



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

WORKSHOP: May 12, 2009

SUBJECT: Workshop to discuss existing regulations for auto repair uses located within one-hundred (100) feet of any residential-zoned property and/or within the CR (Commercial, Regional) zone.

APPLICANT: City of Carson

REQUEST: Discuss and provide direction for processing of future conditional use permit applications.

PROPERTY INVOLVED: Citywide

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

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

Item No. 12A

I. Introduction

This purpose of this workshop is to explain to the Planning Commission aspects of the zoning code as they pertain to auto repair uses in the city, to evaluate the requirement for legal, nonconforming auto repair uses to obtain a conditional use permit and to identify goals and objectives for the review of CUP applications. The overall quality of these existing auto repair uses varies from very poor to above average. Staff seeks to discuss certain policy issues in order to provide the best guidance to applicants and to provide effective implementation of the city's zoning requirements.

II. Background

On October 5, 2004, City Council passed Ordinance No. 04-1322 (Exhibit No. 1), which imposed development standards for all auto repair uses located within one-hundred (100) feet of residential zones and/or within the CR (Commercial, Regional) zone. In addition to these development standards, all existing and proposed auto repair uses that met these location criteria were required to obtain a conditional use permit (CUP) for such use within a five (5) year period, until November 5, 2009. Of the sixty (60) known auto repair businesses that are subject to the CUP requirement, staff has received only five CUP applications to date. Many businesses are seeking information and direction before submitting the application.

III. Analysis

Carson Municipal Code (CMC) Section 9138.11 defines an auto repair use as two separate types: minor, and major. Minor 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. Major repairs and services include body and fender work; repair of tops, seat covers and upholstery; painting; rebuilding batteries; and similar work (no tire recapping or retreading).

CMC Section 9138.2 outlines development standards for any vehicle service and repair business located within one-hundred (100) feet of residential zones and/or within the CR (Commercial, Regional) zone, and which conducts auto repair activities identified as major or minor. This Section includes development standards pertaining to the location of repair activities onsite, screening of repair activities, hours of operation, storage of vehicles, prohibitions related to repair activities; paving, SUSMP (Standard Urban Stormwater Mitigation Plan) and drainage requirements; certain interior improvements, landscaping, parking, signs, walls/fencing requirements, as well as other conditions necessary to meet the intent of the zoning code.

The existing auto repair uses subject to the CUP requirement run the gamut from large, nationally-recognized, brand name retail service and repair outlets to small, local, family-run businesses performing similar retail service and repair activities. Also, the locations of the existing auto repair uses range from small and large, single-tenant properties to



properties with clusters of auto repair uses all operating on the same site. The multi tenant properties typically offer different aspects of auto service and repair to complement each other's businesses (oil change/lube service, auto upholstery, body shop, etc.).

Due to the varying circumstances related to site layouts, surrounding uses, existing conditions, and economic constraints specific to each property, the applicant's willingness or ability to comply with certain development standards may differ on a case-by-case basis. Section 9138.2 gives the Planning Commission the power to require such additional conditions as are deemed necessary within the intent of the CUP findings (Section 9172.23), or to modify such requirements or limitations contained in Section 9138.2 which they deem to be inappropriate or inapplicable either to the intended use of the property, to the property itself, or to adjacent property.

Discussion

Upon considering the development standards of Section 9138.2, Staff has identified the following areas that should be prioritized when considering CUP applications for existing auto repair uses, which are as follows:

- 1) Building façade improvements: Many of the existing buildings used for auto repair are in need of aesthetic upgrades, including repair of cracks, new stucco and/or paint, new windows and/or doors, modernized decorative accoutrement (foam window accents, faux support columns, base trim, lighting, etc.).
- 2) General site improvements: Parking layout and striping, parking for the disabled, paving, pothole repair, walls and/or fences, trash area(s) and enclosure(s).
- 3) Landscaping: Front yard setback with flowers, shrubs, and/or trees and interior landscaping within the parking areas and/or along the side and rear yard setbacks.
- 4) Signs: *Building-mounted signs*: upgrades and repair to existing, location and design/color considerations. *Pole-mounted signs/monument signs*: Existing pole-mounted signs to be converted to monument signs, where physically possible or otherwise required.
- 5) Interior Improvements: ADA-compliant restrooms and accessibility, where applicable, upgrades to lobby and areas accessible to the public, display showrooms, and equipment and/or vehicle repair and service areas.
- 6) Operation Standards: Assure compliance with SUSMP, recycling of waste materials, compliance with regulatory codes (fire, sanitation, building, etc.) and establishment of best management practices.
- 7) Land-use Compatibility: To identify and assess properties containing auto repair uses deemed incompatible with existing adjacent uses, with

uses in the immediate vicinity, or those located within areas where auto repair uses have been identified as inconsistent with the goals and objectives established for such areas (i.e. Carson Street Mixed-Use zone).

IV. Conclusion

The Planning Commission will have the opportunity to review and approve these CUP applications on a case-by-case basis as development plans come before them. However, the zoning code empowers the Planning Commission with additional discretion as it relates to the application of these development standards. Staff wishes to use this workshop as an opportunity to obtain the Commission's advise for informing applicants of anticipated conditions and/or development standards that the Commission may consistently impose as part of any CUP for auto repair uses.

V. Recommendation

That the Planning Commission:

- CONSIDER and DISCUSS existing regulations; and,
- DIRECT staff on policy issues; or
- RECEIVE and FILE.

VI. Exhibits

1. Ordinance No. 04-1322

Prepared by: _____

Steven C. Newberg, AICP, Associate Planner

Reviewed by: _____

John F. Signo, AICP, Senior Planner

Approved by: _____

Sheri Repp, Planning Manager

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

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.

- 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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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