

**CITY OF GRANTS PASS  
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**DEVELOPMENT CODE TEXT AMENDMENT  
SLOPE HAZARD DISTRICT  
ARTICLE 13 ~ SPECIAL PURPOSE DISTRICTS  
ARTICLE 18 ~ PUD & ALTERNATIVE DEVELOPMENT OPTIONS**

**STAFF REPORT - URBAN AREA PLANNING COMMISSION**

<b>Procedure Type:</b>	Type IV: Planning Commission Recommendation and City Council Decision
<b>Project Number:</b>	405-00005-15
<b>Project Type:</b>	Development Code Text Amendment
<b>Applicant:</b>	City of Grants Pass
<b>Planner Assigned:</b>	Joe Slaughter
<b>Application Received:</b>	December 30, 2015
<b>Application Complete:</b>	January 8, 2016
<b>Date of Staff Report:</b>	February 16, 2016
<b>Date of UAPC Hearing:</b>	February 24, 2016

**I. PROPOSAL:**

A Development Code Text Amendment

To Article 13:

- Clarifying that the Slope Hazard District includes all properties, or portions of properties that have slopes exceeding 15%;
- Requiring existing lots and parcels within the Slope Hazard District to provide a Steep Slope Development Report if one was not provided when the lot or parcel was created; and
- Completing general housekeeping of Article 13 to insure the formatting is consistent throughout the Development Code.

To Article 18:

- Making clear that PUD development in the Slope Hazard District, like subdivisions and land partitions, must meet the Slope Hazard District requirements of Article 13.

**(See Exhibit 1)**

**II. AUTHORITY AND CRITERIA:**

Section 4.102 of the City of Grants Pass Development Code provides that the Director, Planning Commission or City Council may initiate a text amendment. The amendment has been initiated by the Director.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorize the City Council to make a final decision on an application for a Development Code Text Amendment, pursuant to the requirements of a Type IV procedure.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

### **III. APPEAL PROCEDURE:**

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

### **IV. BACKGROUND AND DISCUSSION:**

Article 13 – Special Purpose Districts – provides standards that facilitate development within areas with specific natural, historical, or locational features while helping to mitigate natural hazards, protect natural and historical features, and mitigate land use conflict. The Slope Hazard District is one of the Special Purpose Districts in Article 13. As currently written, the Development Code defines the Slope Hazard District as properties, or portions of properties, that contain slopes of at least 15% and depicted as Slope Hazard on the Special Purpose District Map. There is no adopted overlay map for the Slope Hazard District. Rather, staff uses available topographic information to determine areas where slopes likely exceed 15%. This portion of the proposed text amendment would cause the Development Code language to match existing procedures in the absence of an adopted Slope Hazard District overlay map.

To help mitigate hazards and negative effects associated with development, development within the Slope Hazard District requires a two-step process:

1. A Steep Slope Development Report; and
2. Grading and Erosion Control Plans

As the Development Code is currently written, only the grading and erosion control plans are required for building permits on existing lots and parcels. There is no consideration for whether a steep slope development report has been submitted for these existing lots or parcels. In order to insure that hazards associated with steep slopes development have been adequately considered and addressed, it is important that a steep slopes development report is submitted and reviewed for all lots and parcels in the Slope Hazard District.

The remainder of the proposed changes to Article 13 can be described as housekeeping in nature. These changes are being made to insure that formatting is consistent throughout the Development Code.

The proposed text amendments also include a small change to Article 18 – Planned Unit Development (PUD) & Alternative Development Options. Subdivisions and land partitions that include properties in the Slope Hazard District are required to address the development standards of Article 13. It is not clear currently, whether PUD development is required to address those same standards. This portion of the proposed text amendment would make it clear that PUD development in the Slope Hazard District must meet all of the same standards.

### **V. CONFORMANCE WITH APPLICABLE CRITERIA:**

*The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.*

**CRITERION 1:** The proposed amendment is consistent with the purpose of the subject section and article.

**Staff Response: Satisfied.** The purpose of Article 13 – Special Purpose Districts – is to provide standards that facilitate development within areas with specific natural, historical, or locational features while helping to mitigate natural hazards, protect natural and historical features, and mitigate land use conflict. Without the proposed changes to Article 13 the Slope Hazard District will not function as intended to protect natural features and mitigate natural hazards. The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with the stated purpose of Article 13. The proposed changes will also help to insure that the standards of the Slope Hazard District are uniformly applied to all types of development.

**CRITERION 2:** The proposed amendment is consistent with other provisions of this code.

**Staff Response: Satisfied.** The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with other Special Purpose Districts. They will also insure that the standards of the Slope Hazard District are uniformly applied to all types of development.

**CRITERION 3:** The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

**Staff Response: Satisfied.** The proposed changes are consistent with Element 4– Environmental Resources Quality, Element 5–Natural Hazards, and Element 13–Land Use, of the Comprehensive Plan. Without the proposed changes to Article 13, the Slope Hazard District will not function as intended to protect natural features and mitigate natural hazards. The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with the Comprehensive Plan. The proposed amendments will cause the standards of the Slope Hazard District to be applied uniformly to all types of development and will clear up any ambiguity concerning development in the Slope Hazard District.

### **Most Effective Alternative**

The alternative to approving the proposal is to adopt a Slope Hazard District overlay map. The adoption of an up-to-date, official Slope Hazard District map is the best long-term course of action for defining and administering the Slope Hazard District. However, the creation and adoption of this map will take time. In the meantime the proposed text amendment will allow the City to continue to administer the Slope Hazard District in a manner consistent with the Comprehensive Plan and the Development Code in the absence of an adopted Slope Hazard District overlay map.

**CRITERION 4:** The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

**Staff Response: Satisfied.** The proposed amendment is not expected to affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

## **VI. RECOMMENDATION:**

Staff recommends the Planning Commission RECOMMEND APPROVAL of the proposed amendments to City Council, as presented in Exhibit 1.

**VII. PLANNING COMMISSION ACTION:**

- A. Positive Action: Recommend approval of the request:
1. as submitted.
  2. as modified by the Planning Commission with the following revisions (list):
- B. Negative Action: Recommend denial of the request for the following reasons (list):
- C. Postponement: Continue item
1. indefinitely.
  2. to a time certain.

**NOTE:** This is a legislative decision. State law does *not* require that a decision be made on the application within 120 days.

**VIII. INDEX TO EXHIBITS:**

1. Mark up text for:
  - Sections 13.010-13.150 & 13.631
  - Sections 18.050-18.051

**Article 13: Special Purpose Districts**

<sup>1</sup>13.010 Purpose

The special purpose districts are intended to accommodate development within areas with specific natural, historical, or locational features. The standards herein are intended to mitigate natural hazards, to protect natural or historical features, and/or to mitigate land use conflicts. The special district standards apply in addition to the standards of the underlying zoning district.

