



## CASTLE ROCK PLANNING COMMISSION

Regular Meeting and Public Hearing: Wednesday, September 21,  
2022  
6:00 PM

**Location**  
Castle Rock Senior Center  
222 Second Ave SW  
Castle Rock, WA 98611

### AGENDA

To join this meeting from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/837170661>

To join this meeting using your phone: +1 (646) 749-3122 **Access Code:** 837-170-661 (Press \*6 to speak)

New to GoToMeeting? Get the app now and be ready: <https://global.gotomeeting.com/install/837170661>

#### 1. CALL TO ORDER

---

- a. Roll Call

#### 2. APPROVAL OF MINUTES

---

- a. July 20, 2022 PC Minutes

#### 3. PUBLIC HEARING

---

- a. **Open Public Meeting:** Text Amendments to Castle Rock Municipal Code Title 5 and 17 - Short Term Rentals and Home Occupations
- b. **Staff Report:** Short Term Rentals
- c. **Staff Report:** Home Occupations
- d. **Public Testimony**
- e. **Close Public Hearing**

#### 4. DISCUSSION & RECOMMENDATIONS

---

- a. Text Amendments to Castle Rock Municipal Code (CRMC) Titles 5 and 17 - Short Term Rentals (STR) and Home Occupations

#### 5. PUBLIC COMMENT

---

#### 6. OLD BUSINESS

---

#### 7. NEW BUSINESS

---

#### 8. ADJOURNMENT

---

#### NEXT REGULAR MEETINGS:

**October 19, 2022**

**November 16, 2022**

Non-Discrimination Statement: This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [https://www.ascr.usda.gov/sites/default/files/Complain\\_combined\\_6\\_8\\_12\\_508\\_0.pdf](https://www.ascr.usda.gov/sites/default/files/Complain_combined_6_8_12_508_0.pdf) or at any USDA office, or call 866.632.9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Ave, SW, Stop 9410,

Washington, DC 20250-9410 or email to [program.intake@usda.gov](mailto:program.intake@usda.gov) or by fax (202) 690-7442.

Title VI: The City of Castle Rock ensures compliance with Title VI of the Civil Rights Act of 1964 and American Disabilities Act of 1990 by prohibiting discrimination against any person on the basis of race, color, national origin, sex or disabilities in the provision of benefits and services from its federal assisted programs and activities. If you need special accommodations to participate in this meeting, please contact Karlene Akesson at 360.274.8181 by 9:00 a.m. three days prior to the meeting.

Planning Commission may add and take action on other items not listed on this Agenda.

### 1. CALL TO ORDER

---

a. Roll Call

Regular Meeting Called to Order: Chairperson Sullivan called the regular meeting to order at 6:07 pm.

Members Present: Contracted Planner, Rachel Granrath; Vice-Chairperson, Matt Rasmussen; Commissioners: Richard Skreen, Ryane Olin; Secretary, Karlene Akesson

Members Absent: Commissioners: Justice Wyonne and Leah Medina

### 2. APPROVAL OF MINUTES

---

a. June 15, 2022 PC Meeting Minutes

Commissioner Skreen motioned to approve the June 15, 2022 Planning Commission meeting minutes. Commissioner Olin seconded the motion. By consensus, the minutes were approved.

### 3. PUBLIC COMMENT

---

No public present.

### 4. OLD BUSINESS

---

a. Home Occupations

Planner Granrath led a discussion regarding changes to the Home Occupations section of the Castle Rock Municipal Code.

b. Short Term Rentals

Planner Granrath presented and led the discussion on a draft ordinance for short-term rentals.

### 5. NEW BUSINESS

---

No new business.

### 6. ADJOURNMENT

---

Commissioner Skreen motioned to adjourn the meeting at 6:42 pm. Commissioner Olin seconded the motion. All were in favor. Chairperson Sullivan adjourned the meeting at 6:42 pm.



---

Karlene Akesson, Secretary

# CITY OF CASTLE ROCK

## PLANNING DEPARTMENT

### STAFF REPORT

**TO:** Planning Commission

**FROM:** City of Castle Rock Planning Department, Ryan Shea, SCJ Alliance Planning Consultant

**HEARING DATE:** Wednesday, September 21, 2022

**REQUEST:** Amendments to Castle Rock Municipal Code Title 5 to create a Short Term Rental ordinance

---

### General Information

The City of Castle Rock is proposing amendments to the Castle Rock Municipal Code (CRMC) Title 5 to create an ordinance regulating short term rentals (STRs). Castle Rock does not have a tourist-centric economy and has thus not experienced STR activity as much as other communities. However, due to STRs having the potential to adversely affect neighborhood character and function as quasi-commercial uses in residential zones, the city wishes to get ahead of the problem early.

The proposed ordinance defines STRs as temporary lodging for charge/fee for a rental period less than a month and aims to strike a balance between regulation and private property rights by differentiating STRs into two types.

- Type 1: Situations where a homeowner rents out a room within a house or wants to rent out their entire home up to ninety days in length. For example, a schoolteacher on vacation for the entire summer who wishes to rent their home out as supplemental income.
- Type 2: These are dwelling units that are solely being used as short term rentals. These are capped at 1% of the total dwelling units in the city, which comes to 11 citywide. They are additionally restricted to one per parcel and two per owner.

Both types of permits would be required to obtain permits and would be required to be renewed annually. This permitting process ensures that STRs are licensed as businesses, safety measures are installed, liability insurances has been obtained, fire extinguishers installed, and the city is aware of where the STR is being advertised. Violations and penalties are also in place to help deal with STRs that are causing issues such as noise complaints, trash/garbage, etc. There is a sliding scale for fines up to 3 instances and then on the 4<sup>th</sup> the permit and license is revoked.

Your task is to review the proposed ordinance, open and hear public testimony as part of a public hearing, deliberate, make any changes as necessary, and make a recommendation to the City Council who will then make the final decision on this proposed ordinance.

## Noticing & Comments

The application went through multiple iterations and discussions at two planning commission workshops. Notice for the public hearing was posted in the local paper and to the SEPA Register on September 7, 2022. The following table illustrates the application and notice compliance procedures:

### Application & Public Hearing Notice Compliance

|                                       |                                                    |
|---------------------------------------|----------------------------------------------------|
| Planning Commission Workshops:        | June 14 and July 20, 2022                          |
| Public Notice Posting                 | September 7, 2022                                  |
| Notice of Public Hearing and SEPA DNS | September 7, 2022                                  |
| Public Written Comment Period:        | September 7-21, 2022                               |
| Public Hearing:                       | Planning Commission: September 21, 2022 at 6:00 pm |

### Agency/ Public Comment:

Staff has not received written comment either from the public or agencies. The Department of Commerce has an expedited review underway and the City expects to incorporate requests or changes provided by the agency as appropriate.

## REGULATORY REVIEW

### SEPA Environmental Review

The City of Castle Rock has determined that this proposal will not have a probable significant adverse impact on the environment that cannot be mitigated through compliance with the conditions of the Castle Rock Municipal Code and other applicable regulations. An Environmental Impact State (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist on file with the lead agency. The proposed ordinance was determined to be a nonproject action due to the nature of the amendment.

### City of Castle Rock Comprehensive Plan

The Comprehensive Plan has been reviewed and Staff finds that the proposed ordinance is consistent with the goals and objectives of the Comprehensive Plan as discussed below.

### REVIEW CRITERIA:

| Review Requirement                                                      | Staff Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A. The change is consistent with the purposes of the Comprehensive Plan | <p><b>Criteria Met:</b></p> <p>There are a variety of goals and policies that this code amendment addresses.</p> <ul style="list-style-type: none"><li>• <b>Residential Development Goal 1: Maintain stability and improve the vitality of residential neighborhoods.</b> The code implements a classification system to differentiate between low impact STRs and higher impact dedicated STRs. Additionally, the code is proposing to utilize the city's nuisance abatement code and a penalty system to help deal with problematic STRs.</li><li>• <b>Residential Development Goal 2: Provide opportunity for a broad range of housing choices to meet the changing needs of the community.</b> One of the core issues with STRs is that they can take housing units off the long-term rental market. By restricting dwelling units that can solely be used as STRs the ordinance is helping ensure a broader range of housing choices can be provided to the community.</li></ul> |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <ul style="list-style-type: none"> <li>• <b><i>Residential Development Goal 3: Discourage the conversion of residential use to non-residential use to protect existing residential neighborhoods.</i></b> STRs act like commercial uses such as hotel/motels but are oftentimes in residential neighborhoods. This ordinance would help maintain traditional residential uses in neighborhoods.</li> <li>• <b><i>Land Development/Subdivision Goal 4: Maintain the “small town” feeling that makes it enjoyable to live in Castle Rock.</i></b> Restricting STRs which have potential to alter neighborhood character helps make the ordinance consistent with this goal.</li> <li>• <b><i>Housing Policy 4: Due to minimal land supply, the City should discourage the conversion of residential areas to non-residential uses.</i></b> The ordinance helps restrict the total number of dwelling units that can be solely used as an STR which have a higher chance of acting like commercial uses in residential areas.</li> <li>• <b><i>Economic Development Goal 1: Take steps to be the “gateway”, “staging area”, and shopping and supply base for tourists embarking up the Spirit Lake Highway corridor to Mount St. Helens related attractions.</i></b> The proposed ordinance provides owners options to provide tourists with short term stays.</li> </ul> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Public Hearings Required:** Prior to the adoption of any Proposed amendments, supplementations, modifications, or repeals of or to the code a public hearing shall be held by the Planning Commission, pursuant to the requirements of the Castle Rock Municipal Code, who shall make recommendations to the City Council.

## Recommendation

Based on the information contained in the file, compliance with the Revised Code of Washington, the Washington Administrative Code, the City of Castle Rock Comprehensive Plan, Staff recommends **APPROVAL** of the proposed Municipal Code amendments.

## Planning Commission Action

Planning Commission shall recommend approval, approval with conditions, or denial of the Code Amendment as outlined in this staff report and the following exhibits.

## Exhibits

- Exhibit A: Proposed Code Amendments – Clean Copy
- Exhibit B: Proposed Code Amendments – Marked up Copy
- Exhibit C: Non-project SEPA Checklist
- Exhibit D: Public Notice

## Chapter 5.57

# Short Term Rentals

### 5.57.010: Purpose.

- A. The purpose of this chapter is to establish regulations for the operation of short term rentals within the city. It does not apply to hotels, motels, and bed and breakfasts.
- B. The provisions of this chapter are necessary to provide adequate housing opportunities to low and moderate income persons and to prevent unreasonable burdens on services and impacts on residential neighborhoods posed by short term rentals. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential uses and that they won't unreasonably reduce community housing opportunities. Maintenance of the city's existing residential neighborhoods is essential to its continued social and economic strength. It is the intent of this chapter to protect housing availability and to minimize the impact of short term rentals on adjacent residences, and to minimize the impact of the commercial character of short term rentals.

### 5.57.020: Definitions.

The definitions set forth in this section and Chapter 17.16 shall apply to short term rental properties.

- A. "Authorized agent" is a property management company or other entity or person who has been designated by the owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
- B. "Event" means wedding, bachelor or bachelorette party, concert, sponsored event, or any similar group activity.
- C. "Local contact" means a person identified by the owner who is available to respond twenty-four hours a day, seven days a week, to any complaint involving the short term rental.
- D. "Owner" means the person that owns and holds legal and/or equitable title to the property.
- E. "Principal residence" means the residence where the owner personally resides two hundred seventy-five or more days each calendar year.
- F. "Short term rental" means temporary lodging for charge or fee at a dwelling unit for a rental period of less than one month, or less than thirty continuous days if the rental period does not begin on the first day of the month.
- G. "Short term rental type 1" means short term rental wherein rooms are rented within a dwelling unit and the owner or long-term renter is personally present at the dwelling unit during the rental period or the entire dwelling is rented for no more than ninety total days in a calendar year. Portions of calendar days shall be counted as full days.
- H. "Short term rental type 2" means a short term rental where an entire dwelling unit is rented and the property owner does not reside on-site.

### 5.57.030 General requirements.

- A. No owner or property within the Castle Rock city limits may offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short term rental without a

Castle Rock short term rental permit and license and any applicable state and federal requirements.

Offer includes through any media, whether written, electronic, web-based, digital, mobile, or otherwise.

- B. A short term rental is a permitted use in any conforming or preexisting dwelling unit in any zone.

### **5.57.040 Application requirements.**

In addition to the general application requirements of the designated review level, applicants for a short term rental permit and license and yearly renewals must pay the fees stated herein and provide the following additional information as required on the forms provided by the city. The process for such permits shall be Type I – Administrative I.

- A. All short term rentals shall be required to obtain a business license as provided for in Chapter 5.01 CRMC.
- B. Verification that lodging and business taxes through the previous quarter from the expiration date have been remitted to the Washington State Department of Revenue for an existing short term rental. If applying for a new short term rental, then verification of lodging taxes will be done at the annual renewal of the license.
- C. Fees shall be paid per the City fee schedule.
- D. Evidence of meeting the Washington State standards regulating Consumer Safety and Liability insurance as stated in RCW 64.37.
- E. Notification that the renter is responsible for complying with this chapter and that the renter may be cited or fined by the city for violating any provisions of this chapter.
- F. Provide information identifying all websites and other locations where availability of the short term rental is posted (such as VRBO/Air BNB/etc.) or advertised and any listing number(s). (The city issued permit and license number(s) must be part of any posting or advertisement of the short term rental.)
- G. Such other information the City Planner or designee deems reasonably necessary to administer this chapter.

### **5.57.050 Short term rental type and density requirements.**

- A. Type 1 Short term Rentals: Allowed in any residential dwelling unit.
  - 1. If a Type 1 rental is being rented without the property owner onsite, the contact information of a local contact person available 24/7 within fifteen miles of the rental shall be provided to the renter.
- B. Type 2 Short term Rentals:
  - 1. Maximum of two separate Type 2 rentals are allowed per owner.
  - 2. Maximum of one Type 2 rental per parcel is allowed.
  - 3. Contact information for a local contact person available 24/7 within fifteen miles of the rental shall be provided to the renter.
  - 4. The maximum amount of Type 2 rentals allowed are eleven.
  - 5. License issuance and continued validity for Type 2 rentals shall be contingent upon the owner's good faith effort to actively engage in the rental of the property. Failure to provide documentation of rental activity for a minimum of twelve nights during a twelve month period, pro-rated quarterly, prior to the renewal deadline shall constitute an immediate forfeiture of the license.



### **5.57.060 Development standards.**

- A. Recreational vehicles and other similar vehicles, machines, or recreational devices are not permitted to be parked on site or within the public right-of-way related to short term rentals.
- B. Short term rentals are prohibited to be utilized as event space.
- C. For Type 2 Short term Rentals a local contact must be provided who is able to respond twenty-four hours a day, seven days a week to any complaints. The local contact must be within fifteen miles of the rental.
- D. A short term rental permit and license will not be issued if the owner is not current on lodging tax payments to the Washington State Department of Revenue for an existing short term rental. If applying for a new short term rental then verification of lodging taxes paid will be done at the annual renewal.
- E. Functioning fire extinguisher(s) shall be installed within the short term rental. Number and location will be determined based on the size of the structure during the inspection process.
- F. If the short term rental property has a pool then the pool must be fenced meeting the requirements of the IRC.

### **5.57.070 Term of annual permit and license.**

- A. Short term rental permits and licenses shall be issued for a period of one year, with its effective date running from the date of issuance. The permit and license must be renewed annually. Applicable standards of this chapter must be met and the following renewal requirements must also be met:
  - 1. Verification that all lodging taxes for year have been paid to the Washington State Department of Revenue.
  - 2. Owner or authorized agent is responsible for scheduling the annual inspection.
- B. The short term rental permit and license will be issued in the name of the owner. If the property is sold, and the new owner or authorized agent continues the property as a short term rental then the new owner or authorized agent is required to obtain a short term rental permit and license and comply with the regulations outlined in this chapter.

### **5.57.080 Violation and repeat offenses.**

- A. It is unlawful to rent, offer for rent, or advertise for rent a dwelling unit located on any property within the city as a short term rental without a permit and license authorizing such use that has been approved and issued in the manner required by this chapter.
- B. Failure of the owner or the authorized agent or local contact of a short term rental to respond to a nuisance complaint to the Castle Rock police department arising out of the occupancy and use of the short term rental by a tenant, or the tenant's visitors or guests, is a violation and will be fined as follows:
  - 1. First call and violation received no charge;
  - 2. Second call and violation received seven hundred fifty dollars;
  - 3. Third call and violation received one thousand dollars; and
  - 4. Fourth call and violation received permit and license revoked.
- C. In addition to any other remedy provided by this chapter, a short term rental permit and license issued pursuant to this chapter may be suspended, modified, or revoked for violations of this chapter, for violation of any other law on the premises of the short term rental, or for the maintenance of such other conditions as may be shown to be injurious to the public health and safety.
- D. Violation of this chapter shall be processed as outlined in Chapter 8.04: Nuisances.

### **5.57.090 Denial of application for a short term rental.**

An application for a short term rental shall be denied if the approving authority finds that either the application or record fails to establish compliance with the provisions of this chapter. When any application is denied, the approving authority shall state the specific reasons, and shall cite the specific provisions and sections of this code on which the denial is based.

### **5.57.100 Appeal.**

Decisions regarding short term rentals may be appealed per the procedures outlined in Chapter 17.77.040: Development permit review procedures.

### **5.57.110 Severability.**

If any chapter, section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter and each section, subsection, sentence, clause, or phrase thereof.

## Chapter 5.57

### Short Term Rentals

#### 5.57.010: Purpose.

- A. The purpose of this chapter is to establish regulations for the operation of short term rentals within the city. It does not apply to hotels, motels, and bed and breakfasts. ~~This chapter also establishes a rental permit and license.~~
- B. The provisions of this chapter are necessary to provide adequate housing opportunities to low and moderate income persons and to prevent unreasonable burdens on services and impacts on residential neighborhoods posed by short term rentals. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential uses and that they won't unreasonably reduce community housing opportunities. Maintenance of the city's existing residential neighborhoods is essential to its continued social and economic strength. It is the intent of this chapter to protect housing availability and to minimize the impact of short term rentals on adjacent residences, and to minimize the impact of the commercial character of short term rentals.

**Commented [KA1]:** This sentence may need more clarity. Does it establish a short-term rental license and permit? Or does it establish the conditions of one? Or how to obtain one? Or the definition of one?

**Commented [RS2R1]:** This sentence is referring to 5.57.040 and is not really critical in my opinion. Removed to prevent confusion.

#### 5.57.020: Definitions.

The definitions set forth in this section and Chapter 17.16 shall apply to short term rental properties.

- A. "Authorized agent" is a property management company or other entity or person who has been designated by the owner, in writing, to act on their behalf. The authorized agent may or may not be the designated representative for purposes of contact for complaints.
- B. "Event" means wedding, bachelor or bachelorette party, concert, sponsored event, or any similar group activity.
- C. "Local contact" means a person identified by the owner who is available to respond twenty-four hours a day, seven days a week, to any complaint involving the short term rental.
- D. "Owner" means the person that owns and holds legal and/or equitable title to the property.
- E. "Principal residence" means the residence where the owner personally resides two hundred seventy-five or more days each calendar year.
- F. "Short term rental" means temporary lodging for charge or fee at a dwelling unit for a rental period of less than one month, or less than thirty continuous days if the rental period does not begin on the first day of the month.
- G. "Short term rental type 1" means short term rental wherein rooms are rented within a dwelling unit and the owner or long-term renter is personally present at the dwelling unit during the rental period or ~~the entire dwelling is rented for no more than ninety total days in a calendar year. Portions of calendar days shall be counted as full days.~~
- H. "Short term rental type 2" means a short term rental where an entire dwelling unit is rented and the property owner does not reside on-site.

**Commented [RS3]:** This section was added in order to provide flexibility to owners who are away for portions of the year. For instance, a teacher who leaves for summer vacation could list their home as an STR without worrying about meeting the stricter requirements of Type 2.

