

**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**

SUPPLEMENTAL STAFF REPORT - URBAN AREA PLANNING COMMISSION

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00006-15
Project Type:	Development Code Text Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Joe Slaughter
Application Received:	December 30, 2015
Application Complete:	January 8, 2016
Date of Supplemental Staff Report:	March 15, 2016
Date of UAPC Hearing:	March 23, 2016

I. BACKGROUND:

The Urban Area Planning Commission (UAPC) considered the proposed 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, at their February 24, 2016 meeting. At that meeting the staff report was presented, a public hearing was conducted, and the UAPC discussed the proposed amendments and directed staff to return to the March 23, 2016 meeting of the UAPC ready to discuss how the proposed text amendment could help to address the need for storage in existing residential neighborhoods.

II. DISCUSSION:

As stated in the original staff report, the intent of the proposed text amendment is to allow differentiation in the development review for, and the locating of, Self-Storage and Warehouse facilities. 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.

The concern presented by the UAPC at the February 24, 2016 meeting centered on the applicability of the proposed text amendment for existing residential neighborhoods. Since the

Article 12: Zoning Districts

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

- (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 commercial 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

Article 14: Certain Uses

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 (for example: multi-family complex, residential subdivision, PUD) 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 (for example: residential subdivision, PUD, condominium).
- (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

30.020 Definitions

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."

URBAN AREA PLANNING COMMISSION

MEETING MINUTES

February 24, 2016 – 6:00 P.M.

Court Yard Conference Room

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 Loree Arthur, David Kellenbeck, Blair McIntire, Dan McVay, and Robert Wiegand were present. Commissioner Lois MacMillan was absent. Also present and representing the City was Parks & Community Development (hereafter: PCD) Director Lora Glover and PCD Senior Planner Joe Slaughter. City Council Liaison Rick Riker was present as well.

2. ITEMS FROM THE PUBLIC: None.

3. PUBLIC HEARINGS:

**a. 405-00005-15: Development Code Text Amendment ~ Slope Hazard District
Pg. 1-12**

- Joe gave the staff report.
- Commissioner McIntire asked if a development report was done every time a lot with a steep slope was sold, developed, etc. He clarified that his concern was if the area had sluff off because of significant flooding that could change the dynamics of that property. How often are the development reports done? How would you address that?
- Joe let the Commission know that if a property was in the steep slope area and graded, it will still be in considered in the steep slope area. This would require developers to do erosion and sediment control and to meet the steep slope standards. By having a registered engineer sign off on the slope the liability shifts the where it belongs, on the developer rather than on the City.
- Would a civil engineer be able to do a steep slope report or do you need a geotech? - Slopes between 15-25% would require a civil engineer. Any slopes over 25% would need a specialist.

- It was brought up that Public Safety might want to comment on the possibility of increased crime due to the mini storage being blocked by the commercial frontage.
- Concerns were brought up about what can be done about the Core-Mark property.
- Commissioner Arthur brought up that some cities allow parking structures to be put up for neighborhood use for areas that do not have enough parking. She wanted the Development Code to reflect that as a possibility in the residential text amendment section of the code. The current changes appear to be worded to only be able to be used by apartment complexes and officially designated subdivisions. The commission agreed that the wording should be structured to not limit this to new development.

MOTION/VOTE

Commissioner Arthur moved and Commissioner Kellenbeck seconded the motion to set aside project number 405-00006-15 until staff could come back with suggestions on how to allow self-storage in existing residential neighborhoods until the next UAPC meeting on March 23, 2016. The vote resulted as follows: “AYES”: Chair Fitzgerald and Vice Chair Coulter and Commissioners Kellenbeck, McIntire, Arthur, and McVay. “NAYS”: None. Abstain: None. Absent: MacMillan. The motion passed.

4. CONSENT AGENDA:

a. MINUTES: January 27, 2016

b. FINDINGS OF FACT:

- i. 405-00005-15: Development Code Text Amendment ~ Slope Hazard District Pg. 29-32
- ii. 405-00006-15: Development Code Text Amendment ~ Self Storage and Warehouse Pg.33-36

MOTION/VOTE

Commissioner Coulter moved and Commissioner David seconded the motion to approve the consent agenda which includes the minutes from January 27, 2016 and findings of fact for 405-00005-15 with modifications recommended by the UAPC and that 405-00006-15 be continued until March 23, 2016. The vote resulted as follows: "AYES": Chair Fitzgerald and Vice Chair Coulter and Commissioners Kellenbeck, McIntire, Arthur, and McVay. "NAYS": None.

Abstain: Commissioner Arthur. Absent: MacMillan.

The motion passed.

5. OTHER ITEMS/STAFF DISCUSSION:

- None.

6. ITEMS FROM COMMISSIONERS:

- None.

7. ADJOURNMENT:

Chair Fitzgerald adjourned the meeting at 7:05 P.M.

Gerard Fitzgerald, Chair
Urban Area Planning Commission

Date

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

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**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

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	405-00006-15
Project Type:	Development Code Text Amendment
Applicant:	City of Grants Pass
Planner Assigned:	Joe Slaughter
Application Received:	December 30, 2015
Application Complete:	January 8, 2016
Date of Staff Report:	February 16, 2016
Date of UAPC Hearing:	February 24, 2016
Date of 2nd UAPC Hearing:	March 23, 2016
Date of Findings of Fact	March 23, 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. The Planning Commission continued this matter the March 23, 2016 meeting and made their recommendation to the City Council at that meeting.

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 23rd day of March, 2016.

Gerard Fitzgerald, Chair