



# 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) and the pre-existing Carson Zoning Ordinance (originally enacted by Ordinance No. 77-413, and as amended) ("Old Code") (available at 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

## **ORDINANCE NO. 24-2405**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, MAKING A DETERMINATION OF APPLICABILITY OF CEQA GUIDELINES SECTION 15168(c)(2) AND APPROVING ZONING TEXT AMENDMENT NO. 195-23 AND ZONE CHANGE NO. 190-23 FOR A PHASE 1 COMPREHENSIVE RESIDENTIAL AND MIXED-USE UPDATE AND AMENDMENT TO THE CARSON ZONING ORDINANCE AND ZONING MAP**

**WHEREAS**, on September 6, 2022, following a Planning Commission recommendation and duly noticed public hearings, the City Council adopted Resolution No. 22-193, adopting an addendum to a previously approved mitigated negative declaration and approving General Plan Amendment No. 22-01, a Subsequent Draft Revision to the City's Housing Element (a part of the City's General Plan) for the 2021-2029 planning period. The September 6, 2022 version of the adopted Housing Element was an update to a version of the Housing Element for the 2021-2029 planning period that the City Council had adopted in or about February of 2022, and contained revisions from said prior version that were made in response to comments from the California Department of Housing and Community Development ("HCD") in the course of its review for compliance with State Housing Law requirements. Pursuant to a City Council delegation of authority set forth in Resolution No. 22-193, additional minor modifications were made via Community Development Director approval in response to further comments of HCD.

**WHEREAS**, in November of 2022, the final modified version of the 2021-2029 Housing Element was submitted for HCD review and was approved by HCD as meeting the requirements of the State Housing Law via a letter dated November 8, 2022. However, because said approval was given after October 15, 2023, HCD indicated the City must complete certain rezoning action for a determination of full compliance. Specifically, the HCD letter stated, "[t]he adopted housing element meets the statutory requirements of State Housing Element Law (Gov. Code, Article 10.6). However, the housing element cannot be found in full compliance until the City has completed necessary rezones to address the shortfall of sites to accommodate the Regional Housing Needs Allocation (RHNA) pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021)." The final, approved version of the 2021-2029 Housing Element is available at <https://www.carson2040.com/>, where it was published in November of 2022 ("Housing Element").

**WHEREAS**, Program 5 in Section 6.2 of the Housing Element provides that the City will undertake an update to its Zoning Ordinance to overcome governmental constraints to development in Carson, and that amendments to facilitate housing production would include the items listed in said Program 5, including (among other things) rezoning sites identified in the Housing Element's housing sites inventory to permit anticipated allowable densities per the 2040 General Plan and to ensure compliance with all by-right requirements provided in Government Code Section 65583.2(h)-(i).

**WHEREAS**, on April 4, 2023, following a Planning Commission recommendation and duly noticed public hearings, the City Council, by adoption of Resolution No. 23-062, approved and certified a Final Environmental Impact Report ("Carson 2040 General Plan EIR") and adopted General Plan Amendment No. 115-23, a comprehensive update and amendment to all elements of the Carson 2040 General Plan with the exception of the previously-approved Housing Element (referred to collectively with the Housing Element herein as the "Carson 2040 General Plan"), including the following elements: Land Use and Revitalization; Circulation; Community Character and Design; Recreation and Active Lifestyle; Community Health and Environmental Justice; Community Services, Education and Safety; Open Space and Environment Conservation; Noise; Economic Development; and Housing. Multiple elements of the Carson

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2040 General Plan contemplate or necessitate an update to the Carson Zoning Ordinance (Chapter 1 of Article IX of the Carson Municipal Code), including the Land Use Element, which establishes a new land use framework and classifications for the City, as the City's Zoning Ordinance is required by State law to be consistent with the City's General Plan. The Carson 2040 General Plan and the Carson 2040 General Plan EIR are available at <https://www.carson2040.com/> and are incorporated herein by reference.

