



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

Planning Workshop: May 24, 2016

SUBJECT: A workshop to discuss and consider standards in response to recently adopted moratoriums on convenience stores (standalone and associated with gasoline stations), and discount stores.

APPLICANT: City of Carson  
Community Development Department  
Planning Division  
701 E. Carson Street  
Carson, California, 90745

REQUEST: Discuss and consider standards for convenience stores and discount stores

PROPERTY INVOLVED: City-wide

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#### COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairman Diaz			Mitoma
		Vice-Chair Madrigal			Pimentel
		Andrews			Post
		Fe'esago, Jr.			Thomas
		Guidry			Cinco/Palmer

## **I. Introduction**

### **Background**

On December 15, 2015 and on January 19, 2016, the City Council adopted interim urgency ordinances extending a city-wide moratorium on: the establishment and expansion of stand-alone convenience stores; on single price overstock/discount stores; and on convenience stores with associated gasoline sales within the City of Carson for a period of 10 months and 15 days (Exhibit No.1). These moratoriums will expire on December 15, 2016. The purpose of the moratoriums was to provide staff time to update City's standards as they relate to these uses.

More specifically, the City Council directed staff to evaluate the existing development standards for these uses, determine their current locations, and establish standards that would protect residential neighborhoods and commercial centers, reduce the future proliferation of these uses, and protect the public health, safety and welfare of the community. Staff reviewed ordinances and best practices from other cities. However, very few cities address these specific uses and have specific standards for them. In our research, we found regulations adopted by a few cities such as Portland, Irvine, and Santa Monica, and have incorporated some of their standards to our proposed standards.

### **Meetings with Planning Commissioners**

On April 28, 2016, staff held three separate workshops with members of the Planning Commission. All three workshops included four or fewer commissioners so as to ensure no Brown Act violation. Commissioner Mitoma and Commissioner Cinco did not attend the workshops. Staff presented the existing and proposed standards for the uses. Staff identified the zones where the uses are currently permitted, the zoning entitlements required, as well as potential development standards that could be adopted to implement the City Council's direction. Development standards such as minimum lot size and separation between the same uses were mainly used to reduce the future proliferation of these uses in the City. Furthermore, other standards such as requirement of security measures, limiting hours of operations, prohibiting sale of alcohol, and restrictions on window signage were added to ensure the compatibility of convenience stores and gas stations with the surrounding uses. The existing businesses would be grandfathered to remain indefinitely without the need to comply with the new standards.

During the workshops, the commissioners provided the following comments and suggestions:

1. Standards should be drafted to protect the community;
2. The Commission should implement the overall direction from the City Council;
3. Not all commissioners agreed that these uses should be severely restricted from the City as they serve a purpose;
4. Gasoline stations with convenience stores should not be at every other corner/intersection of the community;
5. The City already has adequate number of these uses;
6. Design emphasis should be increased;
7. Overly restrictive standards should not apply to existing businesses;

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8. Limit number of new uses;
9. Commissioners identified missing businesses from the inventory map;
10. Diesel sales should not be allowed in the center of the City but could be appropriate in the periphery of the City in industrial zones;
11. Discussed whether alternative land uses such as fast-food restaurant are preferable uses than convenience stores and gas stations at major intersections;
12. Gas stations generate revenue that maintains our infrastructure. Perhaps we limit the size of convenience stores in gas stations;
13. Staff should provide comprehensive definition of standalone convenience stores, convenience stores located at gas stations, and discount stores, and identify all potential uses at gas stations such as carwashes, repair shops, and fast-food restaurants.

## **II. Analysis and Discussion**

### **Number of Existing Uses**

The following table identifies the number of existing convenience stores, discount stores and gasoline stations within the city:

<b>LAND USES</b>	<b>With Alcohol</b>	<b>Without Alcohol</b>	<b>Open 24-Hours</b>	<b>Total</b>
<b>Convenience Stores</b>	14	0	3	14
<b>Gasoline Stations</b>	5	14	11	21
<b>Discount Stores</b>	n/a	n/a	n/a	9

### **Existing and Proposed Development Standards**

The following tables identify existing permitted zones, existing development standards, and proposed development standards for standalone convenience stores and convenience stores with associated gasoline sales, including whether or not to allow the sale of alcohol at these stores, and for discount stores. The intent of the proposed development standards is to limit the proliferation of these uses, protect the public's health, safety and welfare, and encourage the development of prominent high quality retail uses.

