



# PLANNING COMMISSION STUDY SESSION MEMORANDUM

Date: March 16, 2022

To: Planning Commissioners  
From: Kyle Webber, Associate Planner  
Subject: Specific Plan Update (2<sup>nd</sup> Study Session)

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This study session is a continuation of the December 22, 2021 Study Session where the Planning Commission received a status update and deliberated work underway on City-initiated updates to the following Specific Plans:

- Rancho San Clemente
- Talega
- Marblehead Inland
- Marblehead Coastal
- Forster Ranch

## **Background**

During the December 22, 2021 Study Session, the Planning Commission focused primarily on the implementation of General Plan goals and policies to permit the development of automobile-related sales, services, and repairs in Industrial and Business Park Districts designated within the Rancho San Clemente Specific Plan (RSCSP) area. See **Attachment 1** for the December 22, 2021 Study Session Memo.

This Memorandum provides a follow-up to that discussion and includes Staff's recommendations for implementation of the General Plan. The following information provides an approach to expanding permitted automobile uses consistent with General Plan goals and policies, and requests direction from the Planning Commission pertaining to the proposed modifications. Table 1 below highlights the adopted General Plan's goal and policy that staff used as a guiding perimeters to develop the proposed modifications.

**Table 1 – General Plan Goal and Policy**

<b>General Plan Goal</b>	“Encourage the relocation of automobile-related uses to industrially-designated lands and business parks and permit the continuation of automobile-related uses, existing as of the date of adoption of this General Plan, that do not detract from the aesthetics, character and function of the surrounding area.”
<b>General Plan Policy</b>	“LU-5.03. <i>New Automobile-Related Service and Repair Uses.</i> We permit the development of automobile-related service and

	<p>repair uses (e.g., tire shops, lube and tune, and other similar uses) in certain commercial and business park districts and designated sites within specific plan areas. Such uses shall be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element. New car rental businesses on El Camino Real are allowed if the new business is limited to an office use and up to five (5) rental cars on site at any time.”</p>
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**Discussion**

The General Plan goal and related policy encourage new development and relocation of existing automobile related uses located within the El Camino Real area to Industrial and Business Park areas of Rancho San Clemente and Talega Specific Plans. Implementing the General Plan goals and adopting provisions of LU-5.03 requires expanding the location in both Specific Plans where auto-uses are permitted, as well as modifying the specific plan documents with updated definitions and the permitted and conditionally permitted auto-related uses.

**Location of Auto-related Uses**

Automotive Services, consisting of major/minor automotive repair services, are currently permitted in portions of the Industrial and Business Park areas of the Rancho San Clemente Specific Plan east of Calle Del Cerro, while vehicle rental, leasing, sales, and parts stores are unpermitted. Expanding permitted auto-related uses to include all Planning Areas of the Industrial and Business Park designations accommodates the required capacity adequate to allow new development and the relocation of auto-related uses to these areas. **Attachment 2** provides a map of extended area.

Vehicle repair, rental, and leasing is currently permitted in the Talega Business Park planning area. Updates to the Talega Specific Plan will add vehicle sales, service stations, and other auto-related uses, other than retail, as permitted auto-uses in the planning area south of Avenida Pico.

**Proposed Definitions**

The General Plan defines “**Automobile Related Uses**” as *“related to retail or wholesales of automobiles, recreation vehicles and boats, automotive repair services, automobile-oriented retail businesses (e.g., auto parts, tires, etc.) and fueling stations.”*

To reflect the intent of the General Plan goals and policies, the definition for “**Automotive Services**” in the Specific Plans will be updated to include vehicle

sales, leasing, and renting, and include recreational and electric vehicles in preparation for the emerging electric vehicle market.

- **Proposed Specific Plan Definition:** Proposed specific plan definition for “Automotive Services” provided below with modifications in track changes.

“Automotive Services” shall mean the provision for consumers of the selling, leasing, renting, major/minor maintenance repair care, and other vehicle services related to automotive and recreational vehicles. Automotive vehicles include petroleum powered vehicles, as well as Fully-electric Vehicles and petroleum-electric hybrid vehicles as pertaining to cars/trucks or similar freeway driven automobile.

- **Proposed Auto-related Permitted Uses:** Definitions for specific auto-related uses will be added as follows, with intent to obtain consistency with the San Clemente Zoning Code:

#### **A. Vehicle Rental and Sales (including Vehicle Dealerships)**

"Vehicle Dealership" means a place of business primarily engaged in the renting, leasing and/or selling of new and/or used vehicles and customarily providing vehicle repair and parts sales as an ancillary use.

“Vehicle Rental” means a place of business engaged in the short-term rental of passenger and light truck vehicles.

“Vehicle Sales” means a business, other than a Vehicle Dealership, engaged in buying and selling used passenger and light truck vehicles.

