



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 8, 2010

SUBJECT: Conditional Use Permit No. 750-09

APPLICANT: Pedro Escobar
A & S Auto and Truck Repair
420 E. Carson Street
Carson, CA 90745

REQUEST: Approve a conditional use permit for an existing auto repair business on a site located in the MU-CS (Mixed Use-Carson Street) zoning district

PROPERTY INVOLVED: 420 E. Carson Street

COMMISSION ACTION

_____ Concurred with staff

_____ Did not concur with staff

_____ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Diaz			Verrett
		Gordon			

Item No. 11-A

I. Introduction

Date Application Received: September 29, 2009

- Conditional Use Permit No. 750-09

Property Owner

- Celeste Broer, 1506 Crenshaw Boulevard, Suite A, Torrance, CA 90501

Project Applicant

- Pedro Escobar, A & S Auto and Truck Repair
420 E. Carson Street, Carson, CA 90745

Project Address

- 420 E. Carson Street, Carson, CA 90745

Project Description

- The applicant requests the approval of a conditional use permit to allow the use of an existing auto repair business on a site located in the MU-CS (Mixed Use Carson Street) zoning district. Pursuant to Section 9182.26, an existing lawfully established vehicle repair and service use located within the MU (Mixed Use) overlay district shall obtain a conditional use permit.
- The existing auto repair business operates in a 1,480-square-foot tenant space in the western portion of an approximate 5,720-square-foot building. Auto repair use has been operating in this location continuously since 1960.

II. Background

Use of Property

- The property is developed with a commercial building consisting of approximately 5,720-square feet. There is an abutting metal building that is approximately 4,660 square-feet that was built in 1959.
- Other uses include: a flower shop; meat-market and a tattoo parlor.

Current Use

- Lawfully established auto repair use has been occurring on the site since 1960.

Previously Approved Discretionary Permits

- Conditional Use Permit No. 669-07: To facilitate a tattoo shop at 422 E. Carson Street (June 2007).
- Zone Change Case No. 153-06: Change zone from: CG, CR, CN, RM-25-D and MUR to MU-CS (Carson Street Master Plan/December 2006).



Public Safety Issues

- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement case associated with this property.

Ordinance No. 04-1322

On October 5, 2004, the City Council passed Ordinance No. 04-1322 (Exhibit No. 3), which requires a conditional use permit (CUP) for any auto repair use located within the CR (Commercial, Regional) zoning district, MU (Mixed Use) overlay district, or within 100 feet of a residential zone. For existing lawfully established auto repair use in those areas, a CUP must be submitted within five years or by October 5, 2009. The subject property abuts residential uses to the south and is located within the MU-CS zoning district, thus the auto repair use requires a CUP.

A CUP can only be approved by the Commission if certain findings can be made, including providing adequate onsite parking and meeting applicable development standards contained in Section 9138.2. Furthermore, a report must be prepared by the applicant showing that building, plumbing, electrical, and fire code deficiencies are eliminated. The Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas; and
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for commercial uses.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 420 E. Carson Street.
- The subject site consists of a 5,720-square-foot commercial building and a 4,660-square-foot metal building. The subject tenant space occupies approximately 1,480-square-feet of said the commercial building.
- General Commercial and residential uses surround the subject property with commercial uses located along Carson Street and residential uses to the south. A four-story residential apartment building is proposed to be constructed immediately across the street from the subject property.
- The lot area is approximately 20,577 square feet or 0.47 acre.
- A total of 35 parking spaces is required for the existing 10,380-square-feet of building space. The existing commercial building is developed with 6 parking spaces in the front of the building and an additional 4 spaces in the rear. The metal building (former boxing gym) uses non-conforming parking spaces on the south side of the building that are not easily accessible, do not meet minimum standards for parking space design and are not used for parking to service the adjoining commercial uses.

- The auto repair business utilizes service bays that are accessed directly from Carson Street.
- There are two pole signs that are legal, nonconforming and subject to abatement.
- According to the Los Angeles County Division of Building and Safety, permits for auto repair were issued since 1960 at the subject address. Further, the city Business License Division issued city business licenses for auto repair uses since 1980.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned MU-CS (Mixed Use – Carson Street) and surrounding properties share the same zoning with exception of the property to the south which is zoned RS (Residential Single Family).
- The subject property has a General Plan Land Use designation of Mixed Use Residential.

