



CASTLE ROCK PLANNING COMMISSION

Regular Meeting: Tuesday, September 17, 2024
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>
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1. CALL TO ORDER

- a. Roll Call

2. APPROVAL OF MINUTES

- a. August 20, 2024 Planning Commission Regular Meeting Minutes

3. PUBLIC COMMENT

4. REPORTS

5. OLD BUSINESS

- a. Update on progress on Regulating Food Trucks/Food Carts and Other Temporary Food Vendors

6. NEW BUSINESS

- a. Report on the upcoming Critical Areas Ordinance (CAO)
- b. Introduction to Municipal Review Exemptions for Master Planned Communities

7. ADJOURNMENT

8. OLD BUSINESS

UPCOMING MEETINGS:

October 15, 2024

November 19, 2024

December 17, 2024

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

1. CALL TO ORDER

Chairperson Rick Sullivan called the regular meeting to order at 6:01 pm.

a. Roll Call

Members present: Chairperson Rick Sullivan, Vice-Chair Matt Rasmussen, Commissioners Richard Skreen, Ryane Olin, and David VanCamp. Commissioner Lisa White was excused.

Staff present: Contracted Planner Cristina Haworth, Secretary Karlene Akesson

2. APPROVAL OF MINUTES

Commissioner Richard Skreen motioned, seconded by Commissioner David VanCamp, to approve the July 16, 2024 meeting minutes as presented. Motion carried by roll call vote. Commissioners Rick Sullivan, Matt Rasmussen, Richard Skreen, Ryane Olin, and David VanCamp voted 'Aye'.

a. July 16, 2024 Planning Commission Regular Meeting Minutes

3. PUBLIC COMMENT

4. REPORTS

Planner Cristina Haworth gave a verbal report.

5. OLD BUSINESS

a. DRAFT - 17.48.160 Mobile Food Vendors

Planner Cristina Haworth presented. Commissioner Rick Sullivan expressed that limiting all food carts/vendors to three days per calendar year may be severely restrictive. Commissioners David VanCamp and Matt Rasmussen provided comment. Commissioner Rick Sullivan and Planner Cristina Haworth provided additional comment on how to potentially establish a way to differentiate the length of stay for event associated food carts/vendors. Commissioners Richard Skreen and Matt Rasmussen provided comment. Planner Cristina Haworth asked if the Commissioners would like to put a maximum limit on the length of stay. The consensus was there should be a maximum. Commissioner Matt Rasmussen and Rick Sullivan provided comment. Planner Cristina Haworth stated she could write something that would 'allow a mobile food vendor for the total duration of any associated special event and/or up to four consecutive days in any given location not to exceed some total number of days'. Planner Cristina Haworth also asked if the Commissioners would consider allowing an administrative extension provided there are no violations of the code related to sidewalk obstruction; for example, trash disposal, etc. Commissioners Rick Sullivan, Richard Skreen, and Matt Rasmussen provided comment. Commissioners Ryane Olin and David VanCamp provided comment. All were in agreement. The commissioners were in favor of allowing an administrative extension.

Commissioner Rick Sullivan expressed concern about a 6:00am start time (citing Draft Code 17.48.160 Mobile Food Vendors C. 6.). Planner Cristina Haworth commented they could define exactly what hours of operation means, because in some cases there will be some amount of prep work to get ready for service and then there would be service hours. Planner Cristina Haworth

asked what the commissioners would like the hours of operation and service to be. Commissioners Matt Rasmussen, Richard Skreen, Ryane Olin, and Rick Sullivan provided comment. It was agreed that the service hours should be 7:00am - 10:00 pm. Commissioner Matt Rasmussen asked if the 7:00am - 10:00pm service time would also apply to Special Events; Commissioner Ryane Olin provided comment and Planner Cristina Haworth commented that she could adjust the wording to say "unless associated with a special event permit that has extended hours." Commissioner Ryane Olin clarified that having the service hours from 7:00 am - 10:00 pm allows people time to go in and prep early (before 7:00 am). Planner Cristina Haworth agreed that having the service hours does allow for people to come in and prep before 7:00 am and for cleanup to occur after 10:00 pm with the understanding there would be a limited amount of noise and some activity.

Commissioner Rick Sullivan (citing Draft Code 17.48.160 Mobile Food Vendors D.1.b.) expressed concern about how to know if a food cart has been thoroughly cleaned before they start serving to the public. Commissioner Ryane Olin stated he believes they (food cart/vendors) must do a health inspection. Planner Cristina Haworth stated that in addition to the employees (of the food cart/vendors) needing to have their food handlers licensing, the business also needs to have a license from the county health department to make sure they are a regulated food establishment. Commissioner Rick Sullivan provided comment.

