



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: Planning Commission
FROM: Ben Shumaker
DATE: September 12th, 2022
SUBJECT: Land Division Code Amendments (SUB2022-01)

Introduction

The City Council is considering changes to Stevenson Municipal Code Title 16 – Subdivisions. They have referred these changes to the Planning Commission for comment. In their referral, the City Council did not set an expected timeline for delivery of comments, they will consider adoption of the ordinance at their September regular meeting.

Content of Amendments

The draft ordinance includes 5 amendatory sections.

- Section 1 would add a new chapter as SMC 16.01. The text of this chapter is proposed for inclusion as a result of the Planning Commission’s pre-COVID discussions on Title 16. The 4 proposed sections address the Title’s purpose & intent, administrative provisions, preliminary responsibilities & inquiries, and fees.
- Sections 2, 3, and 4 propose deletion of provisions made redundant by Section 1.
- Section 5 proposes modifications to SMC 16.37, concerning the review and approval of boundary line adjustments (BLAs). The existing chapter contains 7 sections. Text amendments are proposed for 4 of the sections. An additional section is also proposed.
 - SMC 16.37.010 includes a purpose statement for BLAs and sets 8 criteria for their approval. The purpose statement would be modified as a way to narrow the scope of neighborhood change resulting from the BLA process. The approval criteria are then modified to provide more predictability in the review process and better protection of critical areas.
 - SMC 16.37.020 includes definitions specific to this chapter. The main modifications provide additional protections against neighborhood change and ensure lots in the city are buildable.
 - SMC 16.37.040 includes submittal requirements for BLAs. The proposed amendments alter these to require a current report from a title company, allow for collection of additional documentation for review, and remove exceptions to the requirement for a survey.
 - SMC 16.37.050 establishes the review authorities involved in BLAs. The proposed changes include optional review by the fire marshal and align the appeal process with appeals of short plat proposals, which are also administrative decisions.
 - SMC 16.37.055 advances the Title’s purpose of providing uniform monumentation. This new requirement requires monuments be set for the adjusted lines.

Background

In September 2019, the Planning Commission established a workplan which included review and recommendation of code amendments related to “Lot Line Considerations”. These amendments were to be developed as time permitted. Time permitted into the Spring of 2020, by which time the Planning Commission reviewed and set aside for several draft code sections for later public comment. Time became more limited thereafter, and the issue

was last addressed in January 2021. The amendments proposed in Sections 1-4 of the ordinance are based on the draft sections tentatively accepted by the Planning Commission.

In the meantime, implementation of the code, especially its boundary line adjustment provisions, has frustrated staff and applicants and, in August 2022, the City's administrative team put an amendment forward to the City Council to address known issues. Rather than passing it, the Council adopted a moratorium and requested more in-depth legal counsel involvement in the regulation, and a report from the Planning Commission.

Public Involvement

A State Environmental Policy Act threshold determination has been issued for this text amendment. The Determination of Nonsignificance was published in the Skamania County Pioneer on August 24th, 2022. Comments from the Washington Department of Fish & Wildlife were incorporated into the draft attached hereto. Additionally, written comments were submitted for your consideration and are attached. It is staff's understanding that the City Council doesn't expect the Planning Commission to complete a full conscientious public involvement effort as if this were a Planning Commission initiated process.

Next Steps

The Planning Commission may review and report to the City Council tonight or continue its review at a later meeting.

Prepared by,

Ben Shumaker

Attachments:

- Draft Ordinance (11 pages)
- SEPA Comments (1 page)
- Public Comments (7 pages)

**CITY OF STEVENSON
ORDINANCE 2022-1183**

AMENDING THE STEVENSON MUNICIPAL CODE TITLE 16 - SUBDIVISIONS; ALIGNING PROVISIONS COMMON TO ALL PROPOSALS; AMENDING THE APPROVAL CRITERIA, SUBMITTAL REQUIREMENTS, AND ADMINISTRATION OF BOUNDARY LINE ADJUSTMENT PROPOSALS; REPEALING ORDINANCE 750 IN ITS ENTIRETY; AND REPEALING PORTIONS OF ORDINANCES 670, 884, 916 AND 1004.