The subject site is within the Carson Street Master Plan that was adopted in 2006. Within the Carson Street Master Plan area, there are three auto repair business within the MU-CS zone district (Midas, Botach auto row buildings and A & S Auto and Truck Repair) and two within the CR zone district (Mobil service station and 76 Service Station/Rick's Lube). Applications are currently under review to determine if the existing auto repair uses can be approved or conditionally approved. Applications deemed to be inconsistent with the General Plan, Carson Street Master Plan and underlying zone district will be recommended for denial. Based upon recent discussions, the Mobil service station is expected to close and Rick's Lube will relocate allowing the 76 service station to convert the area to a convenience store.

Applicable Zoning Ordinance Regulations

The proposed CUP is subject to the approval of a development plan in accordance with the Conditional Use Permit (CUP) procedures as provided in Section 9172.21 and subject to CMC Section 9138.2 (Vehicle Service and Repair).

Required Findings: Conditional Use Permit

Pursuant to Section 9172.21(D), Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.



The required findings pursuant to Section 9172.21(D) cannot be made in the affirmative. Specifically, the continued use of the auto repair business is in conflict with the General Plan, Carson Street Master Plan and the MU-CS zone district, which promotes a "pedestrian friendly" mixed use environment. The goals also promote the creation of a beautiful, vibrant, "main street" that reflects the community vision and embodies the identity of the city of Carson. The auto repair bays are directly visible from Carson Street. Since the building was built prior to the requirements of the Carson Municipal Code (CMC), there is minimal setback from Carson Street and no screening of the bay doors. The property does not provide any landscape area and is generally deficient in meeting design standards associated with newer development. This poor site development condition leads to an unsightly appearance primarily due to the nature of the business and inadequate maneuvering and parking for vehicles being serviced. The auto repair use contributes to a blighting effect due to the unsightly appearance and poor maintenance standards associated with the building, signage and business activities.

The property is significantly deficient in meeting the required minimum of 35 parking spaces for the existing buildings and uses at the site (i.e. meat market, flower shop, and tattoo shop). Existing parking spaces do not meet the minimum design standards of the CMC. Unauthorized areas are utilized for parking. The orientation of parking causes cars to back into Carson Street causing a potential safety conflict with pedestrians and motorists.

As an alternative, staff discussed with the business owner and property owner options for the auto repair business to be located to the rear of the property so the bay doors are not visible or accessible from Carson Street. There is a parking lot on the site to the east along Ravenna Avenue which could be more appropriate for an auto repair business. It would be easier to screen the bay doors and provide for adequate parking and storage of vehicles. The tenant space along Carson Street could then be used for a more appropriate retail use that is compatible with the Carson Street Master Plan.

However, the business owner argues that the location in the rear would be a hardship for the business. Not only would it be difficult to relocate, but the rear would not be an ideal location due to the lack of traffic as compared with Carson Street. Although staff is at odds with the business owner with regards to this matter, limiting auto repair uses and improving the architectural character along Carson Street are important factors in fostering a mixed-use environment.

It is staff's opinion that the current location of the auto repair business is inappropriate along Carson Street and in conflict with the General Plan, MU-CS zone district and vision of the Carson Street Master Plan. The continued operation of the auto repair use is not compatible with the surrounding residential and commercial uses. Accordingly, the auto repair use would adversely affect the functional integration of neighboring developments. There are other permitted uses to which the subject property could be put which would be compatible with the surrounding uses and promote harmony with the existing and proposed neighboring developments.



IV. Environmental Review

Pursuant to Section 15270, a recommendation for denial is not subject to the California Environmental Quality Act (CEQA).

V. Recommendation

That the Planning Commission:

- **DENY** Conditional Use Permit No. 750-09; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING CONDITIONAL USE PERMIT NO. 750-09 FOR CONTINUED AUTO REPAIR USE LOCATED AT 420 E. CARSON STREET."

