any. I would love to add additional shrubbery and vegetation to enhance wildlife should the city wish to allow anything beyond scalping all vegetation.
- e. List any invasive animal species known to be on or near the site. None that I am aware of.

## 6. Energy and natural resources

[Find help answering energy and natural resource questions](#)<sup>9</sup>

- 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. Electricity was previously run to a telephone pole on this property, presumably when the Glacier Ridge PUD was still a single family farm in the

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<sup>8</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

<sup>9</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>



90's. Should I eventually install a maintenance shed to store mowers etc electric service may be reinstalled in order to have winter time lighting or security cameras.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. Nothing would be built or installed that affects sunlight falling upon neighboring parcels. Existing neighbors have solar panels and being a wildlife sanctuary in addition to a memorial, green energy is welcomed and encouraged by neighbors.**
- 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

[Health Find help with answering environmental health questions](#)<sup>10</sup>

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe. None**
  - 1. **Describe any known or possible contamination at the site from present or past uses. Neighboring parcel on Hannah Lane's sewage line broke within the last year or so and was being allowed to flow unmitigated onto this parcel which was promptly addressed by county public health at the time. Another neighbor trespassed to spray round up and kill all vegetation within approximately 3 feet of all shared property lines and then threatened to 'bash my head in' when posting a no trespassing sign on my own property after that. No other known past or present contamination or toxicity issues.**
  - 2. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. None that I am aware of.**
  - 3. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Gasoline and other petrochemicals related to combustion engines for routine maintenance.**

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<sup>10</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

4. Describe special emergency services that might be required. **Nothing special beyond routine services already provided to the area.**
5. Proposed measures to reduce or control environmental health hazards, if any. **Address as needed.**

**b. Noise**

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **The interstate is 600 feet away with ~40,000 cars a day going by creating substantial offsite noise in this area. WA Department of Natural Resources has a commercial lot across the street from this parcel with large maintenance vehicles coming and going routinely creating substantial noise in this area. There is an adjacent hay field and previous wetlands which regularly has large equipment used in routine agricultural work creating noise and dust in this area. There is a large truck stop directly to the south of this parcel as well as other commercial vehicle lots and billboard within 500 feet.**
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)? **Modest noise created by general machinery for routine maintenance during daylight hours. Bird song and other wildlife noises.**
3. Proposed measures to reduce or control noise impacts, if any: **None.**

## **8. Land and shoreline use**

[Find help answering land and shoreline use questions](#)<sup>11</sup>

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **Current use is a bird sanctuary. Planned use is still a bird sanctuary. Neither will affect adjacent parcels.**
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have

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<sup>11</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **Not applicable.**

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how? **The parcel to my south is a working hayfield and commercial truck stop with 4 or 5 businesses. Nothing in my proposal will affect their ability to bring large machinery, till, harvest or fill in their wetlands as history has already shown.**
  
- c. Describe any structures on the site. **A single telephone pole. 11 fence posts. 1 ill placed electric vault. Two engineered stormwater retention ponds and two subterranean culverts for water conveyance.**
  
- d. Will any structures be demolished? If so, what? **The LCPUD electric vault was originally planned for another parcel and is being litigated about moving to an area which does not block my sole access point for large equipment access.**
  
- e. What is the current zoning classification of the site? **UGA**
  
- f. What is the current comprehensive plan designation of the site? **Unknown**
  
- g. If applicable, what is the current shoreline master program designation of the site? **Unknown**
  
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **According to county parcels the four lots on the south side of Hannah Lane as well as the eastern portion of my parcel were at one point considered wetlands.**
  
- i. Approximately how many people would reside or work in the completed project? **1-2 people would work onsite 1-2 hours for 1-2 days a month for routine maintenance. No one would live onsite nor work on site more permanently.**
  
- j. Approximately how many people would the completed project displace? **None**
  
- k. Proposed measures to avoid or reduce displacement impacts, if any. **Not applicable**

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any. It is my understanding this proposal is within the mixed use nature of the existing PUD designation as the Glacier Ridge PUD was never fully rezoned to a residential area and a PUD development itself allows for mixed use, which is how this development was approved in the first place as it was not part of the Holloway Springs development and had no vested right to residential development.**
  
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: Not applicable.**

## 9. Housing

[Find help answering housing questions](#)<sup>12</sup>

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. Not applicable.**
  
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. Not applicable.**
  
- c. Proposed measures to reduce or control housing impacts, if any: Not applicable.**

## 10. Aesthetics

[Find help answering aesthetics questions](#)<sup>13</sup>

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? A proposed structure would not exceed building height limits of the area which I believe are either 28 or 30 feet. Any structure placed would be in an area far enough from neighboring parcels (where the existing birdhouses are and/or between the two ponds) so as to not cast shade or block light of neighboring parcels. Any proposed structure would have principal building materials of tin and/or steel.**

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<sup>12</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

<sup>13</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

- b. **What views in the immediate vicinity would be altered or obstructed?** Any proposed structure may block one or two houses on Hannah Lane's view of the interstate and another billboard.
- c. **Proposed measures to reduce or control aesthetic impacts, if any:** I have previously discussed with neighbors any proposed structure being painted with a nature inspired mural on the areas facing the neighborhood if these neighbors would prefer.

## 11. Light and glare

[Find help answering light and glare questions](#)<sup>14</sup>

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?** None which I am aware of. I may eventually seek a modest maintenance shed with small light and security cameras should I wish to reinstall electric service to this parcel.
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?** No, nighttime illumination of any kind is not part of this or any future proposal.
- c. **What existing off-site sources of light or glare may affect your proposal?** The commercial vehicle lot across the street from my parcel between my land and the interstate installed within the last few years a series of approximately a dozen floodlights on telephone poles with very bright illumination of their 3.5 acre business lot and its billboard. This is within 500 feet of my parcel but would not create any glare to my knowledge given the angle and location of the light sources.
- d. **Proposed measures to reduce or control light and glare impacts, if any:** None

## 12. Recreation

[Find help answering recreation questions](#)

- a. **What designated and informal recreational opportunities are in the immediate vicinity?** None that I am aware of. Neither Glacier Ridge PUD or either division of the Holloway Springs residential development had public space such as a neighborhood park included in their development plans. My parcel is considered open space but it is not public space.

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<sup>14</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

- b. Would the proposed project displace any existing recreational uses? If so, describe. **None that I am aware of.**
- 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

[Find help answering historic and cultural preservation questions](#)<sup>15</sup>

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. **There are no nearby sites listed on or eligible for national state or local preservation registers. The neighboring billboard is considered historically significant by a significant population locally, though it is not acknowledged on any register beyond an old supreme court case of a single man's right to develop his personal property how he wished in order to express himself under the first amendment without government overreach through zoning and regulations limiting that right.**
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **None**
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **Presumption based on previous significant development approved at this parcel to install stormwater system and parcel wide disturbance involved with that process.**
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **None**

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<sup>15</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

## 14. Transportation

[Find help with answering transportation questions](#)<sup>16</sup>

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.** There is a 5.9' section of this parcel which touches Rush Road and is not wide enough for existing street system access. There is a 10.03' panhandle which touches Hannah lane and is not wide enough for existing street system access. There is an 11.23' panhandle which touches London lane and is not wide enough for existing street system access. There is a 14.32' panhandle which touches London Lane which is the sole area wide enough for existing street system access for large equipment necessary for routine maintenance, which is currently obstructed by a above ground LCPUD box preventing full access to this parcel.
- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? According to Lewis County Transit's website as of 3/1/24 the nearest transit stop is 2 miles away at Nalley Road and Maurin Road.**
- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).** No
- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.** No
- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?** 1-2 trips per day  
1-2 days per month for routine maintenance.
- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.** No
- g. **Proposed measures to reduce or control transportation impacts, if any:** None

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<sup>16</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

## 15. Public services

[Find help answering public service questions<sup>17</sup>](#)

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. No, it may actually reduce service by giving me means to properly access, maintain and protect my personal property.**
- b. **Proposed measures to reduce or control direct impacts on public services, if any. None.**

## 16. Utilities

[Find help answering utilities questions<sup>18</sup>](#)

- 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. I may at some point reinstall electricity to this parcel through Lewis County PUD and a licensed electrician. To my knowledge the existing telephone pole and decommissioned electric box out in the field is from the single old farmhouse this parcel was until the early 2000's.**

## C. Signature

[Find help about who should sign<sup>19</sup>](#)

**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.**

X

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<sup>17</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

<sup>18</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

<sup>19</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>



Type name of signee: Kyle Wheeler

Position and agency/organization:

Date submitted:

## D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet<sup>20</sup>](#)

Do not use this section 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? **Not likely**

- Proposed measures to avoid or reduce such increases are: **None**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **Not likely**

- Proposed measures to protect or conserve plants, animals, fish, or marine life are: **None**

3. How would the proposal be likely to deplete energy or natural resources? **Not likely**

- 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? **Not likely to affect beyond existing use. There are areas within this parcel that are previously mapped as**

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<sup>20</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

wetlands however a majority of that appears to have been filled many years ago to develop the lots of 178, 189, 190 and 199 London Lane.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:** The remaining areas within my parcel of this previously mapped wetlands are now protected through the maintenance agreement with Lewis County which would prevent further development within the stormwater area that would affect any such resources.

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 nonproject proposal is not likely to affect land use incompatible with existing plans. It is my understanding existing plans in this area are already mixed use in nature especially when considering history of the area and land swaps between multiple municipalities as well as the current zoning of adjacent parcels outside the city of chehalis contro.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:** There are not presently any proposed measures to avoid or reduce land use impacts as it is my understanding my request would fall withing currently acceptable standards.

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?** Not likely

- **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.** No conflict which I am aware of.

**AFFIDAVIT  
OF PUBLICATION  
STATE OF WASHINGTON  
COUNTY OF LEWIS**

Elizabeth Hill, and/or Sarah Burdick, and/or Ronda Pogorelec and/or Cheyenne Denman says that she is the legal clerk of

*The*  
**Chronicle**

a semi-weekly newspaper, which has been established, published in the English language, and circulated continuously as a semi-weekly newspaper in the City of Centralia, and in Lewis County, Washington, general circulation in Lewis County for more than six (6) months prior to the date of the first publication of the notice hereto attached, and that the said Chronicle was on the 7th day of July 1941, approved as a legal newspaper by the Superior Court of said Lewis County. And that the attached is a true copy and was published in regular issues (and not in supplement form) of said newspaper as LEGAL # 128974

RE:NOA & Public Hearing  
once each day for a period of 1 day  
commencing on 01/30/2024 and ending on 01/30/2024

and both regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$ 356.00

*Cheyenne Denman*  
Subscribed and sworn to before me 01/30/2024  
*Ronda Lee Pogorelec*

Notary Public in and for the State of Washington,  
residing at



128974 NOA & Public Hearing

**NOTICE OF APPLICATION AND PUBLIC HEARING**

Request: Rezone(s) The City of Chehalis is considering applications of multiple Comprehensive Plan Map amendments as a part of the 2023 annual comprehensive plan update.