#### **B. Vehicle Service and Repair-Related Facilities**

"Vehicle Service and Repair-Related Facilities" means uses which service or repair vehicles, including car washes, minor and major vehicle repair facilities, and other similar uses. Vehicle dealerships (with strictly sales and no service and repair facilities), service stations, and vehicle parts/accessories retailers are not, for the purposes of this title, considered vehicle service and repair-related facilities.

“Vehicle Repair, Major” means establishments which provide major repair and maintenance related to motor vehicles involving hazardous materials. Typical uses would include, but not be limited to, auto-body repair shops, auto glass shops, automotive painting shops, customizing shops, engine rebuilding, transmission shops, and upholstery shops.

“Vehicle Repair, Minor” means establishments which provide routine care and maintenance related to motor vehicles. Typical uses would include, but not be limited to, brake shops, tire stores, muffler shops, alignment

shops, detail shops, radiator shops, stereo installation shops, and tune-up services and oil and lubrication services.

**Automotive Service Uses**

Permitted uses as shown below in Table 2 proposes to add the rental, sale, and leasing of automobile vehicles and auto-oriented retail businesses. The discretionary permit requirements for minor vehicle repair services are proposed permitted by right in an effort to encourage new development and the relocation of existing repair shops from the El Camino Real area to Industrial and Business Park specific plan areas.

**Table 2 – Automotive Services**

<b>Permitted Automotive Services (Business Park and Industrial Park)</b>		
<b>Project Type</b>	<b>Permit</b>	<b>NOTE</b>
<b>A. Vehicle Rental and Sales (including Vehicle Dealerships)</b>		
Indoor fewer than 10 vehicles on site	P	
Indoor 10 or more vehicles on site	MCUP	
Outdoor fewer than 10 vehicles on site	MCUP	
Outdoor 10 or more vehicles on site	CUP	
<b>B. Vehicle Repair</b>		
Major Repair	CUP	
Minor Repair	P	
<b>C. Service Stations</b>	CUP	
<b>D. Car Wash</b>	CUP	

**Permitting and Minimum Standard Requirements**

In addition to the required use permit listed in Table 2 above, a Site Plan Permit (SPP) or Minor Site Plan Permit (MSPP) is currently required for all proposed auto-related development processed in accordance with the Zoning Code. Additionally, any new development, accessory structures, or additions proposed in the Rancho San Clemente Specific Plan are subject to approval of an Architectural Permit (AP) or Minor Architectural Permit (MAP) with potential recommendations provided by the Design Review Subcommittee (DRSC). Both SPP and AP require review against the Design Guidelines in Chapter 3 of the Specific Plan, as well as compliance with the architectural guidelines in the City’s Design guidelines. At this time, staff is not recommending changes to the required discretionary permits mentioned above.

Proposed auto-related uses to be permitted in the Industrial and Business Park planning areas of the Specific Plans will require compliance with the minimum standards for each use outlined in the Zoning Code. Minimum Standards are provided as **Attachment 3A, 3B, and 3C**.

**Planning Staff is requesting direction on the following topics:**

1. Agreement on allocation of permitted and conditionally permitted uses in reference to Table 2 of this memorandum.
2. That current permitting and minimum standard requirements (Attachments 3A, 3B, and 3C) adequately address new types of uses proposed in the Industrial and Business Park planning areas.

**Status and Next Steps**

A working draft of the Specific Plan updates are being prepared. The Specific Plan updates will be made available for a 4-week public review period and public hearings will occur. Table 3 below summarizes staff’s anticipated the project schedule.

**Table 3 - Project Schedule**

Milestone	Timeline
Project Initiation	August 2021
Community Meetings/Outreach	October 2021 - November 2021
Analysis/Prepare Amendments	September 2021 - January 2022
Planning Commission Study Session	December and February 2022
Planning Commission Study Session	March 16, 2022
City Hearings and Public Review	May - June 2022
Adoption	July-August 2022

**Attachments:**

1. December 22, 2021 Study Session Memo
2. Proposed areas for permitted auto-related uses
3. Minimum Standards for Auto-related Uses:

3A: Vehicle Dealerships, Rentals, and Sales

3B: Vehicle Service and Repair-Related Facilities (includes carwash)

3C: Service Stations



# PLANNING COMMISSION STUDY SESSION MEMORANDUM

Date: December 22, 2021

To: Planning Commissioners  
From: Kyle Webber, Assistant Planner  
Subject: Specific Plan Update (Forster Ranch, Marblehead Coastal, Marblehead Inland, Rancho San Clemente, Talega)

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The study session will provide a status report and overview of work underway on City-initiated updates to the following Specific Plans:

- Forster Ranch
- Marblehead Coastal
- Marblehead Inland
- Rancho San Clemente
- Talega.

## **BACKGROUND**

The updates are a phase of the work program to update the City’s planning documents to be consistent and compatible with the General Plan and Coastal Land Use Plan (LUP), as required by State law. This effort is necessary to comply with State law and Council priorities in the City’s General Plan Strategic Implementation Program (SIP). Consistency between the General Plan, Coastal Land Use Plan (LUP), Zoning Ordinance, and Specific Plans is a high-level priority project identified as Implementation Measure LU1 of the SIP based on Council direction.

