



## Legislation Text

File #: 2016-997, Version: 1

### Report to Mayor and City Council

Tuesday, September 20, 2016

Special Orders of the Day

#### **SUBJECT:**

**CONSIDERATION OF ORDINANCE NO. 16-1603 ADOPTING NEW ZONING STANDARDS FOR ESTABLISHMENT OF NEW DISCOUNT STORES, EXPANSION OF EXISTING DISCOUNT STORES, AND LEGAL NON-CONFORMING DISCOUNT STORES WITHIN THE CITY OF CARSON (CITY COUNCIL)**

#### **I. SUMMARY**

On January 19, 2016, the City Council adopted interim urgency ordinance 15-1576U extending a city-wide moratorium on the establishment and expansion of discount stores within the City of Carson. This moratorium will expire on December 15, 2016 (Exhibit No.1). The City Council directed staff to evaluate the existing development standards for these uses and establish standards that would protect residential neighborhoods and commercial centers, limit the future proliferation of these uses, and protect the public health, safety and welfare of the community.

#### **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE Ordinance No. 16-1603 Regarding Discount Stores within the City of Carson.

#### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

#### **IV. BACKGROUND**

On April 28, 2016, staff held three separate workshops with small groups of the Planning Commissioners (no more than 4 members at a time) and on May 24, 2016, staff held a

workshop with the entire Planning Commission at the regular scheduled meeting. Staff presented the existing and proposed standards for the uses, including permitted zones, minimum lot size, separation between similar uses, and hours of operation.

On August 23, 2016, the Planning Commission considered Zone Text Amendment 26-16 to amend the Zoning Ordinance to update the zoning code regarding discount stores and recommended its approval to the City Council. Staff has prepared ZTA 27-16 as Ordinance No. 16-1603 (Exhibit No. 2).

### Use Classification

The current zoning ordinance does not include a specific use classification for discount stores. Instead discount stores could be considered as part of a more general use classification for variety stores. The proposed ordinance establishes a new use classification for discount stores as defined below:

Retail establishments that sell a broad range of outlet, close-out, discontinued, liquidation, or overstock and general merchandise, primarily at a single discount price and/or in the low and very low price ranges.

The new classification is intended to better identify, evaluate, and permit this use.

### Permitted Zones

The current zoning ordinance permits variety stores by right in the CN, CR, CG, MU-CS and MU-SB zones. The proposed ordinance establishes a new use classification for discount stores and may be permitted with a Conditional Use Permit in CR and CG zones. The new standards on the approval procedure and limiting the zones appropriate for these uses are intended to limit the proliferation of these uses.

### Minimum Lot Size

The current zoning ordinance does not have a minimum lot size for discount stores. The proposed ordinance increases the minimum lot size to 6 acres. The increase in minimum lot size is intended to limit the proliferation of these uses as fewer lots could accommodate this use. Furthermore, the larger lot size requirement limits these uses to larger shopping centers.

### Separation Requirement

The current zoning ordinance does not include a separation requirement between variety stores. The proposed ordinance establishes a minimum one-half mile separation requirement for establishment of new discount stores from existing discount stores. This new standard is intended to limit the proliferation of these uses by limiting the proximity and concentration of these uses.

### Hours of Operation

The current zoning ordinance does not include restrictions on hours of operation. The

proposed ordinance limits business hours, including truck loading hours to 8:00 a.m. to 9:00 p.m., seven days a week. This new standard is intended to protect residential neighborhoods by minimizing the impact of continuous traffic, auto and truck noise, and light glare on adjoining areas.

### Parking

The current zoning ordinance does not include a specific off-street parking requirement for discount stores. Instead, the more general parking requirement for retail sales of 1 space per 300 square feet of gross floor area is required. The proposed ordinance establishes a higher standard of 1 space per 250 square feet of gross floor area. This new standard is intended to reduce the impacts of discount stores on other tenants in commercial centers by requiring more parking spaces for this use, which typically places a higher demand on parking than other commercial uses.

### Nonconforming Uses

The proposed ordinance introduces new standards that have the potential to impact existing discount stores and create nonconformities. In order to limit this impact, the proposed ordinance includes an exemption for existing discount stores to allow them to operate indefinitely.

In the event an existing discount store moves out, provisions of CMC Section 9182.23, Discontinued Use, would allow a new discount store to replace the one that has moved out if the space is not vacant for more than one year. However, if the space is vacant for more than 1 year, a new discount store would have to comply with the provisions of the proposed ordinance.

Existing discount stores may expand without complying with new standards. However, said expansions shall require a Site Plan and Design Review application to ensure upgrading the façade of the building(s), the signs, and the landscaping for the site.

## **V. FISCAL IMPACT**

None

## **VI. EXHIBITS**

1. Interim Urgency Ordinances 15-1576U (pp. 5-10)
2. Ordinance No. 16-1603 (pp. 11-15)

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