**Commented [RS4]:** These are rentals where you're renting an entire home, apartment, condo, or accessory dwelling unit. If desired, the Commission could move scenarios where an owner rents their ADU to Type 1. ADUs can act as affordable housing and taking them off the long-term rental market could adversely impact the community.

### 5.57.030 General requirements.

- A. No owner or property within the Castle Rock city limits may offer, operate, rent, or otherwise make available or allow any other person to make available for occupancy or use a short term rental without a Castle Rock short term rental permit and license and any applicable state and federal requirements. Offer includes through any media, whether written, electronic, web-based, digital, mobile, or otherwise.
- B. A short term rental is a permitted use in any conforming or preexisting dwelling unit in any zone~~permitted residential use in any zone.~~

**Commented [RS5]:** With this, both types of STRs would be required to obtain permits. I have seen code from other communities that require permits only for more impactful STRs like Type 2.

**Commented [KA6]:** This sentence may need clarification.

**Commented [RS7R6]:** Clarified to try and make consistent with the City's definitions of "conforming use" and "preexisting use" per CRMC 17.16.

### 5.57.040 Application requirements.

In addition to the general application requirements of the designated review level, applicants for a short term rental permit and license and yearly renewals must pay the fees stated herein and provide the following additional information as required on the forms provided by the city. The process for such permits shall be Type I – Administrative I.

- A. All short term rentals shall be required to obtain a business license as provided for in Chapter 5.01 CRMC.

**Commented [RS8]:** Added. Business licenses per CRMC 5.01 applies to "all activities engaged in with the object of gain, benefit, or advantage to the business or to another person or class, directly or indirectly."

- ~~A-B.~~ Verification that lodging and business taxes through the previous quarter from the expiration date have been remitted to the Washington State Department of Revenue for an existing short term rental. If applying for a new short term rental, then verification of lodging taxes will be done at the annual renewal of the license.

- ~~B-C.~~ [FEES HERE]. Fees shall be paid per the City fee schedule.

**Commented [RS9]:** Either explicitly state the fees or reference another section of code or ordinance. I would prefer a reference to a fee schedule since they change over time.

- ~~C-D.~~ Evidence of meeting the Washington State standards regulating Consumer Safety and Liability insurance as stated in RCW 64.37.

**Commented [KA10R9]:** We also prefer this section to reference our fee schedule.

- ~~D-E.~~ Notification that the renter is responsible for complying with this chapter and that the renter may be cited or fined by the city for violating any provisions of this chapter.

- ~~E-F.~~ Provide information identifying all websites and other locations where availability of the short term rental is posted (such as VRBO/Air BNB/etc.) or advertised and any listing number(s). (The city issued permit and license number(s) must be part of any posting or advertisement of the short term rental.)

**Commented [RS11R9]:** Can a new set of fees for STRs be added to the fee schedule at the same meeting when this is adopted?

- ~~F-G.~~ Such other information the City Planner/Community Development Director or designee deems reasonably necessary to administer this chapter.

**Commented [RS12]:** This line is meant to require the applicant meet the current standards of RCW which are, at this time:  
-Provide contact info to the guest.  
-Installation of carbon monoxide alarms per building code.  
-Posting of applicable info like address, emergency contact info, floor plan, occupancy limits in a conspicuous place.  
-Obtain liability insurance of not less than one million dollars.

**Commented [RS13]:** This helps aid with enforcement & tracking as necessary.

**Commented [KA14]:** We do not have a Community Developer Director, maybe the City Planner or Development Review Team?

**Commented [RS15R14]:** Modified to be consistent with City titles. "designee" could mean the Dev Review Team or other entity as necessary.

### 5.57.050 Short term rental type and density requirements.

- A. Type 1 Short term Rentals: Allowed in any residential dwelling unit.
1. If a Type 1 rental is being rented without the property owner onsite, the contact information of a local contact person available 24/7 within fifteen miles of the rental shall be provided to the renter.
- B. Type 2 Short term Rentals:
1. Maximum of two separate Type 2 rentals are allowed per owner.
  2. Maximum of one Type 2 rental per parcel is allowed.
  3. Contact information for a local contact person available 24/7 within fifteen miles of the rental shall be provided to the renter.
  4. The maximum amount of Type 2 rentals allowed are eleven.
  - 4-5. License issuance and continued validity for Type 2 rentals shall be contingent upon the owner's good faith effort to actively engage in the rental of the property. Failure to provide documentation of rental activity for a minimum of twelve nights during a twelve month period, pro-rated quarterly, prior to the renewal deadline shall constitute an immediate forfeiture of the license.

**Commented [RS16]:** No cap applied to these types of STRs.

**Commented [RS17]:** An example of this would be a single family home with an accessory dwelling unit in the backyard on one parcel. Only one of those units would be able to become an STR. Another example would be a fourplex on one parcel (not a condo). Only one unit would be able to become an STR.

**Commented [RS18]:** Added per Commissioner request. Type 2 rentals have the potential to make a large impact on the community and are thus proposed to be capped at 1% of the total housing stock which is 11 dwelling units.

**Commented [RS19]:** Per Commission feedback, a "use-it-or-lose-it" clause has been added to deal with potential issues of people applying for Type 2 permits to simply hold onto one of the limited slots.

**Commented [RS20]:** Trying to maintain neighborhood character.

**Commented [KA21]:** This section says: within 25 miles of City Limits - whereas section 5.57.050 A.1 and B.3. says within 15 miles of the rental. After talking with Carrie we believe that 5.57.060 C. should be changed to the same as 5.57.050 - 'within 15 miles of the rental'.

**Commented [RS22R21]:** Modified to be made consistent with A.1 and B.3 above.

**Commented [RS23]:** These are not included in the RCW standards and are more robust requirements.

### 5.57.060 Development standards.

- A. Recreational vehicles and other similar vehicles, machines, or recreational devices are not permitted to be parked on site or within the public right-of-way related to short term rentals.
- B. Short term rentals are prohibited to be utilized as event space.
- C. For Type 2 Short term Rentals a local contact must be provided who is able to respond twenty-four hours a day, seven days a week to any complaints. The local contact must be within ~~fifteen~~ twenty-five miles of the rental ~~Castle Rock city limits~~.
- D. A short term rental permit and license will not be issued if the owner is not current on lodging tax payments to the Washington State Department of Revenue for an existing short term rental. If applying for a new short term rental then verification of lodging taxes paid will be done at the annual renewal.
- E. Functioning fire extinguisher(s) shall be installed within the short term rental. Number and location will be determined based on the size of the structure during the inspection process.
- F. If the short term rental property has a pool then the pool must be fenced meeting the requirements of the IRC.

### 5.57.070 Term of annual permit and license.

- A. Short term rental permits and licenses shall be issued for a period of one year, with its effective date running from the date of issuance. The permit and license must be renewed annually. Applicable standards of this chapter must be met and the following renewal requirements must also be met:
1. Verification that all lodging taxes for year have been paid to the Washington State Department of Revenue.
  2. Owner or authorized agent is responsible for scheduling the annual inspection.
- B. The short term rental permit and license will be issued in the name of the owner. If the property is sold, and the new owner or authorized agent continues the property as a short term rental then the new owner or authorized agent is required to obtain a short term rental permit and license and comply with the regulations outlined in this chapter.

### 5.57.080 Violation and repeat offenses.

- A. It is unlawful to rent, offer for rent, or advertise for rent a dwelling unit located on any property within the city as a short term rental without a permit and license authorizing such use that has been approved and issued in the manner required by this chapter.
- B. Failure of the owner or the authorized agent or local contact of a short term rental to respond to a nuisance complaint to the Castle Rock police department arising out of the occupancy and use of the short term rental by a tenant, or the tenant's visitors or guests, is a violation and will be fined as follows:
  - 1. First call and violation received no charge;
  - 2. Second call and violation received seven hundred fifty dollars;
  - 3. Third call and violation received one thousand dollars; and
  - 4. Fourth call and violation received permit and license revoked.
- C. In addition to any other remedy provided by this chapter, a short term rental permit and license issued pursuant to this chapter may be suspended, modified, or revoked for violations of this chapter, for violation of any other law on the premises of the short term rental, or for the maintenance of such other conditions as may be shown to be injurious to the public health and safety.
- D. Violation of this chapter shall be processed as outlined in Chapter 8.04: Nuisances.

**Commented [RS24]:** Dollar amounts from another City's code. Unsure if we should have static amounts pointed out in this code or reference to another Chapter or ordinance.

**Commented [KA25R24]:** That is a good point - this may be an item we can add to the fee schedule so we do not need to re-write code to change the fee.

**Commented [RS26R24]:** No change here for now.

### 5.57.090 Denial of application for a short term rental.

An application for a short term rental shall be denied if the approving authority finds that either the application or record fails to establish compliance with the provisions of this chapter. When any application is denied, the approving authority shall state the specific reasons, and shall cite the specific provisions and sections of this code on which the denial is based.

**Commented [KA27]:** What does record refer to here? And Should it be fail or fails?

**Commented [RS28R27]:** "record" in this instance basically means the information in custody of the City connected to the application. Modified grammar slightly, thank you.

### 5.57.100 Appeal.

Decisions regarding short term rentals may be appealed per the procedures outlined in Chapter 17.77.040: Development permit review procedures.

**Commented [RS29]:** The appeal procedure pointed out in the Administrative I process does not state where the appeal goes, it only gives guidance on where to submit said appeal.

### 5.57.110 Severability.

If any chapter, section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional, such decision shall not ~~effect~~affect the validity of the remaining portions of this chapter and each section, subsection, sentence, clause, or phrase thereof.

## **SEPA ENVIRONMENTAL CHECKLIST**

### ***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.

## **A. Background [\[HELP\]](#)**

1. Name of proposed project, if applicable:

**Amendments to Castle Rock Municipal Code Title 5 creating a Short Term Rentals ordinance and Title 17 amending the Home Occupation ordinance.**

2. Name of applicant:

**City of Castle Rock.**

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

**Attn: Ryan P. Shea  
City Planner  
208-310-2083  
141 A Street SW  
Castle Rock, WA 98611**

4. Date checklist prepared:

**September 2, 2022.**

5. Agency requesting checklist:

**Washington State Department of Ecology.**

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

**These are nonproject actions.**

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

**Nonproject actions, this is not applicable. Development proposals emerging subsequent to the adoption of these updates would be evaluated relative to federal, state, and local regulations and standards on an individual project-specific basis.**

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

**Nonproject actions, this is not applicable.**

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.