The Marblehead Coastal Specific Plan and Forster Ranch Specific Plan are partially located in the coastal zone. Therefore, the Specific Plans will be a part of the Implementation Plan (IP) for a Local Coastal Program (LCP). The draft of the IP will undergo a public review period and is scheduled for a Planning Commission study session January 2022.

The West Pico Corridor Specific Plan is being updated concurrently as a separate project that will be on an agenda for a future study session.

## **DISCUSSION**

A working draft of the Specific Plan updates are being prepared. Community meetings have been held for each Specific Plan area with intent to follow up with specific community groups at future tentative dates. After amendments are drafted, the Specific Plan updates will be made available for a 4-week public review period and public hearings will occur. Table 1 below summarizes the key milestones and schedule for the project. Some tasks occur concurrently.

Table 1 - Project Schedule

Milestone	Timeline
Project Initiation	August 2021
Community Meetings/Outreach	October 2021 - November 2021
Analysis/Prepare Amendments	September 2021 - January 2022
Planning Commission Study Session	December and February 2022
City Hearings and Public Review	June 2022 – August 2022
Adoption	August 2022

To maintain the narrow scope of the project, amendments will not reorder or reformat chapters of Specific Plan documents. Amendments will be limited to editing text, permitted uses, and illustrations (images, maps, etc.) necessary to make the Specific Plans consistent with state and federal laws and accurately reflect existing conditions. Below are descriptions and examples of the types of amendments proposed separated into four categories: 1) Land Uses and Zoning Maps, 2) Development Standards and Regulations, 3) Policy Changes, and 4) Phasing and Implementations.

**Land Uses and Zoning Maps**

The Specific Plans will be updated to reflect changes to land use designations adopted in the Centennial General Plan and LUP. The project will update the boundary and labeling of zoning districts on maps. Hand-drawn maps will be updated using the City’s Geographic Information System (GIS) to improve the clarity and the accuracy of zoning boundaries. Below are examples of these changes: Example 1 — Marblehead Coastal open space zoning. The Johnson Memorial Sports Park near Avenida Vista Hermosa has a General Plan designation of OS1 while the Specific Plan identifies the zoning as OS3.



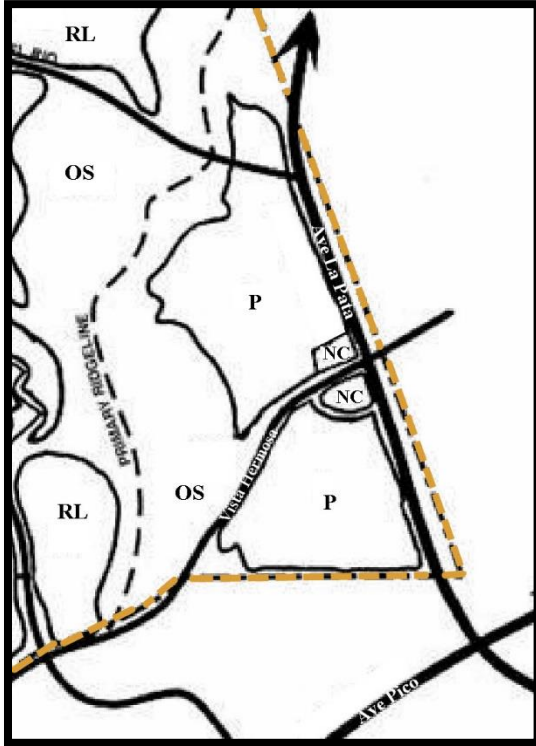
General Plan Map (OS1)



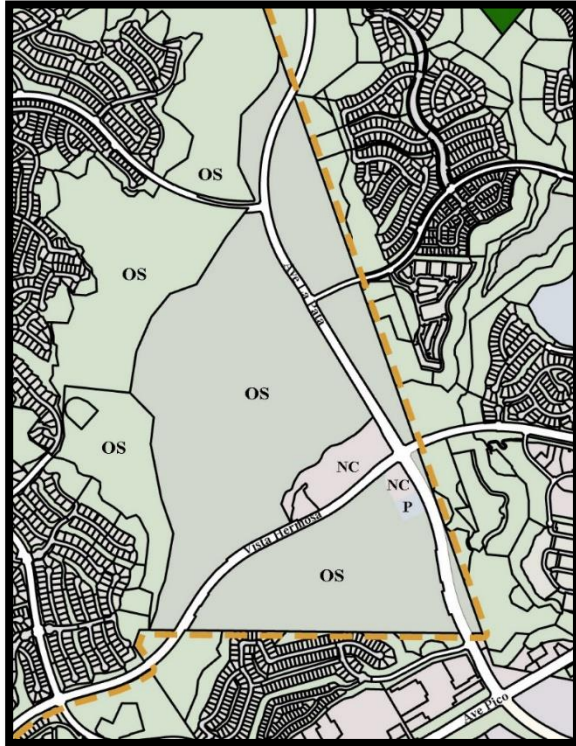
Specific Plan Map (OS3)



Example 2 – Area near Vista Hermosa and La Pata area. Zoning near the intersection of Avenida Vista Hermosa and Avenida La Pata is inconsistent with General Plan land use maps. Specific Plan maps designate some parcels as Public that the General Plan designates as Open Space, as seen in the images below. Furthermore, the boundary lines for the parcels in the Specific Plan map are outdated and do not represent an accurate depiction of existing parcel boundary lines.



