



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Nicole Mardell, AICP, Senior Planner
Will Groves, Planning Manager

DATE: June 6, 2024

SUBJECT: Public Hearing: Mini-Storage in MUA-10 Zone Adjacent to Hwy 20

The Planning Commission will conduct a public hearing to gather testimony on this proposal on June 13, 2024, at 5:30 pm in the Barnes and Sawyer Rooms, 1300 NW Wall Street, Bend or virtually via zoom. The proposal is an applicant-initiated text amendment to allow mini-storage as a conditional use on certain MUA-10 properties adjacent to State Highway 20 (file no. 247-24-000044-TA).

All record materials and information on how to participate in the hearing can be found on the project website: www.deschutes.org/Hwy20Storage

I. BACKGROUND

In January 2024, the applicant Eastside Bend LLC applied for a legislative amendment related to mini-storage in the Multiple Use Agricultural – 10 Acre Minimum (MUA-10) zone. The proposed amendments would add self-storage as a conditional use in the zone, if the following siting criteria are met:

- The property is at least 10 acres in size and no greater than 35 acres in size (multiple contiguous parcels may be considered in the aggregate to meet the requirements of this section);
- Adjacent to U.S. Hwy 20; and
- Within 2,500 feet of an urban growth boundary (UGB).

In addition to these siting criteria, the applicant is proposing mini-storage as a conditional use in the zone, which includes additional requirements such as standards for landscaping and outdoor lighting. These conditions are discussed in greater detail below.

II. PROPOSAL

Staff has provided the applicant's proposed amendments to DCC Sections 18.32 in Attachment A. The applicant has provided findings included as Attachment B, which summarize the amendments and provides analysis of the Statewide Planning Goals, applicable policies of the Deschutes County Comprehensive Plan, and relevant state law.

Staff has identified three properties on the east side of Bend's UGB that would be eligible for the amendments based on the siting criteria provided by the applicant (Attachment C), although the criteria could allow for additional properties to be eligible if properties are consolidated or reconfigured, rezoned to MUA-10, or if the UGB were to expand.

III. MINI-STORAGE IN OTHER ZONES

Mini-storage is defined in the Deschutes County Code as "*commercial development of multiple storage units for rental to the public*".¹ The table below summarizes the existing zones in which the use is allowed and related siting standards or requirements. The specific code requirements are included as attachment D.

Zone	Standards / Requirements
Terrebonne Commercial (TeC)	Conditional use, limited to buildings not exceeding 4,000 square feet of floor space with no exterior displays or storage of industrial equipment, vehicles, or products.
Terrebonne Commercial – Rural (TeCR)	Conditional use, limited to buildings not exceeding 10,000 square feet of floor space. Additional compatibility, traffic, and parking requirements.
Tumalo Industrial (Tul)	Allowed subject to site plan review, not to exceed 40,000 square feet of floor area. 50-foot setback from residential properties. Maximum 45-foot height adjacent to residential properties. Design and compatibility criteria.
Sunriver Business Park (SUBP)	Conditional use, limited to buildings not exceeding 20,000 square feet of floor area. Additional limitations related to traffic and screening. Additional setbacks required when adjacent to residential uses.
Rural Commercial (RC)	Conditional use, limited to 2,500 square feet in Spring River, 35,000 square feet in other RC zoned areas. Additional setbacks required when adjacent to farm and forest land.
Rural Industrial (RI)	Conditional use, limited to 7,500 square feet. Requirements related to traffic, parking, ingress/egress, screening, hours of operation. Additional setbacks required when adjacent to residential uses.

¹ 18.04 Definitions

With the exception of the Tumalo Industrial zone, mini-storage is generally allowed through a conditional use permit in Deschutes County. Although each zone applies specific standards, the following are required for all mini-storage facilities allowed conditionally.

