

MEETING DATE: 2/09/09

AGENDA ITEM: Introduction of an Ordinance Amending the Zoning Code to Allow Car Washes as an Ancillary Use to Fueling Stations within a Portion of the East Washington Boulevard Overlay (EW) Zone.

ATTACHMENTS

	<u>Pages</u>
1. Ordinance No. ____ amending Title 17, Zoning, of the Culver City Municipal Code, Section 17.260.035, East Washington Boulevard Overlay (EW) Zone Table 2-11 (Allowed Uses), to allow car washes ancillary to vehicle fueling stations located east of Ballona Creek, subject to approval of a Conditional Use Permit.	1 - 6
2. Area Map (showing Notice Area).	7
3. Aerial Map (showing Notice Area).	8
4. December 10, 2008, Planning Commission Staff Report.	9 - 15
5. Planning Commission Resolution No. 2008-P013.	16 - 20
6. December 10, 2008, Draft Planning Commission Minutes.	21 - 23
7. Initial Study/Negative Declaration dated November 19, 2008.	24 - 39
8. EW Section 17.260.035 Excerpt from the CCMC.	40 - 44
9. CCMC Excerpt of Allowed Uses in Commercial Zones.	45 - 47

ORDINANCE NO. 2009-__

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.260.035 EAST WASHINGTON OVERLAY ZONE TABLE 2-11, ALLOWED USES, TO ALLOW CAR WASHES ANCILLARY TO A VEHICLE FUELING STATION, SUBJECT TO APPROVAL OF A CONDITIONAL USE PERMIT (CUP), AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

(Zoning Code Amendment P-2008115)

WHEREAS, on August 18, 2008, AGC Design Concept on behalf of Arco AM/PM filed an application for a Zoning Code Text Amendment to amend Section 17.260.035 of the Culver City Municipal Code (CCMC) to allow carwashes as an ancillary use to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit (CUP); and,

WHEREAS, on December 10, 2008, the Planning Commission conducted a duly noticed public hearing on Zoning Code Amendment, ZCA P-2008115, fully considering all reports, studies, testimony, and environmental information presented; and determined by a vote of 4 to 0 that Zoning Code Amendment, ZCA P-2008115, should be recommended to the City Council for adoption; and,

WHEREAS, on December 10, 2008, in accordance with the California Environmental Quality Act (CEQA), the Planning Commission determined that Zoning Code Amendment, ZCA P-2008115, will not have significant impacts on the environment and adopted a Negative Declaration; and,

WHEREAS, on February 9, 2009, the City Council conducted a duly noticed public hearing on Zoning Code Amendment, ZCA P-2008115, fully considering all reports, studies, testimony, and environmental information presented and determined by a vote of __

1 to ___ that Zoning Code Amendment, ZCA P-2008115, shall be adopted as set forth herein
2 below.

3 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
4 CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

5 **SECTION 1.** Pursuant to the foregoing and as outlined in CCMC Title 17,
6 Section 17.620.030 of the CCMC, the following findings for a Zoning Code (Text)
7 Amendment are hereby made:

- 8
9 **1. The proposed amendment ensures and maintains internal consistency with**
10 **the goals, policies, and strategies of all elements of the General Plan and will**
11 **not create any inconsistencies with this title, in the case of a Zoning Code**
12 **amendment.**

13 Zoning Code Amendment, ZCA P-2008115 ensures and maintains internal
14 consistency with the goals, policies, and strategies of all elements of the General
15 Plan and will not create any inconsistencies with this title because the EW Overlay
16 Zone is a Commercial Overlay Zone that allows varied commercial uses and
17 limited light manufacturing uses. The EW Zone allows similar vehicle related uses
18 as allowed in the other Commercial Zones. Car washes as part of fueling stations
19 are allowed with a CUP in the other Commercial Zones. This amendment would
20 make the EW Overlay Zone consistent with the other Commercial Zones as it
21 relates to this particular use. The proposed amendment is consistent with
22 Objective 6 of the General Plan Land Use Element which calls for economic
23 revitalization of the City's commercial corridors. There are no car wash operations
24 in the immediate area. This amendment is consistent with Policy 6.G of the
25 General Plan Land Use Element which encourages the introduction of
26 neighborhood serving commercial uses that serve nearby residential areas lacking
27 such services. Because the amendment requires the use be allowed only after
28 approval of a CUP, any requests for a car wash ancillary to a fueling station will
29 have to be reviewed for consistency with other General Plan elements of the City
and with this title; therefore ensuring said consistencies are maintained.

- 24 **2. The proposed amendment would not be detrimental to the public interest,**
25 **health, safety, convenience or welfare of the City.**

26 The Zoning Code Amendment will not be detrimental to the public interest, health,
27 safety, convenience or welfare of the City because the amendment will require that
28 a proposed car wash be subject to the same thorough review process as would
29 occur for a car wash in other Commercial Zones. This includes a California
Environmental Quality Act (CEQA) analysis, analysis of noise and traffic circulation

1 impacts, review of design compatibility with surrounding architecture, imposition of
2 conditions and mitigation measures to lessen impacts to surrounding areas, a
3 public hearing, and revocation of the CUP should violations of conditions occur
4 once the project is operational. This review process is meant to address impacts
5 that would otherwise be detrimental to the public interest, health, safety,
6 convenience or welfare of the City. Further, the limited scope of the amendment
7 as an ancillary use to fueling stations for only that portion of the EW Overlay Zone
8 east of Ballona Creek will lessen the potential for negative impacts to residential
9 areas because the far eastern portion of the EW Overlay Zone is currently
10 dominated by auto related manufacturing and commercial uses.

11 **3. The proposed amendment is in compliance with the provisions of the**
12 **California Environmental Quality Act (CEQA).**

13 Pursuant to CEQA guidelines a Negative Declaration has been prepared; the
14 proposed Zoning Code Text Amendment has been determined to have less than
15 significant impacts on the community. The proposed amendment is consistent with
16 the Zoning Code regulations, and the Initial Study determined that expected
17 impacts from future uses allowed with this amendment will be below thresholds of
18 significance provided mitigations are required, should such mitigations be identified
19 during the CEQA review at the project specific level.

20 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City
21 Council of the City of Culver City, California, hereby adopts Zoning Code Amendment, ZCA
22 P-2008115, thereby amending the Culver City Municipal Code (CCMC), section 17.260.035,
23 East Washington Overlay Zone Table 2-11, Allowed Uses, as set forth in Exhibit "A" attached
24 hereto and incorporated herein by reference.

25 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
26 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621
27 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City
28 Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City
29 News and shall post this Ordinance or a summary thereof in at least three places within the
City.

1 **SECTION 4.** The City Council hereby declares that, if any provision, section,
2 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
3 invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason
4 of any preemptive legislation, then the City Council would have independently adopted the
5 remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this
6 ordinance and as such they shall remain in full force and effect.
7

8 APPROVED and ADOPTED this _____ day of _____, 2009.
9
10

11
12 _____
13 SCOTT MALSIN, Mayor
14 City of Culver City, California

14 ATTESTED BY:

14 APPROVED TO AS FORM:

15
16
17 _____
18 MARTIN COLE, City Clerk

17 _____
18 CAROL SCHWAB, City Attorney

ORDINANCE NO. 2009-_____

EXHIBIT A

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P	Permitted Use
	CUP	Conditional Use Permit required
	AUP	Administrative Use Permit Required
	-	Use not allowed
LAND USE (1)	Permit Requirement	See Specific Use Regulations:

INDUSTRY, MANUFACTURING, & PROCESSING

Fabric products manufacturing, 5,000 sq.ft. or less	AUP	
Fabric products manufacturing, 5,001 to 10,000 sq.ft.	CUP	
Food and beverage manufacturing, 5,000 sq.ft. or less (2)	AUP	
Food and beverage manufacturing, 5,001 to 10,000 sq.ft (2)	CUP	
Furniture/fixtures manufacturing, 5,000 sq.ft. or less (3)	AUP	
Furniture/fixtures manufacturing, 5,001 to 10,000 sq.ft. (3)	CUP	
Handcraft industries, 5,000 sq.ft. or less (3)	AUP	
Printing and publishing, 10 employees maximum	P	
Recycling facility - Incidental small collection	AUP	17.400.090
Recycling facility - Large collection (4)	CUP	17.400.090
Recycling facility - Small collection	CUP	17.400.090
Second hand stores	AUP	

RECREATION, EDUCATION, & PUBLIC ASSEMBLY

Clubs, lodges, and private meeting halls	AUP	
Health/fitness facilities	P	
Indoor amusement/entertainment facilities	AUP	
Religious places of worship	P	
Private Schools (5)	CUP	
Public Schools	P	
Studios – Art, dance, music, photography, etc.	P	
Theaters	P	

RESIDENTIAL

Live/work units	P	17.400.060
Mixed Use Project	P	17.400.065

RETAIL TRADE

Auto and vehicle sales/rental (6)(7)	P	
Auto parts sales, retail	P	
Convenience stores (8)	P	
General retail stores (8)	P	
Internet café	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Includes packaging, processing, and wholesaling.
- (3) Includes assembly, restoration, and wholesaling.
- (4) Use only allowed on a site located a minimum of 300 ft from any residential zone.
- (5) AUP required for schools up to 1,500 sq.ft. in area.
- (6) All business activities with no outdoor display, storage or repair areas permitted shall be conducted wholly within completely enclosed buildings.
- (7) Used vehicles sales and service shall only be allowed incidental to new vehicle sales.
- (8) For permit requirements related to the sale of Alcoholic Beverages, see Section 17.400.015.

