CITY OF STEVENSON, WASHINGTON

ORDINANCE NO. 2014-1077

AN ORDINANCE ADOPTING A NEW EDUCATION DISTRICT AND AMENDING THE DEFINITIONS SECTION OF THE STEVENSON ZONING CODE (SMC TITLE 17); AND REPEALING PORTIONS OF ORDINANCES 894 AND 1030.

RECITALS

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

WHEREAS, the amended “Zoning Map, City of Stevenson” contained herein implements Objectives 1.4, 1.7, 1.7-1, 2.1, 2.3-2, 2.4, 2.4-1, 2.7, 2.7-2, 2.7-5, 2.13, 2.14, 2.15, 3.8, 4.8, 8.15, 8.16, 9.7-3 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 approved these regulations.

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

Section 1- THAT, Chapter 17.10 Definitions of the Stevenson Municipal Code shall be amended as follows:

1.1- The following definition shall be added to the Stevenson Municipal Code as 17.10.403: “Landscaping. “Landscaping” means a continually maintained area: 1) consisting of trees, shrubs, groundcovers, grass, flowers, decorative rock, bark, mulch, and other similar materials; and 2) preventing the spread of non-native invasive species such as scotch broom, Himalayan blackberry, and other noxious weeds.”

1.2- The following definition shall be added to the Stevenson Municipal Code as 17.10.670:  “Public, private and parochial school. “Public, private and parochial school” means any publicly-, privately-, or parochially-financed school or facility carrying on a program from kindergarten through the twelfth grade or any part thereof including vocational education courses otherwise permitted by law. Public, private, and parochial school does not mean a private residence in which instruction is provided to the occupants’ own children and three (3) or fewer nonresident children or a school support facility as defined by this title.”

1.2- The following definition shall be added to the Stevenson Municipal Code as 17.10.727: “School support facility. “School support facility” means any facility which is required to maintain efficient operation of a public, private and parochial school but which is not directly related to the academic program of study. Examples of school support facility include garages and storage facilities, administration buildings, libraries, etc.”

Section 2- THAT, Stevenson Municipal Code section 17.12.050 (A portion of Section 3 of Ordinance 1030) shall be repealed in its entirety and replaced with the following:  “SMC 17.12.050 Restrictive Areas—Interpretation. When making determinations between zoning districts as to which is more restrictive or less restrictive, the following order shall be used, starting with most restrictive and ending with least restrictive: R1, R2, R3, MHR, SR, PR, ED, CR, C1, and M1.”
Section 3- THAT, Stevenson Municipal Code section 17.14.010 (A portion of Ordinance 894) shall be repealed in its entirety and replaced with the following:

3.1- "SMC 17.14.010 Classifications Enumerated. To effectuate the comprehensive plan adopted by the City Council and amended from time to time, lands within the incorporated territory of the City are classified into the following categories which are further described in this title and so indicated on the Zoning Map:

3.1.a- A. Suburban residential district (SR is the map symbol);
3.1.b- B. Single-family residential district (R1 is the map symbol);
3.1.c- C. Two-family residential district (R2 is the map symbol);
3.1.d- D. Multifamily residential district (R3 is the map symbol);
3.1.e- E. Mobile home residential district (MHR is the map symbol);
3.1.f- F. Commercial district (C1 is the map symbol);
3.1.g- G. Commercial recreation district (CR is the map symbol);
3.1.h- H. Light industrial district (M1 is the map symbol);
3.1.i- I. Education district (ED is the map symbol);
3.1.j- J. Public use and recreation district (PR is the map symbol);

Section 4- THAT, a new chapter shall be added to the Stevenson Municipal Code as Chapter 17.33 ED Education District.

4.1- A new section shall be added to SMC 17.33 as follows “17.33.005 Purpose. The Education (ED) District is intended to provide minimum development standards that coordinate activities such as school site selection and school building use to complement surrounding neighborhood and recreational uses; that facilitate school efforts to provide quality educational programs; and that ensure the ability of schools to enhance facilities.”

4.2- A new section shall be added to SMC 17.33 as follows “17.33.010 Principal Uses. Principal uses permitted in the ED District are as follows:”

4.2.a- “A. Public, private and parochial school;”
4.2.b- “B. Child day care facility;”
4.2.c- “C. Public or private recreation and fitness facility, including swimming pools, tennis courts, restroom and shower facilities, open space and pathways, and other recreational facilities;”
4.2.d- “D. Minor wireless telecommunications facility;”
4.2.e- “E. Community information signs, temporary signs, and signs placed by a governmental agency.”

4.3- A new section shall be added to SMC 17.33 as follows “17.33.020 Conditional Uses. Conditional uses that may be allowed in the ED District are set forth in the following list. In granting a conditional use request, the Planning Commission may attach to the conditional use permit such reasonable requirements as will ensure that the development in its proposed location:
- Will not endanger the public health and safety;
- Will not substantially reduce the value of adjoining or abutting property;
- Will be in harmony with the area in which it is located; and
- Will be in conformity with the Comprehensive Plan, transportation plan, or other plan officially adopted by the Council.

