



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

**PUBLIC HEARING:** February 26, 2008

**SUBJECT:** Ordinance Amendment to the Carson Municipal Code relating to structure height within the MU-CS zone

**APPLICANT:** City of Carson – Development Services Group

**REQUEST:** Recommend to the City Council approval of proposed ordinance amendment to the Carson Municipal Code relating to structure height within the MU-CS zone.

**PROPERTY INVOLVED:** All properties zoned MU-CS (Mixed-Use – Carson Street).

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### COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Graber
		Vice Chair Hudson			Saenz
		Cannon			Verrett

## **I. Introduction**

This item is a request for the Planning Commission to recommend to the City Council approval of an ordinance amendment to the Carson Municipal Code, Article IX (Planning and Zoning), Chapter 1 (Zoning), Part 3 (Commercial Zones), Division 8 (Special Requirements for Certain Uses), Section 9138.17(D)(6) (Mixed-Use Carson Street (MU-CS), Site Requirements, Building Height). The proposed amendment would allow architectural features to exceed the height requirement provided that exceptional design standards are provided as determined by the Planning Commission.

## **II. Background**

On September 26, 2006, at a noticed public hearing, the Planning Commission considered and unanimously, with one member absent, recommended adoption of the Carson Street Mixed-Use District Master Plan, amendment of the Carson Municipal Code to include the Mixed Use-Carson Street (MU-CS) zone district, adoption of General Plan Amendment No. 78-06, and adoption of Zone Change Case No. 153-06.

On November 8, November 21, and December 13, 2006, the City Council considered and adopted Ordinance No. 06-1363, establishing a new MU-CS (Mixed-Use – Carson Street) zone subject to the provisions of Section 9138.17 of the Carson Municipal Code (CMC).

The MU-CS zone was created primarily to create a downtown retail and residential district which will provide a distinctive core area along Carson Street which includes the civic center. This designation provides for pedestrian-oriented, mixed-use (commercial/residential) development which may include market rate, affordable or senior housing and transit oriented development.

## **III. Analysis**

In order to provide for a distinctive core identity along the Carson Street Corridor, it is staff's opinion that architectural features should be allowed to exceed the height requirement so that landmarks may be established. In particular, projects that incorporate an affordable housing component are allowed to have four stories and a height of 55 feet. This height limit is adequate to support standard four-story developments with a pitched roof and generous 10-foot high ceilings on each floor. However, it does not give a developer flexibility to include an architectural statement that could act as a landmark in order to distinguish a project from other developments. Developments located on a corner or in the middle of a district should especially be given consideration because of their location. Building-mounted architectural features that should be allowed to exceed the height limit include clock towers, bell towers, steeples, and decorative chimneys.

*Existing Code – Section 9138.17, Mixed-Use – Carson Street*

In regards to building height, Section 9138.17(D)(6) of the Carson Municipal Code states:

- a. No commercial building or structure shall exceed a height of thirty (30) feet.
- b. No residential or mixed-use building or structure shall have more than three (3) stories, including a basement but excluding a cellar, nor shall it exceed a height of forty-five (45) feet, except for residential projects for affordable or senior households permitted in accordance with CMC 9126.91 or projects that have an exceptional design.
- c. In cases in which CMC 9126.91 is applicable, no building or structure shall have more than four (4) stories, including a basement but excluding a cellar, nor shall the height exceed fifty-five (55) feet.
- d. The minimum building height shall be eighteen (18) feet.

Subsection b above does allow for a building or structure to exceed the 45-foot height limit if it is of “exceptional design.” However it does not specify the method in which to determine if a building or structure exhibits exceptional design, nor does it identify the authoritative body that would make the determination.

*Proposed Amendment – Add Subsection e to Section 9138.17(D)(6)*

Staff proposes an amendment to Section 9138.17(D)(6) to allow architectural features of exceptional design to exceed the height requirement. Review and approval of an architectural feature would be subject to site plan and design review pursuant to Section 9138.17(C). The proposed amendment would be added at the end of Section 9138.17(D)(6) to read as follows:

- e. The Planning Commission may approve building-mounted architectural features that exceed the height requirements described above only if exceptional design is provided as determined by the Planning Commission. The applicant must demonstrate exceptional design based on the quality of materials, colors, texture, and presentation, and the location, orientation, and overall appearance of the architectural feature. The Planning Commission may approve an architectural feature that exceeds the maximum height as described above to a height not more than 25 feet, provided that the architectural feature does not occupy more than 10 percent of any vertical plane above the maximum height. The Planning Commission, at its discretion, may require conditions of approval or modifications to the architectural feature in order to achieve an exceptional design, or may deny the proposal if it is unacceptable.

The proposed amendment discussed above would only apply to building-mounted architectural features. If the Planning Commission wishes to allow freestanding structures to exceed the height requirement, it may consider striking the word "building-mounted" from the first sentence, or adding a separate subsection that discusses the requirements of freestanding structures.

**IV. Environmental Review**

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the proposed project is an amendment and improvement to the existing standards and guidelines in the Municipal Code regarding the maximum height permitted in the MU-CS zone and is exempt under the general rule. The ordinance amendment will generate no significant environmental impacts.

**V. Conclusion**

It is staff's opinion that the proposed Ordinance Amendment is necessary in order to give key projects along the Carson Street Corridor an identity as a landmark. The increased height would only affect certain portions of a development and would significantly improve the aesthetics along Carson Street.

**VI. Recommendation**

That the Planning Commission:

1. **WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_ entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL OF ORDINANCE NO. 08-\_\_\_\_ TO THE CITY COUNCIL."

**VII. Exhibits**

1. Map of the Carson Street Corridor
2. Planning Commission Resolution
3. Ordinance No. 08-\_\_\_\_\_
4. Section 9138.17 of the Carson Municipal Code

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Reviewed and Approved by: \_\_\_\_\_  
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