Table continues on next page

ORDINANCE NO. 2009-____

EXHIBIT A

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed
LAND USE (1)	Permit Requirement See Specific Use Regulations:

RETAIL TRADE (continued)

Outdoor retail sales and display	P	17.400.075
Pet shops	P	
Plant nurseries, retail	P	
Restaurants, counter service (2)	P(3)	
Restaurants, outdoor dining (2)	AUP	
Restaurants, table service (2)	P	
Second hand stores	P	

SERVICE

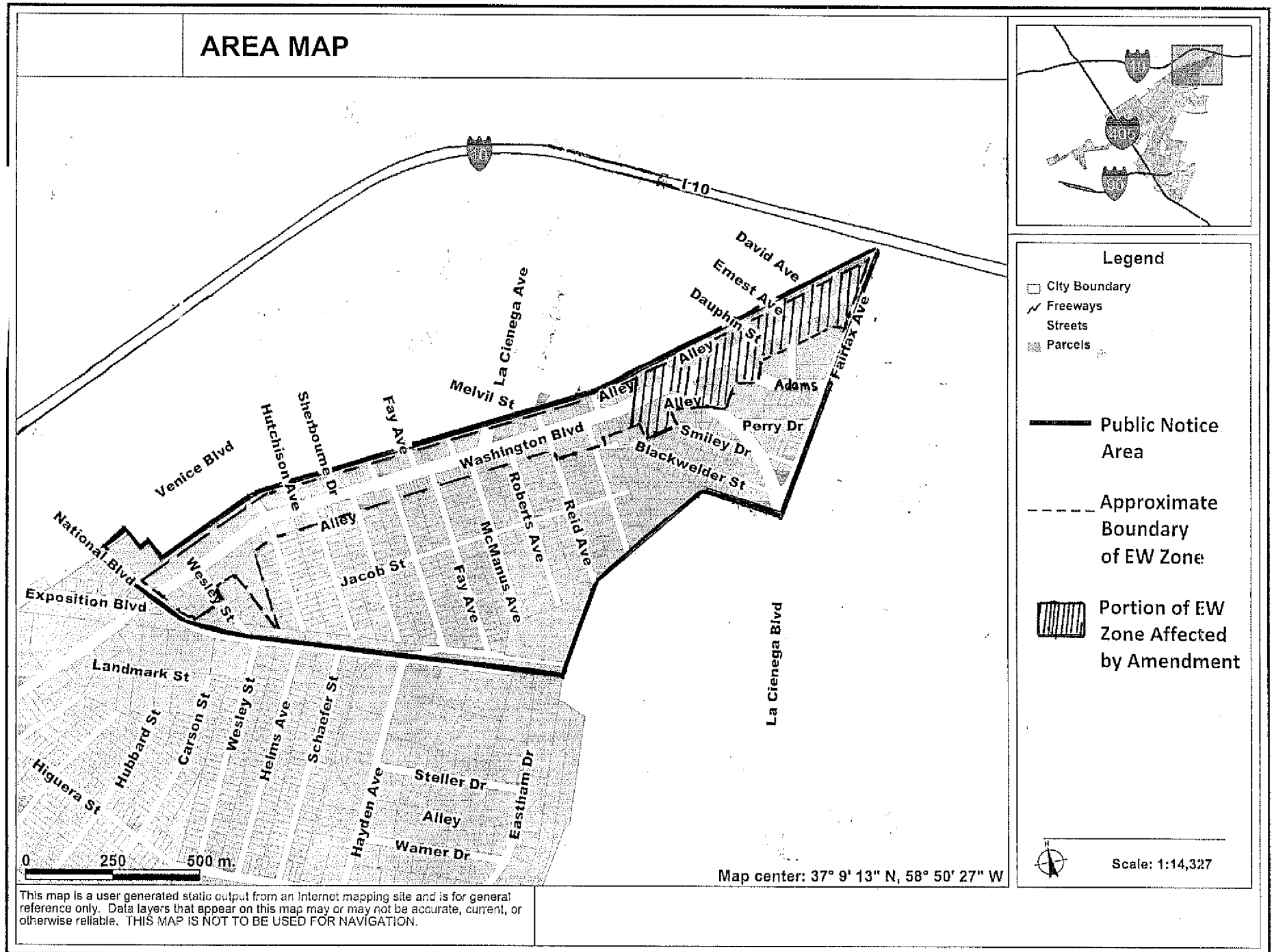
Adult day care facilities	CUP	
Automated teller machines (ATMs)	P	17.400.025
Banks and financial services	P	
Business and consumer support services	P	
Child day care centers	CUP	17.400.035
Hotels and motels	CUP	
Medical services - Office/clinics (4)	P	
Medical services - Labs (4)	P	
Medical services - Hospitals	CUP	
Mortuaries	P	
Offices	P	
Personal services, except psychic readers	P	
Vehicle services - Fueling station	P	17.400.120
Vehicle services - Car Wash (5)	CUP	
Vehicle services - Fueling, incidental repair	CUP	17.400.120
Vehicle services - Impounding/storage	AUP	17.400.125
Vehicle services - Maintenance/repair (65)	CUP	17.400.125
Veterinary clinics and animal hospitals (76)	AUP	17.400.020

TRANSPORTATION & COMMUNICATIONS

Broadcast studios	P	
Parking facilities	AUP	
Pipelines and utility lines	P	
Telecommunications facilities, cellular	AUP	17.400.110
Telecommunications facilities, wireless antenna	See Section 17.400.110 for permit requirements	

Notes:

- (1) See Article 7 for definitions of the land uses listed
- (2) For permit requirements related to the sale of Alcoholic Beverages see Section 17.400.015
- (3) If counter service restaurant is stand-alone, then a CUP is required
- (4) Excluding animal experimentation.
- (5) Only allowed as ancillary to fueling stations that are located east of La Ballona Creek.
- (65) Use only allowed indoors.
- (76) Use only allowed on a site located a minimum of 200 feet from any residential zone.



**EW ZONING CODE AMENDMENT
AERIAL MAP DETAIL
ATTACHMENT NO. 3**

**PUBLIC NOTICE
AREA**

**APPROXIMATE
BOUNDARY
OF EW ZONE**

**PORTION OF EW
ZONE AFFECTED
BY AMENDMENT**

 APPROXIMATE
BOUNDARY
OF EW ZONE
 PORTION OF EW
ZONE AFFECTED
BY AMENDMENT

City of Culver City, California
Planning Commission Agenda Item Report

Meeting Date: December 10, 2008	Item Number: PH-1
AGENDA ITEM: Zone Code Text Amendment and Negative Declaration to allow carwashes as an ancillary use to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit.	
Contact Person/Dept.: Jose Mendivil, Associate Planner	Phone Number: (310) 253-57575
Public Hearing: ☒	Action Item: ☐ Attachments: ☒
Public Notification: Published in the Culver City News on November 20, 2008, and November 27, 2008; on November 19, 2008, notices mailed to all the property owners and occupants east of National Boulevard (approximately 1,700 notices); and notice emailed to the Master Notification List.	
Planning Approval: Thomas Gorham, Planning Manager 12/2/08	
<u>RECOMMENDATION:</u> That the Planning Commission: 1. Adopt a Negative Declaration based on the Initial Study finding that the project will not have a significant adverse impact on the environment (Attachment No. 3); and, 2. Recommend Approval to the City Council of Zone Code Text Amendment, ZCA P-2008115 as stated in Resolution No. 2008-P013 (Attachment No. 4) to amend Section 17.260.035 of the Culver City Municipal Code to allow carwashes as an ancillary use to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit. <u>PROCEDURES:</u> 1. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired. 2. Chair opens the public hearing, providing the applicant the first opportunity to speak, followed by the general public. 3. Chair seeks a motion to close the public hearing after all testimony has been presented. 4. Commission discusses the matter and arrives at its decision. 9	

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BACKGROUND:

The applicant, on behalf of Arco AMPM wishes to add a car wash at the Arco AMPM fueling station located at 5884 Washington Boulevard in the East Washington Boulevard Overlay (EW) Zone. The EW Zone is a commercial overlay zone allowing various retail, commercial, and office uses along with limited light manufacturing. The EW Zone allows fueling stations but not car washes. Car washes are allowed in all other commercial zones in the City subject to the approval of a Conditional Use Permit (CUP), except the Commercial Downtown (CD) Zone.

In order to accommodate the applicant's desire to add a car wash to the existing fueling station, a Zoning Text Amendment is necessary to include car washes as a permitted use in the EW Zone subject to approval of a CUP consistent with the requirements for car washes in other commercial zones in the City. If the Zoning Text Amendment is approved, the applicant would be required to submit a CUP application in order to permit the car wash use.

Existing Conditions

On December 27, 1994, the Culver City City Council adopted the East Washington Boulevard Overlay Zone Ordinance to provide special zoning regulations necessary for the successful implementation of the East Washington Boulevard Revitalization Program. Adoption of this ordinance was the culmination of numerous public workshops, meetings, and hearings dating back to May of 1990. The key purpose for these meetings and the formation of the overlay zone was to revitalize the East Washington Boulevard area which by 1990 was perceived by some as neglected and blighted. The overlay zone was drafted to encourage preferred commercial and light manufacturing uses while prohibiting other "undesirable uses". The overlay zone established design and storefront guidelines to create a pedestrian friendly environment and also required performance standards which require business activities to be conducted fully indoors, screening walls between commercial and residential uses, and standards pertaining to dust, gas, noise, odor, smoke, and vibration.

The EW Zone spans both the north and south Washington Boulevard frontages east of National Boulevard to Fairfax Avenue, and is located on the northeast end of Culver City bordered by the City of Los Angeles (See attached Aerial Map – Attachment No. 2). It is primarily a commercial zone that allows some small, light manufacturing uses with either an Administrative Use Permit or CUP. Uses in the overlay zone include offices, architectural and design studios, general retail, furniture wholesale and home appliances, restaurants, galleries, automotive repair, tire repair and sales, two fueling stations, a laundromat, light clothing and accessory manufacturing, and services for disabled individuals.