WHEREAS, the City of Stevenson has adopted a program to review and approve how real property boundaries are established and modified; and

WHEREAS, adoption dates of the aforementioned program range from 1976 to 2016 and result in several redundancies and/or conflicts between provisions; and

WHEREAS, the current program for the review and approve boundary line adjustment proposals lacks clarity, is not aligned with other City programs, and can authorize neighborhood changes out-of-scope with the administrative review of such proposals; and

WHEREAS, submittal requirements for boundary line adjustment proposals are insufficient to properly document real property ownership, boundaries, and encumbrances; and

WHEREAS, approval criteria for boundary line adjustments are insufficient to account for impacts of boundary line adjustments, and measures intended to limit impacts based on the existing insufficient criteria have been overturned upon appeal; and

WHEREAS, pursuant to Chapter 58.17 RCW and RCW 35A.63.100(3), and the police power granted the City of Steenson by the Constitution and laws of the State of Washington, the City Council seeks to limit the number of redundancies, conflicts, and unclear provisions present in City codes; and

WHEREAS, this ordinance implements 1.4, 2.1, 2.2, 2.6, 2.14, 2.15, 3.1, 3.8, and 7.2 of the Stevenson Comprehensive Plan; and

WHEREAS, the City of Stevenson has evaluated this proposal according to the the State Environmental Policy Act and made a Determination of Nonsignificance under City File # SEPA2022-03; 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** – A new chapter, Chapter 16.01 – “General Provisions”, shall be added to the Stevenson Municipal Code, including sections 16.01.005 – “Purpose & Intent”, 16.01.015 – “Administrative Provisions”, 16.01.020 – “Preliminary Responsibilities & Inquiries”, and 16.01.030 – “Fees” as shown in Exhibit ‘A’.
- Section 2** – Chapter 16.02 – Short Plats and Short Subdivisions shall be amended by repealing SMC 16.02.005 – “Purpose”, 16.02.090 – “Application-Fee”, and 16.02.100 – “Application procedure-Administrator’s authority”, all adopted as parts of Ordinance 884, and amending 16.02.110 – “Application procedures-Receipt and distribution of copies”, the amendments delete the ~~struck-through~~ text and add the underlined text shown in Exhibit ‘B’. All other provisions of Chapter 16.02 shall remain in effect without amendment.
- Section 3** – Chapter 16.14 – “General Provisions” shall be amended by repealing SMC 16.14.005 – “Purpose”, adopted as part of Ordinance 1004, SMC 16.14.010 – “Administration”, adopted as section 4.10 of Ordinance 670, and SMC 16.14.015 – “Interpretation of Provisions”, adopted as part of Ordinance 1004. All other provisions of Chapter 16.14 shall remain in effect without amendment.
- Section 4** – Chapter 16.18 – “Preliminary Procedures” shall be amended by repealing SMC 16.18.020 – “Preliminary Conference”, adopted as section 6.20 of Ordinance 670, SMC 16.18.025 – “Site evaluation—Critical areas”, adopted as part of Ordinance 1004), SMC 16.18.030 – “Preliminary Responsibilities and inquiries”, adopted as section 6.30 of Ordinance 670, and SMC 16.18.050 – “Preliminary plat—Fees”, adopted as section 6.50 of Ordinance 670, amended by Ordinance 750, and further amended as part of Ordinance 1004. All other provisions of Chapter 16.18 shall remain in effect without amendment.
- Section 5** – Chapter 16.37 – “Boundary Line Adjustments-Review and Approval” shall be amended by deleting the ~~struck-through~~ text and adding the underlined text as shown in Exhibit ‘C’. The amendments occur in SMC 16.37.010 – “Purpose of provisions and conditions for adjustment”, 16.37.020 – “Definitions”, 16.37.040 – “Application requirements”, 16.37.050 – “Administrative Review”, adopted as sections 1, 2, 4, and 5 of Ordinance 916, respectively, and through the addition of 16.37.055 – “Monumentation”. All other provisions of Chapter 16.37 shall remain in effect without amendment.
- Section 6** – This ordinance affects Title 16 of the Stevenson Municipal Code only insofar as set forth herein. All other provisions of Title 16 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 7** – 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 8 – This ordinance shall become effective upon adoption according to law.

