



CASTLE ROCK PLANNING COMMISSION

Regular Meeting: Tuesday, June 20, 2023
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://meet.goto.com/216918261>
To join this meeting using your phone: +1 (224) 501-3412 Access Code: 216-918-261 (Press *6 to speak)
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1. CALL TO ORDER

- a. Roll Call

2. INTRODUCTIONS

- a. Introduce Contracted City Planner Cristina Haworth, SCJ Alliance.

3. APPROVAL OF MINUTES

- a. May 16, 2023 Planning Commission Regular Meeting

4. PUBLIC COMMENT

5. REPORTS

6. OLD BUSINESS

- a. Review and discuss draft code amendments associated with Ordinance No. 2023-04 - An ordinance which established a six-month moratorium on applications and/or development activities on nonconforming lots.
- b. Draft Code Amendment - Castle Rock Municipal Code Chapter 16.34 - Boundary Line Adjustment
- c. Draft Code Amendment - CRMC Ch. 16.37 - Table of Required Information
- d. Draft Code Amendment - CRMC Ch. 17.55 - Substandard Lots

7. NEW BUSINESS

8. ADJOURNMENT

UPCOMING MEETINGS:

July 18, 2023

August 15, 2023

September 19, 2023

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 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 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

Chairperson Sullivan called the regular meeting to order at 6:00 pm.

a. Roll Call

Members present: Chairperson Rick Sullivan, Vice-Chair Matt Rasmussen, Commissioners Richard Skreen, Ryane Olin, Lisa White, and David Van Camp. Staff present: Contracted Planner Malissa Paulsen; Secretary Karlene Akesson

2. INTRODUCTIONS

a. Introduce newly appointed Planning Commissioner

Newly appointed Planning Commissioner David Van Camp introduced himself.

3. APPROVAL OF MINUTES

a. April 18, 2023 Planning Commission Regular Meeting and Public Hearing Minutes

Vice-Chair Rasmussen motioned, seconded by Olin, to approve the April 18, 2023 minutes as presented. Motion carried by roll call vote. Commissioners Rick Sullivan, Matt Rasmussen, Richard Skreen, Ryane Olin, Lisa White, and David Van Camp voted 'Aye'.

4. PUBLIC COMMENT

5. REPORTS

6. OLD BUSINESS

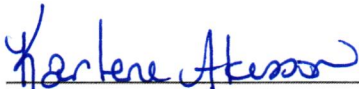
a. Discussion regarding the research associated with Ordinance No. 2023-04 (The ordinance which established a six-month moratorium on applications and/or development activities on nonconforming lots).

City Planner Malissa Paulsen presented. There was a discussion that followed. Malissa Paulsen stated she expects to have a draft code for the commissioners to review before the next regular planning commission meeting.

7. NEW BUSINESS

8. ADJOURNMENT

Vice-Chair Rasmussen motioned to adjourn the regular meeting, Commissioner Skreen seconded the motion. All were in favor. At 6:40 pm, Chairperson Sullivan adjourned the regular meeting.


Karlene Akesson, Secretary

Chapter 16.34

BOUNDARY LINE ADJUSTMENT AND LOT CONSOLIDATION

Sections:

- [16.34.010 Application requirements.](#)
- [16.34.020 Boundary line adjustment requirements.](#)
- [16.34.030 Boundary line adjustment – Recording.](#)
- [16.34.040 Lot consolidation requirements.](#)

16.34.010 Application requirements.

Boundary line adjustment, as defined in Chapter [16.08](#) CRMC, and lot consolidation shall comply with the following:

A. Preapplication Meeting. Before making an application for a boundary line adjustment or lot consolidation, the applicant may arrange to have the proposal reviewed informally by submitting a preapplication request form to the city clerk-treasurer. The proposal should include the information required for submission of a boundary line adjustment or lot consolidation. Upon receipt of a properly prepared request, the city shall notify the applicant of the time and place of the preapplication conference.

B. General Application. A general application form must be completed including the existing legal description of the properties involved.