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The EW Zone is surrounded by the City of Los Angeles to the north and east and Culver City to the south and west. More specifically, west of the zone is an industrially zoned area with uses including automotive repair, light manufacturing, offices, an elementary school, and abandoned car dealerships. To the east and in the City of Los Angeles are uses that include light manufacturing, automotive repair, the I-10 freeway, a Cal Trans and Metro storage facility, and residential uses. North of the EW Zone and also in the City of Los Angeles there are single and multiple family residential neighborhoods. South of the EW Zone and between Ballona Creek and Fairfax Avenue is an industrial zone that includes automotive, studio, light industrial and wholesale uses. Single and multi-family residential areas exist south of the zone west of Ballona Creek with a portion of light industrial and retail uses at the southwest end of the overlay zone.

Project Description

The applicant is requesting to amend Section 17.260.035 of the Culver City Municipal Code to allow carwashes as an ancillary use to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit (CUP).

ANALYSIS:

Area Compatibility/General Plan & Zoning

The proposed zoning code text amendment would allow carwashes as an ancillary use to fueling stations in the EW Zone. Attachment No. 5 is an excerpt from the Culver City Municipal Code (CCMC) that provides development standards and lists the allowed uses in the EW Zone. As an overlay zone superseding both commercial and industrial underlying zones, the EW zone is primarily a Commercial Zone that allows some light manufacturing uses with discretion (either through an Administrative or Conditional Use Permit – AUP or CUP). Several vehicle related uses are allowed in the Zone including incidental repair, maintenance/ repair, and impounding/storage; all requiring either an AUP or CUP. Vehicle sales, vehicle parts sales, and fueling stations are allowed by right.

These same vehicle related uses are allowed in most or all other commercial zones with the exception of the Commercial Downtown (CD) zone – the most restrictive of the various commercial zones. See Attachment No. 6 for the list of allowed uses in all other commercial zones. Vehicles car washes are allowed with a CUP in all the commercial zones except the CD and EW Zones. The EW Zone, as a commercial overlay zone, allows similar commercial retail, service, and office uses as allowed in other commercial zones.

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Currently the EW Zone is characterized by small scale businesses representing the retail, restaurant, office and design studio, art gallery, home/office furnishing, light manufacturing, and automotive related sectors. The automotive related uses include two fueling stations, an auto body shop, and some tire/minor repair shops. As already stated, the amendment would allow vehicle car washes with a CUP, as required in other commercial zones, but only as ancillary to a fueling station. In other commercial zones a stand alone car wash can be allowed with a CUP.

When the EW Zone was established, there was a preponderance of vehicle related uses along Washington Boulevard that were having negative impacts to the abutting residential areas to the north and south. During the many public meetings, vehicle related uses such as auto engine and body repair were identified as undesirable. The overlay zone required that all existing auto related uses servicing vehicle outside of a wholly enclosed building which were established prior to January 26, 1995 and not in conformance with the adopted provisions of the overlay zone either be removed or modified to conform to the requirements within 5 years of January 26, 1995. All auto related uses in the EW Zone have abided by that deadline date. Staff could find no specific reasons for prohibiting car washes in the EW Zone other than they were perceived as "undesirable". With the establishment of the EW Zone and the amortization requirement and performance standards noted above, many of these auto related uses have been replaced as the area has seen a period of gentrification over the past 10 years with new uses being established including an active arts district, restaurants, and design related offices and studios. Most remaining auto related uses are located along the eastern portion of Washington Boulevard away from the residential areas and/or have conducted their activity fully indoors pursuant to the EW Zone provisions.

In recognition of the proximity of commercial lots along Washington Boulevard to residential uses abutting to the north and south, staff is recommending limiting car wash uses only ancillary to fueling stations. This limitation will prohibit stand alone car washes that may otherwise be located on the commercial lots abutting residential uses. The limited scope of the text amendment will result in car washes being permitted at two existing fueling stations in the EW Zone, the subject Arco AM/PM at La Cienega and Washington and the Mobil station at Fairfax and Washington, both of which are not in close proximity to residential uses.

From a land use compatibility perspective, the proposed text amendment's limited scope balances the need to provide a service commonly associated with a fueling station and at the same time protect adjacent residential areas from any potential negative impact of such a use. Further, the CUP process would subject the ancillary car wash use to the same review process as would occur for

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a car wash in other commercial zones, a public hearing before the Planning Commission.

With regards to the General Plan, the proposed amendment is consistent with Objective 6 of the General Plan Land Use Element which calls for economic revitalization of the City's commercial corridors. Further, there are no small car wash operations in the immediate area. This amendment is consistent with Policy 6.G of the General Plan Land Use Element which encourages the introduction of neighborhood serving commercial uses that serve nearby residential areas lacking such services.

Development Standards Through CUP Process

Although there are no existing specific development standards in the Zoning Code for car washes, the CUP required process will allow the City the opportunity to require specific conditions depending on the specifics of each project site for each application. Further there are no extraordinary circumstances in the commercial EW Zone that set it apart from other commercial zones that would in turn trigger car wash development standards for only the EW Zone. Through the CUP process, conditions of approval can be crafted (depending on the nature of the project site) that address development standard issues such as noise, traffic and circulation, parking, and architectural and site design. In addition, monitoring conditions can be imposed if warranted to ensure compliance. If projects are not in compliance, the CUP could be referred back to the Planning Commission.

Noise

Through the CUP process, the City will review each car wash application and require as appropriate, conditions of approval to mitigate noise. Generally, a car wash ancillary to a fueling station is automated and can be characterized as a small operation not expected to create significant noise levels. But, the City has required noise studies as part of the application materials for other car wash CUP applications that are ancillary to fueling stations. This noise study application requirement will not change for CUP requests in the EW Zone.

The CUP review process, with the aid of the required noise study could result in design conditions that help to lessen noise impacts. Such design related conditions could include lengthening of the carwash bay tunnel to further insulate noise generated in the tunnel, the location of the vacuums, and perimeter sound walls to help deflect noise. It must be noted that the only two fueling stations currently in EW (and that could benefit immediately by this amendment) are located east of Ballona Creek on the south side of Washington Boulevard. In this area of the EW Zone, there are no residential zones or uses south of the EW Zone; rather, there are light industrial and artisan uses.

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Traffic and Circulation

The CUP review process for car washes always requires that the applicant submit a traffic circulation analysis to determine how the car wash can be designed to reduce or eliminate queuing on the public right-of-way. This analysis also looks at the on-site circulation for gas patrons and car wash patrons. This same traffic and circulation review procedure will be followed for CUP applications in the EW Zone. With each CUP application, conditions or site plan revisions could be required that address on-site circulation and queuing on the public right-of-way. This could also lead to conditions that require that existing road, curb, and access designs be revised to minimize potentially hazardous public right-of-way situations. Other potential traffic related impacts to surrounding uses can be addressed through conditions and monitoring as warranted.

Parking

As with car washes in other commercial zones, car washes in the EW Zone will be subject to current parking requirements in the Zoning Code. The CUP process will allow staff to review each application and impose additional parking related conditions if site conditions warrant such mitigations.

Architectural and Site Design

With each CUP application, architectural and site design is reviewed and this will continue with CUP applications for car washes in the EW Zone. Such review will pay special attention to how site design can alleviate visual, noise, and queuing impacts. Conditions or revisions to architecture or site layout will be required if impacts are identified. Landscaping and subdued lighting may also be required that further softens architectural impacts. These review practices are currently followed and will not change for CUP applications in the EW Zone.

Monitoring and Compliance

As stated above conditions requiring monitoring of operations, including noise, traffic, parking and site layout can be can be imposed to ensure compliance with conditions and compatibility with adjacent uses. Non compliance can result in the CUP being referred back to the Commission for addition and/or revised conditions and potential revocation if necessary.

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CONCLUSION:

Based on the above analysis and the initial environment study, staff believes that the proposed Zoning Code Text Amendment can be recommended for approval. The limited scope of the proposed use that would be allowed with the amendment is consistent with existing site conditions for the EW Zone and balances the need to provide a service commonly associated with a fueling station and at the same time protect adjacent residential areas from any potential negative impact of such a use. The CUP process will ensure that potential impacts of car washes ancillary to fueling stations in the EW Zone are mitigated.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) guidelines a Negative Declaration has been prepared; the proposed Zoning Code Text Amendment has been determined to have less than significant impacts on the community. The proposed amendment is consistent with the Zoning Code regulations, and the Initial Study determined that expected impacts from future uses allowed with this amendment will be below thresholds of significance provided mitigations are required, should such mitigations be identified during the CEQA review.

ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Recommend that the City Council approve the proposed amendment if the required findings for a Zoning Code Text Amendment can be made.
2. Recommend that the City Council approve the proposed amendment with additional or different amendment language if deemed necessary to meet the required findings for a Zoning Code Text Amendment.
3. Disapprove the amendment request if it does not meet the required findings.