Forster Ranch (Specific Plan)



Current Land Use Map (General Plan)

**Legend:**

Land Use Designations	
Public	P
Open Space	OS
Neighborhood Commercial	NC
Residential Low	RL

**Development Standards and Regulations**

The Specific Plans will be updated to reflect changes to development standards and regulations adopted in the Centennial General Plan, LUP, and Municipal Zoning Code. Permitted use tables will be updated as needed. Below are examples of these changes:

Example 1 — Talega Development Standards. Maximum allowed density for residential zones to be updated to match General Plan. See table below for inconsistencies:

Zoning District	Talega Specific Plan	General Plan
Residential Low	4.5 units/acre	7 units/acre
Residential Low Medium *	7 units /acre	7 units/acre
Residential Medium	15 units/acre	24 units/acre
Residential Medium High **	24 units/acre	24 units/acre
Residential High	40 units/acre	36 units/acre

\*Residential Low Medium referred to as Residential Low in the General Plan.

\*\*Residential Medium High referred to as Residential Medium in the General Plan.

Example 2 — Marblehead Inland Development Standards. Standards for public and open space zoning districts are not currently included in the Marblehead Inland Specific Plan document. The project will add development standards for public and open space zones with reference to the City’s Municipal Zoning Code.

## Policy Changes

The project will address policy changes adopted in the Centennial General Plan and LUP that are applicable to Specific Plan areas. The project will also include any goals and policies relevant to certain planning sectors or areas if necessary. Below is an example of the types of policy changes:

### Example 1 — Automobile-Related Uses in Rancho San Clemente Business Park.

The General Plan has a goal to encourage the relocation of automobile-related uses away from El Camino Real and to industrially-designated lands and business parks. The Rancho San Clemente Business Park Focus Area has policies in the General Plan that support this. Currently, with a Conditional Use Permit the Specific Plan allows automobile uses within the industrial park but limits the use to planning area 9 in the business park. To support the relocation of El Camino Real businesses, staff proposes to allow automobile uses in the full business park as a permitted use. Applicable goals and policies from the General Plan listed below:

- Automobile-related Goal (page LU-20 or 33 of General Plan):

*“Encourage the relocation of automobile-related uses to industrially-designated lands and business parks and permit the continuation of automobile-related uses, existing as of the date of adoption of this General Plan, that do not detract from the aesthetics, character and function of the surrounding area.”*

- Automobile-related Policies:

LU-5.03 - New Automobile-Related Service and Repair Uses. *“We permit the development of automobile-related service and repair uses (e.g., tire shops, lube and tune, and other similar uses) in certain commercial and business park districts and designated sites within specific plan areas. Such uses shall be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element. New car rental businesses on El Camino Real are allowed if the new business is limited to an office use and up to five (5) rental cars on site at any time.”*

LU-5.04 - El Camino Real and Other Mixed Use and Pedestrian-Oriented Areas. *“With the exception of automobile-related parts sales with no onsite installation of parts, we prohibit new and major expansions of automobile-related uses along El Camino Real and in other commercial and mixed-use areas of the City designated to promote pedestrian activity.”*

LU-5.05 - Existing Auto Related Service and Repair Uses along El Camino Real. *“We consider automobile-related service and repair uses located along El Camino Real, existing as of the date of adoption of this General Plan, to be conforming land uses which may continue. Expansion of such uses or structures shall not be allowed. Modification of such facilities shall be designed to convey a high quality architectural and landscape character, consistent with the overall character and image of the City as specified in the Urban Design Element.”*

### **Phasing and Implementation**

Specific Plan documents reference public improvements (Chapter 4) that were not constructed and are unlikely. This can be due to an inconsistency with policies, expenses (and cost of more pressing capital projects), engineering constraints, or because there are different plans in more recent planning documents such as the wayfinding sign program and Beaches, Parks & Recreation Master Plan. Staff will remove references to the projects if they are no longer supported by General Plan or the LUP policies. The City’s Capital Improvement Program (CIP) is updated annually with the budget to identify and set priorities for capital improvements based on resources, need, and community input. Staff will refer to the CIP for identifying and setting capital improvement priorities in each Specific Plan and refer to planned and feasible public improvements as needed.

