

	DEVELOPMENT REGULATION TEXT AMENDMENT
	CASE NUMBER(S): LRN2018-00004
	STAFF REPORT Keelan McPhee

Applicant:	Thomas Durant	
Representative:	Thomas Durant	
Request:	Type of Amendment:	Development Regulation Text Amendment
General Description of proposed Text Amendment:	Amendment to YCC Title 19.18.320(1)(a) - Mini storage - to remove the requirement for mini-storage facilities to be located on the frontage of urban arterials and rural collectors in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts.	

A. SUMMARY OF RECOMMENDATIONS

Staff recommends Approval of the requested Development Regulation Text Amendment, subject to consideration of testimony from neighbors and interested parties.

B. SUMMARY OF REQUEST

The Applicant requests a change in YCC Title 19 to remove a requirement for mini-storage facilities to be located on the frontage of urban arterials and rural collectors in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts. This requirement applies whether or whether not the facility has direct access to the arterial or collector (YCC 19.18.320(1)(a)).

C. BACKGROUND

The proposed text amendment would eliminate the current requirement of YCC 19.18.320(1)(a) requiring mini-storage facilities to abut arterial or collector streets in the M-1 and M-2 zones. The primary argument for the proposal is generally based on two assumptions:

- a. That the purpose of the requirement as it exists is to minimize potential impacts of mini-storage facilities on residential neighborhoods by ensuring they are located near arterials and not in the middle of residential neighborhoods; and,
- b. That Industrial zoning districts are designated for the purpose of separating industrial uses from other non-compatible uses, including residential uses.

The applicant argues, therefore, that because Industrial zones are designated to separate industrial uses from incompatible uses, like residential, this requirement should not apply to mini-storage developments within the Industrial zoning districts.

Existing language:

The existing mini-storage requirements are shown below:

19.18.320 Mini Storage Facilities

1. "Mini storage facilities, as defined in Section 19.01.070, shall be subject to the following minimum requirements:

- a. *Location.* The site is contiguous to a designated urban arterial or rural collector road, although access may or may not be directly onto such arterial collector, as determined through the review process;
- b. *Sitescreening and Landscaping.* Sitescreening and landscaping consistent with the requirements of Chapter [19.21](#) shall be provided along all street frontages with any combination of lawn, flowers, trees, shrubs and ground cover. Along all other property lines a six-foot-high, decorative fence or wall with Standard A open area landscaping shall be installed and maintained, provided that where doors face adjacent residential areas the fence or wall shall be solid and view-obscuring;
- c. *Outdoor Storage.* Any outdoor storage area shall be enclosed with a six-foot-high, view-obscuring fence and/or vegetative site screening that will achieve a height of not less than six feet within three years, or the standards of Chapter [19.21](#), whichever are greater;
- d. *Hardsurfacing Required.* All access, travel surface and loading areas, building aprons shall be paved. Where appropriate other areas not covered by structures or landscaping shall be hard-surfaced;
- e. *Signs.* One unlighted on-premises sign identifying the storage warehouses shall be permitted. The sign shall not exceed 15 feet in height nor 40 square feet in area, or the standards of the zoning district, whichever is less;
- f. *Building Heights.* Building shall not exceed 18 feet;
- g. *Lighting.* All exterior lighting shall meet the standards of Section [19.10.040\(10\)](#);
- h. *Compatibility.* The Reviewing Official may require exterior modifications of structures, including use of architectural features or details, materials for siding and roofing, fencing, reduction of building mass and numbers of units when necessary to assure compatibility with adjoining residential zoning districts;
- i. *Outdoor Storage.* Recreational vehicles may be stored outside in the GC, M-1 and M-2 districts when appropriate sitescreening is provided.

Proposed language:

The proposed amendment is shown below:

19.18.320 Mini Storage Facilities

1. "Mini storage facilities, as defined in Section 19.01.070, shall be subject to the following minimum requirements:

- a. *Location.* In all zoning districts except for M-1 and M-2, the site shall be contiguous to a designated arterial or rural collector road, although access may or may not be directly onto such arterial or collector, as determined through the review process.