**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 this



page. (Lead agencies may modify this form to include additional specific information on project description.)

**The City of Castle Rock Planning Commission has proposed the creation of an ordinance regulating short term rentals and a modification of the regulations for home occupations. Please reference attachments 1-3 to view the complete additions and changes.**

**Attachment 1: Proposed Short Term Rental Code**

**Attachment 2: Existing Home Occupation Code**

**Attachment 3: Proposed Home Occupation Code**

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.

**These ordinances will regulate short term rentals and home occupations within the City of Castle Rock city limits.**

## **B. Environmental Elements** [\[HELP\]](#)

### **1. Earth** [\[help\]](#)

a. General description of the site:

(circle one) Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

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

**Land within the city limits is generally flat with steeper slopes present on the northeast and southeast edges of the city. Small portions of these areas are in excess of 15% slopes.**

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.

**The soil within the city limits is comprised primarily of silt loam and sandy soils.**

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

**A river runs through the community which means there are a fair amount of hydric soils near it. However, these nonproject proposals are not anticipated to result in construction proposals that could impact these areas or other potentially unstable soils.**

- 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.

**An increase in new construction is not anticipated by the proposals and will not result in additional filling, grading, or excavation.**

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

**No erosion would result from the adoption of these proposals.**

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

**No increase in impervious surfaces is anticipated after the proposals are adopted. No increase in amenities such as hard surfaced parking lots or walkways are required above and beyond normal zoning requirements.**

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

**No impacts to erosion or other impacts to the earth are anticipated.**

## **2. Air** [\[help\]](#)

- 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.

**The proposals will not result in increased air emissions.**

- 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.**

## **3. Water** [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 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 surface water throughout the city limits primarily in the form of the Cowlitz River with various creeks and streams that flow into it.**

- 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.

**As nonproject actions, the proposals will not generate any work over, in, or adjacent to said river.**

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**Not applicable for these proposals.**

- 4) Will the proposal require surface water withdrawals or diversions? Give 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.

**There are 100-year floodplains within the City of Castle Rock. However, as nonproject actions the proposals will not result in projects that affect a floodplain hazard area.**

- 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: [\[help\]](#)

- 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 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 (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

**Not applicable.**

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.

**Not applicable. The proposals are a nonproject action and do not recommend project actions on a specific site. Future development projects will be conditioned subject to consistency with water quality protection regulations.**

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

**Not as a result of these proposals.**

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:

**None.**

#### **4. Plants** [\[help\]](#)

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?

**The proposals will not directly or indirectly cause vegetation to be removed or altered.**

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

**The Washington State Department of Fish and Wildlife does not report any threatened or endangered species within city limits.**

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.

**Knotweed, poison hemlock.**

## 5. **Animals** [\[help\]](#)

a. List any birds and other animals which 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 \_\_\_\_\_

**Per NatureServe Explorer Pro and WDFW SalmonScape:**

**Birds: Eagles, Swallows**

**Mammals: White-tailed Deer**

**Fish: Chinook Salmon, Rainbow Trout, Largemouth Bass, Steelhead Trout, Chum Salmon, Coho Salmon, Mountain Whitefish, Cutthroat Trout.**

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

**The Washington State Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS) interactive map was queried to identify potential priority habitat and species in the project area; fresh water emergent wetlands are dispersed on the outer city limits.**

**The U.S. Fish and Wildlife Service (USFWS) maintains an on-line list of federally listed as threatened or endangered in the State of Washington. There are no known federally listed threatened or endangered species near the project.**

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

**No.**

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

**None. These nonproject actions will have no negative effect on wildlife.**

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

**None.**

## 6. **Energy and Natural Resources** [\[help\]](#)

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.**

- 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. These proposals will not result in a reduction of energy conservation.**

## **7. Environmental Health** [\[help\]](#)

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

**No.**

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

**Not applicable.**

- 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.**

- 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.**

- 4) Describe special emergency services that might be required.

**Not applicable.**

- 5) Proposed measures to reduce or control environmental health hazards, if any:

**Not applicable.**

### **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.

**Short term rentals have the potential to create noise from guests congregating, celebrating, etc.**

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

**Within the short term rental ordinance, the city's nuisance code has been referenced within the proposed ordinance as the method to deal with noise complaints. Repeated violations will result in fines and eventually revocation of the short term rental license.**

**The proposed changes to the home occupation ordinance further seeks to reduce potential noise issues to surrounding neighborhoods by specifically prohibiting specific commercial-like uses such as repair or painting of automobiles, large appliance/power equipment repair, restaurants, and welding/fabrication shops.**

## **8. Land and Shoreline Use** [\[help\]](#)

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.

**As a nonproject action affecting the entire city, there is no one land use that is applicable here but the land uses are typical of a small city. This proposal has the potential to affect land use to the extent that properties that are solely used as short term rentals will be limited in number within city limits.**

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 as a result 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?

**There are working farmlands and no working forest lands within City limits. Working farmlands lie on the northwest edge of the city. The proposals will not result in any conversion of working 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:

**The proposals will have no affect on surrounding working farm or forest land operations.**

c. Describe any structures on the site.

**Typical structures within a small city: residential, commercial, and industrial structures.**

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

**The proposals are not expected to lead to the demolition of any structures.**

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

**Zoning varies throughout the City of Castle Rock.**

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

**Land within the city have zoning designations that generally match the type, scale, and intensity of the development found there. The City of Castle Rock is primarily single family residential.**

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.

**Yes, Cowlitz River.**

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

**Not applicable.**

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

**Not applicable.**

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

**One of the primary goals of the short term rental ordinance is to prevent the erosion of long term rentals by restricting the number of properties that can solely be used as short term rentals.**

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

**Another goal of both proposals is to help maintain neighborhood integrity. For instance, one requirement in the short term rental ordinance restricts the parking/storage of recreational vehicles connected to a short term rental. Further, the short term rental ordinance also restricts the total number of dwelling units that can be used solely for short term rentals which helps protect neighborhoods from**



**commercial-like uses. The home occupation ordinance adds code that restricts commercial-like uses within neighborhoods.**

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

**No impacts to agricultural and forest lands of long-term commercial significance is anticipated with these proposals.**

## **9. Housing** [\[help\]](#)

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

**These proposals would not contribute additional dwelling units to the city but the short term rental ordinance may indirectly help satisfy demand within the long term rental market.**

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

**No change in number of dwelling units is anticipated with these proposals.**

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

**One of the goals of the short term rental ordinance is to help maintain the long term rental market by restricting homes that can solely be used as short term rentals.**

## **10. Aesthetics** [\[help\]](#)

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

**The proposals will not affect structure height, this is not applicable.**

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

**No views in the city are anticipated to be altered or obstructed.**

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

**Both proposals may directly affect aesthetic impacts to the City to the extent that both proposals aim to restrict negative aesthetic impacts to neighbors. Within the short term rental ordinance, if certain rentals become problematic there are measures in place to fine applicants and revoke licenses as necessary. The home occupation ordinance aims to restrict commercial-like uses from occurring in residential neighborhoods.**

### **11. Light and Glare** [\[help\]](#)

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

**No form of additional light or glare is anticipated above and beyond what typical dwelling units produce.**

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

**The proposals will not directly lead to projects that create more light or glare that create hazards.**

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

**Not applicable.**

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

**None.**

### **12. Recreation** [\[help\]](#)

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

**Cowlitz River, Castle Rock Bike Park, Lions Pride Park, Riverfront Trail, "The Rock", Skate Park, Memory Lane Park, Memorial Park, SC/Cold Water Park, CR/Toutle BB Fields, Elementary, Middle, and High Schools, Sports Complex.**

- 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** [\[help\]](#)

- 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 is one building listed on the national register within Castle Rock: the Laughlin Round Barn located at 8249 Barnes Dr. Three structures are determined eligible for the register which are all centered in the commercial core along Cowlitz St W and 1<sup>st</sup> Ave SW.**

**The City's Comprehensive Plan lists the following properties as being historically significant:**

- 1. Russell Residence: 112 Shintaffer, Constructed in 1900**
- 2. Jail: 100 Jackson Street, Constructed in 1906**
- 3. Pacific National Bank of Washington: 12 West Cowlitz, Constructed in 1904**
- 4. Pioneer Real Estate: Corner of First and "A", Constructed in 1900**
- 5. First Methodist Church: 715 First St, Constructed in 1884**
- 6. Moody Residence: 308 "B" St, Constructed in 1895**
- 7. Moody Residence 2: 500 Warren, Constructed in 1900**
- 8. Baugh Residence: 1008 Third, Constructed in 1900**
- 9. Bolar Residence: 1102 Second, Constructed in 1900**
- 10. Turnbough Residence: 1211 Front St, Constructed in 1900**

- 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.

**The Cowlitz River was used historically for a variety of purposes by Indians. The City's Comprehensive Plan briefly talks about the history of the area but identifies no local landmarks, cemeteries, or areas of cultural importance within the City limits outside of the historic structures listed in Question A above.**

- 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.

**These are nonproject actions that will not result in the ground being disturbed.**

- 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. This proposal will not adversely affect historical resources.**

#### **14. Transportation** [\[help\]](#)

- 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 city's transportation consists of approximately 18 miles of roads. The federal and state routes consist of Interstate-5, State Route 411, and State Route 504.**

- 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?

**Castle Rock is served by limited public transportation provided by Lower Columbia Community Action Council which runs a rural public transportation route between Vancouver and Tumwater with the nearest connection in Longview.**

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**Not applicable.**

- d. 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.**

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

**No.**

- f. How many vehicular trips per day would be generated by the completed project 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.**

- g. 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.**

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

**None.**

## **15. Public Services** [\[help\]](#)

- 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.**

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

**None.**

## 16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

**Not applicable.**

- 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.

