



PLANNING COMMISSION STAFF REPORT

APPLICATION: Ord 2016-02

AGENDA ITEM: PH-2

PREPARED BY: Sheri Bermejo
Planning Division Manager

MEETING DATE: January 13, 2016

SUBJECT: Ordinance No. 2016-02
Planning Commission Resolution No. 2016-02

REQUEST: Amendment to the Monrovia Municipal Code, Title 17 (Zoning), to allow "Automobile Sales" in the M (Manufacturing) zone upon approval of a Minor Conditional Use Permit.

APPLICANT: Sierra Auto Properties, LLC

ENVIRONMENTAL DETERMINATION: Exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines

BACKGROUND: On December 7, 2015, Sierra Autocars, Inc. (Sierra) submitted an application for a Zoning Code Amendment to allow automobile sales in the M (Manufacturing) zone. Sierra currently owns and operates two dealerships in the City of Monrovia (Sierra Chevrolet on East Central Avenue and Sierra Chrysler / Dodge / Jeep / Ram on South Mountain Avenue). For a number of years, Sierra has also occupied a site just west of the City's Gold Line Station (at 1625 / 1631 South Magnolia Avenue and 410 / 418 West Evergreen Avenue), which they use as an automobile storage location for their overflow auto inventory. The automobile storage site is located in the M (Manufacturing) zone. Due to the closure of one of their dealerships in the City of Duarte, Sierra is now seeking to expand and renovate their existing storage business into an exclusive commercial vehicle sales operation.

City Staff has prepared draft Ordinance 2016-02 to amend Title 17 (Zoning) of Monrovia Municipal Code to allow Automobile Sales in the M (Manufacturing) zone on parcels that equal or exceed two acres in size upon the approval of a Minor Conditional Use Permit. The proposed amendment applies city-wide.

ANALYSIS: Manufacturing districts are intended to provide appropriate locations for manufacturing, processing, packaging, distribution, storage, and certain retail and service-oriented functions that meet the needs of the local residents and business population. The City of Monrovia's M (Manufacturing) zone currently allows light and heavy manufacturing uses. Restricted retail and service oriented uses, such as automotive related businesses (automobile parking, automobile rentals, automobile repair, and automobile service stations) are also permitted. The largest M (Manufacturing) parcels of land are located along Royal Oaks Drive, between Shamrock Avenue and Mountain Avenue, and south of the 210 Freeway, on the east side of Myrtle Avenue and on the west side of Magnolia Avenue.

An “Automobile Sales” use is defined by the Monrovia Municipal Code as “the sale or lease, retail or wholesale of automobiles, trucks, motorcycles, or recreation vehicles. Currently, automobile sales is only permitted in the PD-10 Auto Center land use designation. The PD-10 Auto Center designation is located along the west side of Mountain Avenue (below Huntington Drive) and the north side of Central Avenue (between Shamrock and Mountain Avenues). This land use designation is completely built-out and occupied by several large automobile dealerships, including Sierra. Allowing automobile sales in the M (Manufacturing) zone would allow for an appropriate location for new or existing business expansion.

Automobile Sales uses are similar in nature to the existing automobile related uses already allowed in the M (Manufacturing) zone. Allowing the use in the M (Manufacturing) zone also has the potential to contribute to the City’s economic base, which is a goal of the City’s General Plan. Ordinance No. 2016-02 proposes to permit such use in an existing facility, subject to securing a Minor Conditional Use Permit, on parcels of land that equal or exceed two acres in size. The Minor Conditional Use Permit process requires a public hearing before the City’s Development Review Committee (DRC). If the DRC were to find the use to be in conformance with the provisions of the general plan and zoning code, as well as appropriate to the specific location, conditions of approval would be imposed to further help safeguard the health, safety, and property values in the zone. It is important to note that any proposed automobile sales use involving new construction, over 10,000 square feet in area or an occupant load of 30 persons, would require the approval of a Conditional Use Permit by the Planning Commission in accordance with current zoning standards.

Imposing a minimum two-acre site development standard will assist to encourage quality designed auto dealerships that have ample room for building placement in harmony with neighboring structures. The large parcel size standard will also allow for an expansive design to include product display area, setbacks to accommodate required on-site parking and landscaping, and incidental vehicle servicing operations to be hidden from off-site view. Furthermore, the two-acre standard will also help ensure stable business operators who typically locate on large sites, as opposed to smaller scale, start-up businesses.