(Requirements b - f of YCC 19.18.320 are not proposed to be changed).

According to the applicant, the standard that mini-storage facilities are to be located contiguous to major (arterial or collector) streets, even though they are not required to have direct access onto those, is not based on any specific comprehensive plan policy or regulatory intent statement. The applicant argues that the... "purpose of the standard is to restrict the location of mini-storage

facilities to the edges of residential neighborhoods, in which arterial and collector streets tend to act as neighborhood boundaries. If mini storage development was required to access those major streets, it could be assumed that the standard is also intended to keep non-residential traffic off of residential streets; there are comprehensive plan policies that support this. But this is not the case - it appears that the sole purpose is to not allow the location of these non-residential facilities in the middle of a neighborhood... None of this would apply to an industrial “neighborhood”, because mini-storage is similar to and substantially compatible with other industrial land uses. Since there is no useful purpose in imposing the requirement in industrial zones, the text amendment is being proposed.”

E. ANALYSIS:

The proposal would apply to mini-storage units located within Industrial (M-1 and M-2) zoning districts. The Industrial zones are established to separate industrial uses from residential neighborhoods, because of the inherent incompatibility between the two uses. The intent of the Industrial zoning districts in Title 19 is as follows:

(1) Legislative Intent.

(a) Light Industrial District. The purpose of the Light Industrial (M-1) district is to:

- (i) Establish and preserve areas near designated truck routes, freeways and the railroad for light industrial uses, which should not generate noise levels, light, odor or fumes that would constitute a hazard. Such uses are light manufacturing, processing, research and wholesale trade, storage and distribution facilities;
- (ii) Direct truck traffic onto designated truck routes and away from residential streets; and
- (iii) Minimize conflicts between uses in the light industrial district and surrounding land uses.

(b) Heavy Industrial District. The purpose of the Heavy Industrial (M-2) district is to:

- (i) Establish and preserve areas near designated truck routes, freeways and the railroad for heavy industrial uses, such as manufacturing, assembling, fabrication, processing and distribution and storage facilities;
- (ii) Protect uses with the potential to generate high levels of noise, light, odor, fumes or smoke from encroachment by incompatible land uses;
- (iii) Direct heavy truck traffic onto designated truck routes and away from residential streets; and
- (iv) Assure that permitted uses do not generate gases, fumes, heat, glare or vibrations in a manner inconsistent with the intent of the district and/or incompatible with surrounding uses; and
- (v) Minimize conflicts between heavy industrial uses and surrounding land uses.

Because the amendment will apply only to mini-storage facilities in the Industrial zoning districts, the zoning district rules should prevent the facilities from accessing minor residential streets. According to the legislative intent (YCC 19.13.030) the industrial zones are established near major roadways, like arterials collectors. By nature of the zoning district, facilities that abut those roads, but are not required to access them directly, could use exactly the same access as a facility that does not abut the arterial or collector. In addition, mini-storage facilities will generate traffic such as moving vans and trucks, as well as camper trailers and boats. However, mini-storage facilities are not likely to generate excessive traffic – renters of storage units do not generally visit the locations often and are not major employment centers. Even though mini-storage units are Type 1 in the Industrial and Heavy Industrial zones, the code still allows for leeway for the Administrative Official to require appropriate sitescreening for the Type I use, thus preventing major impacts on residential uses if they are near a proposed mini-storage facility in Industrial zoning districts. Additionally, Title 19.21-1 establishes required sitescreening standards between two zoning districts. In the Industrial zones, sitescreening “C” would be required whenever an industrial use is adjacent to all Residential zones and Rural Transitional, which requires a visual screen of at least a 6-foot view-obscuring fence and landscaping.

F. PLAN OR DEVELOPMENT REGULATION TEXT AMENDMENT APPROVAL CRITERIA

The approval criteria set forth in YCC 16B.10.095(5)(6) shall be considered in any review and approval of text amendments to Yakima County Comprehensive Plan and any Development Regulation.

