



City of Stevenson

Planning Department

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TO: Planning Commission
FROM: Ben Shumaker
DATE: February 14th, 2022
SUBJECT: Zoning Interpretation – Travel Trailers in the R2 Two-Family District

Introduction

The Stevenson Planning Commission is asked to interpret the Zoning Code based on the request in Attachment 1. In conducting this interpretation, the Planning Commission is constrained by the process and standards of [SMC 17.12.020](#). The Planning Commission’s interpretation can a) prohibit, b) allow staff review/approval as an accessory use, or c) allow Planning Commission review/approval via a conditional use permit.

This memo deals with the interpretation of Travel Trailers as an unlisted use in the R2 Two-Family Residential District. A companion memo will address the interpretation of “Temporary Medical Hardship Residence” as an unlisted use in the Zoning Code generally and in the R2 Two-Family Residential District specifically.

Recommendation

Consider the information below and adopt or amend and adopt one of the Interpretations in Attachments 2, 3 or 4 to establish the Travel Trailer use as Conditional, Conditional/Accessory, or Prohibited.

Guidance

Stevenson Municipal Code [Table 17.13.010-1](#) contains two use categories (c. Travel Trailer and f. Temporary Emergency, Construction or Repair Residence) clearly related to the request. The abridged table is below.

Table 17.13.010-1: Residence or Accommodation Uses		
Use	Description	Reference
1. Dwelling	Any building that contains one or more dwelling units [SMC 17.10.275] used, intended, or designed to be built, used, rented, let or hired out to be occupied, or that are occupied for living purposes.	SMC 17.10.275
...		
c. Travel Trailer	A trailer built on a single chassis transportable upon the public streets and highways that is designed to be used as a temporary dwelling without a permanent foundation and may be used without being connected to utilities.	
...		
f. Temporary Emergency, Construction or Repair Residence	A residence (which may be a mobile home or travel trailer) that is: (1) located on the same lot as a residence made uninhabitable by fire, flood or other natural disaster and occupied by the persons displaced by such disaster; or (2) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed; or (3) located on a nonresidential construction site and occupied by persons having construction or security responsibilities over such construction site. However, no such temporary emergency, construction or repair residence shall be inhabited for more than 6 months, unless authorized by the Planning Commission.	
...		

The above uses appear in the Zoning Code’s Use Tables at [SMC 17.15.040](#) and [SMC 17.25.040](#) but not [SMC 17.35.040](#). The Use Tables are reproduced below. These districts are organized based on their restrictiveness established in [SMC 17.12.050](#) with the most restrictive district on the left and continuing to the least restrictive district on the right.

Use	R1	R2	R3	MHR	SR	PR	ED	CR	C1	M1
Travel Trailer	--	--	--	--	X	--	--	--	--	--
Temporary Emergency, Construction or Repair Residence	C*	C*	C*	--	C*	--	--	--	C*	--

* 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.

P = Permitted, C = Conditional, A = Accessory, X = Prohibited, -- = Unlisted

The purpose of the R2 Two-Family Residential District is articulated at SMC 17.15.010(B) and quoted below:

R2 Two-Family Residential District. The two-family residential district (R2) is intended to provide minimum development standards for higher-density residential uses where complete community services are available and where residential uses are separated from uses characteristic of more urban and more rural areas.

Approval Standards

Affirmative findings must be made on the following criteria before any unlisted use is allowed in a zoning district.

- SMC 17.12.020(C)(1): The use (Travel Trailer) is consistent with the purpose of the applicable zoning district (R2 Two-Family Residential);

ANALYSIS: The Planning Commission should consider the travel trailer use in the context of whether they consider it a) a higher density residential use and, if so, b) whether the use should be mixed in with the other uses of the R2 District. If the Planning Commission gives each of the above affirmative answers, then the issues below must be addressed.

CONCLUSION: Subject to Planning Commission Analysis. If the Planning Commission gives affirmative answers to each of the above, then the issues below must be addressed.

AND
- SMC 17.12.020(C)(2): The use is expressly allowed in a less restrictive district (R3, MHR, SR, PR, ED, CR, C1, and M1 Districts);

ANALYSIS: This use is not expressly allowed in any district (less restrictive or otherwise) and it is expressly prohibited in the less restrictive SR District.

CONCLUSION: An affirmative finding cannot be made on this criterion.

OR
- The use is of the same general character as the principal and conditional uses authorized in such district.

ANALYSIS: In the R2 District, [SMC Table 17.15.040-1](#) lists 29 uses as either permitted (P) or conditional (C). In the Zoning Administrator’s opinion, Travel Trailers are of the same general character as 1 of those uses [Temporary Emergency, Construction or Repair Residence (C)]. Additionally, there are 5 uses listed as prohibited (X) in the R2 District. In the Zoning Administrator’s opinion, Travel Trailers are of the same general character as 2 of those uses [Mobile Home (X), and Campground (X)].

CONCLUSION: Subject to Planning Commission Analysis. If the Planning Commission makes an affirmative finding for this criterion and the criterion in 1, above, Travel Trailers can be considered a conditional (C) use in the R2 District. Alternatively, the Planning Commission may consider the criterion below.

OPTIONAL

Accessory Use, Supplemental Standard

In limited circumstances, an unlisted use which satisfies the approval standards above may be interpreted as an accessory use in the district under consideration. Such circumstances require an additional affirmative finding that:

1. The proposed use (Travel Trailer) serves a purpose customarily incidental to the instant principal use (vacant) on the property under consideration.

ANALYSIS: The request letter describes this property as currently "empty", however the R2 District lists Subsistence or Hobby-Type Gardening and Indoor or Outdoor Horticultural Activity as principal uses. The low entry threshold to establish these uses justifies consideration of whether Travel Trailers can be considered customarily incidental to such uses. **NOTE:** The Zoning Administrator resides adjacent to the property originating this interpretation and will not provide comments on the property-specific aspects of the requested interpretation. The following analysis is quoted from a May, 2019 staff report assisting interpretation of whether Self-Storage Units could be considered in the SR Suburban Residential District:

"Instant Principal Use: Staff will caution (repeatedly) to avoid discussion of a specific site and/or property while making a decision on this interpretation. To the extent that information is necessary to address this request, staff will direct the conversation toward the vacant status of the property. Staff believes the vacant status indicates the lack of an instant principal use. In such situation, there is no use for an accessory use to be accessory to."

CONCLUSION: Subject to Planning Commission Analysis. If the Planning Commission makes an affirmative finding criterion 1 and either 2 or 3, above, and it finds the use customarily incidental to the instant principal use on the requested property, a Travel Trailer can be considered an accessory (A) use at this site in the R2 District.

Prepared by,

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Community Development Director

Attachment

- Written Request
- Draft Interpretation (C)
- Draft Interpretation (C/A)
- Draft Interpretation (X)