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## Chapter 20.62 – Service Stations

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### Sections:

- 20.62.010 – Purpose
- 20.62.020 – Permit Requirements
- 20.62.030 – Operational Standards
- 20.62.040 – Development Standards

### 20.62.010 – Purpose

This Chapter provides standards for the establishment and operation of new station operations and for the modification or expansion of existing service stations.

### 20.62.020 – Permit Requirements

- A. Conditional Use Permit.** A Conditional Use Permit shall be required for a new service station and for an existing service station when one or more of the following events occurs:
1. An expansion of 10 percent or more in floor area within any 12 month period or the cumulative expansion of more than 50 percent of floor area existing at the time of the effective date of this Chapter.
  2. Any change in the land area on which the service station is located, whether by purchase, lease, business combination or acquisition, or similar method.
  3. A renovation or any other development that would cost more than 50 percent of the value of the improvements on the parcel at the time of renovation, excluding land value.
  4. The introduction of any of the accessory uses allowed under Subection 20.62.040.O (Accessory uses), or introduction of alcoholic beverage sales (see Section 20.60.030 (Alcohol Sales – Off Sale), or any similar change in the operational characteristics of the service station.
- B. Application contents.** The permit application shall contain the information and materials identified by the Director.
- C. Required findings.** In addition to the findings required by Section 20.66.090 for Conditional Use Permits, the review authority shall find that the project is consistent with the purposes of this Chapter and that the proposed site plan and architecture are consistent with the *City of Newport Beach Design Guidelines: Automobile Service Stations and Washing*.

**20.62.030 – Operational Standards**

The following standards shall apply to service stations and accessory uses.

- A. Location of activities.** Activities and operations shall be conducted entirely within an enclosed structure, except for the following, which shall be allowed unless otherwise conditioned by the Conditional Use Permit:
1. Sale and dispensing of motor vehicle fuel.
  2. Incidental, minor maintenance commonly conducted at service islands (e.g., dispensing of air and water; replacement of windshield wipers, fuses, and lamps; replenishing motor vehicle fluids and lubricants; etc.).
  3. Vending machines abutting a structure or in a kiosk enclosed on three sides.
  4. Vacuuming, hand drying and hand waxing of vehicles.
- B. Storage and display** Outdoor storage and display of merchandise, materials, or equipment shall be limited to the following:
1. Display racks for automotive merchandise no more than 4 feet wide located at each service island.
  2. Display racks for automotive merchandise located within 3 feet of the principal structure, provided that the display racks are limited to 1 display rack per frontage.
  3. Temporary outdoor storage and display of merchandise, materials, or equipment for a maximum period of 72 hours per quarter of a calendar year. All other outdoor storage and display shall be in compliance with Section 20.60.150 (Outdoor Storage, Display, and Activities).
- C. Parking and vehicle storage.**
1. Off-street parking shall be in compliance with Chapter 20.52 (Off-Street Parking and Loading).
  2. Vehicles or equipment in the process of being serviced may be stored outside for a maximum period of 7 days.
  3. The parking of vehicles and equipment for purposes of sale shall be prohibited.
  4. The storage of rental vehicles shall not occupy a parking space provided to meet the parking requirements of the service station or any other accessory use.
  5. Vehicles shall not be parked or stored within the public right-of-way.
  6. Fuel delivery trucks shall not obstruct the public right-of-way during delivery.

- D. **Non-automotive retail food and beverage sales.** Up to 50 square feet of net public area may be used for the display and sale of non-automotive merchandise and ready-to-eat and prepackaged food and beverages, provided that in compliance with Section 20.62.040, below. Floor area used for vending machines shall not contribute to the floor area limit. Walk-in refrigeration units shall be prohibited.
- E. **Signs.** Signs shall be in compliance with Chapter 20.54 (Sign Standards).

**20.62.040 – Development Standards**

This Section provides design and development standards for new service stations and for existing service stations meeting any of the criteria specified in Section 20.62.020 (Permit Requirements).