- Consistency with 16B.10.095(5)(6) Approval Criteria:
(5) Plan policy and other text amendments including capital facilities plans must be consistent with the GMA, SMA, CWPP, other comprehensive plan goals and policies, and, where applicable, city comprehensive plans and adopted inter-local agreements.

GMA Consistency - This proposed text amendment is consistent with all of the thirteen GMA Planning goals, RCW 36.70A.020, without any order of priority.

RCW 36.70A.020(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Staff Finding: The proposal will affect only the M-1 and M-2 zones, which are within the Urban Growth Boundary.

RCW 36.70A.020(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

Staff Finding: The proposal will affect only the M-1 and M-2 zones, which are within the Urban Growth Boundary and therefore should not contribute to sprawl.

RCW 36.70A.020(3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

Staff Finding: The proposed amendment would not change multimodal transportation systems.

RCW 36.70A.020(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

Staff Finding: This proposal will not affect housing affordability.

RCW 36.70A.020(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

Staff Finding: The proposal would make more sites available for siting mini-storage facilities, therefore contributing somewhat to economic growth.

RCW 36.70A.020(6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

Staff Finding: The proposal will only affect private properties, and will not prevent property owners from developing their land, nor will it affect any public uses.

RCW 36.70A.020(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

Staff Finding: Mini storage facilities will be required to go through all applicable Yakima County land use review(s).

RCW 36.70A.020(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

Staff Finding: The proposal will only affect land within Urban Growth Areas that are zoned for industrial or commercial purpose. The proposal will have no effect on natural resource-based industries.

RCW 36.70A.020(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

Staff Finding: The proposal will only affect land within Urban Growth Areas that are zoned for industrial or commercial purpose. The proposal will have no effect on open space and recreational areas, and project proposal would be subject to any applicable Critical Areas or Shoreline regulations, if applicable.

RCW 36.70A.020(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

Staff Finding: Mini storage facilities will be required to go through all applicable Yakima County land use review(s), including environmental review during the application process.

RCW 36.70A.020(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

Staff Finding: The Proposed Development Regulation Text Amendment will go through all required public notice procedures, including Planning Commission and Board of County Commissioners hearings. Future potential project permits will be subject to the usual public involvement requirements as required by YCC 16B and YCC 19.

RCW 36.70A.020(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Staff Finding: Any future proposals for mini-storage facilities will be required to go through proper permitting. Yakima County's zoning regulations prevent projects from causing a decrease in level of service below minimum standards.

RCW 36.70A.020(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

Staff Finding: Any future proposals for mini-storage facilities will be required to go through proper permitting, including review of historical or archaeological sites, if applicable.

Shoreline Management Act Consistency, RCW 90.58.

Staff Finding: If a proposal is located in Shoreline Management Act jurisdiction, it will be subject to Shoreline Management regulations.

County-wide Planning Policies Consistency.

Staff Finding: The proposal is consistent with County-Wide Planning Policies.

Horizon 2040 Consistency - This proposed text amendment is consistent with Chapter 10 – Transportation Goals and Policies (Introduction Section) 10.8 Goal T9 of the Yakima

County Comprehensive Plan – **Horizon 2040** goals or policies, without any order of priority.

*Staff Finding: **Horizon 2040** addresses roads and transportation within Yakima County in Chapter 10 – Transportation. While there are some related policies in Horizon 2040, none of them seem to relate specifically to the Title 19 requirement for mini-storage facilities to be located contiguous to arterial or collector streets. General **Horizon 2040** Transportation Goals and Policies may apply to access to mini-storage facilities:*

Chapter 10.8 - Transportation Goals and Policies - Introduction:

“Although difficult to predict, there are some land use impacts that could be assumed based on zoning. For instance, areas of high density residential development will have greater transportation impact than areas of low density residential development. Also, vacant land zoned for industrial uses may at some point have heavy truck traffic associated with its use. Traffic impacts associated with land use assumptions should be considered within the comprehensive plan, and with zoning or UGA changes.”

Chapter 10.8 Goal T9: Consider neighborhood needs in the development of transportation improvements.