Passed by a vote of _____ at the City Council meeting of _____, 2022.

SIGNED:

ATTEST:

Scott Anderson
Mayor of Stevenson

Leana Kinley
Clerk/Treasurer

APPROVED AS TO FORM:

Kenneth B. Woodrich
City Attorney

SMC 16.01 – GENERAL PROVISIONS

SMC 16.01.005 – Purpose & Intent.

- A. The purpose of this title is to:
 - 1. Prescribe regulations and procedures for the division of land and modification of real property boundaries in the City to promote the public health, safety and general welfare; and
 - 2. Implement the various plans, policies, and standards adopted by the State and the City including, but not limited to, Revised Code of Washington chapters 35A.63, 58.09, 58.17, and 65.08 and the Stevenson Comprehensive Plan.
- B. The regulations contained herein are intended to:
 - 1. Prevent the overcrowding of land;
 - 2. Lessen congestion in the streets and highways;
 - 3. Promote effective use of land;
 - 4. Promote safe and convenient travel by the public on streets and highways;
 - 5. Provide for adequate light and air;
 - 6. Facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and schoolgrounds and other public requirements;
 - 7. Provide for proper ingress and egress;
 - 8. Provide for the expeditious review and approval of proposed subdivisions which conform to zoning standards and local plans and policies;
 - 9. Adequately provide for the housing and commercial needs of the citizens of the state;
 - 10. Require uniform monumenting of land subdivisions and conveyancing by accurate legal description.

SMC 16.01.015 – Administrative Provisions.

- A. Short Title. This title shall be known and may be cited as the “Stevenson Land Division Code”.
- B. Administrative Authority.
 - 1. The City shall regulate, and may withhold, condition, or deny permits or approvals requested under this title to ensure the proposed action is consistent with the requirements of this title.
 - 2. Except as otherwise specifically provided herein, the Land Division Administrator, referred to as the administrator, is vested with the duty of administering the provisions of this title.
 - 3. For the purposes of ensuring enforcement and conformity, the Administrator shall develop application forms and permitting procedures to review proposals and administer the provisions of this title.
- C. Relationship to Other Regulations.
 - 1. This title shall apply in addition to zoning and other regulations adopted by the city.
 - 2. Compliance with the provisions of this title does not constitute compliance with other local, state, or federal reviews, regulations, or permit requirements (e.g., SEPA, SMP, HPA, etc.). The proponent is responsible for complying with such requirements, apart from the process established in this title.
 - 3. When any provisions within this title or any existing regulation, easement, covenant, or deed restriction conflicts with this title, the most restrictive requirements shall prevail.

Exhibit 'A'

- D. Interpretation of Provisions. It shall be the duty of the City Council, Planning Commission, Board of Adjustment, and Land Division Administrator to interpret and/or administer the provisions of this title in such a way as to carry out the intent and purpose of the Comprehensive Plan. Where this title is not clear, or where there are inconsistencies within this title, the Comprehensive Plan shall be referred to for interpretation and guidance.

SMC 16.01.020 – Preliminary Responsibilities & Inquiries.

- A. Preliminary Conference. When the administrator deems it necessary a conference may be called between the applicant and appropriate officials involved with application approval, prior to submission of an application for review.
- B. Site Evaluation—Critical Areas. Prior to preparation of preliminary plans for a proposal requiring approval under this title and prior to site disturbing activities, the applicant shall meet with the administrator to assess whether the proposed development site includes one or more critical areas as identified, classified and protected by SMC 18.13. A joint visit to the site may be necessary. If the administrator determines that a critical area is present or likely to be impacted by a proposed development, the applicant shall first complete a critical areas application, review and report, with appropriate protective measures identified, prior to preparation of preliminary development plans. The intent of this section is to minimize design conflicts, unnecessary costs and misunderstandings that could arise later. The applicant will be able to proceed with greater certainty about the physical limitations of a particular site.
- C. Site Evaluation—On-Site Sewage Disposal. When a proposal involves service by an on-site sewage disposal system, site evaluations by the health officer shall be obtained by the applicant prior to the submission of an application. The evaluation shall be submitted to the administrator and indicate whether larger lot sizes than those called for in this title are recommended.