## STANDALONE CONVENIENCE STORES

<b>CONVENIENCE STORES (“C-S”)</b>	<b>EXISTING- C-S STANDALONE</b>	<b>PROPOSED C-S STANDALONE</b>
<b>PERMITTED ZONE</b>	By Right: CN, CR, CG, MU-CS, MU-SB, ML & MH	CUP: CN, CR and CG zones
<b>MIN. LOT SIZE</b>	None per use	32,670 sq. ft. ¾ acre
<b>MIN LOT FRONTAGE</b>	None	None
<b>YARD SETBACKS</b>	F=20’-feet /S=5’-feet/R=5’-ft. if abuts RS lot, or “0”	Same
<b>LANDSCAPING</b>	5 % required	5 % percent
<b>SIGNAGE</b>	Monument sign 10’-ft. high, pylon sign 30’-ft. high Total sign area per lot not to exceed square foot area = 2 times the linear footage of street	Monument sign not to exceed 6’-feet in height, No pylon sign permitted Total sign area per lot not to exceed square foot area = 2 times the linear footage of street Window sign 10%
<b>HEIGHT</b>	30’-feet (2-stories)	Same
<b>SEPARATION REQUIREMENT</b>	None	1-mile from existing “C-S” 500 feet from residential zone
<b>PARKING</b>	1-300 sq. ft. of GFA	1-250 sq. ft. of GFA
<b>HOURS OF OPERATION</b>	None	5 a.m. to 11 p.m.
<b>COMMUNITY/MEETING</b>	None	Yes
<b>SPECIAL STANDARDS</b>	None	Statement of Operation

## CONVENIENCE STORES W/ GASOLINE SALES

CONVENIENCE STORES (C-S)	EXISTING- C-S w/ GASOLINE SALES	PROPOSED C-S w/ GASOLINE SALES
<b>PERMITTED ZONE</b>	CUP: CN, CR, CG, CA; Permitted in ML & MH	CUP: CN and CG zones
<b>MIN. LOT SIZE</b>	15,000 sq. ft	32,670 sq. ft. (¾ acre)
<b>MIN LOT FRONTAGE</b>	100-feet. on each abutting street	Same
<b>SETBACK</b>	F= 20'-ft./S=5'-ft./R=5'-ft if abuts Residential zone if not Zero	Same
<b>LANDSCAPING</b>	5 % percent required	Same
<b>SIGNAGE</b>	Monument 10 ft. high, Pylon 30 ft. high, total sign area not to exceed square footage area = 2 times the linear footage of public street	Same except Monument sign 6 foot high maximum and no pylon sign permitted, Window 10%
<b>HEIGHT</b>	30 feet ( 2 stories)	Same
<b>SEPARATION REQUIREMENT</b>	100-feet from any residential area, Building 15 feet from street, 300 feet from any school requires CUP	1-mile from existing “C-S” 500 feet from residential zone (school)
<b>PARKING</b>	1 per employee/co. vehicle/ 2 per service bay (alcohol/1-300-sq.-ft. of GFA)	1-250 sq. ft. of GFA
<b>HOURS OF OPERATION</b>	None	5 a.m. to 11 p.m.
<b>COMMUNITY MEETING</b>	None	Yes
<b>SPECIAL STANDARDS</b>	None	Statement of Operation

## CONVENIENCE STORES W/ALCOHOL SALES

CONVENIENCE STORES (C-S)	EXISTING C-S w/ALCOHOL SALES	PROPOSED C-S w/ ALCOHOL SALES
PERMITTED ZONE	CUP: CN, CR, CG, MU-CS, MU-SB, ML & MH	CUP-CN, CG zones
MIN. LOT SIZE	20,000 sq. ft. for CR/CN	32,670 sq. ft. ¾ acre
MIN LOT FRONTAGE	None	None
YARD SETBACKS	F= 20'-ft./S=5'-ft./R=5'-ft if abuts Residential zone if not Zero	Same except Front Yard = 10 feet
LANDSCAPING	5 % percent required	Same
SIGNAGE	Monument 10 ft. high, Pylon 30 ft. high, total sign area not to exceed square footage area = 2 times the linear footage of public street	Same except Monument sign 6 foot high maximum and no pylon sign permitted
HEIGHT	30 feet ( 2 stories)	Same
SEPARATION REQUIREMENT	300-feet from school, measured lot line to lot line	1-mile from existing "C-S", 500-feet from residential zone
PARKING	1-300 sq.-ft. of GFA	1-250 sq.-ft. of GFA
HOURS OF OPERATION	None	5 a.m. to 11 p.m.
COMMUNITY MEETING	None	Yes
SPECIAL STANDARDS	None	Statement of Operations plus Crime Prevention Certification