<sup>2</sup>13.020 General Provisions

The Special Purpose Districts shall encompass land areas that:

- (1) ~~h~~Have slopes exceeding 15%~~;~~
- (2) ~~a~~Are located within the boundaries of the 100 year flood plain~~;~~
- (3) ~~a~~Are located in proximity to hospitals and that are appropriate for medical uses~~;~~ ~~or~~
- (4) ~~a~~Are recognized as historically significant.

<sup>3</sup>13.025 Special Purpose District Overlay Map. There shall be an overlay map to the Zoning Map that depicts boundaries of the ~~Flood Hazard District, the Medical Overlay District, and the Historic District~~ ~~special-districts-shown-herein~~. These maps are incorporated into this Section by reference. The special purpose district maps may be amended as provided in Article 4 of this Code. The maps are general in nature. ~~There is no adopted overlay map for the Slope Hazard District. Staff will use topographic data to assist in identifying areas where slope likely exceeds 15%.~~ The applicant for a development shall verify the grades on lands or portions of lands that are the subject of any specific application.

13.100 Slope Hazard District

<sup>4,30</sup>13.110 Purpose. The purpose of the Slope Hazard District is to designate and provide standards within the hillside of Grants Pass to allow for reasonable development while balancing issues such as tree removal and replacement, soil stability, erosion control, storm water runoff, grading, wildland interface areas and general aesthetics. It is recognized the hillsides are sensitive areas that require a distinct set of regulations. The following guidelines are established in order to development in the slope hazard area.

13.111 Applicable Areas. A slope hazard area contains slopes of at least fifteen 15% ~~percent and is depicted on the Special Purpose District Map.~~ Slope hazards shall be divided in two classes of slope steepness as follows:

- (1) Class A, 15% to 25%
- (2) Class B, greater than 25%

13.120 Submittal Requirements for Development of Partitions, Subdivisions and Planned Unit Developments

The applicant shall meet the submittal requirements of the request (see Section 17.311 for Partition submittal; see Section 17.411 for Subdivision submittal; see Section 18.050 for Planned Unit Development Preliminary Plan submittal) in addition to the submittal requirements below:

13.121 Plans and Reports

The following plans and reports shall be submitted with the land use application: Reports for Class A Slopes shall be submitted and stamped by an engineer licensed to practice by the State of Oregon. Reports for Class B slopes shall be submitted and stamped by a Geo-Technical Engineer or Certified Engineering Geologist.

- (1) Steep Slope Development Report. A written and illustrated report containing all of the following information:
  - (a) Soils Analysis. The analysis shall include data regarding the nature, distribution and properties of existing soils, techniques grading and erosion control procedures, design criteria for corrective measures, and information covering the capacity of the sites to be developed in a manner imposing the minimum variance from the natural condition. Data and recommendations from the Soil Survey of Josephine County, Oregon may be included in the analysis.
  - (b) Geology Analysis. The analysis shall include a description of the geology of the site, information regarding the effect of geologic conditions on the proposed development, and how to best develop the sites being reviewed. Data and recommendations from the Soil Survey of Josephine County, Oregon may be included in the analysis.
  - (c) Hydrology Analysis. The analysis shall include a description of the hydrology of the site and surrounding area, including movement of soil moisture, groundwater (subsurface), surface flow and the drainage network of the site before and after construction and guidelines on how to properly handle existing and new surface/underground water if the development proceeds.

- (2) Grading and Erosion Control Plans. A plan shall be stamped by an Oregon licensed Engineer or Certified Engineering Geologist and shall include all of the following:
- (a) Existing and proposed contours.
  - (b) Details of site and area drainage for proposed lots including elevations of proposed house pads, adjacent lots and streets.
  - (c) Direction of surface drainage flow and the approximate grade of drainage ways.
  - (d) Limiting dimensions, elevations, or finish contours to be achieved by the grading, including per cent grades for all cut and fill slopes, proposed drainage ways and related construction.
  - (e) Type of erosion control measures to be established prior to grading, during construction and post construction.

13.130

Submittal requirements for a Building Permit on an Existing Lot or Parcel

- (1) A Steep Slope Development Report. The report shall contain the information required in Section 13.121(1). The Steep Slope Development Report is not required if the lot or parcel was included in a Steep Slope Development Report at the time of subdivision, land partition, or PUD approval.
- (2) Grading and Erosion Control Plans. The plan stamped by an Oregon licensed Engineer or Certified Engineering Geologist and shall include all of the following:
- (a) Existing and proposed contours.
  - (b) Details of site and area drainage for proposed lots including elevations of proposed house pads, adjacent lots and streets.
  - (c) Direction of surface drainage flow and the approximate grade of drainage ways.
  - (d) Limiting dimensions, elevations, or finish contours to be achieved by the grading, including percent grades for all cut and fill slopes, proposed drainage ways and related construction.
  - (e) Type of erosion control measures to be established prior to grading, during construction and post construction.

(23) Retention Plan.

- (a) Location of existing trees or groups of trees to be removed or retained.
- (b) If trees are retained, indication of how the tree or group of trees will be protected out to the drip line.
- (c) A tree planting plan identifying general locations of where new trees will be planted. The plan shall include the number, height, caliper, and species of trees to be planted. The plan shall identify the vision clearance area at driveways and street intersections.

13.140

General Provisions for construction in the Steep Slope Hazard Area.

- (1) Tree Removal. The removal of trees in areas proposed to be impacted by new roadways or other infrastructure shall occur first. Trees located within proposed lots shall be protected during construction and remain until the construction of the home to the extent possible.
- (2) Front Yard Setback. The front yard setback for the new home can be reduced to ten (10) feet. Typically, the entrance for- the garage/carport shall remain at the required twenty (20) foot setback. However, the minimum setback for a side-loaded garage may be reduced to ten (10) feet.
- (3) Timeframe for Construction. All construction work disturbing the soil or affecting the natural drainage and runoff shall be scheduled to begin not earlier than April 15 and shall terminate not later than October 15. The Director may extend starting and completion dates by no more than thirty (30) days based on the weather conditions prevailing at the time of the extension.
- (4) Retaining Walls. No cuts or fills may include retaining walls greater than 15 feet in height in a single wall from the finish grade or create any unretained slopes which are greater than 100%. No filling may result in a retaining wall within the required setback from a property not included in the development plan greater than 6 feet in height from the finish grade or create any slopes which are greater than 100%. Retaining walls shall also comply with the applicable standards of Article 23 of this Code.
- (5) Erosion Control Measures.
  - (a) Re-vegetation and the use of other temporary erosion control measures shall protect the site, surrounding properties, streams and storm drain system from erosion through the winter months. Re-

vegetation and all other temporary erosion control measures shall be fully in place and established by October 15 (13.170(3)) and shall be maintained after storms and at other regular intervals according to the approved plan. The City Engineer may mandate, based on adverse weather conditions, any reseeded installed after September 15 be installed in the form of a mat.

