

ORDINANCE NO. _____,

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CATHEDRAL CITY AMENDING SECTION 9.96.140 OF THE
CATHEDRAL CITY MUNICIPAL CODE RELATING TO
CARWASHES**

WHEREAS, the City Council of the City of Cathedral City wishes to amend the site development standards applicable to all carwash operations to eliminate separation requirements between carwashes and from sensitive uses; and

WHEREAS, the City Council finds the amendment regarding carwash site development standards is in the best interest of the City's general welfare.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES
HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1 AMENDMENT TO CATHEDRAL CITY MUNICIPAL CODE SECTION
9.96.140**

Section 9.96.140 of the Cathedral City Municipal Code is hereby amended to read as stated in Exhibit "A".

SECTION 2 CEQA

Pursuant to Title 14, Chapter 3, Section 15303(c) of the California Code of Regulations, the proposed ordinance amendments are exempt from review under CEQA as under CEQA Guideline Section 15061(b)(3) as it can be seen with certainty that the proposed elimination of the separation requirements will not result in significant environmental impacts. Carwashes will still be subject to conditions and requirements that ensure they do not negatively impact the surrounding community, and any new carwash will undergo its own environmental review through the conditional use permit process.

SECTION 3 SEVERABILITY

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

SECTION 4 EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after its second reading and adoption

by the City Council.

SECTION 5 POSTING

The City Clerk shall, within fifteen (15) days after passage of this Ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of this City.

SECTION 6 CERTIFICATION

The foregoing Ordinance was approved and adopted at a meeting of the City Council held on the ____ day of _____, 201_, by the following vote:

- Ayes:
- Noes:
- Abstain:
- Absent:

Stan Henry, Mayor

ATTEST:

Gary F. Howell, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

Exhibit "A"

Cathedral City Municipal Code section 9.96.140 is amended to read as follows. The text of any added language is shown by **underlining, italicizing and bolding** the added text. The text of any deleted matter is shown by ~~strike through~~ of the deleted text.

9.96.140 Carwashes

A. Purpose and Applicability. Carwashes are permitted only where specifically listed per categories of carwash types within a zone district. Carwashes are subject to a conditional use permit. The planning commission shall establish reasonable conditions to regulate security concerns, noise, health, safety and public welfare relative to the category of carwash being considered including, but not limited to, the following concerns:

1. Traffic/parking and vehicular circulation;
2. Patron conveniences, (services such as waiting areas, restrooms, etc.);
3. Impacts on adjacent businesses and residential areas;
4. Possible impacts on nearby schools, parks, churches, public gathering areas and residential areas.

B. Site Development Standards. The following conditions shall apply to the various carwash classifications in addition to those deemed appropriate by the planning commission:

1. General Conditions, All Carwashes.

- ~~a.~~ ~~The minimum distance between any two carwashes shall be two thousand five hundred feet;~~
- ~~b.~~ ~~The minimum distance between a carwash and a residential zone, religious institution, school, public park, or public gathering place shall be five hundred feet;~~
- ~~e.~~ **a.** Site area lighting and security lighting shall be provided, but in such a manner to prevent glare and view of the light source from public streets or adjacent property;
- ~~e.~~ **b.** Noise attenuation devices shall be installed on all equipment and in areas subject to generation of sound in such a manner so as not to permit any loud sounds to project beyond the building. In addition a noise analysis shall be provided to demonstrate that noise levels measured at the boundary of the site will not exceed the policies of

the noise element of the city general plan. Prior to occupancy, noise measurements shall be performed with all carwash functions in an operational mode to demonstrate compliance with all noise standards;

- € c. All parking, loading, vehicle preparation and detailing areas shall be clearly delineated on the site, as indicated by the approved site plan. No other areas of site, such as driveways, landscaped areas, sidewalks, etc. shall be utilized for washing, prepping, loading, detailing, etc.;
- £ d. Water recycling/grease trap facilities shall be installed and maintained as approved by the city planner and the water/sewer serving agency;
- Ⓔ e. Combined uses may be permitted if determined compatible by the planning commission, and it is found that each use contains adequate space to function properly, including vehicular access and circulation, parking, building placement and landscaping. However, where primary use of the site is a carwash function, no auto repair activities shall take place.

2. Coin-operated Manual Carwash.

- a. The planning commission shall only approve such carwashes upon finding that the operation will have no detrimental effect upon nearby properties due to its unsupervised operation;
- b. The site shall remain free of debris at all times. Permanent trash receptacles shall be installed/maintained.

3. Self-Serve Carwash.

- a. Self-serve carwashes may only be permitted within a development wherein said carwash is clearly an accessory to the principal use;
- b. Design features of the wash shall be integrated with the principal use of the site;
- c. There shall be adequate vehicular queuing into and out of the wash facility to assure that driveways and parking lot aisles will not be blocked.

4. Full-Serve Carwash.

- a. Restrooms shall be provided for patron convenience;

- b. Patron waiting areas shall be provided. Sale and display of products consisting of convenience goods, (snacks and related products) may be permitted but shall be located within a building and limited to an area no greater than four hundred square feet, but not including the sale or consumption of alcoholic beverages.
- c. The project design shall incorporate a storefront appearance along commercial and scenic arterials (where determined necessary by the planning commission), to comply with or compliment adjacent commercial projects or established architectural, landscape or signage themes. All equipment and functions shall be designed, oriented, and screened so as not to be visible to public view, and from adjacent properties.

~~C. Exceptions to Locational Standards. Exceptions to the specified separation standards from one carwash to another and from a carwash to residential zones, religious institutions, schools, public parks or public gathering places may be granted, where the planning commission, or city council upon appeal, finds that the proposed use together with the proposed improvements on and off site are properly designed to minimize impacts of noise, view, glare and traffic patterns; that there is an exhibited need for a carwash as proposed in the area and for the convenience of area residents; that there is not a proliferation of carwashes in the area; and that the use would not conflict with the purposes of any specific plan or general plan for the area.~~