Commissioner Rick Sullivan (citing Draft Code 17.48.160 Mobile Food Vendors E.1.a., b., c., d., e.) asked if excluding these areas would be too restrictive on space. Commissioners Richard Skreen and Matt Rasmussen provided comment. Planner Cristina Haworth provided comment. Commissioner Rick Sullivan and Planner Cristina Haworth provided additional comment. Commissioners Ryane Olin, Rick Sullivan, and Richard Skreen provided comment. It might be possible to see if Public Works can review mobile food vendor permit applications to identify the necessity of right-of-way permits.

Commissioners Rick Sullivan and Ryane Olin provided comment. Commissioner Ryane Olin asked about language for vending huts, as there may be 2 or three located at the racetrack and the fairgrounds. Planner Cristina Haworth stated she wanted to make sure that we don't make it specific to vehicles, that we include anybody that is a temporary food service establishment. Planner Cristina Haworth provided comment.

Planner Cristina Haworth asked if the commissioners wanted any exemptions such as mobile ice cream trucks. Commissioners Matt Rasmussen and Richard Skreen provided comment.

Commissioner Matt Rasmussen asked what type of verbiage could be used for the ice cream truck. Planner Cristina Haworth stated it could specifically say any residential zones or the abutting rights of way, except a mobile ice cream truck. Commissioners Ryane Olin and Matt Rasmussen provided comment. The consensus of the commission was to accept the verbiage for the ice cream truck that planner Cristina Haworth suggested.

Planner Cristina Haworth asked if there are any other kinds of mobile vendors (such as selling toys, goods, instead of food) that the commissioners were worried about regulating similarly.

Commissioners Richard Skreen, Matt Rasmussen, Ryane Olin, Rick Sullivan, and David VanCamp provided comment. Planner Cristina Haworth stated they could regulate mobile vendors, that sell goods instead of food/drinks, the same way as a farmers' market as it would be a similar use.

Commissioners Rick Sullivan, Ryane Olin, and Planner Cristina Haworth provided comment.

6. NEW BUSINESS

7. ADJOURNMENT

Commissioner Matt Rasmussen motioned, seconded by Commissioner Ryane Olin, to adjourn the regular meeting. All were in favor.

At 6:42 pm, Chairperson Rick Sullivan adjourned the regular meeting.

Karlene Akesson, Secretary

Expedited Subdivision Review Exemption

September 2024



Today's Agenda

- ◆ The Landing on the Cowlitz
- ◆ State Law and Existing Subdivision Review Exemptions
- ◆ Proposed Code Changes
- ◆ Legislative Process and Next Steps

The Landing on the Cowlitz

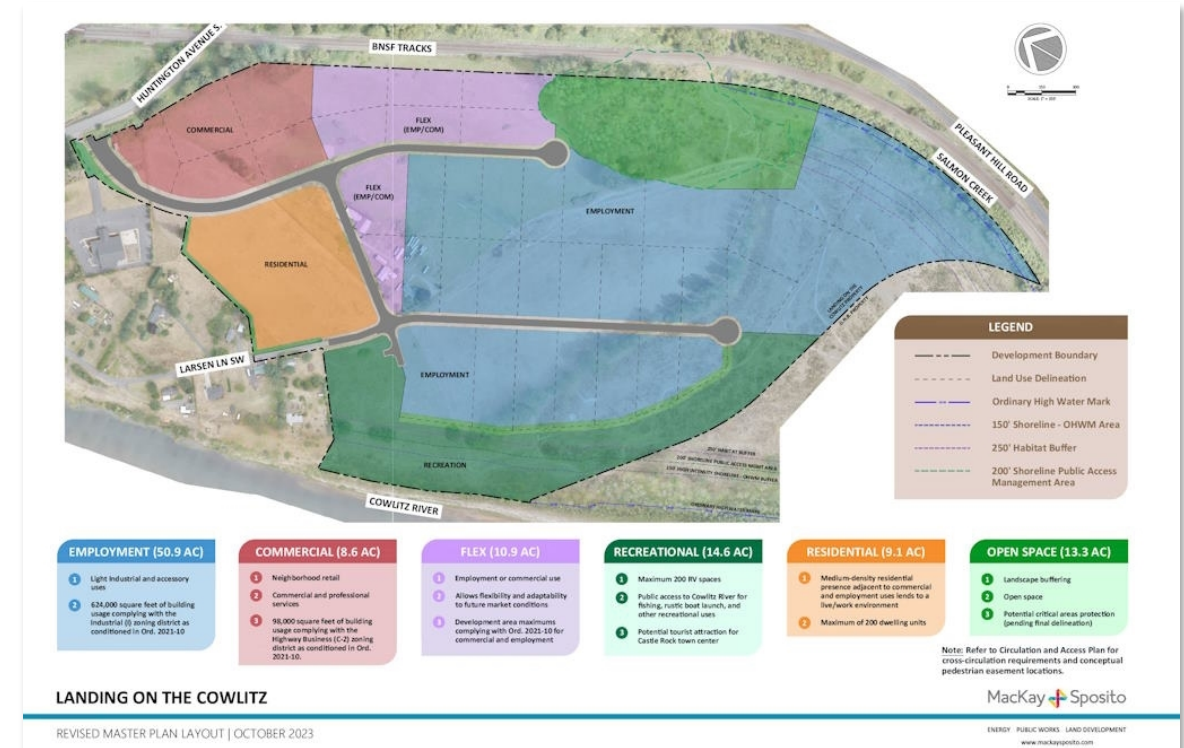
The Landing on the Cowlitz

◆ What is it?