SMC 16.01.030 – Fees.

- A. An application for approval under this title shall be accompanied by a review fee payable to the city in an amount established and periodically adjusted by resolution of the City Council.
- B. Payment of fees under this section does not guarantee that an approval will be issued.

Exhibit 'B'

SMC Title 16 Subdivisions

SMC 16.02 – Short Plats and Short Subdivisions

~~SMC 16.02.005 – Purpose.~~

~~The purpose of this chapter pursuant to RCW Title 58, RCW Chapter 35.63, and RCW Chapter 65.08 is to regulate the subdivision of land and to promote public health, safety and general welfare. The regulations contained in this chapter are designed, among other things, to encourage the most beneficial use of land throughout the city; to lessen traffic congestion and accidents; to secure safety from fire; to promote the coordinated development of vacant areas; to provide for proper ingress and egress; to provide for the expeditious review and approval of proposed subdivisions which conform to zoning standards and local plans and policies; to facilitate adequate provisions of transportation, water sewage and other public uses and requirements; to require uniform monumentation of land in short subdivisions; and to require conveyance by accurate legal description.~~

~~SMC 16.02.090 – Application Fee.~~

~~A fee of seventy five dollars shall be submitted to the city, along with the short plat application and map, to cover the short plat subdivision administrative review. Checks are to be made payable to the city of Stevenson. Fees are not refundable.~~

~~SMC 16.02.100 – Application procedure-Administrator's Authority.~~

~~The short plat administrator, referred to as the administrator, is vested with the duty of administering the provisions of this chapter and with authority to summarily approve or disapprove proposed short plats pursuant to the procedures set forth in this chapter. The administrator shall prepare and require use of such forms as are necessary for the administration of this chapter.~~

SMC 16.02.110 – Application procedures-Receipt and distribution of copies.

- A. Any property owner intending to divide land by this chapter shall obtain a short plat application form and map sheet from the city. The applicant shall then complete the application and map sheet listing all required information as outlined within Sections 16.02.050 and 16.02.090.
 1. ~~Sewage Disposal System. When proposed lots are to be served by an on site sewage disposal system, site evaluations by the district health officer shall be obtained by the applicant prior to the submission of the short plat application. [Reserved]~~
 2. Private Roads-Maintenance. Every short plat containing a private road serving two or more lots shall be accompanied by a private road maintenance agreement signed by the short plat subdivider. The agreement shall be recorded with the auditor.
- B. Upon submission of a short plat application, a date of receipt shall be affixed on the application. The administrator shall then determine whether the requirements of this chapter have been met. An application or map lacking sufficient information for review or not meeting the requirements of the chapter shall be rejected by the short plat administrator and returned to the applicant, and such rejection shall be accompanied by a written statement citing the reason for rejection.

Exhibit 'B'

- C. After the short plat administrator determines that the proposed short plat application and map contain the required information and data, the administrator shall distribute copies of the short plat application and map to the following as is necessary:
1. City public works department;
 2. City clerk-treasurer;
 3. ~~Southwest Washington Health District~~Health officer;
 4. City planning commission;
 5. Washington State Department of Transportation if the short plat is located adjacent to the right-of-way of a state highway;
 6. Any state or local agency which may have an interest in the short plat as determined by the administrator;
 7. The administrator will mail a notice of the proposed short plat to the latest recorded real property owners as shown by the records of the county assessor, who share a common boundary line with property being short platted, by United States first class mail.

Exhibit 'C'

SMC Title 16 Subdivisions Article IV Subsequent Approvals

SMC 16.37 – BOUNDARY LINE ADJUSTMENTS-REVIEW AND APPROVAL

SMC 16.37.010 – Purpose of provisions and conditions for adjustment.

