

GENERAL INFORMATION

Subject

- Request - Study of Car Washes and Text Amendment to TMC 1104.0800 adding locational criteria.
- Applicant - Toledo City Council
One Government Center, Suite 2100
Toledo, OH 43604
- Applicant - Toledo City Plan Commission
One Government Center, Suite 1620
Toledo, OH 43604

STAFF ANALYSIS

On July 17, 2024 City Council passed a resolution requesting the Plan Commission initiate a study to research the history and future of the establishment of car washes in the City of Toledo, to examine the secondary effects that they have on city residents and city neighborhoods, and evaluate the best practices for their regulation from other cities. Plan Commission Staff has completed this study and proposes a text amendment to the Toledo Municipal Code based upon its findings.

New Car Washes

Staff first sought to prove, or disprove, the public perception that there has been a recent increase in the number of new commercial car washes. A list of all currently-constructed car washes in Toledo was compiled using data from the Division of Building Inspection, the Lucas County Auditor website (AREIS), and Google. An open date was determined for each first by Certificate of Occupancy – if available – then by the build date listed on AREIS. Historic editions of Toledo’s Polk Directories and some historic sign permits were also used to refine these dates to be more accurate. This data was used to create Exhibit C – a map of all currently-constructed car washes shown by their open date. Of those thirty-eight (38) currently-constructed car washes, eight (8) were opened in the last six (6) years. If aggregated by decade, six (6) car washes have opened so far in the 2020s with three (3) more planned or under construction. Should those three (3) planned / under construction car washes open, the 2020s will tie with the 1970s as having the most car washes open per decade. Considering this potentiality is occurring halfway through the decade, the 2020s have the potential to surpass the 1970s in number of car washes open per decade. All this said, the perception that there are more car washes opening in Toledo now than any other time in recent memory is true. There has been a pronounced increase in the number of new commercial car washes constructed since 2018.

STAFF ANALYSIS (cont'd)New Car Washes (cont'd)

The next logical question was this: Why has Toledo seen a recent pronounced increase in new commercial car washes? The 2023 International Carwash Association (ICA) U.S. Consumer Pulse Study cites that home car washing has declined by sixty percent (60%) since 1996. The stated reason for this decrease is increasing demand for convenience, which commercial car washes have been providing. Recent adoption of the subscription-based payment model has only added to their convenience, further boosting their popularity. This increase in demand for convenience-oriented car washes has greatly contributed to their expansion. On the corporate side, a decrease in operating costs caused by subscription-based payments and increasing carwash technology (lowering water/sewer/electric bills) has made investment firms more eager to invest in safely-profitable car wash companies. With an influx of investors, national-oriented car wash companies have been expanding quickly into new cities to capitalize on the aforementioned convenience-oriented demand and to capture said demand away from other companies doing the same. Toledo has recently been a focused market for a few of these companies, the names of which can likely be recited by many Toledoans. Whether by purchasing existing car washes or by constructing new, these companies have been putting their brand in most of the city's auto-oriented commercial corridors, each attempting to become Toledo's car wash of choice. To answer the above question: Toledo is seeing an increased number of new commercial car washes because there is a higher demand for convenience-oriented car washes and because national-oriented car wash companies currently have a lot of investors which they are leveraging to capitalize on said demand.

Negative Secondary Effects

The main negative secondary effects associated with car washes are noise and water pollution. Those types of pollution are locally regulated by the Division of Environmental Services, whose input was solicited. The Division of Environmental Services reports that they have received no formal noise complaints from any identified car washes in the last several years. While no formal complaints have been levied, Staff has heard many informal noise complaints about car wash dryers and vacuums. Two potential solutions were identified: spacing requirements to ensure car washes / dryers / vacuums are away from residential uses and limiting the hours of operation.

The issue of water pollution was more complex and multiple different agencies were looped into the conversation including experts at the Toledo Metropolitan Area Council of Governments (TMACOG), the Division of Engineering Services, and the Division of Water Reclamation. The main result of the discussion was the opposite of the misconception: that commercial car washes are a preferred and more environmentally friendly way of washing a car. This is because commercial car washes drain to the sanitary sewer system, meaning the waste water is treated for pollutants prior to entering our waterways. Washing a car at home or letting the rain wash your car will likely send those same contaminants to the storm sewer system, meaning the waste water will enter our waterways untreated.

