ORDINANCE NO. 16-1602

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ADOPTING A TEXT AMENDMENT TO THE ZONING ORDINANCE, AMENDING PART 3 (COMMERCIAL ZONES) OF CHAPTER 1 (ZONING), AMENDING SECTION 9131.1 (USES PERMITTED) OF PART 3 (COMMERCIAL ZONES), AMENDING SUBDIVISION (B) OF SECTION 9136.7 (SIGNS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 3 (COMMERCIAL ZONES), AMENDING SECTION 9138.12 (AUTOMOBILE SERVICE STATION) OF DIVISION 8 (SPECIAL REQUIREMENTS FOR CERTAIN USES), AMENDING SECTION 9138.13 (AUTOMOBILE LAUNDRIES) OF DIVISION 8 (SPECIAL REQUIREMENTS FOR CERTAIN USES), AMENDING SECTION 9138.14 (MISCELLANEOUS RETAIL PETROLEUM OUTLETS) OF DIVISION 8 (SPECIAL REQUIREMENTS FOR CERTAIN USES), AMENDING SECTION 9141.1 (USES PERMITTED) OF PART 4 (INDUSTRIAL ZONES), AMENDING SUBDIVISION (B) OF SECTION 9146.7 (SIGNS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 4 (INDUSTRIAL ZONES), AMENDING SECTION 9148.3 (MISCELLANEOUS RETAIL PETROLEUM OUTLETS) OF DIVISION 6 (SITE DEVELOPMENT STANDARDS) OF PART 4 (INDUSTRIAL ZONES), ADDING SECTION 9182.44 (NONCONFORMITY FOR CONVENIENCE STORES) OF DIVISION 2 (NONCONFORMITIES) OF PART 8 (IMPLEMENTATION PROVISIONS) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE, ADDING SECTION 9182.45 (NONCONFORMITY FOR AUTOMOBILE SERVICE STATIONS) OF DIVISION 2 (NONCONFORMITIES) OF PART 8 (IMPLEMENTATION PROVISIONS) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE, AMEDING PART 9 (DEFINITIONS) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE, AND AMENDING SECTION 9190 (DEFINITIONS), OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE REGARDING CONVENIENCE STORES AND AUTOMOBILE SERVICE STATIONS

WHEREAS, the California Constitution grants local governments in Article XI, Section 7 the authority under their police powers to regulate land use; and

WHEREAS, on December 15, 2015, the City enacted Ordinance No. 15-1574U, a moratorium on the establishment and expansion of stand-alone convenience stores, to allow the City to review thoroughly and adequately review, study, and revise the City's laws, rules, procedures, and fees related to standalone convenience stores without associated gasoline sales, as well as to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish or expand to stand-alone convenience stores on the one hand, with the preservation of the health, safety, and welfare of the

communities in the City of Carson on the other hand. Ordinance No. 15-1574U expires on November 17, 2016; and

WHEREAS, on January 19, 2016, the City enacted Ordinance No. 15-1577U, a moratorium on the establishment and expansion of convenience stores with associated gasoline sales, to allow the City to review thoroughly and adequately review, study, and revise the City's laws, rules, procedures, and fees related to convenience stores with associated gasoline sales, as well as to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish or expand to stand-alone convenience stores on the one hand, with the preservation of the health, safety, and welfare of the communities in the City of Carson on the other hand. Ordinance No. 15-1577U expires on December 15, 2016; and

WHEREAS, the Zoning Code does not have specific provisions governing the location and operation of convenience stores with associated gasoline sales or stand-alone convenience stores; and

WHEREAS, through its analysis of convenience stores with associated gasoline sales and stand-alone convenience stores, the City determined that it is appropriate to establish distinctions between convenience stores and automobile service stations (gasoline sales); and

WHEREAS, through its analysis of convenience store and impacts on the community, the City developed standards to regulate minimum lot size, separation requirement, hours of operation, parking, and signage; and

WHEREAS, through its analysis of convenience store and impacts on the community, the City developed standards to regulate minimum lot size, separation requirement, hours of operation, parking, and signage; and

WHEREAS, the proposed ordinance is consistent with General Plan Policy LU-6.7 to attract land uses that generate revenue to the City of Carson, while maintaining a balance of other community needs such as housing, open space, and public facilities. Convenience stores provide goods that meet the needs of the community and generate revenue to the City; and

WHEREAS, the proposed ordinance is consistent with General Plan Policy LU-7.1 to review and amend if necessary, the City's Zoning Ordinance to ensure the compatibility of uses allowed within each zoning district. The proposed amendment establishes a use classification for Convenience Stores along with design standards to ensure the compatibility of Convenience Stores allowed within each zoning district; and

WHEREAS, the proposed ordinance is consistent with General Plan Policy LU-13.1 to promote a rhythmic and ceremonial streetscape along the city's arterial roadways. The proposed amendment to signage is intended to reduce visual clutter, achieve a balance between overall streetscape consistency while encouraging business identity; and

WHEREAS, the proposed ordinance, is consistent with the following Specific Plans: 1, 2, 3, 4, 6, 7, 10, 12, and 13 as these Specific Plans do not impose any development standards that are inconsistent with this ordinance; and

WHEREAS, pursuant to Section 15060(c)(2), the proposed Zoning Ordinance amendment is not subject to the California Environmental Quality Act (CEQA) since the activity will not result in direct or reasonable foreseeable indirect physical change in the environment; and

WHEREAS, on August 23, 2016, the Planning Commission held a public hearing to discuss an ordinance amendment to the CMC regarding convenience stores, which at the conclusion of said public hearing, the Planning Commission recommended to the City Council approval of said ordinance amendment; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

**Division 8. Special Requirements for Certain Uses**

§ 9138.10 Oil Wells.
§ 9138.11 General Provisions.
§ 9138.12 ~~Automobile Service Stations.~~ Convenience Store
§ 9138.13 ~~Automobile Laundries.~~ Reserved
§ 9138.14 ~~Miscellaneous Retail Petroleum Outlets.~~ Automobile/Vehicle Services
§ 9138.15 Commercial, Automotive (CA) Development Standards.
§ 9138.16 Communications Facilities.
§ 9138.17 Mixed-Use – Carson Street (MU-CS).
§ 9138.18 Mixed-Use – Sepulveda Boulevard (MU-SB).
*§ 9138.19 Discount Store (Added under separate amendment)*
§ 9138.2 Vehicle Service and Repair.
§ 9138.21 Vehicle Auctions.
§ 9138.22 Church Uses Within the CR (Commercial, Regional) Zone.
§ 9138.3 Golf Facilities.
§ 9138.4 Arcade Facilities.
§ 9138.5 Alcoholic Beverage Sales and Services.
§ 9138.6 Small Collection Recycling Facility.
§ 9138.7 Mixed-Use or Residential Development in a Mixed-Use Residential (MUR) Overlay District.
§ 9138.71 Outdoor Advertising Signs in an Electronic Marquee Signage (EMS) Overlay District.
§ 9138.72 Sex Offender Residency Restrictions.
§ 9138.8 Sidewalk, Parking Lot and Tent Sales.
§ 9138.9 Adult Business.
§ 9138.91 Massage Service.
§ 9138.92 Tattoo Service.

