

**Committee of the Proposed City Charter**

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**DRAFT PROVISIONS FOR POWERS OF THE CITY**

**SECTION 207. Economic Development, Goals and Objectives.**

The City is centrally located at the junction of the I-405, I-110, and I-91 Freeway corridors with excellent access to Downtown Los Angeles, the West Los Angeles economic hub and the Pacific Rim hub of Los Angeles/Long Beach port system, one of the largest in the world. Carson was originally seen as an excellent location for large scale industrial projects with Shell and Tesoro Refineries and major warehousing and logistics industries. Prior to incorporation and in the post second world war housing boom it became a site for county landfills and disfavored uses. The extensive landfill areas have left major sites needing cleanup, but also available for economic development. Accordingly, the city's location, major industries and employers, and significant undeveloped properties give it special development opportunities. Moreover, the State of California in 2011 dissolved redevelopment agencies pursuant to ABx1 26 and thereby eliminated the authority created in the 1950s to general law cities to undertake economic development. The City has found that its previous redevelopment program was essential to redeveloping the vacant, contaminated, and blighted parcels scarred by decades of oil and gas production, refuse dumps and landfills, auto dismantling centers, and other similar uses. Other constants have included: (i) being a low property tax city with its property taxes reallocated to other agencies; (ii) undeveloped infrastructure; (iii) the existence of wells and other oil and gas pipelines, tanks and facilities which must be removed for development, or active facilities that must be incorporated into any development plan; and (iv) the existence of essential facility-related contamination requiring significant remediation costs under current environmental and health and safety standards. The City of Carson must design and implement a local program within the authority under this charter to accomplish the City's economic develop purposes.

It is a significant goal of adopting this Charter to allow the City to pursue economic development to the maximum degree permitted by the California Constitution. To this end for purposes of eliminating blight, including private investment, providing public infrastructure, and causing the development and redevelopment pf property the city shall have the powers to:

- A. Receipt of Financial Assistance. The city may seek or accept financial or any other assistance from public or private sources, including from the state or federal government, for the city's activities, powers, and duties hereunder.
- B. Acquisition of Property. The city may purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it, including repurchase of developed property previously owned by the city.
- C. Eminent Domain. The city may acquire real property by eminent domain, and may acquire every estate, interest, privilege, easement, franchise and rights in land, including encumbrances by way of mortgage or indebtedness, or any interest arising from covenants and

conditions. Any such proceeding shall be undertaken only in accordance with the eminent domain law (Code of Civil Procedure § 1230.010 et seq.). No property currently zoned and used for residential purposes may be acquired by eminent domain for the purposes provided in this chapter.

D. Management of Property. The city may rent, maintain, manage, operate, repair and clear real property and may insure or provide for the insurance of any operations of the city against risks or hazards.

E. CC&Rs. The city may provide for the retention of controls and the establishment of any restrictions or covenants running with the land for such periods of time and under such conditions as shall be necessary to effectuate the purposes hereof.

F. Non-Discrimination. The city shall include in all deeds, leases or contracts for sale, lease, sublease or transfer of land, non-discrimination clauses.

G. Issuance of Bonds. The city may issue its bonds or other financial instruments permitted by law and expend the proceeds from their sale to carry out the purposes hereof. The bonds and obligations issued by the city also may be purchased, invested in, or used for security.

H. Site development. The city may clear or move buildings, structures or improvements from real property; may grade any site; and may develop as a building site any property owned by it. It may cause or make provisions with other agencies for the installation of streets, utilities, parks and other public improvements.

I. Property Disposition. The city may sell, lease, exchange, subdivide, transfer, assign, pledge, encumber or otherwise dispose of any real or personal property or any interest in property acquired by it.

J. Remediation. The city may investigate and evaluate the condition of the property, prepare remediation plans and obtain approval thereof from regulatory agencies, and undertake remediation in accordance with such plans.

K. Relocation. The city may provide (i) relocation assistance to persons displaced by governmental action, and (ii) aid and assistance to property owners in connection with rehabilitation loans and grants.

L. Cooperation. The city shall cooperate with other public agencies in the formulating and administration of its economic development assistance programs. The planning commissions and the legislative bodies of the city and the cooperating public agencies may hold joint hearings and meetings regarding the projects assisted hereunder.

M. Any powers exercised hereunder to carry out the purposes of this section must be carried out in accordance with any applicable state and federal law. Nothing herein shall permit the waiver of any applicable legal procedure or process.