- (b) All construction work is planned to minimize the amount of time the soil is exposed and unprotected. All access points shall be protected with gravel or crushed rock.

### 13.150 Appeals

Appeals to the interpretations of this Article shall be undertaken as provided in Section 10.030 of this Code.

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### <sup>33</sup>13.631 Expedited Industrial Site Plan Review, Eligibility.

~~(A)~~(1) An applicant for a new industrial use or the expansion of an existing industrial use located within a regionally significant industrial area may request that an application for a land use permit be reviewed as an application for an expedited industrial land use permit under this section if the proposed use does not require:

~~(i)~~(a) An exception taken under ORS 197.732 (Goal Exceptions) to a statewide land use planning goal;

~~(ii)~~(b) A change to the acknowledged comprehensive plan or land use regulations of the local government within whose land use jurisdiction the new or expanded industrial use would occur; or

~~(iii)~~(c) A federal environmental impact statement under the National Environmental Policy Act.

If the applicant makes a request that complies with section 13.610, the local government shall review the applications for land use permits for the proposed industrial use by applying the standards and criteria that otherwise apply to the review and by using the procedures set forth for review of an expedited land division in ORS 197.365 (Application for Expedited Land Division) and ORS 197.370 (Failure of Local Government to Approve or Deny Application within Specified Time).

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<sup>1</sup> Revised 12-4-96

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- ii Revised 3-16-94, 12-4-96
  - iii Revised 12-4-96, 5-31-97
  - iv Revised 5-31-97

**Article 18: Planned Unit Development (PUD) & Alternative Development Options**

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18.050 Submittal Requirements - Preliminary Plan

<sup>3</sup>18.051 Preliminary Plan. The Preliminary Plan shall contain the following information:

(1) Contour Map and Natural Features Map

- (a) Existing contour and natural features map at 2, 5, or 10 foot intervals, as appropriate, drainage, irrigation, 100 year flood plain (showing floodway channel and floodway fringe, as applicable) and other water courses; prominent landforms including slope description at the following intervals:

0% - 15%  
35% - 60%  
60% +

(b) If the property is located within the Slope Hazard District see Section 13.120 for additional submittal requirements.

(bc) Existing vegetation, showing specific locations of riparian habitats, forest cover, and significant size trees.

(ed) Significant size trees to be protected and remain during and after construction.

(2) Buildings and Structures. Location and floor area, size of all existing and proposed structures, and other features including maximum heights, types of dwelling units, and non-residential structures; renderings and elevations of typical structures.

(3) Public Areas. The location and approximate size of all areas to be dedicated for public ownership and use, including streets, parks and schools.

(4) Open Space: Public, Private and Common. The location and size of all areas for use as outdoor open space. The map shall delineate limits of individually owned lots (private), patio-garden areas for individual unit use (private easement) and all remaining areas to be commonly owned and maintained (public and common).

(5) Circulation - Access. The location, widths and material of all areas proposed for vehicle, pedestrian, and bicycle circulation. Statement as to

private or public street ownership, and areas proposed for on-street parking, if any.

- (6) Off-Street Parking. Location and number of required parking spaces.
- (7) Utilities. Existing and proposed utility systems, including sanitary sewer, storm drains and storm water detention areas, water, fire hydrants, electricity, gas, telephone lines, and cable T.V. Any required public or private easements to be shown on Final Plan.
- (8) Landscape Plan. A general landscape plan indicating location and amounts of areas to be landscaped, and general landscape material to be used. A specific landscape plan shall be submitted for review and approval prior to issuance of a building permit.
- (9) Surrounding Land Use. Indicate the relationship between the proposed PUD and the existing and proposed adjacent land uses; provide information showing existing zoning and land and uses within a 250 foot radius from the PUD's perimeter.
- (10) PUD Perimeter Buffering. Show proposed treatment of the PUD perimeter, including screens, fences, setbacks, windows and walls.
- (11) Grading Plan. A tentative grading plan indicating cuts, fills, retaining walls and resulting slope steepness.
- (12) Phasing. If phased development is proposed, the Plan shall show the limits of each phase. Phasing shown on the Plan shall be consistent with the development schedule.
- (13) Statement of Proposed Financing. A general statement showing commitment of lenders or applicant's ability to finance the project through to completion.
- <sup>4</sup>(14) Solar Standards. Documentation shall be provided indicating that the planned unit development either complies with Solar Setback requirements of Section 22.620 of this Code and the Solar Lot Design Standards of Section 22.630 of this Code, or that applicant proposes to vary these standards through the Planned Unit Development process.
- <sup>5</sup>(15) The City Engineer may require a traffic analysis, as per Section 27.121(3), for any new development to determine the development's potential impact on the existing transportation system. At a minimum, the impact of development on transportation facility performance shall be mitigated to the standards set forth in Section 27.121(2).

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**CITY OF GRANTS PASS  
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**DEVELOPMENT CODE TEXT AMENDMENT  
SELF-STORAGE & WAREHOUSE  
ARTICLE 12 ~ ZONING DISTRICTS, ARTICLE 14 ~ CERTAIN USES,  
& ARTICLE 30 ~ DEFINITIONS**

**STAFF REPORT - URBAN AREA PLANNING COMMISSION**

<b>Procedure Type:</b>	Type IV: Planning Commission Recommendation and City Council Decision
<b>Project Number:</b>	405-00006-15
<b>Project Type:</b>	Development Code Text Amendment
<b>Applicant:</b>	City of Grants Pass
<b>Planner Assigned:</b>	Joe Slaughter
<b>Application Received:</b>	December 30, 2015
<b>Application Complete:</b>	January 8, 2016
<b>Date of Staff Report:</b>	February 16, 2016
<b>Date of UAPC Hearing:</b>	February 24, 2016

**I. PROPOSAL:**

A Development Code Text Amendment adding definitions for Self-Storage and Warehouse to Article 30; listing where Self-Storage and Warehouse facilities are permitted in Article 12, Schedule 12-2; and creating standards for Self-Storage facilities in general commercial and residential zones in Article 14 (**See Exhibit 1**).

