

CITY OF STEVENSON
ORDINANCE 2024-

AMENDING THE STEVENSON ZONING CODE (SMC TITLE 17); PROVIDING DIMENSIONAL FLEXIBILITY NEAR STREETS IN THE R2 TWO-FAMILY RESIDENTIAL AND R3 MULTI-FAMILY RESIDENTIAL DISTRICTS; AND CODIFYING A USE INTERPRETATION RELATED TO SALONS IN THE R3 MULTI-FAMILY DISTRICT.

WHEREAS, dimensional flexibility in the R2 Two-Family and R3 Multi-Family residential districts is an important component of implementing SMC 17.12.050, which establishes these districts as less restrictive than other districts and embracing the challenge of construction/reconstruction on lots in these districts which are not as wide as lots in other districts; and

WHEREAS, dimensional flexibility near streets should not come at the expense of pedestrian convenience or safety and safeguards are required to ensure vehicles in driveways do not overhang into streets and pedestrians can be seen near driveways; and

WHEREAS, the following use interpretations conducted under SMC 17.12.020 have been reviewed for inclusion in the periodic amendment included in this ordinance:

- ZON2022-04 related to Personal Service (salon) uses in the R3 Multi-Family District; and

WHEREAS, this ordinance is adopted under the City’s municipal authority under RCW 35A.63.100; and

WHEREAS, this ordinance implements 2.12, 2.13, 2.14, 2.15, 3.1, 3.2, 3.6, and 7.2; and

WHEREAS, the City Council provided notice and held a public hearing prior to adoption of this ordinance pursuant to RCW 35A.63.070; and

WHEREAS, the City has reviewed the provisions of this ordinance according to the State Environmental Policy Act and determined it is not likely to have a significant adverse environmental impact; and

AND WHEREAS, the Stevenson City Council finds that the best interests of the public health, safety and welfare would be served by the amendments herein,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STEVENSON, STATE OF WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1 – Section 17.13.020 – “General Sales or Service Uses” shall be amended by adding the underlined text as shown in Exhibit ‘C’. The amendments add “Salon” as a specific

subcategory of the “Personal Services” use category. All other provisions of Chapter 17.13 shall remain in effect without amendment.

Section 2 – Section 17.15.040– “Uses” shall be amended by adding the underlined text as shown in Exhibit ‘B’. The amendments establishes “Salon” uses as a conditional use in the R3 Multi-Family Residential District. Notwithstanding the amendments made via Section 3, below, all other provisions of Chapter 17.15 shall remain in effect without amendment.

Section 3 – Section 17.15.060– “Residential Dimensional Standards” shall be amended by deleting the ~~struck through~~ text and adding the underlined text as shown in Exhibit ‘A’. The amendments alter the street side yard setback in the R2 Two-Family and R3 Multi-Family residential districts. Notwithstanding the amendments made via Section 2, above, all other provisions of Chapter 17.15 shall remain in effect without amendment.

Section 4 – This ordinance affects the Stevenson Comprehensive Plan and Title 17 of the Stevenson Municipal Code only insofar as set forth herein. All other provisions of Title 17 shall remain in full force and effect, and that where the provisions of this ordinance are the same as the provisions they replace, the provisions of this ordinance shall be interpreted as a continuation of those previous provisions and not as a new enactment.

Section 5 – If any section, subsection, sentence, clause, phrase, or other portion of this Ordinance, or its application to any person, is, for any reason, declared invalid, in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

Section 6 – This ordinance shall become effective following passage and publication as provided by law.

Passed by a vote of _____ at the City Council meeting of _____, 2024.

SIGNED:

Scott Anderson, Mayor of Stevenson

APPROVED AS TO FORM:

ATTEST:

Robert C. Muth, City Attorney

Leana Kinley, Clerk/Treasurer

17.15.060 Residential dimensional standards.

A. Compliance Required. All structures in residential districts must comply with:

1. The applicable dimensional standards contained Table 17.15.060-1: Residential Dimensional Standards.
2. All other applicable standards and requirements contained in this title.