Applicant: Brandon Johnson, PE, JSA Civil LLC email: charlie.severs@jsa-civil.com (RZ-23-002);

Lewis County Lollipop Guild email: kyle88wheeler@gmail.com (RZ-23-003);

Shovel Ready LLC email: kirk@dryboxusa.com (RZ-23-004);

Port of Chehalis email: bteitzel@portofchehalis.com (UGA-PFA-2023-001)

Land Use Case# & Date of Application:  
RZ-22-002, 10/12/2022.  
RZ-23-002, 9/21/2023.  
RZ-23-003, 11/27/2023.  
RZ-23-004, 10/24/2023.  
UGA-PFA-2023-001, 10/16/2023.

Project Location & proposals:  
RZ-22-002 Generally in the location of the Newaukum Golf Course including surrounding properties as follows:  
0 1 7 8 7 3 0 0 3 0 0 0 ,  
0 1 7 8 8 0 0 0 1 0 0 3 ,  
0 1 7 8 8 0 0 0 1 0 0 1 ,  
0 1 7 8 8 0 0 0 1 0 0 2 ,  
017846003006, 01748001006,  
0 1 7 8 4 6 0 0 3 0 0 2 ,  
0 1 7 8 4 6 0 0 1 0 0 5 ,  
017874001000. Proposed zoning is MRC upon inclusion in the city's UGA.

RZ-23-003 located at 201 Hannah Lane. Parcel 017875055031 Requested MRC from R1 zoning.

RZ-23-004 located at 1737 Bishop Road including the following parcels:  
0 1 7 7 6 7 0 0 2 0 0 0 ,  
017769033001. Requesting that parcel #017767002000 be changed to IL and a portion of parcel #017769033001 be changed to CG from IL zone.

UGA-PFA-2023-001 located on Bishop Road including parcels: 017857003006, 017857003005. Proposal to retain original IL zoning.

City Contact: To view the complete application during normal business hours, con-

tact:  
City of Chehalis, Community Development:  
1321 S. Market Blvd,  
Chehalis WA 98532  
Phone: 360.345.2229  
Email:  
comdev@ci.chehalis.wa.us

Public Hearing Information:  
An open record public hearing will be held at a Planning Commission special meeting on March 5, 2024 at 6:00pm at the City Hall council chamber, 350 N. Market Blvd.

Comment Procedures:  
This decision has a 14-day public review period that ends on March 4, 2024 at 5pm in order to be considered in the Planning Commission hearing on the 5th. Written comments must be submitted to Community Development at the address listed above. Only written comments will be accepted.

\*\*\*PLEASE REFERENCE THE FILE NUMBER(S) WHEN CORRESPONDING.\*\*\*



## Community Development

2025 NE Kresky Avenue  
Chehalis WA 98532

May 6, 2024

To: SEPA Administrator

RE: Wheeler Comprehensive plan mapping / MSC24-0017

Date Received: April 18, 2024

Comments Due: May 6, 2024

Thank you for the opportunity to review and comment on the above project. Lewis County Community Development circulated your documents to the Environmental Health and Public Works departments for their comments. Following are the County comments:

### Community Development:

- Authority over Lewis County Board of Health regulations on potable water and on-site septic systems shall be retained by Lewis County.
- Any subsequent reviews of this UGA project that include a related notice(s) published by the City shall be forwarded to the Senior Project Planner, Lewis County Department of Community Development, for internal county review and county comment. For all other project permit applications, including a SEPA Threshold Determination, notices and staff reports, under the authority granted to the city under Section 2(B) of the Interlocal Agreement, the county requests the city forward copies to the Lewis County Department of Community Development Director.
- The City shall not approve any land use that causes resulting service levels to drop below adopted levels of service for County roads as cited in the Transportation Element adopted by County Comprehensive Plan, without first requiring mitigation acceptable to the County. The City shall use the SEPA and/or a site plan process (whichever is applicable) to obtain approval of the County for such mitigation. Once the TIA is ready for county review, the applicant shall submit the document(s) and the review fee to the Lewis County Permit Center to initialize the review. The TIA needs to meet the standards provided in Lewis County Code (LCC) 12.60 Article IV – Traffic Analysis Guidelines.

- Front yard setback from County right-of way must be consistent with LCC 15.15.040 Setback.
- County road closures shall be administered by Lewis County Code Title 12.
- Utility installation associated with Lewis County franchise within Lewis County rights-of-way shall be administered by Lewis County pursuant to Lewis County Code Title 12 and RCW 36.55 & 36.75.
- Building: No comments

Public Works:

- Private and public survey monuments shall be maintained and replaced if destroyed during any construction or utility installation, per WAC 332-120-040.
- Survey monuments exist along the North line of this parcel per Survey recorded under AFN 3309358. The proper monument removal form will need to be recorded with the Public Land Survey Office by a licensed Land Surveyor if any of these monuments are to be removed or destroyed.
- Roads: No comments
- Stormwater: No comments
- Access: No Comments.
- Traffic: No comments

Environmental Health:

- There are two Sites listed on the Department of Ecology's Confirmed and Suspected Contaminated Sites List and two active underground storage tank sites listed within 0.25 miles of the proposed project Site. If during construction activities any contaminated soils are discovered or petroleum odors are detected in the soils, this must be reported to the Department of Ecology's Toxic Cleanup Program.

Respectfully,

*Megan Sathre*

Megan Sathre  
Lewis County Community Development  
[Megan.Sathre@lewiscountywa.gov](mailto:Megan.Sathre@lewiscountywa.gov)

# Development Review Committee Agenda

Chehalis Building and Planning Department

April 24, 2024, at 9 A.M.

Meeting Location: Chehalis Airport Conference Room

## 4/24/2024 DRC Minutes.

Staff Present- Ron Buckholt- City Planner, Todd Johnson- City Planner, Anne Feldman- Permit Technician, Michael Thomas- Engineering Technician, Angie Elder- Community Services Officer Chehalis Police, Lance Bunker- Public Works Director/Interim City Manager, Fritz Beierle-Street/Storm Superintendent, Justin Phelps- Wastewater Superintendent, Rick Mack- Fire Department.

The City of Chehalis is considering multiple updates to the comprehensive plan mapping designations and intends to issue a SEPA DNS Determination for the following:

### 9:00 AM SEPA-24-009; UGB amendment and Rezone Request for the Newaukum Ventures properties

Parcels 017873003000, 017846001005, 017846001006, 017846003002, 017846003006, 017880001001, 017880001002, and 017880001003

Newaukum Ventures seeks an amendment to the City of Chehalis Comprehensive Plan and Zoning Map to include the Chehalis Westlund-Enbody properties within the Urban Growth Area (UGA), as expanded by Lewis County Ordinance 1337. The request includes a proposed zoning designation of MRC - Mixed Residential/Commercial for the subject properties.

Planning- The comments period for this proposal closes May 6<sup>th</sup>.

Motion to approve by Michael Thomas, Motion Seconded by Justin Phelps- Motion approved by vote.

### 9:15 AM SEPA-24-010; Rezone Request for 201 Hannah Lane

Parcel 017875055031

The applicant, Kyle Wheeler, requests a rezone for the property located at 201 Hannah Lane from R1 (Residential) to MRC (Mixed Residential Commercial).

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve and proceed by Ron Buckholt, Seconded by Rick Mack – Motion approved by vote.

### 9:30 AM SEPA-24-011; Rezone Request for Shovel Ready LLC

Parcels 017769033001, 017767002000

Shovel Ready LLC requests rezoning of parcels #017767002000 and #017769033001 from a mix of CG (General Commercial) and IL (Light Industrial) to uniformly IL (Light Industrial) to facilitate broader development options.

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve by Justin Phelps, seconded by Rick Mack- Motion passed by vote.

**9:45 AM SEPA-24-012; Rezone Request for the Port of Chehalis**

Parcels 017857003005, 017857003006

The Port of Chehalis proposes a zoning adjustment aligning the zoning boundary with existing natural drainage features to support effective land use and environmental management.

Planning- Comments Period for this project closes May 6<sup>th</sup>.

Public Works- Utilities cross both parcels. This would possibly need to be addressed if there are any future development plans.

Motion to Approve by Michael Thomas, seconded by Fritz Beierle- Motion passed by vote.

**10:00 AM Interdepartmental staff meeting.**

Join Zoom Meeting

<https://us06web.zoom.us/j/83910241095?pwd=dUIlYm0rTkt6SHZCZjkxUTRlVDBUUT09>

**Community Development Department**

1321 S Market Blvd. Chehalis, WA 98532

(360) 345-2229 / Fax: (360) 345-1039

[www.ci.chehalis.wa.us](http://www.ci.chehalis.wa.us) email: [comdev@ci.chehalis.wa.us](mailto:comdev@ci.chehalis.wa.us)

## **SUMMARY / INTRODUCTION**

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**Application #:** Rezone Request UGA-RZ-23-001 by Shovel Ready LLC

**Report Date:** March 1, 2024

**Prepared By:** Todd Johnson, City of Chehalis Planner

**Project Description:** Shovel Ready LLC requests rezoning of parcels #017767002000 and #017769033001 from a mix of CG (General Commercial) and IL (Light Industrial) to uniformly IL (Light Industrial) to facilitate broader development options.

### **Applicable Regulations and Comprehensive Plan Sections**

This staff report utilizes specific citations from the City of Chehalis Comprehensive Plan and Zoning Code, emphasizing the necessary standards for approval:

#### *Comprehensive Plan*

**Land Use Goals and Policies:** Emphasizes sustainable growth, environmental protection, and balanced development (Comprehensive Plan, Land Use Section).

**Economic Development:** Supports economic opportunities that align with the community's character and infrastructure capacity (Comprehensive Plan, Economic Development Section).

#### *Zoning Code*

**IL Zoning Requirements:** Outlines permitted and conditional uses in IL zones, emphasizing compatibility, operational needs, and environmental considerations (Zoning Code, Chapter on IL Zoning).