## DISCOUNT STORES

<b>DISCOUNT STORE</b>	<b>Existing Discount Store</b>	<b>Proposed Discount Store</b>
<b>PERMITTED ZONE</b>	By Right: CN, CR, CG, CA, MU-CS, MU-SB, ML & MH	CUP: CG and CR
<b>MIN. LOT SIZE</b>	15,000 square-feet	6 acres
<b>MIN LOT FRONTAGE</b>	None	None
<b>SETBACK</b>	F= 20' -ft./S=5' -ft./R=5' -ft if abuts Residential zone if not Zero	Same
<b>LANDSCAPING</b>	5 % percent required	Same
<b>SIGNAGE</b>	Monument 10 ft. high, Pylon 30 ft. high, total sign area not to exceed square footage area = 2 times the linear footage of public street	Same except Monument sign 6 foot high maximum and no pylon sign permitted, Windows 10%
<b>HEIGHT</b>	30 feet ( 2 stories)	Same
<b>SEPARATION REQUIREMENT</b>	None	1-mile (5,280-linear-feet) from existing Discount Store
<b>PARKING</b>	1-300 sq. ft. of GFA	Same
<b>HOURS OF OPERATION</b>	None	Not to exceed 9 p.m. except in holiday extended shopping hours
<b>COMMUNITY MEETING</b>	None	Yes
<b>SPECIAL STANDARDS</b>	6 foot high wall separating residential zones	Statement of Operation

The City Council previously made findings that urgency measures are necessary for the preservation of the public health, safety, and welfare. Further, that the current zoning regulations and land use plans relating to discount stores and to convenience stores, standalone or with associated gasoline sales, do not adequately protect the peace, health, safety, and general welfare of the residents of the City of Carson. For example, current development standards lack minimum lot size and separation of use requirements that are of sufficient size to avoid the proliferation of said uses.

The challenge for staff and the Planning Commission is to recommend new “best practices” development standards that provide adequate and appropriate balance to the rights of existing operators and future applicants who desire to operate said uses with the preservation of the public health, safety, and welfare of the surrounding communities in Carson.

Based on the input staff received from the Planning Commissioners’ group meetings staff identifies the following:

1. Convenience stores are defined as:  
A small retail store that may stand alone or be part of a gasoline service station that stocks and sells groceries, snack foods, candy, toiletries, soft drinks, tobacco products, California Lottery tickets, newspapers, wine and beer for public consumption.
2. Discount stores are defined as:  
A retail store that sells close-out discontinued, liquidation or overstocked/expired general merchandise, primarily at a single discounted price/or in the low/very low price ranges including but not limited to food, alcoholic beverages, clothing apparel and accessories, costume jewelry, notions/small wares, house wares, fountain refreshments and toys;
3. Increasing the minimum lot size convenience stores from 15,000/20,000-square-feet in size to 3/4 of an acre (32,670-square-feet) would lessen the opportunity to create a proliferation of convenience stores as fewer locations exist in the City that have large enough buildings (or can accommodate such);
4. Increasing the separation requirement for convenience stores with gasoline/alcohol sales from 100-feet from any residential area and 300-feet from any school to not permitting alcohol sales next to residential and creating a separation from an existing uses for each category would also minimize the proliferation if these land uses.
5. Limiting the hours of operation of convenience stores and gasoline stations to 5:00 a.m. to 11 p.m. would also minimize the impact of continuous traffic, auto and truck noise, and light glare to adjoining residential areas;
6. Increasing the minimum lot size for discount stores from a new lot size of 15,000-square-feet to 6 acres would also minimize the opportunity for proliferation of discount stores in Carson as fewer lots could accommodate these types of stores.



7. Limiting diesel fuel sale to industrial areas in the periphery of the City of Carson (ML and MH zones) would minimize truck traffic in residential areas within the interior of the City;
8. Existing convenience stores with and without gasoline/alcohol sales and existing discount stores would be exempt (grandfathered) from the new development standards. However, expansions of existing said uses will also be grandfathered.

### **III. Recommendation**

That the Planning Commission:

- Direct staff to prepare “Draft Ordinances” for Planning Commission consideration and eventual recommendation to the City Council

### **IV. Exhibits**

1. Land Use Spreadsheet
2. Proposed Convenience Stores, Gasoline Stations and Discount Store Maps

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