**II. AUTHORITY AND CRITERIA:**

Section 4.102 of the City of Grants Pass Development Code provides that the Director, Planning Commission or City Council may initiate a text amendment. The amendment has been initiated by the Director.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorize the City Council to make a final decision on an application for a Development Code Text Amendment, pursuant to the requirements of a Type IV procedure.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

**III. APPEAL PROCEDURE:**

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

#### IV. BACKGROUND AND DISCUSSION:

Currently, there is no definition for either Self-Storage or Warehouse facilities in the Development Code. Because the two uses are not defined separately they are grouped into the larger category of 'Industrial, Indoor' uses for the purpose of determining where and how they can be developed. Since 'Industrial, Indoor' uses are only permitted in the Business Park (BP), Industrial Park (IP), and Industrial (I) zones, Self-Storage facilities have been forced into the industrial zones. Self-Storage and Warehouse facilities are two distinctly different uses and by defining them separately the City will have the ability to allow them to be more appropriately located.

The proposed text amendments will allow Warehouse facilities to continue to be permitted in the same zones they are currently; BP, IP, & I. Self-Storage facilities will be permitted as a primary use in BP and IP zones. In an effort to help preserve industrial lands for employment uses, Self-Storage facilities will no-longer be permitted in I zones. They will however, be permitted as a secondary use in General Commercial (GC-1 & GC-2) and all residential zones, provided they meet certain criteria. Those criteria have been drafted as a part of the proposed text amendment in order to help mitigate any negative effects storage facilities could have in these commercial and residential zones.

#### V. CONFORMANCE WITH APPLICABLE CRITERIA:

*The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.*

**CRITERION 1:** The proposed amendment is consistent with the purpose of the subject section and article.

**Staff Response: Satisfied.** Schedule 12-2 lists uses, identifies in which zones those uses are permitted, and identifies the proper procedure type for a particular use in a particular zone. The purpose of the table is to site uses in appropriate zones, require adequate review process for uses, and to establish additional mitigation for certain uses in certain zones. The proposed text amendments are consistent with these purposes. By treating Self-Storage and Warehouse as two distinct uses, the City will have a greater ability to appropriately locate these facilities. The proposed amendments also establish adequate review processes and appropriate site development standards.

Warehouse facilities will continue to be permitted in the same zones they are currently; BP, IP, & I. Self-Storage facilities will be permitted as a primary use in BP and IP zones. In an effort to help preserve industrial lands for employment uses, Self-Storage facilities will no-longer be permitted in I zones. They will however, be permitted as a secondary use in General Commercial (GC-1 & GC-2) and all residential zones, provided they meet certain criteria. Those criteria have been drafted as a part of the proposed text amendment in order to help mitigate any negative effects storage facilities could have in these commercial and residential zones.

**CRITERION 2:** The proposed amendment is consistent with other provisions of this code.

**Staff Response: Satisfied.** Currently, there is no definition for either Self-Storage or Warehouse facilities in the Development Code. Because the two uses are not defined separately they are grouped into the larger category of 'Industrial, Indoor' uses for the purpose of determining where and how they can be developed. Self-Storage and Warehouse facilities

are two distinctly different uses and by defining them separately the City will have the ability to allow them to be more appropriately located. This differentiation between clearly different uses is consistent with other provisions of this code. The proposed development standards for Self-Storage facilities in general commercial and residential zones are also consistent with other strategies used in this code to help mitigate negative effects certain uses could have in what could otherwise be viewed as incompatible zones.

**CRITERION 3:** The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

**Staff Response: Satisfied.** The proposed changes are consistent with Element 13–Land Use, of the Comprehensive Plan. Once Self-Storage and Warehouse are defined as two different uses Warehouse facilities will continue to be located in all industrial zones (BP, IP & I) while Self-Storage facilities will no-longer be permitted in I zones. This will help to preserve prime industrial land for employment uses. The proposed changes will also add flexibility in the siting of Self-Storage facilities by allowing them to be developed in general commercial and residential zones. This will allow for these kinds of storage facilities to be more conveniently located for the mostly residential customers who use them. Because Self-Storage facilities could present negative effects in general commercial and residential zones without special consideration, the proposed text amendments include specific siting criteria for these facilities in general commercial and residential zones.

**Most Effective Alternative**

The alternative to approving the proposal is to make no change. Self-Storage and Warehouse facilities can continue to be reviewed as ‘Industrial, Indoor’ facilities. If the code is left unchanged it will continue to function as it does currently and more prime industrial land will be used for mini-storage facilities rather than employment generation. While the proposed text amendment is not necessarily critical, it is the most effective way to differentiate between these two uses and to site them more appropriately.

**CRITERION 4:** The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

**Staff Response: Satisfied.** The proposed amendment is not expected to affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

**VI. RECOMMENDATION:**

Staff recommends the Planning Commission RECOMMEND APPROVAL of the proposed amendments to City Council, as presented in Exhibit 1.

**VII. PLANNING COMMISSION ACTION:**

- A. Positive Action: Recommend approval of the request:
  - 1. as submitted.
  - 2. as modified by the Planning Commission with the following revisions (list):

B. Negative Action: Recommend denial of the request for the following reasons (list):

C. Postponement: Continue item

1. indefinitely.
2. to a time certain.

**NOTE:** This is a legislative decision. State law does **not** require that a decision be made on the application within 120 days.

#### **VIII. INDEX TO EXHIBITS:**

1. Mark up text for:
  - Schedule 12-2
  - Sections 14.700-14.720 (all new text)
  - Section 30.020

**Article 12: Zoning Districts**

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Schedule 12-2. Permitted Uses and Site Plan Review Procedures															
Zoning Districts															
Land Use Types	RESIDENTIAL						COMMERCIAL				INDUSTRIAL				
	LR	MR	HR	HRR			COMMERCIAL				EMPLOYMENT				
	R-1-12 R-1-10 R-1-8	R-1-6 R-2	R-3 (R-3-1)	R-3-2 (p)	R-4 (R-4-1)	R-4-2 (O)(p)	R-5 (O)(p)	NC	GC (GC-1)	GC-2 (m)(p)	CBD	OR (n)	BP	IP	I (c)

