

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 25-2888

**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**

WHEREAS, studies and investigations were made, and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the 10th of June 2025, conduct a duly noticed public hearing as required by law to consider recommending that the City Council adopt certain zoning ordinance text amendments as provided herein.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, DETERMINES, DECLARES AND RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Planning Commission hereby intends to and does initiate consideration of an amendment to the text of the City's zoning ordinance as provided herein.

SECTION 3. The Planning Commission further finds as follows:

A. The text amendments recommended in this Resolution are consistent with the applicable requirements of State and federal law.

B. The text amendments recommended in this Resolution are consistent with the policies of the City's General Plan and any applicable Specific Plan and will not substantially impair achieving such plans' objectives.

C. The text amendments recommended in this Resolution are consistent with the purpose of the Zoning Code to promote the growth of the City in an orderly manner and to promote and protect the public health, safety and general welfare.

D. The text amendments recommended in subsections A through C of Section 3, below, 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 of the proposed approval and obtains the City's Manager's concurrence to help verify the accuracy and correctness of the decision before it is rendered. This includes changes to both the City's new Phase 1 Zoning Code as enacted by Ordinance No. 24-2405 in 2024 (and as amended) (hereinafter, the "Phase 1 Code") and the City's pre-existing Zoning Ordinance to the extent it remains in effect and may apply to any pending or future proposed land uses or development projects in the City (hereinafter, the "Old Code"). The details regarding the present extent of applicability of Phase 1 Code and the Old Code are provided in Ordinance No. 24-2405.

E. The text amendment recommended in subsection D of Section 3, below, is in order to 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.

F. The text amendment recommended in subsection E of Section 3, below, is to 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.

SECTION 4. Based on its independent review of the analysis set forth in the staff report and incorporated herein by this reference as a finding of fact, and the administrative record as a whole, pursuant to CEQA Guidelines Section 15061(b)(3), the resolution for ZTA 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.

SECTION 5. Based on the foregoing, the Planning Commission hereby recommends that the City Council adopt (an) appropriate ordinance(s) to make the following text amendments to the Phase 1 Code and the Old Code (added text shown in ***bold italics***, deleted text shown in ~~strikethrough font~~):

A. 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.***"

B. 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.

C. 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.”

D. 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.”

E. 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.”

SECTION 6. This Resolution shall take effect immediately upon its adoption.

SECTION 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and ADOPTED THIS 10TH DAY OF JUNE 2025.

CHAIRPERSON

ATTEST:

SECRETARY