

**City of Stevenson  
Ordinance No. 2018-1127**

**AN ORDINANCE PARTIALLY LIFTING AND PARTIALLY RENEWING A MORATORIUM ON SHIPPING CONTAINER SITINGS AND APPLICATIONS FOR SHIPPING CONTAINER SITINGS AS MORE PARTICULARLY SET FORTH HEREIN.**

**WHEREAS**, on June 21<sup>st</sup>, 2018 the City of Stevenson adopted Ordinance 2018-1124 imposing a moratorium on the siting of shipping containers within any Trade District (SMC Ch. 17.25) or Residential District (SMC Ch. 17.15) or the Rock Cove Corridor (SMC Ch. 17.23); and

**WHEREAS**, the Stevenson Planning Commission, in the process of reviewing its zoning and design standards related to shipping containers in Residential Districts (SMC Ch. 17.15) finds current standards adequately address this issue; and

**WHEREAS**, the City, in the process of reviewing its zoning and design standards to address this issue has identified a greater need for the evaluation of design standards in Trade Districts (SMC Ch. 17.25) and the Rock Cove Corridor (SMC Ch. 17.23), and the public process necessary to evaluate these standards will take time; and

**WHEREAS**, a renewed moratorium on further filing and processing of applications for the siting and installation of shipping containers outside of Residential Districts is necessary while the City completes the review of the appropriate zoning and design standards for this land use, or to otherwise mitigate its impacts; and

**WHEREAS**, the Stevenson City Council finds that the City's ability to preserve the look and feel of the city will be jeopardized unless this moratorium is authorized; and

**WHEREAS**, the Stevenson City Council finds that the authorization of this moratorium is necessary to protect the health, welfare, safety and future economic viability of the City; and

**WHEREAS**, RCW 35A.63.220 provides that, "A council or board that adopts a moratorium or interim zoning control, without holding a public hearing on the proposed moratorium or interim zoning control, shall hold a public hearing on the adopted moratorium or interim zoning control within at least sixty days of its adoption, whether or not the council or board received a recommendation on the matter from the commission. If the council or board does not adopt findings of fact justifying its action before this hearing, then the council or board shall do so immediately after this public hearing. A moratorium or interim zoning control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium or interim zoning control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal"; and

**WHEREAS**, moratoria and interim zoning control enacted under RCW 35A.63.220 are methods by which local governments may preserve the status quo so that new plans and regulations will not be rendered moot or frustrated by intervening development; and

**WHEREAS**, a work plan has been developed for studies related to the zoning and design standards for shipping containers and that work plan is attached to this Ordinance as Exhibit “A”; and

**WHEREAS**, the Stevenson City Council held a duly advertised public hearing on November 15, 2018, to consider public comment concerning the renewal of such moratorium; and

**WHEREAS**, the Stevenson City Council finds that the best interests of the City would be served if such a moratorium was authorized.

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

Section 1. The moratorium imposed pursuant to Ordinance 2018-1124 on accepting applications and permitting the siting of shipping containers within any Residential District (SMC Ch. 17.15) shall be lifted upon the effective date of this ordinance. As the term is used herein, “shipping container” shall mean a standardized prefabricated steel, aluminum or plastic structure constructed for use in intermodal freight shipping.

Section 2. A one (1) year renewal of the moratorium imposed in Ordinance 2018-1124 is hereby renewed on accepting applications or permitting the siting of shipping containers within any Trade District (SMC Ch. 17.25) or the Rock Cove Corridor (SMC Ch. 17.23). The one (1)-year period is necessary based on the Work Plan established in Exhibit “A”.

Section 3. The moratorium renewed pursuant to Section 2 above may be extended for one or more six (6) month periods in the event a work plan or further study determines that such extension is necessary or to determine what further policies and procedures related to future shipping container siting applications will best serve the purposes of the City.

Section 4. Severability. 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 5. Effective date/Emergency. This ordinance affects life, health and safety shall become effective on an emergency basis upon passage by approval of a majority plus one of council members.

**ADOPTED** this 15<sup>th</sup> day of November, 2018.

CITY OF STEVENSON

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Scott Anderson, Mayor

ATTEST:

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Leana Kinley, Clerk

APPROVED AS TO FORM:

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Kenneth B. Woodrich, City Attorney

# Ordinance 2018-1127

## Exhibit “A” Work Plan

### Downtown Plan

City of Stevenson

Planning Department

TASK NAME	ASSIGNED TO	START DATE	DUE DATE	DURATION	% DONE	DESCRIPTION	PRIORITY	SPRINT/MILESTONE
Task 1 - Advertise for Services		11/21/2018	12/21/2018	30				Phase 1
Task 2 - Consultant Eval/Negotiation		12/24/2018	1/16/2019	23				Phase 1
Task 3 - Council Contract Approval		1/16/2019	1/17/2019	1				Phase 1
Task 4 - Market Analysis		1/18/2019	4/8/2019	80				Phase 2
Task 5 - Design Preference Surveys		2/11/2019	4/8/2019	56				Phase 2
Task 6 - Parking Usage Study		4/8/2019	7/8/2019	91				Phase 2
Task 7 - Traffic Corridor Study		4/8/2019	7/8/2019	91				Phase 2
Task 8 - Best Practices Review		6/10/2019	8/12/2019	63				Phase 2
Task 10 - Visioning/Plan Development		7/8/2019	9/9/2019	63				Phase 3
Task 11 - Regulation Development		8/12/2019	10/14/2019	63				Phase 3
Task 12 - City Council Hearing		10/16/2019	10/17/2019	1				Phase 4
Task 13 - City Council Adoption		11/20/2019	11/21/2019	1				Phase 4