Table 17.15.060-1: Residential Dimensional Standards						
District	Maximum Height of Building	Front	Minimum Setbacks			
			Side, Interior	Side, Street	Rear, Interior Lot	Rear, Through Lot
R1	35 ft	20 ft	5 ft	15 ft	20 ft ¹	20 ft
R2	35 ft	20 ft	5 ft	15 ft <u>10 ft^{3,4}</u>	20 ft ¹	20 ft
R3	35 ft	10 ft ^{3,4}	5 ft ²	15 ft <u>10 ft^{3,4}</u>	20 ft ¹	20 ft
MHR	35 ft	30 ft	15 ft	20 ft	20 ft ¹	20 ft
SR	35 ft	30 ft	15 ft ¹	20 ft	20 ft ¹	20 ft

1-5 ft for residential outbuildings that are both 12 ft in height or less and 200 sq ft in size or less

2-A 10-foot setback is required when adjacent to an R1 or R2 district.

3-See also SMC 17.15.130.B.3.

4-However, no structure shall be located within a pedestrian visibility area (SMC 17.10.632).

B. Exceptions. The following exceptions are permitted to the standards of Table 17.15.060-1:

1. Properties receiving approval to deviate from standards according to SMC 17.38 - Supplementary Provisions.
2. Properties obtaining variance approval in accordance with SMC 17.46 - Adjustments, Variances, and Appeals.
3. Properties receiving modification approval in accordance with SMC 17.17 - Residential Planned Unit Developments.

17.15.040 Uses.

- A. Types of Uses: For the purposes of this chapter, there are 4 kinds of use:"
1. A permitted (P) use is one that is permitted outright, subject to all the applicable provisions of this title.
 2. An accessory (A) use is permitted on properties containing permitted uses, provided that:"
 - a. The accessory use or activity may be regarded as incidental or insubstantial in and of itself or in relation to the principal use on the lot; and
 - b. The accessory use or activity is commonly or frequently associated with the principal use on the lot.
 3. A conditional (C) use is a discretionary use reviewed by the Planning Commission according to the process and criteria in SMC 17.39 - Conditional Uses.
 4. A prohibited (X) use is one that is not permitted in a zoning district under any circumstances.
 5. When a letter or use category is not listed in this table, an interpretation may be initiated under SMC 17.12.020.
- B. Use Table. A list of permitted, accessory, conditional and prohibited uses in residential districts is presented in Table 17.15.040-1: Residential Districts Use Table.

Table 17.15.040-1 Residential Districts Use Table					
Use	R1	R2	R3	MHR	SR
Residence or Accommodation Uses					
Dwelling					
Single-Family Detached Dwelling	P	P	P	P	P
Mobile Home	X	X	X	P	X
Travel Trailer	—	X	—	—	X
Accessory Dwelling Unit (SMC 17.40.040)	A	—	—	—	A
Multi-Family Dwelling	C ¹	P	P	C ¹	C ¹
Temporary Emergency, Construction or Repair Residence	C ²	C ²	C ²	—	C ²
Townhome (SMC 17.38.085)	—	C ⁸	P	—	—
Renting of no more than 2 rooms, rented by the month or longer, provided the parking requirements of SMC 17.42 are met.	A	A	A	A	A
Boarding House	C	C	C	—	C
Residential Care					
Adult Family Home	P	P	P	P	P
Assisted Living Facility	—	—	C	—	C
Nursing Home	—	—	C	—	—
Overnight Lodging					
Vacation Rental Home	P	P	P	P	P
Bed & Breakfast	C	C	P	C	C
Hostel	C	C	P	C	C
Hotel	X	X	C	X	C
Campground	X	X	X	C	C
Dormitory facility related to a public, private or parochial school	C	C	C	—	C
Miscellaneous Incidental Uses					
Residential Outbuilding	A/C ^{3,4}	A/C ^{3,4}	A/C ⁴	A/C ^{3,4}	A/C ³
Swimming pool, spa or hot tub, and associated equipment	A	A	A	A	A
Buildings and uses related to, and commonly associated with a mobile home park such as a recreation area, laundry, facility office, and meeting rooms	—	—	—	A	—
General Sales or Service Uses					
Electric Vehicle Station					