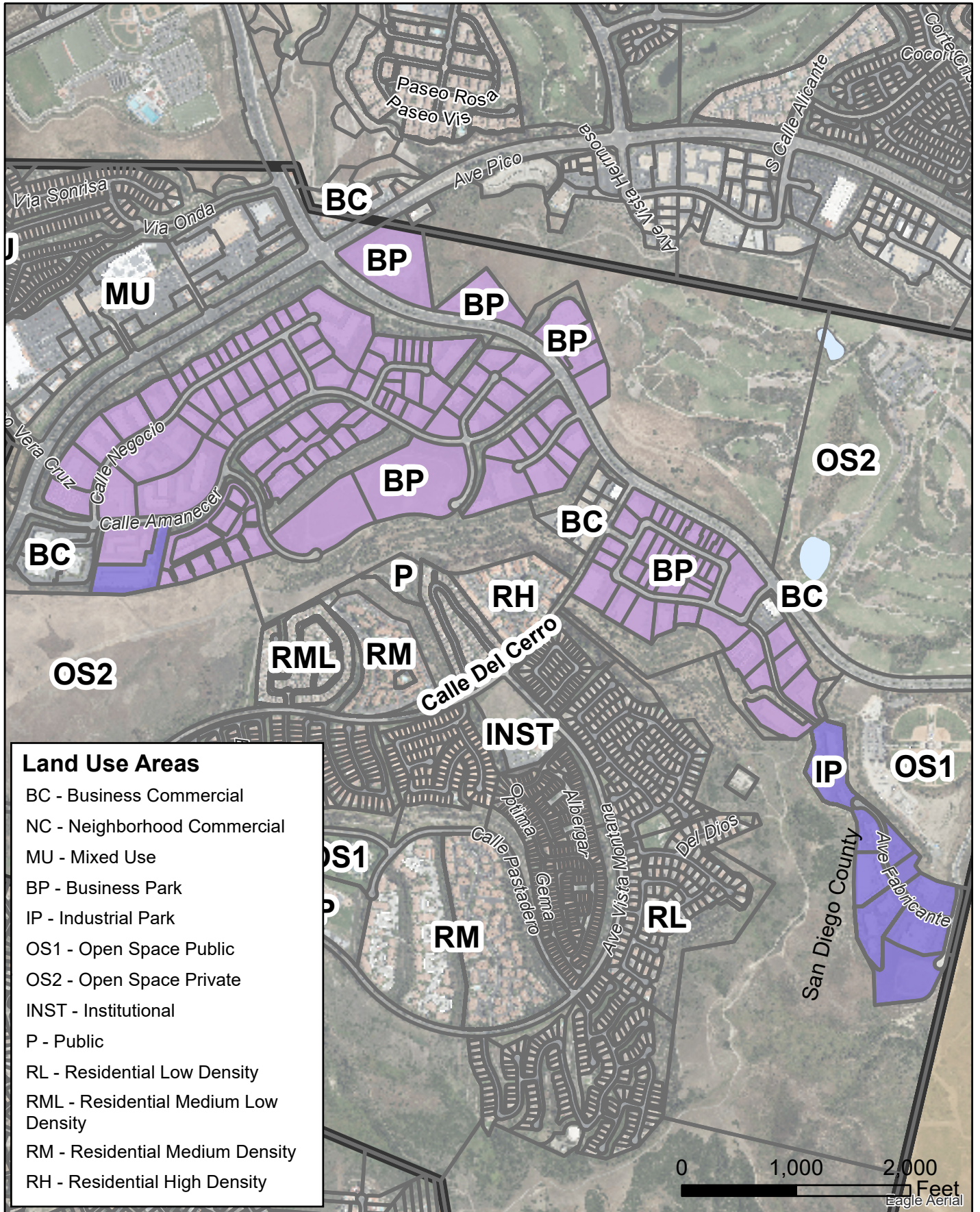
### **Conclusion**

Staff is preparing separate drafts of each Specific Plan update to address the changes discussed above. This study session will provide guidance for staff’s

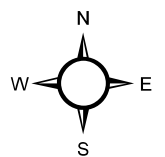
preparation of the public review period and Planning Commission hearings planned in June 2022.

**Attachments**

None.



