

	COMPREHENSIVE PLAN MAP AMENDMENT
	CASE NUMBER(S): LRN2018-00004/SEP2018-00022
	STAFF REPORT DRAFTED BY: Keelan McPhee
	July 11, 2018
	Planning Commission Hearing

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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), Heavy Industrial (M-2) and General Commercial (GC) zoning districts.	

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A. SUMMARY OF RECOMMENDATIONS

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

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B. SUMMARY OF REQUEST

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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), Heavy Industrial (M-2) Zoning Districts. This requirement applies whether or not the facility has direct access to the arterial or collector (YCC 19.18.320(1)(a)). The Planning Commission also requested that staff consider the General Commercial (GC) zoning districts in the amendment.

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C. BACKGROUND

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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, M-2 and GC zones. The primary argument for the proposal is generally based on two assumptions:

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- 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 and Commercial zoning districts are designated for the purpose of separating industrial uses from other non-compatible uses, including residential uses.

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The applicant argues, therefore, that because Industrial and Commercial 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.

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1 **Existing language:**

2 The existing mini-storage requirements are shown below:

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4 **19.18.320 Mini Storage Facilities**

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

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

33
34 **Proposed language:**

35 The proposed amendment is shown below:

36
37 **19.18.320 Mini Storage Facilities**

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

- 40 a. *Location.* In all zoning districts except for M-1, M-2 and GC, the site shall be contiguous to a
41 designated arterial or rural collector road, although access may or may not be directly onto
42 such arterial or collector, as determined through the review process.
43 (Requirements b - f of YCC 19.18.320 are not proposed to be changed).

1 According to the applicant, the standard that mini-storage facilities are to be located contiguous to
2 major (arterial or collector) streets, even though they are not required to have direct access onto
3 those, is not based on any specific comprehensive plan policy or regulatory intent statement. The
4 applicant argues that the... “purpose of the standard is to restrict the location of mini-storage facilities
5 to the edges of residential neighborhoods, in which arterial and collector streets tend to act as
6 neighborhood boundaries. If mini storage development was required to access those major streets, it
7 could be assumed that the standard is also intended to keep non-residential traffic off of residential
8 streets; there are comprehensive plan policies that support this. But this is not the case - it appears
9 that the sole purpose is to not allow the location of these non-residential facilities in the middle of a
10 neighborhood... None of this would apply to an industrial “neighborhood”, because mini-storage is
11 similar to and substantially compatible with other industrial land uses. Since there is no useful purpose
12 in imposing the requirement in industrial zones, the text amendment is being proposed.”

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14 **D. ANALYSIS:**

15 The proposal would apply to mini-storage units located within Industrial (M-1 and M-2) and General
16 Commercial (GC) zoning districts. The Industrial zones are established to separate industrial uses from
17 residential neighborhoods, because of the inherent incompatibility between the two uses. Zoning
18 District Intent Statements in YCC 19 for the M-1, M-2 zones; and GC zone are both designated in areas
19 that are near major arterials and collector streets – away from residential streets. This is reflected in
20 the intent statement regarding roadways and streets in both zoning districts. These location
21 statements strongly suggest that Industrial and Commercial zoning districts are by their definition
22 planned to be apart from residential areas. For the complete Intent Statements see below:
23 The intent of the Industrial zoning districts in Title 19 is as follows:

24 (1) Legislative Intent.

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

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

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

- 34 (i) Establish and preserve areas near designated truck routes, freeways and the railroad
35 for heavy industrial uses, such as manufacturing, assembling, fabrication, processing
36 and distribution and storage facilities;
- 37 (ii) Protect uses with the potential to generate high levels of noise, light, odor, fumes or
38 smoke from encroachment by incompatible land uses;

- 1 (iii) Direct heavy truck traffic onto *designated truck routes and away from residential*
2 *streets (emphasis added)*; and
- 3 (iv) Assure that permitted uses do not generate gases, fumes, heat, glare or vibrations in
4 a manner inconsistent with the intent of the district and/or incompatible with
5 surrounding uses; and
- 6 (v) Minimize conflicts between heavy industrial uses and surrounding land uses.

7 Urban Commercial zoning districts are described in YC Title 19.13.020. There are three commercial
8 zones in Yakima County: Small Convenience Center (SCC), Large Convenience Center (LCC) and
9 General Commercial (GC). Only the General Commercial (GC) District is being considered in this
10 Development Regulation amendment, because mini-storage facilities are not allowed uses in the SCC
11 or LCC zones (YCC Table 19.14). The Legislative Intent of the General Commercial zoning district is:

12 19.13.020 (c) Legislative Intent.

