COUNTY OF YORK
MEMORANDUM

DATE: June 27, 2006 (BOS Mtg. 7/18/06)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. ZT102-06, York County Board of Supervisors: Proposed amendments to Chapter 24.1, Zoning, to Address Location of Mini-Warehouses, Dumpster Screening Requirements and Private Automobile Displays/Sales

Issue

This application proposes changes to the following section of the York County Zoning Ordinance (Chapter 24.1, York County Code):

- 24.1-106. Definitions: to establish a distinction between single-story and multi-story mini-storage warehouses;
- 24.1-306. Table of Land Uses: to eliminate opportunities for single-story mini-warehouses in the GB District, to allow multi-story mini-warehouses in the GB district by Special Use Permit, and to allow both types as a matter of right in the IL and IG Districts;
- 24.1-483 and 484. Standards for warehousing and min-storage warehouses: to establish special performance standards for multi-story mini-warehouses in GB Districts to include architectural materials and treatments and to require at least 80% of the ground floor level to be used for office or retail space not related to the mini-warehouse operation.
- 24.1-606(n). Off-street parking requirements: to reduce the off-street parking requirement for mini-warehouses.
- 24.1-261. Public service facility standards. to require that dumpsters be screened on all four (4) sides
- 24.1-608 (new section). Parking for certain purposes permitted and prohibited: to establish provisions prohibiting private vehicles parked on a public right of way from being advertised with signage for sale or rent, and to define the conditions under which private vehicles may be parked/displayed on private property and advertised with signage for sale or rent. The provisions do not apply to authorized motor vehicle dealers' business properties.

Considerations

A. Mini-storage warehouses

1. At the Board of Supervisors' February 2006 Retreat there was considerable dis-

cussion about permissible locations for mini-warehouse facilities and a consensus that certain changes should be considered. Specifically, the discussion suggested that the two Industrial zoning districts (IL and IG) are the most appropriate locations for such facilities, whereas, the GB-General Business district is not. The Board's primary concern, and one that has been discussed by both the Planning Commission and Board in connection with virtually all previous special use permit applications involving mini-storage warehouses, is whether such uses are an appropriate use of the County's limited supply of highly visible commercial parcels. Given that mini-storage warehouse facilities are generally considered to be "destination" establishments, it is staff's opinion that the need for visibility from heavily traveled commercial corridors is less than that of "impulse" or "convenience" establishments.

2. During the Board's discussions it was suggested that the GB District could be an appropriate location for internally accessed, multi-story self-storage facilities where the majority of the first floor space is devoted to commercial or office uses. Such arrangements would ensure that warehousing space does not displace the commercial development potential of a GB-zoned parcel (at least the first-floor footprint of a parcel). As the Board will recall, this was the type of arrangement recently approved by Special Use Permit for a site at the intersection of Coventry Boulevard and Route 17.

3. Based on this discussion, the attached draft amendments would create two distinct types of mini-warehouse facilities – *single-story* and *multi-story* – and eliminate the opportunity for locating single-story facilities in the GB District. Multi-story facilities would be permitted in the GB District by Special Use Permit provided that at least 80% of the ground floor area is devoted to retail or office uses not associated with the warehousing operation. The 20% allowance for warehouse-related functions is intended to accommodate the manager's office as well as the entrance corridors, steps and freight elevators needed for access to the upper level storage units. Either type of facility (single- or multi-story) would be permitted as a matter-of-right in both Industrial Districts (IL and IG), thus encouraging those locations because of the easier approval process.

4. To ensure that any such facilities proposed for location in a GB District are architecturally attractive, the amendments would require compliance with the architectural performance standards contained in the Route 17 Corridor Overlay District – even if located on another GB corridor. Also proposed is a condition addressing the permissible number and location of entrance/exit doors for multi-story facilities, including a prohibition of warehouse entrance doors facing a public street.

5. The proposed amendments also recommend changes in the off-street parking requirements for mini-warehouses. The Zoning Ordinance currently requires 1.5 spaces for every ten (10) cubicles, plus two (2) spaces for the manager's office/quarters. The various single-story mini-warehouse complexes developed in the County have complied with this requirement without difficulty since parking

spaces could be accommodated along/within the drive aisles between the rows of buildings. However, the multi-story facility proposed at the Coventry Boulevard intersection has called into question the appropriateness of the current standard which, in the case of that facility, would require a parking lot with a minimum of 66 spaces. Both staff and the prospective developer agreed that a parking lot of that size would exceed the expected demand.

