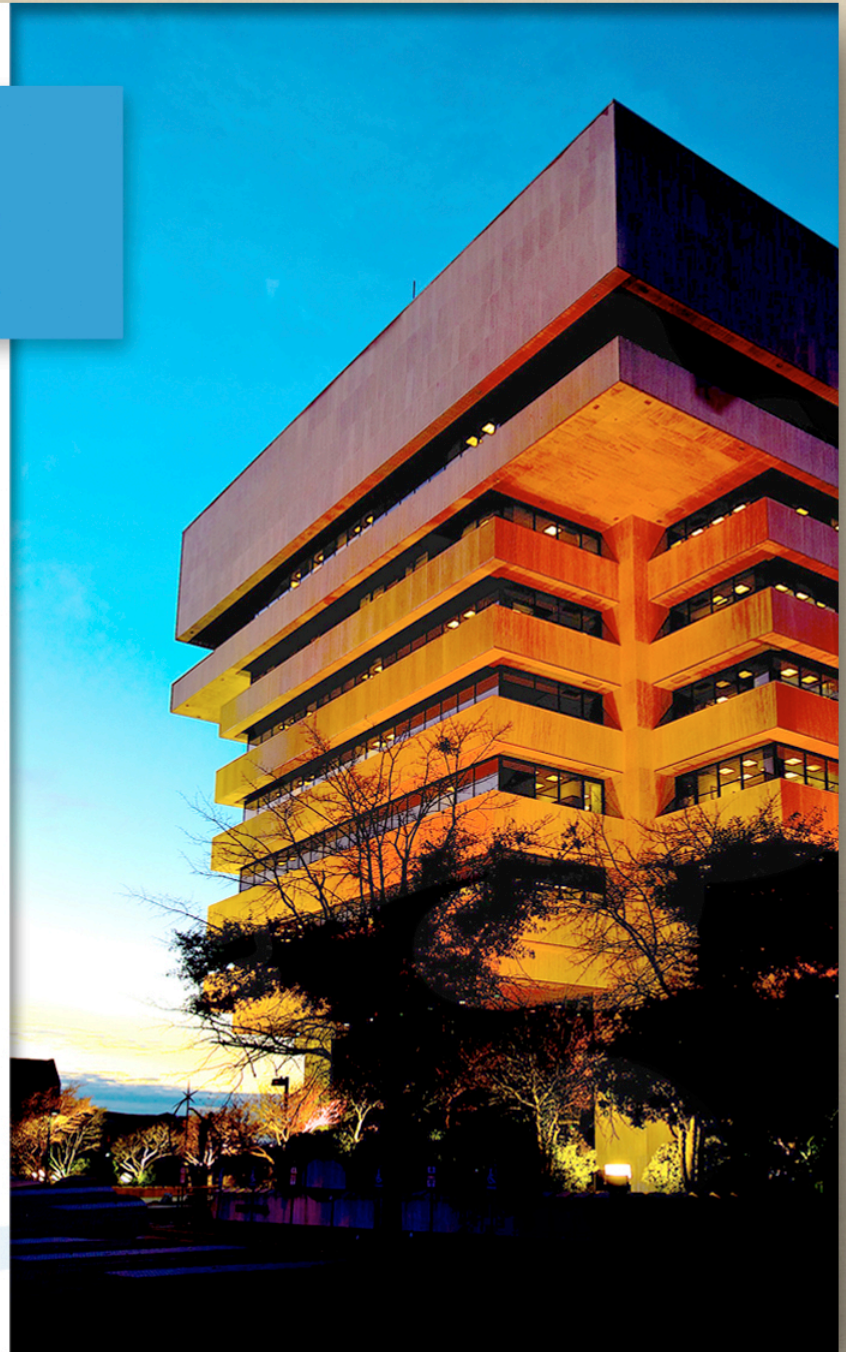


# HAMPTON VA

Items #20-0288, #20-0289, #20-0290

## Vehicle Uses

City Council  
October 14, 2020



# Amendments

## City Code

#20-0290 Inoperable Vehicles

## Zoning Ordinance


#20-0288 Definitions

#20-0289 Uses

# City Code Amendment

Staff reviewed city code requirements, as well as current interpretations, related to vehicle uses in order to determine where they could be strengthened and/or clarified

# Agenda

- Residential Inoperable Vehicle Definition Changes
  - Commercial Inoperable Vehicle Ordinance Change
  - Enforcement
- 



# Proposed Residential Inoperable Vehicle Changes

## Definitions:

- Residential zoned property – applies to all lots with one-family, two-family, or a duplex dwelling as the primary use.
- Owner – means the owner of the vehicle or, if the owner of the vehicle cannot be ascertained, the owner of the premises.