1. A general application form completed and signed by all property owners;
2. A map illustrating the boundary line adjustment or lot consolidation and any supplemental material prepared in accordance with CRMC [16.37.010](#), Table of required information. The number of prints shall be as required on the application form;
3. A title insurance report which bears the original signature of the title officer and is no more than 30 days old shall be furnished by the developer. The report must confirm that the title of the land in the proposed subdivision is vested in the name of the owners having a title interest and whose signatures appear on the plat's certificate;
4. The application shall be accompanied by a nonrefundable fee as established by the city fee schedule.

Deleted: C. Lot Consolidations. In cases where multiple lots, parcels or tracts will all be used for one building site, and in particular those cases where a structure is proposed to be built across a property line, the lots, parcels or tracts shall be consolidated into one lot, parcel or tract. The consolidation shall be prepared by the owner(s) or their representative and reviewed by the city in the same manner as a boundary/lot line adjustment, and shall be recorded at the office of the county auditor.

16.34.020 Boundary line adjustment requirements.

A. Boundary line adjustments require a property survey prepared by a licensed land surveyor. A copy of such survey or plat shall be submitted with the application.

B. The boundary line adjustment drawing shall identify the exterior boundaries of all properties involved in the adjustment and shall identify the receiving parcel as a single parcel which includes the conveyed portion of the grantor's property. Revised legal descriptions of the parcels involved shall accompany the drawing.

C. The boundary line adjustment drawing and conveyance document shall contain a binding covenant that the land being conveyed is for the sole purpose of adjusting the boundary line between parcels and shall not result in the creation of additional parcels and is not to be sold or transferred as a separate parcel by the grantee, heirs or assigns.

D. The boundary line adjustment drawing shall contain a title of "Boundary Line Adjustment Survey" and shall contain a certificate for approval by the city planner and city engineer. [Ord. 2010-01 Att. A, 2010; Ord. 2006-09 Att. A, 2006].

16.34.030 Boundary line adjustment – Recording.

A. The surveyor shall set the necessary monuments in compliance with the Survey Recording Act.

B. When the requirements of this chapter are met, the city planner and city engineer shall certify approval of the boundary line adjustment. Two Mylar bases and the required recording fee shall be furnished to the city of Castle Rock. The city planner shall then forward one Mylar base to the city engineer. One Mylar shall be recorded with the Cowlitz County auditor by the city planner within five days after the date the last required signature has been obtained.

C. After recording, the developer shall provide one 11-inch-by-17-inch paper copy of the recorded Mylar to the city clerk-treasurer within seven days of recording the document. No building permits will be issued until the copy of the recorded document has been provided to the city clerk-treasurer. The fees for this copy shall be paid by the developer in addition to all other recording fees. [Ord. 2010-01 Att. A, 2010; Ord. 2006-09 Att. A, 2006].

16.34.040 Lot consolidation requirements.

A. In cases where multiple lots, parcels or tracts will all be used for one building site, and in particular those cases where a structure is proposed to be built across a property line, the lots, parcels or tracts shall be consolidated into one lot, parcel or tract. The consolidation shall be prepared by the owner(s) or their representative and reviewed by the city in the same manner as a boundary/lot line adjustment, and shall be recorded at the office of the county auditor.

B. When an applicant seeks only to consolidate two or more lots, parcels, or tracts that share a common boundary and common ownership into a single lot, and no other property boundary changes are proposed, such action shall not be effective until:

1. The proponent has an approval for the lot consolidation from the planning department, verifying that the proposed consolidation conforms to the requirements of the Castle Rock Municipal Code.
2. The planning department approval, legal description, map, and notarized declaration have been recorded with the county auditor by the applicant. The applicant has one year, from the date of approval, to record the lot consolidation or the lot consolidation will be considered invalid and will require re-approval, including fees, before recording.

