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Planning Commission Staff Report

Meeting Date: October 12, 2020
From: Annisa Kumerow, Planner **AK**
Project: Automobile Dealership Discussion

SUMMARY

At the direction of the Planning & Public Works Committee at its September 10th, 2020 meeting, Staff has further reviewed the definitions of the term automobile and the automobile dealership use, as well as the districts in which the uses are permitted.

Outlined in this memo is an overview of the automobile terminology and proposed code amendment options for the Planning Commission's consideration. The proposed options address the following questions:

- Should the automobile dealership use be subdivided into separate use terms for the sale of different vehicle categories?
- Should the sale of any vehicle category be permissible within the "PI" Planned Industrial District?

If the Planning Commission moves forward to amend the Unified Development Code, a Public Hearing will be held before the Planning Commission allowing interested parties to provide input into the proposal, and the Planning Commission will provide a formal recommendation (if any) on the 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.

STAFF ANALYSIS

Definitions:

The Unified Development Code defines both automobiles and automobile dealerships.

Automobiles: "Passenger cars, motorcycles, vans, pickup trucks, boats, and recreational vehicles."

Automobile dealership: “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. Currently, the automobile dealership use includes the sale of all vehicles defined under the term automobile. However, the vehicle categories defined under automobile are distinguishable from one another; the built form of a car dealership may differ from a motorcycle dealership or RV dealership.

The definition of automobile dealership also includes some vehicle categories that already have separately defined use terms per the Unified Development Code. For instance, boat (and marine supply) storage, charter, repair, sale is a separate use per the UDC, but boats are also classified under the term automobile; therefore, the sale of boats may be construed as an automobile dealership per code.

Permitted Districts:

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 was omitted from permissible uses in the “PI” Planned Industrial District and solely permitted in the “PC” Planned Commercial District. Staff has researched the omission of the current automobile dealership use from the “PI” Planned Industrial District and has found no indication that the omission was intentional.

Although the use is no longer permitted in new Planned Industrial Districts, there are existing automobile dealerships located within existing “PI” Planned Industrial Districts that permit the “sales, rental, and leasing of new and used vehicles” given they were zoned prior to the adoption of the Unified Development Code in 2009 when it was a legally permitted use.

As previously mentioned in the discussion of the automobile dealership above, vehicle categories may differ from each other in terms of form, function, and design. Based on these criteria, the sale of a vehicle category may be more suitable in a “PC” Planned Commercial District than in a “PI” Planned Industrial District, or vice versa. For example, a passenger car dealership may have a large quantity of surface parking, whereas a motorcycle dealership may have limited outdoor display and a more expansive indoor display.

Automobile Classification in Surrounding Municipalities

As part of the review process, Staff reached out to nearby municipalities for information regarding how they classify different categories of vehicle sales. On the following page is a summary table outlining the classifications. Of the eight municipalities examined, four municipalities differentiate automobile dealership uses based on the category of vehicle sold. Several municipalities have developed their definitions of automobile dealership uses based on

the North American Industry Classification System (NAICS) codes, which distinguish motorcycle and ATV dealerships from passenger car dealerships.

Automobile Dealership Classification in Surrounding Municipalities		
Municipality	Separate uses	Use terms
Ballwin	No	Sales of new motor driven vehicles, recreational vehicles, and trailers and utility trailers
Crestwood	Yes	<ul style="list-style-type: none"> • Automobile dealers • Other motor vehicle dealers
Creve Coeur	Yes	<ul style="list-style-type: none"> • Car dealers • Recreational vehicle dealers • Boat dealers • Motorcycle, ATV, and all other
Ellisville	Yes	<ul style="list-style-type: none"> • Motor vehicle sales • Used motor vehicle sales
Kirkwood	Yes	<ul style="list-style-type: none"> • Motor vehicle and other vehicle rental facilities • RV sales or rentals • Trailer sales or rentals
Maryland Heights	No	Automobile sales
St. Charles	No	Motor vehicle sales and rentals, new and used and temporary motor vehicle storage
Webster Groves	No	Automobile dealership

OTHER CONSIDERATIONS:

Besides the initial questions posed at the onset of this memo, there are several other considerations to take into account. It is important to note that other municipalities may have more or less restrictive conditions imposed upon their automobile dealership uses, and possess characteristics as a city that differentiate them from the City of Chesterfield. For instance, in the City of Chesterfield, the majority of commercial districts are planned, meaning that the development criteria and permitted uses for planned districts are specified in the governing site-

specific ordinance. Other municipalities tend to incorporate more conventional zoning where uses are allowed by right, or with approval of a Conditional Use Permit.

It is also worth noting that there are indications that the automobile industry is constantly changing. Interest in alternatives to passenger cars, such as alternative energy vehicles and motorcycles, could lead to increased demand for dealerships selling those vehicles, which are often boutique-style and smaller in footprint, in contrast to passenger car dealerships.

RECOMMENDATION

There are several proposed code amendment options for the Planning Commission's consideration listed below. The proposed options address the potential subdivision of the automobile dealership use into separate use terms for the sale of different vehicle categories, as well as where automobile dealership uses may be permitted.

Automobile Dealership Use (Definition) Options

- **Option 1:** *Refine the definition of automobile dealership to create several new definitions for each category of vehicle.*
"Automobile dealership" would include the sale of new and used passenger cars, vans, light trucks, and sport utility vehicles. "Motorcycle, ATV, and all other motor vehicle dealers" would include vehicles such as motorcycles, mopeds, golf carts, and personal watercrafts. "Recreational vehicle dealers" would include motor homes and travel trailers.
- **Option 2:** *Revise the definition of the term automobile only as needed for consistency.*
This would remove "boats" from the definition of the term automobile, thereby making the automobile dealership use inapplicable to boats, as boats are presently categorized under a separate use term.

Automobile Dealership Use (Permissible Districts) Options

- **Option 1:** *Permit the sale of certain vehicle categories in the "PI" Planned Industrial District.*
- **Option 2:** *Permit the sale of all automobiles solely in the "PC" Planned Commercial District.*

Staff Recommendation

Staff recommends that the definition of automobile dealership be refined to create several new definitions for each category of vehicle. Passenger car dealerships differ from other vehicle categories in several aspects. Automobile dealerships that sell passenger cars tend to have associated service centers and a large quantity of surface parking. By contrast, motorcycle and ATV dealerships generally tend to have a smaller footprint with some portion of vehicle storage placed within the structure. Therefore, their parking demand is lower based on the smaller footprint of the building.

Furthermore, Staff recommends that the sale of certain vehicle categories be considered for the "PI" Planned Industrial District. "PI" Planned Industrial Districts are primarily located in the

western portion of the Chesterfield Valley, in and around the Spirit of St. Louis Airport. While these properties lack the arterial visibility and lot size that passenger car dealerships prefer, they may be more suitable for the sale of vehicles with different visibility and footprint needs.

NEXT STEPS

Should the Planning Commission desire to amend the Unified Development Code to include modifications to the automobile dealership use, a Public Hearing will be held before the Planning Commission allowing interested parties to provide input into the proposal, and the Planning Commission will provide a formal recommendation (if any) on the 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.