Deschutes County Code – Title 18 County Zoning

Chapter 18.128 Conditional Use

18.128.300 Mini-Storage Facility

- A. *Each individual space for rent or sale shall be less than 1,000 square feet.*
- B. *Mini-storage shall be limited to dead storage. Outside storage shall be limited to boats, recreational vehicles and similar vehicles placed within designated spaces on an all-weather surfaced area which is surrounded by a sight-obscuring fence at least six feet in height.*
- C. *Yards shall be permanently landscaped.*
- D. *Yard dimensions adjacent to residential zones shall be the same as required yards within the residential zone.*
- E. *Parking shall be provided for office space associated with the mini-storage facility at one (1) space for every 300 square feet of office space. A minimum of two (2) parking spaces shall be provided for all mini-storage facilities regardless of office size.*
- F. *All structures shall be fenced and visually screened.*
- G. *Traffic lanes shall be 12 feet wide with an additional 10-foot parking lane, except where the traffic lane does not serve the storage units. All areas provided for vehicle access, parking and movement shall be improved to minimum public road standards.*
- H. *A residence for a caretaker or 24-hour on-site manager is permitted.*
- I. *There shall be only one access from each adjacent street.*
- J. *Outside lighting, including shading to prevent glare on adjacent properties, may be required for safety and security purposes.*

The criteria above are focused on ingress, egress, characteristics of the use, and screening. General standards pertaining to conditional uses also require the proposal to demonstrate that the site is suitable for the proposed use and compatible with existing and projected uses on surrounding properties.

IV. PLANNING COMMISSION WORK SESSION

The Planning Commission held a work session on May 23, 2024². Commissioners requested the applicant address the following questions during their public hearing presentation:

- Is the applicant interested in adding an additional criterion to the proposal requiring granting of trail easements for planned trails or parks, as requested by Bend Parks and Recreation Department?
- Why did the applicant pursue a text amendment instead of rezoning property to RI or RC in which mini-storage is already conditionally permitted?

² <https://www.deschutes.org/bc-pc/page/planning-commission-48>

- How many properties on the eligibility map are owned by the applicant?
- What is the vacancy rate for existing mini-storage in Deschutes County? Could the applicant provide some statistics or market data discussing the need for additional units in Deschutes County or near City of Bend?
- What is the maximum build out scenario for mini-storage under these criteria? Maximum number of units or dead storage (RVs/Boats/etc.) that could be placed on the eligible properties?
- Could the applicant clarify how the use is rural in nature when unincorporated community districts have more extensive criteria to regulate the use as part of Goal 14 compliance? E.g. square footage limitations, additional setbacks from residential properties, traffic and parking requirements.
- Why were the specific criteria chosen – the parcel sizes, location along Hwy 20, and the proximity to the UGB? Why not expand the criteria to include other properties?
- Does the applicant have any concerns with limiting access to one street as part of this process as currently required by 18.128.300(I) or any desire to expand scope to revise any of the existing conditional use criteria for mini-storage?
- How do other jurisdictions regulate mini-storage in residential zones?
- How will visual impacts from Highway 20 / neighboring properties be mitigated?

Staff has shared these questions with the applicant team, and they will address them during the public hearing.

V. AGENCY AND PUBLIC COMMENTS

As of the date of this memo, two agency comments have been received. ODOT did not provide comments on the text amendment, but recommended the applicant coordinate with ODOT on access if the proposal moves forward to a specific development project. Bend Parks and Recreation requested an additional criterion be added to require the granting of easements for mapped park and trail projects on properties eligible for the proposed amendments.

One public comment was received expressing concern that the use is urban in nature and will draw customers from within the adjacent City of Bend UGB, potentially fouling statewide land use Goals 2 – Land Use Planning and 14 – Urbanization.

VI. NEXT STEPS

At the conclusion of the public hearing, the Planning Commission may:

- Continue the hearing to a date certain;

- Close the hearing and leave the written record open to a date certain;
- Close the hearing and set a date for deliberations; or
- Close the hearing and commence deliberations.

Attachments:

- A. Proposed Text Amendments – DCC Chapters 18.32
- B. Proposed Findings
- C. Eligible Property Map
- D. Code Excerpts – Existing Requirements for Mini-Storage in Specific Zones