STAFF ANALYSIS (cont'd)

Negative Secondary Effects (cont'd)

A different issue identified by the above discussion was that of aerosolized spray water containing soaps and other contaminants which may be harmful if breathed in continuously over long periods of time. It was suggested that buffers or spacing requirements would help protect people living or travelling nearby.

Another negative secondary effect associated with car washes is traffic congestion from overflowing car stacking queues. The Division of Traffic Management was consulted and had similar concerns, citing a few existing car washes in the city which are prone to overflowing. TMC§1107.1600 *Vehicle Stacking Areas* requires car washes provide a minimum of ten (10) vehicle stacking spaces measured from the car wash entrance to the right-of-way. Staff and the Division of Traffic Management estimated that many of those prone to overflowing just met the ten (10) stacking space requirement. Identified solutions were to increase the number of required stacking spaces and to change the location from which the stacking spaces were measured.

Other Cities and Proposed Text Amendment

Staff reviewed the zoning and unified development codes of Cleveland, Cincinnati, Dayton, Detroit, and Indianapolis and found varying regulations on car washes. The most prominent issues addressed by these regulations related to mitigating noise pollution and requiring vehicle stacking spaces.

The most common form of noise pollution mitigation found in the above-regulations was spacing / setback requirements specific to car washes and/or vacuum systems. For example, Detroit requires car washing areas be setback at least twenty-five feet (25') from residential zoning districts. Detroit also separately requires vacuum systems be set back a minimum of fifty feet (50') from the same. Cincinnati is less restrictive, requiring a twenty-foot (20') setback from all property lines for all car wash buildings and structures. The most restrictive spacing / setback requirement found is from Indianapolis, which prohibits the car wash use from being located within one-hundred feet (100') of residential or other 'protected' districts. Cleveland also requires a one-hundred-foot (100') spacing buffer from residential districts, but gives exceptions when a sufficient landscape buffer is installed. Staff considers a spacing requirement important as it will help mitigate both noise and aerosolized spray water pollution. Staff recommends amending TMC§1104.0804 to prohibit car washes within one-hundred feet (100') of a residential zoning district or property upon which a residential use is established. This spacing requirement will be measured from the property line boundaries.

As stated previously, TMC§1107.1600 *Vehicle Stacking Areas* requires car washes provide a minimum of ten (10) vehicle stacking spaces measured from the car wash entrance to the right-of-way. This regulation is currently in conformance with Detroit as the most restrictive of those researched. For reference, all others researched required a minimum of five (5) to six (6) stacking spaces. After consulting with the Division of Traffic Management, Staff recommends that the number of required stacking spaces for car washes remain the same. Staff recommends that the

STAFF ANALYSIS (cont'd)

Other Cities and Proposed Text Amendment (cont'd)

section instead be modified to measure the required stacking spaces from the pay station rather than the car wash entrance. This will bring the regulation more in line with other stacking requirements found in the section and reflect where backups are more likely to occur.

Forward Toledo Comprehensive Land Use Plan

One of the goals under the sustain theme is to Reduce Pollution. Toledo benefits from a variety of natural resources in our region. We have abundant access to fresh water and unique ecological biodiversity in the Oak Openings region. These assets, as well as the air we breathe and the parks, lawns and gardens many residents maintain, can be harmed by pollution. Commercial car washes are a double-edged sword when it comes to pollution. On one hand, commercial car washes provide a space to wash dirt and pollutants off vehicles into the sanitary sewer, leading to less polluted waste water entering our waterways. On the other, car washes generate noise and potential aerosolized spray water pollution which can be harmful to the long-term health of nearby residents – not to mention they are a strictly auto-oriented use contributing to additional daily vehicle trips, which in turn contributes to automobile air pollutants. The proposed text amendment will permit car washes while mitigating the impacts of its negative secondary effects – noise and potential aerosolized spray water pollution. The proposed text amendment is compatible with the Forward Toledo Plan.