**WHEREAS**, pursuant to adoption of the Carson 2040 General Plan, the City has initiated Zoning Text Amendment ("ZTA") No. 195-23 and Zone Change ("ZC") No. 190-23 to effectuate Phase 1 of a comprehensive residential/mixed-use update and amendment to the Carson Zoning Ordinance and Zoning Map. More specifically, ZTA No. 195-23 will establish the permitted uses, development standards, and procedures applicable to development in the residential and residential/commercial mixed-use zoning districts of the new Carson Zoning Ordinance (specifically, the new Low Density Residential, Low-Medium Mix Residential, Medium Density Residential, High Density Residential, Corridor Mixed-Use, and Downtown Mixed-Use Zoning Districts and the Mobilehome Park Overlay District) and to residential development in the Flex District housing sites identified in the Housing Element sites inventory, to the extent provided in Exhibit "B" attached hereto, with current Carson Zoning Ordinance provisions remaining in effect as to other, non-residential development. ZC No. 190-23 will effect a zone change for the properties in said new residential and mixed-use zoning districts, and for the Flex District housing sites inventory properties to the extent necessary to carry out Program 5 of the Housing Element and gain full HCD certification, as shown/provided in Exhibit "C" attached hereto.

**WHEREAS**, these changes are intended to make the Carson Zoning Ordinance and Zoning Map consistent with the Carson 2040 General Plan, applicable state laws and City Charter provisions, and contemporary planning practices and standards, to the extent of the Phase 1 update. The comprehensive Zoning Ordinance and Zoning Map update/amendment pertaining to non-residential zoning districts (aside from the Flex District housing sites) and to matters so notated and/or left blank in Exhibits "B"- "C" attached hereto is being deferred to a Phase 2, which will be heard at a later date to be determined following a separate notice of public hearing, and the existing Carson Zoning Ordinance and Zoning Map provisions related thereto will remain in effect following adoption of Phase 1 until such time as Phase 2 is adopted. Development in such purely industrial and commercial zones involves distinct land use and planning issues, considerations and circumstances warranting separation from the housing-oriented focus of Phase 1, and is intended to be separated from the proposed Phase 1 action accordingly. Phase 1 can be implemented independently of, and does not rely upon or commit the City to adoption of, Phase 2 or any portion thereof.

**WHEREAS**, the Planning Commission, upon giving the required notice, did on the 31st day of January, 2024, conduct a duly noticed public hearing as required by law to consider said proposed action. Following the hearing, the Planning Commission adopted Planning Commission Resolution No. 24-2862, recommending that the City Council make a determination of applicability of CEQA Guidelines Section 15168(c)(2) and approve Zoning Text Amendment No. 195-23 and Zone Change No. 190-23.

**WHEREAS**, the City Council, upon giving the required notice, did on the 6th day of March, 2024, conduct a duly noticed public hearing as required by law to consider said proposed action and the Planning Commission's recommendation thereon.

**WHEREAS**, all of the legal prerequisites to adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**SECTION 1. RECITALS.** The foregoing recitals are true and correct, and are incorporated herein by this reference.

**SECTION 2. FINDINGS.** The City Council hereby finds as follows:

A. The proposed Phase I update is consistent with the Carson 2040 General Plan and all applicable specific plans.

B. The proposed Phase I update will, among other things:

1. Effectuate the rezoning required pursuant to the City's Housing Element and satisfy the above-referenced programs and commitments made by the City in adopting its Housing Element, including satisfying Program 5 and completing the necessary rezones to address the shortfall of sites to accommodate the City's Regional Housing Needs Allocation (RHNA) pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), thereby enabling and entitling the City to obtain full HCD certification of compliance with State Housing Law;

2. Make the City's Zoning Ordinance consistent with the Carson 2040 General Plan to the extent of the scope of the Phase I update, including with respect to the land use framework and classifications set forth in the Land Use Element, thereby enabling the City to comply with State law requiring consistency of the Zoning Ordinance with the General Plan and facilitating clarity and certainty for the City and the public in regards to processing of pending development projects;

3. Promote the compatibility of adjacent and neighboring land uses for the general public welfare;

4. Modernize the City's planning and land use standards and practices and bring them up to date with applicable provisions of current State law and the City's Charter; and

5. Carry through certain key parts of the City's current Zoning Ordinance, such as current CMC Section 9128.21 ("Relocation Impact Reports") and the provisions of Ordinance No. 23-2303 regarding the Mobilehome Overlay District, without any substantive amendment.

