

**ORDINANCE NO. 2021-08**

**AN ORDINANCE AMENDING THE PERMITTED USE TABLE, SECTION §125-50 OF THE ROGERS CITY CODE; CREATING DEVELOPMENT STANDARDS FOR CAR WASH BY AMENDING CITY CODE §125-88; CREATING DEFINITIONS FOR CAR WASH BY AMENDING SECTION §125-102 OF THE CITY CODE**

The Rogers City Council ordains as follows:

**Section 1.**

City Code Section §125-50, Table 4 is hereby amended by deleting the following ~~struck~~ through language and inserting the underlined language as shown below.

§125-50. – Zoning Districts Established

<b>B. ACCESSORY</b>	AG	R1	R2	R3	R4	R5	OP	LC	RC	DT	ND	GI	SB
<u>Self-Service Car Wash, with gas station or convenience store</u>								AC	<u>A</u> C		<u>A</u> C		
<b>E. COMMERCIAL</b>	AG	R1	R2	R3	R4	R5	OP	LC	RC	DT	ND	GI	SB
<u>Car Wash, Full Service</u>									<u>C</u>				
<u>Gas &amp; Convenience Store, w/Car Wash</u>								P	P		P		

**Section 2.**

City Code Section §125-88, is hereby amended by deleting the following ~~struck~~ through language and inserting the underlined language as shown below.

§125-88. – Automobile Service Stations

**A. General Requirements**

4. Business activities not listed in the definition of service stations in the ordinance from which this chapter is derived are not permitted on the premises of a service station unless a conditional use permit is obtained specifically for such business. Such activities include, but are not limited to the following
  - a. ~~Automatic car and truck wash~~Self-service car wash;
  - b. Rental of vehicles, equipment, or trailers; and,
  - c. General retail sales.

**B. Self-Service and Full Service Car Wash**

The following shall be applicable to all uses fitting the definition of a self-service car wash or full service car wash as defined in Section §125-102 of the City Code:

**1. General Requirements**

- a. Excessive Burden: The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

- b. Compatibility: The use shall be compatible with adjacent land uses.
  - c. Appearance: The use shall have an appearance that will not have an adverse effect upon adjacent properties.
  - d. Overall Needs: The use, in the opinion of the Planning Commission, shall be reasonably related to the overall needs of the city and to the existing land use.
  - e. Consistent with Purpose: The use shall be consistent with the purposes of this title and purposes of the zoning district in which the applicant intends to locate the proposed use.
  - f. Comprehensive Plan: The use shall not be in conflict with the comprehensive plan of the city.
  - g. Traffic: The use will not cause traffic hazard or congestion.
  - h. Facilities: The use shall have adequate utilities, access roads, drainage and necessary facilities.
2. Approval Requirements
- a. Conditional Use Permit and Site Plan approval shall be required for all self-service and full service car wash uses.
  - b. Applications for a Conditional Use Permit and Site Plan shall follow procedures for those applications, per Sections §125-24 and §125-27 respectively, and must include all required materials.
  - c. Self-service car washes are permitted as accessory uses by Conditional Use Permit only on parcels zoned LC – Local Employment Center, RC – Regional Employment Center, and ND – Neighborhood District.
  - d. Full service car washes are permitted by Conditional Use Permit only on parcels zoned RC – Regional Employment Center and located within a quarter mile of the intersection of Interstate 94 and U.S. Route 101.
  - e. If determined necessary by the Zoning Administrator, a Traffic Study must be conducted at the cost of the applicant to determine that the use will not cause traffic hazards or congestion.
3. Location:
- a. Self-service car washes are permitted as accessory uses by Conditional Use Permit only on parcels within the Local Employment Center (LC), Regional Employment Center (RC), and Neighborhood District (ND) zoning districts.
  - b. Full service car washes are restricted to parcels located within the Regional Employment Center (RC) zoning district, and within a quarter mile of the intersection of Interstate 94 and U.S. Route 101.
  - c. No full service car wash may be located adjacent to or within 300 feet of any residential use or residentially zoned or guided property, unless completely screened by an intervening building or located across an arterial or major collector roadway from residentially zoned or guided property.
  - d. Self-service and full service car washes that were existing uses on June 22<sup>nd</sup>, 2021, and have been in continuous operation since that date are not subject to the above location requirements.
4. Stacking:

- a. Stacking and exiting areas shall be screened from the public right-of-way by the building. If that cannot occur, walls, berms, or trees should be used to screen stacking and exiting areas.
  - b. The drive-thru stacking lane shall be situated so that overflow from the stacking lane shall not spill out into public or private streets. Ingress or egress points for the drive-thru uses shall not conflict with turning movements of street intersections.
  - c. A bypass lane shall be provided to allow cars to leave the drive-thru lane from the stacking area, and to allow vehicles a way to enter and exit the site without having to turn around on the site or travel through a car wash tunnel or bay.
  - d. A full service car wash must have a minimum of six (6) stacking spaces on site per wash stall.
  - e. Stacking lanes must not interfere with circulation in parking, loading, maneuvering, or pedestrian areas.
5. Wastewater and Drainage:
- a. The exit from the car wash shall have a drainage system which is subject to the approval of the City and gives special consideration to the prevention of ice buildup during the winter months.
  - b. Water dripping onto the public streets at the exit of car washes shall be minimized through automatic drying systems or hand drying in connection with full-service car wash facilities or through on-site grading and drainage patterns or other design features.
  - c. Untreated waste water shall not be discharged into the storm sewer, landscaped areas, or public right-of-way.
6. Hours of Operation
- a. Hours of operation shall be limited to between 7:00 A.M. and 10:00 P.M. daily.
7. Other Standards
- a. Drive lanes and parking spaces shall be clearly delineated.
  - b. Vacuum stations and related equipment shall comply with the setbacks for the principal structure.
  - c. All overhead doors shall remain closed during off-peak hours unless a vehicle is entering or exiting.
  - d. All car wash bays and tunnels and all car wash equipment shall be designed to minimize the creation and release from the premises of airborne particles of water, chemicals, and dust.

### **Section 3.**

City Code Section §125-102, is hereby amended by deleting the following ~~struck~~ through language and inserting the underlined language as shown below.

§125-102 – Definitions

Car Wash, Self-Service:

A building, structure or portion thereof containing an automatic washing facility with a single vehicle capacity, or a hand-operated facility with a maximum of four (4) washing stalls for washing automobiles.

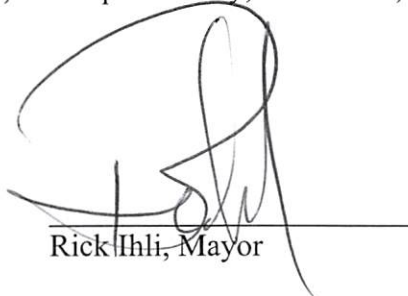
Car Wash, Tunnel and Full-Service:

A building, structure or portion thereof containing an automatic tunnel or conveyORIZED wash system with a multiple vehicle capacity that provides complete vehicle washing and drying and self-service detailing areas, or full-service automobile detailing center where vehicles are washed mechanically or by hand and attendants are available to dry the vehicle manually, clean the interior and perform other detailing services. May include automated or attendant pay stations.

**Section 4.**

The Ordinance shall have full force and effect upon its passing and publication.

Passed by the City Council of the City of Rogers, Hennepin County, Minnesota, this 22<sup>nd</sup> day of June, 2021.



Rick Ihli, Mayor



Stacy Scharber, City Clerk