



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time Closed Session Informational

FROM: Inyo County Planning Department and Planning Commission

FOR THE BOARD MEETING OF: June 12, 2018

SUBJECT: Zone Text Amendment (ZTA) 2018-01/Inyo County – Mini-storage as a conditional use in the Central Business District.

DEPARTMENTAL RECOMMENDATION:

Recommend the Board:

1. Conduct a public hearing on AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, ADDING SECTION 18.06.381 AND SUBSECTION 18.44.030.K TO THE INYO COUNTY CODE REGARDING MINI-STORAGE FACILITIES IN THE CENTRAL BUSINESS ZONE to allow for Mini-storage facilities as a Conditional Use in the Central Business District; and Certify that the provisions of the California Environmental Quality Act have been met.
2. Introduce and waive reading of the above referenced Ordinance approving ZTA 2018-01/Inyo County – Mini-storage as a conditional use in the Central Business District and adopt said ordinance.

SUMMARY DISCUSSION:

In December 2017, Mr. Kent Schlick requested a Director's Determination on whether he could develop a property located in Big Pine along Main Street, in the Central Business Zoning District with a mini-storage facility. The Planning Director provided a determination that this use was incompatible with the Central Business Zone. Mr. Schlick appealed the decision to the Planning Commission, per Inyo County Code (ICC) Section 18.81.030. The Planning Commission denied the appeal upholding the Director Determination. Mr. Schlick then appealed the Planning Commission decision to the Board of Supervisors.

On April 10, 2018 the Board of Supervisors held a public hearing and considered the denial of Mr. Schlick's appeal to the Planning Commission. After public comment and deliberation, the Board denied the appeal and directed staff to add mini-storage facilities as a conditional use in the Central Business Zone. Since this proposal to allow mini-storage facilities in the Central Business Zone will not be an outright permitted use, and requires a discretionary action by the Planning Commission, (approval of a conditional use permit), future projects can be conditioned to meet the intended characteristics of the Central Business Zone, as well as, alleviate the potential impacts of them on the surrounding areas that they may be placed.

General Plan Consistency

The General Plan's Land Use Policy No. LU-3.9 Central Business District Standards sets forth requirements for both use and design as follows:

- a. Commercial facilities and uses should be compatible in use, character and size to the trade area they are intended to serve.
- b. The commercial uses should be concentrated rather than scattered along the roadside.
- c. Adequate off street parking, close enough to encourage pedestrian traffic, should be present. When the amount of on-site parking is not sufficient, means should be found to secure additional convenient off-street parking space.
- d. High priority shall be given to maintaining traffic safety and a safe circulation pattern.
- e. Adequate water supplies and sewage treatment facilities shall be required. Certain commercial developments may need to provide on-site secondary level treatment of the generated sewage or connect to an existing sewage treatment plant depending on the amount of sewage generated and the density of development.

Since mini-storage facilities are proposed to only be allowed by ICC 18.44 Central Business as a conditional use, the standards per LU-3.9 can be applied as conditions of approval and with these conditions the mini-storage use will be consistent with the General Plan.

Zoning Ordinance Consistency

Zone Text Amendment 2018-01 is consistent with the ICC as allowing for mini-storage facilities as a conditional use will require discretionary approvals by the Inyo County Planning Commission that results in the ability to condition future projects in a way that will cause them to be consistent with the requirements of the Central Business zone.

Development Standards

Staff proposes no changes to the existing development standards in the Central Business Zone. These standards are appropriate for new commercial development and the ability to condition mini-storage facilities during the conditional use permit process will cause any future development of them to be consistent with the intended design of the Central Business Zone.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by the General Rule 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This project is a proposal to allow for mini-storage facilities as a conditional use in the Central Business zone and includes no development proposal. Projects subsequent to this ordinance will require discretionary approval and therefore will be required to include a CEQA evaluation at the time of development.

PLANNING COMMISSION RESOLUTION:

The Planning Commission reviewed the proposal at its regular May 23, 2018 meeting, and unanimously adopted a Resolution recommending that the Board of Supervisors approval. No substantive issues were raised.

ALTERNATIVES:

- Do NOT approve the requested actions.
- Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

Incremental costs will be incurred to implement the ordinance, which are expected to be minimal and can be absorbed by existing resources.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 6/1/15

Attachments:

- Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, ADDING SECTION 18.06.381 AND SUBSECTION 18.44.030.K TO THE INYO COUNTY CODE REGARDING MINI-STORAGE FACILITIES IN THE CENTRAL BUSINESS ZONE

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION ONE. Section 18.06.381 is added to the Inyo County Code to read as follows:

“18.06.381 “Mini-storage facility” or self-storage, means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who shall have access to such facility for the purpose of storing and removing personal property. Outdoor storage is not included as a mini-storage use.”

SECTION TWO. Section 18.44.030 Central Business – Conditional Uses, is amended to add subsection K as follows:

“K. Mini-storage facilities.”

SECTION THREE. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION FOUR. Effective date.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption thereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124(b). The Clerk of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board voting for and against same.

PASSED AND ADOPTED this 12th day of June, 2018 by the following vote of the Inyo County Board of Supervisors:

AYES:
NOES:
ABSTAIN:
ABSENT:

Dan Totheroh, Chairperson

ATTEST: Kevin Carunchio
Clerk to the Board

By: _____
Darcy Ellis, Assistant