

RESOLUTION NO. 7253

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS RESCINDING COUNCIL DETERMINATIONS RELATING TO “SIMILAR USES” PERMITTED WITHIN THE CITY’S ZONING DISTRICTS

WHEREAS, Title 18 of the Redlands Municipal Code generally authorizes the City Council, upon recommendation from the City’s Planning Commission, to approve proposed uses of land which are not expressly provided for in the City’s various zoning districts (hereafter “Similar Uses;” and

WHEREAS, over the past years, the City Council has approved on a case-by-case basis a number of Similar Uses for the City’s zoning districts; and

WHEREAS, City staff and the City’s Planning Commission have reviewed such approved Similar Uses and have recommended to the City Council that such uses be rescinded;

NOW, THEREFORE, be it resolved by the City Council of the City of Redlands as follows:

Section 1. The following City Council actions relating to the approval of Similar Uses are hereby rescinded:

A. Commission Determination No. 9 – Don Higdon (September 1964)

That the request of Don Higdon for commission determination that a carpet sales use is acceptable for property located at 1265 Brookside Avenue – C-1 Zone – be approved for the reason that this use is similar to and not more objectionable than existing uses in the same area and zone. On motion of Councilman Wagner, seconded by Councilman Cummings, this recommendation was adopted by the City Council.

B. Commission Determination No. 11 – North Redlands Shopping Center (February 1965)

That the request of the North Redlands Shopping Center for commission determination that a retail liquor store use is similar to those uses permitted in the C-2 district and related to the convenience level of purchasing normally supporting neighborhood shopping centers be approved as stated in Planning Commission minutes dated February 26, 1965, subject to the requirements of all departments; provided it is subject to all of the regulations of the shopping center and tied in with the construction of a food store. On motion of Councilman Wagner, seconded by Councilman Martinez, the recommendation of the Planning Commission was adopted by the Council.

C. Commission Determination No. 22 – Gerald Eubanks (May 1971)

That the request of Gerald Eubanks for a Commission Determination that a gunsmithing business is an appropriate use in the C-2 neighborhood convenience center located at the northwest corner of Orange Street and San Bernardino Avenue, be approved. On motion of Councilman, Knudsen, seconded by Councilman Sewall, R.P.C. No. 345, a resolution of the Planning

Commission approving Commission Determination No. 22, was adopted by the City Council.

D. R.P.C. No. 416 – Commission Determination No. 25 – Leonard A. Jones (March 1975)

That the request of Leonard A Jones for a Commission Determination that a beauty shop at 331 N. Sixth St. is compatible with and similar to one or more uses permitted in the M-1 (Light Industrial) District, be approved. On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, R.P.C No. 416, a resolution of the Planning Commission approving Commission Determination No. 25, was adopted by AYE votes of all present.

E. R.P.C. No. 431 – Commission Determination No. 27 – Covington Engineering Corporation (December 1975)

That R.P.C. No. 431, a recommendation of the Planning Commission determining that it is appropriate to utilize an industrially designed and constructed building for industrial purposes in the C-4 Highway Commercial District, be approved, subject to the conditions listed in the resolution. Following discussion, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, R.P.C. No. 431 was approved and Commission Determination No. 27 was authorized subject to the conditions listed in R.P.C. No. 431.

F. Planning Commission Determination No. 33 – Tanning Salons – Dwight Yeoman (March 1980)

On February 12, 1980, the Planning Commission denied a request for a finding that a Tanning Salon was compatible with uses permitted in the M-1 (Light Industrial) District. Dwight Yeoman filed an appeal to this decision. At this time, Council considered the matter of this appeal. Councilman Knudsen stated that he believed this not to be an item under planning, but rather of health and safety. He moved that the permission be granted as requested. Councilman Elliott seconded the motion. City Manager Christiansen recommended that if this use is permitted by Council, the owners be required to abide by any later requirements or regulations of the F.D.A. After discussion, Council concurred that protection was a matter of health and legislative control. Councilmembers Knudsen and Elliott agreed to amend their motion as follows: Approval for this use in the M-L (Light Industrial) District will be made under the controls of a Conditional Use Permit.

G. R.P.C. No. 563 – Commission Determination No. 40 – Dwight Yeoman (April 1982)

That R.P.C No. 563, a resolution of the Planning Commission for Commission Determination No. 40 finding that a photography studio is similar to permitted uses in the M-1 Zone (Light Industrial) District, be approved subject to the conditions outlined in R.P.C. No. 563. On motion of Council Martinez, seconded by Councilman Roth, R.P.C No. 563 for commission Determination No. 40 was approved by the City Council by AYE votes of all present.

H. R.P.C. No. 571 – Commission Determination No. 41 – Mr. and Mrs. James T. Novo (June 1982)

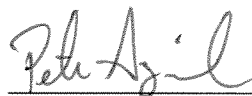
That R.P.C. No. 571, a resolution of the Planning Commission for Commission Determination No. 41 finding that a market is similar to permitted uses in the C-M Zone (Commercial Industrial) District, be approved subject to the conditions outlined R.P.C No. 571. On motion of Councilman DeMirjyn, seconded by Councilman Martinez, R.P.C. No. 571, Commission Determination No. 41, was unanimously approved by the City Council.

I. Commission Determination No. 43 – William C. Neilsen (April 1996)

Councilmember Johnson moved to approve Commission Determination No. 43 which determines that a medical office building is similar to uses permitted in the C-1 (Neighborhood Stores) District. Motion seconded by Councilmember Larsen and carried by AYE votes of all present. This request was submitted in conjunction with applications for a health care office to be located on the south side of Barton Road, approximately 279 feet west of the intersection of Brookside Avenue and Barton Road.

Section 2. The City Council determines that the approval of this Resolution is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This City Council finds that it can be seen with certainty that there is no possibility that the approval of this Resolution may have a significant effect on the environment.

ADOPTED, SIGNED AND APPROVED this 2nd day of April, 2013.



Peter Aguilar, Mayor

ATTEST:



Sam Irwin, City Clerk

I, Sam Irwin, City Clerk of the City of Redlands, hereby certify that the foregoing Resolution was duly adopted by the City Council at a regular meeting thereof, held on the 2nd day of April, 2013, by the following vote:

AYES: Councilmembers Harrison, Foster, Gardner, Gilbreath; Mayor Aguilar
NOES: None
ABSTAIN: None
ABSENT: None

Sam Irwin, City Clerk

