



City of Stevenson

Planning Department

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

TO: Planning Commission
FROM: Ben Shumaker
DATE: August 8th, 2022
SUBJECT: Zoning Interpretation–Personal Services (Salons) in the R3 Multi-Family Residential District

Introduction

The Stevenson Planning Commission is asked to interpret the Zoning Code to determine whether properties in the R3 Multi-Family Residential District may be put to use for Personal Services (Salons). In conducting this interpretation, the Planning Commission has the flexibility to consider this type of use either an Accessory Use, a Conditional Use or a Prohibited Use.

Recommendation

The Planning Commission should evaluate this proposal based on its understanding of a) whether Personal Services (Salons) are consistent with the purpose of the R3 District and b) and whether the use is of the same general character as other uses in the district. A draft interpretation is attached based on the assumption that Personal Services (not just Salons) could be conditionally allowed in the R3 District.

Approval Standards

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

1. The use (Personal Services) is consistent with the purpose of the applicable zoning district (R3 Suburban Residential);

GUIDANCE: Staff sees nothing to prevent an affirmative finding by the Planning Commission.

Use: The City lists Personal Services in its use descriptions at SMC 17.13.020:

Commercial establishments providing individual services generally related to personal needs. Unless specifically listed in the district, Personal Services includes all subcategories listed herein.

At this time, Recreation Services is the only subcategory; Salon is not separated from other types of Personal Services.

Zoning District: The City has stated the purpose of the SR Suburban Residential District as follows:

The multi-family residential district (R3) is intended to provide minimum development standards for various residential uses where complete community services are available and where residential uses are in close proximity to uses characteristic of more urban areas and separated from uses characteristic of more rural areas.

AND

2. The use is expressly allowed in a less restrictive district (MHR, SR, PR, ED, CR, C1, and M1 Districts);

GUIDANCE: An affirmative finding is appropriate for this criterion.

District Allowances: Personal Services are expressly allowed as a P – Permitted use in the C1 District. The subcategory Recreational Services are expressly allowed as a P – Permitted use in the CR District.

OR

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

GUIDANCE: An affirmative finding is also appropriate for this criterion.

Character of Uses: Salons have been granted permits by the Stevenson Planning Commission on 3 past occasions. The Conditional Use Permits issued by the Planning Commission were accompanied by ad-hoc interpretations by the Planning Commission which considered a salon use as a "Professional Office (Salon)". Professional offices were listed conditional uses in this zone. Personal services were not listed at that time. Those permits were issued prior to the Zoning Code reformat in 2016 which better organized uses and provided the current descriptions.

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 (Personal Services) services a purpose customarily incidental to the instant principal use (Mixed Use: Professional Office, Residential) on the property under consideration.

GUIDANCE: Based on the discussion below, an affirmative finding cannot be made for this criterion.

Instant Principal Use: Staff will caution (repeatedly) to avoid discussion of a specific site and/or property while making a decision on this interpretation. On a district-wide basis, staff finds it hard to imagine a scenario where Personal Services could be considered an accessory use to an otherwise permitted use.

Prepared by,

Ben Shumaker
Community Development Director

Attachment

- Draft Interpretation (ZON2022-04)



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Planning Commission Interpretation

Multi-Family Residential District—Personal Services (Salon) (ZON2022-04)

Issue:

The use table adopted at SMC 17.15.040 did not contemplate whether Personal Services uses would be compatible in residential districts, including the SR Suburban Residential District. The Planning Commission is asked to address this unintentional omission to determine whether the use would have been permitted had it been contemplated and whether it is compatible with the other listed uses in the district.

Guiding Policy

This interpretation is guided by SMC 17.12.020 which requires the following approval standards and considerations, for which affirmative findings are required before an unlisted use could be allowed.

- 1) SMC 17.12.020(C)(1) – The use is consistent with the purpose of the applicable zoning district;

AND
- 2) SMC 17.12.020(C)(2) – The use is expressly allowed in a less restrictive district;
OR
- 3) SMC 17.12.020(C)(3) – The use is of the same general character as the principal and conditional uses authorized in such district

AND
- 4) SMC 17.12.020(E)(1) – The proposed use serves a purpose customarily incidental to the instant principal use on the property under consideration.

Discussion

Use: The City describes Personal Services uses in SMC 17.13.020 as follows:

Commercial establishments providing individual services generally related to personal needs. Unless specifically listed in the district, Personal Services includes all subcategories listed herein.

Zoning District: The City has stated the purpose of the R3 Multi-Family Residential District as follows:

The multi-family residential district (R3) is intended to provide minimum development standards for various residential uses where complete community services are available and where residential uses are in close proximity to uses characteristic of more urban areas and separated from uses characteristic of more rural areas.