**Section 2.** Section 9131.1 (Uses Permitted) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

**USES PERMITTED IN COMMERCIAL ZONES**

Legend

| | |
|---|---|
| X. | Automatically permitted use. |
| L. | Automatically permitted use provided special limitations and requirements are satisfied as noted herein or in Division 8 of this Part. |
| D. | Use permitted subject to the approval of the Director. |
| LD. | Use permitted provided special limitations and requirements are satisfied as noted herein, in Division 8 of this Part and in Division 8 of Part 2, and subject to the approval of the Director. |
| C. | Use permitted upon approval of a conditional use permit. |
| CC. | Use permitted upon approval of the City Council as prescribed, under other provisions of the Carson Municipal Code. |
| | All commercial uses permitted by this Part shall be subject to the requirements contained in CMC 9172.23, Site Plan and Design Review, except temporary uses. (See CMC 9131.1). (Ord. 84-704) |

| | **ZONES** | | | | | |
|---|---|---|---|---|---|---|
| | **CN** | **CR** | **CG** | **CA** | **MU-CS** | **MU-SB** |
| **Retail Sales:*** | | | | | | |
| * Alcoholic beverage sales, food services, and vehicle services are listed under separate headings. | | | | | | |
| Department stores, variety stores, and specialized stores for apparel, items for personal use, household items, plants and flowers, and supplies and small equipment for businesses, including antiques** but no other secondhand items. Swap meets and flea markets, as defined in CMC 9191.670, are prohibited. | X | X | X | | X | X |
| Convenience Stores | C | C | | | C | |
| *Discount Stores (Added under separate amendment)* | | *C* | *C* | | | |
| ** Incidental restoration permitted. | | | | | | |
| Indoor mini-mart, auction house. (Ord. 86-763U, § 1; Ord. 87-813, § 1) | C | | C | | | |
| Building materials other than ornamental brick, stone, tile, or flagstone. (Incidental storage of sand, gravel, or rock limited to 2,000 tons total.) | | L | L | | | |
| Ornamental brick, stone, tile or flagstone. (See CMC 9133.) | | | C | | | |

| | ZONES | | | | | |
|---|---|---|---|---|---|---|
| | **CN** | **CR** | **CG** | **CA** | **MU-CS** | **MU-SB** |
| Monuments, tombstones, statuary. | | | X | | | |
| Feed and grain. | | | X | | | |
| Secondhand store, pawn shop. | | | X | | | |
| **Retail Services:*** | | | | | | |
| * Alcoholic beverage services, food services, and vehicle services are listed under separate headings. | | | | | | |
| **Personal Services:** | | | | | | |
| Barber shop, beauty shop, reducing salon, manicure parlor. | X | X | X | | X | X |
| Clothing services – laundry or dry cleaning agency, self-service laundry or dry cleaning, hand laundry, sponging and pressing, tailor, dressmaker, seamstress, shoe repair. | X | X | X | | X | X |
| Animal services – dog clip and wash, veterinary office or clinic (no animal hospital or kennel). (See CMC 9131.13(D).) | X | X | X | | C | C |
| Animal hospital or clinic | X | X | X | | | |
| Mortuary. (See CMC 9133.) | | | C | | | |
| Adult business. (See CMC 9133 and 9138.9; in MUR overlay district, see CMC 9131.13(D).) | | C | C | | | |
| Massage service. (See CMC 63134, 63135, 9133 and 9138.91.) | C | C | C | | C | |
| Tattoo service. (See CMC 9133 and 9138.92.) | | C | C | | C | |
| Mechanical and repair services: | | | | | | |
| Locksmith,* watch repair, small appliance repair, radio and television repair, computer repair, bicycle repair. | X | X | X | | X | X |
| Fix-it shop.* | X | | X | | | X |
| Furniture redecorating, restoration and upholstering; glass repair, installation or glazing; screen repair; plumbing shop; lawnmower sharpening. | | | X | | | X |
| *Incidental lawnmower sharpening permitted. | | | | | | |
| Parcel delivery service. | | X | X | | | X |
| Graphic arts services: | | | | | | |
| Copying, addressographing, mimeographing, photostating, instant printing, blueprinting, silk screening, photography,** picture framing.*** | X | X | X | | X | X |
| Photo-finishing, film developing. | | | X | | | |
| **Incidental photo-finishing and film developing permitted. | | | | | | |
| ***Incidental frame construction permitted. | | | | | | |
| **Studios:** | | | | | | |
| Costume design, interior decoration, photography, writing, drama, dance, music, arts and crafts (including stained glass). | X | X | X | | X | X |
| Stained glass assembly. | | | X | | | |
| Radio, television, recording. | | X | X | | | |

| | ZONES | | | | | |
|---|---|---|---|---|---|---|
| | **CN** | **CR** | **CG** | **CA** | **MU-CS** | **MU-SB** |
| Motion pictures – indoor. (See CMC 9133.) | | | C | | | |
| **Offices:** | | | | | | |
| Business, professional, financial, insurance, real estate, utility payments, telegraph, telephone answering service, messenger service, advertising, newspaper or publishing (no printing), ticket agency, travel agency, employment agency, collection agency, detective agency, security service, bail bondsman, check cashing. (See CMC 9138.17 and 9138.18.) | X | X | X | | L | L |
| Payday loans. (See CMC 9182.28.) | C | C | C | | | |
| Drive-through banks. | X | X | X | | C | |
| Wholesale business, manufacturer's agent, broker (no storage or deliveries other than samples). | L | L | L | | | X |
| **Food Sales and Service:*** | | | | | | |
| *Alcoholic beverage sales and services are listed under separate headings. | | | | | | |
| Restaurant* (including refreshment stands, soda fountain). (See CMC 9133, 9138.17 and 9138.18.) | X | X | X | C | X | X |
| Drive-in or drive-through restaurants. (See CMC 9133 and 9138.17.) | X | X | X | C | C | |
| Restaurant, coffee shop, snack shop with outdoor dining space within the limits of the restaurant frontage, provided there is a 7-foot minimum clear path of travel on the sidewalk without obstruction. | | | | | X | X |
| Food store – grocery, fish, meat, fruits and vegetables, retail bakery, pastry, candy, health food, take-out food, tobacco shop. | X | X | X | | X | X |
| Poultry shop (no live poultry or slaughtering). | L | L | L | | | |
| Food catering (only direct retail sales or retail distribution). | X | | X | | X | X |
| Dog or cat food catering (retail only). | | | X | | X | X |
| **Alcoholic Beverage Sales and Services:** | | | | | | |
| Alcoholic beverage sales in conjunction with a department store or supermarket. | X | X | X | | X | X |
| Alcoholic beverage sales in conjunction with variety store, drug store, mini-market, drive-through market, food store or grocery store excluding a supermarket, take-out food, liquor store (subject to the requirements of CMC 9138.5). | C | C | C | C | C | C |
| Alcoholic beverage sales and service in conjunction with cocktail lounge, bar, indoor theater, or an eating establishment other than a bona fide restaurant. (See CMC 9138.5 and 9138.17). | C | C | C | | C | |
| Alcoholic beverage sales and service in conjunction with an arcade, pool hall, billiards, card room, or a bowling alley. (See CMC 9138.4 and 9138.5.) | C | C | C | | | |
| Alcoholic beverage sales and service in conjunction with Class I entertainment per CMC 63125. (See CMC 9138.18.) | | | | | | C |
| Night club. (See CMC 9138.5 and 9138.17). | C | C | C | | C | |
| Alcoholic beverage sales and service in conjunction with a bona fide restaurant. (See CMC 9138.18). | X | X | X | X | X | X |
| **Vehicle Sales and Service:*** | | | | | | |
| *See CMC 9131.13(D) for properties in an MUR overlay district. | | | | | | |
| Sales: | | | | | | |