Conclusion

Allowing automobile sales in the M (Manufacturing) zone would provide an increase in appropriate locations for new or existing dealership business expansion, which has the potential to contribute to the City’s economic base. The use is similar in nature to the existing automobile related uses already allowed in the M (Manufacturing) zone. Imposing a minimum two-acre site development standard will encourage quality design and minimize impacts to existing development and land uses. If the ordinance is ultimately adopted by City Council, Sierra would proceed with a Minor Conditional Use Permit application to transition their existing automobile storage site into a commercial automobile dealership. Staff has attached the ordinance and resolution that will allow automobile sales in the M (Manufacturing) zone, subject to the approval of a Minor Conditional Use Permit, on parcels of land that equal or exceed two acres in size. The Planning Commission acts in an advisory capacity on amendments to Title 17 (Zoning) of the Monrovia Municipal Code and provides recommendations to the City Council in the form of a resolution.

RECOMMENDATION: Staff recommends approval of Ordinance No. 2016-02. If the Planning Commission concurs with this recommendation then, following the public hearing, the following motion is appropriate:

MOTION:

Close the public hearing and adopt Planning Commission Resolution PCR2016-02 recommending approval to the City Council of Ordinance No. 2016-02 as presented in the Staff Report.

PLANNING COMMISSION NO. 2016-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONROVIA, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ORDINANCE NO. 2016-02 AMENDING SECTION 17.08.010 (PERMITTED USES IN EACH ZONE) OF CHAPTER 17.08 (PERMITTED USES) OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE TO ALLOW AUTOMOBILE SALES IN THE M (MANUFACTURING) ZONE ON PARCELS THAT EQUAL OR EXCEED TWO ACRES IN SIZE UPON APPROVAL OF A MINOR CONDITIONAL USE PERMIT

A. RECITALS

(i) On December 7, 2015, Sierra Autocars, Inc. submitted an application for a Zoning Code Amendment to allow automobile sales in the M (Manufacturing) zone. City Staff has prepared Ordinance No. 2016-02 to amend Title 17 (Zoning) of Monrovia Municipal Code to allow Automobile Sales in the M (Manufacturing) Zone on parcels that equal or exceed two acres in size upon the approval of a Minor Conditional Use Permit.

(ii) On January 13, 2016, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2016-02. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

(iii) Environmental Review. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission and City Staff have determined that Ordinance 2016-02 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The Planning Commission and City Staff found that there is no possible significant effect directly related to Ordinance 2016-02 ("project"); therefore, no further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)). The Planning Commission has reviewed the project and based upon the whole record before it, in the exercise of its independent judgment and analysis, concurs that the Planning Commission and City staff have correctly concluded that it can be seen with certainty that there is no possibility the proposed amendments to the Municipal Code and the effects derivative from that adoption will have a significant effect on the environment, because the provisions of this ordinance provide similar regulations as currently exist and will not in and of themselves cause any change in the environment.

(iv) The custodian of records for all materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California 91016.

(v) All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW, THEREFORE, the Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.
2. Adoption of Ordinance No. 2016-02 will not have a significant effect on the environment.
3. The project is in conformance with the environmental goals and policies adopted by the City.
4. Ordinance No. 2016-02 is consistent and compatible with existing land uses in the environs. The M (Manufacturing) zone currently allows for light and heavy manufacturing and restricted commercial/industrial uses such as automotive-related uses (automobile parking, automobile rentals, automobile repair, automobile service stations). An automobile sales use is similar in nature to the existing automobile-related uses that already are allowed in the Manufacturing (M) zone, will contribute to the City's economic base, and through the Minor Conditional Use Permit process will ensure that new uses are consistent and compatible with the uses permitted in the zone.
5. Ordinance No. 2016-02 is consistent with and necessary to carry out General Plan goals and policies set forth in the Land Use and other Elements of the General Plan, and to guide and direct orderly development of the City and the respective neighborhoods. Allowing automobile sales in the M (Manufacturing) zone will promote the expansion of the City's economic base, which is a goal of the City's General Plan Land Use Element (Goal 8). Furthermore, the Ordinance will comply with Goal 8 (Land Use Policy 8.9), which encourages the use of the Development Review Committee's fast track review and process for new businesses or expansion of existing businesses, as such use will require the approval of a Minor Conditional Use Permit.
6. Ordinance No. 2016-02 will not adversely affect the public health, safety, or welfare in that it will provide for orderly and consistent development in the City. The amendment will only allow automobile sales on parcels that equal or exceed two acres in size. This development standard will encourage quality designed auto dealerships with ample room for building placement in harmony with neighboring structures. The large parcel size will also allow for an expansive design to include product display area, setbacks to accommodate required on-site parking and landscaping, and incidental vehicle servicing operations to be hidden from off-site view. Lastly, an automobile sales use will require approval of a Minor Conditional Use Permit by the City's Development Review Committee. The Minor Conditional Use Permit process requires a noticed public hearing and the Development Review Committee is required to make findings including, but not limited to, that the proposed location of the use and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
7. Based upon the findings and conclusions set forth above, the Planning Commission hereby recommends approval of Ordinance 2016-02 to the City Council set in "Exhibit A" attached hereto and incorporated herein by this reference.

The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2016.

