



PREPARED FOR THE PLAN COMMISSION

**Proposal:** Zoning Text Amendment

**Legistar File ID #:** [63860](#) (Live-work in certain Downtown districts), [63905](#) (Chicken keeping at neighborhood community centers), [63968](#) (outdoor vacuums at car wash uses)

**Prepared By:** Planning and Zoning Staff

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[63860](#) – This amendment adds the use *Live-work Unit* to the *Residential Family Living* use category for the DC, UMX and UOR zoning districts.

A live-work unit is defined as: *A dwelling unit in combination with a shop, office, studio, or other work space within a mixed-use building, where the resident occupant both lives and works.* The allowable building forms section for the Downtown and Urban Zoning districts allows for the live-work building form. An inadvertent omission when the Downtown and Urban districts were originally drafted appears to be the reason why this use was not included in the ordinance.

Staff supports this amendment.

[63905](#) - This amendment adds *Recreation, Community or Neighborhood Centers* to the list of places that may keep Chickens as an Accessory Use. The current list includes museums, schools, day care centers, and residential uses with up to four dwelling units. Language is added to the Supplemental Regulations to include *Recreation, Community or Neighborhood Centers*. The Supplemental Regulations for the keeping of chickens follows:

*Sec 28.151, Keeping of Chickens.*

- a) *Keeping of up to four (4) chickens is allowed as an accessory use on lots with up to four (4) dwelling units.*
- b) *Keeping of up to six (6) chickens is allowed as an accessory use to a museum or school or day care center.*
- c) *Keeping of roosters is prohibited.*
- d) *Slaughter of chickens is prohibited on site.*
- e) *The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.*
- f) *The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.*
- g) *The owner, operator or tenant must obtain a license under [Sec. 9.52](#), MGO.*
- h) *The applicant for the license must notify all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.*

Staff supports this amendment.

[63968](#) –This amendment would allow vacuuming equipment at stand-alone car wash facilities, equal to how such equipment is permissible at Car Wash facilities often found at *Auto Service Station, Convenience Store* establishments.

Car Wash uses are permissible in some of the Commercial and Mixed use Districts and Employment Districts, within the *Automobile Services* use group, as Conditional Uses. Car Wash uses are either typically stand-alone full-service establishments with employees or automated drive-through style facilities that are typically accessory to *Auto Service Station, Convenience Store* establishments. The City has recently approved a few instances of automated-style stand-alone car wash establishments, who wish to install outdoor vacuums for customer use.

Car wash uses that are located on lots with *Auto Service Station, Convenience Store* establishments may place vacuums outside, a minimum of 50' from a residence district, where stand-alone car wash facilities must only place vacuuming equipment inside enclosed buildings (doors being open when in operation is permissible). The amendment allows vacuum equipment be placed the building envelope and rear yard area, and requires the equipment to be located more than 50' from a residential zoning district. Noise regulations in MGO 24.08 also apply, regardless of distance to the property line. The Supplemental Regulations for car wash facilities follows:

Car Wash.

- a) *The car wash shall be completely enclosed when not in operation.*
- b) *Any access drive shall be located at least thirty (30) feet from any public street intersection, measured from the interior curb line commencing at the intersection of the street.*
- c) *Any car wash line exit shall be at least thirty (30) feet from any street line.*
- d) *The car wash shall be screened along all property lines with a minimum six-foot high (6) masonry or decorative wood fence. Along any property line that abuts a residential zoning district, an additional planted area shall be provided, with a minimum width of eight feet and planted with a minimum of one shade tree per fifty (50) linear feet and one shrub per four (4) linear feet.*
- e) *Sound from any speakers used on the premises shall not be audible at the boundary of any surrounding residential district or on any residential property.*
- f) *Water from the carwash shall not drain across any sidewalk or into a public right-of-way.*

Staff supports this amendment.