| | ZONES | | | | | |
|---|---|---|---|---|---|---|
| | **CN** | **CR** | **CG** | **CA** | **MU-CS** | **MU-SB** |
| Automobile service station, subject to the requirements of CMC 9138.12. (See CMC 9133.) | C | | C | | | |
| | | | | | | |
| Automobile/vehicle washing, subject to the requirements of CMC 9138.14. | C | C | C | | C | |
| Automobile parts (new).* | X | X | X | | | X |
| Motorcycles or motorscooters (new).* (See CMC 9138.15.) | | X | X | L | | |
| Automobiles, recreation vehicles, and trucks not over 2-ton capacity (new).* (See CMC 9138.15.) | | L | L | L | | |
| Automobiles, recreation vehicles, and trucks not over 2-ton capacity (used – as accessory use).* (See CMC 9138.15.) | | | L | L | | |
| Automobiles, recreation vehicles, and trucks not over 2-ton capacity (used – as primary use).* (See CMC 9138.15.) | | | | C | | |
| Recreation vehicles, over 2-ton capacity (new).* (See CMC 9133 and 9138.15.) | | X | C | L | | |
| Recreation vehicles, over 2-ton capacity (used – as accessory use).* (See CMC 9133 and 9138.15.) | | | C | L | | |
| Travel trailers or trailers, not over 2-ton capacity (new).* | | L | L | | | |
| Travel trailers or trailers, not over 2-ton capacity (used).* | | | L | | | |
| Trucks, trailers, over 2-ton capacity (new).* | | X | C | | | |
| Trucks, trailers, over 2-ton capacity (used).* | | | C | | | |
| Recreation vehicles, rental and leasing. (See CMC 9138.15(C).) | | | | L | | |
| Boats and accessory equipment. | | C | L | | | |
| Auctions for used automobiles, recreational vehicles, travel trailers, trucks or trailers, motorcycles or motorscooters, and related equipment and miscellaneous goods. (See CMC 9138.21.) | | L | L | C | | |
| *See CMC 9132.2 for incidental uses permitted. Also subject to the provisions of CMC 9138.2. | | | | | | |
| Rental and Leasing: | | | | | | |
| All vehicles up to 2-ton capacity. | | | L | | | |
| All vehicles over 2-ton capacity. | | | C | | | |
| Repair of all vehicles up to 2-ton capacity (no boats): | | | | | | |
| Automobile/vehicle service and repair. | C | C | C | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| **Transportation-Related Uses:** | | | | | | |
| Automobile parking lot or parking building (no long-term vehicle storage, no storage of inoperable vehicles). | X | X | X | | X | X |
| Shared parking facilities. (See CMC 9133.) | C | C | C | C | C | C |
| Passenger station – bus or rail; taxi stand. | X | X | X | X | | |

| | ZONES | | | | | |
|---|---|---|---|---|---|---|
| | CN | CR | CG | CA | MU-CS | MU-SB |
| Heliports, helistops. | | C | C | | | |
| Access to other property lawfully used for purposes not permitted on subject property: | | | | | | |
| Access to residential use. | X | X | X | D | X | X |
| Access to nonresidential use, provided the Director finds no available alternative access is preferable and the character of the area will not be adversely affected. | | | D | D | | |
| **Communications and Utilities:** | | | | | | |
| Post office. | X | X | X | | | |
| Oil wells. (See CMC 9128.6.) | | | C | | | |
| Telephone exchange. | | | X | | | |

**Section 3.** Subdivision (B) of Section 9136.7 (Signs) of Division 6 (Site Development Standards) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

B. Business signs are permitted, subject to the following:

1. All business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in CMC 9172.23. All signs and sign structures shall also comply with the minimum requirements, as outlined in this Section of the Zoning Ordinance. (Ord. 89-873, § 2)

2. The total sign area per lot shall not exceed an area in square feet equal to two (2) times the linear feet of lot frontage on a public street or streets. Window signage shall not exceed 10 % percent of window area. Lot frontage on a freeway shall not be considered in computing this figure.

When the total frontage of a lot is less than the square root of the lot's area, said frontage shall be deemed to be equal to the square root of the lot's area for the purpose of determining the permitted sign area. (Ord. 79-473)

3. ~~A pole sign in excess of thirty (30) feet shall not be permitted. The distance between ground elevation and the bottom of such sign shall be not less than ten (10) feet.~~

3.~~4.~~ A ground sign in excess of ~~ten (10)~~ six (6) feet in height shall not be permitted. The distance between ground elevation and the bottom of a ground sign shall not exceed one (1) foot. Not more than one (1) ground sign shall be permitted on a lot. No ground sign shall be erected until written approval is obtained from the City Traffic Engineer. Such signs shall be in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedure as provided in CMC 9172.23.

4.~~5.~~ A sign may be affixed to a building but shall not project above the height of the building wall or roof fascia.

5.~~6.~~ A sign shall not project into an existing or future right-of-way.

6.~~7.~~ No "A" frame or "sandwich" sign, or scintillating, flashing or revolving sign shall be permitted.

7.~~8.~~ Electronic message center signs are permitted, subject to the following:

(a) Such sign shall be at least one hundred (100) feet from a residential zone.

(b) Such sign shall be at least five hundred (500) feet from any other electronic message center sign.

~~(c) Such sign shall be affixed to a pole and subject to the pole sign limitations of this Chapter.~~

(c)~~(d)~~ A conditional use permit (CUP) shall be required for all electronic message center signs in accordance with the provisions set forth in CMC 9172.21. Approval shall not be granted if the Commission finds that the proposed sign would interfere with the traffic signals, disrupt normal traffic flows or otherwise create a safety hazard.

8.~~9.~~ All business signs for vehicle dealerships shall be permitted in conformance with development standards as provided in CMC 9138.15(E).

9.~~10.~~ All business signs within the MU-CS Zone shall be permitted in conformance with development standards as provided in CMC 9138.17.

10.~~11.~~ All business signs within the MU-SB Zone shall be permitted in conformance with development standards as provided in CMC 9138.18.

**Section 4.** Section 9138.12 (Automobile Service Stations) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

~~**9138.12 Automobile Service Stations.**~~
~~A. Uses Permitted.~~
~~1. Retail sale of petroleum products, except that the sale of diesel fuel and LPG shall be subject to the approval of the Commission through a conditional use permit as described in CMC 9172.21.~~
~~2. The supply of air and water.~~
~~3. Hand washing, waxing, and polishing of motor vehicles in an area not more than five hundred (500) square feet.~~
~~4. Sale of accessory products clearly related to the operation of motor vehicles (e.g., tires, spark plugs, polish, fan belts, etc.).~~

~~5. Minor repair and service of automobiles and other motor vehicles, except in CA Zone (these uses not permitted within an automobile service station). (See CMC 9133 for CR Zone, MUR Overlay District and properties in all zones within one hundred (100) feet of residential zones.)~~

~~6. The sale of convenience goods provided the sales are conducted within an enclosed building. Sales of convenience goods at automobile service stations within 300 feet of any school, as measured from lot line to lot line, shall be subject to a conditional use permit, pursuant to CMC 9172.21, except that service stations within three hundred (300) feet of any schools that were selling convenience goods prior to August 15, 1984, shall be permitted to continue selling convenience goods, subject to the provisions of Part 8 of this Chapter. (Ord. 84-679, § 1)~~

~~B. Repair and Service Activities.~~

~~1. Repair and service activities shall not include major repairs and services (as defined in CMC 9138.11(5)) or tire recapping or retreading. (Ord. 79-467)~~

~~2. All repair and service activities, including storage of equipment and materials, shall be within an enclosed building and conducted in such a manner as not to be a nuisance to the occupants of adjacent properties. Replacement service activities such as wiper blades, fuses, radiator caps and lamps are excepted.~~

~~C. Minimum Lot Area.~~

~~1. Automobile service station sites shall not contain less than fifteen thousand (15,000) square feet of net lot area.~~

~~D. Minimum Street Frontage.~~

~~1. Each lot shall have a minimum frontage of not less than one hundred (100) feet on each abutting street.~~

~~E. Landscaping.~~

~~1. Landscaped planters not less than five (5) feet in width shall be provided along all street frontages except driveway approaches. Landscaping materials shall be of a type that will not exceed three and one half (3-1/2) feet in height at ultimate growth above the grade of any adjacent street.~~