March 16, 2022 Planning Commission Study Session  
 Rancho San Clemente Industrial and Business Park  
 Auto-related Use Expansion Area



### 17.28.310 - Vehicle Dealerships, Rental, and Sales.

- A. **Purpose and Intent.** This section is to ensure that vehicle dealerships, rental, and sales do not create an adverse impact on adjacent properties and surrounding neighborhoods. The guidelines following attempt to mitigate the negative impacts of uses such as traffic generation, visual blight, bright light, and noise.
- B. **Applicability.** This section applies to uses: vehicle dealerships, including renting, leasing and vehicle sales.
- C. **Review Requirements.** Please refer to permitted and conditional use tables in Chapter 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, to determine if vehicle dealerships, rentals, and sales may be established in particular zoning districts.
- D. **Minimum Standards.**
  - 1. Landscaping. Along with the landscaping standards for the specific zone in which the vehicle dealership is located, the vehicle dealership site shall be landscaped pursuant to the following standards:
    - a. A planting strip at least 15 feet wide shall be required along street frontages, except for driveway entrances and areas occupied by buildings.
    - b. Planters shall be surrounded by masonry or concrete curbs and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.
  - 2. Location.
    - a. New Facilities. New vehicle dealerships, rental, and sales facilities may established on properties in a zoning district that allows facilities as a permitted or conditional use per use tables in Chapter 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, except for:
      - i. Properties fronting El Camino Real, or
      - ii. Properties with a common border with residential or mixed use zones, or separated by a right-of-way, alley, or easement, excluding arterial streets, as defined in Section 17.88.030, or
      - iii. Properties located within the Central Business [CB] Overlay District.
    - b. Facilities Existing as of General Plan Adoption. Existing vehicle dealerships, rental and sales facilities not meeting criteria in paragraph a above, may continue provided the use was lawfully established on or before February 4, 2014 (General Plan adoption date) and the use meets criteria in Chapter 17.72.030.C, Nonconforming Use Exemptions.
  - 3. Noise. There shall be no outdoor loudspeakers, when vehicle dealership, rental, and sales facilities are proposed across an arterial street (defined in Section 17.88.030) from residential

or mixed use zones. Interior loudspeakers shall not be audible above daytime ambient noise levels beyond the property boundaries under normal conditions (e.g., with windows open if they are likely to be opened).

4. Outdoor Display. Please refer to the outdoor display requirements found in Section 17.28.210.C, Minimum Standards.
5. Parking Display Spaces. Each for sale-or-rental car shall be displayed in parking spaces which meet the size requirements in Section 17.64.060.A, Parking Space Size, and shall be provided in addition to those for employees and clients. Striping, aisle width, backup distance and other aspects of parking shall be determined by the City Engineer. Areas designated for employee and customer parking shall not be used for vehicle storage or display.
6. Paving. All surfaces other than those used for structures and/or landscaping shall be paved.
7. Required Parking. Parking is required for vehicle dealerships, rental, and sales facilities as follows:
  - a. Vehicle rental and sales facilities with fewer than 10 vehicles on-site, a minimum of three parking spaces shall be provided.
  - b. Vehicle rental and sales facilities with 10 or more vehicles on-site, a minimum of one parking space shall be provided per 400 square feet of showroom and office, plus one per 2,000 square feet of outdoor display area, plus one per 300 square feet of parts department area.
  - c. Vehicle Dealerships, one parking space is required per 400 square feet of showroom and office, plus one space per 2,000 square feet of outdoor display area, plus one space per 500 square feet of vehicle repair area, plus one per 300 square feet of parts department area.
8. Storm Water Permit Program. Land uses may be required to comply with the NPDES Storm Water Permit Program. For further information on NPDES requirements, refer to the NPDES Ordinance, available from the City's Engineering Division or contact the San Diego Office of the Regional Water Quality Control Board.
9. Vehicle Dealership Repair Services. At vehicle dealerships, vehicle repairs shall comply with the following:
  - a. No vehicles to be repaired shall be parked or stored on any public street or alley.
  - b. Refer to Section 17.28.320, Vehicle Service and Repair-Related Facilities, of this chapter.

(Ord. No. 1652, § 4, 5-15-2018)

**Editor's note**— Ord. No. 1652, § 4, adopted May 15, 2018, repealed former § 17.28.310 and enacted a new section as set out herein. Former § 17.28.310 pertained to vehicle dealership and derived from Ord. No. 1176 § 3 (part), adopted in 1996.

## 17.28.320 - Vehicle Service and Repair-Related Facilities.

- A. **Purpose and Intent.** The purpose of this section is to provide for the mitigation of potential noise, fumes, litter and parking problems associated with vehicle service and repair-related facilities. The special standards contained in this section are intended to ensure that vehicle repair facilities operate harmoniously and are compatible with adjacent and surrounding uses. In the interest of protecting the health, safety and welfare of the City and its residents, special conditions shall be imposed on facilities consistent with the goals, objectives and policies of the General Plan.
- B. **Applicability.** This section applies to vehicle service facilities.
- C. **Review Requirements.** Refer to chapter 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, to determine if vehicle service and repair-related facilities are permitted or conditionally permitted in the particular zoning districts.
- D. **Minimum Standards.**
1. Landscaping. Along with the landscaping standards for the specific zone in which the vehicle service and repair-related facility is located, the site shall be landscaped pursuant to the following standards:
    - a. A planting strip at least 10 feet wide shall be required along all street frontages, except for driveway areas and areas occupied by buildings.
    - b. Planters shall be surrounded by masonry or concrete curbs and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways.
    - c. Permanent landscaping or berming shall be provided and maintained in the planters at a height of not less than three feet above the average adjacent grade.
  2. Litter. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment or permanently disabled, junked or wrecked vehicles may be stored in the surrounding areas of the parcel.
  3. Location.
    - a. New Facilities. New vehicle service and repair-related facilities may established on properties in a zoning district that allows facilities as a permitted or conditional use per use tables in Chapter 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, except for:
      - i. Properties fronting El Camino Real, or
      - ii. Properties with a common border with residential or mixed use zones, or separated by a right-of-way, alley, or easement, excluding arterial streets, as defined in Section