Restricted Access, Gradual Charging EV Station	A	A	A	A	A
Restricted Access, Rapid Charging EV Station	C	C	C	C	C
Public Access, Gradual Charging EV Station	—	—	C	—	—
Street—Side Access, Gradual Charging EV Station	—	—	C	—	—
Retail and wholesale sales of agricultural and animal products raised or produced on the premises	—	—	—	—	A
Rental Operations	—	—	—	—	—
Self-Storage Units	—	—	—	—	X
Professional Office	—	C	C	—	—
Veterinarian	—	—	—	—	C
Child Day Care Facility					
Family Day Care Home	P	P	P	P	P
Mini-Day Care Center	C	C	C	C	C
Child Day Care Center	—	C	C	C	C
<u>Personal Services</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>Salon</u>	<u>—</u>	<u>—</u>	<u>C</u>	<u>—</u>	<u>—</u>
Home Occupation	A	A	A	A	A
Transportation, Communication, and Utility Uses					
Public Transportation Stops and Shelters	—	—	—	—	C
Boating Facility or Overwater Structure ⁹	See SMP				
Parking Facility					
Accessory Parking	A	A	A	A	A
Non-Accessory Parking	—	—	—	—	C
Utility or Communication Facility	C	C	C	C ⁵	C
Wireless Telecommunications Facility⁶					
Minor Wireless Telecommunications Facility	P	P	P	P	P
Intermediate Wireless Telecommunications Facility (SMC 17.39.170)	C	C	C	C	C
Major Wireless Telecommunications Facilities (SMC 17.39.170)	C	—	—	—	C
Wind Power Generation Facility⁶					
Minor Wind Power Generation Facility (SMC 17.39.165)	C	C	C	C	C
Hazardous Waste Storage	C	C	C	C	C
Arts, Entertainment, and Recreation Uses					

Public Assembly	-	-	-	-	-
Wedding Venue	—	—	—	—	C
Park, Playground or Outdoor Recreation Area	C	C	C	C	C
Golf Course	—	—	—	—	C
Education, Public Administration, Health Care, and Other Institutions Uses					
Public, Private or Parochial School	C	C	C	—	C
Nursery School or Similar Facility	—	—	—	C	—
Library	C	C	C	—	—
Government Administration Building	—	—	C	—	—
Fire, Police, or Emergency Services Station	C	C	C	—	C
Hospital	—	—	C	—	—
Church or Other Religious or Charitable Organization	C	C	C	—	C
Cemetery or Mausoleum	—	—	—	—	C
Agriculture, Forestry, Fishing and Hunting Uses					
Subsistence or hobby type gardening	P	P	A	P	P
Indoor or Outdoor Horticultural Activity	P	P	P	P	P
Nursery	—	—	C	—	P
Farm Animals (SMC 17.40.095)	C ⁷	X	X	X	P
Urban Farm Animals (SMC 17.40.095)	A	A	A	A	P
Pets	A	A	A	A	A
Kennel	C	X	X	X	C
Miscellaneous/Other Uses					
Signs listed with a "C" in Table 17.15.145-1 and any other sign identifying and/or related to any conditional use or existing nonconforming use.	C	C	C	C	C
Signs identifying and/or related to any principal or accessory use allowed in this chapter.	A	A	A	A	A

1-Conditional use permits for Multi-Family Dwellings which exceed the maximum number of dwelling units allowed in SMC Table 17.15.050-1 are only considered when submitted as part of an R-PUD proposal under SMC 17.17 - Residential Planned Unit Developments.

2-A conditional use permit is only required for a temporary emergency, construction or repair residence after the expiration of the initial 6-month grace period.

3-Up to 4 residential outbuildings on a property is considered an accessory Use. When at least 4 residential outbuildings already exist on a lot then an additional residential outbuilding is considered a conditional use. During the conditional use review process, the planning commission may establish size, serial proliferation and other limitations on such buildings.