~~2. A landscaped area not less than one hundred fifty (150) square feet in area shall be provided at the intersection of the lot lines at a street corner.~~

~~3. Landscaped planters shall be provided along the full length of building facades facing streets or public parking areas, except where there exist doors, bays or other similar areas.~~

~~4. Landscaping for all interior lot lines shall be provided by either of the following alternatives:~~

~~a. Landscaped planters not less than three (3) feet in width shall be provided along all interior lot lines; or~~

~~b. Trees shall be provided along all interior lot lines. The minimum number of trees shall be calculated at the ratio of one (1) tree per twenty five (25) lineal feet of interior lot line. Minimum tree size shall be twenty-four (24) inch box.~~

~~5. All landscaped areas shall be protected by a curb not less than six (6) inches in height or a raised planter wall between the landscaping and paved areas.~~

~~6. All landscaped areas shall be properly maintained in a neat, orderly and safe manner. Such landscaping and maintenance shall include, but not be limited to, the installation and use of an irrigation system, permanently and completely installed, which delivers water directly to all landscaped areas.~~

~~F. Fencing.~~

~~1. A solid masonry wall, six (6) feet in height, shall be erected and maintained along any common boundary line with property in a residential zone, except that said wall shall not be less than two and one half (2 1/2) feet or more than three and one half (3 1/2) feet in height within the front yard required by CMC 9136.23.~~

~~G. Parking.~~

~~1. One (1) automobile parking space shall be provided for each employee on the largest shift, plus one (1) space for each company vehicle, plus two (2) spaces for each service bay. Said spaces are to be striped and provided with bumper guards or wheel stops approved by the Director.~~

~~H. Access/Circulation.~~

~~1. Driveway entrances to the automobile service station shall not be within five (5) feet of the curb return.~~

~~2. Driveways may be required to be located at the greatest possible distance from a street intersection or at such a location as is considered to interfere least with the movement and safety of vehicular and pedestrian traffic. Driveway locations shall be subject to the approval of the Director of Public Works.~~

~~3. Driveways shall not exceed thirty (30) feet in width. The minimum driveway width shall be twenty-five (25) feet.~~

~~4. The minimum distance between the tops of side slopes of driveways shall be twenty-two (22) feet.~~

~~5. There shall be no more than two (2) driveways per minimum street frontage.~~

~~6. On-site traffic circulation patterns shall be subject to approval of the Director. Vehicular movement affecting the public right-of-way shall be subject to the approval of the Director of Public Works.~~

~~I. Signs shall conform to the provisions of CMC 9136.7.~~

~~J. Storage of Material.~~

~~1. All display and storage shall be located within an enclosed building except for telephone booths and permanent facilities, located on pump islands, necessary to dispense petroleum products. Automobiles awaiting service may be parked in an unenclosed area for a period not exceeding seventy-two (72) hours. Vending machines shall be placed indoors. (Ord. 79-467)~~

~~K. Lighting.~~

~~1. All exterior lighting of a building shall be of an indirect nature, emanating only from fixtures located under canopies or hoods, under eaves of buildings and at ground level in the landscaping. Exterior lighting shall be arranged and shielded so that there shall be no glare or reflection onto adjacent properties or public rights-of-way.~~

~~L. Paving and Drainage.~~

~~1. The entire ground area of the site, except building and planting areas, shall be paved with asphaltic compound or concrete to City standards. Drainage flow lines must be shown on the plot plan, and if drainage is to the street, water must be carried under sidewalks in pipes or culverts subject to the approval of the Director of Public Works.~~

~~M. Trash Storage.~~

~~1. All trash and refuse shall be stored within an area enclosed by a solid wall with solid doors, not less than six (6) feet in height. The wall shall be compatible with the exterior building material.~~

~~2. Adequate vehicular access for refuse pickup and disposal shall be provided.~~

~~N. Equipment Rentals.~~

~~1. No equipment storage or rental shall be permitted.~~

~~O. Restroom Screening.~~

~~1. All exterior restroom entrances shall be screened from view of adjacent properties and public rights-of-way by decorative screening.~~

~~P. Utilities.~~

~~1. All utilities shall be placed underground.~~

~~Q. Setbacks.~~

~~1. No building or structure shall be located within fifteen (15) feet of any lot line abutting a street or within ten (10) feet of any lot line abutting another lot or an alley, except as follows:~~

~~a. A canopy of roof structure over a pump island may encroach not to exceed ten (10) feet into the required setback area along a street frontage.~~

~~R. Abandonment.~~

~~1. Any existing service station, including legally existing nonconforming stations, shall be declared abandoned if the Director determines that the automobile service station is:~~

~~a. Closed continuously for one hundred eighty (180) days; or~~

~~b. Closed for one hundred eighty (180) days over a period of one (1) year; or~~

~~c. Changed to a use not permitted under this Section.~~

~~2. To be considered open, an automobile service station must be operated in good faith for the servicing of motor vehicles.~~

~~3. Within thirty (30) days after the Director has declared an automobile service station abandoned, the Director shall notify in writing the owner of said automobile service station that said automobile service station has been declared abandoned, and the date and the reasons for the declaration.~~

~~The owner of an automobile service station which has been declared abandoned may, within ten (10) days after his receipt from the Director of the notification of declaration of abandonment, request the Commission to set a public hearing to determine whether sufficient facts exist to support the Director's determination that said automobile service station has been abandoned as defined in this subsection: Upon such timely request, the Commission shall set a public hearing for the aforesaid purpose.~~

~~4. If an automobile service station is abandoned, all conditional use permits connected with it are null and void.~~

~~5. An abandoned automobile service station shall comply with any one (1) of the following alternatives within one hundred eighty (180) days of such abandonment:~~

~~a. Reuse of the premises as outlined in subsection S of this Section; or~~

~~b. Securing of the premises as outlined in subsection T of this Section; or~~

~~c. Abatement of the premises as outlined in subsection U of this Section.~~

~~S. Reuse of Abandoned Automobile Service Stations.~~

~~1. Any reuse of an abandoned automobile service station, either as an automobile service station or other use permitted by the land use regulations pertaining to the site, shall be allowed only as specified below:~~

~~a. Any automobile service station established and subsequently abandoned shall not resume operation as an automobile service station unless and until it complies with all regulations of subsections A through Q of this Section.~~

~~b. If any existing, legal nonconforming automobile service station established prior to the effective date of this Section is abandoned, it shall not resume operations as an automobile~~

~~service station unless and until it complies with all regulations of subsections A through Q of this Section.~~

~~c. No automobile service station shall be used for any other use unless and until a conditional use permit is granted.~~

~~2. Upon approval and receipt of the conditional use permit, the applicant shall follow the conversion standards listed below:~~

~~a. All pumps, signs, insignias and corporate trademarks, their supporting structures, mountings and foundations and all other aboveground improvements uniquely associated with automobile service stations, with the exception of the office, canopies, pump islands and service bays, shall be taken down, dismantled, and removed from the site.~~

~~b. All gasoline storage tanks, fuel lines, pumps and other belowground apparatus related to the delivery or disposal of petroleum products shall be excavated and removed from the site or filled according to Federal, State and City regulations.~~

~~c. Upon removal of the tanks, structures and other apparatus specified in preceding subsections (S)(2)(a) and (S)(2)(b) of this Section, the site shall be landscaped and resurfaced in a manner consistent with the new use.~~

~~d. All such improvements shall be completed or in progress no later than one hundred eighty (180) days after the issuance of the new conditional use permit and shall continue in good faith until completion.~~

~~If the provisions of this subsection are not fulfilled, the use shall become abandoned and all applicable conditional use permits shall become null and void.~~

~~3. Unless specifically modified by previous Commission action, no site originally developed as an automobile service station and subsequently converted to another commercial use, whether by conditional use permit or not, shall be converted to yet another commercial use unless and until a conditional use permit is granted.~~

