AN ORDINANCE AMENDING THE STANDARDS AND REVIEW PROCESS FOR ACCESSORY DWELLING UNITS; ALLOWING SIGNS IDENTIFIED IN THE WAYFINDING MASTER PLAN; AMENDING THE CONDITIONAL USES OF THE PUBLIC USE & RECREATION DISTRICT; REZONING CERTAIN PROPERTIES IN THE CITY OF STEVENSON, WASHINGTON; AMENDING SMC TITLE 17; AND REPEALING PORTIONS OF ORDINANCES 894, 1030, AND 1051.

RECITALS

WHEREAS, Stevenson’s Wayfinding Master Plan, accepted by the City Council in November, 2012, recommends a Zoning Code amendment to aid in implementation of that plan; and

WHEREAS, the regulations related to wayfinding signage contained herein implement Objectives 1.4, 1.7-1, 1.17, 1.17-1, 2.1, 2.14, and 7.13 of the Stevenson Comprehensive Plan; and

WHEREAS, since 1993 and 1998, respectively, the State and the City have attempted to encourage development of accessory dwelling units; and

WHEREAS, the City’s attempts to encourage accessory dwelling units have not resulted in the development of any approved accessory dwelling units; and

WHEREAS, the regulations related to accessory dwelling units contained herein implement Objectives 2.12, 2.13, 2.14, 2.15, 3.1, 3.2, 3.2-1, 3.6, and 3.8 of the Stevenson Comprehensive Plan; and

WHEREAS, the City’s current zoning map contains designations used to manage the actions of institutions that could be considered “spot zoning”; and

WHEREAS, the Stevenson Comprehensive Plan contains a Future Land Use Map designating areas where certain zoning changes may be necessary; and

WHEREAS, the amended “Zoning Map, City of Stevenson” contained herein implements Objectives 1.4, 1.10, 2.1, 2.7,2.7-2, 2.7-3, 2.7-5, 2.13, 2.14, 2.15, 3.1, 3.2, 3.2-2, 4.2, 4.2-1, 4.4, 4.5, and 4A.2-1, and the designations of the Future Land Use Map of the Stevenson Comprehensive Plan; and

WHEREAS, the City Council deems the zoning provisions of this ordinance necessary for the purpose of securing and promoting the health, safety and general welfare of the people of the City; and

WHEREAS, the Planning Commission and City Council have given due public notice of hearings relating to this ordinance and have held such hearings;

WHEREAS, the City has complied with the Environmental Policy Act and reached a determination of nonsignificance;

AND WHEREAS, the Planning Commission has reviewed and recommended that the City Council approve these regulations.

NOW, THEREFORE, the City Council of the City of Stevenson do ordain as follows:

Section 1- THAT, Stevenson Municipal Code section 17.10.738(7) (A portion of Section 2.14 of Ordinance 1051) shall be repealed and replaced with the following: “Signs placed by a governmental agency” means any sign placed by federal, state, or local governmental agency that is necessary to promote, protect and/or regulate the public health, safety and welfare. Examples of signs placed by a governmental agency include traffic directional and control signs, public safety warnings or hazards signs, official public notice signs, interpretive signs, and those amenity, destination, directional, kiosk...
and regulatory signs identified in the Stevenson Wayfinding Master Plan, as amended. Such signs do not include destination signage identifying governmental locations not identified in the Stevenson Wayfinding Master Plan.

Section 2- THAT, Stevenson Municipal Code Section 17.16.020(U) (Section 4 of Ordinance 1030) shall be repealed in its entirety.

Section 3- THAT, the following accessory use shall be added to the SR district regulations as SMC 17.16.030(D):

“D. Accessory dwelling units meeting the specific performance standards of this title.”

Section 4- THAT, Stevenson Municipal Code Section 17.18.020(O) (Section 5 of Ordinance 1030) shall be repealed in its entirety.

Section 5- THAT, the following accessory use shall be added to R1 district regulations as SMC 17.18.030(D):

“D. Accessory dwelling units meeting the specific performance standards of this title.”

Section 6- THAT, Stevenson Municipal Code section 17.34.040(B) (A portion of Ordinance 894) shall be repealed and replaced with the following:

“B. Building additions to county or city public works facilities that would increase gross floor area by more than five hundred (500) square feet or lot coverage by more than twenty (20) percent.”

Section 7- THAT, Stevenson Municipal Code section 17.39.040 (Section 6 of Ordinance 1030) shall be repealed in its entirety.

