

ORDINANCE NO. 2162

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS  
19.04.024 AND 19.58.280 OF TITLE 19 OF THE CHULA VISTA  
MUNICIPAL CODE RELATING TO THE DEFINITION OF AUTOMOBILE  
SERVICE STATION

WHEREAS, an Initial Study, IS-86-54, of possible adverse environmental impacts of the amendment to the Chula Vista Municipal Code was conducted and the Environmental Review Coordinator concluded that there would be no significant environmental effects and recommended that the Negative Declaration be adopted.

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Sections 19.04.024 and 19.58.280 of Title 19 of the Chula Vista Municipal Code be, and the same are hereby amended to read as follows:

**Sec. 19.04.024 Automobile service station.**

"Automobile service station" means an establishment a//place where gasoline, //or//any//other engaged in the sale of motor fuel or//lubricating//oil//or//grease//for//operating//motor//vehicles//is offered//for//sale//to//the//public//and//deliveries//are//made through dispensing devices directly into motor vehicles. and//where In addition, other services are may be performed to//include such as tube and tire repair, battery charging, storage of merchandise to be sold on the premises as permitted herein, lubricating of automobiles, and automobile washing, not including mechanical wash, and minor repairs as//described//above (see Definition Section). (Ord. 1212 § 1 (part), 1969: prior code § 33.1401 (part).)

**Sec. 19.58.280 Service Stations**

Service stations means//a//place//where//gasoline, //or//any//other motor//fuel, //or//lubricating//oil//or//grease//for//operating//motor vehicles//is//offered//for//sale//to//the//public//and//deliveries//are//made directly//into//motor//vehicles, //and//where//services//are//made//directly into//motor//vehicles, //and//where//services//are//performed//to//include tube//and//tire//repair, //battery//charging, //storage//of//merchandise//to be//sold//on//the//premises//as//permitted//herein, //lubricating//of automobiles, //and//automobile//washing, //not//including//mechanical//wash, and//minor//repairs//[See//Automobile//repair//minor, //in//Definitions, Section//1904.020]//shall//be are permitted subject to the following requirements and conditions:

- A. They are clearly required by public convenience;
- B. They will not cause traffic hazards or undue congestion;
- C. They should be located only on property abutting the intersection of major or collector streets or combination thereof, or within shopping centers as part of an approved site plan, except that they shall be limited to the periphery of the central business area. They may be located on an interior lot if they do not disrupt the continuity of retail store frontage for pedestrians;
- D. They will not be a nuisance to residences or other surrounding uses;
- E. The site shall be landscaped in accordance with the landscape manual of the city except that a six-foot minimum planter area in front of the pump islands and not closer than three feet to any driveway shall be required. The pump islands shall be located no closer than twelve feet from the planter;
- F ~~H~~. Architectural approval subject to the conditions of Sections 19.14.420 through 10.14.480 shall be obtained;

Note: Where a service station is a secondary land use, i.e., accessory to another principal use and consisting of no more than a single pump island with no more than three fuel pumps, the following provisions shall not apply:

- G ~~F~~. Outside sales and display may be allowed in ~~shall not be~~ ~~restricted~~ ~~in~~ an area beneath a canopy ~~except~~ when specifically approved as part of an approved site plan. Structures used to display merchandise shall be designed to be architecturally compatible with the main building. In no case shall a display area interfere with vehicular circulation or obscure required landscaped area. Accessory uses may also be stored outside subject to the conditions herein;
- H ~~G~~. Accessory outdoor uses other than parking and service lanes may also be allowed but shall not occupy more than ten percent of the area of the site. Such accessory uses may include rental, utility or travel trailers, but not more than six such trailers shall be permitted on the lot at any one time and shall be screened from the street or highway. Under no circumstances shall any use be located in such a way that would interfere with normal traffic flow onto, within or from the site, or which creates dangerous impediments to traffic visibility. Only those areas shown on the approved site plan will be allowed for parking or storage;

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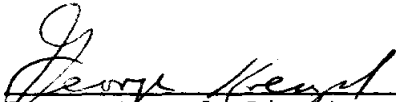
I. All items offered for sale on the site shall be items normally incidental to service station business except accessory uses as provided herein.