~~T. Securing of Abandoned Automobile Service Stations.~~

~~1. Any automobile service station declared abandoned and not reestablished as an automobile service station or converted to another use as outlined in subsection S of this Section, shall comply with the following conditions within one hundred eighty (180) days of being declared abandoned:~~

~~a. All pumps, signs, insignias and corporate trademarks, their supporting structures, mountings and foundations and all other aboveground improvements uniquely associated with automobile service station operations, with the exception of the office, canopies, and service bays, shall be taken down, dismantled and removed from the site.~~

~~b. All gasoline storage tanks, fuel lines, pumps and other below-ground apparatus related to the delivery or disposal of petroleum products shall be excavated and removed from the site or filled according to Federal, State and City regulations.~~

~~c. A chain link fence not less than six (6) feet in height and including a four (4) foot wide gate shall be erected around the perimeter of the lot on which the automobile service station is located, unless the automobile service station is located on a lot with another use, in case the fence shall enclose all property originally devoted to the automobile service station use. (Added by Ord. 81-552, § 1)~~

~~All automobile service stations in the City declared abandoned pursuant to CMC 9138.12 prior to the adoption of Ordinance No. 81-552 shall comply with the requirements of CMC 9138.12(T)(1)(c) within one hundred eighty (180) days from the effective date of the ordinance codified in this Section. (Added by Ord. 81-554, § 1)~~

~~Any person violating any of the provisions or failing to comply with any of the requirements of the Section shall be guilty of a misdemeanor and shall be punishable by a fine of not to exceed $500.00 or by imprisonment in the County jail for a period not exceeding six (6) months or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which violation of this Section is committed, continued or permitted by such person and shall be punishable accordingly. (Added by Ord. 81-554, § 2)~~

~~2. All such abandoned automobile service stations shall be secured and maintained in a neat, orderly and safe manner.~~

~~U. Abatement of Abandoned Service Stations.~~

~~1. Any automobile service station declared abandoned and not in compliance with either subsection S or T of this Section within one hundred eighty (180) days of such declaration, shall be deemed substandard property as defined in Section 9904 of the City's Building Code.~~

~~2. Any abandoned automobile service station deemed to be substandard property shall be subject to the abatement procedures as set forth in Chapter 99 of the City's Building Code and subsection (R)(5) of this Section.~~

~~Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I of this Code. (Ord. 79-479, § 7; Ord. 79-467; Ord. 03-1279, §§ 20, 21; Ord. 04-1322, § 5; Ord. 08-1400, § 1; Ord. 11-1479, § 10)~~

9138.12 Convenience Store.

A. Use Classification. A small retail self-service store selling a limited line of fast-moving food and nonfood items, usually with extended hours of operation, a high volume of customer traffic, and either standalone or associated with auto service stations.

B. Minimum Lot Area. New convenience markets shall not be permitted on lots less than thirty-two thousand, six-hundred seventy (32,670) square feet net area.

C. Minimum Separation Requirement. New Convenience stores shall be not less than one-half (1/2) mile from an existing convenience store.

D. Hours of Operation. Business hours, including truck loading hours, shall be limited to 5 a.m. to 11 p.m., seven days a week.

E. Parking Requirement. 1 space per two hundred fifty (250) square feet of gross floor area.

F. Alcohol sales. Alcohol sales could be considered as part of a separate Conditional Use Permit application for convenience stores; however, the hours of operation would be limited to 5 a.m. to 9 p.m., seven days a week. In addition, alcohol sales shall not be permitted within 300 feet of residences, schools, and parks.

**Section 5.** Section 9138.13 (Automobile Laundries) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

~~**9138.13 Automobile Laundries.**~~

~~A. Definitions.~~

~~1. Automobile Laundry. Any facility in which power driven or steam cleaning machinery is used to clean and/or wash automobiles and other motor vehicles.~~

~~2. Self-service Automobile Laundry. Any automobile laundry where equipment and/or facilities are provided for the self-service cleaning and/or washing of automobiles and other motor vehicles.~~

~~3. Exterior Drive-through Automobile Laundry. Any automobile laundry where exterior cleaning and/or washing services are provided on a drive-through or roll-over basis.~~

~~4. Full-service Automobile Laundry. Any automobile laundry providing exterior and interior washing and cleaning services for automobiles and other motor vehicles.~~

~~B. General Standards.~~

~~1. A conditional use permit shall first be obtained before the establishment of any automobile laundry, except in the CA Zone where permitted as a secondary uses in association with new vehicle dealership.~~

~~2. All automobile laundries shall comply with the regulations for automobile service stations set forth in CMC 9138.12, unless such regulations are in conflict with the following regulations set forth specifically for automobile laundries. In the event of such conflict, the regulations for the development and performance of automobile laundries shall apply.~~

~~3. In addition to the regulations set forth for automobile laundries, the overall design and architectural concept of each automobile laundry shall be subject to the approval of the Commission.~~

~~C. Self-Service Automobile Laundries.~~

~~1. Uses Permitted:~~

~~a. Self-service washing and drying of automobiles and other motor vehicles.~~

~~b. Self-service waxing, polishing and vacuuming of automobiles and other motor vehicles.~~

~~c. Any use permitted for automobile service stations in the same zone, with the exception of repair and service activities.~~

~~2. Minimum Lot Area:~~

~~a. Self-service automobile laundries without retail sales of petroleum products shall contain not less than fifteen thousand (15,000) square feet of net lot area.~~

~~b. Self-service automobile laundries also engaged in the retail sales of petroleum products shall contain not less than twenty thousand (20,000) square feet of net lot area.~~

~~3. Minimum Street Frontage:~~

~~a. Self-service automobile laundries without retail sales of petroleum products shall have a minimum frontage of one hundred (100) feet on each abutting street.~~

~~b. Self-service automobile laundries also engaged in the retail sales of petroleum products shall have a minimum frontage of not less than one hundred fifty (150) feet on each abutting street.~~

~~4. Landscaping:~~

~~a. Landscaped areas shall comprise not less than ten (10) percent of the area of the entire site.~~

~~5. Access/Circulation:~~

~~a. Self-service automobile laundries shall provide adequate on-site circulation patterns for automobiles and other motor vehicles waiting in line for service.~~

~~b. Driveways shall be subject to the review and approval of the Director of Public Works.~~

~~6. Site Improvements:~~

~~a. All mechanized washing, waxing and drying of automobiles and other motor vehicles shall be within a completely enclosed facility, except for an entrance and exit.~~

~~b. The abovementioned entrance and exit shall not face any abutting property zoned for residential use.~~

~~c. When these uses are offered on the site, specific areas shall be provided for the manual drying, waxing, polishing and vacuuming of automobiles and other motor vehicles. Said areas shall not conflict or interfere with on-site circulation patterns.~~

~~7. Performance Standards:~~

~~a. Adequate provisions shall be made to prevent excessive noise from emanating from the facility.~~

~~b. Adequate provision shall be made for the safe and efficient disposal of waste products.~~

~~c. Adequate provisions shall be made for the control of odors, steam and any other by-products of this use not normally present in the surrounding environment.~~

~~D. Exterior Drive-through Automobile Laundries.~~

~~1. Uses Permitted:~~

~~a. Exterior washing and/or cleaning of automobiles and other motor vehicles.~~

~~b. Any use permitted for automobile service stations in the same zone.~~

~~2. Minimum Lot Area:~~

~~a. Exterior drive-through automobile laundries without retail sales of petroleum products shall contain not less than twenty thousand (20,000) square feet of net lot area.~~

~~b. Exterior drive-through automobile laundries also engaged in the retail sales of petroleum products shall contain not less than twenty-five thousand (25,000) square feet of net lot area.~~

