



Legislation Details (With Text)

**File #:** 2023-0251    **Version:** 1    **Name:**

**Type:** Special Order    **Status:** Agenda Ready

**File created:** 3/23/2023    **In control:** City Council

**On agenda:** 4/4/2023    **Final action:**

**Title:** PUBLIC HEARING TO CONSIDER RESOLUTION NO. 23-062, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON APPROVING AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING THE CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING GENERAL PLAN AMENDMENT NO. 115-23, THE CITY OF CARSON 2040 GENERAL PLAN UPDATE (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ex. 1, Resolution re City Council GPU Approval FINAL w finding, 2. Ex. 2, Carson 2040 General Plan Link, 3. Ex 3, Comment Letters

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**Report to Mayor and City Council**

Tuesday, April 04, 2023

Special Orders of the Day

**SUBJECT:**

**PUBLIC HEARING TO CONSIDER RESOLUTION NO. 23-062, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON APPROVING AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING THE CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING GENERAL PLAN AMENDMENT NO. 115-23, THE CITY OF CARSON 2040 GENERAL PLAN UPDATE (CITY COUNCIL)**

**I. SUMMARY**

On March 21, 2023, the City Council considered the General Plan, opened the public hearing, and continued the item to the April 4<sup>th</sup> hearing. During the meeting staff provided updates to the City Council from the March 17<sup>th</sup> stakeholder meeting. Approximately 15 persons attended the meeting including representatives from the Chamber of Commerce, BizFed, small and large property owners, business owners, and brokers. During this meeting staff summarized the direction provided by the City Council on the following topics:

- Legal Non-Conforming Uses
- Business Residential Mixed-Use
- Shell Property
- Economic Development Strategic Plan
- Community Outreach
- Prohibited Uses
- Flex District

Stakeholders considered the changes presented but asked for additional time to review the proposed changes included in the resolution 23-062 and Land Use Element. The stakeholders committed to providing their comments by end of business day on March 24<sup>th</sup>.

The Carson 2040 General Plan Update website was updated on March 23 has been further updated to reflect the direction provided by the City Council and the changes that resulted from the March 17, 2023 stakeholder meeting which were both included in the March 27, 2023 staff report.

In addition to discussions with several property owners after the stakeholder meeting, staff has received two comment letters from the law firm of HansonBriggett, one representing Prologis and the other representing Watson Land Company, Exhibit 3. Staff has addressed the majority of the issues identified in the letters and has negotiated language with Watson Land Companies and Carson Companies with regard to the Flex District, particularly related to the property at the northwest corner of University Drive and Wilmington Avenue. One major point staff has not agreed to is recommending increasing the maximum 30,000 square-foot building size for this site.

The only proposed change to the General Plan, as fully described in Section 4 of the attached resolution, Exhibit 1, allows residential uses on this site (northwest corner of University Drive and Wilmington Avenue) subject to the following:

- A master plan shall be filed to illustrate how the site will be laid out;
- Residential developer (and their successors in interest) shall incorporate appropriate mitigation measures that will allow existing industrial and commercial operators at surrounding properties to continue existing uses. If any such mitigation or design features must be constructed or implemented onsite or at offsite locations, the residential developer shall be responsible for the cost of the mitigation or design features;
- Residential development shall be accompanied by a set of CC&Rs which will protect existing surrounding uses 1,000 feet to the north and 1,000 feet to the west of the site

and the City of Carson from any claim that surrounding uses within are incompatible with residential uses;

- Access to residential shall only be from University Drive;
- Access to industrial shall only be from Glenn Curtiss or Wilmington Avenue;
- Residential development shall be limited to areas that are no more than 300 feet north of the southerly property line. Additionally, no residential structures shall be placed within 350 feet of the westerly property line;
- A non-residential building shall be placed between the proposed residential areas and the existing industrial area to the west as a buffer;
- Dock High doors shall not face the proposed or existing residential areas;
- All Dock High doors and outside activity areas adjacent to proposed or existing residential areas shall include screen walls with appropriate heights.
- The maximum residential density of this site is 20 units per acre.

In addition to the above, Section 5 of the attached resolution, Exhibit 1, addresses the non-conformities created by the 2040 General Plan Update. This proposed change clarifies that, as part of the zoning code update, uses currently allowed (permitted by right or conditionally permitted) by the existing zoning code will continue to be allowed once a non-conforming use moves out of a building. This clarification is necessary because the previous language stated that a “similar” use can replace a non-conforming use that is moving out. “Similar” is subjective and staff believes the proposed language carries out the intent in a more concise manner.

After the approval of the General Plan, the provisions of Section 4 (proposed change to the Flex District as described above) and further direction provided by the City Council during the hearing will be incorporated into the General Plan document.