## **BACKGROUND INFORMATION**

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Shovel Ready LLC's rezone request involves two parcels, #017767002000 and #017769033001, currently zoned as CG (General Commercial) and IL (Light Industrial), respectively. The intention behind this rezone is to unify the zoning classification to IL across both parcels, facilitating the development of a corporate-style logistics center. Specific uses proposed cannot be considered in a rezone and a comprehensive plan amendment application because rezoning the property would allow any of the permitted or conditional uses to be developed. This adjustment is proposed to enhance the site's usability, reflecting its strategic location and potential as a nexus for industrial and logistical activities within the Chehalis Urban Growth Area (UGA).

## **ANALYSIS**

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**Site and Vicinity Compatibility:**



The transition to IL zoning aligns with adjacent land uses and supports the city's vision for an integrated industrial corridor. This change is conducive to the strategic development of light industrial activities, enhancing the area's economic base without undermining community standards or environmental integrity.

**Comprehensive Plan Alignment:**

The rezoning proposal is consistent with the Comprehensive Plan's objectives for economic growth, land use efficiency, and sustainable development patterns. It fosters an environment that encourages light industrial investment, contributing to Chehalis's economic diversification.

**Infrastructure and Environmental Impacts:**

The development facilitated by this rezoning will adhere to the city's standards for infrastructure adequacy and environmental protection. The proposed IL zoning continues to require that future developments are equipped with the necessary services and comply with environmental management practices.

**Current Land Use and Zoning Context:**

Parcel #017767002000 and the front portion of #017769033001 are designated CG, supporting a variety of commercial activities. The remainder of #017769033001 is zoned IL, accommodating light industrial operations.

The area surrounding the parcels features a mix of industrial and commercial uses, including storage facilities, manufacturing units, and potential future developments that align with the proposed IL zoning characteristics.

The site's proximity to major transportation corridors enhances its value for industrial development, underscoring the strategic rationale behind the rezone request.

**Rezone Criteria:**

The rezone to IL across both parcels aims to streamline land use, offering greater flexibility for developing a logistics center tailored to modern operational requirements. This includes considerations for truck storage, docking, and queuing areas not immediately adjacent to the fronting street, enhancing security and functional efficiency.\

**Anticipated Community and Economic Impacts:**

The rezone is anticipated to have a positive impact on the local economy by attracting investment, creating jobs, and supporting the city's objectives for industrial growth within the UGA.

By aligning the zoning classification with adjacent industrial activities, the proposal aims to contribute to a coherent land use pattern that supports the city's long-term planning goals without adversely impacting existing commercial corridors.

## **Recommendation**

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Given the proposal's alignment with the Comprehensive Plan's goals, zoning principles, and environmental stewardship objectives, the request requires a SEPA review and possibly some additional information from the applicant. Request any additional information needed for PC review and request the applicant prepare a SEPA ECL for publication.

### **Suggested Action:**

Request additional information from the applicant as needed for planning commission review and recommendation to be considered at a future Planning Commission hearing and a motion to continue this hearing until the information is received and SEPA has been published.

### **Exhibits:**

Exhibit A: Applicant Narrative by Shovel Ready LLC

Exhibit B: Application Form and Narrative

Exhibit C: Development Review Committee Meeting Notes



DESIGN → PERMIT → MANAGE

## Narrative

Re: REZONE REQUEST – Shovel Ready LLC  
TPN # 017767002000, 017769033001, City of Chehalis Permit #UGA-RZ-23-001  
RBE NO. 21081

The following is to accompany the Petition for Amendment application:

*4. Describe the specific reason why the rezone is necessary.*

### Existing Zoning and Land Use

Parcel #017767002000 and the front 250 feet of parcel #017769033001 are currently zoned CG (General Commercial), with the balance of #017769033001 zoned IL (Light Industrial). The subject parcels are currently undeveloped. In combination, the parcels comprise a 15.12-acre site. The site is encumbered with several utility easements and rights of way, including a BPA easement for a high-kVA transmission corridor on the northerly 4.3 acres.

The CG zone allows for a wide range of commercial uses including a variety of business, retail, wholesale, storage and lodging, as well as those that are oriented to the travelling public (“freeway oriented”). General Commercial diverges from Industrial zoning in that it limits larger manufacturing, warehousing, distribution centers, and hazardous occupancies, whereas CG is more oriented to mercantile uses.

Existing uses surrounding the site include (to the northern, IL side) a 13-acre mobile office storage facility, a 35-acre gas power generation facility, a 70-acre distribution cross-dock facility, as well as future light industrial and business uses on Port of Chehalis industrial sites which proposes a hydrogen storage & fueling facility. Uses along the (CG zoned) Bishop corridor include light manufacturing, truck sales, equipment storage and slightly smaller commercial/industrial businesses. Some residential properties still remain.

The existing zoning configuration for the immediate area is either CG or IL. Areas immediately adjacent to Interstate 5 were originally included as general commercial including those parcels along Hamilton Road N and Bishop Road which provide frontage road support for the freeway and local community. Portions of larger public and private-owned parcels were split zoned along Bishop to a depth of roughly 200 to 250 feet, allowing some flexibility for commercial development along that corridor.

### Specific Need for Zoning Change

The applicant proposes a corporate style logistics center with a roughly 96,000 SF terminal and associated 10,000 SF office and administration building. Due to the parcel sizes and configuration, a lot consolidation would provide a consolidated site for development since #017767002000 is a relatively small 1.2-acre parcel. Although the administrative portion would be allowed in the CG zoned portion, common zoning of the site would maximize the flexibility of how to place and manage a large logistics building. Logistics centers have specific requirements with respect to receiving, queuing, docking and parking larger trucks. Ideally truck storage is not immediately adjacent to the fronting street for security reasons.

### Rezone Request

To create a consistent, consolidated, and conforming zone, the request is to rezone parcel #017767002000 and the front portion of #017769033001 to IL (Light Industrial).

*5. Describe the anticipated/expected effect of the rezone change on the location, vicinity and/or overall community.*

**Consistency**

The Light Industrial (IL) zoned area would be consistent with other similarly zoned parcels to the north. IL zoning would be consistent with continued CG zoning along Bishop Road including parcels to the south. As seen on the zoning maps, IL zoning expands south of Bishop Road as the street physically diverges from the freeway.

**Impact to Location, Vicinity and Overall Community**

The zoning change would provide the proposed logistics center the flexibility to develop with its physical needs and in concert with existing utility corridors that can't be adjusted. The rezone would not inhibit or discourage continued General Commercial development along the Bishop Road corridor. The rezone would not put undue pressure on current or future water, sewer or other utility demands in the immediate area. The existing commercial character would not be impacted. Infrastructure and services are available to serve this level of use.

### Permit Application

**Submit this form and any required attachments to:**

**City of Chehalis  
Community Development Department  
1321 S. MARKET BLVD.  
CHEHALIS WA 98532  
(360) 345-2229**

**APPLICANT FILL OUT AND SIGN UPPER SECTION:**

**JOB ADDRESS:** \_\_\_\_\_

**APPLICANT:**

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY/ST/ZIP: \_\_\_\_\_  
PHONE#: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

**PROPERTY OWNER** (Same as Applicant? Yes  No  )

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY/ST/ZIP: \_\_\_\_\_  
PHONE#: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

**CONTACT PERSON** (Same as Applicant? Yes  No  )

COMPANY NAME: \_\_\_\_\_  
NAME \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP \_\_\_\_\_  
PHONE # \_\_\_\_\_  
EMAIL: \_\_\_\_\_

**CONTRACTOR** (Same as Property Owner? Yes  No  )

COMPANY: \_\_\_\_\_  
CONTRACTOR REGISTRATION # \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP \_\_\_\_\_  
PHONE # \_\_\_\_\_  
EMAIL: \_\_\_\_\_

**DETAILED PROJECT DESCRIPTION:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROJECT VALUE:** \_\_\_\_\_

Verbal comments made during discovery are not binding. Only the plan(s) submitted will be reviewed for compliance with applicable codes. By signing below, I grant permission for City of Chehalis employees to enter and remain on the property for the purpose of review and approval of this proposal and to conduct inspections related to this proposal.

<b><u>Signature:</u></b>	<b><u>Date:</u></b>
<b><u>Name (print):</u></b> Robert Balmelli PE	<b><u>Telephone #:</u></b> 360.740.8919

**OFFICE USE ONLY:**

Date Received: 6/29/2023 By: LF Date Reviewed: \_\_\_\_\_ By: \_\_\_\_\_  
Parcel #: 017767002000, 017769033001 Zoning: UGA-IL Flood Zone: \_\_\_\_\_  
Permit #: UGA-RZ-23-0001



DESIGN → PERMIT → MANAGE

June 26, 2023

Tammy Baraconi  
City of Chehalis Community Development  
1321 S Market Blvd  
Chehalis, WA 98532  
tbaraconi@ci.chehalis.wa.us

Re: Shovel Ready, LLC – Parcels 017769033001 and 017767002000 – Rezone Request  
RBE NO. 21081

Dear Tammy:

Please find enclosed request to alter the City of Chehalis Zoning Map for the above listed parcels, on behalf of the property owner, Shovel Ready, LLC, PO Box 1094, Napavine, WA 98565.

**Existing Zoning and Land Use**

Parcel #017767002000 (1.22 ac) is currently zoned CG (General Commercial). Parcel #017769033001 (13.90 ac) has a split zone with the front portion of the lot CG and the back portion of the lot IL (Light Industrial). Both parcels are currently vacant land with no existing buildings.

**Specific Need for Zoning Change**

The zoning change will allow the developer to proceed with a light industrial development on both parcels. A boundary line adjustment will be completed to create one parcel.

**Rezone Request**

On behalf of the owners, we are requesting that Parcel #017767002000 be changed to IL and a portion of Parcel 017769033001 be changed from CG to IL zone.

**Impact to Location, Vicinity and Overall Community**

The zoning change will have no impact on the adjacent parcels. All the parcels north of Bishop Road are either CG/IL or just CG zoned.

Sincerely,



Robert Balmelli PE  
Principal Engineer

cc: Project file  
Client

Enclosure: Petition for Amendment Application  
Proposed Zoning Map



4. The specific reason (in detail) why this change is necessary:

See narrative, attached.

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5. The anticipated/expected affect of this change on the location, vicinity and/or overall community:

See narrative, attached.

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6. **By my signature hereon,** I hereby certify that I have a full understanding of the implications of the above proposal, and request an opportunity to present testimony at any public hearing(s) held on this petition. I further understand that the Chehalis city council will consider this and any other similar petitions only during the second quarter of a calendar year.