- A. The purpose of this chapter is to establish a procedure for the application, review and approval or denial of proposed boundary line adjustments, and to establish criteria and requirements for the same, consistent with the provisions of RCW 58.17.040(6) as now or hereafter amended. Boundary line adjustments should not be used to circumvent zoning regulations, environmental regulations, or subdivision or short subdivision procedures set forth in this title. Factors which indicate that the boundary line adjustment process is being used in a manner inconsistent with statutory intent and this purpose statement may include numerous and frequent adjustments to existing contiguous lot boundaries, and/or a large number of contiguous lots being proposed for boundary line adjustments at the same time.
- B. The boundary lines separating two or more lots of record may be adjusted under the provisions of this chapter, provided that such adjustment:
1. Will not result in the creation of any additional lot, tract, parcel, site or division;
 2. Will not create any lot, tract, parcel, site or division that does not qualify as a building site pursuant to this title or conform with which contains insufficient area and dimensions to meet the requirements of city zoning regulations and applicable conditions, covenants and restrictions pertaining to the property;
 3. Will not adversely affect access, utilities, easements, drainfields or public safety;
 4. Will be in conformance with any applicable building setbacks, fire safety or similar regulations;
 5. Will not increase the nonconforming aspects of an existing nonconforming lot or otherwise create any nonconformity with respect to the requirements of this code;
 6. Will not be inconsistent with any restrictions or conditions of approval for a recorded plat, short plat, or binding site plan, violate either restrictive covenants contained on the face of a final plat or conditions of preliminary plat, short plat, or binding site plan approval;
 7. Will not create an unreasonably hazardous approach to or from the property for access or egress purposes;
 - ~~7.8.~~ Will not increase the number of lots accessing to or from an arterial or collector street within the city comply with city regulations and standards for access and will not result in a lot, tract, parcel, site or division without access consistent with city regulations and standards;
 9. Will not be contrary to the purpose of RCW 58.17 and this Title 16 of this title.
 - ~~8.10.~~ Will not require a variance or reasonable use allowance or other exception under the City's zoning code or critical areas code in order to result in a valid building site.

SMC 16.37.020 – Definitions.

As used in this chapter: "Boundary line adjustment" means an alteration of the 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 dimensions to meet~~

Exhibit 'C'

~~minimum requirements for width and area for a building site. All boundary line adjustments shall and which conforms to the criteria set forth herein and the other provisions of this chapter. A boundary line adjustment is generally between two lots.~~

~~"Building site" means an area of land, consisting of one or more lots or portions of lots, that is: 1) capable of being developed under current federal, state, and local statutes, including zoning and use provisions, dimensional standards, minimum lot width, shoreline master program provisions, critical area provisions, and health and safety provisions; or 2) currently legally developed.~~

"Lot" means a fractional part of a subdivided area having fixed boundaries and being of sufficient area and dimensions to meet minimum zoning requirements, and also means any identifiable parcel of unsubdivided land with established boundaries set forth in a deed or other form of conveyance. The term shall include tracts or parcels but shall not include lots that exist for tax purposes only and are not legal lots of record.

~~"Ordinance administrator" or administrator shall mean the zoning administrator or other person appointed by the mayor to administer and enforce this chapter.~~

~~"Person". See SMC 1.08.010.J. means any natural person, partnership, corporation, association or other entity, and any governmental body.~~

SMC 16.37.040 – Application requirements.

- A. ~~Application for boundary line adjustment shall be made on forms to be provided by the city and shall be submitted to the same with the applicable nonrefundable fee. The application will include No application will be deemed complete nor a decision issued until a complete application is submitted to the City. A complete application consists of the following:~~
1. ~~A completed application on a form provided by the City. The application shall include the signatures of all owners, or their representatives, of the lots involved in the boundary line adjustment. The signatures of the owners of the property, or their representative, involved in the adjustment, indicating approval of the proposal;~~
 2. ~~A title report furnished by the applicant which confirms the title of the land in the proposal is vested in the name of the owners signing the application and which provides copies of all restrictions, covenants, and conditions encumbering the land. A copy of the title(s) or proof of ownership of the subject properties;~~
 3. The existing legal descriptions and proposed legal descriptions, prepared by a registered professional land surveyor or title company, attesting to the accuracy of the legal descriptions.;
 4. Where any lot reduced in size by a proposed boundary line adjustment is served or likely to be served in the future by an on-site sewage disposal system, a report provided by the local health district officer, a registered sanitarian, civil engineer or similarly qualified professional confirming that the lot or lots will continue to meet existing standards for an on-site septic disposal system for each such lot;
 5. ~~Description of any restrictive covenants or conditions on the subject property;~~
 6. ~~A nonrefundable fee as established by city resolution and which may be revised from time to time.~~