- A. **Location.** Service station sites shall front on streets designated as major, primary or secondary on the City Master Plan of Streets and Highways unless the sites are part of or in conjunction with developments such as shopping centers in residential areas.
- B. **Minimum land area.** The minimum land area for service stations shall be 1,500 square feet of land area for each fueling space, 1,000 square feet for each service bay or washing bay, and 3.33 square feet for each square foot of gross floor area used for retail and/or food and beverage sales.
- C. **Setbacks.** The following setbacks shall be maintained:

Structure	Required Setback (Feet)		
	Interior	Abutting a Street	Abutting an Alley
Service islands	20	20	20
Canopies	5	5	5
Air and water dispensers	10	10	10
Automobile washing, maintenance and repair	18	30	30
Retail and office	0	15	10

- D. **Access.**
  1. Driveways shall be designed and located to ensure safe and efficient movement of traffic on and off the site to and from the lane of traffic nearest the curb. Driveways shall be located and constructed in compliance with the City’s Driveway Approach Policy.

2. Driveways for service stations that are developed as part of or in conjunction with adjacent uses shall be located as part of the total circulation element of the adjacent uses.
  3. On-site driveways all shall be a minimum of 25 feet for two way traffic or 18 feet for one way circulation.
  4. Provisions for on-site queuing lanes shall be made. Queuing lanes shall not interfere with access to required parking spaces.
- E. Utilities.** Utilities shall be installed underground within the exterior property lines of the site.
- F. Drainage and pollution control.** Drainage to the street shall be by underground structures to avoid drainage across City walks or drive aprons, and shall be subject to approval by the Public Works Director. In addition, service stations shall incorporate pollution control best management practices (BMPs) designed to prevent or minimize runoff of oil and grease, solvents, car battery acid, coolant, gasoline, and other pollutants to stormwater system.
- G. Site and architectural design.** The site plan and architecture of the service station shall provide an attractive appearance that is compatible with and complimentary to the community and surrounding land uses and development and that is consistent with the *City of Newport Beach Design Guidelines: Automobile Service Stations and Washing*.
- H. Landscaping.**
1. **Area required.** A minimum of 15 percent of the site shall be landscaped with plant materials designed to provide beautification and screening. Planting areas shall include, but not be limited to, the following:
    - a. A minimum 5 foot-wide (inside dimension) planting areas between driveway approaches.
    - b. A minimum of 150 square foot landscaped area provided at the intersection of two property lines at a street corner. Landscape materials shall not exceed a height of 36 inches.
    - c. A minimum 5 foot-wide (inside dimension) planting area along interior property lines, except where openings are needed to facilitate vehicular circulation to adjacent properties.
    - d. A minimum of 30 percent of the required landscaping shall be provided within 20 feet of the street property lines.
  2. **Quantity of materials.** Landscaped areas adjacent to street property lines shall be planted with a minimum of 1 tree and 3 shrubs per every 25 linear feet of street frontage. Landscaped areas adjacent to interior property lines shall be planted with a minimum of 1 tree and 3 shrubs per every 30 linear feet. These calculations establish the minimum number of required trees and shrubs and are not meant to imply linear or equal spacing. Required trees shall be 24-inch box

size, or larger. Required shrubs shall have a minimum mature growth height of 18 inches and shall be a minimum of 5-gallon in size upon installation.