Signature (x): \_\_\_\_\_

Printed name: Robert Balmelli PE  
\_\_\_\_\_

Mailing address: PO Box 923  
\_\_\_\_\_

Chehalis, WA 98531  
\_\_\_\_\_

Phone #: 360-740-8919  
\_\_\_\_\_

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**OFFICE USE ONLY:**

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Received \_\_\_\_\_ By \_\_\_\_\_ File # \_\_\_\_\_

Fee paid on \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt # \_\_\_\_\_

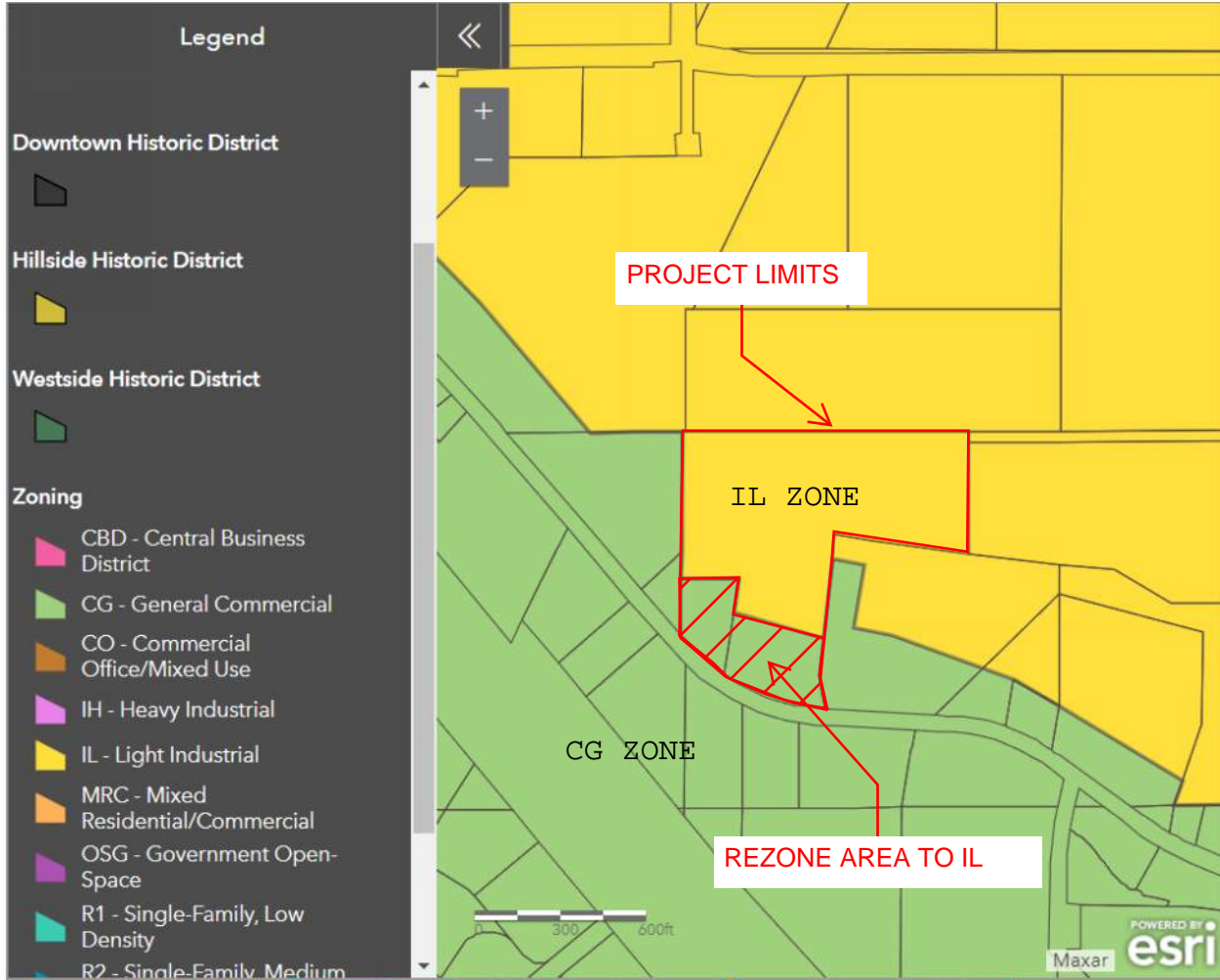
Submit to the Development Review Committee on: \_\_\_\_\_

Submit to the Planning Commission on: \_\_\_\_\_

Submit to the City Council on: \_\_\_\_\_



# ZONING MAP EXHIBIT - SHOVEL READY, LLC





Building and Planning Department  
1321 S. Market Blvd., Chehalis, WA 98532  
360.345.2229/Fax: 360.345.1039  
www.ci.chehalis.wa.us email: comdev@ci.chehalis.wa.us

SEPA #: SEPA-24-011

### DETERMINATION OF NONSIGNIFICANCE (DNS)

**Description of proposal:** Shovel Ready LLC requests rezoning of parcels #017767002000 and #017769033001 from a mix of CG (General Commercial) and IL (Light Industrial) to uniformly IL (Light Industrial) to facilitate broader development options.

**Proponent:** Shovel Ready, LLC  
C/O Kirk Vigre  
132 E Step Rd  
Chehalis WA 9853

**Location of proposal:**  
Property address(s) is 1737 Bishop Road, Chehalis WA 98532, Parcel No.(s) 017769033001 & 017767002000, Section 10, Township 13N, Range 02W, W.M.

**Lead agency:** City of Chehalis  
The Chehalis Building and Planning Department has determined that this proposal 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 City. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments and appeals must be submitted by 4 PM on May 6, 2024.

Responsible Official: Todd Johnson, TRJ Planning Inc.  
Position/title: Planner, City of Chehalis  
Phone: (360) 345.2229  
Address: 1321 S. Market Blvd., Chehalis, WA 98532

Signature: Todd Johnson  
Todd Johnson, Planner Date: April 20, 2024.

You may appeal this determination to City of Chehalis – Building and Planning Department, 1321 S. Market Blvd., Chehalis, WA 98532. You should be prepared to make specific factual objections. All substantive appeals must be filed with City of Chehalis in writing with a \$500 fee plus the cost of the hearing examiner submitted by 4:00 PM on May 6, 2024.

# SEPA ENVIRONMENTAL CHECKLIST

Shovel Ready LLC

RBE Project No. 21081

October 2023

**Prepared by:**

RB Engineering

# Table of Contents

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Section:D

Supplemental Sheet for Non Project Actions,  
If applicable..... Page 16

## A. Background

**1. Name of proposed project, if applicable:**

Shovel Ready LLC

RBE Project No. 21081

**2. Name of applicant:**

Kirk Vigne

**3. Address and phone number of applicant and contact person:**

132 E Step Rd  
Chehalis WA 98532

**4. Date checklist prepared:**

September 19, 2023

**5. Agency requesting checklist:**

City of Chehalis

**6. Proposed timing or schedule (including phasing, if applicable):**

Spring 2025

**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.**

A geotechnical report will be prepared for this project.

**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.**

This project will include the following permits: Site Plan Review, Grading, Site Development Permit.

**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 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.)**

The proposal consists of a new 96,000 sf logistics building and 10,200 sf office building, along with associated parking and stormwater facilities.

**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.**

Property address(s) is 1737 Bishop Road, Chehalis WA 98532, Parcel No.(s) 017769033001 & 017767002000, Section 10, Township 13N, Range 02W, W.M.

## B. Environmental Elements

### 1. Earth

a. **General description of the site:**

Flat,  Rolling,  Hilly,  Steep slopes,  Mountainous,  other: \_\_\_\_\_

b. **What is the steepest slope on the site (approximate percent slope)?**

Steepest slope onsite is approximately 5%.

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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

Per NRCS Soil Data Survey the following soils are present onsite: Lacamas silt loam and Scamman silty clay loam.

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

There is no indication of history of unstable soils in the immediate vicinity.

e. **Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

The site will include approximately +/- 6,750 cy of cut and +/- 45,000 cy of fill. Material will be from a local DNR approved mining operation.

f. **Could erosion occur because of clearing, construction, or use? If so, generally describe.**

Yes, however a Stormwater Pollution Prevention Plan (SWPPP) will be prepared that outlines appropriate Best Management Practices to control and contain any sediment migration within the project limits.

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

60 percent of the property will be covered with impervious surface.

h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

Best Management Practices will be used to prevent and contain erosion onsite during construction. The project's SWPPP requires that a Certified Erosion and Sediment Control Lead (CESCL) monitors the site during construction.

### 2. Air

**a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

Normal emissions associated with construction equipment combustion engine exhaust and possible dust emissions will be generated during the construction phase of the project. Once the project is completed, public and commercial vehicle emissions will be generated.

**b. Are there any off-site sources of emissions or odor 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 Water:**

**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.**

Yes, there is an existing wetland to the northwest of the site.

**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.**

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.**

None.

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

No.

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

No.

**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 Water:**

- 1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

No.

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

None.

**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 project will create new impervious surface that will generate stormwater runoff. The runoff will be conveyed to the stormwater facility. The stormwater facility will discharge runoff by metered release to the downstream drainage system. Discharged stormwater will eventually reach an existing wetland to the northwest of the site.

- 2. Could waste materials enter ground or surface waters? If so, generally describe.**

No.

- 3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

Due to site grading, a portion of the site that used to drain to an existing ditch to the south will be collected and conveyed to the north.

- 4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.**

The project will incorporate a SWPPP and stormwater design that provides water quality and flow control facilities to mitigate the impacts to surface and ground waters.

**4. Plants**

- a. Check the 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
- orchards, vineyards, or other permanent crops.
- 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?**

Approximately 2.03 acres of vegetation will be removed to construct this project. Vegetation include: grasses, brush

**c. List threatened and endangered species known to be on or near the site.**

None known.

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

Landscaping will consist of native drought resistant plantings.

**e. List all noxious weeds and invasive species known to be on or near the site.**

None known.

**5. Animals**

**a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site. Examples include:**

Birds:  hawk,  heron,  eagle,  songbirds,  other: \_\_\_\_\_

Mammals:  deer,  bear,  elk,  beaver,  other: \_\_\_\_\_

Fish:  bass,  salmon,  trout,  herring,  shellfish,  other: \_\_\_\_\_

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

None known.

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

Yes, Pacific Flyway Migration Route.

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

None.

**e. List any invasive animal species known to be on or near the site.**

None known.

## **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.**

Electricity will be used to provide energy to future development.

- 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.**

The project building design will utilize the latest IBC and Energy Codes to provide an energy efficient facility.

## **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 because of this proposal? If so, describe.**

No.

- 1. Describe any known or possible contamination at the site from present or past uses.**

None.

- a. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

None.

- b. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

None.