VI. Exhibits

1. Resolution
2. Development Plans
3. Ordinance No. 04-1322 (CMC Section 9138.2)

Prepared by: _____

Zak González II, Planner

Reviewed by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp Loadsman, Planning Officer



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 10-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON DENYING CONDITIONAL USE PERMIT NO.
750-09 FOR CONTINUED OPERATION OF AN AUTO REPAIR
USE LOCATED AT 420 E. CARSON STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

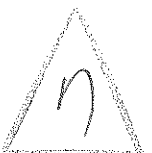
Section 1. An application was duly filed by the applicant, Pedro Escobar, on behalf of the property owner Celeste Broer, with respect to real property located at 420 E. Carson Street, and described in Exhibit "A" attached hereto, requesting the approval of an existing auto repair use located within the MU-CS (Mixed Use-Carson Street) zoning district.

A public hearing was duly held on June 8, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 E. Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The proposed project does not meet the goals and objectives of the General Plan, the MU-CS (Mixed Use-Carson Street) zone district and the Carson Street Master Plan to encourage the creation of a beautiful, vibrant, "main street" that reflects the community's vision, a distinctive mixed-use character throughout Carson Street, and a livable, pedestrian friendly downtown district.
- b) The project is not compatible in architecture and design with existing and anticipated development in the vicinity. The existing service bays are located along Carson Street with no screening and inadequate area for parking of vehicles. The building is in disrepair and in need of rehabilitation. The frontage along Carson Street is devoid of landscaping except within the street right-of-way, and thus does not meet the interior landscaping and screening requirements described in Section 9162.52 of the CMC. The use is not harmonious and attractive for the area.
- c) The proposed project does not conform to all applicable design standards of the Carson Municipal Code (CMC). There is inadequate parking for all uses at the property. The CMC requires 35 parking spaces while only 10 parking spaces are provided. The orientation of parking causes cars to back into Carson Street causing a potential safety conflict with pedestrians and motorists.
- d) The existing auto repair use does not meet the goals and objectives of the General Plan and is inconsistent with applicable zoning and design regulations. The required findings pursuant to Section 9171.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision" can not be made in the affirmative.



- e) The continued operation of the auto repair use is not compatible with the surrounding residential and commercial uses. Accordingly, the auto repair use would adversely affect the functional integration of neighboring developments. There are other permitted uses to which the subject property could be put which would be compatible with the surrounding uses and promote harmony with the existing and proposed neighboring developments.
- f) The project site is zoned MU-CS (Mixed Use – Carson Street), which is consistent with the Land Use Element of the General Plan which designates the project site as Mixed Use-Residential. Properties along Carson Street to the east, west, and north of the project site share the same zoning and General Plan land use designation. Properties to the south are zoned RS (Residential, Single-family) and have a General Plan land use designation of Low Density Residential.

Section 4. The Planning Commission further finds that pursuant to Section 15270 of the California Environmental Quality Act (CEQA) Guidelines, denial of the application is not subject to environmental review.

Section 5. Based on the aforementioned findings, the Planning Commission hereby denies Conditional Use Permit No. 750-09 with respect to the property described in Section 1 hereof.

Section 6. The Secretary shall certify the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF JUNE, 2010.

CHAIRMAN

ATTEST:

SECRETARY



"EXHIBIT A"

Order Number: 3368366 (99)

Page Number: 8



LEGAL DESCRIPTION

Real property in the unincorporated area of the County of Los Angeles, State of California, described as follows:

THAT PORTION OF LOT 50 OF TRACT NO. 2982, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY LYING NORTHERLY OF THE SOUTHERLY LINE OF LOT 49 OF SAID TRACT AND THE EASTERLY PROLONGATION OF SAID SOUTHERLY LINE.

EXCEPT THEREFROM THAT PORTION OF SAID LOT 50 INCLUDED WITHIN THE LINES OF THE LAND DESCRIBED IN PARCEL 36-92: PART A AND PART B OF THE FINAL DECREE OF CONDEMNATION ENTERED IN SUPERIOR COURT OF LOS ANGELES COUNTY CASE NO. 889-825 A CERTIFIED COPY OF WHICH WAS RECORDED ON JUNE 1, 1970 AS INSTRUMENT NO. 2096 OF OFFICIAL RECORDS.