~~3. Minimum Street Frontage:~~

~~a. Exterior drive-through automobile laundries without retail sales of petroleum products shall have a minimum frontage of one hundred twenty-five (125) feet on each abutting street.~~

~~b. Exterior drive-through automobile laundries also engaged in the retail sales of petroleum products shall have a minimum frontage of one hundred fifty (150) feet on each abutting street.~~

~~4. Landscaping:~~

~~a. Landscaped areas shall comprise not less than ten (10) percent of the area developed for the entire site, including such areas utilized for the operation of an automobile service station.~~

~~5. Access/Circulation:~~

~~a. All exterior drive-through automobile laundries shall provide adequate on-site circulation patterns for automobiles and other motor vehicles waiting in line for service.~~

~~b. Driveways shall be subject to the review and approval of the Director of Public Works.~~

~~6. Site Improvements:~~

~~a. All mechanized washing and drying of automobiles and other vehicles shall be within a completely enclosed facility, except for an entrance and exit.~~

~~b. The abovementioned exit and entrance shall not face any abutting property zoned for residential use.~~

~~c. When these uses are offered on the site, specific areas shall be provided for the manual drying, vacuuming, waxing and polishing of automobiles and other motor vehicles. Said areas shall not conflict or interfere with on-site circulation patterns.~~

~~7. Performance Standards:~~

~~a. Adequate provisions shall be made to prevent excessive noise from emanating from the facility.~~

~~b. Adequate provisions shall be made for the safe and efficient disposal of waste products.~~

~~c. Adequate provisions shall be made for the control of odors, steam and any other by-products of this use not normally present in the surrounding environment.~~

~~E. Full Service Automobile Laundries.~~

~~1. Uses Permitted:~~

~~a. Fully automated washing, waxing, polishing and drying of automobiles and other motor vehicles.~~

~~b. Fully automated or manual vacuuming and cleaning of the interior of automobiles and other motor vehicles.~~

~~c. Any use permitted for automobile service stations in the same zone.~~

~~2. Minimum Lot Area:~~

~~a. All full-service automobile laundries shall contain not less than twenty-five thousand (25,000) square feet of net lot area.~~

~~3. Minimum Street Frontage:~~

~~a. Full-service automobile laundries without retail sales of petroleum products shall have a minimum street frontage of one hundred fifty (150) feet on each abutting street.~~

~~b. Full-service automobile laundries also engaged in the retail sales of petroleum products shall have a minimum frontage of two hundred (200) feet on each abutting street.~~

~~4. Landscaping:~~

~~a. Landscaped areas shall comprise not less than ten (10) percent of the area developed for the entire site, including such areas utilized for the operation of a retail petroleum outlet.~~

~~5. Access/Circulation:~~

~~a. Driveway entrances to all full-service automobile laundries shall not be within five (5) feet of the curb return.~~

~~b. Driveways may be required to be located at the greatest possible distance from a street intersection or at such a location as is considered to interfere least with the movements and safety of vehicular and pedestrian traffic. Driveway locations shall be subject to the approval of the Director of Public Works.~~

~~c. The minimum driveway width shall be twenty five (25) feet. Driveways shall not exceed thirty (30) feet in width.~~

~~d. The minimum distances between tops of side slopes of driveways shall be twenty-two (22) feet.~~

~~e. There shall be no more than two (2) driveways per one hundred (100) feet of street frontage. Total number of driveways shall be subject to the review and approval of the Director of Public Works.~~

~~f. On-site traffic circulation patterns shall be subject to approval of the Director. Vehicular movement affecting the public right-of-way shall be subject to approval of the Director of Public Works.~~

~~g. All full-service automobile laundries shall provide adequate circulation patterns to accommodate a minimum of thirty (30) automobiles and/or other motor vehicles waiting in line for service.~~

~~h. When the service is offered on the site, all full-service automobile laundries shall provide a specified area for the final manual drying of automobiles and other motor vehicles. Said area shall be capable of accommodating a minimum of fifteen (15) automobiles and other motor vehicles, and said area shall not conflict with or interfere with on-site circulation patterns.~~

~~6. Site Improvements:~~

~~a. All fully automated washing, waxing, polishing and drying of automobiles and other motor vehicles shall be within an adequately screened facility, except for an entrance and exit.~~

~~b. The abovementioned entrance and exit shall not face any abutting property zoned for residential use.~~

~~c. When these services are offered on the site, specific areas shall be provided for the manual waxing, polishing and vacuuming of automobiles and other motor vehicles. Said areas shall not conflict with or interfere with on-site circulation patterns.~~

~~d. A specific customer waiting area, not less than five hundred (500) square feet, shall be provided at all full-service automobile laundries. Said customer waiting area shall not conflict with or interfere with on-site circulation patterns.~~

~~7. Performance Standards:~~

~~a. Adequate provisions shall be made to prevent excessive noise from emanating from the facility.~~

~~b. Adequate provisions shall be made for the safe and efficient disposal of waste products.~~

~~c. Adequate provisions shall be made for the control of odors, steam and other by-products of this use not normally present in the surrounding environment.~~

~~Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I of this Code. (Ord. 79-479, § 7; Ord. 03-1279, § 22)~~

9138.13 Reserved.

**Section 6.** Section 9138.14 (Miscellaneous Retail Petroleum Outlets) of Division 8 (Special Requirements for Certain Uses) or Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning)of the Carson Municipal Code is hereby amended as follows:

**~~9138.14 Miscellaneous Retail Petroleum Outlets.~~**

~~A. Definition—Miscellaneous Retail Petroleum Outlets.~~

~~1. A miscellaneous retail petroleum outlet is any retail petroleum outlet other than an automobile service station or automobile laundry. The retail sale of petroleum products and the provision of minor accessories normally associated with this use must be of a secondary or auxiliary nature to a compatible primary use on the site.~~

~~2. Retail sale of petroleum products and the provision of minor accessories normally associated with this use shall not exceed fifty (50) percent of the business on the site in terms of gross receipts~~

~~3. If the abovementioned ratio exceeds fifty (50) percent of gross receipts, the retail petroleum outlet shall be considered an automobile service station, and shall be subject to the regulations set forth in CMC 9138.12.~~

~~B. Uses Permitted.~~

~~1. Primary use or uses.~~

~~2. Retail sale of petroleum products.~~

~~3. The supply of air and water.~~

~~4. Retail sales of accessory products clearly related to the operation of motor vehicles (e.g., tires).~~

~~5. Replacement of wiper blades, fuses, radiator caps, lamps and other minor accessories.~~

~~C. Minimum Lot Area.~~

~~1. A miscellaneous retail petroleum outlet shall have a minimum net lot area of five hundred (500) square feet per pump in addition to the minimum area normally required for the primary use.~~

~~D. Street Frontage.~~

~~1. Each miscellaneous retail petroleum outlet shall have a minimum frontage of not less than one hundred (100) feet on each abutting street.~~

~~E. Repair and Service Activities.~~

~~1. None permitted, except as provided in subsection (B)(5) of this Section.~~

~~F. Landscaping.~~

~~1. Landscaped areas shall comprise not less than ten (10) percent of the area of the entire site, or according to the regulations pertaining to the primary use, whichever is greater. The landscaped areas shall be evenly distributed over the promises.~~

~~G. Fencing.~~

~~1. There shall be perimeter fencing according to the regulations applicable to the primary use.~~

~~H. Parking.~~

~~1. There shall be two (2) off-street parking spaces per pump, in addition to those required for the primary use.~~

~~I. Signs shall conform to the provisions of CMC 9136.7.~~

~~J. Storage of Material.~~

~~1. Storage and display shall be located entirely within an enclosed building.~~

~~K. Service Bays.~~

~~1. Not allowed.~~

~~L. Location.~~

~~1. No new miscellaneous retail petroleum outlets shall be established within five hundred (500) feet of an existing automobile service station, automobile laundry or another miscellaneous retail petroleum outlet.~~

