



## COMMUNITY DEVELOPMENT DEPARTMENT

510-B Pioneer Street | PO Box 608 | Ridgefield, WA 98642  
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### STAFF REPORT and NOTICE OF DECISION Carts by the Park (Type I Temporary Use)

File No. PLZ-22-0160 (Master-22-0101)

## I. BASIC INFORMATION

<b>Date</b>	Application Submitted: December 22, 2022 Revised Narrative Submitted: January 10, 2023 Notice of decision: January 18, 2023
<b>Proposal</b>	One (1) year extension to food cart pod with water, electric, privacy fence, garden box, sign platform, and seating, previously approved under PLZ-20-0077.
<b>Location</b>	219 Pioneer St / Ridgefield, WA 98642 Ridgefield #3 Lots 1&2 BLK 3, Assessor's #68846000, .11 acres
<b>Applicant</b>	Kristen Riggs, 219 Pioneer / Ridgefield, WA 98642 Contact: 503.267.2013, <a href="mailto:cartsbythepark@gmail.com">cartsbythepark@gmail.com</a>
<b>Applicant's Representative</b>	Same as applicant
<b>Property Owner</b>	112 S Main St Ridgefield LLC 13023 NE Hwy 99 PMB 274 / Vancouver, WA 98686
<b>Zoning</b>	Central Mixed Use (CMU)
<b>Review Type</b>	Type I Temporary Use Permit
<b>Applicable Criteria</b>	RDC 18.205.015.F (Temporary Use); RDC 18.235, Mixed Use Districts; RDC 18.310, Procedures.
<b>Staff Contact</b>	Shana Lazzarini, Planner II Contact: 360.887.6007, <a href="mailto:shana.lazzarini@ridgefieldwa.us">shana.lazzarini@ridgefieldwa.us</a>
<b>SEPA Determination</b>	Exempt
<b>Staff Decision</b>	<b>Approved with Conditions</b>

## II. EXISTING CONDITIONS AND PROPOSAL

The site is located on the south side of Pioneer Street between S 2<sup>nd</sup> Place and S 3<sup>rd</sup> Avenue. It currently has a food cart pod located on the parcel. The site and surrounding parcels are zoned Central Mixed Use (CMU).

The applicant was previously approved to develop a temporary food cart pod with water, electric, privacy fence, garden box, sign platform, and seating. The site accommodates up to six food carts, including four to be in place for the duration of the use and two to be mobile.

This review is to add a one (1) year extension to the temporary use to allow for permanent permitting.

Figures depicting the project location and layout are provided at the end of this report.

## PROCEDURE

The following summarizes key application processing procedures for the proposal in accordance with RDC 18.310 (Procedures):

December 22, 2022	Application submitted
January 10, 2023	Revised narrative submitted
January 18, 2023	Staff report and notice of decision issued

### III. APPLICABLE STANDARDS

Ridgefield Development Code (RDC): 18.205, Uses; 18.210, Residential Medium Density Districts; and 18.310, Procedures

### IV. FINDINGS

#### A. Use (RDC 18.205)

##### Proposal

The applicant proposes to extend the approval granted under PLZ-20-0077 for one (1) year. The previous approval was for a temporary food cart pod in the Central Mixed Use (CMU) zone.

##### Findings

Eating and drinking establishments are a permitting use in the CMU zone per RDC Table 18.205.020-1.

##### Temporary Use (RDC 18.205.015.F)

A use which will operate for a limited, fixed duration is considered a temporary use and requires a temporary use permit.

1. A temporary use permit is a mechanism by which the city may permit a use to locate within the city (on private or public property) on an interim basis, without requiring full compliance with the RDC standards or by which the city may permit seasonal or transient uses not otherwise permitted.
2. The director may approve or modify and approve an application for a temporary use permit through a Type I process if:
  - a. The temporary use will not be materially detrimental to public health, safety, or welfare, nor injurious to property and improvements in the immediate vicinity of the subject temporary use; and
  - b. The temporary use is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use; and
  - c. Adequate parking is provided for the temporary use and, if applicable, the temporary use does not create a parking shortage for the existing uses on the site; and
  - d. Hours of operation of the temporary use are specified; and
  - e. The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties.
  - f. The temporary use will operate for sixty days or less from the effective date of the permit, except that the director may establish a shorter time frame.
3. If the temporary use does not meet the criteria in subsection (2), the temporary use permit will be reviewed through a Type II process.
  - a. A temporary use may operate for up to two years from the effective date of the permit through a Type II process.
4. Extension of temporary use permits.
  - a. Type I temporary use permits may not be extended.
  - b. A Type II temporary use permit may be extended from its original expiration date for up to one year, through a Type I procedure. The planning director shall determine whether there are extenuating circumstances that

merit an extension. Only one such extension may be granted, and under no circumstances shall a temporary use operate for longer than three years.