ATTACHMENTS:

1. Area Map
2. Aerial Map
3. Draft Initial Study/Negative Declaration dated November 19, 2008
4. Draft Resolution No. 2008-P013 (ZCA P-2008115)
5. EW Section 17.260.035 Excerpt from of the CCMC
6. CCMC Excerpt of Allowed Uses in Commercial Zones

15

Attachment No. 5

RESOLUTION NO. 2008-P013

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONING CODE AMENDMENT, ZCA P-2008115 AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE (CCMC), SECTION 17.260.035 EAST WASHINGTON OVERLAY ZONE TABLE 2-11, ALLOWED USES, TO ALLOW CAR WASHES ANCILLARY TO A VEHICLE FUELING STATION, SUBJECT TO APPROVAL OF A CONDITIONAL USE PERMIT (CUP), AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

(Zoning Code Amendment P-2008115)

WHEREAS, on August 18, 2008, AGC Design Concept on behalf of Arco AM/PM filed an application for a Zoning Code Text Amendment to amend Section 17.260.035 of the Culver City Municipal Code (CCMC) to allow carwashes as an ancillary use to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit (CUP); and

WHEREAS, on December 10, 2008, the Planning Commission conducted a duly noticed public hearing on Zoning Code Amendment, ZCA P-2008115 fully considering all reports, studies, testimony, and environmental information presented; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined by a vote of 4 to 0 that Zoning Code Amendment, ZCA P-2008115, should be recommended for approval to the City Council as set forth herein below.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to the foregoing and as outlined in CCMC Title 17, Section 17.620.030 of the CCMC, the following findings for a Zoning Code (Text) Amendment are hereby made:

1. **The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this title, in the case of a Zoning Code amendment.**

Zoning Code Amendment, ZCA P-2008115 ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this title because the EW Zone is a commercial overlay zone that allows varied commercial uses and limited light manufacturing uses. The EW Zone allows almost all of the vehicle related uses that are allowed in the other commercial zones. Car washes as part of fueling stations are allowed with a CUP in the other commercial zones. This amendment would make the EW Zone consistent with the other commercial zones as it relates to this particular use. The proposed amendment is consistent with Objective 6 of the General Plan Land Use Element which calls for economic revitalization of the City's commercial corridors. There are no car wash operations in the immediate area. This amendment is consistent with Policy 6.G of the General Plan Land Use Element which encourages the introduction of neighborhood serving commercial uses that serve nearby residential areas lacking such services. Because the amendment requires the use be allowed only after approval of a CUP, any requests for a car wash ancillary to a fueling station will have to be reviewed for consistency with other General Plan elements of the City and with this title; therefore ensuring said consistencies are maintained.

2. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.**

The amendment will not be detrimental to the public interest, health, safety, convenience or welfare of the City because it requires a CUP. Such a discretionary action requires that the City conduct a California Environmental Quality Act (CEQA) analysis, make findings for a CUP, and impose conditions and mitigation measures to lessen impacts to surrounding areas. This review process is meant to address impacts that would otherwise be detrimental to the public interest, health, safety, convenience or welfare of the City.

3. **The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).**

Pursuant to CEQA guidelines a Negative Declaration has been prepared; the proposed Zoning Code Text Amendment has been determined to have less than

1 significant impacts on the community. The proposed amendment is consistent with
2 the Zoning Code regulations, and the Initial Study determined that expected
3 impacts from future uses allowed with this amendment will be below thresholds of
4 significance provided mitigations are required, should such mitigations be identified
5 during the CEQA review at the project specific level.

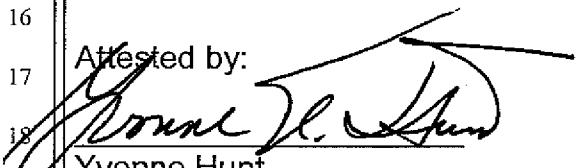
6 SECTION 2. Pursuant to the foregoing recitations and findings, the Planning
7 Commission of the City of Culver City, California, hereby recommends approval of Zoning
8 Code Amendment, ZCA P-2008115 to the City Council as set forth in Exhibit A attached
9 hereto and made a part thereof.

10 APPROVED and ADOPTED this 10th day of December, 2008.

11 

12
13 DAVID ROCKWELL, CHAIRPERSON
14 PLANNING COMMISSION
15 CITY OF CULVER CITY, CALIFORNIA

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17 Attested by:

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19 Yvonne Hunt

20 Administrative Secretary
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RESOLUTION No. 2008-P013

EXHIBIT A

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P	Permitted Use
	CUP	Conditional Use Permit required
	AUP	Administrative Use Permit Required
	-	Use not allowed
LAND USE (1)	Permit Requirement	See Specific Use Regulations:

INDUSTRY, MANUFACTURING, & PROCESSING

Fabric products manufacturing, 5,000 sq.ft. or less	AUP	
Fabric products manufacturing, 5,001 to 10,000 sq.ft.	CUP	
Food and beverage manufacturing, 5,000 sq.ft. or less (2)	AUP	
Food and beverage manufacturing, 5,001 to 10,000 sq.ft (2)	CUP	
Furniture/fixtures manufacturing, 5,000 sq.ft. or less (3)	AUP	
Furniture/fixtures manufacturing, 5,001 to 10,000 sq.ft. (3)	CUP	
Handcraft industries, 5,000 sq.ft. or less (3)	AUP	
Printing and publishing, 10 employees maximum	P	
Recycling facility - Incidental small collection	AUP	17.400.090
Recycling facility - Large collection (4)	CUP	17.400.090
Recycling facility - Small collection	CUP	17.400.090
Second hand stores	AUP	

RECREATION, EDUCATION, & PUBLIC ASSEMBLY

Clubs, lodges, and private meeting halls	AUP	
Health/fitness facilities	P	
Indoor amusement/entertainment facilities	AUP	
Religious places of worship	P	
Private Schools (5)	CUP	
Public Schools	P	
Studios – Art, dance, music, photography, etc.	P	
Theaters	P	

RESIDENTIAL

Live/work units	P	17.400.060
Mixed Use Project	P	17.400.065

RETAIL TRADE

Auto and vehicle sales/rental (6)(7)	P	
Auto parts sales, retail	P	
Convenience stores (8)	P	
General retail stores (8)	P	
Internet café	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Includes packaging, processing, and wholesaling.
- (3) Includes assembly, restoration, and wholesaling.
- (4) Use only allowed on a site located a minimum of 300 ft from any residential zone.
- (5) AUP required for schools up to 1,500 sq.ft. in area.
- (6) All business activities with no outdoor display, storage or repair areas permitted shall be conducted wholly within completely enclosed buildings.
- (7) Used vehicles sales and service shall only be allowed incidental to new vehicle sales.
- (8) For permit requirements related to the sale of Alcoholic Beverages, see Section 17.400.015.

Table continues on next page

RESOLUTION No. 2008-P013

EXHIBIT A

TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P	Permitted Use
	CUP	Conditional Use Permit required
	AUP	Administrative Use Permit Required
	-	Use not allowed
LAND USE(1)	Permit Requirement	See Specific Use Regulations:

RETAIL TRADE (continued)

Outdoor retail sales and display	P	17.400.075
Pet shops	P	
Plant nurseries, retail	P	
Restaurants, counter service (2)	P(3)	
Restaurants, outdoor dining (2)	AUP	
Restaurants, table service (2)	P	
Second hand stores	P	

SERVICE

Adult day care facilities	CUP	
Automated teller machines (ATMs)	P	17.400.025
Banks and financial services	P	
Business and consumer support services	P	
Child day care centers	CUP	17.400.035
Hotels and motels	CUP	
Medical services - Office/clinics (4)	P	
Medical services - Labs (4)	P	
Medical services - Hospitals	CUP	
Mortuaries	P	
Offices	P	
Personal services, except psychic readers	P	
Vehicle services - Fueling station	P	17.400.120
Vehicle services - Car Wash (5)	CUP	
Vehicle services - Fueling, incidental repair	CUP	17.400.120
Vehicle services - Impounding/storage	AUP	17.400.125
Vehicle services - Maintenance/repair (65)	CUP	17.400.125
Veterinary clinics and animal hospitals (76)	AUP	17.400.020

TRANSPORTATION & COMMUNICATIONS

Broadcast studios	P	
Parking facilities	AUP	
Pipelines and utility lines	P	
Telecommunications facilities, cellular	AUP	17.400.110
Telecommunications facilities, wireless antenna	See Section 17.400.110 for permit requirements	

Notes:

- (1) See Article 7 for definitions of the land uses listed
- (2) For permit requirements related to the sale of Alcoholic Beverages see Section 17.400.015
- (3) If counter service restaurant is stand-alone, then a CUP is required.
- (4) Excluding animal experimentation.
- (5) Only allowed as ancillary to fueling stations that are located east of La Ballona Creek.
- (65) Use only allowed indoors.
- (76) Use only allowed on a site located a minimum of 200 feet from any residential zone.

Attachment 6.

Planning Commission Minutes
December 10, 2008

TIGGS) TO SELECT COMMISSIONER SMITH FROST TO SERVE ON THE TRAFFIC COMMITTEE.

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PUBLIC HEARINGS

Item PH-1

Zone Code Text Amendment and Negative Declaration to Allow Carwashes as Ancillary Uses to Fueling Stations within the East Washington Boulevard Overlay Zone Subject to Approval of a Conditional Use Permit

Staff provided a summary of the material of record.

Chair Rockwell invited public participation.

The following members of the audience addressed the Commission:

Alex Coras, owner representative, was present to answer any questions.

Linda Kay reported that a Planning Commission denial of a car wash, overturned by the City Council was adversely affecting her neighborhood and she cautioned that the item should be carefully considered.

Discussion between the Commission and staff included: concern with overruling the East Washington Overlay Zone; a request for contact information of previous Commissioners to try to learn the reasoning behind their actions; differences between the areas east and west of the creek and whether the area east of the creek could be upgraded; concern with second guessing the previous Commission's decision; and support for maintaining the pedestrian friendly nature of the area.

Responding to inquiry from Vice Chair Kuechle, Alex Coras indicated that the car wash would be placed in the back and he discussed the location of parking and the proposed entrance and exit.

Benny Fadrahm, owner, Arco AM/PM, explained remodeling plans for the car wash.

Additional discussion between the Commission and staff included: reluctance to change zoning; acknowledgment that the overlay had addressed many area issues; acknowledgement that the project was limited in scope, required a CUP and that the car wash is an ancillary use; the absence of traffic issues; support for the east of the creek location; the reasoning behind consideration of a text amendment at this point in the process; concern with the previous Council overrule of the Planning Commission denial of the Valero gas station; the CUP process; differences in lot sizes and uses east and west of the creek; impact on residential uses; the economic viability of the project; concern with a structural change to the General Plan; a request for a site plan; clarification that applicant is entitled to apply for a text amendment without a CUP; upgrades already in process; clarification that additional upgrades could be requested to the car wash design; a request for additional information about the original overlay decision; concern with unintended consequences for the overlay zone; concern with setting a precedent; distances from residential to area gas stations; zoning in the area with and without the overlay; an observation that the western part of the overlay and residences were protected even with the change; interest in creating a live/work loft zone; potential redevelopment and improvements to the area; concern with making decisions that might preclude a trend that they might like to see; concern with spot zoning; mandatory findings; whether the area would go residential; and the importance of making decisions on what the area is now, not what the area will eventually be.