5. Other documentation necessary to demonstrate compliance with other applicable city permits or regulations.

B. In addition to the application, the applicant must also submit an original and two copies of a ~~plot plan or survey drawn to scale and accurately dimensioned~~, prepared by a licensed professional land surveyor, clearly showing the following information:

1. Name of boundary line adjustment;
2. The existing and proposed boundary lines and identification by lot and parcel number for all affected lots;
3. North arrow and scale;
4. The area and dimensions of each proposed lot;
5. The location of all structures existing upon the affected lots accurately showing the distance of each such structure from all existing and proposed lot lines and from each other structure;
6. The location of all generally observable natural features, such as slopes, bluffs, streams and wetlands on the affected lots;
7. The location and dimension of any drainfield easements, right-of-way or streets within or adjacent to any affected lot;
8. The existing public utilities and, if applicable, a statement regarding proposed future method of sewage disposal for each affected lot;

~~9.1. Where any lot reduced in size by a proposed boundary line adjustment is served or likely to be served in the future by an on-site sewage disposal system, a report provided by the local health district officer, a registered sanitarian, civil engineer or similarly qualified professional confirming that the lot or lots will continue to meet existing standards for an on-site septic disposal system for each such lot;~~

9. The location of all areas likely associated with priority habitat and species;

10. A signature line for planning administrator approval and the following statement: "This boundary line adjustment is exempt from City and State platting regulations as provided by RCW 58.17.040(6)."

C. ~~Surveys. A survey by a licensed professional land surveyor shall be required for a boundary line adjustment, except for the following cases: In lieu of the survey required in subsection B, above, a plot plan may be submitted for proposals involving the combination of adjacent platted lots which have a common ownership where no exterior lot boundaries are altered.~~

- ~~1. For existing lots, tracts or parcels where a new boundary line is being established parallel to an existing boundary that is described by deed or as part of a recorded survey;~~
- ~~2. For lot lines within a recorded subdivision or short plat where lot corners are still in place or can be found and verified.~~

SMC 16.37.050 – Administrative review.

A complete application for a boundary line adjustment shall be approved, approved with conditions, returned to the applicant for modification, or denied within ~~twenty~~20 business days of its receipt by the city. The city shall not be considered to be in receipt of a complete application unless and until such time as the application meets the requirements of Section 16.37.040.

Exhibit 'C'

- A. The administrator may forward one copy of the proposed boundary line adjustment plan to the public works director and/or fire marshal for review if deemed necessary. In such cases, ~~the public works director~~ said official shall respond within ~~ten~~10 business days of receipt.
- B. In approving or denying the application, the director shall make appropriate findings of fact and conclusions in writing and notify the applicant.
- C. Any conditions of approval may be required to be contained in and executed as a restrictive covenant against and running with the land, in form and substance approved by the administrator.
- D. The decision of the administrator may be appealed as contained in Section 16.02.170~~Chapter 16.40~~.

SMC 16.37.055 – Monumentation.

Permanent monuments shall be set at all property corners associated with the altered boundary line.



State of Washington
DEPARTMENT OF FISH AND WILDLIFE
Southwest Region 5 • 5525 South 11th St Ridgefield, WA 98642
Telephone: (360) 696-6211 • Fax: (360) 906-6776

Ben Shumaker
Community Development Direction
City of Stevenson
September 8, 2022

Dear Mr. Shumaker,

Thank you for the opportunity to comment on the City of Stevenson's Land Division Code Update. The Washington Department of Fish and Wildlife (WDFW) has reviewed the proposal and offers the following comment for your consideration.

WDFW requests for the WDFW Priority Habitat and Species (PHS) to be added to the list of information required on the maps/drawings submitted to the City where applicable in *Title 16 – Subdivisions* of the City of Stevenson Municipal Code, particularly in Chapters *16.36. Plat Standards* and *16.37 Boundary Line Adjustments – Review and Approval*,

Chapter 16.18.025 – Preliminary Procedures: Site Evaluations – critical areas as currently written requires for the applicant to meet with the administrator to determine if critical areas will be impacted by a proposed development. Although this step is required per the current code, I believe it is important to include PHS data in the final maps/drawings so early efforts to avoid and minimize environmental impacts can be achieved.