Chapter 5 – Land Use. Generally addressed in zoning district compatibility addressed under Chapter 5.

Sub-Area Plan Consistency – There is no applicable sub-area plan that affects this proposal.

Cities Comp Plan Consistency – There is no applicable city comp plan that affects this proposal.

Interlocal Agreement Consistency – There is no applicable interlocal agreement that affects this proposal.

- (6) Prior to forwarding a proposed development regulation text amendment to the Planning Commission for its docketing consideration, the Planning Commission must make a determination that the proposed amendment is consistent with the GMA, CWPP, other comprehensive plan goals and policies, and, where applicable, city comprehensive plans and adopted inter-local agreements.

Administrative Official Findings: The Yakima County Planning Commission found the proposal to be consistent with all docketing criteria.

G. Discussion of Environmental Analysis (SEPA)

Staff has completed an assessment of the potential environmental impacts associated with the proposed plan and zoning amendment and proposes mitigation, where appropriate.

- **LRN2018-05/SEP2018-09: Tom Durant.** The applicant requests to amend a development regulation (YCC Title 19) to remove the requirement for mini-storage facilities to be located on the frontage of urban arterials and rural collectors in the Light Industrial (M-1) and Heavy Industrial (M-2) zoning districts.

The Environmental Checklist submitted by the applicant discloses no direct adverse environmental impacts associated with the proposal. When future development applications for mini-storage facilities are submitted, further environmental review may be required. At that time may be required to avoid probable significant adverse environmental impacts.

1. *Staff Finding: No probable significant environmental impacts have been identified to result from approval of the applicant's request. Any new developments that would benefit from this proposal would be required to go through any necessary approvals, including SEPA if applicable, at the time of application.*

H. CONCLUSIONS

2. No probable significant environmental impacts have been identified to result from approval of the applicant's request. However, environmental impacts resulting from future applications for project development on the site have been identified, together with mitigation measures that would likely be necessary to avoid the need for an environmental impact statement.

J. RECOMMENDATIONS

The Yakima County Planning Division recommends **Approval** of the **YCC Title 19 Text Amendment**, which would eliminate the current requirement of YCC 19.18.320(1) requiring mini-storage facilities to abut arterial or collector streets in the M-1 and M-2 zones.

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APPENDIX A
Proposed Text Amendment

Outlined below is the full text amendment (blue underlined – added text, red strikethrough – deleted text, Green underlined – moved text) shown as codified.

19.18.320 Mini Storage Facilities.

1. *“Mini storage facilities, as defined in Section 19.01.070, shall be subject to the following minimum requirements:*
 - a. *Location. In all zoning districts except for M-1 and M-2, the site ~~is~~ shall be contiguous to a designated arterial or rural collector road, although access may or may not be directly onto such arterial or collector, as determined through the review process;*
 - b. *Sitescreening and Landscaping. Sitescreening and landscaping consistent with the requirements of Chapter 19.21 shall be provided along all street frontages with any combination of lawn, flowers, trees, shrubs and ground cover. Along all other property lines a six-foot-high, decorative fence or wall with Standard A open area landscaping shall be installed and maintained, provided that where doors face adjacent residential areas the fence or wall shall be solid and view-obscuring;*
 - c. *Outdoor Storage. Any outdoor storage area shall be enclosed with a six-foot-high, view-obscuring fence and/or vegetative site screening that will achieve a height of not less than six feet within three years, or the standards of Chapter 19.21, whichever are greater;*
 - d. *Hardsurfacing Required. All access, travel surface and loading areas, building aprons shall be paved. Where appropriate other areas not covered by structures or landscaping shall be hard-surfaced;*
 - e. *Signs. One unlighted on-premises sign identifying the storage warehouses shall be permitted. The sign shall not exceed 15 feet in height nor 40 square feet in area, or the standards of the zoning district, whichever is less;*
 - f. *Building Heights. Building shall not exceed 18 feet;*
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 - i. *Outdoor Storage. Recreational vehicles may be stored outside in the GC, M-1 and M-2 districts when appropriate sitescreening is provided.*