Benny Fadrahm noted that if the value of the property went up, a developer could buy it at any time. He asserted that they needed to put in a car wash to survive and it would not generate extra traffic.

MOVED BY VICE CHAIR KUECHLE, SECONDED BY COMMISSIONER PLESKOW, AND UNANIMOUSLY CARRIED (ABSENT COMMISSIONER TIGGS) TO CLOSE THE PUBLIC HEARING.

Additional discussion between staff and the Council included: direction from the Commission to the applicant to bring back a good project; an assertion that the change itself should be considered, not the project; a request for background material explaining the rationale for the original decision; a comment that the issue was much bigger

than the single project; relaxing constraints since things have changed in the area; and noticing procedures.

MOVED BY VICE CHAIR KUECHLE, SECONDED BY COMMISSIONER FROST SMITH, AND UNANIMOUSLY CARRIED (ABSENT COMMISSIONER TIGGS) TO ADOPT A NEGATIVE DECLARATION BASED ON THE INITIAL STUDY FINDING THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT AND RECOMMEND APPROVAL TO THE CITY COUNCIL OF ZONE CHANGE TEXT AMENDMENT ZCAP2008-115 AS STATED IN RESOLUTION 2008-P013 TO AMEND SECTION 17260.035 OF THE CULVER CITY MUNICIPAL CODE TO ALLOW CAR WASHES AS AN ANCILLARY USE TO FUELING STATIONS WITHIN THE PORTION OF THE EAST WASHINGTON OVERLAY ZONE LOCATED EAST OF LA BALLONA CREEK SUBJECT TO APPROVAL OF A CONDITIONAL USE PERMIT.

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Consent Calendar

Item C-1

Secretary's Report

MOVED BY VICE CHAIR KUECHLE, SECONDED BY COMMISSIONER SMITH FROST, AND UNANIMOUSLY CARRIED (ABSENT COMMISSIONER TIGGS) THAT THE COMMISSION RECEIVE AND FILE THE REPORT OF THE SECRETARY REGARDING POSTING OF THE AGENDA FOR THIS MEETING.

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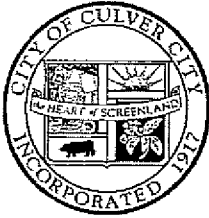
Item C-2

Meeting Minutes

Commissioner Kuechle provided staff with a copy of changes to the minutes of October 22, 2008.

MOVED BY VICE CHAIR KUECHLE, SECONDED BY COMMISSIONER PLESKOW, AND UNANIMOUSLY CARRIED (ABSENT COMMISSIONER TIGGS AND WITH CHAIR ROCKWELL ABSTAINING DUE TO HIS ABSENCE FROM THAT MEETING) THAT THE COMMISSION APPROVE THE MINUTES OF OCTOBER 22, 2008 AS AMENDED.

MOVED BY VICE CHAIR KUECHLE, SECONDED BY COMMISSIONER SMITH FROST, AND UNANIMOUSLY CARRIED (ABSENT COMMISSIONER TIGGS AND WITH COMMISSIONER PLESKOW ABSTAINING DUE TO HIS ABSENCE



Culver CITY

(310) 253-5710

FAX (310) 253-5721

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

PROPOSED NEGATIVE DECLARATION

Project Title and File No.: Zoning Code Text Amendment, ZCA - P2008115

Project Location: The East Washington Boulevard Overlay (EW) Zone in the northeastern portion of the City

Project Sponsor: AGC Design Concept
Shane Burris
150 S. Arroyo Pkwy #103
Pasadena, CA 91105
(626) 792-1192

Project Description: Proposed amendment to Section 17.260.035 of the Culver City Municipal Code to allow carwashes as ancillary uses to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit.

Environmental Determination:

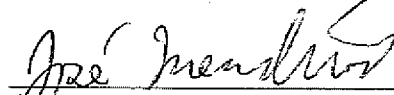
This is to advise that the City of Culver City, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this NEGATIVE DECLARATION based on the following finding:

- ☒ The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- ☐ The Initial Study identified potentially significant effects, but:
1. Revisions in the project plans or proposals made by, or agreed to by the applicant before this proposed MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY was released for public review would avoid the effects or mitigate the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 2. There is no substantial evidence before the agency that the project as revised may have a significant effect on the environment.

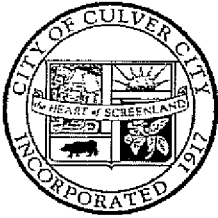
A copy of the Initial Study, and any applicable mitigation measure, and any other material which constitute the record of proceedings upon which the City based its decision to adopt this NEGATIVE DECLARATION may be obtained at:

City of Culver City, Planning Division
9770 Culver Boulevard, Culver City, CA 90232

The public is invited to comment on the proposed NEGATIVE DECLARATION during the review period, which ends Wednesday, December 10, 2008.


Jose Mendivil
Associate Planner

11/19/08
November 19, 2008



Culver CITY

(310) 253-5710

FAX (310) 253-5721

PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM AND ENVIRONMENTAL DETERMINATION

Project Title:	Zoning Code Text Amendment (ZCA)-P2008115		
Lead Agency Name & Address:	City of Culver City, Planning Division 9770 Culver Blvd., Culver City, CA 90232		
Contact Person & Phone No.:	Jose Mendivil, Associate Planner (310) 253-5757		
Project Location/Address:	The East Washington Boulevard Overlay (EW) Zone in the northeastern portion of the City.		
Nearest Cross Street:	N/A	APN:	N/A
Project Sponsor's Name & Address:	AGC Design Concept Shane Burris 150 S. Arroyo Pkwy #103 Pasadena, CA 91105 (626) 792-1192		
General Plan Designation:	General Corridor Industrial Park	Zoning:	East Washington Boulevard Overlay (EW) Commercial General (CG) Industrial General (IG)
Redevelopment Project Area:	Component Area No. 3 and 4		
Overlay Zone/Special District:	East Washington Boulevard Overlay (EW) Zone		
Project Description and Requested Action: <i>(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)</i> The applicant is requesting to amend Section 17.260.035 of the Culver City Municipal Code to allow carwashes as ancillary uses to fueling stations within the East Washington Boulevard Overlay (EW) Zone subject to approval of a Conditional Use Permit (CUP).			
Existing Conditions of the Project Site: The EW Zone spans both the north and south Washington Boulevard frontages east of National Boulevard to Fairfax Avenue, which is located on the northeast end of Culver City bordered by the City of Los Angeles. Uses in this area include offices, architectural and design studios, general retail, furniture wholesale and home appliances, restaurants, galleries, automotive repairs, tire services, two fueling stations, laundromat, light clothing and accessory manufacturing, and services for disabled individuals.			

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Surrounding Land Uses and Setting: *(Briefly describe the project's surrounding)*

West: Industrial General Zone with uses including automotive repair, light industrial, offices, an elementary school, and abandoned car dealerships.

East: The City of Los Angeles with uses including light manufacturing, automotive repair, I-10 freeway, Cal Trans storage facility, and residential uses, along with multi-family units.

North: The City of Los Angeles with single and multiple family residential uses.

South: The zoning between Ballona Creek and Fairfax Avenue is Industrial General which includes automotive, studio, light industrial and wholesale uses. Single and multi-family units exist west of Ballona Creek with a portion of light industrial and retail uses at the southwest end of the overlay zone that is zoned Industrial General.

Other public agencies whose approval is required: *(e.g., permits, financing approval, or participation agreement)*

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a 'Potentially Significant Impact' as indicated by the checklist on the following pages:

- | | |
|--|---|
| ☐ Aesthetics | ☐ Mineral Resources |
| ☐ Agriculture Resources | ☐ Noise |
| ☐ Air Quality | ☐ Population / Housing |
| ☐ Biological Resources | ☐ Public Services |
| ☐ Cultural Resources | ☐ Recreation |
| ☐ Geology /Soils | ☐ Transportation/Traffic |
| ☐ Hazards & Hazardous Materials | ☐ Utilities / Service Systems |
| ☐ Hydrology / Water Quality | ☐ Mandatory Findings of Significance |
| ☐ Land Use / Planning | |

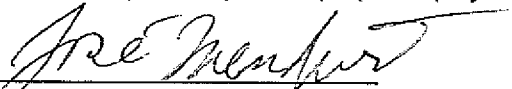
ENVIRONMENTAL DETERMINATION:

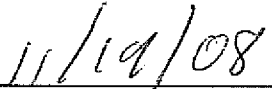
On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

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- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Jose Mendivil, Associate Planner


Date:

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
Responses:				
a)- d) <u>Less Than Significant Impact</u> . The proposed zoning code text amendment will not significantly affect scenic vistas because properties in the EW Zone are located in an urbanized area, with commercial, industrial, and residential buildings in the immediate vicinity. Furthermore, there are no scenic vistas or scenic highways in the vicinity of the EW Zone. The topography surrounding this area will not be significantly affected by the proposed text amendment because it is urbanized and flat. The car wash use will not create substantial light or glare. Future development of car washes allowed with this text amendment will require a CUP and will be evaluated on a project specific basis; they will undergo independent CEQA analysis for each project to determine if aesthetic impacts are significant and mitigations are warranted.				
Mitigation Measure(s): None Required				
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
Responses:				
a)- c) <u>No Impact</u> . Agricultural resources will not be impacted by the proposed zoning code text amendment because properties within the EW Zone are not located on land identified, utilized, or zoned for agricultural purposes, and there is no known Williamson Act contract in effect for the area. No mitigation measures are necessary.				
Mitigation Measure(s): None Required				

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
Responses:				
a)- e) <u>Less Than Significant Impact.</u> Air quality will not be significantly impacted as a result of the proposed zoning code text amendment because it is expected that future car washes ancillary to fueling stations that are approved with a CUP will not be large enough to exceed both construction and operational air quality thresholds; usually these car washes only hold one car at a time. Nevertheless, future development of car washes that are allowed with this text amendment will be subject to the CUP process and will be evaluated on a project specific basis; they will undergo independent CEQA analysis for each project to determine if air quality impacts are significant and mitigations are warranted.				
Mitigation Measure(s): None Required				
IV. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Responses:

- a)- f) Less Than Significant Impact. The proposed zoning code text amendment will not affect biological resources because the use that would be allowed with the amendment will be located in the EW Zone which is fully developed with commercial and manufacturing uses and is further completely surrounded by urban development. As an urbanized built out area, the EW Zone is not known to have special status species, riparian habitat, or federally protected wetlands. The urbanized area is not known to be along the path of migratory wildlife species and Ballona Creek has long been channelized reducing its potential as a migratory fish channel. There is no resident migratory wildlife corridor or wildlife nursery site or adopted Habitat Conservation Plan in the EW Zone.