Thank you,

Amaia Smith
Habitat Biologist,
Washington Dept of Fish and Wildlife
5525 South 11th St. Ridgefield, WA



Leana Kinley <leana@ci.stevenson.wa.us>

support of ordinance 2022-1183

1 message

Kaitlyn Conrath <hockeykaitlync@gmail.com>
To: citycouncil@ci.stevenson.wa.us

Thu, Aug 11, 2022 at 8:15 AM

Dear Council Members,

I am homeowner in Stevenson with large parcels of undeveloped land surrounding my property. I am writing in support of ordinance 2022-1183 amending SMC 16 subdivisions. We need the clarifications on boundary line adjustments.

Please include my comment in the packet.

Thank you,

Kaitlyn Conrath

From: "csesch" <csesch@embarqmail.com>
To: "citycouncil Stevenson" <citycouncil@ci.stevenson.wa.us>
Cc: "Leana Kinley" <leana@ci.stevenson.wa.us>, "Ben Shumaker" <ben@ci.stevenson.wa.us>, "Carolyn Sourek" <carolyn@ci.stevenson.wa.us>
Sent: Wednesday, August 10, 2022 2:43:25 PM
Subject: Proposed Boundary Line Revision

City Of Stevenson Council:

While we no longer own property in Stevenson, we and our family spent years with a house at 90 Del Ray. During our ownership period we spent a lot of time, effort and money in an attempt to work out an agreeable plan that would satisfy both us and the Mays regarding any proposed development adjacent to our property. In addition we spent thousands of dollars joining our neighbors in undertaking a traffic study to satisfy the best access route.

We never could understand why the City chose to ignore all of the requirements that other developers were forced to comply with while in all appearances allowing the Mays to simply serially make boundary line adjustments. We attended meetings where fellow neighbors questioned why they could not see any maps for proposed infrastructure on the May development. In addition it is quite confusing when homes located near to one another are addressed in a hopscotch manner with some allowed septic systems and some required to connect to the City sewer system.

While we currently own no property within the Stevenson City boundaries we support any plans that will bring uniformity to the development process for an orderly and fair growth process; and which will not allow a select few to utilize and contort the boundary line adjustment process.

Thank you,

Curt & Sherry Esch



Pat Rice <easylivingpat@gmail.com>

Please Support Staff Recommendation - Agenda item 7(e)

Pat Rice <easylivingpat@gmail.com>

Wed, Aug 10, 2022 at 1:47 PM

To: City Council <citycouncil@ci.stevenson.wa.us>

Cc: Leana Kinley <leana@ci.stevenson.wa.us>, Ben Shumaker <ben@ci.stevenson.wa.us>, Carolyn Sourek <carolyn@ci.stevenson.wa.us>

Dear City Council, I see that I failed to correct one number in my email below. In the 4th paragraph the last sentence should read: "***Then there have been the many iterations of the Mays proposed boundary line adjustments ranging from five to six large lots to upwards of almost 13 lots.***" I see that I failed to get this sentence corrected before sending. Pat Rice

----- Forwarded message -----

From: Pat Rice <easylivingpat@gmail.com>

Date: Wed, Aug 10, 2022 at 9:51 AM

Subject: Please Support Staff Recommendation - Agenda item 7(e)

To: City Council <citycouncil@ci.stevenson.wa.us>

Cc: Leana Kinley <leana@ci.stevenson.wa.us>, Ben Shumaker <ben@ci.stevenson.wa.us>, Carolyn Sourek <carolyn@ci.stevenson.wa.us>

Dear City Council,

Your approval of the housekeeping amendments to SMC 16 under agenda item 7(e) will be a welcome change from the several years of various plans and schemes my neighborhood has put up with.

Our neighbors Rick and July May at May and Associates, INC, have discovered a loophole in the rules that have allowed them to use the City's boundary line adjustment (BLA) rules to create a large subdivision in our neighborhood. Instead of following the rules for creating subdivisions, these developers instead claim they are simply adjusting the boundary lines of several 25' X 100' parcels abutting the Del Ray right of way and moving them to various areas of their property.