5. An applicant may not apply for a temporary use permit for a temporary use substantially similar to a previously permitted temporary use within one year after the expiration of the previous temporary use permit.

### Findings

The applicant proposes is requesting to extend the approval under PLZ-20-0077 for one (1) year. Therefore, the application is subject to a Type I review. RDC 18.205.215.F.4.b.

The proposed food cart use is compatible with the existing land uses in the vicinity, including retail, restaurants, offices, and residences. Measures taken to ensure the use will not be detrimental to public health, safety, or welfare include providing two outdoor temporary restroom facilities and a hand washing station, providing temporary trash collection facilities, and maintaining the gravel surface for optimal site drainage.

Typical hours of operation will be 11:00am-9:00pm. One future tenant may open at 7:00am.

As a **condition of approval**, the temporary use shall not create noise, light, or glare which would adversely impact surrounding uses and properties.

As a **condition of approval**, the temporary use period is limited to one years from date of PLZ-22-0077 expiration (March 22, 2023). The applicant may not operate for longer than three years as a temporary use. RDC 18.215.020.F.4.b.

### B. CMU Development Standards (RDC 18.235.020)

Per RDC Table 18.235.020-1, the maximum impervious surface coverage in the CMU zone is 100 percent. The minimum setbacks from all property lines are zero feet.

### Findings

These standards are met.

### C. Lighting (RDC 18.715)

Lighting fixtures shall be shielded and aimed downward to prevent glare, and all light trespass onto neighboring properties is prohibited.

### Findings

The proposal does not include lighting. As a **condition of approval**, any lighting installed shall be shielded and aimed downward to prevent glare and shall not cause light trespass onto neighboring properties.

### D. Off-Street Parking (RDC 18.720)

Per RDC 18.720.020.I, off-street parking is not required in the CMU zone for non-residential establishments located on lots less than 15,000 square feet.

### Findings

This standard is met.

### E. Fences (RDC 18.740)

The applicant proposes a privacy fence to minimize the view of the garbage dumpsters located on the southern portion of the site from Pioneer Street to the north.

### Findings

As a **condition of approval**, the maximum fence height shall be six feet. The fence shall screen the garbage collection area to a value of 80 percent year-round opacity from public view along Pioneer Street (RDC 18.235.020.H.8).

## V. DECISION

The City of Ridgefield, after review and consideration of the application materials, public comment, and applicable approval criteria, grants **APPROVAL** to the Carts by the Park Temporary Use one (1) year extension, subject to compliance with the following **conditions of approval**:

### A. Planning Conditions

1. Unless otherwise specified herein, at the time of construction and at all times thereafter, the development shall comply with all approval requirements established in applicable plans, policies, regulations and standards adopted at the time of this application, including but not limited to, the Ridgefield Urban Area Comprehensive Plan (RUACP), the Ridgefield Capital Facilities Plan (RCFP), the Ridgefield Development Code (RDC), the Ridgefield Engineering Standards for Public Works (Engineering Standards), current water and sanitary sewer plans, the Stormwater Management Manual for the Puget Sound Basin (Puget Sound Manual), and applicable building codes.
2. The applicant will terminate the temporary use within 1 year from the date of previous Notice of Decision expiration (March 22, 2023). Under no circumstances shall a temporary use operate for longer than three years.
3. The use shall not create noise, light, or glare which would adversely impact surrounding uses and properties.
4. Any lighting installed shall be shielded and aimed downward to prevent glare and shall not cause light trespass onto neighboring properties.
5. The maximum fence height shall be six feet. The fence shall screen the garbage collection area to a value of 80 percent year-round opacity from public view along Pioneer Street.
6. Individual businesses shall obtain state and city business licenses through the State of Washington Business Licensing Service.
7. The site and individual businesses are subject to all required health department permits.
8. Public works/engineering activity is subject to engineering permits.
9. Structures are subject to building permits.
10. Signs are subject to sign permits per RDC 18.710.