Mitigation Measure(s): None Required.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

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EVALUATION OF ENVIRONMENTAL IMPACTS:		Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Responses:					
a)- d) <u>Less Than Significant Impact.</u> A historical structure is located in the eastern portion of the overlay zone. Construction and grading resulting from car wash projects may potentially yield archaeological and paleontological resources. However, because the proposed amendment will require a CUP, potential impacts on cultural resources will be reviewed as part of the CUP application process. Any potentially significant impacts discovered during the CUP application process will be addressed with appropriate mitigations. The amendment will require the car wash use to be ancillary to a fueling station and the one historic structure in the EW Zone is not located at a fueling station site. However, there is a fueling station adjacent to the historic structure. Because the zone text amendment requires the car wash use to be permitted with a CUP and should the fueling station adjacent to that historic structure apply for such an entitlement, cultural impacts will be reviewed as part of the application process. Mitigation measures will be required if the application analysis indicates there may be potential impacts to the historic structure. Finally, state law already sets procedures for handling archaeological and paleontological artifacts should they be found during excavation of a construction site. Mitigation Measure(s): None Required.					
VI. GEOLOGY AND SOILS -- Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? b) Result in substantial soil erosion or the loss of topsoil? c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?					
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
	☐	☐	☒	☐	
Responses:					
a)- e) <u>Less Than Significant Impact.</u> Although not within a landslide area, the EW Zone is located near the Newport Inglewood Fault Zone and is subject to liquefaction. As a built out urbanized zone there is no agricultural land so any development resulting from the amendment will not impact topsoil or cause loss of topsoil. Properties within the EW Zone are serviced by sewer laterals connecting to sewer mains as opposed to septic tanks.					

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Any development occurring as a result from this amendment will be subject to Building Code regulations including earthquake regulations. Further, future development of car washes that are allowed with this text amendment will be subject to a CUP process and will be evaluated on a project specific basis; they will undergo independent CEQA analysis for each project to determine if geology and soils impacts are significant and mitigations are warranted. Mitigation Measure(s): None Required				
VII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐
Responses: a)- h) <u>Less Than Significant Impact.</u> The proposed zoning code text amendment will allow car washes ancillary to fueling stations with a CUP. Such a use could include the routine transport and use of hazardous liquids, potentially impacting a nearby private school. However because the proposed use will require a CUP, each CUP application will be evaluated to determine if mitigations are required to lessen potential impacts. Generally a car wash ancillary to a fueling station is a small operation with minimum use of liquids. Each application will be reviewed to determine if a proposed project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; as a small operation, the use is not expected to impact emergency response plans. The EW Zone is not located within the vicinity of a private air strip or within two miles of an airport, therefore there should be no impacts associated with airstrips or airports should				

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a use be approved under this amendment. Further the EW Zone is a built out and urbanized area and is not near wildland areas or areas subject to wildland fires.				
Mitigation Measure(s): None Required				

VIII. HYDROLOGY AND WATER QUALITY – Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Responses:

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- a)- j) Less Than Significant Impact. The proposed car wash use (ancillary to a fueling station) that would be allowed with this amendment can generally be characterized as a small operation with a one-car bay; water quality impacts are expected to be less than significant and water discharge will be subject to local and state regulations. Because a CUP and CEQA analysis will be part of the entitlement process, mitigations measures

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
will be required, if found necessary, to insure impacts are lessened with regards to discharge, depletion of groundwater, altering of drainage patterns, surface runoff, stormwater drainage systems, and overall water quality. Although the properties in the EW Zone are within 100 and 100 to 500 Year Flood Hazard Areas, the proposed zoning code text amendment does not involve residential development and is not expected to increase housing in the area. Car wash bays resulting from this amendment could be placed within the aforementioned flood hazard areas but due to their small size, they are not expected to impede or redirect flood flows. The EW Zone lies within the Mulholland and Silver Lake Dam Inundation Zones; there is no current data or information to indicate these dams are in eminent threat of failure. Other agencies are responsible for their maintenance and those agencies will contact the City through Los Angeles County should there be a dam failure threat. Such emergency procedures are independent of CEQA review as it relates to environmental analysis of projects. Mitigation Measure(s): None Required				

IX. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ |

Responses:

- a)- b) Less Than Significant Impact. The proposed zoning code text amendment would allow carwashes as an ancillary use to fueling stations which is compatible with the surrounding uses in that it is a type of small scale automotive commercial use and is compatible with the uses allowed in this overlay commercial zone. The use will not physically divide an established community because it is reasonable to assume that a fueling station with ancillary carwash operations will require an area similar in size to existing fueling stations in urban areas. Such a use requires a lot area compatible with surrounding commercial lots which do not normally divide established communities but instead are incorporated within the fabric of said communities. The proposed text amendment would allow a use that is normally allowed in other commercial zones similar in nature to the EW Zone. The proposed amendment is consistent with Objective 6 of the General Plan Land Use Element which calls for economic revitalization of the City's commercial corridors. There are no car wash operations in the immediate area. This amendment is consistent with Policy 6.G of the General Plan Land Use Element which encourages the introduction of neighborhood serving commercial uses that serve nearby residential areas lacking such services. Although there are no existing specific development standards in the Zoning Code for car washes, the CUP required process will allow the City the opportunity to require specific conditions depending on the nature of the project, that will address development standards issues (such as noise and traffic).
- c) No Impact. The proposed amendment will not affect a habitat conservation plan or natural community conservation plan because such plans do not exist for the EW Zone that is a built out urbanized area.

Mitigation Measure(s): None Required

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
Responses:				
a)- b) <u>No Impact</u> . The proposed zoning code text amendment will not have an adverse affect on mineral resources because current site conditions within the EW Zone and City records indicate that there are no mineral resources on or within the EW Zone. There are no locally important mineral resource recovery areas located in the EW Zone.				
Mitigation Measure(s): None Required				
XI. NOISE --Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
Responses:				
a)- d) <u>Less Than Significant Impact</u> . Although car washes do not have specific development standards in the Zoning Code, the CUP requirement allows the City the opportunity to craft specific conditions of approval that address specific site conditions for each application. With regard to noise, The City will review each application and impose as appropriate, noise mitigating conditions of approval. Generally, the use allowed by this amendment is a small operation that is not expected to create significant noise levels both during construction and during operations. The CUP and CEQA review process for each application will study this				

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
issue and perhaps require noise studies where appropriate prior to applications being deemed complete. Further, design requirements on the length of the carwash bay tunnel, the location of the vacuum, and perimeter walls will be imposed should the CUP and CEQA analysis for any given project necessitate such mitigations.				
e)- f) <u>No Impact</u>. The EW Zone is not located near an airport or within 2 miles of a public or private airport.				
<u>Mitigation Measure(s)</u>: None Required				
XII. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
<u>Responses:</u>				
a)- c) <u>No Impact</u>. The proposed zoning code text amendment does not involve residential uses and would serve existing residents and businesses as a carwash ancillary to a fueling station. It would not induce any population growth via job creations and homes would not be displaced by the proposed amendment because the car wash use allowed with this amendment is not expected to create a significant amount of jobs that could be filled with people wanting to move into Culver City. Further, the use will only be allowed in commercially zoned property with a primary gas fueling station use.				
<u>Mitigation Measure(s)</u>: None Required				
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐
<u>Responses:</u>				
a) <u>Less Than Significant Impact</u>. The car wash use allowed with the proposed zoning code text amendment would not significantly increase the need for new public services because as a small operation attracting drivers who will probably also be purchasing gas, existing public services for the EW Zone are expected to be adequate. The area within the EW Zone is surrounded by existing development and there are existing public service facilities necessary to accommodate future small scale development as a result of the proposed zoning code text amendment. Nevertheless, through the CUP process, each new application will be evaluated for public service impacts and mitigations, if necessary, will be imposed.				
<u>Mitigation Measure(s)</u>: None Required				

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
Responses:				
a)- b) <u>No Impact.</u> The use allowed as a result of the proposed zoning code text amendment would not put a demand for new recreational facilities or increase the use of existing recreational facilities because it does not involve residential uses that could generate an increase in the population and because the small scale commercial use that the amendment would allow would not be a major job generator.				
Mitigation Measure(s): None Required				
XV. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Result in inadequate parking capacity?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒
Responses:				
a)- b) <u>Less Than Significant Impact.</u> Future developments resulting from the proposed amendment will be analyzed for transportation loads and impacts especially with regard to circulation and access to the car wash/fueling station and potential back up onto public rights-of-way. Through the CUP process, such traffic issues will be studied and appropriate conditions or mitigations will be crafted to address the specific site conditions of each project. As a small operation, design requirements will be imposed that require the car wash bay to be positioned in such a manner that an optimal amount of cars can be queued on site without impacting fueling operations or the public right of way.				