**Not applicable.**

## C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the  
lead agency is relying on them to make its decision.

Signature: 

Name of signee: **Ryan Shea**

Position and Agency/Organization: **Planner, SCJ Alliance. Contract City Planner for City of  
Castle Rock, WA.**

Date Submitted: **September 6, 2022.**

## D. Supplemental sheet for nonproject actions [\[HELP\]](#)

**(IT IS NOT NECESSARY to use this sheet for project actions)**

Because these questions are very general, it may be helpful to read them in conjunction  
with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of  
activities likely to result from the proposal, would affect the item at a greater intensity or  
at a faster rate than if the proposal were not implemented. Respond briefly and in  
general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; pro-  
duction, storage, or release of toxic or hazardous substances; or production of noise?

**They would not be likely to increase the above.**

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?

**They would not be likely to affect the above.**

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?

**They would likely not deplete energy or natural resources.**

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

**None.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**The proposals would not likely use or affect environmentally sensitive areas or areas designated for governmental protection.**

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?

**The proposals are not likely to affect land and shoreline use.**

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?

**The proposals are not likely to increase demands on transportation or public services/utilities.**

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

**None.**

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

**The proposals do not conflict with local, state, or federal laws/requirements as they relate to the protection of the environment.**

## Customer Ad Proof

162-60001321 CITY OF CASTLE ROCK

Order Nbr 53167

## Publication

## Daily News

|             |                      |
|-------------|----------------------|
| Contact     | CITY OF CASTLE ROCK  |
| Address 1   | PO BOX 370           |
| Address 2   |                      |
| City St Zip | CASTLE ROCK WA 98611 |
| Phone       | 3602748181           |
| Fax         | 3602744876           |

|             |        |
|-------------|--------|
| PO Number   |        |
| Rate        | Legals |
| Order Price | 311.50 |
| Amount Paid | 0.00   |
| Amount Due  | 311.50 |

|            |             |
|------------|-------------|
| Section    | Legals      |
| SubSection |             |
| Category   | 0599 Legals |

|                 |                         |
|-----------------|-------------------------|
| Start/End Dates | 09/07/2022 - 09/07/2022 |
| Insertions      | 1                       |
| Size            | 89                      |

|          |                                   |
|----------|-----------------------------------|
| Ad Key   | 53167-1                           |
| Keywords | CR Code Amendments NOA w SEPA DNS |

|                |                |
|----------------|----------------|
| Salesperson(s) | Legals Rep     |
| Taken By       | Nicole Muscari |

Notes

Ad Proof



**PUBLIC NOTICE  
Notice of Application, SEPA DNS,  
and Public Hearing  
Text Amendments to Castle Rock  
Municipal Code Titles 5 and 17  
Short Term Rentals and Home  
Occupations**

September 7, 2022

Proponent: City of Castle Rock, WA  
Location: Citywide zoning text  
amendments

Lead agency: City of Castle Rock,  
WA

Description of proposal: The City of  
Castle Rock is initiating text amend-  
ments to the Castle Rock Municipal  
Code pertaining to Titles 5 and 17  
Short Term Rentals and Home  
Occupations. These amendments  
seek compliance with the Washing-  
ton State Growth Management Act  
(GMA), RCW 36.70A and Castle  
Rock Municipal Code Chapter  
17.72. Please contact the City of  
Castle Rock to view the proposed  
amendments.

Determination of Non-Significance  
(DNS): The City of Castle Rock  
Planning Department determined  
that these proposals will not have a  
probable significant adverse impact  
on the environment. An environ-  
mental impact statement (EIS) is  
not required under RCW  
43.21C.030(2). This decision was  
made after review of a completed  
environmental checklist and other  
information on file with the lead  
agency. This information is availa-  
ble to the public on request at: 141  
"A" Street SW, Castle Rock, WA  
98611.

Notice of Public Hearing of the  
Planning Commission:

Date: Wednesday, September 21,  
2022

Time: 6:00 pm

Location: Castle Rock Senior Cen-  
ter 222 2nd Ave SW, Castle Rock,  
WA 98611

Purpose: To review the proposed  
text amendments and make a  
recommendation to the City Coun-  
cil, pursuant to Castle Rock Muni-  
cipal Code 17.72.

This DNS is issued under WAC  
197-11-340(2); the lead agency will  
not act on this proposal for 14 days  
from September 6, 2022. Com-  
ments must be submitted by  
September 21, 2022, to the City of  
Castle Rock Agency Contact below.

AGENCY CONTACT: Karlene  
Akesson, Deputy Clerk  
141 "A" Street SW  
PO Box 370, Castle Rock, WA  
98611

kakesson@ci.castle-rock.wa.us

360-274-8181

RESPONSIBLE OFFICIAL: Ryan  
Shea, City Planner  
141 "A" Street SW

PO Box 370, Castle Rock, WA  
98611

ryanpatrick.shea@scjalliance.com

360-352-1465, ext. 360

Signature: Ryan Shea, September  
6, 2022

You may appeal this determination  
pursuant to CRMC 18.04.220, an  
appeal of SEPA threshold determi-  
nations or SEPA actions shall be  
combined with any appeals of  
associated applications or permits.  
Appeals must be filed within 10  
days of the decision and must be  
appealed to Castle Rock City  
Council.

9/7 53167

# CITY OF CASTLE ROCK

## PLANNING DEPARTMENT

### STAFF REPORT

**TO:** Planning Commission

**FROM:** City of Castle Rock Planning Department, Ryan Shea, SCJ Alliance Planning Consultant

**HEARING DATE:** Wednesday, September 21, 2022

**REQUEST:** Amendments to Castle Rock Municipal Code Chapter 17.48.120-150: Home Occupations

---

### General Information

The City of Castle Rock is proposing amendments to the Castle Rock Municipal Code (CRMC) Chapter 17.48.120-150 Home Occupations to streamline it and easier to implement and enforce. The proposed ordinance adds an applicability section, implements noncompliance standards, and adds basic safety standards. The proposal also removes two sections which have been difficult to administer. First, section 17.48.140 regulating home occupations in accessory buildings like garages, offices, shops have been removed completely due to being onerous and difficult to enforce and such activities are now simply regulated by the allowed types of home occupations. Secondly, section 17.48.150 regulating home occupations fronting residential arterial streets was also removed as the need to pay additional attention to these uses fronting arterial streets was considered unnecessary by the Planning Commission.

### Noticing & Comments

The application went through various iterations and discussions at planning commission workshops. Notice for the public hearing was posted in the local paper on September 7, 2022. The following table illustrates the application and notice compliance procedures:

### Application & Public Hearing Notice Compliance

|                                       |                                                    |
|---------------------------------------|----------------------------------------------------|
| Planning Commission Workshops:        | April 20, May 18, June 14, July 20, 2022           |
| Public Notice Posting                 | September 7, 2022                                  |
| Notice of Public Hearing and SEPA DNS | September 7, 2022                                  |
| Public Written Comment Period:        | September 7-21, 2022                               |
| Public Hearing:                       | Planning Commission: September 21, 2022 at 6:00 pm |

### Agency/ Public Comment:

Staff has not received written comment either from the public or agencies. The Department of Commerce has an expedited review underway and the City expects to incorporate requests or changes provided by the agency as appropriate.

## REGULATORY REVIEW

### SEPA Environmental Review

The City of Castle Rock has determined that this proposal will not have a probable significant adverse impact on the environment that cannot be mitigated through compliance with the conditions of the Castle Rock Municipal Code and other applicable regulations. An Environmental Impact State (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist on file with the lead agency. The proposed amendments were determined to be a nonproject action.

### City of Castle Rock Comprehensive Plan

The Comprehensive Plan has been reviewed for the use and Staff finds that the proposed amendments are consistent with the Comprehensive Plan.

### REVIEW CRITERIA:

| Review Requirement                                                      | Staff Analysis                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A. The change is consistent with the purposes of the Comprehensive Plan | <p><b>Criteria Met:</b></p> <p>There are a variety of goals and policies that this code amendment addresses.</p> <ul style="list-style-type: none"><li>• <b>Residential Development Goal 1: Maintain stability and improve the vitality of residential neighborhoods.</b> The code implements protections in neighborhoods to restrict home occupations to only those uses that are compatible with residential neighborhoods.</li><li>• <b>Residential Development Goal 2: Provide opportunity for a broad range of housing choices to meet the changing needs of the community.</b> Housing needs have rapidly changed over the past few years, with home offices becoming more and more common and residents needing to commute less. The proposed code specifically exempts remote work from being regulated.</li><li>• <b>Housing Policy 4: Due to minimal land supply, the City should discourage the conversion of residential areas to non-residential uses.</b> The ordinance helps restrict the total number of dwelling units that can be solely used as an STR which have a higher chance of acting like commercial uses in residential areas.</li><li>• <b>Downtown/Commercial/Industrial Goal 6: Encourage the establishment of new commercial and industrial enterprises that will bring services and jobs to the community.</b> Home occupations can be a way to allow someone to make a living without having to invest significantly in renting a space which increases the likelihood that such allowances will bring jobs and services to Castle Rock.</li></ul> |

**Public Hearings Required:** Prior to the adoption of any Proposed amendments, supplementations, modifications, or repeals of or to the code a public hearing shall be held by the Planning Commission, pursuant to the requirements of the Castle Rock Municipal Code, who shall make recommendations to the City Council.

## **Recommendation**

Based on the information contained in the file, compliance with the Revised Code of Washington, the Washington Administrative Code, the City of Castle Rock Comprehensive Plan, Staff recommends **APPROVAL** of the proposed Municipal Code amendments.

## **Planning Commission Action**

Planning Commission shall recommend approval, approval with conditions, or denial of the Code Amendment as outlined in this staff report and the following exhibits.

