

**CITY OF STEVENSON
ORDINANCE 2022-1180**

AMENDING THE STEVENSON ZONING CODE (SMC TITLE 17); RELAXING RESTRICTIONS ON THE SITING OF SMALL ACCESSORY STRUCTURES AND PROHIBITING SELF-STORAGE UNITS IN THE SR SUBURBAN RESIDENTIAL DISTRICT.

WHEREAS, in September, 2021 the City received an application from 11 property owners in the SR Suburban Residential District requesting to relax the side and rear setback requirements for small accessory buildings in the zone; and

WHEREAS, the application proposed allowing residential outbuildings which are both 12 feet in height or less and 200 square feet in size or less to locate no closer than 5 feet from rear and interior side property lines; and

WHEREAS, the City already allows such buildings at such locations in the City's 4 other residential districts; and

WHEREAS, the following use interpretation conducted under SMC 17.12.020 has been reviewed for inclusion as a periodic amendment in this ordinance: ZON2019-02 related to Self-Storage Units in the SR Suburban Residential District; and

WHEREAS, staff has proposed correction of 2 scrivener's errors in the Residential Districts Use Table; and

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

WHEREAS, the City Planning Commission 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 exempt from threshold determination requirements under WAC 197-11-800; 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 – Chapter 17.15 – “Residential Districts” shall be amended by deleting the ~~struck-through~~ text and adding the underlined text as shown in Exhibit 'A'. The amendments occur in the General Sales or Service Uses of SMC Table 17.15.040-1:

“Residential Districts Use Table” and by applying 2 notes in the SR row of SMC Table 17.15.060-1: “Residential Dimensional Standards”. All other provisions of Chapter 17.15 shall remain in effect without amendment.

Section 2 – This ordinance affects 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 3 – 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.

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

Chapter 17.15 - RESIDENTIAL DISTRICTS

| Table 17.15.040-1 Residential Districts Use Table | | | | | |
|---|-----------|-----------|-----------|------------|-----------|
| Use | R1 | R2 | R3 | MHR | SR |
| General Sales or Service Uses | | | | | |
| Electric Vehicle Station | | | | | |
| Restricted Access, Gradual Charging EV Station | A | A | A | A | A |
| Restricted Access, Rapid charging <u>Charging</u> 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 |
| <u>Rental Operations</u> | = | = | = | = | = |
| <u>Self-Storage Units</u> | = | = | = | = | 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 |
| Home Occupation | 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.

17.15.060 - Residential dimensional standards.

| Table 17.15.060-1: Residential Dimensional Standards | |
|---|-------------------------|
| | Minimum Setbacks |
| | |

Exhibit A- Amendment to SMC 17.15

| District | Maximum Height of Building | Front | Side, Interior | Side, Street | Rear, Interior Lot | Rear, Through Lot |
|-----------------|-----------------------------------|--------------|-----------------------|---------------------|---------------------------|--------------------------|
| 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].