13 (c) General Commercial District. The purpose of the General Commercial (GC) district is to
14 accommodate wholesale and retail activities with some high-density residential development.
15 This district is located only in Urban Growth Areas, *primarily near and along the major arterials as*
16 *designated in the Comprehensive Plan (emphasis added)*. The GC district is additionally intended
17 to:
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- 19 (i) Provide sites for more diversified business types including non-retail commercial and
20 business uses which are primarily related to automotive traffic; and
- 21 (ii) Require the County’s minimum urban development standards for commercial
22 developments, or the respective city’s standards, whichever are higher.
23

24 Because the amendment will apply only to mini-storage facilities in the Industrial and the General
25 Commercial zoning districts, the zoning district intents and rules should prevent the facilities from
26 accessing minor residential streets. Mini-storage facilities will generate traffic such as moving vans
27 and trucks, as well as camper trailers and boats. However, mini-storage facilities are not likely to
28 generate excessive traffic – renters of storage units do not generally visit the locations often and
29 are not major employment centers. Even though mini-storage units are Type 1 in the Industrial
30 and Heavy Industrial zones, the code still allows for leeway for the Administrative Official to
31 require appropriate sitescreening for the Type 1 use, thus preventing major impacts on residential
32 uses if they are near a proposed mini-storage facility in Industrial zoning districts. Mini-storage
33 facilities are Type 2 uses in the GC zone (YCC 19.14), so potential impacts to neighboring property
34 owners are reviewed during the application process. Additionally, Title 19.21-1 establishes
35 required sitescreening standards between two zoning districts. In the Industrial zones and General
36 Commercial zone, sitescreening “C” would be required whenever an industrial use is adjacent to
37 all Residential zones and Rural Transitional, which requires a visual screen of at least a 6-foot view-
38 obscuring fence and landscaping.
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41 **E. PLAN OR DEVELOPMENT REGULATION TEXT AMENDMENT APPROVAL CRITERIA**

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

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2 • Consistency with 16B.10.095(5)(6) Approval Criteria:

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

7 **GMA Consistency** - This proposed text amendment is consistent with all of the thirteen
8 GMA Planning goals, RCW 36.70A.020, without any order of priority.
9

10 RCW 36.70A.020(1) Urban growth. Encourage development in urban areas where
11 adequate public facilities and services exist or can be provided in an efficient manner.
12

13 *Staff Finding: The proposal will affect only the M-1, M-2 and GC zones, which are only*
14 *within the Urban Growth Boundary.*
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16 RCW 36.70A.020(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped
17 land into sprawling, low-density development.
18

19 *Staff Finding: The proposal will affect only the M-1, M-2 and GC zones, which are within*
20 *the Urban Growth Boundary and therefore should not contribute to sprawl.*
21

22 RCW 36.70A.020(3) Transportation. Encourage efficient multimodal transportation
23 systems that are based on regional priorities and coordinated with county and city
24 comprehensive plans.
25

26 *Staff Finding: The proposed amendment would not change multimodal transportation*
27 *systems.*
28

29 RCW 36.70A.020(4) Housing. Encourage the availability of affordable housing to all
30 economic segments of the population of this state, promote a variety of residential
31 densities and housing types, and encourage preservation of existing housing stock.
32

33 *Staff Finding: This proposal will not affect housing affordability.*
34

35 RCW 36.70A.020(5) Economic development. Encourage economic development
36 throughout the state that is consistent with adopted comprehensive plans, promote
37 economic opportunity for all citizens of this state, especially for unemployed and for
38 disadvantaged persons, promote the retention and expansion of existing businesses and
39 recruitment of new businesses, recognize regional differences impacting economic
40 development opportunities, and encourage growth in areas experiencing insufficient
41 economic growth, all within the capacities of the state's natural resources, public services,
42 and public facilities.
43

44 *Staff Finding: The proposal would make more sites available for siting mini-storage*
45 *facilities, therefore contributing somewhat to economic growth.*
46

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

4
5 *Staff Finding: The proposal will only affect private properties, and will not prevent property*
6 *owners from developing their land, nor will it affect any public uses.*

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

10
11 *Staff Finding: Mini-storage facilities will be required to go through all applicable Yakima*
12 *County land use review(s).*

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

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

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

26
27 *Staff Finding: The proposal will only affect land within Urban Growth Areas that are zoned*
28 *for industrial or commercial purpose. The proposal will have no effect on open space and*
29 *recreational areas, and project proposal would be subject to any applicable Critical Areas*
30 *or Shoreline regulations, if applicable.*

31
32 RCW 36.70A.020(10) Environment. Protect the environment and enhance the state's high
33 quality of life, including air and water quality, and the availability of water.

