

CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 19-2670

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING ARTICLE 5 (SANITATION AND HEALTH), CHAPTER 9 (RESIDENTIAL PROPERTY REPORT) SECTION 5902 (REQUIRED) OF THE CARSON MUNICIPAL CODE TO REPEAL THE RESIDENTIAL PROPERTY RERPORT (RPR) REQUIREMENT FOR ALL RESIDENTIAL REAL PROPERTY SALES

WHEREAS, on April 20, 1999, the City established the Residential Property Report (RPR) Program (“The Program”) with the intent to preserve and improve the quality of neighborhoods in Carson. The report identifies building code and zoning violations of residential properties and requires the seller to correct violations prior to closing of escrow of residential real property sales. Building and Safety inspectors create residential property reports during pre-sale inspections; and

WHEREAS, on July 19, 2016, at the direction of the City Council, an RPR Ad Hoc Committee (Committee) was formed to evaluate the Program and to meet with members of the South Bay Association of Realtors and other interested parties to gather input, discuss concerns and return with recommendations to the City Council; and

WHEREAS, The Committee met several times in the last three years and considered several options to modify the Program. At the June 12, 2018 meeting the Committee agreed to end the Program based on the following assumptions:

- Real estate professionals will be responsible for correcting outstanding building and zoning code violations;
- There will be costs savings to the City realized by eliminating a financially subsidized program;
- Ending pre-sale inspections will reduce the City’s liability exposure; and

WHEREAS, on April 2, 2019, based on the recommendation of the Committee, the City Council directed staff to formally eliminate the Program and bring this matter before the City Council for decision. At that time, the City Council made the following requests (Exhibit No. 1):

- Notify the South Bay Association of Realtors of the proposed change and public hearing date before the City Council;
- Meet with the South Bay Association of Realtors prior to City Council public hearing;
- Recommend removing County liens/notes on all properties affected by the Program;
- Create a checklist consisting of a realtor’s responsibilities for the sale of residential properties to ensure all Building and Planning code violations are addressed by the real estate professionals;
- The City will continue to be responsible for addressing illegal garage conversions and additions; and

WHEREAS, after reviewing the entire project record, it has been determined that there is no substantial evidence that Zoning Ordinance No. 19-1935 will have a significant effect on the environment; and

WHEREAS, on May 16, 2019, the Planning Division published a public hearing in the “Our Weekly”; and

WHEREAS, on May 28, 2019 and July 9, 2019, the Planning Commission conducted a duly noticed public hearing on the proposed amendment, at which hearing the Commission carefully reviewed and considered all of the evidence presented in connection with the proposed amendment, including but not limited to the staff report and all written and oral testimony presented; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct.

SECTION 2. The public health, safety and welfare would not be adversely affected by approval of the proposed amendment to the Carson Municipal Code, Article V (Sanitation and Health), Chapter 9 (Residential Property Report) to repeal the Residential Property Report (RPR) requirement for all residential real property sales. The General Plan 2004 under Chapter 2, Land Use promotes the elimination of all evidence of property deterioration throughout Carson.

SECTION 3. Pursuant to Section 15061(b)(3) the proposed ordinance amendment is exempt from the California Environmental Quality Act (CEQA) since the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 4. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

SECTION 5. Based upon the findings and conclusions set forth above, the Planning Commission hereby recommends that the City Council approve Ordinance No. 19-1935, as described in the draft ordinance, attached hereto and made a part of this resolution.

[Remainder of page left intentionally blank]

BE IT FURTHER RESOLVED, that the Secretary of this Commission be directed to transmit to the City Council a copy of this resolution as the report of the findings and recommendations of the Planning Commission with reference to this matter.

This Resolution was adopted by the Planning Commission at its meeting of July 9, 2019:

APPROVED and **ADOPTED** this 9th day of July 2019.



Chairperson
Planning Commission



Secretary
Planning Commission