- c. Describe special emergency services that might be required.**

None.

- d. 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, equipment, operation, other)?

No noise will affect the project.

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)?

Short Term: Construction noise from equipment and building construction.

Long Term: Public and commercial vehicles accessing the completed project.

3. Proposed measures to reduce or control noise impacts, if any.

Construction will be limited to Monday through Friday, 7:30 to 4:30pm.

## 8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The project site is currently vacant land. Adjacent properties consist of various industrial businesses and single family residences. Proposed use is consistent with use of adjacent properties.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

No.

- c. Describe any structures on the site.

None.

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

No

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

Commercial / Industrial

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

Urban

**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 a critical area by the city or county? If so, specify.**

No.

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

Approximately 20 workers

**j. Approximately how many people would the completed project displace?**

None.

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

None.

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

None.

**m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.**

None.

**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?**

Estimated height of 35 feet. Building material to be determined, but likely consistent with typical warehouse building construction.

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

None.

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

None.

## **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?**

Newaukum Golf Course and Chehalis Schools are within 2.2 miles from project site.

- 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 buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

Research of available public resources did not produced any structures over 45 years old.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

Research of available public resources did not produce any known registers.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

Review of the online search engine WISAARD on the Washington State Department of Historic Preservation website.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

None

## 14. Transportation

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The site is currently accessed by Bishop Road and will remain as access for completed project.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

No, nearest transit stop is 1.5 miles away.

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

Yes, the project will require public frontage improvements to Bishop Rd.

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

No.

- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

The project will generate more than a 10 trip increase in in the Peak Hours, a traffic study will be completed by Jake's Traffic and submitted for this project.

- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No.

- 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, public transit, health care, schools, other)? If so, generally describe.**

Fire and police services may be needed by future employees.

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



None.

## 16. Utilities

a. Check utilities currently available at the site:

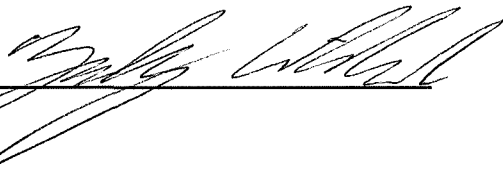
electricity,  natural gas,  water,  refuse service,  telephone,  sanitary sewer,  septic system,  other: \_\_\_\_\_

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.

Sewer Service - City of Chehalis  
Water Service - City of Chehalis  
Gas Service - Puget Sound Energy  
Phone Service - Lumen, Rainier Connect, Comcast  
Cable Service - Dish Service, Comcast  
Power - Lewis County PUD

## 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.

X 

Type name of signee: Zachary Wirkkala, EIT

Position and agency/organization: Engineer in Training / RB Engineering

Date submitted: 10.18.23

## **D. Supplemental sheet for nonproject actions** [Find help for the nonproject actions worksheet](#)

**IT IS NOT REQUIRED** to use this section 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?**

A rezone from CG to IL will not impact water, emissions, hazardous materials exposure or noise. Development of CG or IL zones are both subject to regulations within the Chehalis Municipal Code governing emissions. IL zoning allows more flexibility than CG for processing, manufacturing and uses that involve hazardous occupancy divisions.

- **Proposed measures to avoid or reduce such increases are:**

All development must comply with stormwater regulations governing treatment and storage of runoff, water and sewer utility connections within the City limits, and any CMC regulations governing noise. Any uses with an H occupancy or where hazardous materials will be stored are required to have and maintain a safety plan and comply with occupational health requirements.

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

Zoning change would not affect plant or animal life for the proposed site. Species and habitat protection is codified through CMC and applies to all zones.

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

Compliance with zoning ordinance for Critical Area protection. No endangered species are identified for the site.

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

A zoning change will not impact energy or natural resources.

- **Proposed measures to protect or conserve energy and natural resources are:**

Building construction for CG or IL uses will be subject to local building codes and State/Federal Energy Codes.

**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 proposed zoning change won't affect environmentally sensitive areas; all uses are subject to CMC Title 15 Environment and CMC Title 17 Division III Environmental Districts. A portion of the site is subject to Critical Aquifer Recharge Area. Per CMC Chapter 17.26, only uses that will not cause contaminants to enter the aquifer are allowed.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

All uses, independent of the zoning designation, are required to assess Cultural Resource impacts based on site investigation and proposed earth disturbance. The site is not subject to wetlands or floodplains.

**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?**

A rezone from CG to Light Industrial will have an affect on the type of uses allowed on the site. The CG zone allows for a wide range of commercial uses including a variety of business, retail, wholesale, storage and lodging, as well as those that are oriented to the travelling public. General Commercial diverges from industrial zoning in that it limits larger manufacturing, processing, warehousing, distribution centers, and hazardous occupancies. As a result, the site will have more flexibility in developed use. The zone change would be compatible with surrounding uses however, as much of the lands north of the site are currently developed with light industrial uses. The rezone would also be consistent with the Comprehensive Plans' objectives for economic growth, land use efficiency and development patterns.

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

Adhere requirements of CMC Chapter 17.28.20 (permitted, accessory, Conditional Use, etc.) to development proposals on the parcels.

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

The proposal would be consistent with the city's standards for infrastructure adequacy as the Light Industrial zoning required that developments are serviced by municipal water/sewer, and comply with environmental requirements.

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

Areas immediately adjacent to Interstate 5 were originally included as general commercial including those parcels along Bishop Road which provide frontage road support for the freeway and local community.

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

The area surrounding the site includes a mixture of both industrial and commercial uses, including storage, manufacturing, and other light industrial that will align with the proposed IL zoning. The rezone is anticipated to have a positive impact on the local economy by attracting investment, creating jobs and supporting the city's objectives for industrial growth within the UGA.

# Development Review Committee Agenda

Chehalis Building and Planning Department

April 24, 2024, at 9 A.M.

Meeting Location: Chehalis Airport Conference Room

## 4/24/2024 DRC Minutes.

**Staff Present-** Ron Buckholt- City Planner, Todd Johnson- City Planner, Anne Feldman- Permit Technician, Michael Thomas- Engineering Technician, Angie Elder- Community Services Officer Chehalis Police, Lance Bunker- Public Works Director/Interim City Manager, Fritz Beierle-Street/Storm Superintendent, Justin Phelps- Wastewater Superintendent, Rick Mack- Fire Department.

**The City of Chehalis is considering multiple updates to the comprehensive plan mapping designations and intends to issue a SEPA DNS Determination for the following:**

### **9:00 AM SEPA-24-009; UGB amendment and Rezone Request for the Newaukum Ventures properties**

Parcels 017873003000, 017846001005, 017846001006, 017846003002, 017846003006, 017880001001, 017880001002, and 017880001003

Newaukum Ventures seeks an amendment to the City of Chehalis Comprehensive Plan and Zoning Map to include the Chehalis Westlund-Enbody properties within the Urban Growth Area (UGA), as expanded by Lewis County Ordinance 1337. The request includes a proposed zoning designation of MRC - Mixed Residential/Commercial for the subject properties.

Planning- The comments period for this proposal closes May 6<sup>th</sup>.

Motion to approve by Michael Thomas, Motion Seconded by Justin Phelps- Motion approved by vote.

### **9:15 AM SEPA-24-010; Rezone Request for 201 Hannah Lane**

Parcel 017875055031

The applicant, Kyle Wheeler, requests a rezone for the property located at 201 Hannah Lane from R1 (Residential) to MRC (Mixed Residential Commercial).

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve and proceed by Ron Buckholt, Seconded by Rick Mack – Motion approved by vote.

### **9:30 AM SEPA-24-011; Rezone Request for Shovel Ready LLC**

Parcels 017769033001, 017767002000

Shovel Ready LLC requests rezoning of parcels #017767002000 and #017769033001 from a mix of CG (General Commercial) and IL (Light Industrial) to uniformly IL (Light Industrial) to facilitate broader development options.

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve by Justin Phelps, seconded by Rick Mack- Motion passed by vote.

**9:45 AM SEPA-24-012; Rezone Request for the Port of Chehalis**

Parcels 017857003005, 017857003006

The Port of Chehalis proposes a zoning adjustment aligning the zoning boundary with existing natural drainage features to support effective land use and environmental management.

Planning- Comments Period for this project closes May 6<sup>th</sup>.

Public Works- Utilities cross both parcels. This would possibly need to be addressed if there are any future development plans.

Motion to Approve by Michael Thomas, seconded by Fritz Beierle- Motion passed by vote.

**10:00 AM Interdepartmental staff meeting.**

Join Zoom Meeting

<https://us06web.zoom.us/j/83910241095?pwd=dUIlYm0rTkt6SHZCZjkxUTRlVDBUUT09>



## Community Development

2025 NE Kresky Avenue  
Chehalis WA 98532

May 6, 2024

To: SEPA Administrator

RE: Shovel Ready LLC Comprehensive Plan map amendment and Rezone / MSC24-0016

Date Received: April 18, 2024

Comments Due: May 6, 2024

Thank you for the opportunity to review and comment on the above project. Lewis County Community Development circulated your documents to the Environmental Health and Public Works departments for their comments. Following are the County comments:

### Community Development:

- Authority over Lewis County Board of Health regulations on potable water and on-site septic systems shall be retained by Lewis County.
- Any subsequent reviews of this UGA project that include a related notice(s) published by the City shall be forwarded to the Senior Project Planner, Lewis County Department of Community Development, for internal county review and county comment. For all other project permit applications, including a SEPA Threshold Determination, notices and staff reports, under the authority granted to the city under Section 2(B) of the Interlocal Agreement, the county requests the city forward copies to the Lewis County Department of Community Development Director.
- The City shall not approve any land use that causes resulting service levels to drop below adopted levels of service for County roads as cited in the Transportation Element adopted by County Comprehensive Plan, without first requiring mitigation acceptable to the County. The City shall use the SEPA and/or a site plan process (whichever is applicable) to obtain approval of the County for such mitigation. Once the TIA is ready for county review, the applicant shall submit the document(s) and the review fee to the Lewis County Permit Center to initialize the review. The TIA needs to meet the standards provided in Lewis County Code (LCC) 12.60 Article IV – Traffic Analysis Guidelines.

- Front yard setback from County right-of way must be consistent with LCC 15.15.040 Setback.
- County road closures shall be administered by Lewis County Code Title 12.
- Utility installation associated with Lewis County franchise within Lewis County rights-of-way shall be administered by Lewis County pursuant to Lewis County Code Title 12 and RCW 36.55 & 36.75.
- Building: No comments

Public Works:

- No Comments

Environmental Health:

- The proposed rezone is within the City of Chehalis Water Supply service area. The city may need to work with the WSDOH for a main extension to service this parcel.
- There is one Sited listed on the Department of Ecology's Confirmed and Suspected Contaminated Sites List and one closed underground storage tank site within 0.25 miles of the proposed project Site. If contaminated soils or soils displaying petroleum odors are detected during this project the discovery must be reported to the Department of Ecology's Toxic Cleanup Program.