34
35 *Staff Finding: Mini storage facilities will be required to go through all applicable Yakima*
36 *County land use review(s), including environmental review during the application process.*

37
38 RCW 36.70A.020(11) Citizen participation and coordination. Encourage the involvement
39 of citizens in the planning process and ensure coordination between communities and
40 jurisdictions to reconcile conflicts.

41
42 *Staff Finding: The Proposed Development Regulation Text Amendment will go through all*
43 *required public notice procedures, including Planning Commission and Board of County*
44 *Commissioners hearings. Future potential project permits will be subject to the usual*
45 *public involvement requirements as required by YCC 16B and YCC 19.*

46
47 RCW 36.70A.020(12) Public facilities and services. Ensure that those public facilities and
48 services necessary to support development shall be adequate to serve the development

1 at the time the development is available for occupancy and use without decreasing
2 current service levels below locally established minimum standards.

3
4 *Staff Finding: Any future proposals for mini-storage facilities will be required to go through
5 proper permitting. Yakima County’s zoning regulations prevent projects from causing a
6 decrease in level of service below minimum standards.*

7
8 RCW 36.70A.020(13) Historic preservation. Identify and encourage the preservation of
9 lands, sites, and structures, that have historical or archaeological significance.

10
11 *Staff Finding: Any future proposals for mini-storage facilities will be required to go through
12 proper permitting, including review of historical or archaeological sites, if applicable.*

13
14 Shoreline Management Act Consistency, RCW 90.58.

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

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19 County-wide Planning Policies Consistency.

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

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23 **Horizon 2040 Consistency** - This proposed text amendment is consistent with Chapter 10
24 – Transportation Goals and Policies (Introduction Section) 10.8 Goal T9 of the Yakima
25 County Comprehensive Plan – **Horizon 2040** goals or policies, without any order of
26 priority.

27
28 *Staff Finding: **Horizon 2040** addresses roads and transportation within Yakima County in
29 Chapter 10 – Transportation. While there are some related policies in Horizon 2040, none
30 of them seem to relate specifically to the Title 19 requirement for mini-storage facilities to
31 be located contiguous to arterial or collector streets. General **Horizon 2040** Transportation
32 Goals and Policies may apply to access to mini-storage facilities:*

- 33
34 ○ Chapter 10.8 - Transportation Goals and Policies - Introduction:
35 “Although difficult to predict, there are some land use impacts that could be assumed
36 based on zoning. For instance, areas of high density residential development will have
37 greater transportation impact than areas of low density residential development.
38 Also, vacant land zoned for industrial uses may at some point have heavy truck traffic
39 associated with its use. Traffic impacts associated with land use assumptions should
40 be considered within the comprehensive plan, and with zoning or UGA changes.”
41
42 ○ Chapter 10.8 Goal T9: Consider neighborhood needs in the development of
43 transportation improvements.
44
45 ○ Chapter 5 – Land Use. Generally addressed in zoning district compatibility addressed
46 under Chapter 5.
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1 **Sub-Area Plan Consistency** – There is no applicable sub-area plan that affects this
2 proposal.

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

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

7
8 **Planning Commission Docketing** – Prior to forwarding a proposed development regulation
9 text amendment to the Planning Commission for its docketing consideration, the Planning
10 Commission must make a determination that the proposed amendment is consistent with the
11 GMA, CWPP, other comprehensive plan goals and policies, and, where applicable, city
12 comprehensive plans and adopted inter-local agreements.

13
14 Administrative Official Findings: *The Yakima County Planning Commission found the proposal*
15 *to be consistent with all docketing criteria.*

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17 **F. DISCUSSION OF ENVIRONMENTAL ANALYSIS (SEPA)**

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

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

25
26 The Environmental Checklist submitted by the applicant discloses no direct adverse
27 environmental impacts associated with the proposal. When reviewed by staff for the General
28 Commercial zone, no additional impacts were identified. When future development applications
29 for mini-storage facilities are submitted, further environmental review may be required. At that
30 time may be required to avoid probable significant adverse environmental impacts.

- 31
32 1. Staff Finding: *No probable significant environmental impacts have been identified to result from*
33 *approval of the applicant’s request. Any new developments that would benefit from this proposal*
34 *would be required to go through any necessary approvals, including SEPA if applicable, at the time*
35 *of application.*

36
37 **G. CONCLUSIONS**

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

1 **H. RECOMMENDATIONS**

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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, M-2 and GC 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 and GC,~~ 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;*
- 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.*

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