17.88.030, or

- iii. Properties located within the Central Business [CB] Overlay District.
- b. Facilities Existing as of General Plan Adoption. Existing vehicle service and repair-related facilities not meeting criteria in paragraph a above, may continue provided the use was lawfully established on or before February 4, 2014 (General Plan adoption date) and the use meets criteria in Chapter 17.72.030.C, Nonconforming Use Exemptions.
4. Enclosure of Use in Building. All repair and service activities and operations shall be conducted entirely within an enclosed service building.
5. Operation of Facilities. The vehicle service and repair-related facility shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonable anticipated to produce any of the following:
  - a. Damage or nuisance from noise, smoke, odor, dust or vibration;
  - b. Hazard from explosion, contamination or fire;
  - c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.
6. Parking.
  - a. Vehicle Service and Repair-Related Facilities. Vehicle service and repair-related facilities shall have one parking space for each 400 square feet of gross floor area, with a minimum of five total spaces.
  - b. Full Service Car Wash Facilities. Full service car wash facilities shall have a minimum of one parking space per three employees on the maximum shift plus 600 square feet of operations parking area for each 20 feet of conveyor length.
  - c. Self Service Car Wash Facilities. Self service car wash facilities shall have a minimum of one parking space per self service car wash stall, plus a one space queuing lane in front of each self service car wash stall.
7. Paving. All surfaces other than those used for structures and/or landscaping, shall be paved.
8. Refuse Storage and Disposal. Trash areas shall be provided and screened in accordance with Section 17.24.050, Building Equipment Services and Their Screening, of this title. Additional requirements are as follows:
  - a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed except when in use.
  - b. Refuse bins shall be provided and placed in a location convenient for customers.
  - c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment,

or permanently disabled, junked or wrecked vehicles may be stored outside the main building.

9. Storage. Exterior parking areas shall be used for employee and customer parking only, and not for the repair or finishing work or long term (over one week) storage of vehicles. No vehicles awaiting repair shall be parked or stored on any street or in any alley.
10. Storm Water Permit Program. Vehicle service and repair-related facilities may be required to comply with the NPDES Storm Water Permit Program. For further information on NPDES requirements, refer to the NPDES Ordinance, available from the City's Engineering Division or contact the San Diego Office of the Regional Water Quality Control Board.

(Ord. No. 1652, § 4, 5-15-2018)

**Editor's note**— Ord. No. 1652, § 4, adopted May 15, 2018 repealed § 17.28.320 and enacted a new section as set out herein. Former § 17.28.320 pertained to vehicle repair facilities and derived from Ord. 1314 § 31, adopted in 2006 and Ord. 1172 § 3 (part), adopted in 1996.

## 17.28.290 - Service Stations.

- A. **Purpose and Intent.** The purpose of these standards is to ensure that service stations do not result in an adverse impact on adjacent land uses, especially residential uses. While service stations are needed by residents, visitors and employees in this City, the traffic and other impacts associated with service stations, particularly those open 24 hours per day, may be incompatible with nearby uses, particularly residential uses.
- B. **Review Requirements.** Please refer to the use tables in Chapters 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, of this title.
- C. **Minimum Standards.**
1. Access and Circulation, Service Bay and Wash Racks. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within 50 feet of a residentially zoned property, and shall be oriented away from public rights-of-way.
  2. Air and Water. Each service station shall provide air and water to customers at a convenient location during hours when fuel is dispensed.
  3. Canopies. Canopies shall be at least 10 feet from any property line and shall be attached to and architecturally integrated with the structure to which it is attached.
  4. Height, Maximum Building. 30 feet.
  5. Landscaping. Along with the landscaping standards for the specific zone in which the service station is located, the service station site shall be landscaped pursuant to the following standards:
    - a. A planting strip at least 10 feet wide shall be required along street frontages, except for driveway entrances. Planters shall be surrounded by masonry or concrete curbs and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways. Permanent landscaping or berming shall be provided and maintained in the planters at a height of not less than three feet above the average adjacent grade.
    - b. A landscaped area, with a minimum of 150 square feet, shall be provided at the street corner.
  6. Location of Activities. All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:
    - a. The dispensing of fuel, water and air from pump islands;
    - b. Replacement service activities such as wiper blades, fuses, radiator caps, and lamps;
    - c. The sale of items from vending machines placed next to the main building in a designated area not to exceed 32 square feet, and screened from public view;
    - d. The display of merchandise offered for customer convenience on each pump island, provided that the aggregate display area on each island shall not exceed 12 square feet and that the products shall be enclosed in a specially designed case.
  7. a. New Service Stations. New service stations may be established on properties in a zoning district that allows service stations in use tables in Chapters 17.36, Commercial Zones and Standards, through 17.48, Public Zones and Standards, of this title, except for:
    - i. Properties fronting El Camino Real, or
    - ii. Properties with a common border with residential or mixed use zones, or separated by a right-of-way, alley, or easement, excluding arterial streets, as defined in Section 17.88.030, or