STAFF RECOMMENDATION

Staff recommends that the Toledo City Plan Commission recommend approval of M-9-24, a text amendment to TMC 1104.0800 adding locational criteria, to Toledo City Council for the following two (2) reasons:

1. The text amendment addresses the concerns of the Toledo City Council in its passage of R-315-24, a moratorium on the review and issuance of any zoning permits, building permits, certificates of occupancy, or other licenses or permits for Car washes, in the City of Toledo; and
2. The text amendment is consistent with the Comprehensive Plan and the stated purpose of the Zoning Code (**TMC§1111.0506(B)**).

ZONING TEXT AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: M-9-24
DATE: January 16, 2025
TIME: 2:00 P.M.

ZONING AND PLANNING COMMITTEE OF
CITY COUNCIL
DATE: February 19, 2025
TIME: 4:00 P.M.

AS
Four (4) Exhibits follow

Exhibit “A”
Existing

Chapter 1104 | Use Regulations

1104.0800 | Drive-through Facilities

The following standards apply to drive-through facilities.

1104.0801 Hours of Operation

The hours of operation of a drive-through facility may be made limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, as a condition of a development approval. Particular attention will be given to drive-through facilities located adjacent to any residential district, school, place of religious assembly, park or playground.

1104.0802 Location

Suitability of location with respect to land use patterns and traffic. Some uses with drive-through facilities require frontage on a major street, see Sec. 1104.0100 Use Table.

1104.0803 Vehicle Stacking

Minimum off-street stacking spaces in accordance with Sec. 1107.1600

1104.0804 Car Washes without pumps

- A. Car washes without fuel pumps shall be reviewed under this section.
- B. Gasoline and fuel sale facilities with or without car wash facilities shall not be reviewed as a drive-through use under this section so long as they are subject to review under the special use or other special permit process wherein they are specifically designed for review.

Chapter 1107 | Parking, Loading, and Access

1107.1600 | Vehicle Stacking Areas

The vehicle stacking standards of this subsection apply unless otherwise expressly approved by the Division of Transportation.

1107.1601 Minimum Number of Spaces

Off-street stacking spaces must be provided as follows, in consultation with the Commissioner of Transportation:

Activity Type	Minimum Number of Stacking Spaces	Measured to Right-of-Way Line From
Bank teller lane	4	Teller or Window
Automated teller machine	3	Teller
Pharmacies	4	Window
Restaurant drive-through	7	Order Box
Car wash stall, automatic	10	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	1	Pump Island
Other	Determined by Division of Transportation based on Traffic Study	

Exhibit “B”
Modifications

(Additions in blue underline. Deletions in red strikethrough.)

Chapter 1104 | Use Regulations

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- B. Gasoline and fuel sale facilities with or without car wash facilities shall not be reviewed as a drive-through use under this section so long as they are subject to review under the special use or other special permit process wherein they are specifically designed for review.
- C. A car wash shall not be located within 100 feet of a residential zoning district or property upon which a residential use is established.

Chapter 1107 | Parking, Loading, and Access

1107.1600 | Vehicle Stacking Areas

The vehicle stacking standards of this subsection apply unless otherwise expressly approved by the Division of Transportation.

