

CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 08-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING APPROVAL OF ORDINANCE NO. 08-_____ TO THE CITY COUNCIL

THE PLANNING COMMISSION OF THE CITY OF CARSON HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. The Planning Commission held a public hearing and recommended approval to the City Council of an Ordinance Amendment to the Carson Municipal Code regarding structure height within the MU-CS (Mixed-Use – Carson Street) zone, as described in Exhibit “A”.

A public hearing was duly held on February 26, 2008, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California by the Planning Commission of the City of Carson. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. At the February 26, 2008 Planning Commission meeting, the Commission discussed the adequacy of the current ordinance, considered appropriate alternatives, reviewed the effects of such proposal on adjacent properties, and reviewed aesthetic requirements and processing procedures for approval of architectural features which exceed the maximum height requirement of the MU-CS zone. The Commission then directed staff to prepare an ordinance amendment that permits architectural features to exceed the maximum height requirement of the MU-CS zone.

Section 4. Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the proposed project is an amendment and improvement to the existing standards and guidelines in the Municipal Code regarding the maximum height permitted in the MU-CS zone and is exempt under the general rule. The ordinance amendment will generate no significant environmental impacts.

Section 5. The Planning Commission finds that:

- a) The proposed ordinance amendment is intended to establish vehicle repair and service facilities within appropriate zoning locations in the city, reviewing aesthetic requirements and processing procedures for these types of uses, while analyzing the effects of such uses on adjacent properties.

- b) Vehicle repair and service uses are not subject to development standards governing aesthetic design nor mitigation of potential noise, dust, fumes, traffic and other adverse environmental impacts affecting neighboring commercial, industrial and residential areas.
- c) The lack of a conditional use permit prevents the city from addressing aesthetic standards, such as decorative walls, fences, architectural enhancements, buffer zones, landscaping and other mitigating measures necessary for the compatibility of such uses with existing and anticipated development in the surrounding area.
- d) The unregulated operation of several vehicle repair and service facilities, have resulted in adverse physical, functional and aesthetic impacts on adjacent properties and are incompatible with the intended goals of the General Plan.
- e) The proposed ordinance amendment will ensure that vehicle repair and service uses include development standards designed to mitigate existing and potential noise, dust, fumes, traffic and other adverse environmental impacts affecting neighboring residential and commercial areas. Examples of these development standards may include, but are not limited to, walls, fences, buffer zones, landscaping and other mitigating measures.
- f) The proposed ordinance amendment will promote aesthetic improvements to provide a consistency with surrounding or planned developments by introducing a series of compatible architectural styles that will add to the variety and interest of the street.
- g) The proposed five year amortization period provides adequate time for existing vehicle repair and service facilities to obtain a conditional use permit, considering all existing legal encroachments and setbacks will be allowed to remain indefinitely. Also when approving a conditional use permit, the Commission shall make findings regarding applicable development standards contained in Section 9138.2 and modify such requirements or limitations contained herein, which in the opinion of the Commission, are inappropriate or inapplicable either to the intended use of the property, to the property itself or to adjacent property.
- h) The proposed ordinance amendment is consistent with the policies and goals of the General Plan, Zoning Ordinance and Redevelopment Project areas.
- i) The City Council should be sensitive to the needs of small businesses when compliance would create a serious financial burden.
- j) Staff should promote such programs as commercial rehabilitation assistance and other Redevelopment Agency programs which may be able to provide financial assistance to affected businesses.
- k) The City consider providing relief of the fees (CUP), if a financial burden exists.

- l) The Planning Commission further finds that the proposed project is an amendment and improvement to the existing standards and guidelines in the Carson Municipal Code and is exempt under the general rule, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA). The ordinance amendment will therefore generate no significant environmental impacts.

Section 6. Based on the aforementioned findings, the Planning Commission hereby recommends approval to the City Council of an amendment to the Carson Municipal Code regarding the maximum height of architectural features within the MU-CS zone, as described in Exhibit "A".

Section 7. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 8. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 26th DAY OF FEBRUARY, 2008.

CHAIRMAN

SECRETARY