

MEMORANDUM

DATE: July 14, 2020

TO: The Board of Supervisors

FROM: Thomas Wysong, Senior Planner

SUBJECT: Case No. ORD-19-0007. Consideration of Warehouse, Storage, and Distribution Centers in the Mixed Use Zoning District

Introduction

At its July 9, 2019 meeting, the Board of Supervisors requested the County Attorney prepare an Initiating Resolution for exploring the amendment of the Zoning Ordinance to either remove warehouses, storage, and distribution centers from the Mixed Use (MU) District or allow this use as a specially permitted use. On August 13, 2019, the Board of Supervisors adopted the Initiating Resolution. Accordingly, Planning staff analyzed the impact of removing warehouses, storage, and distribution centers from the permitted use list within the Mixed Use Zoning District and compared it to the impact of reclassifying this use as a specially permitted use within this District. This analysis was presented for review and discussion by the Policy Committee at its November 14, 2019 (Stage I/II), and December 12, 2019 (Stage III) meetings. The Policy Committee concurred with staff's recommendation that this use be reclassified as a specially permitted use and unanimously voted for the Ordinance amendment to proceed as drafted to the Planning Commission.

Overview

The Mixed Use Zoning District was added to the Zoning Ordinance in 1992. Since its addition to the Zoning Ordinance, the intent of the Mixed Use Zoning District has been to promote multiuse, master planned communities that are characterized by the convenient and harmonious groupings of uses, structures, facilities, open space, and pedestrian walkways and/or bicycle paths. The Statement of Intent for the District indicates that districts may include residential, commercial, industrial (with a focus on light industrial), office, and other non-residential uses.

The adopted Mixed Use District language includes “warehouse, storage, and distribution centers with storage under cover or screened with landscaping from adjacent property” as a permitted use. Although the Mixed Use District has been revised and reformatted over the years, this use has been consistently listed as a permitted use. Consequently, there are Mixed Use developments in the County that include this use as a main component of the Mixed Use development.

Staff finds that warehouse, storage, and distribution centers are not a use that most fully fulfills the intent of the Mixed Use District. However, it is possible that the County could receive a proposal in which this use could be appropriately scaled and designed and fittingly located as one component within a Mixed Use development and could potentially serve as a support use for other uses allowed in the Mixed Use District, such as light industrial or research and development uses. Reclassification of this use as being specially permitted would allow such a proposal to be pursued.

If the County were to reclassify “warehouse, storage, and distribution centers with storage under cover or screened with landscaping from adjacent property” from a permitted use to a specially permitted use, existing facilities that fall under this category would become lawfully non-conforming. Future expansion of existing facilities could be approved, but only through a Special Use Permit (SUP). New facilities on

existing Mixed Use zoned land could also be pursued but only through the SUP process. For those existing Mixed Use developments in which warehouse and storage uses are shown on the Master Plan, this would create an additional public review that would allow the County to consider whether this use is appropriate and put in place the appropriate conditions needed to mitigate negative impacts.

Draft Ordinance Language

The draft Ordinance language included as Attachment No. 1 would reclassify “warehouse, storage, and distribution centers with storage under cover or screened with landscaping from adjacent property” from a permitted use to a specially permitted use within the Mixed Use Zoning District.

Recommendation

Staff recommends the Board of Supervisors approve the attached amendment of the Zoning Ordinance. At its May 6, 2020 regular meeting, the Planning Commission unanimously recommended approval of the Ordinance amendment.

TW/nb
Ord19-07W-S-D-Ctrs-mem

Attachments:

1. Proposed Amended Section 24-518 strikethrough version
2. Proposed Amended Section 24-518 clean version
3. Initiating Resolution Adopted August 13, 2019
4. Adopted Minutes from the November 14, 2019, Policy Committee Meeting
5. Adopted Minutes from the December 12, 2019, Policy Committee Meeting
6. Approved Minutes of the May 6, 2020, Planning Commission Meeting