Respectfully,

*Megan Sathre*

Megan Sathre  
Lewis County Community Development  
[Megan.Sathre@lewiscountywa.gov](mailto:Megan.Sathre@lewiscountywa.gov)





STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Southwest Region Office  
PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

May 3, 2024

Todd R Johnson, Planner  
City of Chehalis  
Community Development Department  
1321 South Market Boulevard  
Chehalis, WA 98532

Dear Todd R Johnson:

Thank you for the opportunity to comment on the determination of nonsignificance for the Shovel Ready LLC Comprehensive Plan map amendment and Rezone Project (SEPA 24-011) located at 1737 Bishop Road as proposed by Shovel Ready LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**TOXICS CLEANUP: John Pearch (360) 819-0460**

This project is within a quarter mile of two known or suspected contaminated site(s). The site(s) are:

- Dreamscape Landscaping (CSID:16936, FSID:10000601) - Awaiting Cleanup
- Chehalis Power LP Generation Facility (CSID:11776, FSID:3336951) Active Cleanup Site

To search and access information concerning these sites

see <http://www.ecy.wa.gov/fs/> and <https://fortress.wa.gov/ecy/gsp/SiteSearchPage.aspx>. If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, the Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact John Pearch with the Toxics Cleanup Program at the Southwest Regional Office at (360) 819-0460.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology  
Southwest Regional Office

(JKT:202401154)

Todd R Johnson  
May 3, 2024  
Page 2

cc: John Pearch, TCP



#### Community Development Department

1321 S Market Blvd. Chehalis, WA 98532

(360) 345-2229 / Fax: (360) 345-1039

[www.ci.chehalis.wa.us](http://www.ci.chehalis.wa.us) email: [comdev@ci.chehalis.wa.us](mailto:comdev@ci.chehalis.wa.us)

## SUMMARY / INTRODUCTION

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**Application #:** Rezone Request UGA-PFA-2023-001 by The Port of Chehalis

**Report Date:** March 1, 2024

**Prepared By:** Todd Johnson, City of Chehalis Planner

**Project Description:** The Port of Chehalis proposes a zoning adjustment for parcels 017857003005 & 017857003006, aligning the zoning boundary with existing natural drainage features to support effective land use and environmental management.

### Applicable Regulations and Comprehensive Plan Sections

For the staff report regarding the zoning adjustment request by The Port of Chehalis, the following applicable regulations and comprehensive plan sections from the documents reviewed are highlighted:

#### Comprehensive Plan Policies and Objectives

**Environmental Stewardship and Land Use Compatibility:** Emphasizing the importance of leveraging natural features such as drainage for zoning boundaries to ensure environmental protection and logical land use transitions. This aligns with the comprehensive plan's goals for sustainable growth and environmental integrity.

**Public Facilities and Services:** Ensuring the availability of adequate public facilities and services to support development, which is crucial for the proposed zoning adjustment to facilitate effective land use without compromising service levels.

**Economic Development:** Encouraging economic development that is consistent with adopted comprehensive plans, promoting economic opportunity and growth within the capacities of the county's natural resources, public services, and public facilities.

#### Zoning Code Sections

**Zoning Boundary Adjustments:** Providing guidelines for the alignment of zoning boundaries with natural or man-made features, supporting logical and sustainable land development practices.

#### Development Review Committee (DRC) Insights

**Infrastructure and Environmental Impact:** The DRC's notes highlight the necessity of considering the proposal's impact on local infrastructure, including the importance of utilizing natural boundaries for zoning delineations to ensure environmental and infrastructural integrity.

The staff report's review is based on the proposal's compliance with these comprehensive plan policies and zoning code provisions, particularly the strategic use of natural boundaries to define zoning areas. This approach not only aligns with environmental stewardship principles but also facilitates clearer and more effective land use planning and development.

## **BACKGROUND INFORMATION**

The Port owns the Bishop Road Industrial Site 2 (BRIS2), comprising parcels 017857003005 (zoned Light Industrial, IL) and 017857003006 (zoned Residential, R3). The request aims to adjust the zoning boundary to match physical drainage features, facilitating a clear and manageable separation between industrial and residential zones.

## **ANALYSIS**

**Natural Boundary Utilization:** Leveraging the jurisdictional ditch as a natural boundary offers a practical and ecologically sensitive approach to zoning delineation, ensuring a cost-effective and environmentally considerate solution.

**Buffer Zone Creation:** The proposal includes enhancing the buffer zone with vegetation for sound buffering and visual limitations, aligning with best practices in land use planning and community aesthetics.

**Strategic Land Use Planning:**

The adjustment supports strategic land use planning by using natural drainage as a definitive boundary, promoting clarity and manageability in zoning applications.

**Community and Environmental Benefits:**

The proposal's approach to buffer zone enhancement is expected to provide significant benefits in terms of noise reduction and visual screening, contributing positively to the community's quality of life and environmental integrity.

**Infrastructure and Services:**

The rezone and boundary adjustment will not adversely impact the provision of municipal services or infrastructure, aligning with the city's capacity to support development within the UGA.

## **Recommendation**

Given the proposal's alignment with the Comprehensive Plan's goals, zoning principles, and environmental stewardship objectives, the request requires a SEPA review and possibly some additional information from the applicant. Request any additional information needed for PC review and request the applicant prepare a SEPA ECL for publication.

**Suggested Action:**

Request additional information from the applicant as needed for planning commission review and recommendation to be considered at a future Planning Commission hearing and a motion to continue this hearing until the information is received and SEPA has been published.

Exhibits:

Exhibit A: Memorandum from Bill Teitzel, Operations Manager

Exhibit B: DRC Meeting minutes and agenda packet

Exhibit C: Petition for Amendment Documentation

## **M E M O R A N D U M**

To: Todd Johnson, Consulting Planner – City of Chehalis

Date: February 7, 2024

From: Bill Teitzel, Operations Manager

Subject: Additional comments for proposed zoning adjustment UGA-PFA-2023-001–  
parcels 017857003005 & 017857003006

The Port appreciates the Development Review Committee’s review of our zoning adjustment request. Prior to making this request, the Port worked with consultants to explore the possibility of relocating the jurisdictional ditch water feature on parcel 017857003006 to maximize the light industrial available area for future development. To comply with state and federal regulations, it was determined that relocating the drainage ditch would be cost prohibitive and not wise management of public spending.

This decision led us to request the zoning adjustment and utilize the ditch as an adequate buffer zone between industrial zoned and residential zoned property. As mentioned in the proposal, the buffer zone will be planted with appropriate vegetation for both sound buffering and visual limitation abilities.

**PETITION FOR AMENDMENT**

*(check only one)*

- Chehalis Comprehensive Plan (July 12, 1999)
- Chehalis Uniform Development Regulations (March 25, 2002)
- Chehalis Public Works Standards (July, 2005)
- Chehalis Zoning Map (Rezone)
- Other (specify): \_\_\_\_\_

To: The Honorable Mayor and City Council  
Chehalis Planning Commission  
Chehalis Development Review Committee

From: [The undersigned]

Date: October 13, 2023

***Subject: Request for Formal Review and Decision on a Proposed Change to the Indicated Document.***

1. The specific location (page number, section number or other identification) of the referenced text or map to be considered for amendment:

Tract A Tax parcel 017857003005 and Tract B Tax parcel 017857003006

2. The specific text proposed to be changed. Use ~~strikethrough~~ format to indicate text proposed to be deleted, and underline format for text proposed to be added. If lengthy, attach additional pages:

See attached Foresight Surveying exhibits A (Parcel legal description), B (Proposed Light Industrial, zoning legal description) and C (diagram).

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3. Submit a map for the alternative to the existing map. (Attach). Use dashed lines to indicate new lines proposed to be added or moved, and 'X's on removed or revised lines.

4. The specific reason (in detail) why this change is necessary:

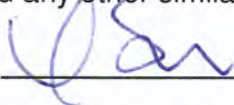
The Port would like to retain the original Light Industrial (IL) zoning on Tract A all the way to a jurisdictional water body (ditch) that is difficult to relocate, and also serves as a sufficient boundary between R3 zoned property and IL zoned property.

5. The anticipated/expected affect of this change on the location, vicinity and/or overall community:

The Port will also submit a Boundary Line Adjustment (BLA) on Tract A extending the parcel line to match the proposed zoning request.

The jurisdictional drainage ditch serving residential properties to the east and will not be impacted. Future development of Tract B will closely match the surrounding residential zoned areas.

6. ***By my signature hereon,*** I hereby certify that I have a full understanding of the implications of the above proposal, and request an opportunity to present testimony at any public hearing(s) held on this petition. I further understand that the Chehalis city council will consider this and any other similar petitions only during the second quarter of a calendar year.