#### Signed:



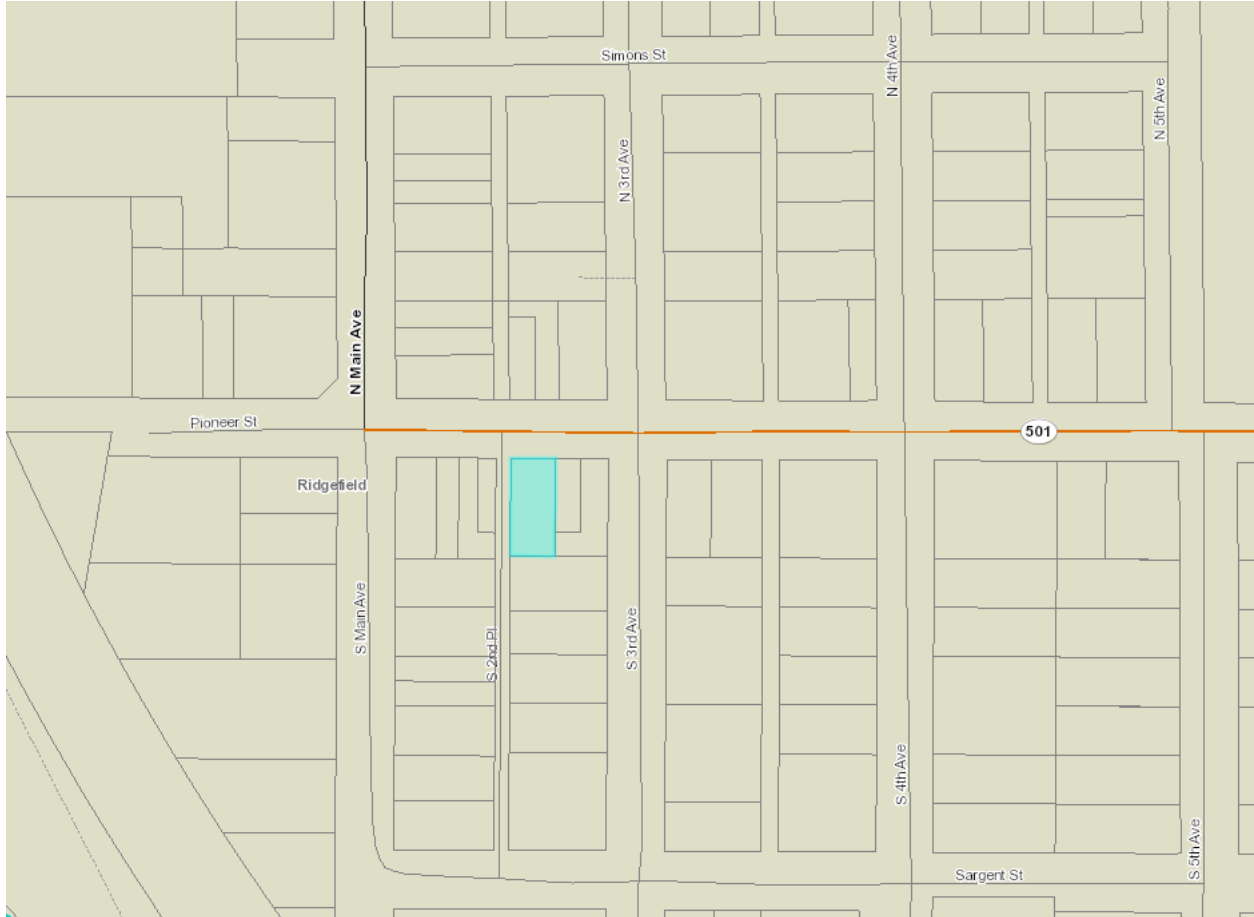
Claire Lust, Community Development Director

Date: January 18, 2023

## VI. APPEAL PROCEDURES

Pursuant to RDC 18.310.100.A an appeal of a Type I decision shall be filed with the city clerk within fourteen days after the written notice of the decision is mailed.

**FIGURE 1: Project Location**



**FIGURE 2: Proposed Site Plan**

219 NE PIONEER STREET  
RIDGEFIELD, WA 98642



EVERY GRID BLOCK REPRESENTS ONE FOOT