## **Exhibits**

- Exhibit A: Proposed Home Occupation Code Amendments
- Exhibit B: Existing Home Occupation Code
- Exhibit C: Non-project SEPA Checklist
- Exhibit D: Public Notice

## Home Occupation Code Draft Overview Current Code:

| Current code section                                                 | Proposed code structure                    |
|----------------------------------------------------------------------|--------------------------------------------|
| 17.48.120 Home occupations – Permitted uses.                         | Change to Home occupations – Applicability |
| 17.48.130 Home occupations – Required criteria.                      | Remain as redlined                         |
| 17.48.140 Home occupations in accessory buildings – Permit required. | Remove section                             |
| 17.48.150 Home occupations – Fronting residential arterial streets.  | Remove section                             |

### 17.48.120 Home occupations – Applicability

**A. Purpose.** The purpose of this section is to prescribe the conditions and regulations under which home occupations may be conducted when accessory to a residential use. The conduct of business within a residential dwelling or accessory building may be permitted in residential and commercial districts under the provisions of this section as long as the home occupation is consistent with the existing character of the surrounding neighborhood as defined by the approval criteria in 17.48.130. Using the approval criteria, it is the intent of this section to:

1. Maintain and preserve the character of residential neighborhoods;
2. Ensure the compatibility of home occupations with other uses permitted in the residential and commercial districts;
3. Promote the efficient use of public services and facilities while assuring that home occupation users do not reduce the City's public services and facilities level of service to intended residential users; and
4. Encourage flexibility in the workplace and creativity in careers by permitting home occupations.

**B. Permitted Home occupation uses.** The following home occupations and other operations similar in nature may be operated as an accessory use to a dwelling unit:

1. Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and home furnishing;
2. Teaching of piano, voice or dancing, limited to a total of six pupils simultaneously;
3. Fine art studio in which are created only individual works of art;
4. Rooming and boarding of not more than four persons, exclusive of the resident family;
5. Beauty salon, provided the business is limited to the operations of two dryers;
6. Offices staffed only by resident of dwelling unit; **or**
7. Any use not mentioned will be reviewed against the home occupation required criteria and deemed a home occupation by the [City Planner?] or his/her designee;

**Commented [KA1]:** Will having the word 'or' here create confusion in the future? This section should be read as 'or' all the way through. There was some confusion as to whether or not item 7 was in addition to items 1-6 or was stand alone, however, we believe that the semicolons indicate 'or' as it would be unusual to have all of these items happening together under one roof as a home occupation, or makes the most sense.

8. All types of services and commercial businesses, providing they meet all of the requirements of this section after having the compatibility of the enterprises ascertained by the hearings examiner.
9. ~~Any use not mentioned will be reviewed against the home occupation required criteria and deemed a home occupation by the Community Development Director or his/her designee.~~

**Commented [KA2]:** Maybe the City Planner or Development Review Team? We do not have a Community Development Director position.

**Commented [RS3R2]:** Changes made in #7.

**C. Prohibited Home occupation uses.** The following uses, regardless of whether they meet the standards of 17.48.130, are not permitted as home occupations:

1. Veterinary clinics, animal hospitals, or kennels;
2. Equipment rental;
3. Funeral chapels, mortuaries, or funeral homes;
4. Wedding chapels;
5. Medical or dental clinics;
6. Repair or painting of automobiles, motorcycles, trailers, boats, or other vehicles;
7. Repair of large appliances (e.g., ranges, ovens, refrigerators, washers, dryers, and the like);
8. Repair of power equipment (e.g., lawn mowers, snow blowers, chain saws, string trimmers, and the like);
9. Restaurants; and
10. Welding or metal fabrication shops.

**D. Exempt.** If the home occupation is limited to those activities which involve professional remote office work for a business conducted elsewhere, has no outward manifestation of the business, and no customers or employees coming to the home, it shall be considered "exempt." An exempt home occupation shall be considered an accessory use and permitted outright with no land use permit required.

**Commented [RG4]:** Exemption for people working from home – home offices

## 17.48.130 Home occupations – Required criteria.

**A. Development requirements.** Failure to comply with any or all of the following development standards will result in revocation of the home occupation permit. The director shall have authority to place such restrictions and conditions on the permit as deemed necessary to protect the neighborhood from any detrimental effect which may arise from the proposed use. Once a home occupation permit has been issued, it shall not be transferable to another person or location, nor shall the specified conditions be changed in any manner except upon reapplication. If after issuance of the permit, the use violates any of the conditions of the permit, or if the director otherwise finds the use to have a detrimental effect on the surrounding neighborhood, the director shall have the authority to place additional restrictions on the permit or to revoke the permit and order the use abated.

**B. Criteria.** All permitted home occupations shall comply with the following criteria:

1. **Business License:** All home occupations shall be required to obtain a business license as provided for in Chapter 5.01 CRMC. Consideration of a home occupation business license requires a Type I development review process, the application materials and procedures for which are provided in CRMC 17.77.040. Thereafter all home occupations shall be required to renew the business license each year from the city clerk-treasurer's office and, upon review by an authorized representative of the city and/or fire department shall:

- a. Either be allowed to continue if found to be conforming to this title or any conditional use requirements;
- b. Be allowed to continue with corrective modifications made by the applicant if found to be nonconforming to any requirements of this title or any conditional use requirements; or
- c. Be discontinued for cause if found to be nonconforming to this title or any conditional use requirements and, despite modifications, the use is not capable of conformance.

1.2. **Annual Inspection:** During the required annual inspection it shall be determined if the current conditions of the home occupation comply with those that existed at the time of original approval and the other criteria of this section. An inspection shall be required upon the initial application to confirm compliance with this Chapter. Additionally, the city clerk-treasurer or designated representative may inspect the location of the home occupation at any time during the year if there is reason to believe that the provisions of this title are not being obeyed or if changes have occurred to the structure that could have altered compliance with this Chapter. For example, a complaint is made against the home occupation or possible inappropriate activities are observed by city staff. If the home occupation is not in compliance with this section then the alternatives listed in subsection (A) of this section shall apply.

3. **Building Code Compliance:** The home occupation shall not result in an increase in the life safety hazard rating of the subject property as defined in the building and fire code. The applicant shall produce copies of a floor plan in accordance with the requirements listed in 17.77.040.

4. The home occupation is to be secondary to the main use of the dwelling as a residence or a single residential accessory building.

5. The home occupation does not generate, in excess of levels customarily found in residential neighborhoods in the City, any vibration, smoke, dust, odors, noise, electrical interference with radio or television transmission or reception, or heat or glare that is noticeable at or beyond the property line of the subject property.

2.6. No entrance to the space devoted to the home occupation other than from within the dwelling or accessory building shall be allowed except when otherwise required by law.

3.7. A maximum of two persons may be engaged in the home occupation, provided the business owner resides in the dwelling unit associated with the home occupation.

8. Window displays or sample commodities displayed outside the home or accessory structure may be permitted as a conditional use or a temporary use permit if associated with a temporary sale or event.

9. Home occupation signs shall meet the standards in 17.82.

**Commented [KA5]:** The Fire Department is not typically directly involved with the permitting process.

**Commented [RS6R5]:** Fire department reference removed.

**Commented [KA7]:** Could we use may be required? Or if changes occurred an inspection may be required?

**Commented [RS8R7]:** Made changes to address these comments.

10. No materials or mechanical equipment shall be used which will be detrimental to or cause adverse effects to the residential use of the dwelling, accessory building, adjoining dwellings, or neighbors because of vibrations, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
11. No materials or commodities shall be delivered to or from the resident which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer, excluding such small delivery vehicles as the United States Postal Service, UPS, Federal Express, Pony Express and other similar services.
12. The type of use, as determined by the city director of public works, shall not be one which generates frequent customer visits, creates street-side parking problems or inconveniences to adjacent and nearby residents, or creates potential or real traffic hazards to neighborhood residents.
13. Materials, products or commodities related to the home occupation may be stored and/or operated upon any yard area of the subject residential property as a conditional use.
- 4.14. Fees for home occupation business licenses, conditional use permits and required inspections shall be set forth in a fee schedule as determined by the city council and/or fire department.

**Commented [KA9]:** The fire department is not typically directly involved with the permitting process.

**Commented [RS10R9]:** Removed Fire Dept. reference.



## **Current Home Occupation Sections – Castle Rock Municipal Code**

### **17.16.350 Home occupation.**

A. An occupation, profession, activity, or use that is clearly a customary, incidental, and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

B. An accessory use of a dwelling unit for gainful employment which:

1. Is clearly incidental and subordinate to the use of the dwelling unit as a residence;
2. Is carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwellings;
3. Is located in a residential district; and
4. Is created and operated as a sole proprietorship.

### **17.48.130 Home occupations – Required criteria.**

All permitted home occupations shall comply with the following criteria:

A. All home occupations shall be required to obtain a business license as provided for in Chapter [5.01](#) CRMC. Consideration of a home occupation business license requires a Type I development review process, the application materials and procedures for which are provided in CRMC [17.77.040](#). Thereafter all home occupations shall be required to renew the business license each year from the city clerk-treasurer's office and, upon review by an authorized representative of the city and/or fire department, shall:

1. Either be allowed to continue if found to be conforming to this title or any conditional use requirements;
2. Be allowed to continue with corrective modifications made by the applicant if found to be nonconforming to any requirements of this title or any conditional use requirements; or
3. Be discontinued for cause if found to be nonconforming to this title or any conditional use requirements and, despite modifications, the use is not capable of conformance.

B. During the required annual inspection it shall be determined if the current conditions of the home occupation comply with those that existed at the time of original approval and the other criteria of this section. Additionally, the city clerk-treasurer or designated representative may inspect the location of the home occupation at any time during the year if there is reason to believe that the provisions of this title are not being obeyed. For example, a complaint is made

against the home occupation or possible inappropriate activities are observed by city staff. If the home occupation is not in compliance with this section, then the alternatives listed in subsection (A) of this section shall apply.

C. Not over 30 percent of the total floor area of one floor or 400 square feet, whichever is less, of the residential building is to be used for the home occupation. Home occupations permitted as a conditional use in an accessory building may occupy not over 30 percent of the total floor area or 400 square feet, whichever is less, of one floor of the accessory building. These floor area requirements also apply to storage associated with or necessary for the home occupation.

D. The home occupation is to be secondary to the main use of the dwelling as a residence or a single residential accessory building.

E. No structural alterations, as defined in CRMC [17.16.700](#), shall be allowed to accommodate the home occupation except when otherwise required by law, e.g., construction of a fire wall required by the Uniform Building or Fire Code.

F. No entrance to the space devoted to the home occupation other than from within the dwelling or accessory building shall be allowed except when otherwise required by law.

G. A maximum of two persons may be engaged in the home occupation, provided the business owner resides in the dwelling unit associated with the home occupation.

