

ORDINANCE NO. 20-2013

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, APPROVING ZONE CHANGE NO. 183-20 TO CHANGE THE ZONE FROM MH-D (MANUFACTURING, HEAVY – DESIGN OVERLAY) TO ML-D (MANUFACTURING, LIGHT, DESIGN OVERLAY) FOR APN 7315-008-049

WHEREAS, an application was duly filed by the applicant, Mark Payne, on behalf of Panattoni Development Company, with respect to the real property located at 2112 E. 223rd Street in the City of Carson (Los Angeles County Assessor Parcel No. 7315-008-049), and legally described in Exhibit "A" attached hereto, requesting the following entitlements to construct three tilt-up warehouses totaling 292,400 square feet with associated surface parking on a 14.2 acre project site:

- General Plan Amendment No 107-19 to change the land use designation from Business Park (BP) to Light Industrial (LI);
- Zone Change No. 183-20 to change the existing zoning from MH-D (Manufacturing, Heavy; Design Overlay) to ML-D (Manufacturing, Light; Design Overlay);
- Design Overlay Review No. 1813-19 to permit the design of the proposed project;
- A Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, the project application was deemed complete on December 19, 2019; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the project on July 29, 2020, during which it considered all evidence presented, both written and oral, and at the conclusion of which it adopted Resolution No. 20-2699, approving Design Overlay Review No. 1813-19 (subject to required City Council approvals), and recommending to the City Council approval of MND/MMRP, Zone Change No. 183-20, and General Plan Amendment No. 107-19 for the proposed project, subject to the conditions of approval attached to said resolution as Exhibit "B;" and

WHEREAS, on August 18, 2020, the City Council adopted Resolution No. 20-135, approving the MND/MMRP for the proposed project and approving General Plan Amendment No. 107-19.

WHEREAS, the City Council desires, by this ordinance, to approve Zone Change No. 183-20 for the proposed project as recommended by the Planning Commission, in connection with its approval of the other entitlements associated with the Project pursuant to Planning Commission Resolution No. 20-2699 and City Council Resolution No. 20-135.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON HEREBY ORDAINS AS FOLLOWS:

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

SECTION 2. With respect to Zone Change No. 183-20, the City Council finds that:

- a) The zone change consists of changing the existing zoning designation of the parcel from MH-D (Manufacturing, Heavy – Design Overlay) to ML-D (Manufacturing, Light – Design Overlay).
- b) Changing the zoning on the project site to ML-D as proposed will allow the proposed use on the 14.2-acre project site, and will thereby facilitate the development of the project. The

"down zoning" of the property is a preferred method to reduce the impacts of the heavy industrial uses on the community.

- c) The proposed zone change is compatible and consistent with the General Plan. The Light Industrial General Plan Land Use designation for the project site allows the proposed use.
- d) The zone change from MH-D to ML-D is compatible with the surrounding uses and is compatible/consistent with the General Plan land use designation of Light Industrial.

SECTION 3. Based on the aforementioned findings, the City Council hereby approves Zone Change No. 183-20, subject to the conditions of approval attached as Exhibit "B" to Planning Commission Resolution No. 20-2699.

SECTION 4. 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 5. This ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 6. 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.

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council on this 1st day of September, 2020.

All Exhibits can be found on the City of Carson's website at <http://ci.carson.ca.us> or a printed version can be provided at no cost to you by contacting the City Clerk's Office at 310-952-1720.

APPROVED AS TO FORM:

CITY OF CARSON:

/s/
Sunny K. Soltani, City Attorney

/s/
Albert Robles, Mayor

ATTEST:

/s/
Donesia Gause-Aldana, MMC, City Clerk

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

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance 20-2013 passed first reading on the 18th day of August, 2020, adopted by the Carson City Council at its meeting held on the 1st day of September, 2020, by the following roll call vote:

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

/s/
Donesia Gause-Aldana, MMC, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE 398.11 ACRE TRACT ALLOTTED TO ANA JOSEFA DOMINGUEZ DE GUYER, BY DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, IN CASE NO. 3284 OF THE SUPERIOR COURT OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF THAT CERTAIN 10 ACRE PARCEL OF AND DESCRIBED IN THE DEED TO THE AMERICAN CHEMICAL CORPORATION, RECORDED ON JULY 10, 1959 AS INSTRUMENT NO. 4139 IN BOOK D-533 PAGE 307, OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTH 89 DEGREES 45' 25" WEST 469.06 FEET; THENCE NORTH 0 DEGREES 14' 35" WEST 434.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 45' 25" EAST 444.06 FEET; THENCE SOUTH 0 DEGREES 14' 35" EAST 42.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 296.34 FEET; THENCE SOUTHERLY ALONG SAID CURVE 178.22 FEET (THROUGH AN ANGLE OF 34 DEGREES 24' 00") TO A POINT; THENCE SOUTH 37 DEGREES 29' 07" EAST 67.14 FEET; THENCE SOUTH 42 DEGREES 44' 35" EAST 112.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEAST HAVING A RADIUS OF 296.04 FEET; THENCE EASTERLY ALONG SAID CURVE 123.38 FEET (THROUGH AN ANGLE OF 23 DEGREES 48' 56") TO A POINT, A RADIAL LINE AT SAID POINT BEARS NORTH 23 DEGREES 26' 29" EAST; THENCE NORTH 89 DEGREES 43' 25" EAST TO THE WESTERLY LINE OF THE LAND DESCRIBED IN DEED TO WHITE STAR OIL COMPANY, RECORDED IN BOOK 2819 PAGE 159, OF OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY LINE NORTH 17 DEGREES 11' 52" EAST 972.53 FEET TO THE SOUTHERLY LINE WILMINGTON STREET, (NOW 223RD STREET) 66.00 FEET WIDE; THENCE SOUTH 89 DEGREES 45' 25" WEST, ALONG SAID WILMINGTON STREET, 1082.51 FEET TO A LINE BEARING SOUTH 0 DEGREES 14' 35" EAST AND PASSES THROUGH THE TRUE POINT OF BEGINNING; THENCE ALONG LAST SAID LINE, SOUTH 0 DEGREES 14' 35" EAST TO THE TRUE POINT OF BEGINNING.

EXCEPTING ALL OIL, GAS AND OTHER HYDROCARBONS AND ALL OTHER MINERALS IN, UNDER OR RECOVERABLE FROM SAID REAL PROPERTY HEREINABOVE DESCRIBED AND THE RIGHT TO EXPLORE, MINE, DRILL AND OPERATE FOR THE SAME AND TO PRODUCE AND REMOVE THE SAME BUT WITHOUT THE RIGHT TO ENTER UPON THE SURFACE OF SAID REAL PROPERTY HEREINABOVE DESCRIBED FOR SAID PURPOSES, AS EXCEPTED BY RICHFIELD OIL CORPORATION, A CORPORATION, IN DEEDS RECORDED JULY 10, 1959 IN BOOK D-533 PAGE 307, OFFICIAL RECORDS, AS DOCUMENT NO. 4139 AND AS RESERVED IN DEED RECORDED JUNE 14, 1942 AS DOCUMENT NO. 4764 IN BOOK D-1649 PAGE 371 OF OFFICIAL RECORDS.

APN: 7315-008-049