



City of Carson

Report to Mayor and City Council

September 4, 2012
Unfinished Business

SUBJECT: CONSIDER THE SECOND READING OF ORDINANCE NO. 12-1493 APPROVING ZONE CHANGE CASE NO. 166-12 TO ESTABLISH A DESIGN OVERLAY DISTRICT FOR CERTAIN PROPERTIES FORMERLY IN A REDEVELOPMENT PROJECT AREA

Submitted by Clifford W. Graves
Economic Development General Manager

Approved by David C. Biggs
City Manager

I. SUMMARY

On August 7, 2012, at a noticed public hearing, the City Council voted to introduce Ordinance No. 12-1493 approving Zone Change Case (ZCC) No. 166-12 to establish a Design (D) Overlay district for certain properties formerly in a redevelopment project area (Exhibit Nos. 1 and 2). The City Council also directed staff to work with the Planning Commission on options that would allow large industrial owners such as Watson Land Company to be exempt from or not be subject to the higher level of review of Site Plan and Design Review.

II. RECOMMENDATION

ADOPT Ordinance No. 12-1493, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, APPROVING ZONE CHANGE CASE NO. 166-12 ESTABLISHING A DESIGN OVERLAY DISTRICT FOR CERTAIN PROPERTIES FORMERLY IN A REDEVELOPMENT PROJECT AREA."

III. ALTERNATIVES

1. DENY the request.
2. REFER this matter back to the Planning Commission with revision instructions.
3. TAKE another action that the City Council deems appropriate.

IV. BACKGROUND

On July 10, 2012, the Planning Commission reviewed ZCC No. 166-12 and recommended that Site Plan and Design Review be reestablished for those industrial properties formerly in Redevelopment Project Area No. 1 and the Merged and Amended Redevelopment Project Area which were not already in a D Overlay district.

The Planning Commission considered certain properties owned by Watson Land Company, which had an Owner Participation Agreement (OPA) with the Carson Redevelopment Agency that exempted properties in the Watson Industrial Center

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from Site Plan and Design Review. The OPA expired with the elimination of the Carson Redevelopment Agency. The Planning Commission decided to place only those properties along 223rd Street, Avalon Boulevard, and Sepulveda Boulevard in a D Overlay district. Those are major roads with residences across the street or in close proximity to the industrial areas. The Planning Commission also included the D Overlay district for undeveloped properties between 223rd Street and Sepulveda Boulevard owned primarily by the City of Los Angeles Department of Water and Power (DWP).

Site Plan and Design Review is a discretionary process that allows the City to review new development. The proposed ZCC will not change any permitted uses for the subject properties, but will add a D Overlay designation so that said properties are subject to Site Plan and Design Review. Thus, zoning designations of ML (Manufacturing, Light) and MH (Manufacturing, Heavy) will be changed to ML-D (Manufacturing, Light – Design Overlay) and MH-D (Manufacturing, Heavy – Design Overlay), respectively. Properties that are in an ORL (Organic Refuse Landfill) Overlay district will retain the ORL designation along with the new D Overlay designation.

On August 7, 2012, the City Council introduced Ordinance No. 12-1493 establishing a Design Overlay district for certain properties formerly in a redevelopment project area and approved the first reading. The City Council also directed staff to work with the Planning Commission to assist large industrial owners such as Watson Land Company through the Site Plan and Design Review process by either exempting certain developments or amending the requirements. Staff has contacted Watson Land Company and discussed options to either amend the thresholds for requiring Site Plan and Design Review or have different standards for commercial and industrial development. For example, currently projects valued at \$50,000.00 or more are subject to review and approval by the Planning Commission. This value has been in place for decades and due to inflation, more projects are required to be reviewed and approved by the Planning Commission, even for minor improvements. For large industrial projects, it is difficult to present an attractive development that falls below the current thresholds. Staff anticipates bringing this issue before the Planning Commission for discussion at a workshop and amending the Zoning Ordinance as necessary.

