

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 22-2829

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON RECOMMENDING THE CITY
COUNCIL ADOPT TEXT AMENDMENT NO. 191-2022, AN
ORDINANCE AMENDING CHAPTER 1 (ZONING) OF
ARTICLE IX (PLANNING AND ZONING) OF THE CARSON
MUNICIPAL CODE, ADOPTING REGULATIONS OF
DEVELOPMENTS AND LOT SPLITS AUTHORIZED BY
SENATE BILL 9 AND INCORPORATING STATE
MANDATED REGULATIONS FOR ACCESSORY
DWELLING UNITS AND JUNIOR ACCESSORY
DWELLING UNITS**

WHEREAS, Senate Bill No. 9 (SB 9) became effective on January 1, 2022. This bill requires the approval of up to two primary dwelling units per parcel in single-family residential zones, where previously only one primary dwelling unit would have been permitted. This is in addition to permitting accessory dwelling units (ADUs), in some cases. Additionally, SB 9 requires the approval of lot splits in single-family residential zones and allows up to two units to be built on each resulting parcel. SB 9 allows cities to establish objective standards to govern these units and lots splits, as long as they do not conflict with state law; and

WHEREAS, the City's regulations of accessory dwelling unit and junior accessory dwelling units must be updated in order to comply with recent changes in state law; and

WHEREAS, the Planning Commission has review two proposed ordinances, the first establishing regulations of development of lot splits under SB 9 and the second revising the City's regulations of accessory dwelling units and junior accessory dwelling units (collectively, "the Text Amendments"); and

WHEREAS, on April 12, 2022, the Planning Commission held a duly noticed public hearing as required by law to consider the proposed Text Amendments.

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

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and incorporates them herein by reference.

SECTION 2. The Planning Commission finds as follows:

- a) The proposed Text Amendments are consistent with the General Plan of the City of Carson and are internally consistent with the City's municipal code.
- b) Due to changes in state law regarding accessory dwelling units (ADUs) and Junior accessory dwelling units (JADUs), certain provisions of the Carson Municipal Code

(CMC) related to accessory living quarters and second dwelling unit standards have been rendered inconsistent with state law.

- c) The proposed text amendment ordinance amends relevant provisions of Chapter 1 (Zoning) of Article 9 IX (Planning and Zoning) of the CMC to provide new and modified local regulations as required for consistency with state law regarding the construction of ADUs and JADUs while ensuring that the character of the City is preserved to the maximum extent permitted by state law and that the City's regulation of ADUs and JADUs continues to promote the health, safety, and welfare of the community.
- d) Although state law does not require cities to adopt regulations regarding SB 9, it does allow cities to adopt objective standards to implement SB 9 so long as they do not conflict with state law. Adopting such standards will allow the City to make local control over SB 9 developments and lot splits to the maximum extent allowed by law while also providing additional housing opportunities for Carson residents.

SECTION 3. The Planning Commission finds that the adoption of SB 9 regulations is not a "project" for purposes of the California Environmental Quality Act (CEQA) pursuant to Government Code Sections 65852.21(j) and 66411.7(n). Additionally, the adoption of an ordinance regarding second units (ADUs) in a single-family or multifamily residential zone to implement the provisions of Government Code Sections 65852.2 and 65852.22 is exempt from CEQA review pursuant to Public Resources Code Section 21080.17. Therefore, the proposed ordinances do not require any environmental review under CEQA.

SECTION 4. The Planning Commission of the City of Carson, pursuant to the findings noted above, hereby recommends that the City Council approve the Text Amendments, which are attached hereto and incorporate herein.

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit it to the City Council.

PASSED, APPROVED and ADOPTED this 12th day of April, 2022.

Vice Chair Chris Palmer-Covid Signature

CHAIRMAN

ATTEST:

Lucille Sandoval
SECRETARY