16.34.040 Lot consolidations – Process.

- A. The planning department shall give approval to the applicant if it finds that:
1. No new lots are created;
 2. The consolidation does not create a parcel which results in the addition of or an increase of a nonconformity of any lot or structure which does not currently meet the requirements of any applicable land use or environmental health regulation;
 3. The consolidation does not adversely affect easements or drainfields, and shall have legal access meeting the standards of the City of Castle Rock;
 4. The consolidation is for legal lots of record;
 5. The public interest will be served by the lot consolidation; and
 6. The consolidation meets the requirements of other applicable sections of the Castle Rock Municipal Code.

Chapter 16.37

TABLE OF REQUIRED INFORMATION

Sections:

[16.37.010 Table of required information.](#)

16.37.010 Table of required information. SHARE

TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	Lot Consolidation	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
1.	Scale. All pertinent information shall be shown normally at a scale of 1 inch to 100 feet; however, the scale may be increased or decreased to fit standard size sheets of 18 inches by 24 inches. In all cases, the scale shall be a standard drafting scale, being 10, 20, 30, 40, 50, or 60 feet to the inch or multiples of 10 for any one of these scales.	X	X	X	X	X	X	X
2.	Appropriate identification of the drawing as a short plat, large lot, subdivision, preliminary, final, boundary line adjustment,	X	X	X	X	X	X	X

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Lot Consolidation

TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
	<u>lot consolidation</u> , binding site plan and the name of the development. The name shall not duplicate or resemble the name of any other subdivision in the county unless the subject subdivision is contiguous to an existing subdivision under the same subdivision of the same last name filed.							
3.	Plat certificate verifying ownership and encumbrances.		X		X	X	X	X
4.	The names and addresses of the owner(s) and surveyor or engineer.	X	X	X	X	X	X	X
5.	The date, north point and scale of the drawing.	X	X	X	X	X	X	X
6.	A full legal description and location of the entire development property.	X	X	X	X	X	X	X
7.	The locations, widths, lengths and names of both improved and unimproved streets and	X	X	X	X	X	X	X

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Lot Consolidation

TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
	alleys within or adjacent to the proposed development together with all existing easements and other important features such as section lines, section corners, city and urban growth area boundary lines, and monuments.							
8.	The address of each lot including number, street name, city, state and zip code.		X		X	X	X	X
9.	The name and location of adjacent subdivisions and the location and layout of existing streets which are adjacent to or across contiguous right-of-way from the proposed development.	X		X			X	
10.	The location and approximate dimensions of lots, proposed lot and block numbers.	X	X	X	X	X	X	X
11.	The location, approximate acreage and dimension of	X	X	X	X	X		X

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Lot Consolidation

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TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
	areas proposed for public use.							
12.	The location, approximate acreage and dimension of areas proposed for open space, park, recreation, and/or common ownership.	X	X	X	X	X		X
13.	The property's current zoning.	X	X	X	X	X	X	X
14.	Existing contour lines at sufficient intervals for slopes of 15% or more. Show existing evaluations related to some established benchmark or datum approved by the city engineer. (1929 NGVD)	X		X		X		X
15.	The locations and sizes of existing public and private sanitary sewers, water mains, and public storm drains, culverts, fire hydrants and electrical lines within and adjacent to the proposed development.	X		X		X	X	X

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		Preliminary	Final	Preliminary	Final			
16.	The approximate curve radii of any existing public street or road within the proposed development.	X		X				X
17.	Existing uses of property and locations of all existing buildings and designating which existing buildings are to remain after completion of the proposed development.	X	X	X		X	X	X
18.	The location of areas subject to inundation, stormwater overflow, and/or within a designated 100-year floodplain, all areas covered by water, and the location, width and direction of flow of all watercourses.	X	X	X	X	X	X	X
19.	Locations of existing natural features such as wetlands which would affect the design of the development.	X	X	X	X	X	X	X
20.	A vicinity map showing the location of the proposed	X		X		X	X	X