**SECTION 3. CEQA.** Based on its independent review of the analysis set forth in Exhibit "A," attached hereto and incorporated herein by this reference as a finding of fact (the "ESA Report"), and the administrative record as a whole, pursuant to CEQA Guidelines Section 15168(c)(2), the City Council, in the exercise of its independent judgment, hereby finds that pursuant to CEQA Guidelines Section 15162, no subsequent EIR would be required for the proposed activity (i.e., the proposed Phase 1 update), and the proposed activity is within the scope of the Carson 2040 General Plan EIR, and that the City (as lead agency, acting via the City Council) can therefore approve the proposed activity as being within the scope of the project covered by the Carson 2040 General Plan EIR, and no new environmental document is required for approval of the proposed activity.

Specifically, pursuant to CEQA Guidelines Section 15162, the City Council finds, on the basis of substantial evidence in light of the whole record, that: (1) no substantial changes are proposed in the project which will require major revisions of the Carson 2040 General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the Carson 2040 General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (3) there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Carson 2040 General Plan EIR was certified as complete, that shows any of the following: (A) The project will have one or more significant effects not discussed in the Carson 2040 General Plan EIR; (B) Significant effects previously examined will be substantially more severe than shown in the Carson 2040 General Plan EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the Carson 2040 General Plan EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Accordingly, the City Council, based on its independent review of the ESA Study and the administrative record as a whole and in the exercise of its independent judgment, finds that pursuant to CEQA Guidelines Section 15162, no subsequent EIR would be required for the proposed activity and that, pursuant to CEQA Guidelines Section 15168(c)(2), the proposed activity is within the scope of the Carson 2040 General Plan EIR, and accordingly determines, pursuant to CEQA Guidelines Section 15168(c)(2), that the City can approve the proposed activity as being within the scope of the project covered by the Carson 2040 General Plan EIR and no new environmental document is required, and directs staff to file a notice of such determination as required by law.

**SECTION 4. APPROVAL OF ZTA NO. 195-23 AND ZC NO. 190-23.** Based on the foregoing findings, the City Council hereby takes the following actions:

A. Approves Zoning Text Amendment (ZTA) No. 195-23, a text amendment pursuant to CMC Section 9172.11, by adopting the provisions of the new/updated Carson Zoning Ordinance set forth in Exhibit "B" hereto establishing the permitted uses, development standards, and procedures applicable to development in the residential and residential/commercial mixed-use zoning districts of the new Carson Zoning Code (including the Mobilehome Overlay District, which is being carried through the update without substantive amendment, as well as the Low Density Residential, Low-Medium Mix Residential, Medium Density Residential, High Density Residential, Corridor Mixed-Use, and Downtown Mixed-Use Zoning Districts), and to residential development in the Flex District on the housing sites identified in the Housing Element sites inventory (collectively, the "Residential Zones"), except as follows:

1. The following types of provisions shall be deemed excluded from this action, with current Carson Zoning Ordinance provisions (as they existed immediately prior to this Ordinance; hereinafter, the "Old Code") remaining in effect as to such matters: (i) Provisions which are left blank or with only a placeholder (including the "--" use permitting designation; for the avoidance of doubt, when this placeholder designation appears in a row of Table 9212.2, the use permitting designation [e.g., CUP] that applied to the type of use listed in that row under the Old Code for

