

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: PLANNING COMMISSION INTERPRETATION (APPLICANT: 3G-CNG)
DATE: DECEMBER 10, 2013

Needs: Request an interpretation by the Planning Commission whether an un-manned fuel sales facility would be subject to the standards provided for in Section 21.21.070 of the Zoning Code for Gasoline Service Stations.

Facts:

1. On July 9, 2013 the Planning Commission approved CUP 12-007 allowing for the construction of a CNG fueling station to be located at 3529 Combine Street (See Attachment 1, Vicinity Map).
2. During the building plan check process it was determined that the project has not been designed to comply with some of the standards outlined in Section 21.21.070, specifically standard No. 2 requiring public restrooms to be provided. Section 21.21.070 is attached as Exhibit 2.
3. The applicants have requested that the Planning Commission make the interpretation that, since the CNG station is un-manned and will be used less frequently than a typical gasoline service station, restrooms not be required.

Analysis and Conclusion:

Typically a service station will provide additional services such as auto repair and convenience store where restrooms are provided. The only service provided by the CNG station is providing the CNG fuel for vehicles.

The Planning Commission could make an interpretation that the un-manned CNG station is not the same as a Gasoline Service Station and does not warrant the need for restroom facilities.

Policy Reference: Zoning Code

Fiscal Impact: None.

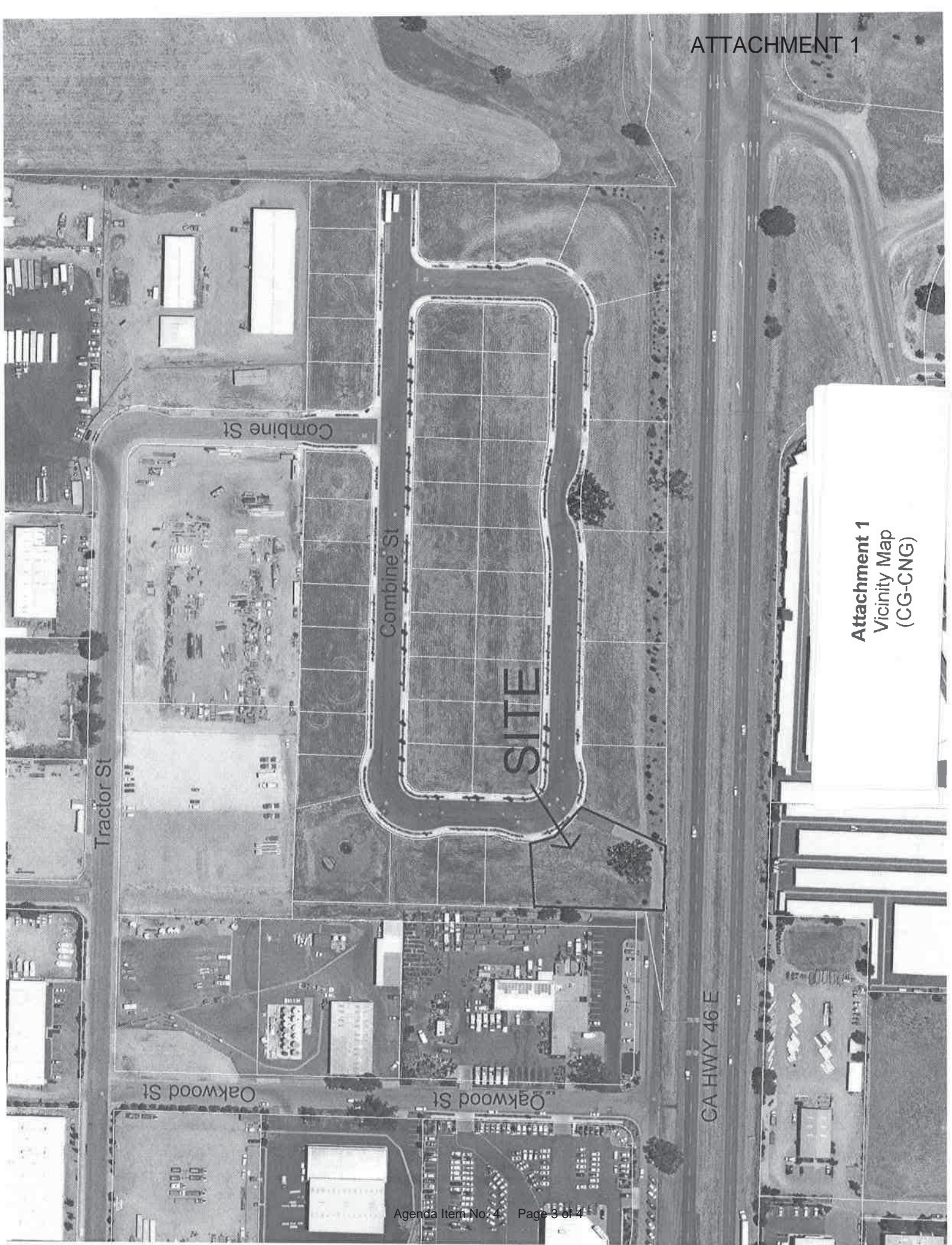
Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to consider the following options:

- a. Make the interpretation that since the CNG station is an un-manned facility and not a Gasoline Service Station, since the only service provided is CNG gas for vehicles.
- b. Amend, modify, or reject the foregoing option.

Prepared By: Darren Nash, Associate Planner

Attachments:

1. Vicinity Map
2. Section 21.21.070



Attachment 1
Vicinity Map
(CG-CNG)

21.21.070 Gasoline service stations. 

- A. Location and Access. Gasoline service stations shall be located on property having direct access to a major arterial street or to a collector street functioning as a frontage road and preferably on a corner lot at the intersection of an arterial street or a collector street functioning as a frontage road and another arterial or collector street. Access to the station shall be provided by at least two driveways.
- B. Minimum Lot Size. The minimum lot size shall be two thousand five hundred square feet for each pump.
- C. Landscaping and Screening. The site shall be screened with a six-foot masonry wall against all residential zone and shall be screened from an abutting commercial zone if the adjacent use is incompatible with the service station. Not less than fifty percent of the street frontage shall be landscaped.
- D. Sight Distance on Corners. In order to preserve the sight distance advantage at corners of the station, that area defined by a straight line drawn between curb cuts shall be landscaped with low-profile, low-maintenance plants. Signs and/or light standards may be permitted within this area, but the bottom of any sign or light fixture shall be not lower than ten feet. No sandwich boards or other portable signs may be placed in this area.
- E. Distance Between Curb Cuts. A distance of at least twenty-four feet shall be provided between curb cuts on the same street. The curb cuts shall be a distance of not less than five feet from the terminus of the curve radius of the intersecting street curbs.
- F. Miscellaneous Standards.
1. Grease and wash racks shall be limited to one per five thousand square feet of site area. All wash and grease racks are to be contained entirely within a building.
 2. Pump islands located parallel to the street shall observe a twelve-foot setback. Pump islands located perpendicular to the street shall observe a twenty-five-foot setback.
 3. No delivery tanker shall be allowed to park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.
 4. Outdoor displays shall be located so as not to obstruct visibility for autos leaving or entering the station. No outdoor displays may be located in required parking or driveway areas.
 5. At least two public restrooms shall be maintained for customers.
 6. The station shall provide at least one public drinking fountain readily available to customers and preferably located near the front entrance to the sales office or cashier's area.
 7. All used tires and parts, trash, or similar objects shall be stored within a fenced enclosure in the rear half (or in the case of corner sites, rear quarter) of the site.
 8. The station shall provide compressed air and radiator water at each pump island.

(Ord. 591 N.S. § 2, 1990; Ord. 536 N.S. § 2(4), 1987; Ord. 509 N.S. § 4, 1985; Ord. 405 N.S. § 2 (part), 1977)

Attachment 2

Section 21.21.070

(3G-CNG)

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