

III.B

**Memorandum
Department of Planning**

To: Planning and Public Works Committee

From: Justin Wyse, Director of Planning

JW

CC: Annisa Kumerow, Planner

Date: September 10, 2020

RE: Automobile Use Definitions



Summary

Staff was recently approached about a motorcycle dealership in the Chesterfield Valley. Staff reviewed the Use Table within the Unified Development Code (UDC) and associated definitions. As part of that process, Ms. Annisa Kumerow, Planner began researching the code terminology, including items defined under the term “automobile” and the districts in which automobile sales (including motorcycles, ATV’s, RV’s and similar vehicles) are permitted. See the attached memorandum from Ms. Kumerow regarding this discussion.

Action Recommended

Prior to commencement of more detailed analysis by Staff and forwarding the item to the Planning Commission for discussion, this item should be forwarded to the Planning and Public Works Committee for direction in reviewing the definition and associated districts (e.g. Planned Commercial, Planned Industrial) where the various uses may be requested as part of a planned district ordinance. If direction is received to move forward with the evaluation, a Public Hearing will be held before the Planning Commission allowing interested parties to have input into the proposal and the Planning Commission will provide a formal recommendation (if any) on proposed changes to the City Council. The changes would then be reviewed by the Planning and Public Works Committee and then forwarded for two readings at City Council.

Please forward to PPW for review and direction

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Department of Planning

M E M O

DATE: September 2, 2020
TO: Justin Wyse, Director of Planning
FROM: Annisa Kumerow, Planner **AK**
RE: Automobile Use Definition

Summary

The Department of Planning has received an inquiry into the definition of the term automobile and the applicability of the automobile dealership use within the Unified Development Code, specifically as to how these terms relate to motorcycles and the permissibility of the automobile dealership use within the “PI” Planned Industrial District.

The Unified Development Code defines automobiles as “passenger cars, motorcycles, vans, pickup trucks, boats, and recreational vehicles.” Automobile dealership is defined as “a retail business primarily housed in a structure and characterized by a mixture of related uses upon a commercial site; however, the principal use of the site shall be the marketing of new or used automobiles, whether by sale, rent, lease, or other commercial or financial means.” The definition of the automobile dealership use is broad and consolidates vehicle categories that may be better served by separate definitions. The definition also includes some vehicle categories that already have separately defined use terms per the Unified Development Code, such as boat storage, charter, repair, and sale.

Furthermore, prior to 2009, the City of Chesterfield Zoning Ordinance permitted “sales, rental, and leasing of new and used vehicles, including automobiles” within the “PI” Planned Industrial District. With the adoption of the Unified Development Code in 2009, the current automobile dealership use was established and permitted solely in the “PC” Planned Commercial District. There are existing automobile dealerships within the “PI” Planned Industrial District that permitted the “sales, rental, and leasing of new and used vehicles” use prior to the adoption of the Unified Development Code in 2009.

Therefore, there is a question as to whether or not the definition of the automobile use should be subdivided into separate use terms for different vehicle categories; and furthermore, if the sale of any of the vehicle categories should be permissible within the "PI" Planned Industrial District.