Conditional uses that may be allowed in the ED District are as follows:”

4.3.a- “A. New places of public assembly for events relating to culture, education, amusement and entertainment, including theaters, performing arts auditoriums and outdoor amphitheaters;”
4.3.b- “B. The keeping of any animals outside the building housing the principal use; provided, that there is adequate accommodations for the animals, low impact on adjoining neighbors, as long as such animals do not cause a public nuisance or public safety or public health problem;”
4.3.c- “C. Building with a height greater than fifty (50) feet; provided, it does not interfere with the views of a substantial number of upland properties which are presently residential or have a potential for residential development and there is an overriding public interest in allowing a greater height. For each ten (10) foot increase in height that is allowed, there shall be an additional setback of fifteen feet from any property line;”
4.3.d- “D. Dormitory facility related to a public, private and parochial school;”
4.3.e- “E. Fire, police and emergency services station;”
4.3.f- “F. Government administration building;”
4.3.g- “G. Library;”
4.3.h- “H. Hazardous waste storage in accordance with state of Washington regulations;”
4.3.i- “I. Intermediate wireless telecommunications facilities;”
4.3.j- “J. Minor wind power generation facilities;”
4.3.k- “K. Street-side access, gradual charging EV station;”
4.3.l- “L. Directly- and externally-illuminated signs, murals, signs of outstanding design, and signs identifying and/or related to any conditional use or existing nonconforming use;”
4.3.m- “Any other use determined to be of the same general character as the principal or conditional uses permitted outright in this chapter.”

4.4- A new section shall be added to SMC 17.33 as follows “17.33.030 Accessory Uses. Accessory uses and activities set forth in the following list are allowed in the ED District, provided that:

The accessory use or activity may be regarded as incidental or insubstantial in and of itself or in relation to the principal use on the lot; and

The accessory use or activity is commonly or frequently associated with the principal use on the lot.

Accessory uses and activities allowed in the ED District are as follows:”
4.4.a- “A. School support facility;”
4.4.b- “B. Replacement or expansion of places of public assembly for events relating to culture, education, amusement and entertainment, including theaters, performing arts auditoriums and outdoor amphitheaters;”
4.4.c- “C. Church and other religious or charitable organization;”
4.4.d- “D. Use of a school or school support facility for community recreation, education, meeting space, and like uses that do not conflict with the primary educational purpose of the school;”
4.4.e- “E. Vehicle repair, provided, that: (1) no repair work is conducted outside a fully enclosed building; and that (2) vehicles are not parked or stored overnight unless inside a fully enclosed building;”
4.4.f- “F. Emergency evacuation and/or displacement center;”
4.4.g- “G. The keeping of small animals inside the building housing the principal use, provided, that the animals are not allowed outside the building and do not endanger public health or safety;”
4.4.h- “H. Restricted and public access, gradual charging EV stations, and restricted access, rapid charging EV stations;”
4.4.i- “I. Public transportation stops and shelters;”
4.4.j- “J. Signs identifying and/or related to any principal or accessory use allowed in this chapter;”
4.4.k- “If an accessory use or activity is proposed that is different from those listed, but appears to meet the accessory use criteria, the administrator may request an interpretation from the Planning Commission.”

4.5- A new section shall be added to SMC 17.33 as follows “17.33.040 Density and Dimensional Regulations.”

4.6- A new section shall be added to SMC 17.33 as follows “17.33.050 Other Regulations.”
4.6.a- “A. Garbage collection areas, ground-mounted electrical and mechanical equipment, outdoor storage areas, and parking areas shall be adequately fenced and or screened from the street and nearby residential uses and maintained in a safe and orderly manner.”
4.6.b- “B. Rooftop mechanical equipment shall be set back a minimum of fifteen (15) feet from the edge of a roof or screened to reduce visual prominence.
4.6.c- “C. All new electrical, telephone, or other cable services shall be brought underground from a public street to the connected building. All existing electrical, telephone, or other cable services is encouraged to be brought underground.”
4.6.d- “D. Reasonable effort shall be made to provide screening and buffering between dissimilar uses to minimize negative impacts, such as those from noise, traffic, lighting, glare, and playing fields.”

4.6.e- “E. Pedestrian sidewalks, pathways and access ways shall be located and constructed to minimize conflict with vehicular traffic and natural hazards.”

4.6.f- “F. Developments shall not contribute to the instability of a parcel or to adjoining lands. Surface drainage systems shall be designed so as not to adversely affect neighboring properties, roads or water bodies.”

4.7- A new section shall be added to SMC 17.33 as follows “17.33.060 Parking Regulations.”

