



---

Distinguishing Car Washes from other Motor Vehicle Services

---

**Note:** As authorized by § 8.5.2.C.1 (p. 401), this interpretation is provided at the initiative of the Zoning Administrator for the purpose of providing clarification to property owners and improving administration of the Ordinance. Capitalized terms are defined in § 9.3 of the Ordinance. This interpretation may be appealed to the Board of Zoning Appeals per § 8.5.17 of the Ordinance.

**Summary**

The Principal Use Table (4.3.9-A-1) identifies several Motor-Vehicle Related Uses including *Car Wash*, and *Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash*. Some activities which include the cleaning of motor vehicles are classified as *Car Washes* under the Zoning Ordinance. Specifically, cleaning of heavy-duty vehicles utilized for freight transportation is properly classified as *Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash* and not as a *Car Wash*. The Zoning Ordinance does not define *Car Wash*. In the absence of a clear definition, the Zoning Administrator utilized 1) inference from other provisions of the Ordinance; 2) classifications from widely used federal standards; and 3) best practices of other jurisdictions.

**Rationale**


































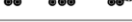





**Some motor vehicle cleaning services are not Car Washes.** The Principal Use Table (4.3.9-A-1, p. 233) identifies several Motor-Vehicle Related Uses including *Car Wash*, and *Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash*. Some activities which include the cleaning of motor vehicles are classified as *Car Washes* under the Zoning Ordinance. However, the inclusion of “cleaning” within the category of uses which specifically excludes *Car Washes* (i.e. “other than a car wash”) indicates not all motor vehicle cleaning activities are classified as *Car Washes* under the Ordinance.

**The definitions of the land uses are ambiguous.** Unfortunately, the definitions section of the Ordinance provides little clarity on the distinction between a *Car Wash* and other motor vehicle cleaning services (§ 9.3; p. 477 - 533). The Ordinance does not provide a definition for *Car Wash*. The definition for *Motor Vehicle Maintenance, Repair, Fuel Sales, Service, or Cleaning* includes establishments where “Motor Vehicles are maintained, repaired, serviced, re-fueled, and/or cleaned” (p.507). The definition goes on to list *Car Washes* as an example of the category. However, the use tables in Article 4 make clear that not every motor vehicle cleaning service is a car wash, as discussed above.

**Not all motor vehicles are cars.** The definition of *Motor Vehicle* includes “passenger vehicles, trucks, motorcycles and other consumer motor vehicles, and motorized Recreational Vehicles” which are licensed

and registered to be driven on public roadways. The use of the term *passenger vehicle* in the Ordinance is instructive. Clearly the Ordinance distinguishes between *passenger vehicles* and other vehicle types. Throughout the Ordinance, phrases like “light and medium trucks,” “heavy duty truck,” “truck driving school”, “recreational vehicle” and “double axle truck” meaningfully distinguish among types of motor vehicles.

Although the Ordinance does not provide a definition for *passenger vehicle*, the term has an established meaning. The Code of Federal Regulations (CFR) classifies vehicles based on function and Gross Vehicle Weight Rating (GVR) at 49 CFR 923.<sup>1</sup> Although different federal agencies and trade groups utilize several variations of these classifications, they follow the same general rubric. The classification system is depicted in the illustration below, which is excerpted from a 2021 publication of the Federal Highway Administration. Passenger vehicles (i.e. “cars”) include most motorcycles, sedans, sport utility vehicles, and minivans, as well as light-to-medium-duty trucks. Motorists may be licensed to operate these vehicles without demonstrating any specialized skill. Nearly all roadways are designed to accommodate cars. Heavier vehicles designed for transportation of freight (e.g. trucks) and groups of people (e.g. buses) are more highly regulated. Operators frequently need special licensure. Trucks designed for freight movement, Class 8 and above, primarily utilize limited access highways. These vehicles are not *cars*.

<b>Class 1</b> Motorcycles		<b>Class 7</b> Four or more axle, single unit	
<b>Class 2</b> Passenger cars		<b>Class 8</b> Four or less axle, single trailer	
			
			
			
<b>Class 3</b> Four tire, single unit		<b>Class 9</b> 5-Axle tractor semitrailer	
			
			
<b>Class 4</b> Buses		<b>Class 10</b> Six or more axle, single trailer	
			
			
<b>Class 5</b> Two axle, six tire, single unit		<b>Class 11</b> Five or less axle, multi trailer	
			
			
<b>Class 6</b> Three axle, single unit		<b>Class 12</b> Six axle, multi-trailer	
			
			
			
		<b>Class 13</b> Seven or more axle, multi-trailer	
			
			

*Federal Highway Administration 13-Vehicle Category Classification*

Source: Linking FHWA and NHTSA Vehicle Types and Deciphering Various Truck Weight Data, US Department of Transportation, 2021.<sup>2</sup>

<sup>1</sup> <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-V/part-523>

<sup>2</sup> <https://www.fhwa.dot.gov/policyinformation/pubs/pl021029.pdf>

**Establishments which provide cleaning services for freight vehicles are not car washes.** The Planners Dictionary is collection of definitions compiled by the American Planning Association.<sup>3</sup> The dictionary lists definitions for *Car Wash* from four jurisdictions. Two of those definitions narrowly define the use as cleaning of “passenger vehicles” and “light duty trucks” while specifically excluding “commercial fleets.” This distinction is consistent with the terms of the Zoning Ordinance and the vehicle classifications utilized by federal regulators. Therefore, a *Car Wash* is the use of land to clean passenger vehicles. It does not include the use of land to clean freight vehicles.

**Limited Use Standards apply to both uses.** The Zoning Ordinance imposes limited use standards on *Car Washes* (§ 4.3.9.E.6.f, p. 245). These standards apply to sites used to wash passenger vehicles (sedans, SUVs, minivans, pick-up trucks etc.). Different limited use standards apply to uses within the category of *Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning, other than Car Wash* (§ 4.3.9.E.6.y, p. 253). The category is broad and contains many motor vehicles related uses, including cleaning services primarily or exclusively servicing freight vehicles. The prevalence of passenger vehicles and *Car Washes* creates the need to regulate the activity in a manner which protects community aesthetics and guards against incompatibilities. Sites conducive to cleaning of freight vehicles are necessarily located near limited access highways. Applicable standards protect the public welfare and the environment.

---

<sup>3</sup> <https://www.planning.org/publications/report/9026853/>