H. Window displays or sample commodities displayed outside the building may be permitted as a conditional use.

I. Home occupation may have one sign, nonilluminated and attached to the principal building or on shingle attached to the principal building, no larger than eight square feet.

J. No materials or mechanical equipment shall be used which will be detrimental to or cause adverse effects to the residential use of the dwelling, accessory building, adjoining dwellings, or neighbors because of vibrations, noise, dust, smoke, odor, interference with radio or television reception, or other factors.

K. No materials or commodities shall be delivered to or from the resident which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer, excluding such small delivery vehicles as UPS, American Express, Pony Express and other similar services.

L. The type of use, as determined by the city director of public works, shall not be one which generates frequent customer visits, creates street-side parking problems or inconveniences to adjacent and nearby residents, or creates potential or real traffic hazards to neighborhood residents.

M. Materials, products or commodities related to the home occupation may be stored and/or operated upon any yard area of the property as a conditional use.

N. Fees for home occupation business licenses, conditional use permits and required inspections shall be set forth in a fee schedule as determined by the city council and/or fire department.

**17.77.040 Development permit review procedures.**

**D. Development Permit Application Requirements and Review Procedures.**

**1. Type I – Administrative I.**

a. Type I – Administrative I. A Type I development review process is used to review a tenant improvement permit or home occupation business license (CRMC [17.48.130](#)), the uses of which are totally contained in an existing structure and require no expansion to the building footprint. The purpose of a Type I development review process is for the members of the development review committee to make a recommendation to the building official prior to making a decision on whether to issue an occupancy permit.

A use requiring a Type I development review process is usually relatively minor in scope and so few application materials are required and public notice is not provided. However, the project may trigger additional reviews such as compliance with Chapter [18.04](#) CRMC, Environmental Policy, or require submittal of additional materials such as a traffic impact analysis or, in the case of restaurants and/or catering services, a demonstration of compliance with Cowlitz County department of health requirements.

b. The application for a permit requiring a Type I development review process shall be submitted on forms obtained from the city clerk-treasurer's office and shall be signed by the applicant and the owner of the property.

c. A complete application for a permit requiring Type I development permit includes:

- i. One copy of the master application;
- ii. One copy of the environmental questionnaire (an affirmative answer to any one question triggers the requirement to submit a SEPA checklist and undergo environmental review in accordance with Chapter [18.04](#) CRMC);
- iii. One copy of a narrative describing the proposed use and the expected number of occupants and/or employees;
- iv. One reproducible copy (eight and one-half inches by 11 inches or 11 inches by 17 inches) or seven oversized copies of a floor plan showing:
  - (A) All existing and proposed walls.

(B) Use(s) of adjacent tenant spaces, if applicable.

(C) Disability Access. Show how area of renovation/improvement complies with disabled access requirements including paths of travel to points of ingress/egress, restrooms, drinking fountains and public telephones.

(D) Occupancy. Indicate type of occupancy and describe the proposed use of the improved area (i.e., retail sales, woodshop, office, etc.).

(E) Doors. Show all door locations, fire rating (if applicable), direction of swing, self-closing mechanisms, required exit signage and lighting, etc.

(F) Plumbing specifications, such as types and locations of fixtures, drains, and grease traps.

(G) Restroom design and number of fixtures.

(H) Lighting type and locations of fixtures.

(I) Restaurant and/or catering uses shall include all information required by the Cowlitz County health department;

v. One reproducible copy (eight and one-half inches by 11 inches or 11 inches by 17 inches) or seven oversized copies of a plot plan showing:

(A) All property lines, labeled with dimensions;

(B) All existing structures;

(C) Accessible path of travel from public sidewalk and/or parking space to tenant space; and

(D) Off-street parking and loading requirements of Chapter [17.52](#) CRMC.

d. Within 10 working days of receipt of a complete application, the city clerk-treasurer's office shall transmit a copy of the application to the development review committee members for their comments or recommendations regarding the application. The city clerk-treasurer may also route the application to other jurisdictions or agency staff, and invite their participation in the development review process if determined appropriate. If applicable, this routing will be combined with circulation of the completed State Environmental Protection Act (SEPA) checklist and the timeline for that process will supersede these procedures.

e. Within 10 working days of receipt of the application materials, members of the development review committee shall forward a recommendation to the building

official whether to approve, approve with conditions or deny the underlying permit. If additional information is necessary to properly evaluate the proposal, staff shall provide in writing sufficient direction to explain what is being requested. When significant issues are raised, a meeting between the applicant and appropriate city representatives shall be held.

f. The building official shall consider the recommendation of the development review committee when deciding whether to issue the underlying permit.

g. Appeal of the building official's decision must be submitted to the city clerk-treasurer in writing no later than 10 business days following the building official's decision.

## **SEPA ENVIRONMENTAL CHECKLIST**

### ***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.

## **A. Background [\[HELP\]](#)**

1. Name of proposed project, if applicable:

**Amendments to Castle Rock Municipal Code Title 5 creating a Short Term Rentals ordinance and Title 17 amending the Home Occupation ordinance.**

2. Name of applicant:

**City of Castle Rock.**

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

**Attn: Ryan P. Shea  
City Planner  
208-310-2083  
141 A Street SW  
Castle Rock, WA 98611**

4. Date checklist prepared:

**September 2, 2022.**

5. Agency requesting checklist:

**Washington State Department of Ecology.**

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

**These are nonproject actions.**

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

**Nonproject actions, this is not applicable. Development proposals emerging subsequent to the adoption of these updates would be evaluated relative to federal, state, and local regulations and standards on an individual project-specific basis.**

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

**Nonproject actions, this is not applicable.**

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.

**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 this

page. (Lead agencies may modify this form to include additional specific information on project description.)

**The City of Castle Rock Planning Commission has proposed the creation of an ordinance regulating short term rentals and a modification of the regulations for home occupations. Please reference attachments 1-3 to view the complete additions and changes.**

**Attachment 1: Proposed Short Term Rental Code**

**Attachment 2: Existing Home Occupation Code**

**Attachment 3: Proposed Home Occupation Code**

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.

**These ordinances will regulate short term rentals and home occupations within the City of Castle Rock city limits.**

## **B. Environmental Elements** [\[HELP\]](#)

### **1. Earth** [\[help\]](#)

a. General description of the site:

(circle one) Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

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

**Land within the city limits is generally flat with steeper slopes present on the northeast and southeast edges of the city. Small portions of these areas are in excess of 15% slopes.**

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.

**The soil within the city limits is comprised primarily of silt loam and sandy soils.**

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

**A river runs through the community which means there are a fair amount of hydric soils near it. However, these nonproject proposals are not anticipated to result in construction proposals that could impact these areas or other potentially unstable soils.**



- 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.

**An increase in new construction is not anticipated by the proposals and will not result in additional filling, grading, or excavation.**

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

**No erosion would result from the adoption of these proposals.**

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

**No increase in impervious surfaces is anticipated after the proposals are adopted. No increase in amenities such as hard surfaced parking lots or walkways are required above and beyond normal zoning requirements.**

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

**No impacts to erosion or other impacts to the earth are anticipated.**

## **2. Air** [\[help\]](#)

- 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.

**The proposals will not result in increased air emissions.**

- 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.**

## **3. Water** [\[help\]](#)

- a. Surface Water: [\[help\]](#)

- 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 surface water throughout the city limits primarily in the form of the Cowlitz River with various creeks and streams that flow into it.**

- 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.

**As nonproject actions, the proposals will not generate any work over, in, or adjacent to said river.**

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**Not applicable for these proposals.**

- 4) Will the proposal require surface water withdrawals or diversions? Give 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.

**There are 100-year floodplains within the City of Castle Rock. However, as nonproject actions the proposals will not result in projects that affect a floodplain hazard area.**

- 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: [\[help\]](#)

- 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 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 (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

**Not applicable.**

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.

**Not applicable. The proposals are a nonproject action and do not recommend project actions on a specific site. Future development projects will be conditioned subject to consistency with water quality protection regulations.**

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

**Not as a result of these proposals.**

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:

**None.**

#### **4. Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- ☒X\_\_ deciduous tree: alder, maple, aspen, other
- ☒X\_\_ evergreen tree: fir, cedar, pine, other
- ☒X\_\_ shrubs
- ☒X\_\_ grass
- ☒X\_\_ pasture
- ☒X\_\_ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☒X\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

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

**The proposals will not directly or indirectly cause vegetation to be removed or altered.**

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

**The Washington State Department of Fish and Wildlife does not report any threatened or endangered species within city limits.**

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.

**Knotweed, poison hemlock.**

## 5. **Animals** [\[help\]](#)

a. List any birds and other animals which 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 \_\_\_\_\_

**Per NatureServe Explorer Pro and WDFW SalmonScape:**

**Birds: Eagles, Swallows**

**Mammals: White-tailed Deer**

**Fish: Chinook Salmon, Rainbow Trout, Largemouth Bass, Steelhead Trout, Chum Salmon, Coho Salmon, Mountain Whitefish, Cutthroat Trout.**

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

**The Washington State Department of Fish and Wildlife (WDFW) Priority Habitat and Species (PHS) interactive map was queried to identify potential priority habitat and species in the project area; fresh water emergent wetlands are dispersed on the outer city limits.**

**The U.S. Fish and Wildlife Service (USFWS) maintains an on-line list of federally listed as threatened or endangered in the State of Washington. There are no known federally listed threatened or endangered species near the project.**

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

**No.**

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

**None. These nonproject actions will have no negative effect on wildlife.**

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

**None.**

## 6. **Energy and Natural Resources** [\[help\]](#)

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.**

- 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. These proposals will not result in a reduction of energy conservation.**

## **7. Environmental Health** [\[help\]](#)

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

**No.**

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

**Not applicable.**

- 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.**

- 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.**

- 4) Describe special emergency services that might be required.

**Not applicable.**

- 5) Proposed measures to reduce or control environmental health hazards, if any:

**Not applicable.**

### **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.

**Short term rentals have the potential to create noise from guests congregating, celebrating, etc.**

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

**Within the short term rental ordinance, the city's nuisance code has been referenced within the proposed ordinance as the method to deal with noise complaints. Repeated violations will result in fines and eventually revocation of the short term rental license.**

**The proposed changes to the home occupation ordinance further seeks to reduce potential noise issues to surrounding neighborhoods by specifically prohibiting specific commercial-like uses such as repair or painting of automobiles, large appliance/power equipment repair, restaurants, and welding/fabrication shops.**

## **8. Land and Shoreline Use** [\[help\]](#)

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.