When city officials ask the standard questions relevant to most subdivisions, such as where the "access points" might be, the Mays with the help of their high priced attorney have cried foul, and argued that these questions aren't allowed in the BLA statutes. And in fact, the City of Stevenson has spent tens of thousands of dollars in legal fees dealing with the Mays, losing practically every legal skirmish. Yet, it is the City's own rules that lead to their legal downfall.

And how has it been for the neighbors living next to this mess? In an attempt to avoid the standard costs associated with any development (new roads, sewer lines, sidewalks, etc.) we've endured about every scheme imaginable. There was the proposed gift of swamp land for parks and the proposed gift of lots for low income housing, both with strings attached that shifted the burden for infrastructure costs from the Mays to the City. Then there have been the many iterations of the Mays proposed

boundary line adjustments ranging from five to six large lots to upwards of almost 20 lots.

The City of Stevenson's boundary line adjustment system was intended for two property owners wanting to change a line between their properties. These rules were never intended for large scale developments like you see east (Chinidere) or west (Osprey Ridge and Angel Heights) of town.

When you allow a developer to come into town with their smart savvy lawyer and carve up several acres using your BLA rules instead of your subdivision rules, we end up with a real mess. Instead of an orderly development with streets** that have lighting, sidewalks, and homes on a sewer system, we end up with multiple dusty private driveways with many homes on septic systems.

The proposed housekeeping amendments to SMC 16 are a good and smart attempt to bring order where there is now chaos.

Pat Rice

Less someone think I am being hypocritical because I have previously argued that the Del Ray right of way should never be built into a city street, let me make two points: **(1) A developer is free to make the Del Ray right of way into a public street as long as they, *not the taxpayers*, pay for it. **(2)** Any smart developer would build their street system in the middle of their development so the street would serve homes on both sides, not to the side of their development where the street is of little use.



Karen Rutledge <bakerkrn@gmail.com>

Proposed BLA changes on 8/11 council agenda

Karen Rutledge <bakerkrn@gmail.com>

Wed, Aug 10, 2022 at 11:59 AM

To: City Council <citycouncil@ci.stevenson.wa.us>

Cc: Ben Shumaker <ben@ci.stevenson.wa.us>, Carolyn Sourek <carolyn@ci.stevenson.wa.us>, Leana Kinley <leana@ci.stevenson.wa.us>

Dear City Council,

I believe the proposed changes on the BLA regulations are important and necessary to provide transparency to the development underway on the Mays property as well as any other housing development. Currently the Mays have found a loophole that allows them to avoid the normal rules and regulations that apply to development of a subdivision.

These rules and regulations ensure that proper infrastructure is in place. This includes proper driveways, roads, sewer connections, water and utilities. The proper development procedures would also ensure the community is informed and can offer input.

Please vote to pass this BLA language as recommended by the staff. If we allow people to circumvent the subdivision rules we will end up with a tangled mess of driveways and septic tanks that will not benefit our community.

Karen Rutledge



Leana Kinley <leana@ci.stevenson.wa.us>

Comment for 8/11/22 Meeting

1 message

David Wyatt <davidewyatt@gmail.com>
To: citycouncil@ci.stevenson.wa.us

Thu, Aug 11, 2022 at 7:23 AM

Dear Council Members,

As a homeowner in Stevenson with significant amounts of undeveloped land surrounding me, I am writing in support of ordinance 2022-1183 amending SMC 16 subdivisions, which clarify and streamline boundary line adjustments.

Please include my comment in the packet, but there is no need to read it during the meeting.

Thank you for your time,

David Wyatt

From: Chris Wilson <wilsonc20041@gmail.com>

Date: August 10, 2022 at 8:32:38 PM PDT

To: citycouncil@ci.stevenson.wa.us

Subject: BLA Rule Changes

Hello,

I noticed your meeting tomorrow has proposed changes to the BLA regulations. I will not be able to be in attendance, but wanted to provide this message as support of said changes.

It appears these regulations need to be in place to ensure proper infrastructure to support development, with appropriate community input.

Thanks,
Chris Wilson
90 NW Del Ray Ave
Stevenson, WA