



# CARSON PLANNING COMMISSION STAFF REPORT

**DATE:** June 10, 2025  
**FROM:** Community Development Department – Planning Division  
**BY:** McKina Alexander – A/Planning Manager  
**SUBJECT:** Public Hearing for Consideration of a Recommendation to City Council Regarding Zoning Text Amendment (ZCC 04-25)

## PROJECT/APPLICANT INFORMATION

**Project Summary:** Consideration of a Resolution recommending that the City Council make a finding of applicability of CEQA Guidelines Section 15061(b)(3) and approve various amendments to the text of the City's Zoning Ordinance related to the Community Development Director approval authority and requirements and City Council review procedures

**Project Location:** Citywide  
**Zoning:** Citywide  
**Project Applicant:** City of Carson

## I. OVERVIEW

### A. Introduction

The proposed text amendments in the new Phase 1 Zoning Code, enacted by Ordinance No. 24-2405 ("Phase 1 Code") (available at <https://www.carson2040.com/>) and the pre-existing Carson Zoning Ordinance (originally enacted by Ordinance No. 77-413, and as amended) ("Old Code") (available at <https://www.codepublishing.com/CA/Carson/#!/Carson09/Carson09010000.html>) are recommended in order to:

- Ensure that before the Community Development Director or his or her designee approves or conditionally approves any proposed new land use or development project in the City, he or she first apprises the City Manager and obtains the City's Manager's concurrence to help verify the accuracy and correctness of the decision before it is rendered. This applies to the proposed changes shown in the first three bullet points of Section II.A of this Report, below.

- Eliminate an overly burdensome administrative requirement on City staff that was added as part of the Phase 1 Code and that is not required under the Old Code nor by State law. This applies to the proposed change shown in the fourth bullet point of Section II.A of this Report, below.
- Eliminate a new requirement that was added as part of the Phase 1 Code, is not required under the Old Code nor by State law and imposes an unnecessary burden on the right of Councilmembers to request review of decisions made by the Director or the Planning Commission. This applies to the proposed change shown in the fifth bullet point of Section II.A of this Report, below.

## B. Project Description

Text Amendment (ZCC No. 04-2025) proposes modifications to Section 9173.31 of the Old Code and 9411.4, 9411.5, 9412.6, and 9412.13 of Phase 1 Code, as shown in Section II of this Report, below.

The proposed text amendments include changes to both the Phase 1 Code and the Old Code, to the extent it remains in effect and may apply to any pending or future proposed land uses or development projects in the City. The details regarding the present extent of applicability of Phase 1 Code and the Old Code are provided in Ordinance No. 24-2405. Attachment No. 1

## II. ANALYSIS

### A. Proposed Phase 1 Zoning Code Changes

The following are the recommended zone text modifications to the Phase 1 Code and the Old Code (added text shown in ***bold italics***, deleted text shown in ~~strikethrough font~~):

- Amend subsection A of Section 9173.31 (“Findings and Decision”) of the Old Code to read as follows:  
  

“In connection with each decision by the Commission or Director, written findings shall be adopted relating to the applicable criteria of the State Planning and Zoning Law and of this Chapter and based upon the hearing and the record of the case. ***The Director shall not issue any decision approving or conditionally approving a proposed use or development without first obtaining the concurrence of the City Manager or his or her designee. Any such Director decision issued without such concurrence shall be of no force or effect.***”
- Amend Section 9411.4 (“Community Development Director”) of Division 1 (“Planning Authorities”) of Part 4 (“Administration and Permits”) of the Phase 1 Code to place caveats along the lines of “Subject to the prior concurrence of the City Manager or his or her designee . . .” at the beginning of subparagraphs (B), (D), (H), (K), and (L), and

to add a new paragraph to the effect that the requirement of prior City Manager concurrence shall be deemed applicable wherever the Phase 1 Code authorizes the Director to make a decision to approve or conditionally approve a proposed use or development, that the Director shall not issue any such approval without such prior concurrence, and that any such Director approval issued without such prior concurrence shall be of no force or effect.

- Amend Section 9411.5 (“Summary of Authorities for Decisions and Appeals”) of Division 1 (“Planning Authorities”) of Part 4 (“Administration and Permits”) of the Phase 1 Code to add (a) notation(s) to Table 9411.5 (“Summary of Authorities for Planning and Zoning Decisions and Appeals”) to the effect that where “Director” is listed as the Approval Authority for “Zoning Compliance Review,” “Minor Changes to an Approved Permit (Ministerial or Discretionary),” “Temporary Use Permit,” “Development and Site Plan Review Permit,” and “Minor Use Permit,” the Director’s exercise of such authority is subject to the Director obtaining the prior concurrence of the City Manager or designee, and any such Director decision issued without such prior concurrence shall be of no force or effect.
- Amend subparagraph (2) (“Director Decisions”) of subsection (J) (“Transmission of Notice of Official Action”) of Section 9412.6 (“Public Hearings; Decisions”) of Division 2 (“Common Procedures”) of Part 4 (“Administration and Permits”) of the Phase 1 Code to read as follows:

“If the Director is the Approval Authority for the decision, then the Director shall promptly transmit the Statement of Official Action to: (i) the applicant via first-class mail to the address shown on the application; (ii) the owner of the subject property if other than the applicant, via first-class mail to the address shown on the latest equalized assessment roll; (iii) the occupant of the subject property if any other than the applicant, via first-class mail to the address of the subject property; (iv) the Planning Commission and City Council, via their City email addresses; ~~(v) all owners of record within a 750 foot radius of the subject property as shown on the latest equalized assessment roll;~~ and (vi) any person or group who has filed a written request for notice regarding the specific application with the Director or City Clerk and has paid any required fee that the City Council has adopted to provide such service.”

- Amend subsection (G) (“Calls for Review”) of Section 9412.13 (“Appeals”) of Division 2 (“Common Procedures”) of Part 4 (“Administration and Permits”) of the Phase 1 Code to read as follows:

**“Any member** ~~A majority of the quorum~~ of the City Council may call for review of a decision of the Director or Planning Commission within the appeal period. The call for review shall be processed in the same manner as an appeal by any other person. Such action shall stay all proceedings in the same manner as the filing of an appeal. Such

action shall not require any statement of reasons and shall not represent opposition to or support of an application or appeal.”

### **B. Environmental Analysis**

Consideration of the proposed Zone Text Amendment (ZCC No. 04-25) is exempt from the California Environmental Quality Act (CEQA) under the “common sense” exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the adoption of the proposed code amendments, which relate only to the City’s administrative review and noticing procedures, may have a significant effect on the environment.

### **C. Public Hearing Notice**

Public Notice was given in accordance with CMC Sections 9203.16 and 9173.22. Notice of public hearing was posted to the paper by May 22, 2025. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

## **III. CONCLUSION AND RECOMMENDATION**

Staff recommends that the Planning Commission:

ADOPT RESOLUTION NO. 25-2888, ENTITLED “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CARSON CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTION 15061(B)(3) AND APPROVE CODE AMENDMENT NO. ZCC 04-25, ADOPTION OF VARIOUS AMENDMENTS TO THE TEXT OF THE CITY’S ZONING ORDINANCE RELATED TO COMMUNITY DEVELOPMENT DIRECTOR APPROVAL AUTHORITY AND REQUIREMENTS AND CITY COUNCIL REVIEW PROCEDURES.”

### **ATTACHMENTS**

- 1) Ordinance No. 24-2405
- 2) Planning Commission Resolution No. 25-2888