the zone in which a given property was located immediately prior to this Ordinance [which, in the case of properties that are in the Flex District General Plan land use classification but that are not FLX Housing Sites, will also be the same zone that will continue to apply following this Ordinance, because such properties are not being rezoned by this Ordinance] shall continue to apply to such use on such property following this Ordinance); (ii) provisions which are labeled with a "Phase 2" notation (for the avoidance of doubt, when such notation appears in the "Additional Regulations" column of a given row in Table 9211.2 or 9212.2 with reference to a Division of Part 3-B that is left blank/deferred to Phase 2 [e.g., "See Part 3-B, Division 14 (Phase 2)]," then unless otherwise expressly provided, the deferral shall apply only to the special requirements applicable to the type of use listed in that row [meaning that except as otherwise expressly provided, the special requirements applicable to that type of use under the Old Code, e.g., those in Division 8 of Part 3 of the Old Code, shall continue to apply], not to the use permitting designations themselves; to the extent the use permitting designations in the row are filled in with substantive designations [e.g., "CUP"] rather than the "-" placeholder, the use permitting designations of this Ordinance shall apply); (iii) provisions which by their terms would apply to regulate land uses or development in non-Residential Zones, to the extent they would so apply; and/or (iv) provisions which by their terms would apply to regulate properties that are in either of the industrial (M-L and M-H) zones under the current Carson Zoning Ordinance/zoning (as they existed immediately prior to this Ordinance), to the extent they would so apply, except for regulations related to allowing residential development on Flex District properties that are identified as housing inventory sites in the Housing Element (each, a "FLX Housing Site"), which regulations shall be included in this action. Any cross-references to such excluded provisions shall be deemed to instead refer to relevant provisions of the Old Code.

B. Approves Zone Change (ZCC) No. 190-23, effecting a zone change pursuant to CMC 9172.13 for the properties delineated in Exhibit "C" hereto, from their current zones to the zones designated in Exhibit "C" hereto (with the zones of other properties remaining unchanged). Notwithstanding the foregoing, and for the avoidance of doubt, the City Council, by adoption of Ordinance No. 23-2303 on May 2, 2023, has already established the Mobile Home Park Overlay District and applied it to the same properties that are delineated as being within said overlay district in Exhibit "C" hereto, and this action does not effectuate or include any zone change pertaining to the existing Mobile Home Park Overlay District, as the City Council's intent is to carry the provisions of City Ordinance No. 23-2303 through this Phase 1 update without substantive amendment.

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days after its adoption.

**SECTION 7. CERTIFICATION.** The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be posted and codified in the manner required by law.

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[signatures on the following page]

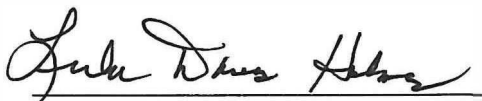
**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council on this 19th day of March 2024.

APPROVED AS TO FORM:




Sunny K. Soltani, City Attorney

CITY OF CARSON:



Lula Davis-Holmes, Mayor

ATTEST:

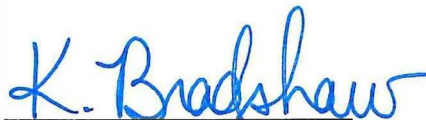


Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON                )

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance No. 24-2405 passed first reading on the 6<sup>th</sup> day of March 2024, adopted by the Carson City Council at its meeting held on the 19<sup>th</sup> day of March 2024, by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Davis-Holmes, Hilton, Dear, Hicks, Rojas
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None
RECUSED:	COUNCIL MEMBERS:	None



Dr. Khaleah K. Bradshaw, City Clerk

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON               )

I, Dr. Khaleah K. Bradshaw, City Clerk of the City of Carson, California, do hereby certify that Ordinance No. 24-2405 has been duly and regularly published according to law and the order of the City Council of said City and that same was so published in Our Weekly, newspaper of general circulation on the following date:

Adopted Ordinance: March 26, 2024

In witness whereof, I have hereunto subscribed my name this 8<sup>th</sup> day of April,  
2024.

K. Bradshaw

Dr. Khaleah K. Bradshaw, City Clerk

**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.**

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**CHAIRPERSON**

**ATTEST:**

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**SECRETARY**