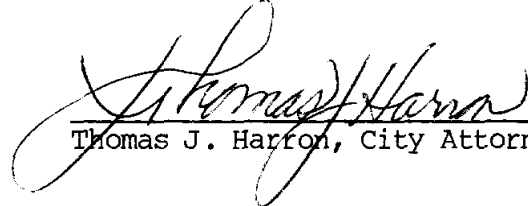
(Ord. 1436 § 2, 1973; Ord. 1356 § 1 (part), 1971; Ord. 1212 § 1 (part), 1969: prior code § 33.901(B)(28).)

SECTION II: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented by

Approved as to form by

  
George Kreml, Director of  
Planning

  
Thomas J. Harron, City Attorney

1829a

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD August 5, 19 86, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD August 12, 19 86, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : Cox, Moore, Campbell, McCandliss  
NAYES: Councilmen : None  
ABSTAIN: Councilmen : None  
ABSENT: Councilmen : Malcolm

*Gregory R. Cox*

\_\_\_\_\_  
Mayor of the City of Chula Vista

*Jennie M. Fulasz*

ATTEST \_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2162, and that the same has not been amended or repealed.

DATED \_\_\_\_\_

\_\_\_\_\_  
City Clerk



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SERVICE STATION

By a unanimous vote of the City Council (Councilman Malcolm  
absent), on August 5, 1986, the Ordinance was placed on second  
reading and adopted.

Generally, the ordinance corrects a situation which resulted  
from a Court ruling that uses other than the traditional gas  
station can technically fall within the City's definition of  
"automobile service station." The ordinance modifies the  
definition of automobile service station and provides for  
control of outdoor sales, displays and storage.

Copies of the ordinance are available in the Office of the  
City Clerk, City Hall, 276 Fourth Avenue, Chula Vista.

Jennie M. Fulasz, CMC  
City Clerk

Dated: 8/18/86

OK 8/18/86  
/ Guy

RESOLUTION NO. PCA-86-11

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING  
COMMISSION RECOMMENDING TO THE CITY COUNCIL THE  
ADOPTION OF AN AMENDMENT TO SECTIONS 19.04.024  
AND 19.58.280 OF THE MUNICIPAL CODE

WHEREAS, recent litigation between the City and a local tire dealer resulted in a ruling that uses other than the traditional gas station can technically fall within the City's definition of "automobile service station" and avail themselves of special provisions regarding outside sales and displays that were formulated especially for gas stations, and the proposed amendments are intended to correct this situation, and

WHEREAS, the Planning Commission set the time and place for a hearing on said amendment and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city at least ten days prior to the hearing, and

WHEREAS, the hearing was held at the time and place as advertised, namely 7:00 p.m., July 9, 1986, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed, and

WHEREAS, the Commission found that the project would have no significant environmental impacts and adopted the Negative Declaration issued on IS-86-54.

NOW, THEREFORE, BE IT RESOLVED THAT FROM THE FACTS PRESENTED AT THE HEARING, THE PLANNING COMMISSION recommends the adoption of amendments to Title 19 of the Municipal Code as listed in Exhibit A and attached hereto and made a part hereof.

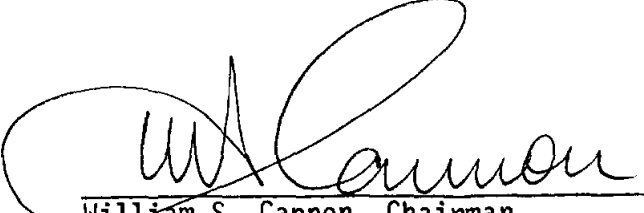
That a copy of this resolution be transmitted to the City Council.

PASSED AND APPROVED BY THE PLANNING COMMISSION OF CHULA VISTA, CALIFORNIA, this 9th day of July, 1986, by the following vote, to-wit:

AYES: Commissioners Carson, Tugenberg, Green, Guiles, Cannon and Grasser

NOES: None

ABSENT: Commissioner Shipe (Excused)

  
William S. Cannon, Chairman

ATTEST:



Ruth M. Smith, Secretary

WPC 2973P