Robert McClellan, Chair
Monrovia Planning Commission

ATTEST:

APPROVED AS TO FORM:

Craig Jimenez, AICP, Secretary
Monrovia Planning Commission

Carol Lynch, Assistant City Attorney
City of Monrovia

EXHIBIT "A"

ORDINANCE NO. 2016-02

AN ORDINANCE OF THE CITY OF MONROVIA, CALIFORNIA, AMENDING SECTION 17.08.010 (PERMITTED USES IN EACH ZONE) OF CHAPTER 17.08 (PERMITTED USES) OF TITLE 17 (ZONING) OF THE MONROVIA MUNICIPAL CODE TO ALLOW AUTOMOBILE SALES IN THE M (MANUFACTURING) ZONE ON PARCELS THAT EQUAL OR EXCEED TWO ACRES IN SIZE UPON APPROVAL OF A MINOR CONDITIONAL USE PERMIT

THE CITY COUNCIL OF THE CITY OF MONROVIA, CALIFORNIA does ordain as follows:

SECTION 1. On December 7, 2015, Sierra Autocars, Inc. submitted an application for a Zoning Code Amendment to allow automobile sales in the M (Manufacturing) zone. City Staff has prepared Ordinance No. 2016-02 to amend Title 17 (Zoning) of Monrovia Municipal Code to allow Automobile Sales in the M (Manufacturing) Zone on parcels that equal or exceed two acres in size upon the approval of a Minor Conditional Use Permit.

SECTION 2. On January 13, 2016, the Planning Commission of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2016-02. At the hearing, all interested persons were given an opportunity to be heard. The Planning Commission received and considered the staff report and all the information, evidence, and testimony presented in connection with Ordinance No. 2016-02. Following the close of the public hearing, the Planning Commission adopted Resolution No. PCR2016-02 recommending approval of Ordinance No. 2016-02.

SECTION 3. On _____, the City Council of the City of Monrovia conducted a duly noticed public hearing on Ordinance No. 2016-02. At the hearing, all interested persons were given an opportunity to be heard. The City Council received and considered the staff report and all the information, evidence, and testimony presented in connection with this project.

SECTION 4. Environmental Review. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission and City Staff have determined that Ordinance 2016-02 is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The Planning Commission and City Staff found that there is no possible significant effect directly related to Ordinance 2016-02 ("project"); therefore, no further action is required under CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR § 15061(b)(3)). The City Council has reviewed the project and based upon the whole record before it, in the exercise of its independent judgment and analysis, concurs that the Planning Commission and City staff have correctly concluded that it can be seen with certainty that there is no possibility the proposed amendments to the Municipal Code and the effects derivative from that adoption will have a significant effect on the environment, because the provisions of this ordinance provide

similar regulations as currently exist and will not in and of themselves cause any change in the environment.

SECTION 5. The custodian of records for all materials that constitute the record of proceeding upon which this decision is based is the City Clerk. Those documents are available for public review in the Office of the City Clerk located at 415 South Ivy Avenue, Monrovia, California 91016.

SECTION 6. This Ordinance is consistent with the objectives, principals, and standards included in the General Plan. Automobile sales are similar in nature to the existing automobile-related uses that already are allowed in the M (Manufacturing) zone. Imposing a minimum two-acre site development standard will encourage quality design and minimize impacts to existing development and land uses. Allowing automobile sales in the M (Manufacturing) zone will promote the expansion of the City’s economic base, which is a goal of the City’s General Plan Land Use Element (Goal 8). Furthermore, the Ordinance will comply with Goal 8 (Land Use Policy 8.9), which encourages the use of the Development Review Committee’s fast track review and process for new businesses or expansion of existing businesses, as such use will require the approval of a Minor Conditional Use Permit.

SECTION 7. All legal prerequisites to the adoption of the Ordinance have occurred.

SECTION 8. The Permitted Uses chart in Section 17.08.010 of the Monrovia Municipal Code is hereby amended by amending the table designating the zones in which commercial uses can be conducted to add that Automobiles Sales are allowed to be conducted in the Manufacturing zone, to read as follows:

Use	Reference	RF RE RL	RM RM/RH	RH	NC	CRS RCC	RCM	O/RD/ LM	BE	M	PQP
<i>Commercial Uses</i>											
Automobile sales	LUE if located in Area PD- 10									Cm**	

**On a parcel having a minimum area of two (2) acres.

SECTION 9. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 10. The City Clerk shall certify to the passage of this Ordinance and shall cause same to be published pursuant to state law within fifteen (15) days after its passage, and said Ordinance shall become effective thirty (30) days after its passage.

INTRODUCED this _____ day of _____ 2016.

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2016.

Tom Adams, Mayor
City of Monrovia

ATTEST:

APPROVED AS TO FORM:

Alice D. Atkins, CMC, City Clerk
City of Monrovia

Craig A. Steele, City Attorney
City of Monrovia