Signature (x): 

Printed name: Lindsey Senter, CEO Port of Chehalis

Mailing address: 321 Maurin Road  
Chehalis, WA 98532

Phone #: (360) 748-9365

**OFFICE USE ONLY:**

Received 10/16/2023 By LF

File # UGA-PFA-2023-001

Fee paid on \_\_\_\_\_ Check #: \_\_\_\_\_

Receipt # \_\_\_\_\_

Submit to the Development Review Committee on: \_\_\_\_\_

Submit to the Planning Commission on: \_\_\_\_\_

Submit to the City Council on: \_\_\_\_\_



EXHIBIT A  
PARCEL LEGAL DESCRIPTIONS

**APN: 017857003005**

TRACT A OF CITY OF CHEHALIS UGA BLA NO. UGA-BL-19-004  
TOGETHER WITH AND SUBJECT TO A UTILITY EASEMENT AS RECORDED UNDER LEWIS  
COUNTY AUDITOR'S FILE NO. 3139981

**APN: 017857003006**

TRACT B OF CITY OF CHEHALIS UGA BLA NO. UGA-BL-19-004  
TOGETHER WITH AND SUBJECT TO A UTILITY EASEMENT AS RECORDED UNDER LEWIS  
COUNTY AUDITOR'S FILE NO. 3139981

EXHIBIT B  
PROPOSED LIGHT INDUSTRIAL ZONING LEGAL DESCRIPTION

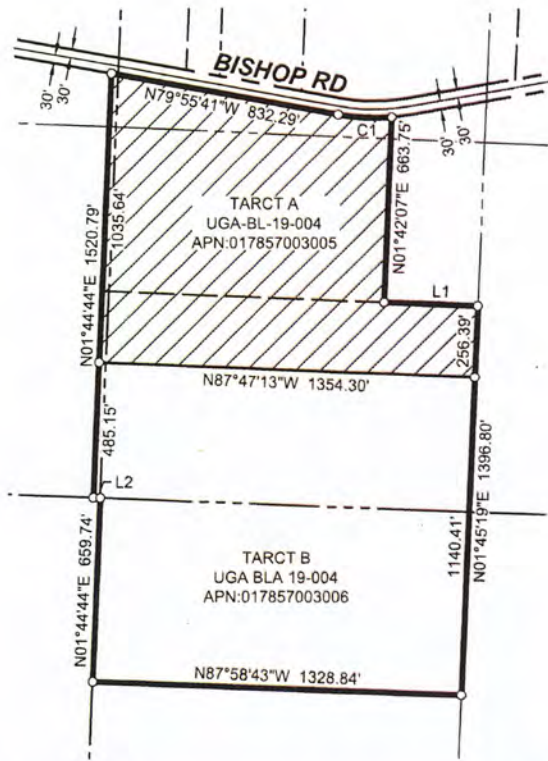
TRACT A OF CITY OF CHEHALIS UGA BLA NO. UGA-BL-19-004

**TOGETHER WITH**

THAT PORTION OF TRACT B OF CITY OF CHEHALIS UGA BLA NO. UGA-BL-19-004  
LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT A;  
THENCE S01°44'44"W ALONG THE WEST LINE OF SAID TRACTS A AND B A  
DISTANCE OF 1035.64 FEET TO THE **POINT OF BEGINNING**;  
THENCE S87°47'13"E A DISTANCE OF 1354.30 FEET TO THE EAST LINE OF SAID  
TRACT B AND THE **TERMINUS** OF DESCRIBED LINE.

**EXHIBIT C**  
 PORTION OF THE SW 1/4 NE 1/4, SE 1/4 NW 1/4  
 AND NW 1/4 SE 1/4 SEC 14, T 13 N, R 2 W, W.M.  
 LEWIS COUNTY, WASHINGTON

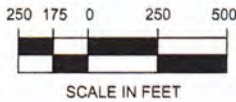


**LINE AND CURVE DATA**

LINE	BEARING	DISTANCE
L1	N87°47'13"W	337.67'
L2	N87°53'16"W	25.00'

CURVE	DELTA	RADIUS	LENGTH
C1	14°44'28"	749.91'	192.94'



**LEGEND**

- SECTION LINE
  - - - CENTERLINE
  - RIGHT-OF-WAY LINE
  - LOT LINE
  - PROPOSED ZONING LINE
  - SITE BOUNDARY/ PARENT PARCEL
- 
- ZONE CHANGE AREA = 24.55 AC



**FORESIGHT**  
**SURVEYING, INC.**  
 PROFESSIONAL LAND SURVEYORS  
 1583 N NATIONAL AVE  
 CHEHALIS, WA 98532 OFFICE: (360) 748-4000

**EXHIBIT C**  
 JOB NO: 5300 DATE: 08/30/2023  
 LEWIS COUNTY, WASHINGTON

IL

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Google

Map data ©2023 Imagery ©2023, Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO

© Scribble Maps



Building and Planning Department  
1321 S. Market Blvd., Chehalis, WA 98532  
360.345.2229/Fax: 360.345.1039  
www.ci.chehalis.wa.us email: comdev@ci.chehalis.wa.us

SEPA #: SEPA-24-012

### DETERMINATION OF NONSIGNIFICANCE

**Description of proposal:** The proposal includes a partial rezone and boundary line adjustment for two parcels. The rezoning aims to align zoning boundaries with natural landscape features, specifically utilizing a natural drainage feature as a buffer between industrial and residential zones.

**Proponent:**

The Port of Chehalis  
321 Maurin Road, Chehalis, WA 98532  
Bill Teitzel, Operations Manager  
Phone: (360) 748-9365  
Email: bteitzel@portofchehalis.com

**Location of proposal:**

Parcel 017857003005: 16.6 acres, Section 14 Township 13N Range 02W PT N2 SW4 NE4 EX E 337' Being Lot A BLA 19-004 3515052  
Parcel 017857003006: 43.1 acres, Section 14 Township 13N Range 02W PT S2 SW4 NE4 & N2 NE4 SE4 Being Lot B BLA 19-004 3515052  
2000 block of Bishop Road, Chehalis, WA

**Lead agency:**

City of Chehalis  
After review of the completed environmental checklist and other information on file, the Chehalis Building and Planning Department has determined that this proposal 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).

**Responsible Official:**

Todd Johnson, Planner  
TRJ Planning Inc.  
Phone: (360) 345-2229  
Address: 1321 S. Market Blvd., Chehalis, WA 98532

Signature: Todd Johnson  
Todd Johnson, Planner Date: April 20, 2024.

You may appeal this determination to City of Chehalis – Building and Planning Department, 1321 S. Market Blvd., Chehalis, WA 98532. You should be prepared to make specific factual objections. All substantive appeals must be filed with City of Chehalis in writing with a \$500 fee plus the cost of the hearing examiner submitted by 4:00 PM on May 6, 2024.

# SEPA<sup>1</sup> Environmental Checklist

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## Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

---

<sup>1</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

## A. Background

[Find help answering background questions<sup>2</sup>](#)

**1. Name of proposed project, if applicable:**

Bishop Road Industrial Site 2 partial rezone and BLA

**2. Name of applicant:**

The Port of Chehalis

**3. Address and phone number of applicant and contact person:**

321 Maurin Road  
Chehalis, WA 98532  
Bill Teitzel, Operations Manager (360) 748-9365 bteitzel@portofchehalis.com

**4. Date checklist prepared:**

March 5, 2024

**5. Agency requesting checklist:**

City of Chehalis

**6. Proposed timing of schedule (including phasing, if applicable):**

Second Quarter 2024

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

Rezoning is requested so the property will be zoned for the highest and best use for the property to match surround zoning using natural boundary buffers between residential and industrial zoned property.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

Topographic survey, wetland reporting

**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.**

None.

**10. List any government approvals or permits that will be needed for your proposal, if known.**

None.

**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**

---

<sup>2</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

**this page. (Lead agencies may modify this form to include additional specific information on project description.)**

Parcels 017857-3-5 (northerly parcel) is zone IL and parcel 017857-3-6 (southerly parcel) is zone R3. The proposal is to move the zoning boundary so a natural drainage feature acts as a boundary between the two different zoned areas and will also be a strategic buffer zone between industrial use and residential use properties. The Port will also submit for a boundary line adjustment to match the rezone boundary.

**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.**

Parcel 017857003005 – 16.6 acres Section 14 Township 13N Range 02W PT N2 SW4 NE4 EX E 337' Being Lot A BLA 19-004 3515052

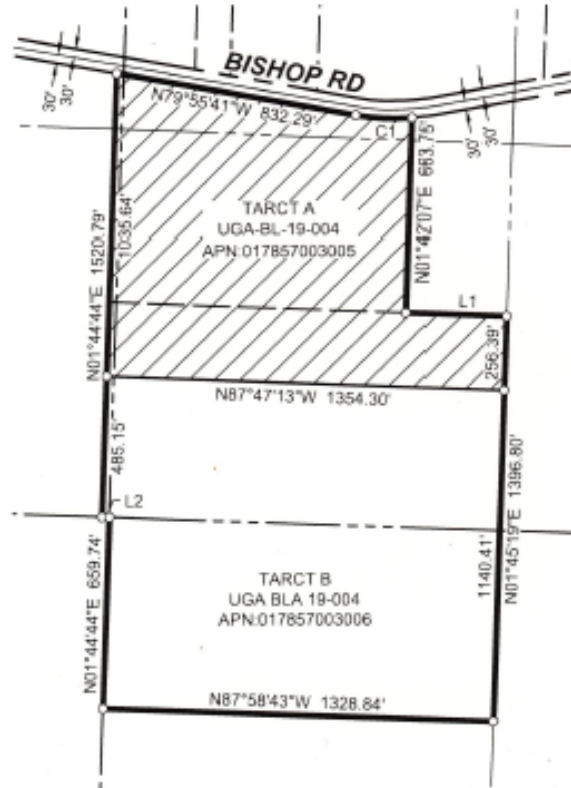
Parcel 017857003006 – 43.1 acres Section 14 Township 13N Range 02W PT S2 SW4 NE4 & N2 NE4 SE4 Being Lot B BLA 19-004 3515052

2000 block Bishop Road  
Chehalis, WA





**EXHIBIT C**  
 PORTION OF THE SW 1/4 NE 1/4, SE 1/4 NW 1/4  
 AND NW 1/4 SE 1/4 SEC 14, T 13 N, R 2 W, W.M.  
 LEWIS COUNTY, WASHINGTON



**LINE AND CURVE DATA**


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**EXHIBIT C**  
 JOB NO: 5300 DATE: 08/30/2023  
 LEWIS COUNTY, WASHINGTON

## B.Environmental Elements

### 1. Earth

[Find help answering earth questions](#)<sup>3</sup>

**a. General description of the site:**

Agricultural use

Circle or highlight one: **Flat**, rolling, hilly, steep slopes, mountainous, other:

**b. What is the steepest slope on the site (approximate percent slope)?**

3%

**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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

**Typical profile – Soil Survey**

- *H1 - 0 to 7 inches: silt loam*
- *H2 - 7 to 17 inches: silt loam*
- *H3 - 17 to 27 inches: silty clay*
- *H4 - 27 to 60 inches: clay*

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

No

**e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

None

**f. Could erosion occur because of clearing, construction, or use? If so, generally describe.**

No

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

None

**h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

None required.

---

<sup>3</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

## 2. Air

[Find help answering air questions](#)<sup>4</sup>

- a. **What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

None

- b. **Are there any off-site sources of emissions or odor 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:**

None required for this project

## 3. Water

[Find help answering water questions](#)<sup>5</sup>

- a. **Surface:**

[Find help answering surface water questions](#)<sup>6</sup>

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.**

Three wetlands and one stream were identified, delineated, and assessed on the subject property.

Wetlands A-C are preliminarily rated as Category IV depressional wetlands subject to standard 50 foot buffers per CMC 17.23.030.3

1. **.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.**

No

2. **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.**

None

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<sup>4</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

<sup>5</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

<sup>6</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

**3. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**

No.

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

No.

**5. 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:**

[Find help answering ground water questions](#)<sup>7</sup>

**1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

No.

