

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 19-2664**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCE NO. 19-1927 REPEALING SECTION 3 OF ORDINANCE NO. 83-647, REPEALING ORDINANCE NOS. 94-1048U AND 94-1048, AND AMENDING ARTICLE IX (PLANNING AND ZONING), CHAPTER 2 (SUBDIVISION REGULATIONS), PART 7 (FEES – DEPOSITS – BONDS) TO DELETE SECTION 9207.19 (PARK AND RECREATIONAL FACILITIES).**

**WHEREAS**, on March 15, 1983, the City Council of the City of Carson ("the City Council") adopted Ordinance No. 83-647, Section 3 of which amended the Carson Municipal Code to add Section 9207.19 requiring subdividers to dedicate land or pay a fee for the purpose of developing or improving park or recreational facilities; and

**WHEREAS**, on November 22, 1994, the Planning Commission of the City of Carson adopted Resolution No. 94-1570 recommending that the City Council adopt Ordinance No. 94-1048 amending the Carson Municipal Code, including Section 9207.19, for consistency with The Quimby Act (Government Code Section 66477); and

**WHEREAS**, on December 6, 1994, the City Council adopted Ordinance No. 94-1048U to amend Section 9207.19 of the Carson Municipal Code to accurately determine land dedication or fee requirements (referred to herein as "Quimby Fees") for park and recreation facilities as authorized by The Quimby Act, and to declare the urgency thereof; and

**WHEREAS**, on December 20, 1994, the City Council adopted Ordinance No. 94-1048 affirming the Carson Municipal Code amendments approved in Ordinance No. 94-1048U; and

**WHEREAS**, the Quimby Fees apply only to subdivisions, which primarily occur when development projects are built on undeveloped land; and

**WHEREAS**, the City of Carson has developed significantly since the adoption of Ordinances Nos. 94-1048U and Ordinance No. 94-1048 whereby new developments commonly consist of "in-fill" type projects rather than subdivisions on undeveloped land, and therefore would not be subject to Quimby Fees; and

**WHEREAS**, the City of Carson is in the process of adopting the Interim Development Impact Fees which include a Parks and Recreation Fee Component; and

**WHEREAS**, the Parks and Recreation Fee Component will provide a financial mechanism to develop and improve park or recreational facilities in a manner similar to Quimby Fees, but will apply to future development projects more broadly than Quimby Fees; and

**WHEREAS**, the Planning Commission finds that the City Council should amend the Carson Municipal Code to delete Section 9207.19, which authorized the parks and recreational facilities fees and dedications pursuant to The Quimby Act; and

**WHEREAS**, the Planning Commission finds that, pursuant to Section 15378(b)(4) of Article 20 (Definitions), Chapter 3 (Guidelines of Implementation of the California Environmental Quality Act), Title 14 of the California Code of Regulations, the recommended amendment to the Carson Municipal Code is not a "project" subject to the California Environmental Quality Act (CEQA) because the definition of "project" excludes the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and because the recommended code amendment is the removal of a funding mechanism or a City fiscal activity that does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

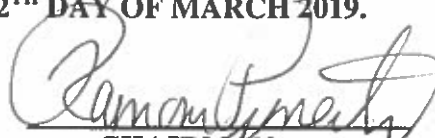
**Section 1.** The Planning Commission finds that the recitals herein are true and correct, and incorporates the same by reference.

**Section 2.** The Planning Commission recommends that the City Council adopt the proposed Ordinance No. 19-1927 attached hereto as Attachment 1, and incorporated by reference. The proposed ordinance repeals Section 3 of Ordinance No. 83-647, repeals Ordinance Nos. 94-1048U and 94-1048, and amends the Carson Municipal Code to delete Section 9207.19 providing for the collection of fees and dedications pursuant to The Quimby Act for parks and recreational facilities.

**Section 3.** Pursuant to Section 15378(b)(4) of Article 20 (Definitions), Chapter 3 (Guidelines of Implementation of the California Environmental Quality Act), Title 14 of the California Code of Regulations, the Planning Commission finds that the recommended amendment to the Carson Municipal Code is not a "project" subject to the California Environmental Quality Act (CEQA) because the recommended Carson Municipal Code amendment is a City fiscal activity or the removal of a funding mechanism (Quimby fees) that does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Section 4.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council.

**PASSED, APPROVED AND ADOPTED THIS 12<sup>TH</sup> DAY OF MARCH 2019.**

  
**CHAIRMAN**

**ATTEST:**

  
**SECRETARY**