

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY OF CASTLE ROCK RELATING TO THE APPLICABILITY OF LAND DIVISION WITHIN THE CITY, ALLOWING FOR AN ADDITIONAL EXEMPTION FOR DIVISIONS OF LAND INTO LOTS OF 5 ACRES OR LARGER WITHIN THE CITY, PURSUANT TO RCW 58.17.040(2); AMENDING CHAPTER 16.04.030 OF THE CASTLE ROCK MUNICIPAL CODE.

WHEREAS, the Castle Rock Municipal Code provides general provisions and regulations related to divisions of land within the City limits for the purpose of promoting the public health, safety and general welfare of the citizens of the city in accordance with the standards established by the state; and

WHEREAS, the City Council entered into a Development Agreement with CT6, LLC and MLC Ventures LLC, collective owners of the Landing on the Cowlitz Master Planned Development, on December 20, 2024; and

WHEREAS, Section 6.2.4 of the aforementioned Development Agreement states that “the City agrees to consider an amendment to its code providing for exemption subdivisions allowed under RCW 58.17.040(2) for non-residential properties within an approved master plan”; and

WHEREAS, Chapter 16.04.030 of the Castle Rock Municipal Code allows for five exemptions to the regulations relating to the divisions of land within the City, as authorized pursuant to RCW 58.17.040(2); and

WHEREAS, in accordance with the Development Agreement, the City has determined to add an additional exemption to Chapter 16.04.03 which allows for an exemption to the division of non-residential properties 5 acres or larger; and

WHEREAS, the proposed amendment to the Castle Rock City Code were issued a SEPA Determination of Non-Significance on _____, 2025; and

WHEREAS, pursuant to RCW 36.70A.106 notice of the City’s intent to amend the Municipal Code was sent to the Washington State Department of Commerce; and

WHEREAS, the required State Department of Commerce 60-day notice was complete on _____, 2025; and

WHEREAS, after providing notice consistent with CRMC 17.72.030, the Planning Commission held a public hearing on January 21, 2025, and based on public testimony and other evidence received at said hearing, the Planning Commission recommended City Council adoption of the ordinance; and

WHEREAS, the City Council conducted a public hearing on _____, 2025, where it received and considered public comments on the proposed changes;

WHEREAS, the ordinance was read for the first time and adopted by unanimous vote of the City Council on _____, 2025.

NOW THEREFORE, the City Council of the City of Castle Rock do hereby ordain as follows:

Section 1. The recitals set forth above are hereby adopted as the findings of the City Council and are by this reference incorporated herein as if set forth in their entirety.

Section 2. Chapter 16.04.030 of the Castle Rock City Code, as last amended by Ordinance 2010-01, is hereby amended to read as follows:

Every division or redivision of land shall comply with the provisions of Chapter 58.17 RCW, this title and all future amendments or applicable federal, state or local laws. After final plat or short plat approval, any subsequent division of platted or short platted lots, parcels, tracts, sites or divisions shall be allowed only if the procedures of this title are followed, and these requirements shall be applicable to all plats approved prior to the effective date of this title. Pursuant to RCW 58.17.040, the provisions of this title shall not apply to the following:

A. Cemeteries and other burial plots while used for that purpose;

B. Divisions of non-residential 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: 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;

B~~C~~. Divisions made by testamentary provisions or the laws of descent;

C~~D~~. Divisions of land into lots or tracts classified for industrial or commercial use when the city has approved a binding site plan which authorizes specific uses of said land in accord with Chapter 16.35 CRMC;

D~~E~~. A division which is made by subjecting a portion of a parcel or tract of land to Chapter 64.32 RCW, the Horizontal Property Regimes Act (Condominiums), if the city has approved a binding site plan for all of such land;

E~~F~~. 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. [Ord. 2010-01 Att. A, 2010; Ord. 2006-09 Att. A, 2006; Ord. 509 § 1.03, 1980].

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance; provided, however, that if any section, sentence, clause, or phrase of this Ordinance is held to be invalid by a court of competent jurisdiction then the section, sentence, clause, or phrase in effect prior to the effective date of this Ordinance shall be in full force and effect for that invalidated section, sentence, clause, or phrase, as if this Ordinance had never been adopted.

Section 4. Copy of Codes to be on File. Pursuant to RCW 35A.12.140, at least one copy of each code of technical regulations adopted by reference in this Ordinance shall be filed and maintained by the City Clerk for use and examination by the public.

Section 5. Corrections. Upon approval of the City Attorney, the City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance concerning powers vested solely in the Council, it is not subject to referendum and shall become effective five (5) days after its passage and publication as required by law.

ADOPTED by the City Council and signed by the Mayor at a regular meeting thereof on the ____ day of _____, 2025.

Mayor Paul Helenberg

Attest:

Approved as to form:

Carie Cuttonaro, Clerk-Treasurer

Frank Randolph, City Attorney