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- (b) A Type II Procedure is required if the subject property adjoins a residential or commercial zone, otherwise Type I-C Procedure is required.
- (c) If within the Spalding Regionally Significant Industrial Area (RSIA) Overlay, an applicant can request an Expedited Industrial Site Plan Review procedure; otherwise procedures within Schedule 12-2 apply.
- (d) Type I-A, except the following are exempt (Type I-EX): operation, maintenance, repair, and preservation of existing transportation facilities; dedication or public acquisition of rights-of-way and easements; authorization of construction and construction of facilities and improvements, where the improvements are within the existing right-of-way or easement area or are consistent with clear and objective dimensional standards; and emergency measures necessary for the safety and protection of property.
- (e) Manufactured Dwelling Parks are not permitted in commercial or industrial zones or industrial Comprehensive Plan land use districts. Siting of an individual home within an approved manufactured dwelling park requires a Type I-A procedure.
- (f) An existing residential dwelling unit is a permitted use in this zone. In zones where a new residential dwelling unit is not a permitted use, this provision allows the existing residential dwelling unit to continue or expand without being subject to the nonconforming use provisions of the Development Code. There may be nonconforming development provisions that are applicable. If an existing dwelling unit is removed in a zone where a new dwelling unit is not permitted, it shall not be replaced.
- In zones where a new residential dwelling unit is not a permitted use, this provision does not allow for expansion that increases the number of dwelling units.
- (g) In zones where a new residential dwelling unit is not a permitted use, this provision allows for this use associated with the existing residential dwelling as authorized in Article 14.
- (h) A commercial or industrial accessory building of 400 square feet or less that comprises less than 25 percent of the existing floor area of buildings and meets the definition of a minor modification in Section 19.058 of this Code is reviewed through a Type I-A procedure. All other commercial or industrial accessory buildings are subject to the applicable site plan review procedures.
- A watchman's cottage is permitted as a new residential dwelling unit if it serves a direct industrial function. (12.341)
- (i) A Type I-A Procedure is required for water and sewer pump stations. All other minor public facilities are reviewed through the procedure specified in table.
- (j) A Type III Procedure is required if the tower height exceeds the zone height limit, otherwise a Type II Procedure is required.
- (k) Trade and service uses permitted through a PUD in residential zones are subject to the limitations in Article 18.
- (l) In the R-4-2 and R-5 zones, office uses are Secondary Uses, See Section 12.050
- (m) In the GC-2 zone, residential uses are Secondary Uses, See Section 12.050
- (n) In the OR zone, residential uses are Secondary Uses, See Section 12.050
- (o) In the NC zone, upper-story residential uses are Secondary Uses, See Section 12.050
- (p) In addition to the uses listed in Schedule 12-2, the following shall be permitted as primary uses rather than only as secondary uses or as part of a PUD in the specified zone, subject to all applicable provisions of this Code:

**1. R-3-2 zone.**

- a. One single-family detached dwelling on an existing lot of record, and permitted accessory uses, including an accessory dwelling unit, meeting the requirements of this section.
- b. The existing lot of record shall be existing on or before November 12, 2014, or shall be a lot or parcel that was part of an approved land division application which was submitted on or before November 12, 2014.
- c. This shall include replacement of an existing single-family detached dwelling on a lot of record meeting the requirements of this section.

**2. R-4-2 and R-5 zones.**

- a. One single-family detached dwelling on an existing lot of record, and permitted accessory uses, including an accessory dwelling unit, meeting the requirements of this section.
- b. One duplex, two detached single-family dwellings, or division of a lot of record described below to include two attached units (with one common zero-lot line), subject to all applicable building code, utility, and Development Code requirements.
- c. The existing lot of record shall be existing on or before November 12, 2014, or shall be a lot or parcel that was part of an approved land division application which was submitted on or before November 12, 2014 which has not expired.
- d. This shall include replacement of an existing dwelling on a lot of record meeting the requirements of this section.

**3. GC-2 zone.**

- a. One single-family detached dwelling on an existing lot of record, and permitted accessory uses, including an accessory dwelling unit, meeting the requirements of this section.
- b. The existing lot of record shall be existing on or before November 12, 2014, or shall be a lot or parcel that was part of an approved land division application which was submitted on or before November 12, 2014.
- c. This shall include replacement of an existing single-family detached dwelling on a lot of record meeting the requirements of this section.

(q) Professional Office use permitted in the Industrial Park District only when subject property is located within the Medical Overlay District.

(r) Self-Storage in General Commercial zones shall meet the standards in Section 14.710

(s) Self-Storage in Residential zones shall meet the standards in Section 14.720

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## Article 14: Certain Uses

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### 14.700 Self-Storage in General Commercial and Residential Zones

The review procedure for Self-Storage shall be as provided in Schedule 12-2

### 14.710 Development Standards for Self-Storage in General Commercial Zones

- (1) An approved primary use or uses must exist on the same property between the Self-Storage and all street frontages.
- (2) The approved primary use(s) must be in a building or buildings totaling at least 2,500 square feet in area.
- (3) The building(s) containing the approved primary use(s) shall be oriented to obscure view of the Self-Storage from all rights-of-way to the greatest extent practical.
- (4) All buildings containing the approved primary uses(s) must meet the Architectural Standards in Section 20.400-20.495.
- (5) The development of the site must meet Article 23 Landscaping and Buffering Development Standards.
- (6) The development must meet all other applicable provisions of this Code.

### 14.720 Development Standards for Self-Storage in Residential Zones

- (1) Self-Storage in residential zones shall only be made available for use by residents of the residential development (multi-family complex, residential subdivision, PUD, etc.) containing the Self-Storage facility. At no time is the Self-Storage facility permitted to serve non-residents.
- (2) Self-Storage in residential zones shall be maintained and operated by the owner of the complex in the case of multi-family developments held in common ownership, and by a legally formed homeowners association in the case of residential developments held in separate ownership (residential subdivision, PUD, condominium, etc.)
- (3) The Self-Storage buildings shall be built in a location and manner that obscures their view from all rights-of-way and paths to the greatest extent practical.
- (4) The development of the site must meet Article 23 Landscaping and Buffering Development Standards. The Self-Storage facility must meet the Commercial standards for Landscape and Buffering.
- (5) The development must meet all other applicable provisions of this Code.

## Article 30: Definitions

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### 30.020 Definitions

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School: Facilities for the instruction of children, youth and adults. School uses are of two types:

- (1) Public: Public, private or parochial, kindergarten, primary, secondary and high schools and colleges, including accessory administrative uses, but not child care facilities, except when operated in conjunction with a school.
- (2) Technical: Technical, business, trade, dancing, music or sports schools, including accessory administrative uses.

Self-Storage: A commercial facility in which customers can rent space to store possessions.

Service Station: An establishment selling fuel and oil for vehicles; selling, servicing and installing tires, batteries, accessories and related products; furnishing minor repair and service when conducted entirely within an enclosed building, and at which incidental services are conducted. "Minor repair and service," as used in this definition, shall be understood to exclude activities such as painting, bodywork, steam cleaning, and/or tire recapping.