**As a nonproject action affecting the entire city, there is no one land use that is applicable here but the land uses are typical of a small city. This proposal has the potential to affect land use to the extent that properties that are solely used as short term rentals will be limited in number within city limits.**

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 as a result 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?

**There are working farmlands and no working forest lands within City limits. Working farmlands lie on the northwest edge of the city. The proposals will not result in any conversion of working 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:

**The proposals will have no affect on surrounding working farm or forest land operations.**

c. Describe any structures on the site.

**Typical structures within a small city: residential, commercial, and industrial structures.**

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

**The proposals are not expected to lead to the demolition of any structures.**

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

**Zoning varies throughout the City of Castle Rock.**

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

**Land within the city have zoning designations that generally match the type, scale, and intensity of the development found there. The City of Castle Rock is primarily single family residential.**

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.

**Yes, Cowlitz River.**

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

**Not applicable.**

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

**Not applicable.**

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

**One of the primary goals of the short term rental ordinance is to prevent the erosion of long term rentals by restricting the number of properties that can solely be used as short term rentals.**

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

**Another goal of both proposals is to help maintain neighborhood integrity. For instance, one requirement in the short term rental ordinance restricts the parking/storage of recreational vehicles connected to a short term rental. Further, the short term rental ordinance also restricts the total number of dwelling units that can be used solely for short term rentals which helps protect neighborhoods from**

**commercial-like uses. The home occupation ordinance adds code that restricts commercial-like uses within neighborhoods.**

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

**No impacts to agricultural and forest lands of long-term commercial significance is anticipated with these proposals.**

## **9. Housing** [\[help\]](#)

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

**These proposals would not contribute additional dwelling units to the city but the short term rental ordinance may indirectly help satisfy demand within the long term rental market.**

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

**No change in number of dwelling units is anticipated with these proposals.**

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

**One of the goals of the short term rental ordinance is to help maintain the long term rental market by restricting homes that can solely be used as short term rentals.**

## **10. Aesthetics** [\[help\]](#)

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

**The proposals will not affect structure height, this is not applicable.**

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

**No views in the city are anticipated to be altered or obstructed.**

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

**Both proposals may directly affect aesthetic impacts to the City to the extent that both proposals aim to restrict negative aesthetic impacts to neighbors. Within the short term rental ordinance, if certain rentals become problematic there are measures in place to fine applicants and revoke licenses as necessary. The home occupation ordinance aims to restrict commercial-like uses from occurring in residential neighborhoods.**



### **11. Light and Glare** [\[help\]](#)

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

**No form of additional light or glare is anticipated above and beyond what typical dwelling units produce.**

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

**The proposals will not directly lead to projects that create more light or glare that create hazards.**

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

**Not applicable.**

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

**None.**

### **12. Recreation** [\[help\]](#)

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

**Cowlitz River, Castle Rock Bike Park, Lions Pride Park, Riverfront Trail, "The Rock", Skate Park, Memory Lane Park, Memorial Park, SC/Cold Water Park, CR/Toutle BB Fields, Elementary, Middle, and High Schools, Sports Complex.**

- 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** [\[help\]](#)

- 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 is one building listed on the national register within Castle Rock: the Laughlin Round Barn located at 8249 Barnes Dr. Three structures are determined eligible for the register which are all centered in the commercial core along Cowlitz St W and 1<sup>st</sup> Ave SW.**

**The City's Comprehensive Plan lists the following properties as being historically significant:**

- 1. Russell Residence: 112 Shintaffer, Constructed in 1900**
- 2. Jail: 100 Jackson Street, Constructed in 1906**
- 3. Pacific National Bank of Washington: 12 West Cowlitz, Constructed in 1904**
- 4. Pioneer Real Estate: Corner of First and "A", Constructed in 1900**
- 5. First Methodist Church: 715 First St, Constructed in 1884**
- 6. Moody Residence: 308 "B" St, Constructed in 1895**
- 7. Moody Residence 2: 500 Warren, Constructed in 1900**
- 8. Baugh Residence: 1008 Third, Constructed in 1900**
- 9. Bolar Residence: 1102 Second, Constructed in 1900**
- 10. Turnbough Residence: 1211 Front St, Constructed in 1900**

- 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.

**The Cowlitz River was used historically for a variety of purposes by Indians. The City's Comprehensive Plan briefly talks about the history of the area but identifies no local landmarks, cemeteries, or areas of cultural importance within the City limits outside of the historic structures listed in Question A above.**

- 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.

**These are nonproject actions that will not result in the ground being disturbed.**

- 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. This proposal will not adversely affect historical resources.**

#### **14. Transportation** [\[help\]](#)

- 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 city's transportation consists of approximately 18 miles of roads. The federal and state routes consist of Interstate-5, State Route 411, and State Route 504.**

- 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?

**Castle Rock is served by limited public transportation provided by Lower Columbia Community Action Council which runs a rural public transportation route between Vancouver and Tumwater with the nearest connection in Longview.**

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**Not applicable.**

- d. 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.**

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

**No.**

- f. How many vehicular trips per day would be generated by the completed project 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.**

- g. 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.**

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

**None.**

## **15. Public Services** [\[help\]](#)

- 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.**

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

**None.**

## 16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

**Not applicable.**

- 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.

**Not applicable.**

## C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: **Ryan Shea**

Position and Agency/Organization: **Planner, SCJ Alliance. Contract City Planner for City of Castle Rock, WA.**

Date Submitted: **September 6, 2022.**

## D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**They would not be likely to increase the above.**

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?

**They would not be likely to affect the above.**

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?

**They would likely not deplete energy or natural resources.**

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

**None.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**The proposals would not likely use or affect environmentally sensitive areas or areas designated for governmental protection.**

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?

**The proposals are not likely to affect land and shoreline use.**

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?

**The proposals are not likely to increase demands on transportation or public services/utilities.**

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

**None.**

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

**The proposals do not conflict with local, state, or federal laws/requirements as they relate to the protection of the environment.**

## Customer Ad Proof

162-60001321

CITY OF CASTLE ROCK

Order Nbr 53167

## Publication

## Daily News

|             |                      |
|-------------|----------------------|
| Contact     | CITY OF CASTLE ROCK  |
| Address 1   | PO BOX 370           |
| Address 2   |                      |
| City St Zip | CASTLE ROCK WA 98611 |
| Phone       | 3602748181           |
| Fax         | 3602744876           |

|             |        |
|-------------|--------|
| PO Number   |        |
| Rate        | Legals |
| Order Price | 311.50 |
| Amount Paid | 0.00   |
| Amount Due  | 311.50 |

|            |             |
|------------|-------------|
| Section    | Legals      |
| SubSection |             |
| Category   | 0599 Legals |

|                 |                         |
|-----------------|-------------------------|
| Start/End Dates | 09/07/2022 - 09/07/2022 |
| Insertions      | 1                       |
| Size            | 89                      |

|          |                                   |
|----------|-----------------------------------|
| Ad Key   | 53167-1                           |
| Keywords | CR Code Amendments NOA w SEPA DNS |

|                |                |
|----------------|----------------|
| Salesperson(s) | Legals Rep     |
| Taken By       | Nicole Muscari |

Notes

Ad Proof

**PUBLIC NOTICE  
Notice of Application, SEPA DNS,  
and Public Hearing  
Text Amendments to Castle Rock  
Municipal Code Titles 5 and 17  
Short Term Rentals and Home  
Occupations**

September 7, 2022

Proponent: City of Castle Rock, WA  
Location: Citywide zoning text  
amendments

Lead agency: City of Castle Rock,  
WA

Description of proposal: The City of  
Castle Rock is initiating text amend-  
ments to the Castle Rock Municipal  
Code pertaining to Titles 5 and 17  
Short Term Rentals and Home  
Occupations. These amendments  
seek compliance with the Washing-  
ton State Growth Management Act  
(GMA), RCW 36.70A and Castle  
Rock Municipal Code Chapter  
17.72. Please contact the City of  
Castle Rock to view the proposed  
amendments.

Determination of Non-Significance  
(DNS): The City of Castle Rock  
Planning Department determined  
that these proposals will not have a  
probable significant adverse impact  
on the environment. An environ-  
mental impact statement (EIS) is  
not required under RCW  
43.21C.030(2). This decision was  
made after review of a completed  
environmental checklist and other  
information on file with the lead  
agency. This information is availa-  
ble to the public on request at: 141  
"A" Street SW, Castle Rock, WA  
98611.

Notice of Public Hearing of the  
Planning Commission:

Date: Wednesday, September 21,  
2022

Time: 6:00 pm

Location: Castle Rock Senior Cen-  
ter 222 2nd Ave SW, Castle Rock,  
WA 98611

Purpose: To review the proposed  
text amendments and make a  
recommendation to the City Coun-  
cil, pursuant to Castle Rock Muni-  
cipal Code 17.72.

This DNS is issued under WAC  
197-11-340(2); the lead agency will  
not act on this proposal for 14 days  
from September 6, 2022. Com-  
ments must be submitted by  
September 21, 2022, to the City of  
Castle Rock Agency Contact below.

AGENCY CONTACT: Karlene  
Akesson, Deputy Clerk  
141 "A" Street SW  
PO Box 370, Castle Rock, WA  
98611

kakesson@ci.castle-rock.wa.us

360-274-8181

RESPONSIBLE OFFICIAL: Ryan  
Shea, City Planner  
141 "A" Street SW

PO Box 370, Castle Rock, WA  
98611

ryanpatrick.shea@scjalliance.com

360-352-1465, ext. 360

Signature: Ryan Shea, September  
6, 2022

You may appeal this determination  
pursuant to CRMC 18.04.220, an  
appeal of SEPA threshold determi-  
nations or SEPA actions shall be  
combined with any appeals of  
associated applications or permits.  
Appeals must be filed within 10  
days of the decision and must be  
appealed to Castle Rock City  
Council.

9/7 53167