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EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c). <u>No Impact</u> . The proposal would have no effect on air traffic patterns because the amendment would allow a small scale commercial use compatible with existing commercial uses that currently do not affect circulation or traffic patterns.				
d)- f) <u>Less Than Significant Impact</u> . Future projects allowed with this amendment will be evaluated to ensure compliance with parking requirements. During the CUP process for each application, City Fire and Public Works staff will review site conditions and proposed site circulation plans to ensure that potentially hazardous design features are corrected and that emergency vehicles maintain the ability to access the project site during emergencies. Should the traffic analysis for any given project indicate that existing road, curb, and access designs are hazardous, mitigations will be prepared.				
g). <u>No Impact</u> . The proposed zoning code text amendment does not conflict with alternative transportation plans. The amendment would allow a car wash ancillary to a fueling station and there is no foreseeable conflict with this amendment and alternative transportation plans.				

Mitigation Measure(s): None required

XVI. UTILITIES AND SERVICE SYSTEMS –Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Responses:

- a)- g) Less Than Significant Impact. This proposed zoning code text amendment will allow a small car wash operation ancillary to a fueling station. Such a small operation is not expected to place a strain on existing wastewater treatment facilities nor require construction of new storm drains. As a small operation, it is expected that existing utility and service systems will be adequate to service car washes resulting from this amendment. Future projects allowed per this amendment will be examined for utility and service capacities on a project specific basis; review will include analysis of potential impacts to run-off and water usage.

Mitigation Measure(s): None Required.

EVALUATION OF ENVIRONMENTAL IMPACTS:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE –				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ('Cumulatively considerable' means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐
Responses:				
a)- c) <u>Less Than Significant Impact</u> . The proposed zoning code text amendment will not degrade the quality of the environment nor have any significant impacts to any plant or animal wildlife species because it applies to an area that is located in a built-out urban area. Future projects as a result of the amendment may impact areas of air quality, noise and traffic which would be substantially reduced by the standard City code requirements and conditions of approval resulting from the CUP and CEQA analysis. With conditions of approval, uses allowed as a result of this proposed text amendment will not have the potential to cause adverse effects on human beings, either directly or indirectly. Future projects allowed as a result of the zoning code text amendment will be evaluated on a project specific basis.				
Mitigation Measure(s): None Required.				

XVIII. EARLIER ANALYSES:

None

References Utilized:

1. Culver City Natural Hazards Map (Faults, Fire, Flooding), created on June 1, 1999.
2. Culver City Natural Hazards Map (Faults, Liquefaction, Landslides), revised on November 14, 2000.

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Attachment 8

- C. Preliminary Plan Review.** It shall be required, within the area designated on the zoning map as the Civic Center Overlay (-CV), that preliminary plans and elevations of all proposed buildings and structures shall be submitted to the Director for approval prior to the issuance of a building permit.
- D. Review Standards.** The Director shall be governed by the following standards in granting approval of plans submitted pursuant to the regulations of this section. The Director shall reasonably determine that the general exterior appearance, design, color, texture of surface materials, height and exterior construction of all proposed buildings and structures within the Civic Center Overlay (-CV) will generally conform in a harmonious manner to the existing and proposed Civic Center buildings.
- E. Appeal.** The Director shall either approve or disapprove of the preliminary plans when submitted and notify the applicant, in writing, of the decision. In the event an applicant desires to appeal the decision of the Director, it may be done so in a manner provided for appeals in Chapter 17.640 (Appeals).

17.260.035 - East Washington Boulevard Overlay (-EW)

- A. Purpose.** The purpose of establishing the East Washington Overlay (-EW) is to provide the special zoning regulations necessary for the successful implementation of the East Washington Boulevard Revitalization Program.
- B. Eligible Sites.** The area included in the East Washington Overlay (-EW) shall be the Washington Boulevard frontage between National Boulevard and Fairfax Avenue as more particularly shown on the adopted Zoning Map.
- C. Allowable Land Uses and Permit Requirements.** Table 2-11 (Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)) identifies the uses of land allowed by this Title in each industrial and special purpose zoning district, and the land use permit required to establish each use, in compliance with Subsection 17.200.020.B. (Zoning District Regulations).

Note: Where the last column in the table (See Specific Use Regulations) includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Title may also apply.

- D. Relationship to Development Agreements.** Where an Owner-Participation Agreement, Disposition and Development Agreement or Development Agreement applies to a land parcel and the provisions of such agreement differ from the East Washington Overlay (-EW) regulations, the provisions of the agreement shall prevail.
- E. Development and Land Use Standards.** The development and land use standards of this Article applicable to the primary zoning district shall apply to all proposed development and new land uses within the East Washington Overlay (-EW), except as follows.

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1. **Setback requirements.** For R2, RMD, and CG parcels within the East Washington Overlay (-EW), the setback requirements of the CG Zone located in Table 2-6 (Commercial District Development Standards) shall apply. For IG parcels within the East Washington Overlay (-EW), the setback requirements of the IG Zone located in Table 2-9 (Industrial District Development Standards) shall apply. For front setback requirements in R2, RMD, CG, and IG parcels, see Subsection 17.280.045.E.2 (Front Setback Requirements), below.
2. **Front setback requirements.** Proposed buildings shall be located adjacent to the common Washington Boulevard/private property line, except that the Director may approve the following setback modifications on a Washington Boulevard parcel frontage, in order to accommodate urban amenities including plazas, hardscape or landscape, public art, fountains, benches, outdoor dining, or other pedestrian amenities.
 - a. A maximum setback of up to one-third the average parcel depth, or 50 feet, whichever is less, for a maximum of 50 feet or 40 % of the building width, whichever is less; and
 - b. A maximum setback of 15 feet for the remaining portions of the building wall facing Washington Boulevard.

Front or street-side setback requirements shall not be applicable to parcel frontages on the side streets intersecting Washington Boulevard.
3. **Height limit.** 43 feet and 3 stories shall be the maximum height for structures located on sites within the R2, RMD, and CG districts, which are located adjacent to or across an alley from a residentially-zoned site.
4. **Building design - Washington Boulevard frontage.** A minimum of 50 % of the width of a Washington Boulevard-facing building wall above the first story or above 16 feet in height, whichever is less, shall include recessed or extended windows, balconies, offset planes, or other prominent architectural details that provide three-dimensional relief, as approved by the Director.
5. **Parking and loading.** Parking requirements for the East Washington Overlay (-EW) are included in Chapter 17.320 (Off-Street Parking and Loading).

F. Performance Standards.

1. All business activities shall be conducted wholly within a completely enclosed building, with the exception of outdoor dining, plant nurseries, telecommunications facilities, required parking and loading facilities, outdoor retail sales and activities, or similar outdoor uses as determined by the Director.
2. A minimum 6 foot high wall that provides a solid screening effect, and that is aesthetically compatible with surrounding structures as approved by the City, shall be constructed along the common property line between the non-residential use and immediately adjacent residentially zoned property.

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3. Buildings and any machinery and equipment shall be constructed, installed, and maintained, and land uses shall be conducted, so as to not be dangerous or offensive to persons residing or conducting business adjacent to or near the site due to dust, gas, noise, odor, smoke, vibration, or other dangers or nuisances to public welfare.

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TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P	Permitted Use
	CUP	Conditional Use Permit required
	AUP	Administrative Use Permit Required
	-	Use not allowed
LAND USE (1)	Permit Requirement	See Specific Use Regulations:

INDUSTRY, MANUFACTURING, & PROCESSING

Fabric products manufacturing, 5,000 sq.ft. or less	AUP	
Fabric products manufacturing, 5,001 to 10,000 sq.ft.	CUP	
Food and beverage manufacturing, 5,000 sq.ft. or less (2)	AUP	
Food and beverage manufacturing, 5,001 to 10,000 sq.ft. (2)	CUP	
Furniture/fixtures manufacturing, 5,000 sq.ft. or less (3)	AUP	
Furniture/fixtures manufacturing, 5,001 to 10,000 sq.ft. (3)	CUP	
Handcraft industries, 5,000 sq.ft. or less (3)	AUP	
Printing and publishing, 10 employees maximum	P	
Recycling facility - Incidental small collection	AUP	17.400.090
Recycling facility - Large collection (4)	CUP	17.400.090
Recycling facility - Small collection	CUP	17.400.090
Second hand stores	AUP	

RECREATION, EDUCATION, & PUBLIC ASSEMBLY

Clubs, lodges, and private meeting halls	AUP	
Health/fitness facilities	P	
Indoor amusement/entertainment facilities	AUP	
Religious places of worship	P	
Private Schools (5)	CUP	
Public Schools	P	
Studios - Art, dance, music, photography, etc.	P	
Theaters	P	

RESIDENTIAL

Live/work units	P	17.400.060
Mixed Use Projects	P	17.400.065

RETAIL TRADE

Auto and vehicle sales/rental (6)(7)	P	
Auto parts sales, retail	P	
Convenience stores (8)	P	
General retail stores (8)	P	
Internet café	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Includes packaging, processing, and wholesaling.
- (3) Includes assembly, restoration, and wholesaling.
- (4) Use only allowed on a site located a minimum of 300 ft from any residential zone.
- (5) AUP required for schools up to 1,500 sq.ft. in area.
- (6) All business activities with no outdoor display, storage or repair areas permitted shall be conducted wholly within completely enclosed buildings.
- (7) Used vehicles sales and service shall only be allowed incidental to new vehicle sales.
- (8) For permit requirements related to the sale of Alcoholic Beverages, see Section 17.400.015. *Table continues on next page*

