

 <div style="text-align: center;"> <h1 style="margin: 0;">Council</h1> <h1 style="margin: 0;">Communication</h1> <p style="margin: 0;">Office of the City Manager</p> </div>	<b>Date:</b>	April 8, 2013
	<b>Agenda Item No.</b>	<b>36</b>
	<b>Roll Call No.</b>	<b><u>13-0576</u></b>
	<b>Communication No.</b>	<b><u>13-184</u></b>
	<b>Submitted by:</b>	<b>Phillip Delafield, Community Development Director</b>

## **AGENDA HEADING:**

Amendment to Chapter 134 defining “small engine repair.”

## **SYNOPSIS:**

Definitions contained in Chapter 134 do not contain a specific detail of what was considered small engine repair. On January 28, 2012, the City Council referred a request to the Plan and Zoning Commission to consider a text amendment to define “small engine repair” for enforcement purposes.

## **FISCAL IMPACT: NONE**

## **ADDITIONAL INFORMATION:**

The City Council requested the Plan and Zoning Commission define “small engine repair” for the purposes of enforcement of land use. The Plan and Zoning Commission approved a definition of “small engine repair,” and the Council considered the matter on March 25, 2013.

Council requested the amendment include an allowance for repairs on professional small engines. The concern being that professional tree contactors and lawn maintenance companies require the services and the definition could be seen as excluding them from seeking the service of the business. The word “home” being struck from the definition will eliminate any confusion for business owners and staff in enforcement of the ordinance.

The second concern involved the prohibition of running up and testing the small engines outside. Staff contacted several businesses currently doing small engine repair. They report that the engines are tested inside the building with the appropriate exhaust systems. Staff reports no complaints in at least the past five years with businesses violating the provision of the ordinance that prohibits outside run-up or testing of engines.

The prohibition is to mitigate the impact any noise of the business to surrounding residential neighborhoods. Staff reports the current ordinance requirements are providing appropriate levels of protection and allowing outside run-up and testing is not necessary to the successful operation of a business doing such repairs.

## **PREVIOUS COUNCIL ACTION(S):**

Date: March 25, 2013

Roll Call Number: [13-0492](#)

Action: [First](#) consideration of ordinance amendment, include professional tools and to allow run-up of engines outdoors, Moved by Moore, Motion carried 7-0.

**BOARD/COMMISSION ACTION(S):**

Board: Plan and Zoning Commission

Date: March 8, 2013

Resolution Number: 10-13-5.01

Action: Recommend approval to amendment to Chapter 134 regarding the addition of a definition for small engine repair. Motion passed 14-0.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Approve the ordinance amendment while striking the limitation on repairs only to those of home owners.

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