Section 8- THAT, the following shall be added to the Stevenson Municipal Code as section “17.40.040 Accessory Dwelling Units”:

8.1- “A. Purpose and Intent. The purpose and intent of this section are to provide homeowners with the ability to establish separate living quarters within or adjoining their homes for the purpose of caring for elderly parents or other family members, providing housing for their children, companionship, security, or other purposes; and ensuring that the development of accessory dwelling units (ADU) follows adopted standards and does not cause unanticipated impacts on the character or stability of single-family neighborhoods.”

8.2- “B. Permitting. The review and approval of a proposed ADU shall be accomplished through review by the zoning administrator as provided by this section. In addition to the standard application form, scale drawings of the ADU project depicting sufficient detail to interpret the requirements of this section shall be submitted with the application.”

8.3- “C. Development Standards. Accessory dwelling units shall comply with the following standards and criteria:

8.3.a- “1. Owner Occupancy. The property owner must occupy either the principal unit or the ADU as their permanent residence. The owner shall maintain residency for at least six (6) months out of the year, and at no time receive rent for, or otherwise allow to be occupied, the owner-occupied unit if absent for the remainder of the year.”

8.3.b- “2. Configuration. An ADU may be located either within or attached to the primary residence but not as a separate building.”

8.3.c- “3. Density. Only one ADU may be established in conjunction with a single-family residence.”

8.3.d- “4. Minimum Lot Size. An ADU shall not be established on any parcel smaller than six thousand (6,000) square feet in the R1 zone or smaller than fifteen thousand (15,000) square feet in the SR zone.

8.3.e- “5. Maximum Unit Size. The gross floor area of an addition to an existing structure, constructed for the purpose of creating an ADU, shall not exceed forty percent (40%) of the gross floor area of the principal structure (not including basement or garage). For an ADU created through the internal conversion of an existing structure, there is no restriction on the maximum size.”
8.3.f  “6. Minimum Unit Size. The gross floor area of an ADU shall not be less than three hundred (300) square feet or such larger size as may be required by the most current version of the applicable construction codes adopted in SMC 15.01.”

8.3.g  “7. Design and Appearance. An ADU shall be consistent in design and appearance with the primary residence. Specifically, the roof pitch, siding and roofing materials, colors and window treatment shall be the same as the primary structure.”

8.3.h  “8. Parking. The need for additional off-street parking for an ADU shall be determined by the Planning Commission and may be waived where the ADU occupant has no need or ability to operate a vehicle or where site conditions preclude another on-site parking space.”

8.3.i  “9. Garage Conversions. An existing garage structure may be incorporated as part of an ADU addition to the principal structure, provided that the structure complies with the setback standards applicable to the principal structure in the underlying zone and complies with applicable building codes. The off-street parking requirements for the primary residence shall be provided for elsewhere on site.”

8.3.j  “10. Accessibility. To provide for the development of housing units for people with disabilities, the building official may allow reasonable deviation from stated requirements to facilitate accessibility. Such facilities shall be in conformance with the applicable Construction Codes adopted in SMC 15.01.”

8.4  “D. .  Deed Covenant. The applicant shall provide a covenant in a form acceptable to the city attorney and suitable for recording with the county auditor, providing notice to future owners of the property that the existence of the ADU is predicated upon owner-occupancy of either the principal dwelling unit or the ADU. Further, the covenant shall give notice to a prospective buyer of the limitations of this section.”

Section 9- THAT, the “Zoning Map, City of Stevenson” shall be updated as presented in reduced form in Exhibit A to effectuate the rezoning certain properties within the City: 

9.1 The Anderson property (Tax Lot # 03-07-36-44-2700) and the Fort Vancouver Regional Library property (Tax Lot #03-07-36-44-2800) on Columbia Avenue and the Oregon Conference Adventist Churches property (Tax Lot # 03-07-36-44-3400) and Skamania County property (Tax Lot #03-07-36-44-2900) on Second Street shall be rezoned from R3 Multi-Family Residential to C1 Commercial.”

9.2 The former Lutz properties (Tax Lot #s 02-07-01-10-3600 and 02-07-01-10-3601), the River Locks, LLC property (Tax Lot #02-07-01-11-7200), and the Versari properties (Tax Lot #s 02-07-01-11-7300, 02-07-01-11-7201, 02-07-01-11-7302, and 02-07-01-11-7303) on Cascade Avenue shall be rezoned from C1 Commercial to R3 Multi-Family Residential.

Section 10- THAT, 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 where that 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 11- THAT, if any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance shall take effect and be in force five (5) days after its publication according to law.

PASSED by the City Council of the City of Stevenson and approved by the Mayor this ______ day of _______________, 2013.

Mayor of the City of Stevenson

ATTEST:

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Clerk of the City of Stevenson

APPROVED AS TO FORM:

KEN WOODRICH, Attorney for the City of Stevenson