## **II. RECOMMENDATION**

1. **OPEN** the Public Hearing, **TAKE** public testimony, and **CLOSE** the Public Hearing.
2. **WAIVE** further reading and **ADOPT** Resolution No. 23-062, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING THE CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING GENERAL PLAN AMENDMENT NO. 115-23, THE CITY OF CARSON 2040 GENERAL PLAN UPDATE”

### III. ALTERNATIVES

**TAKE** another action the City Council deems appropriate, consistent with the requirements of the law.

### IV. BACKGROUND

The 2040 General Plan has Two changes are proposed that were since the March 21, 2023 staff report which are described below. As a result of adding more detail to the resolving issues City Council's direction to staff, the following changes are proposed to the Carson 2040 General Plan:

#### *"FLEX DISTRICT (FLX)*

The Flex District designation permits a wide range of uses including (but not limited to) offices, research and development, light-industrial, hotels, local and regional retail commercial uses, commercial entertainment uses, and gas/charging stations in mid-and high-intensity settings, as well as residential uses in specified locations as detailed below. The largest Flex District is along I-405, capitalizing on the visibility and regional access provided by the freeway. Residential uses are not permitted in the Flex District, except **(i)** on the sites included in the housing sites inventory in the Housing Element, where they are permitted as part of a specific plan, master plan, or other cohesive plan that considers the long-term development potential of adjacent properties and presents a strategy for transition of industrial uses to residential uses, and **(ii)** on the property located at the northwest corner of University Drive and Wilmington Avenue subject to the following:

- A master plan shall be filed to illustrate how the site will be laid out;
- Residential developer (and their successors in interest) shall incorporate appropriate mitigation measures that will allow existing industrial and commercial operators at surrounding properties to continue existing uses. If any such mitigation or design features must be constructed or implemented onsite or at offsite locations, the residential developer shall be responsible for the cost of the mitigation or design features;
- Residential development shall be accompanied by a set of CC&Rs which will protect existing surrounding uses 1,000 feet to the north and 1,000 feet to the west of the site and the City of Carson from any claim that surrounding uses within are incompatible with residential uses;
- Access to residential shall only be from University Drive;
- Access to industrial shall only be from Glenn Curtiss or Wilmington Avenue;
- Residential development shall be limited to areas that are no more than 300 feet north of the southerly property line. Additionally, no residential structures shall be placed within 350 feet of the westerly property line;

- A non-residential building shall be placed between the proposed residential areas and the existing industrial area to the west as a buffer;
- Dock High doors shall not face the proposed or existing residential areas;
- All Dock High doors and outside activity areas adjacent to proposed or existing residential areas shall include screen walls with appropriate heights.

The following uses are not permitted in the Flex District:

Warehousing/distribution/logistics/truck terminal facilities (except as otherwise provided below), salvage yards, vehicle storage lots, major recycling facilities, truck yards, container yards, lay down yards, container parking, storage yards, self-storage and similar uses. If residential or other sensitive uses are proposed as part of redevelopment, both short-term and long-term compatibility with adjacent uses and location in a mixed light-industrial and industrial environment should be considered. Similarly, new industrial uses would need to be “non-nuisance” (that is, compatible from noise, odor, air quality perspectives) in a mixed residential/industrial environment and will have to comply with performance standards to contain noise or air impacts within the site so that it does not adversely affect surrounding development. Any new construction or expansion of existing light or heavy industrial uses adjacent to sensitive uses must include buffered setback areas and/or appropriate mitigation to ensure compatibility. Warehousing/distribution/logistics/truck terminal facilities are permitted in any of the following circumstances:

1. Small-scale facilities to 30,000 square feet of gross building floor area (including mezzanine and all floors) are permitted;
2. Facilities larger than 30,000 square feet are only permitted with provision of community benefits by means of a Development Agreement or if they meet the criteria of either (3) or (4) below;
3. In the approved Specific Plan area located immediately southeast of Del Amo Boulevard and Main Street (i.e., constituting the 157-acre site); or
4. Where a property is subject to: (a) an adopted Specific Plan that permits logistic uses following findings by the City Council of demonstrated good faith efforts to secure tax-generating uses or other City Council-desired uses, based on demonstrated milestones prior to the approval of the project, and (b) as such demonstrated good faith efforts and milestones are documented in a Development Agreement approved by the City Council.

A maximum base residential density of 40 units per acre is permitted in the areas of the Flex District that are included in the housing sites inventory in the Housing Element, with the exception of the property located at the southeast corner of Main Street and Del Amo Boulevard (i.e., constituting approximately 15 acres within the 157-acre site), in which 60 units per acre shall be permitted. For the above-reference property located at the northwest corner of University Drive and Wilmington Avenue, the maximum base residential density shall be 20 units per acre. There is no FAR maximum for residential-only projects. The maximum allowed FAR for non-residential uses is 0.4, or 0.5 with the

provision of community benefits by means of a Development Agreement. Where residential and non-residential uses are combined, FAR shall not exceed 1.0. Base FAR and base residential density may be increased by up to 60 percent with inclusion of community benefits<sup>3</sup>.”

## **V. FISCAL IMPACT**

None.

## **VI. EXHIBITS**

1. Resolution No. 23-062 (pgs.7-56)
2. Carson 2040 General Plan and Environmental Impact Report (with related CEQA findings and materials, including proposed Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations): [www.carson2040.com](http://www.carson2040.com) <<http://www.carson2040.com>> (pg. 57)
3. Comment Letters (pgs. 58-68)

Prepared by: Saied Naaseh, Community Development Director