It should be noted that the map presented at the August 7, 2012, City Council meeting remains unchanged; all properties to be included in the Design Overlay district as listed in Exhibit B to Ordinance No. 12-1493 are the same.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Minutes, August 7, 2012, Item No. 20. (pg. 4)
2. Ordinance No. 12-1493. (pgs. 5-6)

Prepared by: John F. Signo, AICP

TO:Rev04-23-12

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

Action taken by City Council

Date _____ Action _____

ITEM NO. (20) PUBLIC HEARING TO CONSIDER ORDINANCE NO. 12-1493 APPROVING ZONE CHANGE CASE NO. 166-12 TO ESTABLISH A DESIGN OVERLAY DISTRICT FOR CERTAIN PROPERTIES FORMERLY IN A REDEVELOPMENT PROJECT AREA (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the Public Hearing, TAKE public testimony, and CLOSE the Public Hearing.
2. WAIVE further reading and INTRODUCE Ordinance No. 12-1493, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, APPROVING ZONE CHANGE CASE NO. 166-12 ESTABLISHING A DESIGN OVERLAY DISTRICT FOR CERTAIN PROPERTIES FORMERLY IN A REDEVELOPMENT PROJECT AREA."

ACTION: WITH FURTHER READING WAIVED, it was moved to INTRODUCE Ordinance No. 12-1493, as read by title only, on motion of Ruiz-Raber and seconded by Davis-Holmes

During discussion of the motion, Council Member Davis-Holmes offered a friendly amendment to the motion that staff work with Watson Land Company to come up with a solution to address some of their concerns.

Economic Development General Manager Graves clarified that it would be for the procedural ones and that staff would bring back the ordinance for second reading at the September meeting and would provide a report at that time, which was accepted by the maker.

The motion, as amended, was unanimously carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes:	None
Abstain:	None
Absent:	None

ORDINANCE NO. 12-1493

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, APPROVING
ZONE CHANGE CASE NO. 166-12 ESTABLISHING A DESIGN OVERLAY
DISTRICT FOR CERTAIN PROPERTIES FORMERLY IN A
REDEVELOPMENT PROJECT AREA

WHEREAS, the dissolution of the Carson Redevelopment Agency on February 1, 2012, has eliminated the requirement for Site Plan and Design Review for certain properties within the Carson Consolidated Redevelopment Project Area; and

WHEREAS, Site Plan and Design Review is a discretionary process that gives the City the ability to achieve a higher level of development that protects the health, safety, and welfare of the community; and

WHEREAS, establishment of a Design (D) Overlay district for certain properties shown on the attached Exhibit A and listed in the attached Exhibit B that were formerly part of the Carson Consolidated Redevelopment Project Area will reestablish Site Plan and Design Review for those properties; and

WHEREAS, on July 10, 2012, the Planning Commission held a public hearing to discuss amending the Zoning Map to address those issues discussed herein; and

WHEREAS, on August 7, 2012, the City Council held a public hearing to discuss amending the Zoning Map to address those issues discussed herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Site Plan and Design Review is a discretionary process that allows the City to review new development. Zone Change Case (ZCC) No. 166-12 will not change any permitted uses for the subject properties, but will add a "D" Overlay designation so that said properties are subject to Site Plan and Design Review. Thus, zoning designations of ML (Manufacturing, Light) and MH (Manufacturing, Heavy) will be changed to ML-D (Manufacturing, Light – Design Overlay) and MH-D (Manufacturing, Heavy – Design Overlay), respectively. Properties that are in an ORL (Organic Refuse Landfill) Overlay district will retain the ORL designation along with the new "D" Overlay designation.

Section 2. Land Use Policy 7.4 of the General Plan Land Use Element reads, "Through the discretionary review process, ensure that the siting of any land use which handles, generates, and/or transports hazardous substances will not negatively impact existing sensitive receptor land uses." The establishment of a "D" Overlay district for the subject industrial properties will enable the City to have better control of uses that handle, generate, and/or transport hazardous substances.

Section 3. Land Use Implementation Measure 7.3 recommends addressing compatibility issues, such as truck maneuverability, visual screening, and noise impacts. Site Plan and Design Review will help the City address these issues.

Section 4. Land Use Implementation Measure 7.7 recommends utilizing the site development permit process and the California Environmental Quality Act (CEQA) in reviewing development projects to promote compatibility and minimize environmental impacts. Site Plan and Design Review is a discretionary process that is subject to CEQA review and enables the City to closely look at design and development standards in approving projects.

Section 5. Pursuant to Carson Municipal Code Section 9172.13, the proposed zone change is consistent with the General Plan's goals and objectives and the implementation measures intended to accomplish them, as adopted pursuant to City Council policy direction.

Section 6. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

Section 7. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be posted and codified in the manner required by law.

Section 8. This ordinance shall be effective thirty (30) days following its adoption.

PASSED, APPROVED and ADOPTED this ____ day of August, 2012.

Mayor Jim Dear

ATTEST:

City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

City Attorney