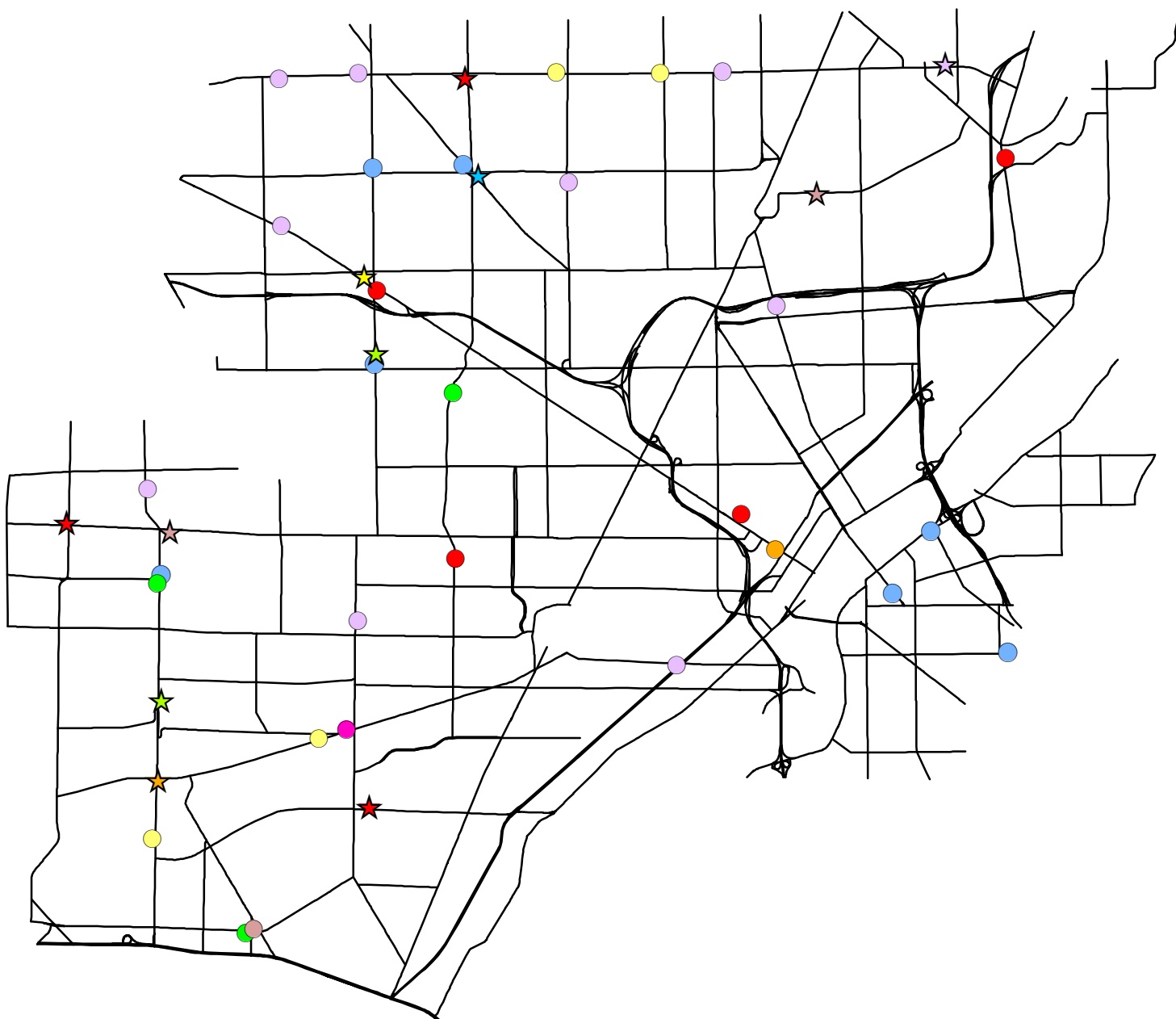
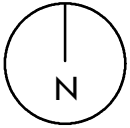
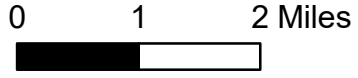
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Automated teller machine	3	Teller
Pharmacies	4	Window
Restaurant drive-through	7	Order Box
Car wash stall, automatic	10	Entrance <u>Pay Station</u>
Car wash stall, self-service	3	Entrance
Gasoline pump island	1	Pump Island
Other	Determined by Division of Transportation based on Traffic Study	

Exhibit C

City of Toledo Car Washes



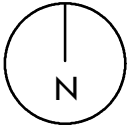
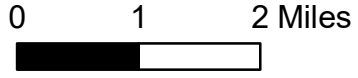
Legend	Count
● pre-1950s	1
● 1950s	1
● 1960s	7
● 1970s	9
● 1980s	4
● 1990s	3
● 2000s	4
● 2013	1
★ 2018	1
★ 2019	1
★ 2021	1
★ 2023	2
★ 2024	3
★ Plans Submitted	2
★ Under Construction	1