3. **Quality of materials.** Plant materials shall be chosen for their screening qualities, beauty and durability. Plantings shall include a mixture of trees, shrubs and groundcovers. All plant materials shall conform to or exceed the plant quality standards of the latest edition of *American Standard for Nursery Stock* published by the American Association of Nurserymen, or the equivalent.
4. **Street trees.** City parkway areas shall be provided with groundcover and street trees in compliance with City standards.
5. **Barriers.** Planting areas adjacent to vehicular activity shall be protected by a continuous concrete curb or similar permanent barrier.
6. **Irrigation.** Planting areas shall be provided with a permanent underground automatic sprinkler irrigation system of a design suitable for the type and arrangement of the plant materials selected.
7. **Maintenance of landscaping.**
  - a. Landscape materials and landscaped areas shall be maintained in compliance with the approved landscape plan.
  - b. Landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming.
  - c. Landscaped areas shall be kept free of weeds and debris.
  - d. Irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
8. **Sight distances.** Landscaping shall be located so as not to impede vehicular sight distance in compliance with Section 20.30.110 (Traffic Safety Visibility Area) and to the satisfaction of the Public Works Director.
9. **Required plans.** Landscape planting and sprinkler irrigation plans and specifications shall be submitted by the applicant and approved by the Director before the issuance of a building permit.
- I. **Perimeter walls.** Service station sites shall be separated from abutting residentially zoned property or property used for residential purposes by 6 foot high masonry or concrete wall utilizing materials similar in color, module and texture to those utilized in the service station structure. The walls shall be reduced to 3 feet in height within adjacent street setback areas. The walls need not be installed when building walls or other acceptable walls already exist on the property lines.
- J. **Lighting.** Exterior light sources shall be shielded from view and directed away from adjacent properties in compliance with Section 20.30.060 (Outdoor Lighting). Luminaries shall be of a low level, indirect diffused type and shall not exceed a height of 20 feet above existing grade.

- K. Rest rooms.** One men's rest room and one women's rest room shall be provided during business hours for use by service station customers. Rest rooms with exterior entrances shall be located so the entrances are in clear view of the station's service area, cashier station, or office.
- L. Refuse storage areas.** Refuse storage areas shall be enclosed by walls and integrated with the design of the service station in compliance with Section 20.30.100 (Solid Waste Recycling and Storage).
- M. Additional requirements.** As a condition of a Conditional Use Permit, the applicant shall provide the fuel supplier, the property owner and/or lessee each with a copy of the conditions embodied on the permit, and obtain a written receipt from each, so that there shall be no person operating the premises who is not aware of the conditions of operation. If, during an inspection of the premises, the City finds violations of the requirements of the Conditional Use Permit, the City shall notify both the fuel supplier and the service station operator in order to ensure compliance.
- N. Modification or waiver of standards.** The review authority may modify or waive any of the design and development standards contained in this Chapter for the establishment of new service stations and for the expansion or renovation of an existing service station upon finding that:
1. The strict compliance with the standards is not necessary to achieve the purpose and intent of this Chapter.
  2. The project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards.
  3. The overall site plan and architectural design is consistent with the City of Newport Beach Design Guidelines: Automobile Service Stations and Washing.
- O. Accessory uses.**
1. **Accessory uses allowed.** The following uses may be allowed as accessory uses to a service station:
    - a. Convenience Markets.
    - b. Automobile Washing.
    - c. Vehicle/Equipment Repair, Limited.
    - d. Electronic Equipment Installation.
    - e. Vehicle Rentals.
    - f. Food Service.
- P. Standards for convenience markets.** The following additional standards shall apply to convenience markets operated in conjunction with service stations:

1. **Minimum floor area.** The sale of food and beverages and non-automotive merchandise shall require a minimum of 1,200 square feet of gross floor area, exclusive of vehicle service and washing areas.
  2. **Mode of sale.** The sale of merchandise from drive-up windows shall be prohibited.
  3. **Signs and displays.** Signs and displays shall not obstruct the sales counter, cash register, seller, and customer from view from the exterior.
  4. **Arcade and game machines.** Arcade and games machines shall be prohibited.
  5. **Security.** The review authority may require the applicant to provide a security program for the site.
  6. **Alcoholic beverage sales.** See Section 20.60.030 (Alcohol Sales).
- Q. Standards for food service.** Food service provided in conjunction with service stations shall comply with the standards in Section 20.60.090 (Eating and Drinking Establishments) that are applicable to accessory food service establishments.