~~M. Combination with Food Related Uses.~~

~~1. In cases where the primary use is related to the sales, preparation or dispensing of food, retail petroleum pump islands must be at least twenty-five (25) feet from the facilities and activities of the primary use.~~

~~N. The following standards shall be in accordance with those for automobile service stations:~~

~~1. Access/Circulation.~~
~~2. Lighting.~~
~~3. Paving/Drainage.~~
~~4. Trash storage.~~
~~5. Restroom screening.~~
~~6. Utilities.~~
~~7. Setbacks.~~
~~8. Abandonment.~~
~~9. Reuse of abandoned automobile service stations.~~
~~10. Securing of abandoned automobile service stations.~~
~~11. Abatement of abandoned automobile service stations.~~

~~Any person, firm or corporation violating any provision of this Section shall be guilty of an infraction and shall be punishable as provided in Chapter 2 of Article I of this Code. (Ord. 79-479, § 7)~~

9138.14 Automobile/Vehicle Services

A. Use Classifications.

1. Automobile/Vehicle Service and Repair. Repairs and services include major engine overhaul (any operation requiring pulling the head, intake or exhaust manifold, or the pan); transmission, muffler, and radiator work; lubrication; repair of brakes, generators, water pumps, batteries and other minor accessories; replacement of wiper blades, fuses, radiator caps, lamps and other minor accessories, changing oil and transmission fluid; patching, changing or mounting of tires; wheel alignment; tune-up; minor electrical repairs; and similar repairs and services. In the CA Zone, auto body and fender work and auto body paint are permitted as accessory uses to new vehicle sales, subject to conditional use permit.

2. Automobile/Vehicle Washing. Washing, waxing, vacuuming, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.

3. Automobile Service Station. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing automobile/vehicle repair services, selling automotive oils, replacement parts, and accessories, and/or providing incidental food, retail sales.

B. Landscaping and Screening.

1. A masonry wall at least six feet in height shall be provided along all lot lines adjacent to a residential use or district.

2. At least ten (10) percent of the site must be landscaped.

3. A landscaped planter with a minimum inside width of ten (10) feet and enclosed within a six (6) inch high curb shall be provided along the front and street side property lines, except for vehicular circulation openings. A landscaping buffer with a minimum inside width of at least five (5) feet shall be provided along all other property lines.

4. A three hundred (300) square foot planter with a minimum dimension of ten feet shall be provided at the corner of intersecting streets unless a building is located at the corner.

5. Additional screening and landscaping may be required where necessary to prevent visual impacts on adjacent properties.

B. Application Review and Findings for Approval. The decision-making authority shall only approve a use permit for an automobile/vehicle service facility only if it finds that:

1. The project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.

2. The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.

3. Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties.

4. Lighting is designed to be low-profile, indirect or diffused and to avoid adverse impacts on surrounding uses.

C. Conditions of Approval. Conditions of approval may include limitations on operational characteristics of the use; restrictions on outdoor storage and display, location of pump islands, canopies and service bay openings; and/or requirements for buffering, screening, lighting, planting areas, hours of operation or other site elements in order to avoid adverse impacts on adjacent lots or the surrounding area.

D. Automobile/Vehicle Service and Repair. Automobile/vehicle service and repair uses, as well as any other uses, such as service stations, that perform auto servicing as an accessory activity, are subject to the following standards:

1. Noise. All body and fender work or similar noise-generating activity shall be conducted within an enclosed masonry or similar building with sound-attenuating construction to absorb noise. Air compressors and other service equipment shall be located inside a building.

2. Work Areas. All work shall be conducted within an enclosed building except: pumping motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly.

3. Vehicle Storage. Vehicles being worked on or awaiting service or pick-up shall be stored within an enclosed building or in a parking lot on the property shall be screened from the public right-of-way. Unattended vehicles may not be parked or stored on the sidewalk adjoining the property, in the street, or in any portion of the public right-of-way within the City.

4. Litter. The premises shall be kept in an orderly condition at all times. No used or discarded automotive parts or equipment or permanently disabled, junked, or wrecked vehicles may be stored outside a building.

F. Automobile/Vehicle Washing. Automobile/vehicle washing facilities are subject to the following standards:

1. Minimum Lot Area. Automobile service stations shall contain not less than twenty thousand (20,000) square feet of net lot area.

2. Washing Facilities. No building or structure shall be located within thirty feet of any public street or within twenty feet of any interior property line of a residential use or residential district. Vehicle lanes for carwash openings shall be screened from public streets to a height of forty inches. Screening devices shall consist of walls and/or berms with supplemental plant materials.

3. Hours of Operation. Limited to 7 a.m. to 10 p.m., seven days a week. When abutting a residential district, the hours of operation shall be between 8 a.m. to 8 p.m., seven days a week.

G. Automobile Service Station. Automobile service stations and any other commercial use that includes fuel pumps for retail sales of gasoline are subject to the following standards. An automobile service station with a convenience store shall comply with the standards set forth in CMC 9138.12 (Convenience Store):

1. Minimum Lot Area. Automobile service stations shall not be permitted on lots containing less than fifteen thousand (15,000) square feet of net lot area.

2. Minimum Street Frontage. Each lot shall have a minimum frontage of not less than one hundred (100) feet on each abutting street.

3. Pump Islands. Pump islands shall be located a minimum of fifteen feet from any property line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to ten feet within this distance.

4. Minimum Separation Requirement. New automobile service stations shall be not less than five hundred (500) feet from an existing service station use.

5. Abandonment. Any service station shall in the case of abandonment or non-operation of the primary use be dismantled and the site cleared within six (6) months subsequent to the close of the last business day.

**Section 7.** Section 9141.1 (Uses Permitted) of Division 1 (Uses Permitted) of Part 4 (Industrial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

| | | |
|---|---|---|
| Minor wireless telecommunications facilities, subject to the requirement of CMC 9138.16. | L | L |
| Major wireless telecommunications facilities, subject to the requirement of CMC 9138.16. | C | C |
| **Uses Permitted in Commercial Zones:** | | |
| Any principal use permitted in any commercial zone, whether automatically (X), with limitation (L), or by conditional use permit (C), is automatically permitted in the industrial zones, subject to the same requirements specified for such use in the commercial zones, except the following: | | |
| Residential: | | |
| Mobile home park. | Not permitted | |
| Group quarters for members of a religious order. | Not permitted | |
| Community residential care facility, boarding or rooming house, fraternity or sorority house, dormitory, residential hotel or similar group quarters, motel units with kitchens. | Not permitted | |
| Emergency shelters, up to 30 occupants within the City. | L | L |

| | | |
|---|---|---|
| Emergency shelters, more than 30 occupants within the City. | C | C |
| Transitional housing, supportive housing and single-room occupancy (SRO) housing. | Not permitted | |
| Transportation related uses: | | |
| Shared parking facilities. | C | C |
| Health services: | | |
| Hospital, long-term health care facility, public health center. | C | |
| Ambulance service. | C | C |
| Public and quasi-public uses: | | |
| Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural, or historical information will be obtained from the site. | D | D |
| Education: | | |
| Elementary or secondary school public or private. | Not permitted | |
| Recreation: | | |
| Golf driving range, pitch-and-putt course, golf course, subject to the limitations of CMC 9138.3. | L | L |
| Arcade, subject to the requirements of CMC 9138.4. | C | C |
| Retail services and offices: | | |
| Adult business. | Not permitted | |
| Convenience Stores. | C | C |
| Payday loans. | CUP | CUP |
| Massage service. | Not permitted | |
| Tattoo service. (New uses not permitted. Existing uses prior to June 7, 2006, required a CUP and are subject to CMC 9138.92.) | L | Not permitted |
| Alcoholic beverage sales and services: | | |
| Alcoholic beverage sales in conjunction with variety store, drug-store, mini market, drive-through market, food store, or grocery store excluding a supermarket, take-out food, liquor store, subject to requirements of CMC 9138.5. | C | C |
| Alcoholic beverage sales and services in conjunction with cocktail lounge, bar, arcade, pool hall, billiards, card room, bowling alley, indoor theater, night club and eating establishment other than a bona fide restaurant, subject to requirements of CMC 9138.5. | C | C |
| Vehicles sales and service: | | |
| Automobile service station, subject to the requirements of CMC 9138.14. | C | C |
| Automobile/vehicle washing, subject to the requirements of CMC 9138.14. | C | C |
| | | |
| Automobile/vehicle service and repair, subject to the limitations of CMC 9138.14. | C | C |
| Auctions for used automobiles, recreational vehicles, travel trailers, trucks or trailers, not over 2-ton capacity, motorcycles or motorscooters, subject to the requirements of CMC 9138.21. | C | C |
| **Temporary Uses:** | | |