According to an industry-accepted reference, *Parking Generation (3rd Edition)*, weekday parking demand at mini-storage warehouse facilities is 0.139 vehicles per 10 cubicles while a parking study submitted by the prospective "Coventry Corner" developer indicates an *observed* demand at an existing Hampton Roads area climate-controlled facility of 0.48 spaces per 10 units. In comparison, the existing York County standard is ten (10) times greater than the *Parking Generation* figure and three (3) times greater than the *observed* condition, thus suggesting that a reduction is appropriate. Using the more conservative of these two benchmarks, staff recommends that the County standard be adjusted to require 1 space for every 20 storage cubicles (equivalent to 0.48 per 10 units), plus two (2) spaces for the manager's quarters, plus two (2) spaces for the facility's business office.

B. Dumpster Screening

1. As the Board may recall, the provisions requiring screening of dumpsters and trash receptacles were amended several years ago to require a gate on the fourth side of a dumpster enclosure, but only if necessary to obscure views from public rights-of-way. However, that change did not ensure that unsightly dumpsters would be screened from the view of residents or patrons internal to a development. The proposal sponsored for consideration by the Board would require screening by wooden or masonry fencing, supplemented by landscaping, to obscure all views of the dumpster by patrons or the general public, whether from on- or off-site.

2. This provision will necessitate the installation of gates (i.e., a four-sided enclosure) for all dumpster enclosures unless they are located in some sort of a service court that is not visible to patrons or the general public. Although this change will add slightly to site development costs, it will greatly enhance site aesthetics, particularly on development sites where the dumpster must be placed in a conspicuous parking lot or drive aisle location in order to be accessible by the collection vehicles.

C. Parking/Display of Privately-owned Vehicles "For Sale"

1. As the Board is aware, vacant properties, unused parking lots and various other locations in the County often become weekend "vehicle sales lots" with one or more private vehicles parked with a "For Sale" sign displayed in the window(s). This type of activity tends to detract from the appearance of the County's commercial corridors and residential areas and represents a constant and troublesome enforcement issue for the County's Zoning and Code Enforcement staff. Recognizing the

detrimental impacts that such activities can have on the appearance of the County, and the fact that the rules currently being enforced are drawn from several sections of the Zoning Ordinance, none of which provide clear guidance to the public or the staff, the Board has sponsored the attached proposal to create a new Section 24.1-608.

2. The proposed language would define the circumstances and conditions under which vehicles could be "displayed" and identified for sale on properties that have *not* been authorized as *automobile dealerships*. It essentially affirms the position currently being enforced – i.e., displaying and signing a vehicle "For Sale" on someone else's property or on a public right-of-way is considered to be an "automobile sales" facility and such facilities are authorized only in certain zoning districts and only after a formal approval process (Special Use Permit and/or site plan). Conversely, it recognizes that the owner of a developed property (not a vacant lot) should have the right to park and display "For Sale" a vehicle that he/she owns on his/her property as an incidental/accessory use – without being considered an automobile sales facility.

3. For commercial and industrial properties, past practice and interpretations have allowed incidental sales of a property owner's vehicles to occur as long as not more than five (5) vehicles are sold in any single calendar year (since exceeding that number is the threshold for obtaining an "automobile dealers" license from the state). The proposed language affirms this practice; however, it proposes that the number of vehicles "displayed" at the same time be limited to two (2) in the case of commercial/industrial property. In the case of residential property, the draft provisions limit displays to one (1) vehicle at a time and, to further protect the appearance and character of residential areas, not more than two (2) vehicles would be allowed to be sold in any single calendar year from a residential property.

4. Additional "performance standards" and other recommendations related to this type of activity would:
   - require that vehicles be parked/displayed on a paved or graveled area and that they not be parked on grassed or landscaped areas of the site;
   - establish standards pertaining to size and placement of "for sale" signs; and
   - stipulate that violations of the requirements would be enforceable against the property owner as well as the owner of the vehicle.

Planning Commission Recommendation

The Planning Commission considered this application at its meeting on June 14, 2006. Subsequent to conducting a duly advertised public hearing, at which there were no speakers, the Commission voted 6:0 to recommend approval of the proposed amendments.

County Administrator's Recommendation

Staff believes that the proposed text amendments are consistent with good zoning prac-

tice and with the Board's objectives for improvement of the character and appearance of the County, particularly its commercial corridors. Accordingly, I recommend that the Board of Supervisors approve the proposed amendments. This may be accomplished through the adoption of proposed Ordinance No. 06-19.

Carter/3337:jmc
Attachments:

- Excerpt, Planning Commission Minutes, June 14, 2006 Meeting
- Proposed Ordinance No. 06-19