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TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
	development in relation to the rest of the city.							
21.	The approximate locations, widths, lengths, names and curve radii for all proposed streets.	X		X		X		X
22.	The locations and dimensions of proposed lots and the proposed lot and block numbers. Numbers shall be used to designate each such block and lot. Where a plat is an addition to a plat previously recorded, numbers of blocks and lots or parcels shall be in consecutive continuation from a previous plat.	X	X	X	X	X		X
23.	A preliminary public facilities plan for the location and construction of proposed water service facilities to serve the development.	X		X				X
24.	A preliminary public facilities plan and profile for the location and	X		X				X

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TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
	construction of proposed sanitary sewer facilities to serve the development.							
25.	A preliminary plan for storm drainage, erosion and sedimentation control.	X		X				X
26.	Locations, widths, and lengths of streets and roads to be held for private use and all reservations or restrictions relating to such private roads.	X	X	X	X	X		X
27.	Designation of any land the council may require held for public reserve and configuration of projected lots, blocks, streets and utility easements should the reserved land not be acquired.	X	X	X	X			X
28.	All areas and the proposed uses thereof to be dedicated by the owner.	X	X	X	X	X		X

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TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
29.	The following survey data:							
	(a) Track, block and lot boundary lines with dimensions;	X	X	X	X	X		X
	(b) Street rights-of-way widths with centerline;		X	X	X	X		
	(c) Radius, length, central angle of all tangent curves; radius, length, centered angle, long chord distance and bearing of all nontangent curves;		X	X	X	X		X
	(d) Ties to boundary lines and section or quarter-section corners immediately surrounding the development;		X		X	X		X
	(e) The location and type of all permanent monuments within the development including initial point, boundary monuments and lot corners.		X		X	X		X

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30.	Reference points of existing surveys identified, related to the plat by distance and bearings, and referenced to a field block or map as follows:		X		X	X		X
	(a) Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the development;		X		X	X		X
	(b) Adjoining corners of adjoining subdivisions;		X		X	X		X
	(c) Monuments to be established marking all street intersections and the centerlines of all streets at every point of curvature and the point of tangent;		X		X	X		X
	(d) Other monuments as found or established in making of the survey required to be installed by the provisions of this chapter and state law.		X		X	X		X

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31.	The lot area in square feet identified on each lot on the plat.	X		X		X	X	X
32.	Designation of proposed portions of subdivisions to be developed in phases, if any, indicating proposed sequence of platting.	X		X				
33.	All flood control features and references to easements or deeds for drainage land.		X		X	X		X
34.	Deed restrictions or covenants, if any, in outline form.	X		X				
35.	Existing and proposed easements clearly identified and denoted by dashed lines and, if already of record, their recorded reference. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the development shall be shown.	X	X	X	X	X	X	X

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Lot Consolidation

TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
36.	Identification of any land or improvements to be dedicated or donated for any public purpose or private use in common.	X	X	X	X	X		X
37.	The following certificates:							
	(a) A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the project;		X		X	X	X	X
	(b) A certificate signed and acknowledged as above, dedicating to the public all land intended for public use;		X		X	X		X
	(c) A certificate for execution by the city mayor;				X			X
	(d) A certificate for execution by the city engineer;		X		X	X		X
	(e) A certificate for execution by the planning		X		X	X		X

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		Preliminary	Final	Preliminary	Final			
	commission representatives;							
	(f) A certificate for execution by the city planner;		X		X	X		X
	(g) A certificate for execution by the county auditor;		X		X	X		X
	(h) A certificate for execution by the county treasurer;		X		X	X		X
	(i) A surveyor's certificate certifying that he is registered as a professional land surveyor in the state of Washington and certifies that the plat is based on an actual survey of the land as described and that all monuments have been set and lot corners staked on the ground as shown on the plat.		X		X	X		X
38.	A statement of approval signed by the director of the State Department of				X			X

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	Ecology, or its successor, for any portion of development which lies within a flood control zone.							
39.	An executed surety (developer agreement and bond) when required.		X		X	X	X	X
40.	Appropriate architectural and site development plans which show the proposed building location, specific landscaping, prominent existing trees, ground treatment, sight-obscuring fences and hedges, off-street parking, vehicular and pedestrian circulation, and major exterior elevations of building(s).							X
41.	Such additional information pertaining to the land division or development site and the immediate vicinity as may be required by the							

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Lot Consolidation

TABLE OF REQUIRED INFORMATION		Short Plat/Large Lot		Subdivision		Boundary Line Adjustment	<u>Lot Consolidation</u>	Binding Site Plan
		Preliminary	Final	Preliminary	Final			
	administrative official for review of the proposal.							