\*\*\*\*

Visual Obstruction: Any fence, hedge, tree, shrub, device, wall or structure between the elevations of 2 1/2 feet and 8 feet above the adjacent curb height or above the elevation of gutter line of street edge where there is no curb, as determined by the City Engineer, and so located at a street, drive, or alley intersection as to limit the visibility of pedestrians or persons in motor vehicles on said streets, drives, or alleys.

Warehouse: A large building for storing items before they are sold, used, or sent out to retail shops.

Watchman's Cottage: See "Residential Uses in Industrial Zones."

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**URBAN AREA PLANNING COMMISSION**

**MEETING MINUTES**

**January 27, 2016 – 6:00 P.M.**

**Council Chambers**

**1. ROLL CALL:**

The Urban Area Planning Commission met in regular session on the above date with Chair Gerard Fitzgerald presiding. Vice Chair Jim Coulter and Commissioners Blair McIntire, Loree Arthur, David Kellenbeck, Dan McVay, and Robert Wiegand were present. Commissioner Lois MacMillan arrived late. Also present and representing the City was Parks & Community Development (hereafter: PCD) Director Lora Glover and Senior Planner Joe Slaughter. City Council Liaison Rick Riker was present as well.

**2. CHAIR/VICE CHAIR ELECTIONS:**

**MOTION/VOTE**

**Commissioner McIntire moved and Commissioner Kellenbeck seconded the motion to maintain the current Chair and Vice Chair positions. The vote resulted as follows: “AYES”: Chair Fitzgerald and Vice Chair Coulter and Commissioners Arthur, Kellenbeck, McIntire, Coulter, and McVay. “NAYS”: None. Abstain: None. Absent: Commissioner MacMillian.**

**The motion passed.**

**3. ITEMS FROM THE PUBLIC: None**

**4. CONSENT AGENDA:**

**a. MINUTES:** January 13, 2016

**b. FINDINGS OF FACT:**

- i. 15-40500004 ~ Development Code Text Amendment Historic District  
Design Guidelines Article 13 ~ Special Purpose Districts**

## MOTION/VOTE

Commissioner Kellenbeck moved and Commissioner McVay seconded the motion to approve the minutes from January 13, 2016 as amended. The vote resulted as follows: “AYES”: Chair Fitzgerald and Vice Chair Coulter and Commissioners Arthur, Kellenbeck, , and McVay. “NAYS”: None. Abstain: Commissioners McIntire and Coulter. Absent: Commissioner Lois MacMillian.

The motion passed.

### 5. QUARTERLY UPDATE FROM STAFF:

#### a. 15-40500004 – Development Code Text Amendment Historic District Design Guidelines, Article 13 - Special Purpose Districts

- Joe Slaughter went over the development statistics for 2015 and gave a synopsis for projected projects for 2016.
- Commissioner Fitzgerald asked if the City was recording the releases of the tax lots. Lora let him know that there is an employee working on recording all of them for future use.
- It was asked if the Allen creek projects will have a traffic light, Joe said that the plans did include a traffic light.
- It was asked what was being developed on the corner of Beacon and the parkway where the music store was previously. The plans are for a Mattress Store.
- The City was thanked for closing the pedestrian bridge at night; it has made a noticeable improvement in that neighborhood.
- The bike trail at the fairgrounds may have similar gates to the pedestrian bridge put up to cut back on vandalism to the fairgrounds.

### 6. OTHER ITEMS/STAFF DISCUSSION:

- The February 10<sup>th</sup> meeting is cancelled.
- The steep slope development code amendment for next meeting is a clarification of language, currently is references a steep slope map which is not used, the amendment will take out the reference to the map.
- The storage development code amendment will address the fact that mini storage facilities are currently only allowed in the Industrial District. This will allow

for Industrial space to not be taken up by smaller facilities but will also keep the mini storage facilities out of areas we want to look appealing.

**7. ITEMS FROM COMMISSIONERS:**

- Commissioner Arthur thought the Goal Setting meeting was the most positive and fruitful yet in the 8 years she has attended.

**8. ADJOURNMENT:**

Chair Fitzgerald adjourned the meeting at 6:35 P.M.

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Gerard Fitzgerald, Chair  
Urban Area Planning Commission

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Date

These minutes were prepared by Carlie Paulsen, Administration Department, City of Grants Pass.



**CITY OF GRANTS PASS  
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**DEVELOPMENT CODE TEXT AMENDMENT  
SLOPE HAZARD DISTRICT  
ARTICLE 13 ~ SPECIAL PURPOSE DISTRICTS  
ARTICLE 18 ~ PUD & ALTERNATIVE DEVELOPMENT OPTIONS**

**FINDINGS OF FACT - URBAN AREA PLANNING COMMISSION**

<b>Procedure Type:</b>	Type IV: Planning Commission Recommendation and City Council Decision
<b>Project Number:</b>	405-00005-15
<b>Project Type:</b>	Development Code Text Amendment
<b>Applicant:</b>	City of Grants Pass
<b>Planner Assigned:</b>	Joe Slaughter
<b>Application Received:</b>	December 30, 2015
<b>Application Complete:</b>	January 8, 2016
<b>Date of Staff Report:</b>	February 16, 2016
<b>Date of UAPC Hearing:</b>	February 24, 2016
<b>Date of Findings of Fact</b>	February 24, 2016

**I. PROPOSAL:**

A Development Code Text Amendment

To Article 13:

- Clarifying that the Slope Hazard District includes all properties, or portions of properties that have slopes exceeding 15%;
- Requiring existing lots and parcels within the Slope Hazard District to provide a Steep Slope Development Report if one was not provided when the lot or parcel was created; and
- Completing general housekeeping of Article 13 to insure the formatting is consistent throughout the Development Code.

To Article 18:

- Making clear that PUD development in the Slope Hazard District, like subdivisions and land partitions, must meet the Slope Hazard District requirements of Article 13.

**II. AUTHORITY AND CRITERIA:**

Section 4.102 of the City of Grants Pass Development Code provides that the Director, Planning Commission or City Council may initiate a text amendment. The amendment has been initiated by the Director.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorize the City Council to make a final decision on an application for a Development Code Text Amendment, pursuant to the requirements of a Type IV procedure.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

### **III. APPEAL PROCEDURE:**

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

### **IV. PROCEDURE:**

- A. The application was received on December 30, 2015 and deemed complete on January 8, 2016. The application was processed in accordance with Section 2.060 of the Development Code.
- B. Notice of the proposed amendment and the public hearings was sent to the Oregon Department of Land Conservation and Development on January 10, 2016 in accordance with ORS 197.610 and OAR Chapter 660, Division 18.
- C. Notice of the proposed amendment and the public hearings was sent to Josephine County on January 10, 2016 in accordance with the 1998 Intergovernmental Agreement.
- D. Public notice of the February 24, 2016 public hearing was published in the newspaper on February 17, 2016 in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. The Planning Commission held a public hearing on February 24, 2016 to consider the proposal and make a recommendation to the City Council.

