

PLANNING COMMISSION STAFF REPORT

FILE: TAC-96-1.11

DATE: July 31, 1996

STAFF: Michael T. Drollinger

REQUEST: Text Amendment - Impound Lots

APPLICANT: City of Grand Junction

EXECUTIVE SUMMARY:

Amending Section 4-3-4 and Chapter 12 of the Zoning and Development Code to permit impound lots in certain zone districts and to add a definition for impound lot.

STAFF ANALYSIS:

Presently impound lots are defined in the Zoning and Development Code (ZDC) within the definition of junkyard.

Junkyard: “. . . .the term ‘junkyard’ shall include wrecking yard, salvage yard, and **automobile impoundment lot** (emphasis added), where stored vehicles are inoperative and/or unlicensed.”

The ZDC only permits junkyards in the I-2 (Heavy Industrial) zone.

Staff has received requests for the establishment of lots for the temporary storage of publicly or privately-towed vehicles. Based on the present Code categorization of impound lot within the definition of junkyard, there are limited places where such a use may be located. Staff believes that an impound lot use which permits only the temporary storage of towed vehicles and where **no** dismantling or repair work occurs should be permitted in more than just the I-2 zone and that the location of these uses within the I-1 (Light Industrial) and C-2 (Heavy Commercial) zones is appropriate. Screening for outdoor storage of vehicles is presently required.

Proposed Amendment

Staff recommends that Use/Zone Matrix (Section 4-3-4 of the ZDC) be amended to permit impound lots in the C-2, I-1 and I-2 zones as allowed uses and in the PZ (Public

Zone) as a Special Use. Further, staff recommends that a definition of impound lot be included in Chapter 12 of the ZDC as follows:

Impound Lot: “A lot for the temporary storage of vehicles for a period not to exceed that permitted in 42-4-1806 C.R.S. in which no vehicle dismantling or repair work occurs.”

The term “automobile impoundment lot” should be removed from the current ZDC definition of junkyard in conjunction with the proposed text amendment.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed text amendment.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item TAC-96-1.11, I move that we forward this on to City Council with a recommendation of approval.

To: Michael Drollinger
Cc: Kathy Portner, Dan Wilson
From: John Shaver
Subject: Impound Yards
Date: 7/25/96 Time: 9:13AM

Michael,

As you requested yesterday I researched the question of the maximum time for the impound of a towed vehicle.

In January of 1995 the statutes were amended to provide for a maximum 60 day storage of publicly and privately towed vehicles. The 60 day window follows a notification process that if all the steps are timely accomplished will take 58 days.

Currently the PUC is considering an amendment to the tow carrier regulations that will allow for a 72 hour notice period and then a minimum 30 maximum 60 day impound.

My best advice for the proposed text amendment is to adopt state statutes by reference and not specify a set number of days in the Code. As the PUC rules and state law changes if we adopt the statute by reference the Code can change as well without any affirmative action on our part. The impound proprietors shouldn't object because they're subject to the rules already. The statute that establishes the maximum storage period refers to the notice provision statute so there should be no questions on what applies. The citation that I recommend you adopt by reference is 42-4-1806 C.R.S.

If you need or want a copy of the statute or if I may be of further assistance to you on this or any other matter please let me know.

jps

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PLANNING COMMISSION RECOMMENDATION:

At their August 6, 1996 hearing, Planning Commission recommended approval of the text amendment.