

ORDINANCES

SECOND READING/RECOMMENDATIONS

Description of Vote:

Maker/Second Ayes/Noes/Abstain/Absent

Legend:

JD:Dear

RR:Ruiz-Raber

DH:Davis-Holmes

MG:Gipson

ES:Santarina

ITEM NO.	ORD. NO.	TITLE	DISPOSITION
14	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)	Introduced: 9/6/11 Item No. 24 RR/MG 5/0

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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

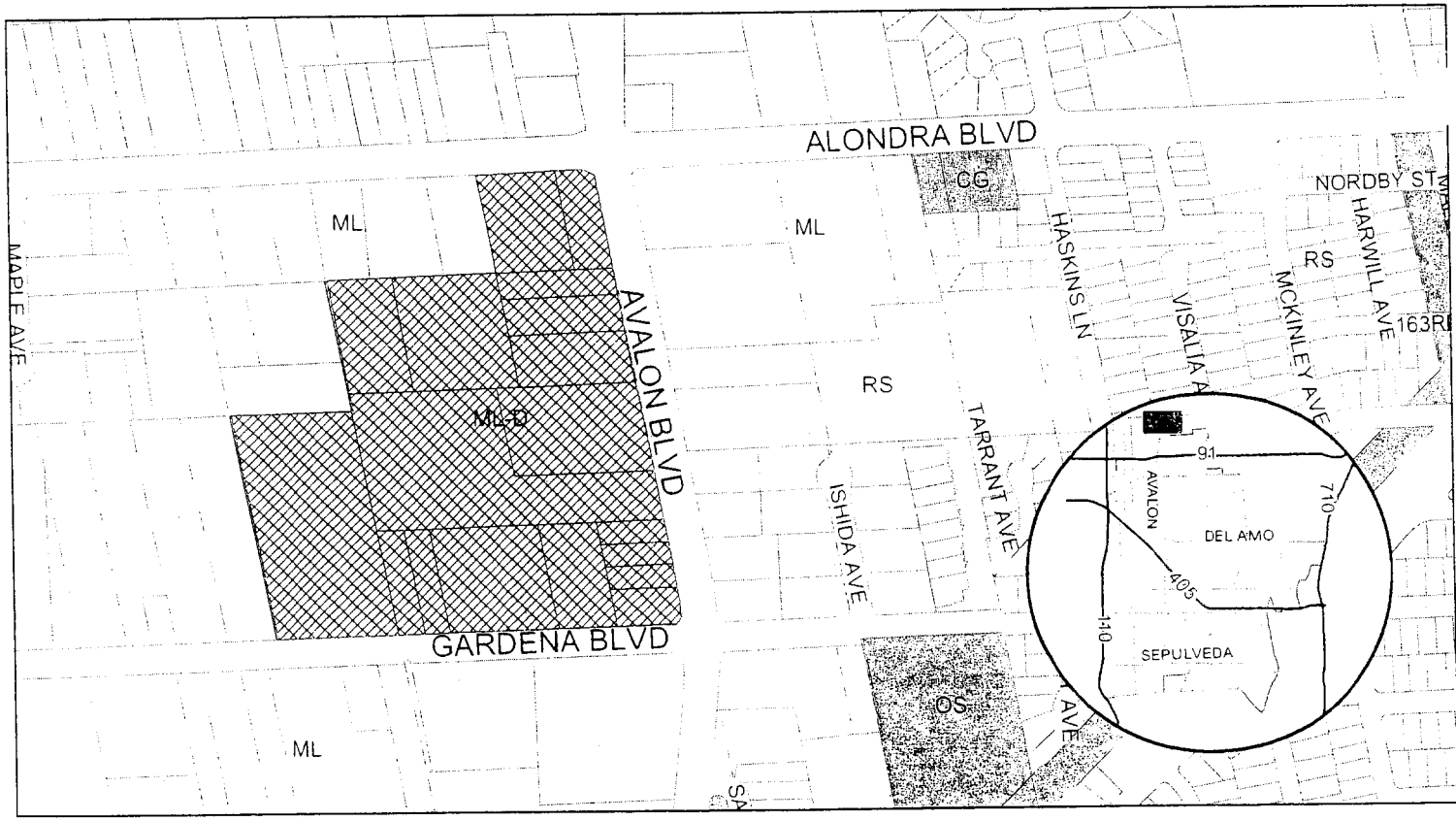
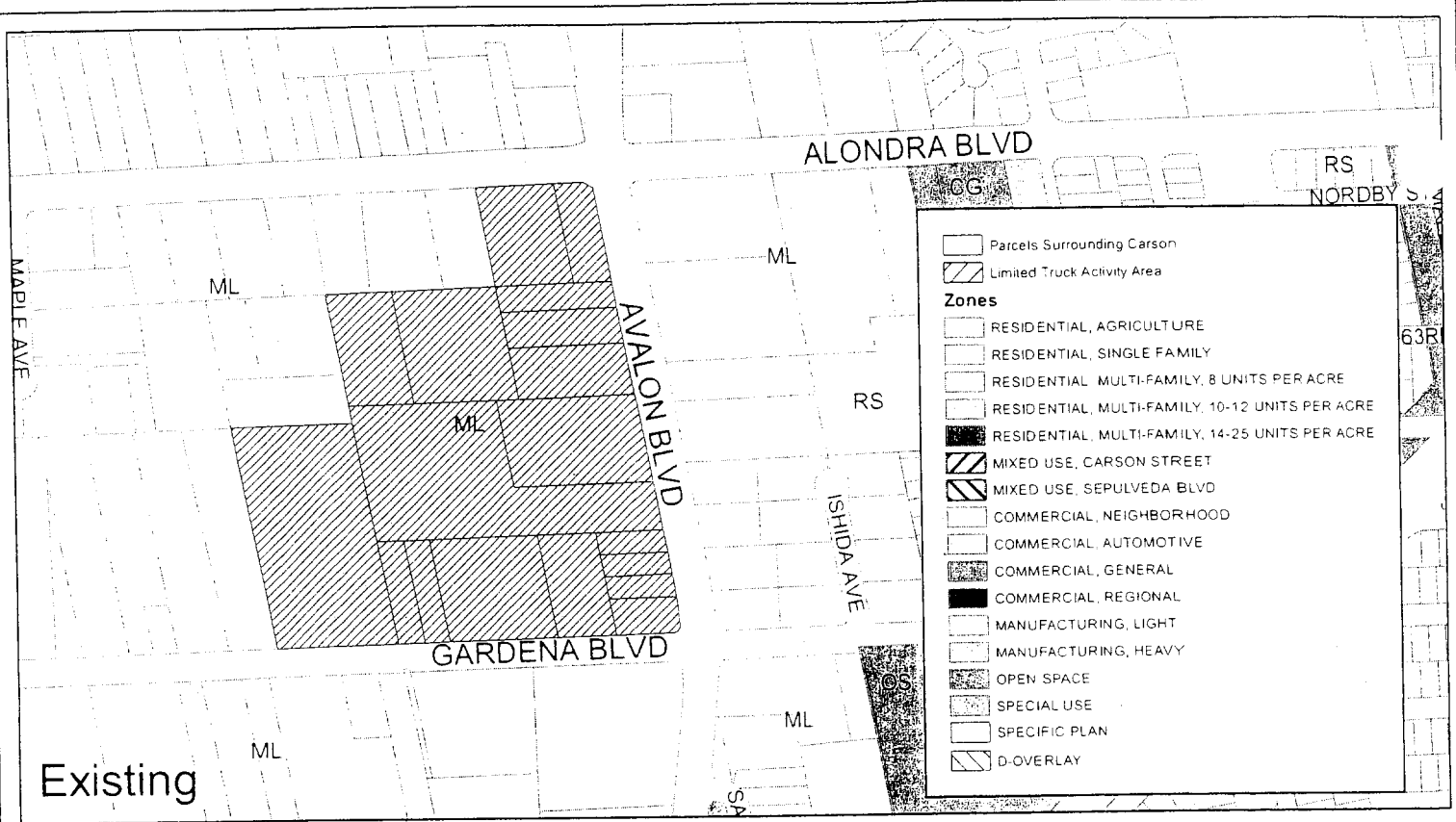
ATTEST:

City Clerk Helen Kawagoe

APPROVED AS TO FORM:

City Attorney





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

0 400 Feet