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Lot Consolidation

Chapter 17.55

NONCONFORMING LOTS

Sections:

[17.55.010 Development on nonconforming lots – General.](#)

[17.75.020 Residential use of nonconforming lots.](#)

17.55.010 Development on nonconforming lots – General.

A. The city recognizes that there are lots which were lawful at the time of their creation, but which now do not conform with the development regulations in effect. These nonconformities should eventually be converted to a conforming status.

B. A party asserting the existence of a lawfully established nonconforming lot has the burden of proof that the lot was not substandard in meeting the development regulations in effect at its creation.

C. A nonconforming lot may be developed and used in the same manner as a conforming lot; provided, that the lot development and use comply with applicable development regulations other than those involving lot area, lot width, or similar dimensional standards applicable to lots or a variance from applicable development regulations is granted and provided that development and use complies with Cowlitz County Health Department standards.

D. Modifications to the area and/or dimensional standards of a nonconforming lot are allowed provided modification does not increase nonconformity or create a new nonconformity.

E. A government agency may lawfully modify a lot in a manner that would result in nonconformity, if the modification is for the purpose of acquiring property for a public use or purpose, or is permitted otherwise by law.

F. Where development will occur on two or more nonconforming lots, and particularly where a structure is proposed to be built across a property line, the nonconforming lots shall be consolidated into one lot following the requirements in Chapter 16.34 of this Municipal Code. No portion of said lot shall be used, altered or sold in any manner which diminishes compliance with lot area and width requirements, nor shall any division be made which creates a lot with a width or area below the requirements permitted by this title.

17.55.020 Residential use of substandard lots.

A. Single-family dwellings and incidental uses established pursuant to subsection (A) of this section are permitted uses and are not nonconforming uses.

B. Contiguous Lots Under Common Ownership.

1. One or more contiguous nonconforming lots under common ownership may be used for one single-family dwelling plus incidental uses thereto if the development meets applicable development regulations for the zone in which they are located, other than those involving lot area, lot width, or similar dimensional standards, and Cowlitz County Health Department standards are met.
 2. Two or more contiguous nonconforming lots under common ownership may be used for up to two single-family dwellings plus incidental uses thereto if the development meets applicable development regulations for the zone in which they are located, other than those involving lot area, lot width, or similar dimensional standards, and Cowlitz County Health Department standards are met.
 3. Additional contiguous nonconforming lots owned by the same person may be used for additional building sites, one dwelling per building site if the additional building sites contain at least one acre or 50 percent of the lot area required for the zone in which such building sites are located, whichever is less and if the building sites meet applicable development regulations for the zone in which they are located, other than those involving lot area, lot width, or similar dimensional standards, and Cowlitz County Health Department standards are met.
- C. Corner Lots. Residential developments on nonconforming corner lots are exempt from the corner lot/side yard setback standards in residential zones but shall have a side yard not less than five feet in width on the sides of dwellings. Residential developments on substandard corner lots shall comply with [CRMC 17.48.030](#);
- D. Expansion of Nonconforming Structures on Nonconforming Lots. Existing nonconforming single-family dwellings on nonconforming lots may improve or expand the single-family dwelling and may improve, expand, or add incidental uses to the single-family dwelling; provided that any improvements or additions meet applicable development regulations for the zone in which they are located, other than those involving lot area, lot width, or similar dimensional standards, and Cowlitz County Health Department standards are met.