4-A residential outbuilding that is subordinate to the main use on the lot is considered an accessory use. A residential outbuilding which is not subordinate to the main use on the lot is considered a conditional use. During the conditional use review process, the planning commission may establish size, serial proliferation and other limitations on such buildings.

5-Despite the general exclusion of overhead elements from this use category, any utility or communication facility in the MHR district with an overhead element greater than 35 feet is considered a conditional use.

6-See also SMC 17.36-WW Wind/Wireless Overlay District.

7-In granting a conditional use request for farm animals in the R1 district, the planning commission shall find, at a minimum, that the proposal is compliant with the performance standards in SMC 17.40.095.

8-Townhomes in the R2 District are subject to review according to the density and parking requirements of the R3 Multi-Family Residential District and shall connect to the municipal sewer system.

9-See SMC 18.08 and the Shoreline Master Plan for use allowances related to this use category.

17.13.020 General sales or service uses.

General sales and service land uses comprise the vast majority of establishments typically associated with commercial land use. The general sales or service uses considered by the Stevenson Zoning Code appear in Table 17.13.020-1.

Table 17.13.020-1: General Sales or Service Uses		
Use	Description	Reference
1. Automobile Service Station	A commercial establishment for the sale on the premises of motor vehicle fuel, including electrical energy, and other petroleum products and automobile accessories, and for the servicing, lubrication and minor repair of automotive vehicles. Unless specifically listed in the district, Automobile Service Stations include Battery Exchange Stations, Vehicle Repair, Carwashes and Public Access, Rapid Charging EV Stations.	RCW 35A.63.107
a. Battery Exchange Station	A staffed or fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a process which meets or exceeds any standards, codes, and requirements set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.	RCW 19.27.540, RCW 19.28
b. Carwash		
c. Vehicle Repair		
2. Electric Vehicle (EV) Station	A public or private parking space (1)served by equipment designed specifically to transfer electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle, (2) meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW, and (3) is consistent with rules adopted under RCW 19.27.540. Electric vehicle stations are distinguished by the following types of access and charging levels:	RCW 19.27.540, RCW 19.28, RCW 35A.63.107
a. EV Station Access	<ol style="list-style-type: none"> 1. "Public Access EV Station" is available for use by the general public and not located on a public right-of-way. Examples include stations at a park & ride lot, a public library lot or a shopping center lot. 2. "Restricted Access EV Station" is restricted to authorized users and not located on a public right-of-way. Examples include stations at a single-family home, designated employee parking areas, or fleet parking areas not accessible to the general public. 3. "Street-Side Access EV Station" is available for use by the general public and located on a public right-of-way subject to 	SMC 12.02

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	the rules adopted under SMC 12.02 - Use of City Rights-of-Way.	
b. EV Station Charging Level	Charging level categorizes the indicators of electrical force, or voltage, at which an electric vehicle's battery is charged: 1. "Gradual Charging EV Station" operates on a circuit no greater than 240 volts of alternating current. This includes what the industry currently refers to as levels 1 and 2 charging stations. >2. "Rapid Charging EV Station" operates on an industrial grade outlet greater than 240 volts of alternating current. This includes what the industry currently refers to as Level 3 charging stations.	
3. Retail	Commercial establishments providing merchandise for sale directly to the consumer. Retail establishments may also provide after-sales services, such as repair and installation. Unless specifically listed in the district, Retail Sales include all subcategories listed herein.	
a. Outdoor Recreation Store	A Retail use specializing in sporting goods or equipment related to outdoor recreational endeavors (e.g., water sports, bicycling, skiing, fishing, photography, camping and hiking).	
b. Specialty Food Shop	A Retail use carrying specialty food items (e.g., coffee, tea, confectionery products, nuts, spices, gourmet foods, etc.).	
c.	Specialty Retail Shop	A Retail use specializing in one type or line of merchandise (e.g., antiques, apparel, books, games, jewelry, shoes, stationary, etc.).
d.	Retail and wholesale sales of agricultural and animal products raised or produced on the premises.	
4. Bank or Financial Institution		
5. Rental Operation	Commercial establishments providing tangible goods (e.g., personal items, consumer electronics, furniture, clothing, tools, machinery, equipment, etc.) or other items of value to customers in exchange for a periodic rental or lease payment. Unless specifically listed in the district, Rental Operation includes all subcategories listed herein.	

