



**CHARTER TOWNSHIP OF TEXAS
ORDINANCE NO. 342**

**ORDINANCE AMENDING THE ZONING ORDINANCE OF TEXAS CHARTER
TOWNSHIP REGARDING VEHICLE SALES AND REPAIR**

**Adopted XXXX XX, 2019
Published XXXX XX, 2019
Effective XXXX XX, 2019**

TEXAS CHARTER TOWNSHIP ORDAINS:

Section 1. Amendment to Article 2.

Article 2, Section 2.2 of the Township's Zoning Ordinance entitled "Definitions" is hereby amended to read as follows:

Vehicle repair, major means any activity that involves the including but not limited to the general repair, rebuilding or reconditioning of vehicles. This includes body work, frame and fender work, painting and rustproofing and cleaning, on large vehicles.

Vehicle repair, minor means any activity involving repair and maintenance of passenger vehicles, light trucks and vans that do not exceed 8,000 pounds gross vehicle weight (GVW), including services such as but not limited to, vehicle detailing, oil changes, tire replacement, audio or cellular installation, and auto glass installation and repair.

Section 2. Amendment to Article 3.

Article 3, Section 36-3.1.11 C-2 Commercial District, General is hereby amended to read as follows:

- B. Principal Permitted Uses
- xiii. Vehicle sales §36-4.3

Article 3, Section 36-3.1.13 C-4 Commercial District, Highway is hereby amended to read as follows:

- B. Principal Permitted Uses
- xiii. Vehicle sales §36-4.3
- xxii. Vehicle repair, minor §36-4.7

- C. Special Exception Uses
- xiii. Vehicle repair, major §36-4.7



Section 3. Amendment to Article 4.

Article 4, Section 4.3 of the Township's Zoning Ordinance entitled "Automobile Sales Agencies" is hereby amended to read as follows:

36-4.3 Vehicle Sales

Where permitted, the following standards apply:

1. The use shall have direct access and frontage on a public road.
2. Buildings and activities shall not be closer than 200 feet to adjacent residential properties.
3. Outdoor vehicle display areas shall be indicated on the site plan. Parking may be required to be fenced and screened at the discretion of the Planning Commission.
4. The Planning Commission may permit the display of recreational vehicles that exceed the GVW as defined in Section 2.2 subject to the following:
 - a. The display of such recreational vehicles over 8,000 pounds of GVW comprises less than twenty-five percent of all display on the premises.
 - b. The parking of such vehicles awaiting sale shall not be permitted in the front yard.
5. All other non-display uses shall be conducted within a fully enclosed building, provided that any outdoor storage or associated outdoor activities shall be subject to review and approval by the Planning Commission as a special exception use.
6. The accessory sale of vehicles in conjunction with an otherwise permitted use is prohibited.

Article 4, Section 4.7 of the Township's Zoning Ordinance entitled "Vehicle Repair, Minor and Major" is hereby amended to read as follows:

36-4.7 Vehicle Repair, Minor and Major

Where permitted, the following standards apply:

1. The use shall have direct access and frontage on a public road.
2. Buildings and activities shall not be closer than 200 feet to adjacent residential properties
3. All uses shall be conducted within a fully enclosed building, provided that any outdoor storage or associated outdoor activities shall be subject to review and approval by the Planning Commission as a special exception use.
4. Parking may be required to be fenced and screened at the discretion of the Planning Commission.
5. The Planning Commission may permit the accessory use of vehicle repair of recreational vehicles that exceed the GVW as defined in Section 2.2. where only minor vehicle repair is permitted, subject to the following:
 - a. The repair of such recreational vehicles over 8,000 pounds of GVW comprises less than twenty-five percent of all repairs on the premises.
 - b. The parking of such vehicles awaiting repair and/or pickup shall not be permitted in the front yard.



6. The use shall comply with state and federal environmental regulations pertaining to air quality, water quality, and solid, liquid and hazardous wastes.
7. Glare and heat. Glare or heat shall be completely imperceptible from any point along the property line.
8. Vibration. Operations shall cause no inherent and recurring generated vibration perceptible without instruments at any point along the property line. Temporary construction is excluded from this restriction.
9. Lighting. All outdoor lighting shall be shaded, shielded, and/or directed so that the surface of the source of the light shall not be visible from adjacent properties and public rights-of-way
10. Smoke emissions. No operation shall emit or cause to be emitted into the atmosphere from any air contamination source of emission whatsoever any air contaminant which is of such a shade or density as to obscure an observer's vision to a degree in excess of 20 percent opacity.
11. Odor emissions. No operation shall cause or allow the emission of odorous air contaminants from any single source such as to result in detectable odors which are measured after the odorous air has been diluted with ten or more volumes of odor-free air.
12. Particle emissions. No particles of fly ash shall exceed two-tenths grain per cubic foot of flue gas at a stack temperature of 500 degrees Fahrenheit.
13. Hazardous materials. If any operation utilizes and/or stores hazardous materials (including hazardous wastes) on-site, the site/building shall be designed to comply with all fire and building codes for the hazardous materials used and adequate precautions shall be taken to protect against negative off-site impacts of a hazardous materials release, using best available technology.

Section 4. Validity and Severability.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 5. Repealer Clause.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date.

This Ordinance shall take effect seven days after publication as provided by law.