

ORDINANCE NO. 11-1473

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE CARSON MUNICIPAL CODE TO ALLOW FOR VEHICLE REPAIR AS A PRIMARY USE FOR THOSE PROPERTIES FRONTING AVALON BOULEVARD AND LOCATED WITHIN THE CA (COMMERCIAL, AUTOMOTIVE) ZONE, WITH AN APPROVED CONDITIONAL USE PERMIT

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
Vehicle Sales and Service				
Sales:				
Automobile service station, subject to the requirements of Section 9138.12. (See Section 9133)	L	L	L	C
Automobile laundry, subject to the requirements of Section 9138.13	C	C	C	
Automobile parts (new)*.	X	X	X	
Motorcycles or motorscooters (new)*. (See Section 9138.15)		X	X	L
Automobiles, recreation vehicles, and trucks not over 2-ton capacity (new)*. (See Section 9138.15)		L	L	L
Automobiles, recreation vehicles, and trucks not over 2-ton capacity (used – as accessory use)*. (See Section 9138.15)			L	L
Automobiles, recreation vehicles, and trucks not over 2-ton capacity (used – as primary use). (See Section 9133 and 9138.15)				C

Recreation vehicles, over 2-ton capacity (new)*. (See Section 9133 and 9138.15)	X	C	L
Recreation vehicles, over 2-ton capacity (used – as accessory use)*. (See Section 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)*. (See Section 9133)	X	C	
Trucks, trailers over 2-ton capacity (used)*. (See Section 9133)		C	
Recreational vehicles, rental and leasing. (See Section 9138.15(c))			L
Boats and accessory equipment.	C	L	
Auctions for used automobiles, recreational vehicles, travel-trailers, trucks or trailers, not over 2-ton capacity, motorcycles or motor scooters, subject to the requirements of Section 9138.21.	L	L	
Rental and Leasing:			
All vehicles up to 2-ton capacity.			L
All vehicles over 2-ton capacity. (See Section 9133)			C
Repair of all vehicles up to 2-ton capacity (no boats):			
Minor and major repair as defined in Section 9138.11 (only as a primary use on properties fronting Avalon Boulevard). (See Sections 9133, 9138.15, and 9138.2)			C
Minor repair as defined in Section 9138.11 and subject to the provisions of Section	L	L	

9138.2.

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

L C

Section 2. 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) of the Carson Municipal Code is hereby amended by adding a new paragraph to read as follows:

“Vehicle repair and service (as primary use*) for those properties fronting Avalon Boulevard and within the CA zone only:

Ability to comply with CMC 9138.15* and 9138.2*

* Lawfully established automotive repair facilities on property fronting Avalon Boulevard shall discontinue operations on or before July 1, 2017.”

Section 3. Code Amendment. Sub-section 3 (Conditional Uses) of Sub-section C (Permitted and Conditional Uses) of Section 9138.15 (Commercial, Automotive (CA) 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 to read as follows:

“C. Conditional Uses

The following uses are permitted only after a valid Conditional Use Permit (CUP) has been approved by the City:

- a. Auto body, paint and/or upholstery shops as an integral but secondary part of operating a new automobile franchise, see Section 9138.2.
- b. Restaurants, including drive-thru, cafes, dinner houses, or establishments offering food for in-house or take out consumption.
- c. Automobile service stations, see Section 9138.12.
- d. Transmitters, receivers and repeater stations (cell towers/monopoles).
- e. Sales of used automobiles, recreation vehicles, and trucks not over 2-ton capacity, as a primary use. See Section 9133.
- f. Minor and major repair and service as a primary use located on properties fronting Avalon Boulevard and within the CA zone, see Section 9138.2.
 1. Lawfully established automotive repair facilities on property fronting Avalon Boulevard shall discontinue operations on or before July 1, 2017.”

Section 4. 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) of the Carson Municipal Code is hereby amended

“1a. Lawfully established automotive repair facilities on property fronting Avalon Boulevard and located with the CA zone shall discontinue operations on or before July 1, 2017.

Ability to comply with CMC 9138.15* and 9138.2*

* Lawfully established automotive repair facilities on property fronting Avalon Boulevard and located with the CA zone shall discontinue operations on or before July 1, 2017.”

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held 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 ____ day of _____, 2011.

Mayor Jim Dear

ATTEST:

City Clerk Helen Kawagoe

APPROVED AS TO FORM:

City Attorney