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TABLE 2-11 Allowed Uses and Permit Requirements for the East Washington Boulevard Overlay (-EW)	P	Permitted Use
	CUP	Conditional Use Permit required
	AUP	Administrative Use Permit Required
	-	Use not allowed
LAND USE(1)	Permit Requirement	See Specific Use Regulations:

RETAIL TRADE (continued)

Outdoor retail sales and display	P	17.400.075
Pet shops	P	
Plant nurseries, retail	P	
Restaurants, counter service (2)	P(3)	
Restaurants, outdoor dining (2)	AUP	
Restaurants, table service (2)	P	
Second hand stores	P	

SERVICE

Adult day care facilities	CUP	
Automated teller machines (ATMs)	P	17.400.025
Banks and financial services	P	
Business and consumer support services	P	
Child day care centers	CUP	17.400.035
Hotels and motels	CUP	
Medical services - Office/clinics (4)	P	
Medical services - Labs (4)	P	
Medical services - Hospitals	CUP	
Mortuaries	P	
Offices	P	
Personal services, except psychic readers	P	
Vehicle services - Fueling station	P	17.400.120
Vehicle services - Fueling, incidental repair	CUP	17.400.120
Vehicle services - Impounding/storage	AUP	17.400.125
Vehicle services - Maintenance/repair (5)	CUP	17.400.125
Veterinary clinics and animal hospitals (6)	AUP	17.400.020

TRANSPORTATION & COMMUNICATIONS

Broadcast studios	P	
Parking facilities	AUP	
Pipelines and utility lines	P	
Telecommunications facilities, cellular	AUP	17.400.110
Telecommunications facilities, wireless antenna	See Section 17.400.110 for permit requirements	

Notes:

- (1) See Article 7 for definitions of the land uses listed
- (2) For permit requirements related to the sale of Alcoholic Beverages see Section 17.400.015
- (3) If counter service restaurant is stand-alone, then a CUP is required
- (4) Excluding animal experimentation.
- (5) Use only allowed indoors.
- (6) Use only allowed on a site located a minimum of 200 feet from any residential zone.

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CULVER CITY MUNICIPAL CODE - TITLE 17, ZONING CODE

Commercial Zoning Districts

17.220

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
LAND USE (1)	CN	CG	CC	CD	CRR	CRB	

INDUSTRY, MANUFACTURING & PROCESSING

Cosmetic product manufacturing	-	-	-	-	-	P	
Electronics and equipment manufacturing	-	-	-	-	-	P	
Fabric products manufacturing	-	-	-	-	-	P	
Handcraft industries	-	-	-	-	-	P	
Media production - Indoor support facilities	-	P	-	-	-	P	
Media production - Soundstages	-	-	-	-	-	P	
Printing and publishing	-	P	P	-	P	P	
Recycling facility - Incidental small collection	-	P	P	-	-	P	17.400.090
Recycling facility - Small collection	-	AUP	AUP	-	-	AUP	17.400.090
Research and development (R&D)	-	-	-	-	-	P	
Warehousing and distribution facilities	-	-	-	-	-	P(2)	

RECREATION, EDUCATION & PUBLIC ASSEMBLY

Arcade	-	AUP	AUP	P(3)	AUP	-	
Clubs, lodges, and private meeting halls	-	P	P	P(4)	-	P	
Health/fitness facilities	-	P	P	P(4)	P	P	
Indoor amusement/entertainment facilities	-	P	P	P	P	-	
Outdoor commercial recreation	-	CUP	CUP	-	CUP	CUP	
Public recreational and cultural facilities	P	P	P	P	P	P	
Public Schools	P	P	P	P	P	P	
Private Schools (5)	CUP	CUP	CUP	CUP	-	CUP	
Religious places of worship	CUP	P	P	-	-	P	
Studios - Art, dance, music, photography, etc.	P	P	P	P	P	P	
Theaters	P	P	P	P	P	P	

RESIDENTIAL

Emergency shelters	CUP	CUP	CUP	-	-	-	
Home occupations	P	P	P	P	-	-	17.400.055
Live/work units	P	P	P	P	-	-	17.400.060
Mixed use projects	P	P	P	P	-	-	17.400.065
Residential care facilities, 6 or fewer clients	P	P	P	P	-	-	
Residential care facilities, 7 or more clients	CUP	CUP	CUP	-	-	-	
Senior citizen congregate care housing	CUP	CUP	CUP	-	-	-	

RETAIL TRADE

Accessory food service	P	P	P	P	P	P	
Accessory retail uses	P	P	P	P	P	P	
Adult businesses (6)	-	P	P	-	-	-	
Artisan shops	P	P	P	P	P	P	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) 10,000 sf maximum floor area.
- (3) Up to 10 amusement devices are allowed in conjunction with a multiplex movie theater subject to Section 17.230.030
- (4) Subject to ground floor restrictions; see Section 17.220.035 (CD District Requirements).
- (5) AUP required for schools up to 1,500 square feet in area.
- (6) Use only allowed subject to approval of an Adult Use Development Permit (See CCMC Chapter 11.13).

Continues on next page.

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CULVER CITY MUNICIPAL CODE - TITLE 17, ZONING CODE

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
LAND USE(1)	CN	CG	CC	CD	CRR	CRB	

RETAIL TRADE(cont.)

Auto and vehicle sales/rental (2)	-	P	P	-	AUP	-	
Auto parts sales, retail	P	P	P	-	P	P	
Bars, night clubs (3)	-	CUP	CUP	CUP	CUP	CUP	
Building material stores	-	P	P	-	P	-	
Convenience stores (3)	P	P	P	-	P	P	
Firearms sales	-	CUP	CUP	-	CUP	CUP	
General retail stores (3)	P	P	P	P	P	P	
Internet Cafe	AUP	P	P	P	P	P	
Mobile home and RV sales	-	CUP	-	-	-	CUP	
Outdoor retail sales and display (4)	AUP	AUP	AUP	AUP	AUP	AUP	17.400.075
Pawnshops	-	CUP	-	-	-	-	17.400.085
Pet Shop	P	P	P	P	P(5)	P	
Plant nurseries, retail	P	P	P	P	P	P	17.400.080
Restaurants, counter service (3)	AUP	P	P	P	P	P	
Restaurants, table service (3)	P	P	P	P	P	P	
Restaurants, outdoor dining (3)	AUP	AUP	AUP	AUP	AUP	AUP	17.400.070
Second hand stores	P	P	-	-	-	-	
Shopping center	P	P	P	-	P	-	
Warehouse retail stores	-	-	-	-	CUP	-	

SERVICE

Adult day care facilities	CUP	CUP	CUP	-	-	CUP	
Automated teller machines (ATMs)	P	P	P	P	P	P	17.400.025
Banks and financial services	P	P	P	P	P	P	
Business and consumer support services	P	P	P	P(6)	P	P	
Catering services	P	P	P	P(6)	P	P	
Check cashing businesses	-	CUP	CUP	-	CUP	CUP	17.400.030
Child day care centers	CUP	CUP	CUP	CUP	-	CUP	
Child day care, Large family day care homes	AUP	AUP	-	-	-	-	17.400.035
Child day care, Small family day care homes	P	P	-	-	-	-	

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Auto sales establishments selling used vehicles exclusively are subject to approval of a Conditional Use Permit (see Chapter 17.530).
- (3) For permit requirements related to the sale of Alcoholic Beverages see Section 17.400.015
- (4) Ancillary to a primary retail use.
- (5) Only one pet shop shall be permitted within any one shopping center. The tenant space shall be located so as to share no more than one common wall with any other tenant.
- (6) Subject to ground floor restrictions; see Section 17.220.035 (CD District Requirements)

Continues on next page.

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TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations:
LAND USE(1)	CN	CG	CC	CD	CRR	CRB	

SERVICE(cont.)

Construction contractors, no outdoor storage	P	P	P	-	-	P	
Drive-thru facilities or services	-	CUP	CUP	-	CUP	CUP	17.400.045
Hotels and motels	P	P	P	P(2)	P	P	
Medical services - Office/Clinics	P	P	P	P(2)	P	P	
Medical services - Labs	-	P	P	P(2)	P	P	
Medical services - Hospitals	-	P	P	P	-	P	
Mortuaries	-	P	P		-	P	
Offices	P	P	P	P(2)	P	P	
Personal services	P	P	P	P(2)	P	P	
Pet day care	-	AUP	AUP	-	AUP(3)	AUP	17.400.020
Public safety facilities	P	P	P	P(2)	P	P	
Public utility facilities	CUP	CUP	CUP	-	CUP	CUP	
Storage, Outdoor	AUP	AUP	AUP	-	AUP	AUP	17.400.080
Vehicle services - Accessories installation	-	P	-	-	P	P	17.400.125
Vehicle services - Car washes	CUP	CUP	CUP	-	CUP	CUP	
Vehicle services - Fueling stations	CUP	P	P	-	P	P	17.400.120
Vehicle services - Fueling, incidental repair,	CUP	CUP	CUP	-	CUP	CUP	17.400.125
Vehicle services - Maintenance/repair	-	CUP	CUP	-	-	CUP	17.400.125
Vehicle services - Towing, no storage	-	P	P	-	-	P	17.400.125
Veterinary clinics and animal hospitals	-	AUP	AUP	-	AUP(3)	AUP	17.400.020

TRANSPORTATION & COMMUNICATIONS

Broadcast studios	-	P	P	P	-	P	
Parking facilities	P	P	P	P	P	P	
Pipelines and utility lines (underground)	P	P	P	P	P	P	
Telecommunications facilities, cellular	AUP	AUP	AUP	AUP	AUP	AUP	17.400.110
Telecommunications facilities, dish antennas	See Section 17.400.110 for permit requirements						17.400.110

Notes:

- (1) See Article 7 for definitions of the land uses listed.
- (2) Subject to ground floor restrictions; see Section 17.220.035 (CD District Requirements).
- (3) Ancillary to a pet shop only.

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