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a. Recreational Equipment Rental	A Rental Operation leasing equipment for recreational activities (e.g., water sports, bicycling, skiing, fishing, photography, camping and hiking).	
b. Self-Storage Units	A Rental Operation leasing space (i.e., rooms, compartments, lockers, containers, or outdoor space) where clients store and retrieve personal property.	
c. Truck, trailer or equipment rental	A Rental Operation leasing large vehicles and equipment (e.g., trucks, moving vans, buses, semi-trailers, utility trailers, travel trailers, recreational vehicles, off-road vehicles, etc.) when drivers or operators are not provided.	
6. Professional Office	Commercial establishments performing professional, scientific, clerical, and technical services for others. Unless specifically listed in the district, Professional Office includes all subcategories listed herein.	
a. Veterinarian		
7. Food Services	Commercial establishments preparing and serving food and/or beverages for consumption on or off the premises. Unless specifically listed in the district, Food Service includes all subcategories listed herein.	
a. Drive-Through Food Service		
b. Mobile-Food Cart	A Food Service use that is conducted from a motorized vehicle, a non-motorized cart or a unit that is similarly designed to be readily movable.	
c. Tasting Room	A Food Service use conducted as an incidental use to an on-premises brewery, cidery, distillery, winery or food processing use. A Tasting Room providing food service products from the on-premises processing use may also serve food and beverages processed at off-premises establishments.	
8. Child Day Care Facility	A building or structure in which an agency, person or persons regularly provide care for a group of children for periods of less than 24 hours. Child Day Care Facility includes family day care home, mini-day care center, and child day care center.	RCW 35.63.170, RCW 35A.63.210, RCW 35A.63.215
a. Family Day Care Home	A day care home for the care of 6 or fewer children during part of the 24-hour day, located in the dwelling of the provider under whose direct care the children are placed.	
b. Mini-Day Care Center	A child day care facility providing care during part of the 24-hour day to 12 or fewer children in a facility other than the family dwelling of the person or persons under whose direct care the children are placed, or for the care of 7 through 12 children in the family dwelling of such person or persons.	

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<p>c. Child Day Care Center</p>	<p>A day care facility that provides for the care of 13 or more children. If located in a private family residence, the portion where the children have access must be separate from the family living quarters, or that portion of where the children have access must be used exclusively for their care during the hours that the child day care center is operating.</p>	
<p>9. Personal Services</p>	<p>Commercial establishments providing individual services generally related to personal needs. Unless specifically listed in the district, Personal Services includes all subcategories listed herein.</p>	
<p>a. Recreation Services</p>	<p>A Personal Services use providing services related to recreational amenities, including lessons and tours for such activities as water sports, bicycling, skiing, fishing, photography, camping and hiking.</p>	
<p><u>b. Salon</u></p>	<p><u>A Personal Services use providing services related to barbering, hair styling, or the cosmetic arts (e.g., makeup, skin care).</u></p>	
<p>10. Home Occupation</p>	<p>A commercial activity that: (a) is conducted by a person on the same residential district or legacy home lot where such person resides; (b) provides each outside employee with a legal off-street parking space; and (d) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see SMC 17.10.020), but that can be conducted without any significantly adverse impact on the surrounding neighborhood.</p> <p>Without limiting the generality of the foregoing, a use may be regarded as having a significantly adverse impact on the surrounding neighborhood if: (a) goods, stock in trade, or other commodities are displayed; (b) more than 2 nonresidents on the premises are employed in connection with the purported home occupation; (c) it creates objectionable noise, fumes, odor, dust or electrical interference; (d) there is any exterior manifestation of the home occupation, except for an allowed sign no larger than 2 square feet pertaining to the home occupation; or (e) more than 25% of the total gross floor area of residential buildings plus other buildings housing the purported home occupation, or more than 500 square feet of gross floor area (whichever is less), is used for home occupation purposes.</p>	<p>SMC 17.10.020, SMC 17.13.010</p>