**2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

None

**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.**

Agricultural field. None.

**2. Could waste materials enter ground or surface waters? If so, generally describe.**

No.

**3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

No.

**d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: No.**

---

<sup>7</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

## 4. Plants

[Find help answering plants questions](#)

**a. Check the 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
- orchards, vineyards, or other permanent crops.
- 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?**

None.

**c. List threatened and endangered species known to be on or near the site.**

None known.

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

None.

**e. List all noxious weeds and invasive species known to be on or near the site.**

Scotch broom (edges)

## 5. Animals

[Find help answering animal questions](#)<sup>8</sup>

**a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:

---

<sup>8</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

- **Fish: bass, salmon, trout, herring, shellfish, other: None**

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

None known.

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

No.

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

None

**e. List any invasive animal species known to be on or near the site.**

None known.

## 6. Energy and natural resources

[Find help answering energy and natural resource questions](#)<sup>9</sup>

**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.**

None.

**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

[Health Find help with answering environmental health questions](#)<sup>10</sup>

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

No.

**1. Describe any known or possible contamination at the site from present or past uses.**

None known.

---

<sup>9</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

<sup>10</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Buried sanitary sewer main

3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None

4. Describe special emergency services that might be required.

None

5. 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

[Find help answering land and shoreline use questions](#)<sup>11</sup>

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Agricultural. None

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Property formerly zoned light industrial, has been farmed yearly with hay products to maintain land and drainage.

---

<sup>11</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

1. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

No. Surrounding areas industrial or residential.

- c. **Describe any structures on the site.**

No structures

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

None

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

IL and R3

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

IL and R3

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

N/A

- h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**

Wetlands

- 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.**

N/A

- m. **Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:**

None

## 9. Housing

[Find help answering housing questions](#)<sup>12</sup>

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<sup>12</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-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

[Find help answering aesthetics questions](#)<sup>13</sup>

- a. **What is the tallest height of any proposed structure(s), not including antennas; 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

[Find help answering light and glare questions](#)<sup>14</sup>

- 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

---

<sup>13</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

<sup>14</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

## 12. Recreation

[Find help answering recreation questions](#)

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

Golf

- 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

[Find help answering historic and cultural preservation questions](#)<sup>15</sup>

- a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

No

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

No

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

None

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

None

---

<sup>15</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

## 14. Transportation

[Find help with answering transportation questions](#)<sup>16</sup>

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

Bishop Road

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

No

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

No

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

No

- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

None

- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No

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

None

## 15. Public services

[Find help answering public service questions](#)<sup>17</sup>

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

No change

- b. **Proposed measures to reduce or control direct impacts on public services, if any. None**

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<sup>16</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

<sup>17</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

## 16. Utilities

[Find help answering utilities questions<sup>18</sup>](#)

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

None

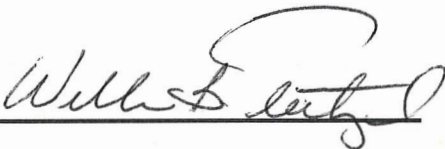
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None

## C. Signature

[Find help about who should sign<sup>19</sup>](#)

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.

X 

Type name of signee: William B. Teitzel

Position and agency/organization: Operations Manager

Date submitted: March 5, 2024

## D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet<sup>20</sup>](#)

Do not use this section 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.

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<sup>18</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

<sup>19</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

<sup>20</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

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?**

No effect.

- **Proposed measures to avoid or reduce such increases are:**

None

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

No effect

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

None

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

Not likely

- **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?**

Not likely

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

None

**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?**

Not likely

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

None

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

Not likely

- **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.**

No conflict. If anything, it will maintain environmental requirements by not having to relocate the drainage/stream/creek to maximize industrial land needs.

# Development Review Committee Agenda

Chehalis Building and Planning Department

April 24, 2024, at 9 A.M.

Meeting Location: Chehalis Airport Conference Room

## 4/24/2024 DRC Minutes.

**Staff Present-** Ron Buckholt- City Planner, Todd Johnson- City Planner, Anne Feldman- Permit Technician, Michael Thomas- Engineering Technician, Angie Elder- Community Services Officer Chehalis Police, Lance Bunker- Public Works Director/Interim City Manager, Fritz Beierle-Street/Storm Superintendent, Justin Phelps- Wastewater Superintendent, Rick Mack- Fire Department.

The City of Chehalis is considering multiple updates to the comprehensive plan mapping designations and intends to issue a SEPA DNS Determination for the following:

### **9:00 AM SEPA-24-009; UGB amendment and Rezone Request for the Newaukum Ventures properties**

Parcels 017873003000, 017846001005, 017846001006, 017846003002, 017846003006, 017880001001, 017880001002, and 017880001003

Newaukum Ventures seeks an amendment to the City of Chehalis Comprehensive Plan and Zoning Map to include the Chehalis Westlund-Enbody properties within the Urban Growth Area (UGA), as expanded by Lewis County Ordinance 1337. The request includes a proposed zoning designation of MRC - Mixed Residential/Commercial for the subject properties.

Planning- The comments period for this proposal closes May 6<sup>th</sup>.

Motion to approve by Michael Thomas, Motion Seconded by Justin Phelps- Motion approved by vote.

### **9:15 AM SEPA-24-010; Rezone Request for 201 Hannah Lane**

Parcel 017875055031

The applicant, Kyle Wheeler, requests a rezone for the property located at 201 Hannah Lane from R1 (Residential) to MRC (Mixed Residential Commercial).

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve and proceed by Ron Buckholt, Seconded by Rick Mack – Motion approved by vote.

### **9:30 AM SEPA-24-011; Rezone Request for Shovel Ready LLC**

Parcels 017769033001, 017767002000

Shovel Ready LLC requests rezoning of parcels #017767002000 and #017769033001 from a mix of CG (General Commercial) and IL (Light Industrial) to uniformly IL (Light Industrial) to facilitate broader development options.

Planning- Comments period for this project closes May 6<sup>th</sup>.

Motion to approve by Justin Phelps, seconded by Rick Mack- Motion passed by vote.

**9:45 AM SEPA-24-012; Rezone Request for the Port of Chehalis**

Parcels 017857003005, 017857003006

The Port of Chehalis proposes a zoning adjustment aligning the zoning boundary with existing natural drainage features to support effective land use and environmental management.

Planning- Comments Period for this project closes May 6<sup>th</sup>.

Public Works- Utilities cross both parcels. This would possibly need to be addressed if there are any future development plans.

Motion to Approve by Michael Thomas, seconded by Fritz Beierle- Motion passed by vote.

**10:00 AM Interdepartmental staff meeting.**

Join Zoom Meeting

<https://us06web.zoom.us/j/83910241095?pwd=dUIlYm0rTkt6SHZCZjkxUTRlVDBUUT09>



**Subject:** For Your Consideration

**Date:** Saturday, March 2, 2024 at 3:29:24 PM Pacific Standard Time

**From:** Anon

**To:** Todd Johnson

**NOTICE:** This message originated outside of the City network - **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe!

Dear Todd,

I have struggled to write this letter, as I am not originally from the area. I moved to Chehalis in Jan. 2021, seeking a slower pace and working the land like how I was raised in Pennsylvania. I fell in love with the area and the people, but my greatest love is the land I live on. I am located beside the Bishop Road parcels 0117857003006 and 017857003005 on what used to be the Hope Dairy farm. I have put a lot of money into my 1910 house, updating the original electric and plumbing as well as new insulation and a heat pump. I consider myself a steward of the property, growing vegetables, tending and expanding the orchard I planted, and raising chickens. The field beside me is home to geese, ducks, hawks, and even the occasional bald eagle.

Since moving here, I have joined such a special community. I earned my Master Gardener certification over the course of last year and volunteer every week at Borst Park with the Lewis County Master Gardeners. I have befriended so many of my neighbors and am incredibly grateful for their support when battling with my health for the better part of last year. I have learned the true power of community, and I love sharing bread, eggs, and the produce I've grown with those around me.

I am an economist by trade, and I know that economic growth is inevitable. Heck, I'm part of the reason why it's happening in Chehalis. So my request is not to spare the land beside me but to develop it with care. It doesn't make sense to absorb that land into the city just to build an industrial park like it's currently zoned. I would like to live among more people and help to strengthen the growing community in my area. Thank you for your time and consideration!

All the best,  
Cat Varner

P.S. Does this mean I can get on city sewer?



May 6, 2024

To: SEPA Administrator

RE: Port of Chehalis Rezone and Comprehensive Plan amendment / MSC24-0015

Date Received: April 18, 2024

Comments Due: May 6, 2024

Thank you for the opportunity to review and comment on the above project. Lewis County Community Development circulated your documents to the Environmental Health and Public Works departments for their comments. Following are the County comments:

Community Development:

- Building: No Comments
- Authority over Lewis County Board of Health regulations on potable water and on-site septic systems shall be retained by Lewis County.
- Any subsequent reviews of this UGA project that include a related notice(s) published by the City shall be forwarded to the Senior Project Planner, Lewis County Department of Community Development, for internal county review and county comment. For all other project permit applications, including a SEPA Threshold Determination, notices and staff reports, under the authority granted to the city under Section 2(B) of the Interlocal Agreement, the county requests the city forward copies to the Lewis County Department of Community Development Director.
- The City shall not approve any land use that causes resulting service levels to drop below adopted levels of service for County roads as cited in the Transportation Element adopted by County Comprehensive Plan, without first requiring mitigation acceptable to the County. The City shall use the SEPA and/or a site plan process (whichever is applicable) to obtain approval of the County for such mitigation. Once the TIA is ready for county review, the applicant shall submit the document(s) and the review fee to the Lewis County Permit Center to initialize the review. The TIA needs to meet the standards provided in Lewis County Code (LCC) 12.60 Article IV – Traffic Analysis Guidelines.

- Front yard setback from County right-of way must be consistent with LCC 15.15.040 Setback.
- County road closures shall be administered by Lewis County Code Title 12.
- Utility installation associated with Lewis County franchise within Lewis County rights-of-way shall be administered by Lewis County pursuant to Lewis County Code Title 12 and RCW 36.55 & 36.75.

Public Works:

- No Comments

Environmental Health:

- Both parcels are located within the UGA and are indicated as within the Chehalis Water System Service Area Boundary as shown on the 2023 DRAFT Water System Plan. The city may need to work with the WSDOH for a main extension.

Respectfully,

*Megan Sathre*

Megan Sathre  
Lewis County Community Development  
[Megan.Sathre@lewiscountywa.gov](mailto:Megan.Sathre@lewiscountywa.gov)