

# ORDINANCES

## SECOND READING/RECOMMENDATIONS

Description of Vote:

Maker/Second    Ayes/Noes/Abstain/Absent

Legend:

JD: Dear            RR: Ruiz-Raber            DH: Davis-Holmes            MG: Gipson            ES: Santarina

ITEM NO.	ORD. NO.	TITLE	DISPOSITION
13	11-1480	AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE CARSON MUNICIPAL CODE TO ALLOW FOR AUTOMOTIVE AND EQUIPMENT AUCTIONS AS A PRIMARY USE FOR THOSE PROPERTIES FRONTING AVALON BOULEVARD AND LOCATED WITHIN THE CA (COMMERCIAL, AUTOMOTIVE) ZONE WITH AN APPROVED CONDITIONAL USE PERMIT	Introduced: 11/16/11 Item No. 22 MG/ES 4/0/DH/0

ORDINANCE NO. 11-1480

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE CARSON MUNICIPAL CODE TO ALLOW FOR AUTOMOTIVE AND EQUIPMENT AUCTIONS 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 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 by modifying only the following line entry by adding the underlined text and deleting the stricken text with all other text in the line entry and the section remaining unchanged, as follows:

"ZONES

CN CR CG CA MU-CS MU-SB

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Auctions for used automobiles, recreational vehicles, travel trailers, trucks or trailers, ~~not over 2-ton capacity~~, motorcycles or motorscooters, and related equipment and miscellaneous goods, ~~subject to the requirements of (See CMC 9138.21.)~~"

**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 entry at the end of the section to read as follows:

*"Automotive and equipment auction for those properties fronting Avalon Boulevard and within the CA zone:*

Ability to comply with CMC 9138.15 and 9138.2.

Lawfully established automotive and equipment auctions in the CA zone shall cease operations and discontinue business on or before July 1, 2017. After that date, no new auctions are permitted in the CA zone."

**Section 3. Code Amendment.** Section 9138.15(C)(3) 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 the following underlined text with all other text in the section remaining unchanged as follows:

"3. Conditional Uses. The following uses are permitted only after a valid conditional use permit (CUP) has been approved by the City:

[MORE]



- a. Auto body, paint and/or upholstery shops as an integral but secondary part of operating a new automobile franchise; see CMC 9138.2.
- b. Restaurants, including drive-thrus, cafes, dinner houses, or establishments offering food for in-house or take-out consumption.
- c. Automobile service stations; see CMC 9138.12.
- d. Transmitters, receivers and repeater stations (cell towers/monopoles).
- e. Sales of used automobiles, recreation vehicles, and trucks not over two (2) ton capacity, as a primary use; see CMC 9133.
- f. Minor and major repair and service as a primary use located on properties fronting Avalon Boulevard and within the CA zone; see CMC 9138.2.
  1. Lawfully established automotive repair facilities on property fronting Avalon Boulevard shall discontinue operations on or before July 1, 2017.
- g. Automotive and equipment auction as a primary use located on properties fronting Avalon Boulevard and within the CA zone; see Section 9138.21.
  1. Lawfully established automotive and equipment auctions on property fronting Avalon Boulevard shall discontinue operations on or before July 1, 2017.

**Section 4. Code Amendment.** Section 9138.21 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 by adding the following text at the end of the section to read as follows:

“7. In the CA zone, automotive and equipment auctions are only permitted on property fronting Avalon Boulevard with an approved conditional use permit. Lawfully established automotive and equipment auctions in the CA zone shall cease operations and discontinue business on or before July 1, 2017. After that date, no new auctions are permitted in the CA zone.”

**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 \_\_\_th day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor Jim Dear

[MORE]



ATTEST:

\_\_\_\_\_  
City Clerk Helen S. Kawagoe

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney