



City of Carson Report to Mayor and City Council

September 6, 2011
Special Orders of the Day

SUBJECT: PUBLIC HEARING TO CONSIDER ORDINANCE NO. 11-1466 APPROVING ZONE CHANGE CASE NO. 164-11 AFFECTING CERTAIN PROPERTIES IN THE NORTHWEST AREA OF THE CITY

Submitted by Clifford W. Graves
Economic Development General Manager

Approved by Clifford W. Graves
Interim City Manager

I. SUMMARY

On March 10, 2011, at a noticed public hearing, the Planning Commission voted to recommend approval of Zone Change Case No. 164-11 in order to add certain properties to the Design Overlay district through the zone change process (Exhibit Nos. 1 and 2). The subject properties' current zoning designation of ML (Manufacturing, Light) is technically consistent with the current General Plan Land Use Element designation of Light Industrial. However, in 2004 during the General Plan Update process the City Council reviewed and approved a policy within the Land Use Element that encourages non-truck intensive uses on the subject properties, which became known as a "Limited Truck Activity" designation. The zone change described in this report will amend the existing zoning designation for the subject properties by adding a Design Overlay ("D") designation to be compatible with the General Plan policy. Thus, through the discretionary review process, design standards that are consistent with the General Plan's goals and objectives for development on the subject properties are ensured.

II. RECOMMENDATION

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. 11-1466, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, APPROVING ZONE CHANGE CASE NO. 164-11 AFFECTING CERTAIN PROPERTIES IN THE NORTHWEST AREA OF THE CITY BY CHANGING THEIR EXISTING ZONING DESIGNATION OF ML (MANUFACTURING, LIGHT) TO ML-D (MANUFACTURING, LIGHT - DESIGN OVERLAY)."

III. ALTERNATIVES

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

courtesy review to ensure the plans are consistent with the intent and character of the area.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Planning Commission staff report dated March 10, 2011 (without exhibits). (pgs. 4-8)
2. Excerpt of Planning Commission minutes dated March 10, 2011. (pg. 9)
3. Zoning map (pg. 10)
4. General Plan map for Special Study Areas No. 12b and 23. (pg. 11)
5. City Council staff report dated October 5, 2004 (without exhibits). (pgs. 12-21)
6. Draft Ordinance No. 11-1466. (pgs. 22-25)
7. CMC Section 9172.23. (pgs. 26-29)

Prepared by: Steven C. Newberg, AICP

TO:Rev010511

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council	
Date _____	Action _____



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 10, 2011

SUBJECT: Zone Change Case No. 164-11

APPLICANT: City of Carson

REQUEST: To change the zone designation of certain properties from ML (Manufacturing, Light) to ML-D (Manufacturing, Light – Design Overlay)

PROPERTY INVOLVED: Certain properties in the northwest section of Carson comprising the subject area which is approximately 24.4 acres and generally bounded by Alondra Boulevard on the north, Avalon Boulevard on the east, Gardena Boulevard on the south, and Maple Avenue on the west.

COMMISSION ACTION

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

Commissioner Verrett moved, seconded by Commissioner Diaz, to approve staff recommendation, thus adopting Resolution No. 11-2382. Motion carried, 8-0 (absent Chairman Faletogo).

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
Absent		Chairman Faletogo	X		Gordon
X		Vice-Chair Park	X		Saenz
X		Brimmer	X		Schaefer
X		Diaz	X		Verrett
X		Goolsby			



I. **Introduction**

The proposal is to add certain properties to the Design Overlay district through the zone change process. The proposal is in conformance with the General Plan requirement that the subject area have limited truck activities. The inclusion of certain properties within the Design Overlay district would allow Site Plan and Design Review to occur in which development of said properties would be reviewed for compliance with the General Plan requirement of having limited truck activities among other things. The changes in this request focus on rezoning properties as follows:

Existing	Proposed
ML (Manufacturing, Light)	ML-D (Manufacturing, Light – Design Overlay Review)

The properties associated with the zone change are located in the northwest area of the City (Exhibit 1), comprising approximately 24.4 acres in area, and are generally bounded by Alondra Boulevard to the north, Avalon Boulevard to the east, Gardena Boulevard to the south, and Maple Avenue to the west. The subject area is located in the Carson Consolidated Redevelopment Project Area, but is not currently subject to Site Plan and Design Review. An Environmental Impact Report was prepared and approved for the General Plan (SCH #2001091120) which analyzed the proposed changes.

II. **Background**

In October 2004, the City Council approved changes to the General Plan Land Use Element based upon public input gathered from numerous commission and committee meetings, workshops, and public hearings conducted between 1997 and 2004. Changes to the General Plan designations resulted in a number of properties in which the zoning is not consistent with the General Plan. State Law requires that the zoning for a property be consistent with the General Plan. A series of zone changes have been approved to provide consistency between the Carson Municipal Code and General Plan. The subject area represents one of the few remaining areas to be addressed.

The properties identified in this report were described during the General Plan update study process as Special Study Area No. 12b and the portion of Study Area No. 23 west of Avalon Boulevard (Exhibit No. 2). On October 5, 2004, in response to concerns with applying a Business Park designation, the City Council reviewed an alternative to retain the Light Industrial designation and include a policy within the Land Use Element that encourages non-truck intensive uses (Exhibit No. 3). As shown in the adopted Land Use Element, associated policies and implementation strategies were identified and the Land Use Map identified this area for "Limited Truck Activity."



III. Analysis

Design Overlay ("D") District

The properties which make up the subject area are proposed to be given a Design Overlay ("D") designation in conjunction with the ML (Manufacturing, Light) zoning designation. The Design Overlay designation requires that new development be subject to Carson Municipal Code (CMC) Section 9172.23, Site Plan and Design Review. This type of permit is commonly referred to as a Design Overlay Review (DOR). A DOR requires that a development plan be submitted and approved according to procedures contained in CMC Section 9172.23 before any grading permit, electrical permit, plumbing permit or building permit is issued, or sign installed, which involves significant exterior changes in the opinion of the Director. A development valuation exceeding \$50,000 requires the development plan to be reviewed by the Planning Commission by way of a public hearing.

The record shows that the Planning Commission and City Council were concerned about the impacts of truck uses in this area. There are several large properties that could be developed for large warehouse distribution uses. By limiting truck intensive uses, the intent is to attract manufacturing, service and small and mid-size businesses. The existing zone designation for the properties does not provide for any discretionary review unless the subject use requires approval of a conditional use permit. Most truck intensive uses do not require a conditional use permit. Staff believes that the DOR process would provide an appropriate review for future development. Staff recommends that the Planning Commission approve Zone Change Case No. 164-11 to have the zoning of the subject properties be designated within a design review district to provide consistency with the Land Use Element of the General Plan.

General Plan

The General Plan Land Use Map designates the subject area for Light Industrial Use and the Land Use Element map displays a "Limited Truck Activity" overlay for the area. The City Council and the Planning Commission considered the best future use for the area and the impact that truck-intensive uses would have on existing and future development in the area. The General Plan Land Use Element contains goals and objectives, and implementation measures intended to accomplish them, as adopted pursuant to City Council policy direction. The following are specific goals and objectives as they directly relate to limiting truck activity in the subject area (LU = Land Use Policy, IM = Implementation Measure):

LU-6.8: "Manage Truck-intensive Uses"

LU-IM 6.8: "Analyze the Zoning Ordinance for truck-intensive uses, determine how such uses may impact other land uses, traffic, and truck routes, and make changes as necessary to the permitted uses and the review processes required. Such changes shall include a jobs and fiscal



impact report to determine affects of the proposed changes to uses permitted and review processes required.”

The change in zoning for the subject properties from ML to ML-D brings the zoning into conformance with the General Plan Land Use Map and with the associated implementation measure for managing truck-intensive uses. The overlay of a “D” designation to an already existing ML zone will require discretionary review for new development within the zone. Discretionary review will also provide a more comprehensive review of off-site improvements such as street trees, new curb, gutter and ADA-compliant sidewalk (adequate width, wheelchair accessible corners and driveways), undergrounding of utilities connecting to the site, streetlights, and/or landscaping. The addition of a “D” overlay zoning designation is expected to achieve better design standards and facilitate public discussion of the highest and best use for the properties. The zone change also addresses the following provisions in the General Plan:

LU-7.1: “Periodically review, and amend if necessary, the City’s Zoning Ordinance to ensure the compatibility of uses allowed within each zoning district.”

LU-IM-7.2: “Amend the Zoning Ordinance to accommodate the Office Park, Business Park, Mixed Use, General Open Space, and Recreational Open Space land use designations. And amend the Zoning Map to be consistent with the adopted General Plan Map. In addition, review and amend the Zoning Ordinance to: clarify permitted and conditionally permitted uses in all districts (i.e., churches and other uses); and to address non-conforming uses.”

Rezoning the subject area from ML to ML-D accomplishes the goal set forth in LU-7.1 by ensuring compatibility of existing uses allowed within the ML zone through the discretionary review process. The proposed zoning change is in conformance with Land Use Element of the General Plan.

III. Environmental Review

Environmental Impact Report (EIR) SCH No. 2001091120 was prepared to analyze the impacts of the General Plan. The City Council certified the General Plan EIR in October 2005. The zone change proposed in this request was analyzed as part of that document. Each future development project proposed within the subject area and considered through the application of a discretionary review will require additional review to assess its individual impact(s) on the environment. An initial study and an appropriate environmental determination will be made for each new development project within the subject area as applications are accepted.



V. Recommendation

The Planning Commission:

1. RECOMMEND APPROVAL to the City Council of Zone Change Case No. 164-11 to change the zoning on certain properties to ML-D (Manufacturing, Light), thereby bringing the zoning for those properties into conformance with the General Plan.
2. WAIVE further reading and ADOPT Resolution No.____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONE CHANGE CASE NO. 164-11 AFFECTING CERTAIN PROPERTIES IN THE NORTHWEST AREA OF THE CITY CHANGING THE EXISTING ZONING DESIGNATION OF ML (MANUFACTURING, LIGHT) TO ML-D (MANUFACTURING, LIGHT – DESIGN OVERLAY)."

IV. Exhibits

1. Zoning Map of Subject Properties
2. General Plan Map for Special Study Areas No. 12b and 23
3. October 5, 2004 City Council Staff Report
4. Draft Resolution of the Planning Commission

Prepared by:



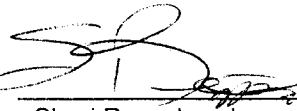
Steven Newberg, AICP, Associate Planner

Reviewed by:



John F. Signo, AICP, Senior Planner

Approved by:



Sheri Repp-Loadsman, Planning Officer

sn: zcc16411p_031011



Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Diaz, to approve the applicant's request, amending Condition No. 16c, requiring a ratio of one tree per 40 feet of interior lot line; and moved to adopt Resolution No. 11-2381. Motion carried, 8-0 (absent Chairman Faletogo).

11. PUBLIC HEARING

A) Zone Change Case No. 164-11

Applicant's Request:

The applicant, city of Carson, is requesting to change the zone designation of certain properties from ML (Manufacturing, Light) to ML-D (Manufacturing, Light – Design Overlay). The property involved is certain properties in the northwest section of Carson comprising the subject area which is approximately 24.4 acres and generally bounded by Alondra Boulevard on the north, Avalon Boulevard on the east, Gardena Boulevard on the south, and Maple Avenue on the west.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation for City Council to approve Zone Change Case No. 164-11 to change the zoning on certain properties to ML-D (Manufacturing, Light), thereby bringing the zoning for those properties into conformance with the General Plan; and WAIVE further reading and ADOPT Resolution No. 11-2382, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of Zone Change Case No. 164-11 affecting certain properties in the northwest area of the city, changing the existing zoning designation of ML (Manufacturing, Light) to ML-D (Manufacturing, Light – Design Overlay)."

Vice-Chairman Park opened the public hearing. There being no input, Vice-Chairman Park closed the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Diaz, to approve staff recommendation, thus adopting Resolution No. 11-2382. Motion carried, 8-0 (absent Chairman Faletogo).

12. NEW BUSINESS DISCUSSION

A) Workshop regarding Long-Term Banners

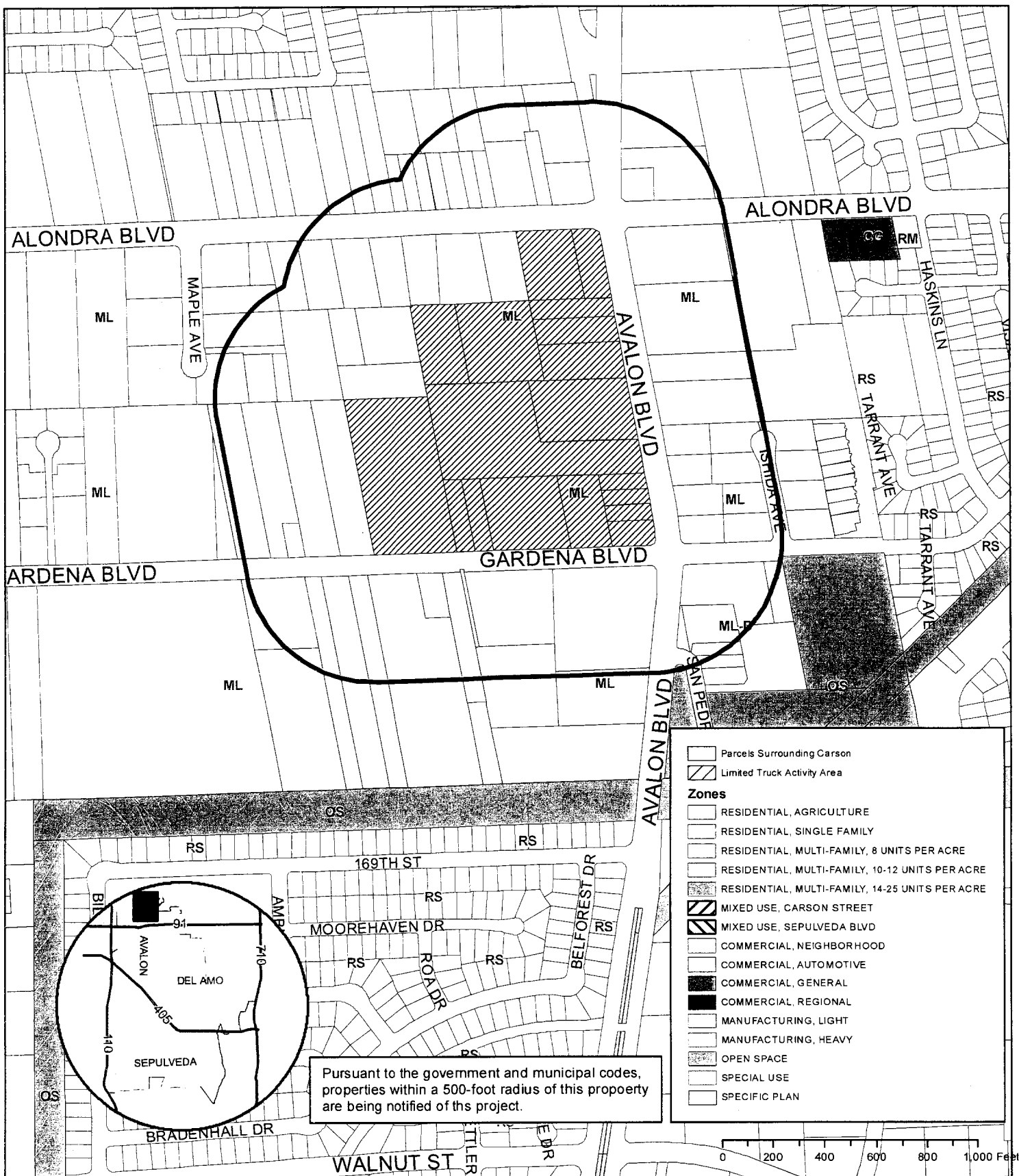
Applicant's Request:

The applicant, city of Carson, is requesting the Commission discuss and consider long-term banners for commercial properties.

Staff Report and Recommendation:

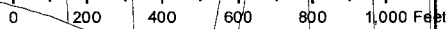
Senior Planner Signo presented staff report and the recommendation for the Planning Commission to discuss and consider the information provided for in this workshop; and provide direction to staff on how to proceed.





Pursuant to the government and municipal codes, properties within a 500-foot radius of this property are being notified of this project.

	Parcels Surrounding Carson
	Limited Truck Activity Area
Zones	
	RESIDENTIAL, AGRICULTURE
	RESIDENTIAL, SINGLE FAMILY
	RESIDENTIAL, MULTI-FAMILY, 8 UNITS PER ACRE
	RESIDENTIAL, MULTI-FAMILY, 10-12 UNITS PER ACRE
	RESIDENTIAL, MULTI-FAMILY, 14-25 UNITS PER ACRE
	MIXED USE, CARSON STREET
	MIXED USE, SEPULVEDA BLVD
	COMMERCIAL, NEIGHBORHOOD
	COMMERCIAL, AUTOMOTIVE
	COMMERCIAL, GENERAL
	COMMERCIAL, REGIONAL
	MANUFACTURING, LIGHT
	MANUFACTURING, HEAVY
	OPEN SPACE
	SPECIAL USE
	SPECIFIC PLAN

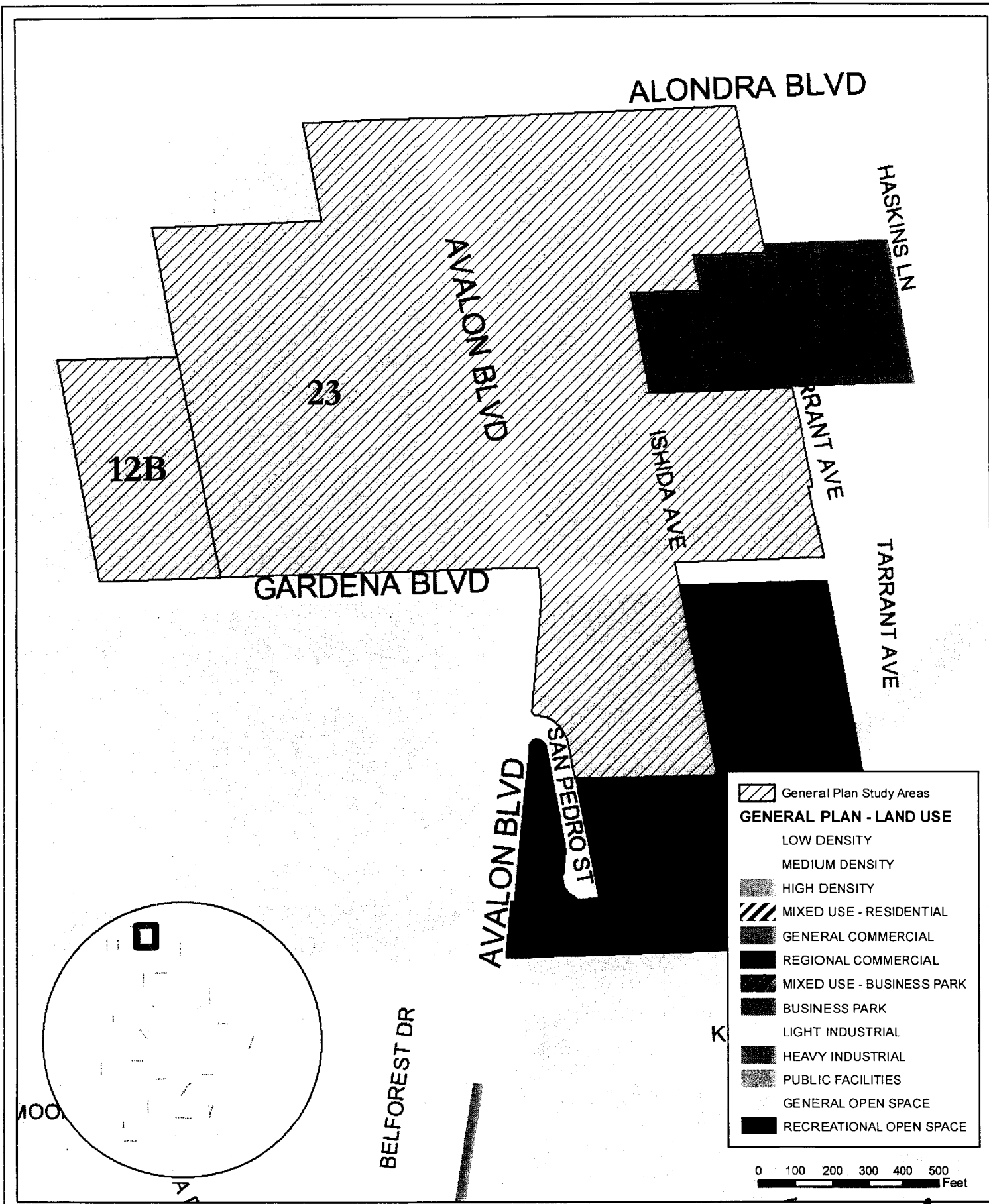


City of Carson
500 Foot Radius Map
ZCC 164-11:
Concerning Limited Truck Activity

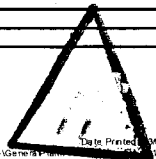


Date Printed: Tuesday, July 27, 2011
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EXHIBIT NO.



City of Carson
General Plan Study Areas 12B and 23







City of Carson

Report to Mayor and City Council

October 5, 2004
Unfinished Business

**SUBJECT: RESOLUTION NO. 04-089; GENERAL PLAN AMENDMENT NO. 02-12-071,
UPDATING THE GENERAL PLAN**


Submitted by M. Victor Rollinger
Acting Development Services General Manager


Approved by Jerome G. Groomes
City Manager

I. SUMMARY

The City Council held a public hearing on May 18, 2004 and June 15, 2004 to receive public testimony. On June 15, 2004, the public hearing was closed and consideration continued to July 6, 2004, July 20, 2004 and September 7, 2004 (canceled). Workshops were held on September 14, 2004 and September 20, 2004 to more fully discuss the alternatives. The City Council is requested to take action on the staff and Planning Commission recommendations and adopt the resolution.

II. RECOMMENDATION

TAKE the following actions:

1. **TAKE** action on staff and Planning Commission recommendations (Exhibit No. 3).
2. **WAIVE** further reading and **ADOPT** Resolution No. 04-089, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 02-12-071 (GENERAL PLAN UPDATE), CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS CONCERNING THE GENERAL PLAN UPDATE FOR THE CITY OF CARSON."

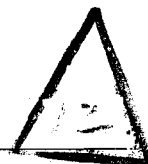
III. ALTERNATIVES

1. Provide further direction to the staff concerning needed research or information. A public hearing may be required if new information is required.
2. Take other action as deemed necessary.

IV. BACKGROUND

The first public hearing by the City Council was held May 18, 2004. The City Council continued the public hearing to June 15, 2004. An informal session was

EXHIBIT NO. - 5



held on June 10, 2004 to provide public information on the General Plan Update. On June 15th, the City Council took testimony and then closed the public hearing and requested that consideration be continued to July 6, 2004, July 20, 2004 and September 7, 2004 (canceled). Workshops were held on September 14, 2004 and September 20, 2004 resulting in consensus on most remaining issue areas. The following chart summarizes the direction provided by the City Council during the September 20, 2004 workshop:

Study Area	Existing General Plan	Planning Commission Recommendation	Staff Recommendation	City Council Revisions
1 & 2	MD	MD	Approved by prior GPA	Concur
3	GC	GC/MD	GC/MU-R	<i>Under consideration for MU-R or MU-BP</i>
4	LD	HD	Same as Planning Commission	Concur
5	LD/MD/HD/GC/RC	MU-R/RC	Same as Planning Commission	Area 5A: Concur for APN Nos. 7335010068, 7335010903, 7337011015, 7337011016, 7337011032, 7337011038 Area 5: Concur for remaining area
6	LI	GC/BP/LI	GC/LI	Concur with staff recommendation
7	HI	LI	Same as Planning Commission	Concur
8ABC	HI/LI	MU-BP	Same as Planning Commission	Concur
9A	LI/HI	LI/HI	Same as Planning Commission	Concur

9B	HI/PF	LI/PF/GC	Same as Planning Commission	Concur with PF and CG Retain HI except LI for APN Nos. 7339012011, -012, -017, -019, -020, -021, -022 and 7339013009, -016, -017, -018, -020, -021, -024
10A	LD/HD/GC/LI	LD/HD/LI	Same as Planning Commission	Concur
10B	GC	GC/MD	Same as Planning Commission	Entire area GC
10C	LI	No change	Same as Planning Commission	Concur
11	RC/LI	MU-BP	Same as Planning Commission	Concur
12A	LI	No change	Same as Planning Commission	Concur
12B	LI	BP	Same as Planning Commission	<i>Under consideration for possible BP or LI</i>
13	HI	GC/LI	Same as Planning Commission	<i>Under consideration for Western area MU-R Eastern area ML</i>
13A	HI		GC	Concur
14	LI/HI	No change	All LD-facing perimeter to LI	Concur with Planning Commission except DWP right of way to HI
15	LI	No change	Same as Planning Commission	Concur



16	LI/HI/PF	RC/BP/PF	RC/BP/PF/HI	Concur with staff recommendation
17	HD	No change	Same as Planning Commission	Concur
18	HI	HI/LI/LD/BP	Same with small adjustment of HI	<i>Under consideration for BP to be designated LI</i>
19	GC/LI	MU-BP	Same as Planning Commission	Concur
20	GC	No change	Same as Planning Commission	<i>Under consideration for GC or MU-R</i>
21	GC	MU-R	Same as Planning Commission	Concur
22	LD/LI	LD/BP	LD/LI/GC	Concur with Planning Commission except GC for APN Nos. 7406025020 and -021
22A	LI		LI or BP; same as S.A. 22	Retain as LI
23	LI/HI	BP/LI	Same as Planning Commission	<i>Under consideration for possible BP or LI</i>
24	LD/GC/LI	LD/BP	LD/BP/MD	Retain existing designation and provide for further study
25	RC	MU-R	Same as Planning Commission	Concur
26	GC/HD/LD	BP/LD	Same as Planning Commission	Concur
27	LI	HI	Same as Planning Commission	Concur



28	LI	GC	Same as Planning Commission	Concur
29	LD	GC	Same as Planning Commission	Retain LD
30	LI	GC	Same as Planning Commission	Concur
31	Industrial (LA Co.)	HI/LI/HD	Same as Planning Commission	Concur
32	GC	MD	Same as Planning Commission	Concur
33	GC	RC	Same as Planning Commission	Concur
34	GC	No change	Same as Planning Commission	Concur
35	MD	MD	Approved by prior GPA	Concur
36	GC	LD	Same as Planning Commission	Concur
37	HI	LI	Same as Planning Commission	Concur

- Legend:
- LD Low Density Residential (1-8 dwelling units/acre)
 - MD Medium Density Residential (9-12 dwelling units/acre)
 - HD High Density Residential (13-25 dwelling units/acre)
 - GC General Commercial
 - RC Regional Commercial
 - OP Office Park
 - BP Business Park
 - MU-R Mixed Use - Residential (Commercial/Residential)
 - MU-BP Mixed Use - Business Park (Commercial/Business Park)
 - LI Light Industrial
 - HI Heavy Industrial
 - GOS General Open Space
 - ROS Regional Open Space
 - PF Public Facilities

The City Council also requested the following text revision in addition to those recommended by the Planning Commission and staff (Exhibit C to Resolution):



LU-IM-6.8 Analyze the Zoning Ordinance for truck-intensive uses, determine how such uses may impact other land uses, traffic, and truck routes, consider fiscal impact and employment analysis for possible changes to the uses permitted and the review process required, and make changes as necessary to the uses permitted and the review process required.

V. MAJOR ISSUES

The following study areas were deferred by the City Council to allow for further consideration of potential development opportunities and impacts to existing businesses. Staff has conducted further research and discussed land use and development options with some of the affected property owners. The staff recommendation has changed in some cases as a result of these discussions. The City Council is requested to provide specific action relative to each of these study areas. The Council action will be added to Exhibit C of the draft Resolution.

Study Area 3 – Sepulveda Boulevard

Existing General Plan: GC

Planning Commission Recommendation: GC/MD

Staff Recommendation: GC/MU-R

Alternatives/Discussion: Concerns were raised that the area proposed for Medium Density Residential may negatively impact existing businesses. By allowing a MU-R designation, commercial uses would still be allowed. New residential uses would be permitted subject to adoption of zoning standards for the district. Staff would prepare the necessary ordinance amendment to establish site development and general development standards including, but not limited to, height, open space, setbacks and parking. The possibility of residential development has generated interest in removing older, deteriorated commercial uses and development of vacant properties.

The City Council discussed consideration of MU-BP in lieu of the MU-R designation. The Business Park designation would allow for limited industrial uses. Based upon current market conditions and the adjacent single-family homes, staff believes that the MU-R designation would likely provide for more immediate and positive development. Future traffic volumes with General Plan growth indicate that Sepulveda Boulevard will operate with acceptable levels of service (LOS) for the morning hours. During the evening hours, the street



sections between Figueroa Street and Avalon Boulevard will operate at LOS E and F. Sepulveda Boulevard traffic volumes are projected to be less than Carson Street, which is also designated as a mixed-use residential district.

Study Area 13 – Dominguez Hills Village (East of Central Avenue)

Existing General Plan: HI

Planning Commission Recommendation: GC/LI

Staff Recommendation: MU-R for western area and LI for eastern area

Alternatives/Discussion: The property currently occupied by a large warehouse is proposed to remain LI. The City Council expressed an interest to consider MU-R for the western area. The Dominguez Hills Village Specific Plan currently designates a minimum 5 acres of this area to be utilized as a commercial center. The remaining 2 acres were designated for the location of oil storage tanks associated with the oil well operations. The oil production has been discontinued. Therefore, the need for the Heavy Industrial designation no longer appears necessary for this 2-acre area. The subject area is located along the north-western portion of Study Area 13 immediately south of the boundary with the City of Compton. The Planning Commission recommendation was for the entire western area to be GC. The MU-R designation would provide increased flexibility by allowing residential uses. Several developers have expressed interest in developing residential in conjunction with the commercial development.

Study Area 18 – Shell Oil Property

Existing General Plan: HI

Planning Commission Recommendation: HI/LI/LD/BP

Staff Recommendation: HI/LI/LD/BP (same as P/C with small adjustment to HI)

Alternatives/Discussion: The former Shell Oil refinery property is a prime opportunity for future development. Both staff and the Planning Commission recommend that the area facing Del Amo Boulevard be designated as Business Park. The anticipated uses would include office, R&D and certain commercial uses. Low Density residential is proposed for the 40-acre farmland area located adjacent to 213th Street. Staff recommends a minor modification to the Planning Commission recommendation related to the area designated as Heavy Industrial and Light Industrial to allow the recent development of Shell's ethanol distribution facility to remain in the Heavy Industrial designation. Shell requests that the entire area be designated as Heavy Industrial and Light Industrial.

The City Council discussed consideration of LI in lieu of the BP for the property facing Del Amo Boulevard. Staff met with representatives of Shell Oil on



September 22, 2004 to discuss development alternatives. At this time, Shell Oil is exploring a lease for a large wholesale automobile auction facility. Approximately 300 jobs would be associated with the use. The use would generate limited traffic and would involve the sale of vehicles between licensed dealers. Shell Oil indicates that the use would be beneficial since the site would be capped with asphalt thereby facilitating remediation efforts. In addition, weeds and dust would be controlled. The term of the lease is anticipated to be between 20 to 25 years. The BP designation could allow for the use. Staff would recommend that the primary buildings should be located along Del Amo Boulevard. However, Shell Oil is not sure if the buildings can be located in this area due to existing rail service and contamination issues.

The LI designation would be preferred by Shell Oil to preserve opportunities to consider the wholesale automobile auction use or other industrial uses. While staff believes the BP designation would provide a better land use for the area, the LI designation could allow for a more immediate use of the property due to the demand for industrial buildings and the potential for certain outdoor storage uses. The Shell property is one of the last remaining large properties in the city. The LI designation could allow for uses similar to the Dominguez Technology Center and other industrial buildings located to the east. The opportunity for warehouse and distribution uses to locate to the property could significantly increase the number of trucks utilizing Del Amo Boulevard and Wilmington Avenue.

Study Area 20 – Albertoni Street

Existing General Plan: GC

Planning Commission Recommendation: GC

Staff Recommendation: GC

Alternatives/Discussion: Several recent commercial developments have been completed including the Extended Stay America and Jack in the Box. Future development will include an AM/PM fueling station and potentially a full service restaurant. The Redevelopment Agency owns the vacant property at the corner of Avalon Boulevard and Albertoni Street. Proposals have been received from four developers. The Redevelopment Agency will be requested to consider these proposals in the near future. The City Council discussed consideration of a MU-R designation in lieu of the GC designation. The MU-R designation would provide increased flexibility by allowing residential uses. However, the area is isolated and may not be well suited for residential uses. The City Council may want to consider a future change to the land use designation if there is a favorable residential or mixed-use development.

Study Area 23 and 12B – Industrial area located south of Alondra Boulevard and the Rancho Dominguez Mobilehome Park

Existing General Plan: LI/HI

Planning Commission Recommendation: BP/LI

Staff Recommendation: BP/LI (same as PC)

Alternatives/Discussion: The property owner of the larger vacant site (Evergreen) located west of Avalon Boulevard requests that the property be retained as Light Industrial. Staff acknowledges that a Business Park designation limits the types of development and businesses that can occupy the property. There is concern that a Light Industrial designation could allow for large warehouse uses with significant truck-related activities. An alternative would be to retain the Light Industrial designation and include a policy within the Land Use Element that encourages uses that are not truck intensive.

Staff contacted a representative of Evergreen on September 27, 2004 to discuss current development alternatives under review. The scenarios vary from a business park to light industrial park. The expected land value increases with the light industrial designation due to the ability to support warehouse and distribution uses. Staff advised that a large distribution facility would be unlikely even if the LI designation were retained. The property owner appears favorable to considering a light industrial development with limitations on the number of loading doors.

The City Council also mentioned an interest in utilizing a BP designation for the properties located east of Avalon Boulevard. Staff contacted a number of the property owners and businesses. There are several properties that would likely become legal, nonconforming under the BP designation (i.e., Avalon Glass). Staff would not recommend that the area be changed from HI to BP.

Study Area 24 – East side of Main Street (north of 213th Street)

Existing General Plan: LD/GC/LI

Planning Commission Recommendation: LD/BP

Staff Recommendation: LD/BP/MD

Alternatives/Discussion: No change is recommended to the Low Density Residential designation for the properties immediately west of Shearer Avenue. Interest was expressed by the City Council to consider residential uses for those properties facing Main Street. The Planning Commission recommended Business Park for the Main Street properties. The staff recommendation provides a minor change by specifying the southern 5 lots (staff initially stated 6) along Main Street to Medium Density Residential. The properties are currently in the

Commercial General designation and are occupied by a 6-unit apartment complex, two light industrial buildings and vacant land. The industrial buildings would become legal, nonconforming with this modification. The apartment building is currently legal, nonconforming in the Commercial General designation and would likely remain legal, nonconforming in the Business Park designation. The modification to Medium Density would allow the apartment building to remain as a permitted use.

The City Council indicated that this area might be appropriate for further study due to the complexity of issues. Staff suggested that the City Council could defer action on this Study Area by retaining the existing designations and directing staff to return with a separate report and recommendation.

VI. FISCAL IMPACT

The direct costs for preparation of the General Plan Update to the City have been approximately \$350,000, not including the Carson Vision process. This included consultant costs for RBF Consulting, Robert Charles Lesser & Company, Meyer Mohaddes Associates and Hightower/Associates. There were additional costs for printing and copying supplies.

There are millions of dollars of costs in all of the programs recommended in the General Plan over a twenty-year period. The potential sources of funding are listed in the Implementation Measures included in the General Plan. Specific decisions on cost and funding would be made at the time each program is evaluated.

VII. EXHIBITS

1. Draft Resolution (pgs. 11-13)
2. Exhibits to Resolution 04-089 (pgs. 14-109) (submitted under separate cover)
3. Map of Study Area 5 and 5A (pg. 110)
4. Map of Study Area 9B (pg. 111)

Prepared by: Sheri Repp Loadsman, Planning Manager

Reviewed by:

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

Action taken by City Council

Date _____ Action _____



ORDINANCE NO. 11-1466

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, APPROVING ZONE CHANGE CASE NO. 164-11 AFFECTING CERTAIN PROPERTIES IN THE NORTHWEST AREA OF THE CITY BY CHANGING THEIR EXISTING ZONING DESIGNATION OF ML (MANUFACTURING, LIGHT) TO ML-D (MANUFACTURING, LIGHT – DESIGN OVERLAY).

THE CITY COUNCIL OF THE CITY OF CARSON DOES ORDAIN AS FOLLOWS:

Section 1. An application for Zone Change Case (ZCC) No. 164-11 was duly filed by the City of Carson. The zone change involves several properties as shown on the attached Exhibit A. The zone change includes ML (Manufacturing, Light) industrial property being rezoned to ML-D (Manufacturing, Light – Design Overlay Review). The city is seeking approval of the zone change to bring the zoning of certain properties into conformance with the General Plan as required by state law.

Section 2. An EIR was prepared for the amended General Plan for the purpose of complying with CEQA. An Environmental Impact Report was prepared and for the General Plan Update (SCH #2001091120) which analyzed the proposed zone changes and was certified on October 11, 2004 by the Carson City Council.

Section 3. The Planning Commission held a duly noticed Public Hearing to obtain public comments on ZCC No. 164-11 on March 10, 2011 at 6:30 P.M. in the City Hall Council Chambers at 701 East Carson Street, Carson, California. After consideration of the evidence and testimony, the Planning Commission voted unanimously to recommend approval of ZCC No. 164-11 to the City Council.

Section 4. The City Council held a Public Hearing on September 6, 2011 concerning ZCC No. 164-11 at 6:00 P.M. in the City Hall Council Chambers, 701 East Carson Street, Carson, California. A notice of the time, place and purpose of the aforesaid meeting was duly given.

Section 5. Evidence, both written and oral, was presented to and considered by the City Council at the aforesaid meeting, including but not limited to staff reports, along with testimony received by the applicant and other members of the public.

Section 6. The City Council finds that:

- a) The General Plan, adopted October 11, 2004, designated certain properties located in study area No. 12b and the portion of study area No. 23 west of Avalon Boulevard, in the northwest section of Carson, to be more appropriately designated as Light Industrial with “Limited Truck Activity”. Carson Municipal Code (CMC) Section 9113.2 provides for special zoning designations to be created and combined by notation on the Zoning Map with any of the zoning districts listed in CMC Section 9113.1. A discretionary review requirement for new development on the subject properties, pursuant to a “D” overlay zoning designation, will determine the appropriateness of such truck activity associated with each new development.



- b) State law requires the zoning for the property be in conformance with the General Plan. The implementation of a "D" - design overlay zone designation to the existing ML (Manufacturing, Light) zone will provide a discretionary review requirement for new development in this area pursuant to CMC Section 9172.23. The review of the development plan will determine the appropriateness of such truck activity associated with each new development subject to a finding that the use is in conformance with the General Plan.
- c) Land Use Policy 6.8 of the General Plan seeks to "Manage truck-intensive uses". Land Use Implementation Measure 6.8 recommends to "Analyze the Zoning Ordinance for truck-intensive uses, determine how such uses may impact other land uses, traffic, and truck routes, and make changes as necessary to the permitted uses and the review processes required. Such changes shall include a jobs and fiscal impact report to determine affects of the proposed changes to uses permitted and review processes required changing of the zoning to light industrial and open space brings the zoning into conformance with this Land Use implementation measure" to accomplish this goal.
- d) Land Use Policy 7.1 of the General Plan seeks to "Periodically review, and amend if necessary, the City's Zoning Ordinance to ensure the compatibility of uses allowed within each zoning district". Land Use Implementation Measure 7.2 recommends to "Amend the Zoning Ordinance to accommodate the Office Park, Business Park, Mixed Use, General Open Space, and Recreational Open Space land use designations. And amend the Zoning Map to be consistent with the adopted General Plan Map. In addition, review and amend the Zoning Ordinance to: clarify permitted and conditionally permitted uses in all districts (i.e., churches and other uses); and to address non-conforming uses" to accomplish this goal.
- e) 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.
- f) The zone change will not be detrimental to the public health, safety and welfare.
- g) The zone change is consistent with the EIR certified for the General Plan amendment.

Section 7. Based on the aforementioned findings, the City Council approves Zone Change Case No. 164-11.

Section 8. Ordinance No. 11-1466 is approved for introduction and first reading on September 6, 2011 and adoption at the second hearing on September 20, 2011.

Section 9. The City Clerk shall certify to the adoption of this Ordinance and shall transmit copies of the same to the applicant. The City Clerk shall publish the adopted Ordinance pursuant to California Government Code 36933 within fifteen days of its adoption.

Section 10. The Ordinance shall become effective thirty (30) days after the second reading approval date.

PASSED, APPROVED and ADOPTED this ____ day of September, 2011.

Mayor Jim Dear

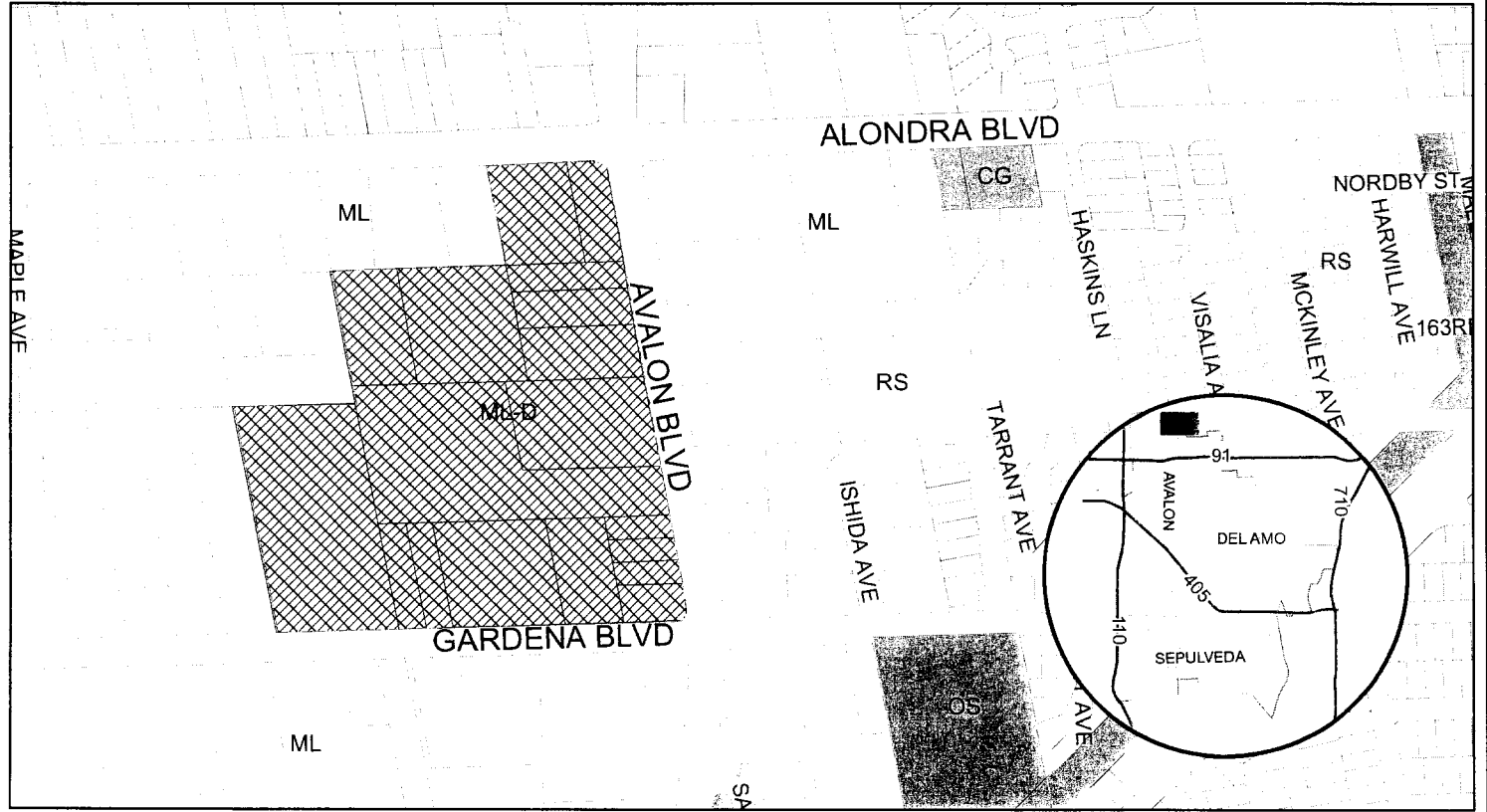
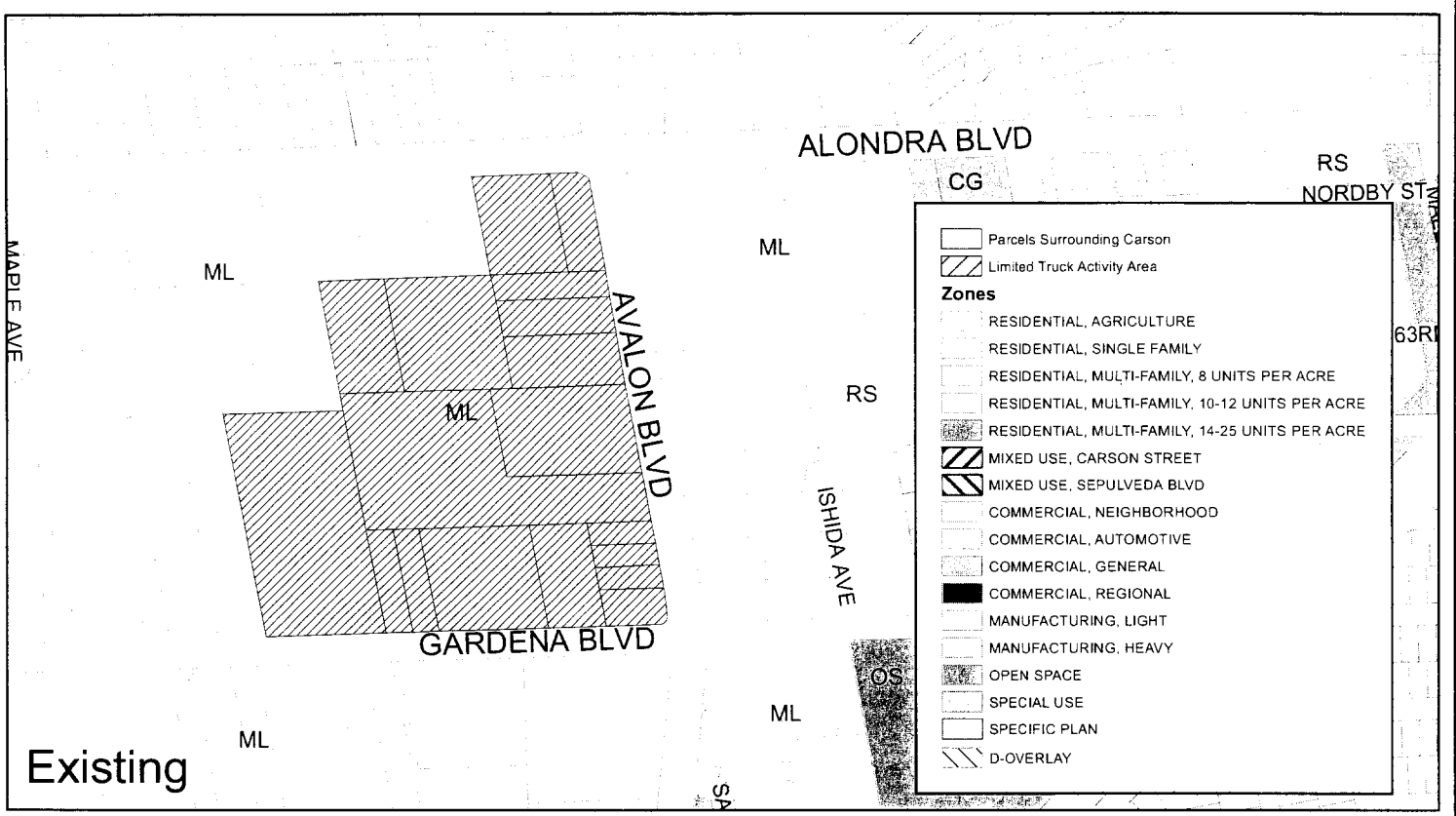
ATTEST:

City Clerk Helen Kawagoe

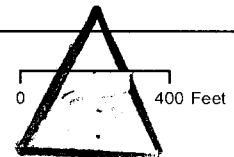
APPROVED AS TO FORM:

City Attorney





**Exhibit "A" to Ordinance No. 11-1466
Zone Change Case No. 164-11**



9172.23 Site Plan and Design Review.

When Site Plan and Design Review is required pursuant to the provisions of this Chapter, a development plan shall be submitted and approved according to the following procedures before any grading permit, electrical permit, plumbing permit or building permit is issued, or sign installed, which involves significant exterior changes in the opinion of the Director:

A. Submittal. An application shall be filed in accordance with CMC 9173.1. Prior to accepting an application, the Director may require that a conference be held with the project designer.

B. Approval Authority.

1. An application for approval of a Development Plan shall be submitted to the Commission for determination in any case involving any of the following:

- a. Any construction of a new building or structure having an estimated valuation of \$50,000 or more.
- b. Any expansion, addition, alteration or repair to an existing structure, or other construction if the estimated cost of the work is \$50,000 or more and the work involves changes in exterior architectural design, landscaping design or parking facilities.
- c. Any conversion of a residential structure to a commercial use if the estimated cost of the work is less than \$50,000.
- d. Any major wireless telecommunications facility and minor wireless telecommunications facility located within one hundred (100) feet of a residential zone.

2. The Director shall have the authority to approve a Development Plan for work involving any of the following:

- a. Any construction of a new building or structure having an estimated valuation less than \$50,000.
- b. Any expansion, addition, alteration or repair to the exterior of an existing structure, or other construction, except for any conversion of a residential structure to a commercial use, if the estimated cost of the work is less than \$50,000 and the work involves changes in exterior architectural design, landscaping design or parking facilities.
- c. Any construction involving only interior modifications to an existing building, regardless of the estimated valuation of the work.
- d. Signs.
- e. Solar energy equipment installation.
- f. Fences, walls and hedges.



g. Minor wireless telecommunications facilities not located within one hundred (100) feet of a residential zone regardless of estimated valuation.

The valuation of construction delineated by this subsection shall be established by the Building Official, using as a guide, the Marshall Valuation Service compiled by the Marshall and Swift Publication Company.

C. Commission Hearing and Notice. For applications required by subsection (B)(1) of this Section and for appeals authorized by subsection (E)(2) of this Section, the Commission shall hold a public hearing within six (6) months of the date of acceptance of the application or date of appeal, as applicable, except that, for applications required under subsection (B)(1)(c) of this Section, the Planning Commission shall not be required to hold a public hearing.

Notice of a public hearing, if required, shall be given by posting and through the United States mail to the applicant, to the owners of property within three hundred (300) feet of the subject property, and to any person who has filed a written request therefor, all as provided in CMC 9173.22, except that notification by mail need only be given to the owners of property within three hundred (300) feet of the subject property. The City Clerk shall give such additional notices, and in such manner, as prescribed by the law of the State of California and as the Commission or City Council may deem necessary or desirable.

D. Approving Authority Findings and Decision.

1. After the public hearing, the Commission shall, by resolution, render its decision. The Commission shall approve a Development Plan if it is able to make affirmative findings based on the following criteria:

- a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area.
- c. Convenience and safety of circulation for pedestrians and vehicles.
- d. Attractiveness, effectiveness and restraint in signing graphics and color.
- e. Development scheduling (if phased development) which will satisfy the above criteria in each phase.
- f. Conformance to any applicable design standards and guidelines which have been adopted pursuant to CMC 9172.15. Such design standards and guidelines may be generally applicable or may specify different requirements for different areas.

2. If the proposed development complies with all applicable requirements and standards of this Chapter and other laws and regulations, and the approving authority finds that the criteria of subsection (D)(1) of this subsection are



adequately met, or can be met if specified conditions are observed, the Development Plan shall be approved, subject to such specified conditions. If the approving authority finds that the proposal cannot meet and cannot be modified to meet the requirements of this Chapter and the above criteria, the Development Plan shall be disapproved. In all cases, findings shall be made concerning the grounds for approval or disapproval.

3. Notice of the decision by the Commission or Director, as the case may be, shall be given as provided in CMC 9173.32.

E. Effective Date and Appeal.

1. The decision of the Director or Commission, as the case may be, shall become effective and final fifteen (15) days after the date of the decision unless an appeal is filed in accordance with CMC 9173.4.

2. An appeal from a decision of the Director shall be considered by the Commission, and an appeal from a decision of the Commission shall be considered by the Council as provided in CMC 9173.4.

F. Compliance. After approval of a Development Plan and before City authorization to connect utilities, or before final inspection approval by the Building Official pertaining to any facilities constructed under the Development Plan, the Planning Division shall inspect the site for compliance with the approved Development Plan and conditions. Any deficiencies which are not corrected to the satisfaction of the Director shall be submitted to the Commission for determination as to compliance upon written request to the Director by the property owner or his authorized representative.

G. Exemption of Existing Improvements. Approval under this procedure shall not result in requirements to alter or improve any existing improvements, unless:

1. Such existing improvements are to be altered in connection with the proposed construction, grading or remodeling; or
2. Such existing improvements are directly affected by such proposed construction, grading or remodeling; or
3. The value of the proposed new or replacement construction, alterations, remodeling or other improvements being made exceeds fifty (50) percent of the value of existing improvements. (Ord. 78-433)

H. Subsequent Modification of Conditions.

1. After a Site Plan and Design Review Permit has been granted modification of the Development Plan and/or any conditions of the permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his authorized representative in accordance with CMC 9173.1.

2. A public hearing on a proposed modification of the Development Plan and/or conditions need not be held unless required by subsection (B)(1) of this Section or unless the Director, Commission or Council concludes that the proposed modification extends beyond the intent of the original approval of the Site Plan and Design Review Permit.



3. The decision and any appeal in connection with modification of a Development Plan and/or conditions of the permit shall be the same manner as set forth in CMC 9173.4. (Added by Ord. 84-699, § 3)

I. Expiration of Permit.

1. Expiration. A Site Plan and Design Review Permit shall become automatically null and void, unless otherwise provided in this Chapter or unless extended as provided in subsection (I)(2) of this Section, if any of the following occurs:

a. Unused Permit. Within one (1) year from the Approving Authority's action, a construction permit, if necessary, shall be issued by the Building Official for the Development Plan. Work authorized by the permit shall commence within one hundred eighty (180) days from the date of issuance of said permit and such work shall not be suspended or abandoned at any time after commencement for a period of one hundred eighty (180) days or more.

b. Time Limit as a Condition of Permit. Circumstances which terminate the permit pursuant to any termination provision included as a condition of the permit.

c. Automatically Permitted Development. Upon a change of zoning classification or of ordinance provisions so as to automatically permit the development. Each nonconformity, if any, existing at the time of expiration of a Site Plan and Design Review Permit pursuant to this Subparagraph shall be brought into conformance pursuant to Division 2 of Part 8 of this Chapter.

d. Ineligible Use. Upon a change of zone or of ordinance provisions so as to no longer provide that the use is eligible for a Site Plan and Design Review Permit. Termination of this use and each nonconformity thereof shall be in accordance with Division 2 of Part 8 of this Chapter.

If none of the above circumstances transpires, the Site Plan and Design Review Permit shall remain in effect indefinitely.

2. Extension. Upon application by the permit holder filed with the Director on or before the date of expiration of the permit, a permit which would otherwise expire may be extended by the Commission, or by the Council upon appeal, if the Commission or Council finds that the termination of the permit would constitute an undue hardship upon the permit holder and that the continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public. Extensions shall not be granted for more than a total of one (1) year unless a public hearing is held and approval granted in the same manner and based upon the same criteria as for the issuance of a new permit. (Added by Ord. 84-699, §§ 2, 3; Ord. 90-905, § 4; 93-1021, § 2; Ord. 03-1284, § 6)