4.7.a- “A. Except for the circumstances set forth in subsection B of this section, off-street parking must be provided in accordance with the requirements of Chapter 17.42. Required parking shall be located on the same lot as the use it serves.”

4.7.b- “B. The location and number of access points to the site, their relationship to existing streets and traffic, the interior circulation patterns, and the separation between pedestrians and vehicles shall be designed to maximize safety and convenience.”

4.7.c- “C. Parking areas, aisles, loading aprons and access ways shall be paved, be of adequate strength for the traffic expected and shall be well drained.”

4.7.d- “D. Larger parking areas shall be broken into segments of twelve (12) or fewer stalls and separated by landscaping.”

4.7.e- “E. Parking may be located under a building provided it is screened from direct view from public streets and adjacent properties.”

4.7.f- “F. No motor vehicle, recreational vehicle or equipment, or other equipment, whether operational or not shall be parked, stored or otherwise located in a required side yard.”

4.8- A new section shall be added to SMC 17.33 as follows “17.33.070 Landscaping Requirements.”

4.8.a- “A. Landscaping shall be provided in the area between the building line and the street right-of-way line excluding drives, parking areas and pathways.”

4.8.b- “B. In areas where vegetation plays an important role in erosion control, aesthetic consideration or slope stabilization, any vegetation removed during construction, excavation or grading shall be promptly replaced.”

4.8.c- “C. Trees and shrubs which are intended to be retained on a site shall be protected during construction.”

4.9- A new section shall be added to SMC 17.33 as follows “17.33.145 Signs. Signs in the ED District are subject to the following standards:”

4.9.a- “A. Maximum Sign Area.
1. Maximum individual sign area: Forty (40) square feet.
2. Maximum cumulative sign area allowed on or in front of any primary building wall: Ten (10) percent of the building wall area.
3. Maximum cumulative sign area allowed on or in front of any secondary building wall: Three (3) percent of the building wall area.
4. Maximum cumulative area for window signage on any one building wall: Twenty-five (25) percent of the window area of said building wall, provided that this provision remains subject to the overall maximums established in subsections (A)(2) or (A)(3) above.
5. The area for freestanding signs directed to a single street frontage is included in the cumulative area calculation for the closest primary building wall.
6. The area for signs that face more than one street is included in the cumulative area calculation for the closest primary or secondary building wall, as assigned by the applicant.
7. Maximum cumulative sign area allowed on vacant land: Eighty (80) square feet.
8. The maximum cumulative sign area applies to single-business and multiple business lots.
9. Maximum portable sign area: Two (2) feet wide by four (4) feet tall.”

4.9.b- “B. Maximum Sign Height.
1. Maximum building sign height: Twenty-six (26) feet, provided that no part of a building sign shall be higher than the highest point of the building to which it is attached.
3. Maximum temporary sign height: Six (6) feet.”
4.9.c- “C. Sign Clearance. Minimum sign clearance for building signs projecting more than twelve (12) inches from a building: Eight (8) feet.

4.9.d- “D. Sign Illumination.
1. Dark-sky friendly signs may be permitted in the ED District.
2. Directly-illuminated signs placed in windows may be permitted, provided that each sign does not exceed four (4) square feet, and that such area is included in the cumulative sign area.”

1. A property may have more than one sign.
2. No sign shall be placed within any vision clearance area or within five (5) feet of any property line, provided that signs within a public right-of-way may be permitted according to Chapter 12.02 of this code.

4.9.f- “F. Maximum Time Period.
1. Temporary signs may be displayed on a property for a maximum time period of forty-five (45) days, provided that signs related to a specific event, sale, etc. must be removed within five (5) days after such event, provided further that political signs pertaining to an upcoming election in the voting district where the sign is placed may be installed at any time prior to the election and shall be removed within five (5) days after the election date, provided further that real estate signs advertising a property for sale or lease may continue to exist for as long as the property is available.
2. The sign structure for an abandoned sign may continue to exist until it becomes a dilapidated sign, provided that the sign face is covered by material that is unobtrusive in color and installation or is otherwise removed from public view.
3. All other signs allowed in this district may continue to exist until such time as they become an abandoned or dilapidated sign.

4.9.g- “G. Prohibited Signs. The following sign characteristics, structures, and types shall not be permitted under any circumstances:
1. Animated signs;
2. Back-lit cabinet signs;
3. Dilapidated signs;
4. Off-premises signs.

Section 10- 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:

10.1 The Stevenson-Carson School District properties on Gropper Road (Tax Lot #03-07-36-24-0600) and School Street (Tax Lot #03-07-36-44-1200) shall be rezoned from R1 Single-Family to ED Education.

Section 11- 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 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 12- 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 _____________________, 2014.

Mayor of the City of Stevenson
ATTEST:

Clerk of the City of Stevenson

APPROVED AS TO FORM:

KEN WOODRICH, Attorney for the City of Stevenson