

ORDINANCE NO. 08-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF CARSON REGARDING THE  
MAXIMUM HEIGHT OF BUILDING-MOUNTED ARCHITECTURAL  
FEATURES WITHIN THE MU-CS (MIXED-USE – CARSON STREET)  
ZONE**

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

**Section 1. Code Amendment.** Section 9138.17(D)(6) (Mixed-Use – Carson Street, Site Requirements, Building Height) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by adding the following underlined text as follows:

6. Building Height.

- 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.
- 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.

**Section 2. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or contrary to state law, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or contrary to state law.

**PASSED, APPROVED and ADOPTED** this    day of           , 2008.

ATTEST:

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CITY CLERK

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MAYOR

APPROVED AS TO FORM:

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CITY ATTORNEY