

## **RESOLUTION NO. 19-165**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AFFIRMING, PURSUANT TO CARSON MUNICIPAL CODE SECTION 9173.4(C)(2)(a), THE DECISION OF THE CARSON PLANNING COMMISSION TO ADOPT PLANNING COMMISSION RESOLUTION NO. 19-2674 APPROVING DESIGN OVERLAY REVIEW NO. 1748-18 AND CONDITIONAL USE PERMIT NO. 1077-18 FOR A PROPOSED BUILDING AND SITE REMODEL OF A NEW TRUCK YARD FACILITY AT 2135 EAST DOMINGUEZ STREET**

**WHEREAS**, on August 27, 2019, the Carson Planning Commission adopted Planning Commission Resolution No. 19-2674, "A Resolution of the Planning Commission of the City of Carson approving Design Overlay Review No. 1748-18 and Conditional Use Permit No. 1077-18 for a proposed building and site remodel of a new truck yard facility at 2135 E. Dominguez Street in the City," thereby approving the aforementioned entitlements on the terms and conditions set forth in said resolution (the "Planning Commission Decision"); and

**WHEREAS**, on September 5, 2019, City Councilmember Lula Davis-Holmes filed an appeal of the Planning Commission Decision pursuant to Carson Municipal Code ("CMC") Section 9173.4 (Appeals) of the City's Zoning Ordinance. In accordance with Section 9173.4, because the appeal was filed by a Councilmember, no statement of the grounds for appeal was included; and

**WHEREAS**, CMC Section 9173.4(C)(1) requires a public hearing to be conducted on the appeal. Section 9173.4(C)(2) provides that at the conclusion of the public hearing, the Council may: (a) affirm the decision; (b) modify the decision; (c) refer the matter back to the Planning Commission, with instructions; or (d) reverse the decision. Pursuant to CMC Section 9173.4(C)(3), unless referred back to the Planning Commission, the appellate decision shall be supported by written findings. Pursuant to CMC Section 9173.4(D), the Council must so act on the appeal within 60 days of filing of the appeal; and

**WHEREAS**, on October 15, 2019, the City Council conducted a duly noticed public hearing to consider the appeal of the Planning Commission Decision, in accordance with CMC Section 9173.4, and elected to affirm the Planning Commission Decision.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are true and correct, and are incorporated herein by reference as though set forth in full.

**SECTION 2.** The City Council finds that the Planning Commission Decision is in accordance with the requirements of the CMC, including the City's Zoning Ordinance. The City Council hereby makes, ratifies, and affirms the findings set forth in Sections 1-4, inclusive, of Planning Commission Resolution No. 19-2674, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

**SECTION 3.** Based on the findings set forth in Section 2 of this Resolution, the City Council hereby affirms the Planning Commission Decision, pursuant to CMC Section 9173.4(C)(2)(a).

**SECTION 4.** This resolution shall be effective immediately upon its adoption.

**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED and ADOPTED** this 15<sup>th</sup> day of October, 2019.

---

MAYOR ALBERT ROBLES

ATTEST:

---

CITY CLERK DONESIA GAUSE-ALDANA

APPROVED AS TO FORM:

---

SUNNY K. SOLTANI, CITY ATTORNEY

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

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, do hereby certify that the whole number of members is five; that the foregoing resolution, being Resolution No. 19-165 was duly and regularly adopted by said City at a regular meeting duly and regularly held on the 15<sup>th</sup> day of October 2019, and that the same was passed and adopted by the following vote:

AYES:           COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

By: \_\_\_\_\_  
City Clerk

**EXHIBIT “A”**

**PLANNING COMMISSION RESOLUTION NO. 19-2674**

[to be attached]