- ◆ A 118-acre master planned community in Castle Rock's south end
- ◆ Lead by Tapani Inc. based in Battle Ground, WA.
- ◆ Residential, Commercial, Industrial, and Recreational uses

◆ Development Agreement

- ◆ Approved in Feb 2024
- ◆ Establishes standards for project development
- ◆ City must consider a subdivision review exemption for master-planned communities



Conceptual master plan and proposed uses

State Law and Existing Subdivision Review Exemptions

Subdivision Review Exemptions

◆ RCW 58.17.040

- ◆ Burial Plots
- ◆ Division into lots >5 acres
- ◆ Division made by “testamentary provisions”
- ◆ Boundary line adjustments
- ◆ Division of commercial or industrial land subject to approved binding site plan
- ◆ Division of lots leasing mobile homes under approved binding site plan

◆ Subdivision review exemptions in Castle Rock

- ◆ Castle rock exempts all of the above from subdivision review
- ◆ Jurisdictions in Washington possess the authority to exempt additional subdivisions from municipal review, but not less than the above 6

PDF RCW 58.17.040

Chapter inapplicable, when. (Effective until January 1, 2028.)

The provisions of this chapter shall not apply to:

- (1) Cemeteries and other burial plots while used for that purpose;
- (2) Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city, town, or county in which the land is situated shall have adopted a subdivision ordinance requiring plat approval of such divisions: PROVIDED, That for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;
- (3) Divisions made by testamentary provisions, or the laws of descent;
- (4) Divisions of land into lots or tracts classified for industrial or commercial use when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;
- (5) A division for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels as defined in RCW 35.21.686, or travel trailers are permitted to be placed upon the land when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;
- (6) A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site;
- (7) Divisions of land into lots or tracts if: (a) Such division is the result of subjecting a portion of a parcel or tract of land to either *chapter 64.32 or 64.34 RCW subsequent to the recording of a binding site plan for all such land; (b) the improvements constructed or to be constructed thereon are required by the provisions of the binding site plan to be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest; (c) a city, town, or county has approved the binding site plan for all such land; (d) such approved binding site plan is recorded in the county or counties in which such land is located; and (e) the binding site plan contains thereon the following statement: "All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein." The binding site plan may, but need not, depict or describe the boundaries of the lots or tracts resulting from subjecting a portion of the land to either *chapter 64.32 or 64.34 RCW. A site plan shall be deemed to have been approved if the site plan was approved by a city, town, or county: (i) In connection with the final approval of a subdivision plat or planned unit development with respect to all of such land; or (ii) in connection with the issuance of building permits or final certificates of occupancy with respect to all of such land; or (iii) if not approved pursuant to (i) and (ii) of this subsection (7)(e), then pursuant to such other procedures as such city, town, or county may have established for the approval of a binding site plan;
- (8) A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures;
- (9) A division of land into lots or tracts of less than three acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed; and
- (10) A division of land into lots or tracts of less than two acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of a rural fire district station, provided the proposed lots or tracts contain sufficient area and dimensions to meet minimum building site width and area requirements, and appropriate provisions are made for potable water supplies and sanitary wastes.

RCW 58.17.040

Proposed Code Changes

Subdivision Review Exemption of Master Planned Communities

◆ City of Castle Rock's Responsibilities

- ◆ Per the development agreement entered into between the City and Tapani Inc. The City of Castle Rock must:
 - Consider the exemption of lots within a master planned community from municipal subdivision review procedures

◆ Planning Staff Propose

- ◆ Amending CRMC 16.04.030 to include lots subject to approved master plan within the list of municipal subdivision review exemptions

◆ What Does This Mean?

- ◆ Any and all lots within master planned communities will not have to receive approval from the City of Castle Rock prior to recording with Cowlitz County.
- ◆ Lots will still have to conform with City standards for lot dimensions and orientation.

Legislative Process and Next Steps

Next Steps

1. We need feedback from you
 - ◆ What questions do you have for City Staff?
 - ◆ What questions do you have for Tapani Inc.?
 - ◆ Do you agree with exempting lots within master planned communities from municipal subdivision review?
2. Staff will integrate feedback for this proposal before initiating official legislative hearing on the matter
3. Legislative process – adoption of code changes/ordinance
 - ◆ Official Planning Commission hearing (10 days advance notice)
 - Commission recommendation
 - ◆ First City Council hearing
 - ◆ Second City Council hearing and decision



Thank you for your time.