APN: 7335-008-002

First American Title



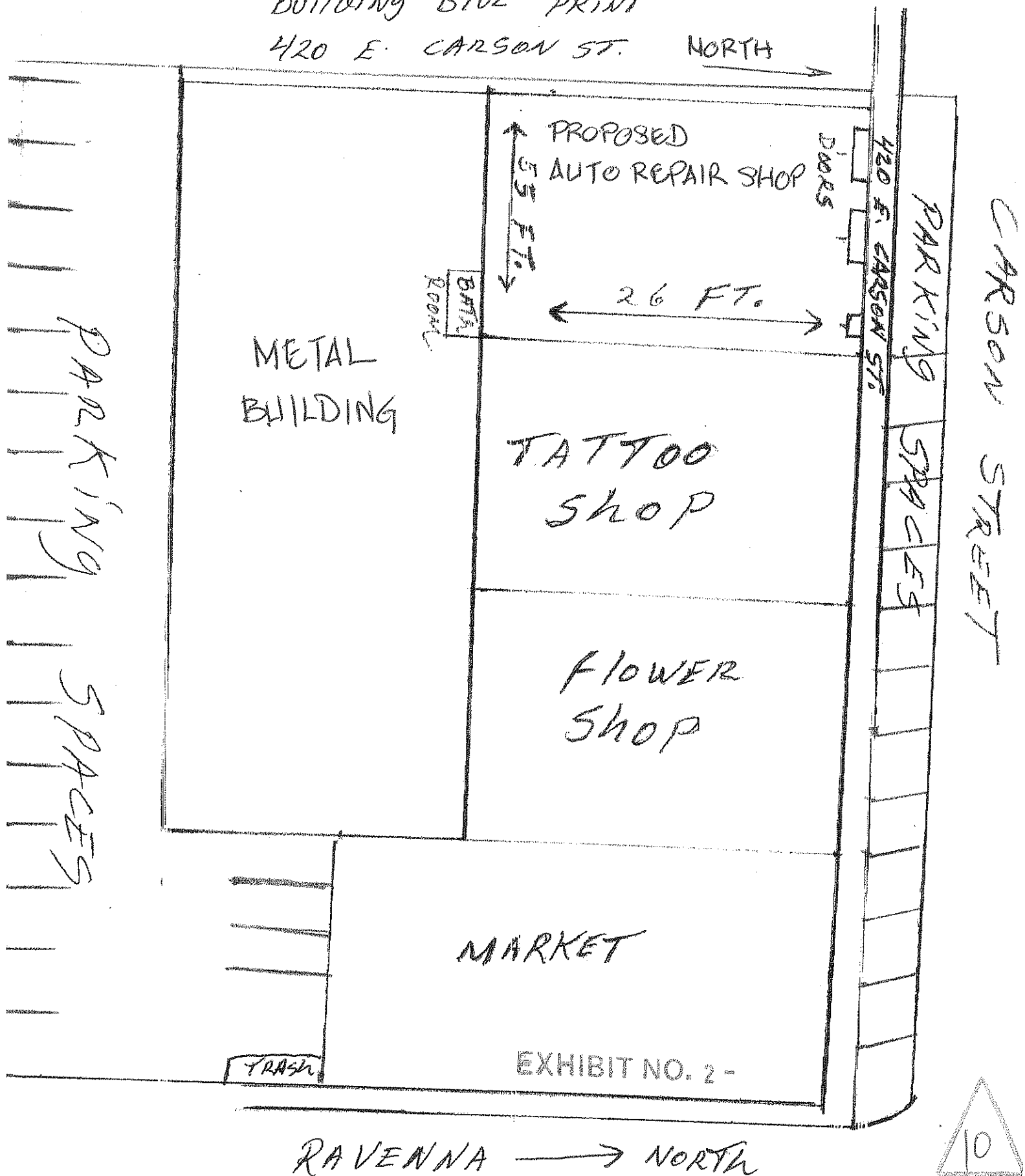
A & S Auto and Truck Tech
420 E. Carson St.
Carson, CA 90745
(310) 816-9716

PARKING 19 IN THE BACK
12 IN THE FRONT

BUILDING BLUE PRINT

420 E. CARSON ST.

NORTH

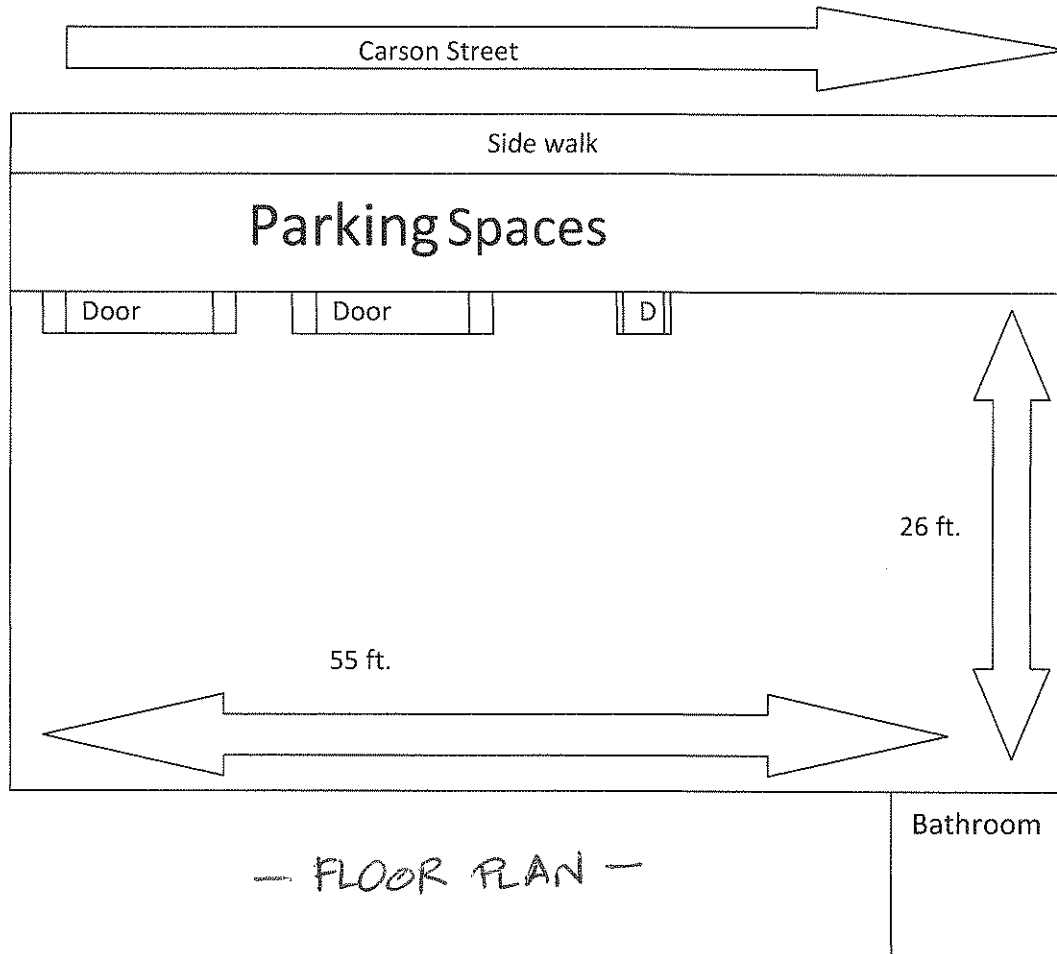


A & S Auto and Truck Tech

Building Blue Print

420 E. Carson st.

310)816-9716



- FLOOR PLAN -



ORDINANCE NO. 04-1322

AN ORDINANCE OF THE CITY OF CARSON REGARDING VEHICLE REPAIR AND SERVICE WITHIN THE CR (COMMERCIAL, REGIONAL) ZONE, THE MUR (MIXED USE RESIDENTIAL) OVERLAY DISTRICT AND PROPERTIES IN ALL ZONES WITHIN 100 FEET OF RESIDENTIAL ZONES

THE CITY COUNCIL OF THE CITY OF CARSON DOES ORDAIN AS FOLLOWS:

Section 1. Code Amendment. 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 to read as follows:

"ZONES

CN CR CG CA

Repair of all vehicles up to 2-ton capacity (no boats):

Minor repair as defined in section 9138.11
and subject to the provisions of Section 9138.2
(See Section 9133)

C L

Major repair as defined in Section 9138.11 and
subject to the provisions of Section 9138.2 and
Section 9138.15 (for CA zone only)* (See Section
9133)"

L C

Section 2. Code Amendment. Section 9131.13 (Uses Permitted within a Mixed-Use Residential MUR Overlay District) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding paragraph E to read as follows:

"E. Vehicle repair and service is permitted for non mixed-use commercial/residential developments, subject to the approval of a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21 and the requirements of Section 9138.2."

Section 3. Code Amendment. Section 9132.2 (Vehicle Sales and Service) of Division 2 (Accessory Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraphs 2, 3, 4 and 7 to read as follows:

"Minor repairs and services (as defined in Section 9138.11) are permitted with an

automobile service station or automobile laundry other than a self-service automobile laundry. (See Section 9138.12 and 9138.13) and (Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Minor repairs and services (as defined in Section 9138.11) incidental to the sale of new automobile parts, and including the installation of seat covers, are permitted with the sale of new automobile parts subject to the requirements of Section 9138.2. (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Major repairs and services (as defined in Section 9138.11), as well as minor repairs and services are permitted with motor vehicle sales, subject to the requirements of Section 9138.2 and 9138.15(c). (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Minor repairs and services (as defined in Section 9138.11(A)(4)) are permitted with a vehicle auction. (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 4. Code Amendment. Section 9133 (Conditional Use Criteria) of Division 3 (Conditional Use Criteria) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding a new paragraph to read as follows:

"Vehicle Repair and Service:

Compliance with the provisions of Section 9138.2."

Section 5. Code Amendment. 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) is hereby amended by modifying paragraph 5 to read as follows:

"A(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 Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 6. Code Amendment. Section 9138.21 (Vehicle Auctions) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraph 4 to read as follows:

"4. Vehicle service and repair may be permitted as an accessory use, subject to Section 9132.2 of this Chapter (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 7. Code Amendment. Section 9138.2 (Vehicle Service and Repair) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by numbering existing paragraphs and adding paragraphs 1 and 8-17 to read as follows:

"The servicing and repair of motor vehicles in the commercial zones at establishments other than retail petroleum outlets* shall be subject to the following:

1. Vehicle repair and service located within 100 feet of any residential zone, as measured from lot line to lot line, shall be subject to the approval of a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21. Within the CR (Commercial, Regional) zone and MUR (Mixed-Use Residential) Overlay District, a Conditional Use Permit is required regardless of the 100 foot distance requirement.
2. All operations shall be conducted within an enclosed building.
3. All areas or structures in which such operations are conducted shall be so located or soundproofed as to prevent annoyance or detriment to surrounding property. In no case shall doors or windows be permitted in any wall within 100 feet of and facing a residential zone.
4. All damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding property or from any adjoining public street or walkway.
5. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
6. No damaged or wrecked vehicles shall be stored for purposes other than repair and shall not constitute a vehicle wrecking, dismantling, or impounding yard, or junk or salvage yard.

7. Dismantling of vehicles for purposes other than repair is prohibited.
8. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed 72 hours. Vending machines shall be placed indoors.
9. The entire ground area of the site, except building and planting areas, shall be paved with asphaltic compound or concrete to City standards and shall comply with the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements as stated in Article V Sanitation & Health, Chapter 8 Stormwater & Urban Runoff Pollution Control section of the Carson Municipal Code.
10. Design a repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to sump for collection and disposal or connect to clarifier then sanitary sewer.
11. That development and architectural plans indicating compliance with the provisions of this section and embodying acceptable design standards shall be submitted for approval by the Planning Division and made a condition of an approved Conditional Use Permit.
12. All entrances to rest rooms shall be located within the building in such a manner as not to be visible from adjacent property.
13. Parking shall be provided as follows:
 - a. One automobile parking space shall be provided for each employee on the largest shift.
 - b. Two parking spaces shall be provided for each service bay.
 - c. Spaces are to be striped and provided, as deemed necessary, with bumper guards or wheel stops approved by the Planning Division.
 - d. Vehicles may only be parked in designated parking spaces.
 - e. Parking for all other uses shall comply with Section 9162.21.
14. That landscaping shall be provided as follows:
 - a. Landscaped planters shall be provided along the full length of building facades facing streets or public parking areas.
 - b. All landscaped areas shall be protected by a curb not less than 6

- inches in height or a raised planter wall between the landscaping and paved areas.
- c. Landscaped planters not less than three feet in width shall be provided along all interior lot lines.
 - d. Landscaping shall consist of trees of at least 24-inch box, shrubs of at least five gallon size, and suitable ground cover.
 - e. 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.
15. A solid decorative masonry wall or wrought iron fencing with appropriate landscaping or other such appropriate screening material to the discretion of the Director, six feet in height shall be installed and maintained along interior property lines not occupied by a building, except that any screening located within the required front setback area shall not exceed 3 ½ feet in height.
16. That the requirements and limitations contained in this section shall be considered minimum standards provided, however, that the Planning Commission may:
- a. Require such additional conditions as are deemed necessary within the intent of Section 9172.21(D); or
 - b. Modify such requirements or limitations contained herein, which in the opinion of the Planning Commission, are inappropriate or inapplicable either to the intended use of the property, to the property itself or to adjacent property.
17. Signage shall be of appropriate design as approved pursuant to the Site Plan and Design Review procedures (including number of signs and sign structures to be permitted) as provided in Section 9172.23."

Section 8. Code Amendment. Paragraph (C) of Section 9162.21 (Parking Spaces Required) of Division 2 (Vehicular Parking, Loading and Maneuvering Areas) of Part 6 (General Development Standards) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding a new sub-paragraph (13) to read as follows:

Use	Off-Street Parking Required
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"13. Vehicle Repair and Service	1 parking space shall be provided for each employee on the largest shift, plus 2 parking spaces shall be provided for each service bay. Parking for all other uses shall comply with Section 9162.21. "
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Section 9. Code Amendment. Section 9182.22 (Termination of Existing Nonconforming Uses) of Division 2 (Nonconformities) of Part 8 (Implementing Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding the following language to the table in Paragraph A to read as follows:

Use	Allowable Life
"Vehicle Repair and Service located within the CR (Commercial, Residential) zone, the Mixed-Use Residential (MUR) Overlay District and properties in all zones within 100 feet of residential zones, subject to Section 9182.26	5 years "

Section 10. Code Amendment. Section 9182.26 (Continuation of Vehicle Repair and Service) of Division 2 (Nonconformities) of Part 8 (Implementing Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby created to read as follows:

- "A. Existing lawfully established vehicle repair and service uses located within the CR (Commercial, Regional), MUR (Mixed-Use Residential) Overlay District and all zones within 100 feet of residential zones shall obtain a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21. An application for a Conditional Use Permit shall be submitted within a 5-year period of the effective date of this ordinance or prior to the termination of the amortization period, whichever provides the greater amount of time.

When approving a Conditional Use Permit, the Commission shall make findings regarding the adequacy of on-site parking and applicable development standards contained in Section 9138.2. The Commission shall require, as a condition precedent to the continued use of the property

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Helen S. Kawagoe, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council of said City is four; that the foregoing ordinance, being Ordinance No. 04-1322 passed first reading on September 21, 2004, was duly and regularly adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 5th day of October, 2004, and that the same was passed and adopted by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Mayor Dear, Calas, Santarina, and Ruiz-Raber
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



City Clerk, City of Carson, California

9138.11, 9138.2

to be unconstitutional or contrary to state law, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or contrary to state law.

PASSED, APPROVED and ADOPTED this 5th day of October, 2004.

ATTEST:

Debra S. Kowczon *Jim Dear*
CITY CLERK MAYOR

APPROVED AS TO FORM:

W. Wynn
CITY ATTORNEY