### **V. SUMMARY OF EVIDENCE:**

- A. The basic facts and criteria regarding this application are contained in the staff report and its exhibits attached as Exhibit "A" and incorporated herein.
- B. The minutes of the public hearing held by the Urban Area Planning Commission on February 24, 2016, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C. The PowerPoint presentation provided by staff at the February 24, 2015 public hearing is attached as Exhibit "C" and incorporated herein

### **VI. GENERAL FINDINGS - BACKGROUND AND DISCUSSION:**

Article 13 – Special Purpose Districts – provides standards that facilitate development within areas with specific natural, historical, or locational features while helping to mitigate natural

hazards, protect natural and historical features, and mitigate land use conflict. The Slope Hazard District is one of the Special Purpose Districts in Article 13. As currently written, the Development Code defines the Slope Hazard District as properties, or portions of properties, that contain slopes of at least 15% and depicted as Slope Hazard on the Special Purpose District Map. There is no adopted overlay map for the Slope Hazard District. Rather, staff uses available topographic information to determine areas where slopes likely exceed 15%. This portion of the proposed text amendment would cause the Development Code language to match existing procedures in the absence of an adopted Slope Hazard District overlay map.

To help mitigate hazards and negative effects associated with development, development within the Slope Hazard District requires a two-step process:

1. A Steep Slope Development Report; and
2. Grading and Erosion Control Plans

As the Development Code is currently written, only the grading and erosion control plans are required for building permits on existing lots and parcels. There is no consideration for whether a steep slope development report has been submitted for these existing lots or parcels. In order to insure that hazards associated with steep slopes development have been adequately considered and addressed, it is important that a steep slopes development report is submitted and reviewed for all lots and parcels in the Slope Hazard District.

The remainder of the proposed changes to Article 13 can be described as housekeeping in nature. These changes are being made to insure that formatting is consistent throughout the Development Code.

The proposed text amendments also include a small change to Article 18 – Planned Unit Development (PUD) & Alternative Development Options. Subdivisions and land partitions that include properties in the Slope Hazard District are required to address the development standards of Article 13. It is not clear currently, whether PUD development is required to address those same standards. This portion of the proposed text amendment would make it clear that PUD development in the Slope Hazard District must meet all of the same standards.

## **VII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:**

*The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.*

**CRITERION 1:** The proposed amendment is consistent with the purpose of the subject section and article.

**Planning Commission Response: Satisfied.** The purpose of Article 13 – Special Purpose Districts – is to provide standards that facilitate development within areas with specific natural, historical, or locational features while helping to mitigate natural hazards, protect natural and historical features, and mitigate land use conflict. Without the proposed changes to Article 13 the Slope Hazard District will not function as intended to protect natural features and mitigate natural hazards. The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with the stated purpose of Article 13. The proposed changes will also help to insure that the standards of the Slope Hazard District are uniformly applied to all types of development.

**CRITERION 2:** The proposed amendment is consistent with other provisions of this code.

**Planning Commission Response: Satisfied.** The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with other Special Purpose Districts. They will also insure that the standards of the Slope Hazard District are uniformly applied to all types of development.

**CRITERION 3:** The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

**Planning Commission Response: Satisfied.** The proposed changes are consistent with Element 4–Environmental Resources Quality, Element 5–Natural Hazards, and Element 13–Land Use, of the Comprehensive Plan. Without the proposed changes to Article 13, the Slope Hazard District will not function as intended to protect natural features and mitigate natural hazards. The proposed changes will cause the Slope Hazard District to be administered in a manner consistent with the Comprehensive Plan. The proposed amendments will cause the standards of the Slope Hazard District to be applied uniformly to all types of development and will clear up any ambiguity concerning development in the Slope Hazard District.

**Most Effective Alternative**

The alternative to approving the proposal is to adopt a Slope Hazard District overlay map. The adoption of an up-to-date, official Slope Hazard District map is the best long-term course of action for defining and administering the Slope Hazard District. However, the creation and adoption of this map will take time. In the meantime the proposed text amendment will allow the City to continue to administer the Slope Hazard District in a manner consistent with the Comprehensive Plan and the Development Code in the absence of an adopted Slope Hazard District overlay map.

**CRITERION 4:** The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

**Planning Commission Response: Satisfied.** The proposed amendment is not expected to affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

**VIII. RECOMMENDATION:**

The UAPC found the applicable criteria satisfied and recommended the proposed amendments to Article 13 and Article 14 noted in the staff's presentation be forwarded to the City Council for adoption.

**IX. FINDINGS APPROVED BY THE URBAN AREA PLANNING COMMISSION** this 24<sup>th</sup> day of February, 2016.

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**Gerard Fitzgerald, Chair**

**CITY OF GRANTS PASS  
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**DEVELOPMENT CODE TEXT AMENDMENT  
SELF-STORAGE & WAREHOUSE  
ARTICLE 12 ~ ZONING DISTRICTS, ARTICLE 14 ~ CERTAIN USES,  
& ARTICLE 30 ~ DEFINITIONS**

**FINDINGS OF FACT - URBAN AREA PLANNING COMMISSION**

<b>Procedure Type:</b>	Type IV: Planning Commission Recommendation and City Council Decision
<b>Project Number:</b>	405-00006-15
<b>Project Type:</b>	Development Code Text Amendment
<b>Applicant:</b>	City of Grants Pass
<b>Planner Assigned:</b>	Joe Slaughter
<b>Application Received:</b>	December 30, 2015
<b>Application Complete:</b>	January 8, 2016
<b>Date of Staff Report:</b>	February 16, 2016
<b>Date of UAPC Hearing:</b>	February 24, 2016
<b>Date of Findings of Fact</b>	February 24, 2016

**I. PROPOSAL:**

A Development Code Text Amendment adding definitions for Self-Storage and Warehouse to Article 30; listing where Self-Storage and Warehouse facilities are permitted in Article 12, Schedule 12-2; and creating standards for Self-Storage facilities in general commercial and residential zones in Article 14.

**II. AUTHORITY AND CRITERIA:**

Section 4.102 of the City of Grants Pass Development Code provides that the Director, Planning Commission or City Council may initiate a text amendment. The amendment has been initiated by the Director.

Section 2.062 authorizes the Planning Commission to make a recommendation to the City Council and authorize the City Council to make a final decision on an application for a Development Code Text Amendment, pursuant to the requirements of a Type IV procedure.

