

Note: Chairman Owens declared a brief recess at 3:40 p.m. The meeting reconvened at 3:45 p.m. Mr. Brewer left the meeting at this time.

C. FULL PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **ZOTA 2013-4: VEHICLE REPAIR ACCESSORY TO A RESIDENTIAL USE** – petition for a Zoning Ordinance text amendment to clarify regulations related to vehicle repair accessory to residential uses.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: Note: Underlined text below indicates an addition, and ~~stricken through~~ text indicated a deletion to the current Zoning Ordinance.

ARTICLE 1-11: Definitions

AUTOMOBILE AND TRUCK REPAIR, MAJOR - Rebuilding or reconditioning of engines or transmissions, vehicles or trailers; repair and collision service, such as body, frame, or fender straightening; painting and clear coating; upholstery; auto glass work, and the like.

AUTOMOBILE AND TRUCK REPAIR, MINOR - Minor repairs and routine maintenance, including oil and filter change ~~auto inspection lanes~~, lubrication, engine tune-up, troubleshooting adjusting and replacement of lights, and brakes, and other prepackaged components, and tire rotation or replacement; but not including any operation specified under "Automobile and Truck Repair, Major."

ARTICLE 3: GENERAL REGULATIONS

3-8 General Regulations for Vehicle Repairs Accessory to a Residential Use

- a. Vehicles being repaired shall be parked/stored on a paved surface or on a permitted or legally non-conforming gravel surface if a paved surface is not available.
- b. Major repairs shall be confined to the interior of a garage or other enclosed building, and shall not include any finish painting or clear coating operations.
- c. At outdoor locations, including any unenclosed structure such as a carport, only minor repairs are allowed. Only one vehicle per dwelling at an outdoor location can be under repair at any given time, and repairs must be completed within three days.
- d. Repairs are only allowed on vehicles that are registered to an occupant of the dwelling on the subject property.
- e. Repairs may not be conducted as a business or as part of a commercial operation of any kind.
- f. All waste oil and fluids shall be recycled or disposed of at an approved off-site location in compliance with local, state and federal environmental regulations. Auto parts and tires shall be recycled or disposed of in accordance with current LFUCG Division of Waste Management guidelines and in compliance with local, state and federal environmental regulations.

ARTICLE 8: SCHEDULE OF ZONES

8-1 AGRICULTURAL RURAL (A-R) ZONE

8-1(e) Prohibited Uses

11. Major or minor automobile and truck repair, except as permitted by Article 3-8.

8-2 AGRICULTURAL BUFFER (A-B) ZONE

8-2(e) Prohibited Uses

11. Major or minor automobile and truck repair, except as permitted by Article 3-8.

8-3 AGRICULTURAL NATURAL (A-N) ZONE

8-3(e) Prohibited Uses

11. Major or minor automobile and truck repair, except as permitted by Article 3-8.

The Zoning Committee Recommended: Approval, for the reasons provided by staff.

The Staff Recommended: Approval, for the following reasons:

1. This is a timely amendment to the Zoning Ordinance that is needed in order to improve Zoning Enforcement efforts related to disturbances from vehicle repairs that are taking place in residential areas. By providing specific provisions

* - Denotes date by which Commission must either approve or disapprove request.

relating to allowable non-commercial vehicle repairs, enforcement will be much more efficient, and staff will be able to respond appropriately to diverse situations.

- 2. The proposed amendment will establish, for the first time, specific criteria that clarify what type of vehicle repairs can be conducted for private purposes at residential properties. This will accommodate a reasonable need and, at the same time, allow enforcement to focus on more disturbing activities that often involve repairs of a business nature.

Staff Presentation: Mr. Marx presented the staff report, stating that the Zoning Enforcement section needed to establish criteria to regulate what types of vehicle repairs could be undertaken accessory to a residential use for private purposes. He said that, under the proposed text amendment, major auto repairs would be allowed only in the interior of a building. At outdoor locations, only one vehicle could be repaired at a time, and could be on site for only a limited duration of time. Mr. Marx stated that, in the staff's opinion, the most important element of this proposed text amendment would require that auto repairs could only be performed by the actual occupants of the residence.

Mr. Marx stated that one of the Zoning Enforcement staff's biggest problems with the enforcement of vehicle repairs was proving that the operation was a business. He said that it was really difficult to document in such instances that money had changed hands. The proposed text would eliminate the need to prove whether the auto repairs were for business or private purposes.

Mr. Marx said that the Zoning Committee had recommended approval of this request.

Citizen Comment: There were no citizens present to comment on this request.

Action: A motion was made by Ms. Plumlee, seconded by Ms. Mundy, and carried 10-0 (Brewer absent) to approve ZOTA 2013-4, for the reasons provided by staff.

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