

BILL NO. BL2018-1457 (VERCHER) – This ordinance would amend Chapter 17.08 and 17.16 of the Metropolitan Code of Laws to restrict the uses of “Automobile Sales, Used” and “Automobile Repair” in the floodplain, floodway, or any associated buffer.

The ordinance under consideration would make the uses “automobile sales, used” and “automobile repair” uses permitted with conditions in all districts in which they are allowed in the District Land Use Tables in MCL 17.08.030. Further, a condition would be added to both uses that would prohibit location within a floodplain or floodway as designated on the Flood Insurance Rate Map (FIRM) or any water quality buffer as defined in the Stormwater Management Manual.

Title 17 and Chapter 15.64 of the Metro Code, as well as the Stormwater Management Manual, each regulate development in floodways, floodplains, and water quality buffer areas for purposes of public safety, minimizing property damage, and to encourage preservation of natural resources. Restricting automobile sales and repair uses within floodways, floodplains, and water quality buffers is intended to further minimize the impact on waterways, consistent with floodplain and water quality buffer regulations already in effect.

While the ordinance would be applicable to newly permitted “automobile sales, used” and “automobile repair” uses, such existing uses within floodways, floodplains, and water quality buffers would continue as legally nonconforming uses.

This has been approved by the Planning Commission.