# Current Commercial Inoperable Vehicle Code

- All commercial properties are permitted to have up to five unscreened inoperable vehicles
- Initial time to correct violation: 60 days
- Prior interpretations have allowed:
  - Auto sales to have an unlimited number of inoperable vehicles
  - Auto dealer, salvage dealer and scrap processor establishments, which have been in business since 1970, to have an unlimited number of inoperable vehicles

# Proposed Commercial Inoperable Vehicle Code

- Only commercial properties licensed in heavy vehicle repair will be able to have unscreened inoperable vehicles (no more than 5)
- Initial time to correct violation: 10 days
- More strictly interpret state code exemptions
  - Only required to exempt licensed businesses which on June 26, 1970, were engaged in business as an automobile dealer, salvage dealer, or scrap processor

# Enforcement

- Inspector finds that a violation of the City Code Section 24-39 or 24-39.1 exists
- Owner of record would receive a notice of violation
- If violation is not corrected within the specified time period of 10 calendar days:
  - Inspector can request a summons for court; or
  - Send City tow contractor to remove the vehicle/s from the property



# Questions on City Code?

# Zoning Ordinance Amendment

- Clarify vehicle related uses
  - Align with DMV
  - Added oversight for some vehicle related uses
- 

# New Definitions

- Vehicle sales, new vehicle inventory lot
  - In conjunction with new vehicle sales, any premises or space exposed to the weather used for the **storage of new vehicles, boats, and recreational vehicles**
- Scrap metal processor
  - Any establishment who acquires one or more whole vehicles to **process into scrap for remelting** purposes who, from a fixed location, utilizes machinery and equipment for processing and manufacturing ferrous and nonferrous metallic scrap into prepared grades, and whose principal product is metallic scrap, as defined by Section 46.2-1600 of the Code of Virginia, as amended.

# New Definitions

- Vehicle repair, light.
  - Repair shops whose **work is routine to vehicle maintenance and does not require dismantling pieces of a vehicle.** Typical services may include oil change, tire repair, rotation, or replacement; and glass repair or replacement. Such work often takes only hours to complete.
- Vehicle repair, heavy.
  - Repair shops whose **work requires dismantling pieces of a vehicle for repair.** Typical services may include light vehicle repair, collision repair; engine or transmission work requiring removal and/or replacement of all or part of the engine or transmission; and replacement of items such as doors and bumpers. Such work often takes days or weeks to complete. This term shall include rebuilder as defined by Section 46.2-1600 of the Code of Virginia, as amended.

# New Definitions

- Vehicle storage, indoor.
  - Any **premises used for the storage of vehicles or their parts within a wholly enclosed building**, which shall not include any outdoor storage of vehicles or their parts. This term may include vehicle removal operator indoors only as defined by Section 46.2-1600 of the Code of Virginia, as amended. This term shall not include outdoor new car inventory storage area, or salvage or wrecking as defined by Section 46.2-1600 of the Code of Virginia, as amended.
- Vehicle storage, outdoor.
  - Any premises or space exposed to the weather **used for the storage of non-damaged vehicles, but not their parts**. If vehicles are stored on site, this term shall not include vehicle removal operator as defined by Section 46.2-1600 of the Code of Virginia, or salvage or wrecking as defined by Section 46.2-1600 of the Code of Virginia, as amended.



# Updated Definition

- Salvage or wrecking.
  - The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale of dismantled, partially dismantled, damaged vehicles or their parts. ***This term shall include auto recycler, demolisher, salvage dealer, salvage pool, and vehicle removal operator as defined by Section 46.2-1600 of the Code of Virginia, as amended***

# Heavy Vehicle Repair

Existing	Proposed
By Right: C-3 M-2, M-3 LFA-1, LFA-2	By Right: None
Use Permit: None	Use Permit: C-3 M-2, M-3 LFA-1, LFA-2

# Light Vehicle Repair

Existing	Proposed
By Right: C-1, C-2, C-3 M-2, M-3 LFA-1, LFA-2 HRC-2 DT-1, DT-2	By Right: C-1, C-2, C-3 M-2, M-3 LFA-1, LFA-2 HRC-2 DT-1, DT-2

No changes

# New Vehicle Inventory Lot

Existing	Proposed
New Use	By Right: None
	Use Permit: C-2, C-3 M-2, M-3 LFA-1, LFA-2

# Vehicle repair, accessory to new vehicle sales

Existing	Proposed
New Use	By Right: C-2,C-3 M-2 LFA-1, LFA-2

Same districts as new vehicle sales



# Vehicle repair, accessory to used vehicle sales

Existing	Proposed
New Use	By Right: None
	Use Permit: C-3 M-2 LFA-1, LFA-2

Same districts as used vehicle sales

# Used Vehicle Sales

Existing	Proposed
By Right: C-3 M-2	By Right: None
Use Permit: LFA-1, LFA-2	Use Permit: C-3 M-2 LFA-1, LFA-2

# Indoor vehicle storage

Existing	Proposed
New Use	By Right: M-2, M-3
	Use Permit: C-3 LFA-1, LFA-2

New additional standard in all districts:

Use shall be conducted wholly within an enclosed building.

# Outdoor vehicle storage

Existing	Proposed
By Right: None	By Right: None
Use Permit: C-2, C-3 M-2, M-3 LFA-1, LFA-2	Use Permit: C-3 M-2, M-3 LFA-1, LFA-2

New additional standard:

Use shall be conducted wholly within an area enclosed by an eight (8) foot tall fence

# Salvage or Wrecking

Existing	Proposed
By Right: M-3	By Right: None
Use Permit: LFA-1	Use Permit: M-3 LFA-1

Updated from "wrecking; automobile, indoor" and "wrecking; automobile, outdoor"



# Scrap Metal Processor

Existing	Proposed
New Use	By Right: None
	Use Permit: M-2, M-3 LFA-2, LFA-3, LFA-3 LFA-6

# Summary

## City Code:

- Shorter compliance period
- Stricter screening requirements
- More limited exemptions

## Zoning:

- New definitions
- More oversight on vehicle related uses

# Recommendations

## Staff & Planning Commission **Recommend Approval**

- #20-0288 (Definitions, Zoning Ordinance)
- #20-0289 (Use Table, Zoning Ordinance)
- #20-0290 (Inoperable Vehicles, City Code)