N. Special Districts. The financing of both the development of infrastructure and services through community service districts, landscape and lighting districts, assessment districts, school facility improvement bonds, and similar special district financing mechanisms permitted by law;

O. Public Property. The use of ground leases or sale of publicly owned land, including at less than fair market value as provided herein, contractual development agreements in accordance with law, lease-lease back financing, design-build contracts, and the use of eminent domain to acquire property for the foregoing purposes;

P. Tax Rebate Agreements. The use of tax rebate or similar agreements permitted by law including for sales taxes, transient occupancy taxes, utility taxes or other taxes shared with the generator, and rebates or waivers of franchise fees, business license fees, development impact fees, or other revenue sources but any such tax may only be imposed in accordance with law;

Q. Regulatory Relief. The modification or suspension of zoning and other land use restrictions affecting the feasibility of development , density bonuses, expedited processing of entitlements, the establishment of clear and consistent regulatory regimes, creating procedures to quickly resolve disputes, clear definition of scope of environmental review and use of scoping processes;

In exercising the powers granted pursuant hereto, the City Council may by ordinance exercise the above authorities, or create a subordinate economic development authority, and/or enable the Reclamation Authority to so act to incentivize private investment by the sharing of public resources by the public agency, the reduction of regulatory burdens, asset monetization, fee producing infrastructure, alternative procurement, concession agreements, leasing arrangements, securitization of obligations, or other measures, the risks to the private person or entity can be reduced to a level whereby the development entity and investors can earn a commercially reasonable return on investment and will accordingly proceed with the project. Any program to undertake the above shall establish that any public assistance or subsidy provided to a project by the City must include a comprehensive report identifying the nature of the project, the necessity of the assistance, that the project would not occur without the assistance , the amount of the assistance, and the public benefits of the project, the payback of the project, and the regulations and conditions governing the project. The project would only be approved after a duly noticed public hearing and compliance with CEQA (Public Resources Code section 21000 *et seq.* The City shall adopt a comprehensive ordinance concerning the foregoing.

Programs may include design build contracts; tax credits; infrastructure finance districts; environmental sustainability programs; development zones; and similar legislation. Any legal structure existing currently, or enacted hereafter which permits the city legally to carry out these purposes is permitted hereunder.

#### **SECTION 208. General Land Use Authority, Goals and Objectives.**

The City of Carson while taking advantage of its location and economic opportunities, as described in Section 206, prides itself in providing exceptional services to the residents and business community it serves. It is the goal of the City to be a balanced community, providing employment opportunities, retail services, recreational activities, and quality neighborhoods, and to serve the needs of those who reside, work and recreate in the City. All such industrial, commercial, and residential development shall be undertaken with a high degree of environmental quality. In promoting balance and livability, it is the goal of the City that residents be able to reside, work, purchase goods and services, attend school, recreate, and otherwise enjoy the civil society, natural environment and other amenities of Carson.

Except as otherwise provided by ordinance of the City Council, the City shall have the full power to enact regulatory land use measures, including but not limited to the following:

- (a) Creation of a general plan for the long-term growth and orderly development of the City consistent with the foregoing policies.
- (b) Creation of a zoning ordinance which shall be consistent with the general plan and provides the City's general land use regulations.
- (c) Enact specific plans, overlay control districts or other similar matters for the regulation and development of land.
- (d) Abate public nuisances which depreciate property values.
- (e) Make determinations pursuant to the California Environmental Quality Act to protect the quality of the environment.
- (f) Approve the subdivision or re-subdivision of property.
- (g) Establish a site design and review process for development applications to assure high development quality and compatibility with adjacent uses.
- (h) Establish procedures to approve conditional uses, variances and other land use entitlements.
- (i) Establish regulations which are sensitive to the industrial history of the City and allow the City to remediate, redevelop, address such issues in the benefit of public health and general welfare and to increase property values within the City.
- (j) Establish procedures for preserving mobilehome parks/affordable housing through zoning issues.
- (l) Establish measures to mitigate for the impacts of development on adjacent property and the City generally through land use regulations, requirements that the developer provide appropriate infrastructure improvements, imposition of impact mitigation fees, assessments for construction of infrastructure improvements, and similar measures.
- (m) Condition development to provide for the maintenance in a first class condition of all improvements and public safety through recorded covenant agreements, assessments and other measures to assure new development is adequately maintained and pays its fair share of the costs imposed.

#### **SECTION 209. Oil and Gas Regulation.**

## SECTION 210. Marijuana Regulation.

The City of Carson regulates cannabis activities so as to protect and promote the public health, safety, and welfare. By Ordinance No. 17-1637, outdoor personal cannabis cultivation is prohibited, and indoor personal cannabis cultivation is restricted. The City has authorized up to four (4) commercial cannabis operation centers, which may be comprised of more than one of each of the commercial activities of cultivation, manufacturer, testing, or distributor. An increase to the number of authorized commercial cannabis operation centers may be proposed by a majority vote of the members of the city council, or by initiative by the People of the City of Carson. No such proposal to increase the number of authorized commercial cannabis operation centers shall be effective until approved by a majority vote of the voters voting at a statewide general election or special municipal election. A decrease to the number of authorized commercial cannabis operations may be adopted by a majority vote of the city council.