| | | |
|---|---|---|
| Election campaign office in a trailer. (Not permitted earlier than 90 days before the election. To be removed within 14 days after the election.) | L | L |
| Office or other permitted commercial use in a trailer or other mobile unit. (Permitted for a period not exceeding 6 months during construction of a building on the same lot while a building permit is in effect. The Director may approve reasonable time extensions if he finds construction is proceeding in good faith.) | L | L |
| Storage of construction materials and equipment at a construction site without the screening which would be required for permanent outdoor storage (only during the period a building permit is in effect). | L | L |
| Subdivision directional sign. (See CMC 9128.31 – 9128.35.) | LD | LD |
| Fireworks stand, fireworks storage. (See CMC 3101.0 – 3101.10) | CC | CC |
| Tent revival. (See Chapter 6 of Article III of the Carson Municipal Code.) | CC | CC |

**Section 8.** Subdivision (B) of Section 9146.7 (Signs) of Division 6 (Site Development Standards) of Part 4 (Industrial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by deleting strikethrough text and adding underlined text as follows:

B. Business signs are permitted, subject to the following:

1. All business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in CMC 9172.23. All signs and sign structures shall also comply with the minimum requirements, as outlined in this Section of the Zoning Ordinance.

2. The total sign area per lot shall not exceed an area in square feet equal to two (2) times the linear feet of lot frontage on a public street or streets for the first one hundred (100) feet of frontage, plus one-half (1/2) times the frontage in excess of one hundred (100) feet. Window signage shall not exceed 10% percent of window area. Lot frontage on a freeway shall not be considered in computing this figure.

When the total frontage of a lot is less than the square root of the lot's area, said frontage shall be deemed to be equal to the square root of the lot's area for the purpose of determining the permitted sign area.

Any primary use which is developed commercially may be permitted to have a sign area equal to that permitted by CMC 9136.7(B)(2); provided, that a deed restriction is recorded in the Offices of the County Recorder, restricting the use on the property to a commercial use, and proof of such recordation is submitted to the satisfaction of the Director.

~~3. A pole sign in excess of fifty (50) feet in height shall not be permitted. The distance between ground elevation and the bottom of such sign shall be not less than ten (10) feet.~~

4. A ground sign in excess of ~~ten (10)~~ six (6) feet in height shall not be permitted. The distance between ground elevation and the bottom of a ground sign shall not exceed one (1) foot. Not more than one (1) ground sign shall be permitted on a lot. No ground sign shall be erected until written approval is obtained from the City Traffic Engineer. Such signs shall be

in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedure as provided in CMC 9172.23.

5. A sign may be affixed to a building but shall not project above the height of the building wall or roof fascia.

6. A sign shall not project into an existing or future right-of-way.

7. No "A" frame or "sandwich" sign or scintillating, flashing or revolving sign shall be permitted.

8. Electronic message center signs are permitted, subject to the following:

(a) Such sign shall be at least one hundred (100) feet from a residential zone.

(b) Such sign shall be at least five hundred (500) feet from any other electronic message center sign.

(c) Such sign shall be affixed to a pole and subject to the pole sign limitations of this Chapter.

(d) A conditional use permit (CUP) shall be required for all electronic message center signs in accordance with provisions set forth in CMC 9172.21. Approval shall not be granted if the Commission finds that the proposed sign would interfere with traffic signals, disrupt normal traffic flow or otherwise create a safety hazard.

**Section 9.** Section 9148.3 (Miscellaneous Retail Petroleum Outlets) of Division 6 (Site Development Standards) of Part 4 (Industrial Zones) as follows:

**9148.3 Reserved**

**Section 10.** Section 9182.44 (Nonconformity for Convenience Stores) of Division 2 (Nonconformities) of Part 8 (Implementation Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby added as follows:

<u>9182.44 Nonconformity for Convenience Stores</u>

<u>Existing lawfully established convenience stores including those associated with other businesses such as an automobile service stations, may continue to operate indefinitely without complying with the provisions of CMC Section 9138.12 and 9138.14. Existing convenience stores including those associated with other businesses such as automobile service stations may expand their floor area without complying with the provisions of CMC Section 9138.12. and 9138.14. All expansions shall require a Site Plan and Design Review application to ensure upgrading the façade of the building(s), signage, and the landscaping for the site.</u>

**Section 11.** Section 9182.44 (Nonconformity for Automobile Service Stations) of Division 2 (Nonconformities) of Part 8 (Implementation Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby added as follows:

Existing lawfully established automobile service stations including those associated with other businesses, may continue to operate indefinitely without complying with the provisions of CMC Section 9138.14. Existing automobile service stations including those associated with other businesses may expand their floor area without complying with the provisions of CMC Section 9138.14. All expansions shall require a Site Plan and Design Review application to ensure upgrading the façade of the building(s), signage, and the landscaping for the site.

**Section 12.** Part 9 (Definitions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

Sections:

§ 9190 Definitions.

§ 9191.002 Abut or Abutting.

§ 9191.006 Access.

§ 9191.010 Accessory.

§ 9191.014 Action.

§ 9191.016 Adult Business.

Massage Service.

Tattoo Service.

§ 9191.018 Alley.

§ 9191.022 Alley, Public.

§ 9191.026 Alter or Alteration.

§ 9191.026.5 Alternative Transportation.

§ 9191.027 Amusement Machine.

§ 9191.028 Arcade.

Area.

§ 9191.030 Authorized Agent or Representative of Owner.

Automobile Dismantling or Wrecking Yard.

Automobile Impounding Yard.

~~Automobile Laundry. See CMC 9138.13(A)(1).~~

~~Automobile Repair and Service, Major. See CMC 9138.11(A)(5).~~

~~Automobile Repair and Service, Minor. See CMC 9138.11(A)(4).~~

~~Automobile Service Station. See CMC 9138.11 (A)(3).~~

**Section 13.** Section 9190 (Definitions) of Part 9 (Definitions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended as follows:

**9191.030 Authorized Agent or Representative of Owner.**

Shall mean anyone who has authority to make requests or applications, speak for or make presentations on behalf of the owner of any property. An authorized agent or representative shall be responsible for any information or data which he presents to the City. As used in this Chapter, any party who is or will be a plaintiff in an action in eminent domain or acquire property shall be considered an authorized agent or representative for said property.

**Automobile Dismantling or Wrecking Yard.** See Vehicle Dismantling Yard.

**Automobile Impounding Yard.** See Vehicle Impounding Yard.

**Section 14.** If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

**Section 15.** The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

**Section 16.** This ordinance shall be effective thirty (30) days following its adoption.

**PASSED, APPROVED**, and **ADOPTED** this 1st day of November, 2016.

/s/Mayor Albert Robles

ATTEST:

/s/City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

/s/ City Attorney Sunny Soltani