The text of the Development Code may be recommended for amendment and amended provided the criteria in Section 4.103 of the Development Code are met.

**III. APPEAL PROCEDURE:**

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

#### **IV. PROCEDURE:**

- A. The application was received on December 30, 2015 and deemed complete on January 8, 2016. The application was processed in accordance with Section 2.060 of the Development Code.
- B. Notice of the proposed amendment and the public hearings was sent to the Oregon Department of Land Conservation and Development on January 10, 2016 in accordance with ORS 197.610 and OAR Chapter 660, Division 18.
- C. Notice of the proposed amendment and the public hearings was sent to Josephine County on January 10, 2016 in accordance with the 1998 Intergovernmental Agreement.
- D. Public notice of the February 24, 2016 public hearing was published in the newspaper on February 17, 2016 in accordance with Sections 2.053 and 2.063 of the Development Code.
- E. The Planning Commission held a public hearing on February 24, 2016 to consider the proposal and make a recommendation to the City Council.

#### **V. SUMMARY OF EVIDENCE:**

- A. The basic facts and criteria regarding this application are contained in the staff report and its exhibits attached as Exhibit "A" and incorporated herein.
- B. The minutes of the public hearing held by the Urban Area Planning Commission on February 24, 2016, which are attached as Exhibit "B", summarize the oral testimony presented and are hereby adopted and incorporated herein.
- C. The PowerPoint presentation provided by staff at the February 24, 2015 public hearing is attached as Exhibit "C" and incorporated herein

#### **VI. GENERAL FINDINGS - BACKGROUND AND DISCUSSION:**

Currently, there is no definition for either Self-Storage or Warehouse facilities in the Development Code. Because the two uses are not defined separately they are grouped into the larger category of 'Industrial, Indoor' uses for the purpose of determining where and how they can be developed. Since 'Industrial, Indoor' uses are only permitted in the Business Park (BP), Industrial Park (IP), and Industrial (I) zones, Self-Storage facilities have been forced into the industrial zones. Self-Storage and Warehouse facilities are two distinctly different uses and by defining them separately the City will have the ability to allow them to be more appropriately located.

The proposed text amendments will allow Warehouse facilities to continue to be permitted in the same zones they are currently; BP, IP, & I. Self-Storage facilities will be permitted as a primary use in BP and IP zones. In an effort to help preserve industrial lands for employment uses, Self-Storage facilities will no-longer be permitted in I zones. They will however, be permitted as a secondary use in General Commercial (GC-1 & GC-2) and all residential zones, provided they meet certain criteria. Those criteria have been drafted as a part of the proposed text

amendment in order to help mitigate any negative effects storage facilities could have in these commercial and residential zones.

## VII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:

*The text of the Development Code may be recommended for amendment and amended provided that all of the following criteria of Section 4.103 of the Development Code are met.*

**CRITERION 1:** The proposed amendment is consistent with the purpose of the subject section and article.

**Planning Commission Response: Satisfied.** Schedule 12-2 lists uses, identifies in which zones those uses are permitted, and identifies the proper procedure type for a particular use in a particular zone. The purpose of the table is to site uses in appropriate zones, require adequate review process for uses, and to establish additional mitigation for certain uses in certain zones. The proposed text amendments are consistent with these purposes. By treating Self-Storage and Warehouse as two distinct uses, the City will have a greater ability to appropriately locate these facilities. The proposed amendments also establish adequate review processes and appropriate site development standards.

Warehouse facilities will continue to be permitted in the same zones they are currently; BP, IP, & I. Self-Storage facilities will be permitted as a primary use in BP and IP zones. In an effort to help preserve industrial lands for employment uses, Self-Storage facilities will no-longer be permitted in I zones. They will however, be permitted as a secondary use in General Commercial (GC-1 & GC-2) and all residential zones, provided they meet certain criteria. Those criteria have been drafted as a part of the proposed text amendment in order to help mitigate any negative effects storage facilities could have in these commercial and residential zones.

**CRITERION 2:** The proposed amendment is consistent with other provisions of this code.

**Planning Commission Response: Satisfied.** Currently, there is no definition for either Self-Storage or Warehouse facilities in the Development Code. Because the two uses are not defined separately they are grouped into the larger category of 'Industrial, Indoor' uses for the purpose of determining where and how they can be developed. Self-Storage and Warehouse facilities are two distinctly different uses and by defining them separately the City will have the ability to allow them to be more appropriately located. This differentiation between clearly different uses is consistent with other provisions of this code. The proposed development standards for Self-Storage facilities in general commercial and residential zones are also consistent with other strategies used in this code to help mitigate negative effects certain uses could have in what could otherwise be viewed as incompatible zones.

**CRITERION 3:** The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, and most effectively carries out those goals and policies of all alternatives considered.

**Planning Commission Response: Satisfied.** The proposed changes are consistent with Element 13–Land Use, of the Comprehensive Plan. Once Self-Storage and Warehouse are defined as two different uses Warehouse facilities will continue to be located in all industrial zones (BP, IP & I) while Self-Storage facilities will no-longer be permitted in I zones. This will help to preserve prime industrial land for employment uses. The proposed changes will also add flexibility in the siting of Self-Storage facilities by allowing them to be developed in general

commercial and residential zones. This will allow for these kinds of storage facilities to be more conveniently located for the mostly residential customers who use them. Because Self-Storage facilities could present negative effects in general commercial and residential zones without special consideration, the proposed text amendments include specific siting criteria for these facilities in general commercial and residential zones.

**Most Effective Alternative**

The alternative to approving the proposal is to make no change. Self-Storage and Warehouse facilities can continue to be reviewed as 'Industrial, Indoor' facilities. If the code is left unchanged it will continue to function as it does currently and more prime industrial land will be used for mini-storage facilities rather than employment generation. While the proposed text amendment is not necessarily critical, it is the most effective way to differentiate between these two uses and to site them more appropriately.

**CRITERION 4:** The proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

**Planning Commission Response: Satisfied.** The proposed amendment is not expected to affect the functions, capacities, or performance standards of transportation facilities identified in the Master Transportation Plan (MTP).

**VIII. RECOMMENDATION:**

The UAPC found the applicable criteria satisfied and recommended the proposed amendments to Article 14, Article 12 – Schedule 12-2, and Article 30 noted in the staff's presentation be forwarded to the City Council for adoption.

**IX. FINDINGS APPROVED BY THE URBAN AREA PLANNING COMMISSION** this 24<sup>th</sup> day of February, 2016.

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**Gerard Fitzgerald, Chair**