8-6

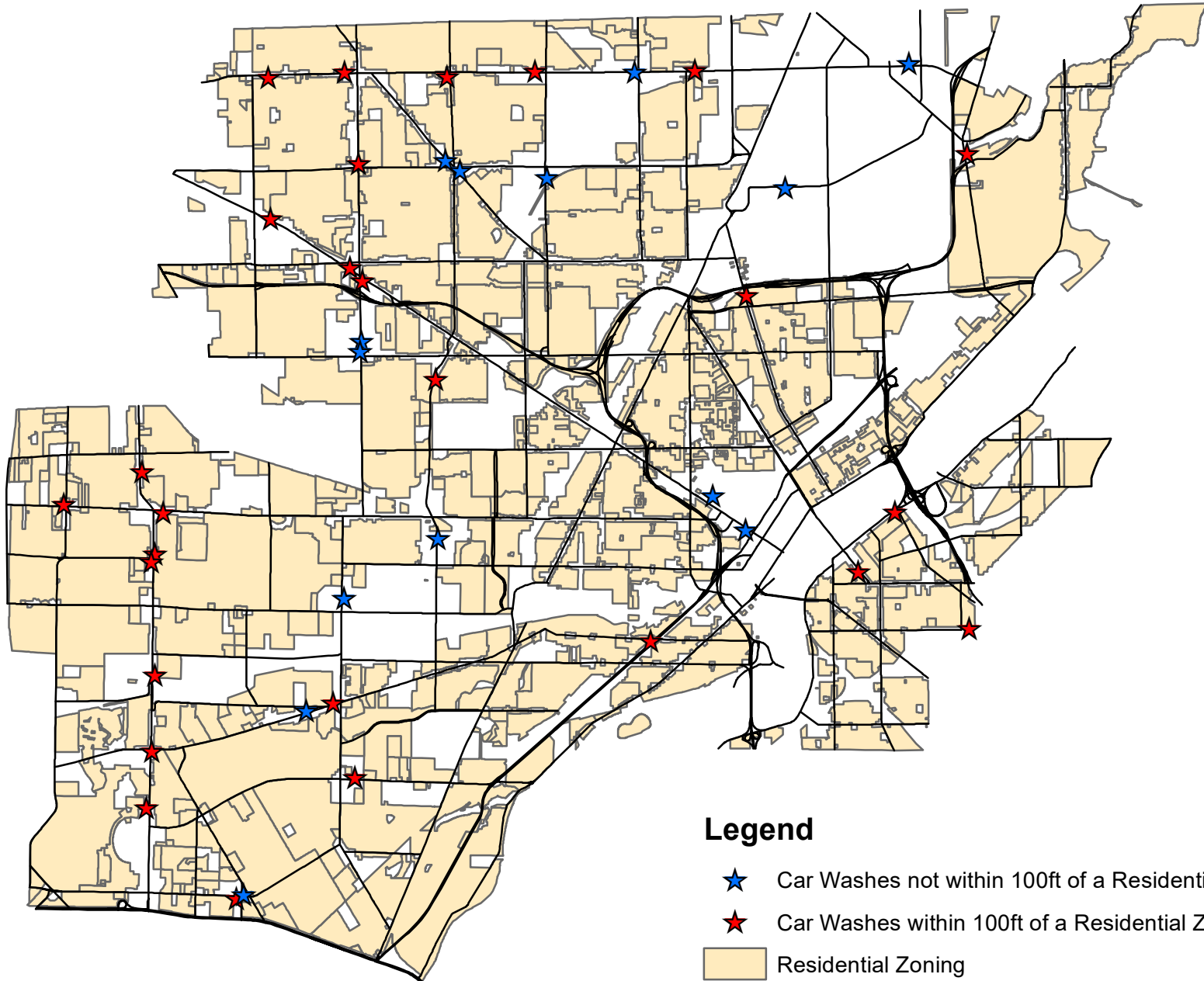
Exhibit D

City of Toledo

Car Washes & Residential Zones



6-6



Legend

- Car Washes not within 100ft of a Residential Zone.....14
- Car Washes within 100ft of a Residential Zone.....27
- Residential Zoning