- iii. Properties located within the Central Business (-CB) Overlay District, or
    - iv. Properties fronting a street intersection, is a lawfully established service station exists at the same intersection.
  - b. Facilities Existing as of the General Plan Adoption. Existing service stations not meeting criteria in paragraph a, above, may continue provided the use was lawfully established on or before February 4, 2014 (General Plan adoption date) and the use meets criteria in Chapter 17.72.030.C, Nonconforming Use Exemptions.
8. Lot Size, Minimum. 6,000 square feet.
9. Lot Width, Minimum. 60 feet.
10. Operation of Facilities. The service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:
  - a. Damage or nuisance from noise, smoke, odor, dust or vibration;
  - b. Hazard from explosion, contamination or fire;
  - c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.
11. Parking. Parking shall be based on the uses conducted on site, with parking provided for each ancillary use, including, but not limited to:
  - a. With convenience store: one per 200 square feet of gross floor area devoted to convenience items;
  - b. With car wash:
    - i. Single-bay self service: no additional spaces required,
    - ii. Other self-service and full service car-wash facilities: refer to standards for car washes in Table 17.64.050, Number of Parking Spaces Required, of this title;
  - c. With auto repair: one space per 400 square feet of repair area.In no case shall fewer than three parking spaces be provided for any service station.
12. Paving. The site shall be entirely paved, except for buildings and landscaping.
13. Refuse Storage and Disposal. Trash areas shall be provided and screened, in accordance with Section 17.24.050, Building Equipment and Their Screening, of this title. Additional requirements are as follows:
  - a. All trash shall be deposited in a gated trash area and the gates leading thereto shall be maintained in working order and shall remain closed except when in use.
  - b. Refuse bins shall be provided and placed in a location convenient for customers.
  - c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or permanently disabled, junked or wrecked vehicles may be stored outside the main building.
14. Rest Rooms. Each service station shall provide a public rest room that is accessible to the general public and physically disabled persons during all hours the service station is open to the public. Rest rooms shall be attached to a structure on site with entrances or signage clearly visible from the fueling service area or

cashier station, and concealed from view of adjacent properties by planters or decorative screening and shall be maintained on a regular basis.

15. Telephones. At least one public telephone shall be provided at each service station in a location that is easily visible from public rights-of-way.
16. Vending Machines. Coin-operated vending machines may be permitted within or abutting a structure for the purpose of dispensing items commonly found in service stations, such as refreshments and maps.
17. Other Requirements. Service stations shall comply with the NPDES Storm Water Permit Program. For further information on NPDES requirements, refer to the NPDES Ordinance, available from the City's Engineering Division.

**D. Abandoned or Converted Service Stations.**

1. Definition and Requirements. Service stations that become vacant or cease operation beyond 180 days shall be deemed abandoned and, at the City's discretion, the owner shall be required to remove all underground storage tanks, all fuel pumps and pump islands, and free-standing canopies.
2. Operation. In order to prevent the City from classifying a service station as abandoned, the owner must supply the City Planner with written verification prior to the 180 day that an allocation of gas has been delivered and operation of the station will commence within 30 days. However, if the station does not return to continued operation by the expiration of the 30-day period, the station shall be deemed abandoned and the owner shall perform the work required in Subsection (D)(1), Abandoned or Converted Service Stations, Definition and Requirements, of this section.

- E. Converted Service Stations.** When a service station use is converted to another use, the service station structures and other improvements shall be removed or modified to an extent that makes the site compatible with the neighborhood and conforming to rules. The modification or removal of improvements requires the approval of a Minor Architectural Permit or Minor Cultural Heritage Permit (Section 17.16.100) unless a waiver may be issued per Section 17.16.110. For example, the conversion of a service station could involve the removal of all fuel equipment and underground storage tanks, pole signs, removal of canopies, removal of pump islands, removal of overhead doors, the addition or modification of landscaping, addition of missing street improvements, exterior remodeling, etc. For nonconforming service stations, refer to change of use requirements in Chapter 17.72, Nonconforming Structures and Uses.

(Ord. 1314 § 27, 2006; Ord. 1172 § 3 (part), 1996)

(Ord. No. 1594, § 3(Exh. A, § 31), 5-5-2015; Ord. No. 1652, § 4, 5-15-2018)