



Legislation Text

File #: 2024-0110, Version: 1

Report to Mayor and City Council

Wednesday, March 06, 2024

Special Orders of the Day

SUBJECT:

PUBLIC HEARING TO CONSIDER ORDINANCE NO. 24-2405, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON APPROVING AND ADOPTING THE CEQA FINDINGS AND ADOPTION OF: (1) A COMPREHENSIVE AMENDMENT TO THE PROVISIONS OF THE CARSON ZONING ORDINANCE (CHAPTER 1 OF ARTICLE IX OF THE CARSON MUNICIPAL CODE) PERTAINING TO RESIDENTIAL AND MIXED USE ZONING DISTRICTS AND USES, INCLUDING CERTAIN COMMERCIAL AND GENERAL PROVISIONS, CONSISTENT WITH THE 2040 CARSON GENERAL PLAN; AND (2) A COMPREHENSIVE AMENDMENT TO THE CARSON ZONING MAP PERTAINING TO RESIDENTIAL AND MIXED-USE ZONING DISTRICTS, EFFECTUATING REZONING OF PROPERTIES, CONSISTENT WITH THE 2040 CARSON GENERAL PLAN. (CITY COUNCIL)

I. SUMMARY

At a Special Hearing held on January 31, 2024, the Planning Commission considered the Phase 1 of the Zoning Code (“Code”) and the associated Zoning Map (“Map”). After taking public testimony, the Planning Commission unanimously adopted Resolution No. 24-2862 recommending adoption of Ordinance No. 24-2405 to the City Council. The Code update is taking place in two phases (“Phase 1 and Phase 2”), with Phase 1 focusing on residential and mixed-use regulations to address the community’s housing needs, as outlined in the Housing Element and other General Plan elements.

More specifically, ZTA No. 195-23 will establish the permitted uses, development standards, and procedures applicable to development in the residential and residential/commercial mixed-use zoning districts of the new Carson Zoning Ordinance (specifically, the new Low Density Residential, Low-Medium Mix Residential, Medium Density Residential, High Density Residential, Corridor Mixed-Use, and Downtown Mixed-Use Zoning Districts and the Mobilehome Park Overlay District) and to residential development in the Flex District housing sites identified in the Housing Element sites inventory. While current Carson Zoning Ordinance provisions remaining in effect as to other, non-residential developments. ZC No. 190-23 will affect a zone change for the

properties in said new residential and mixed-use zoning districts, and for the Flex District housing sites inventory properties to the extent necessary to carry out Program 5 of the Housing Element and gain full HCD certification.

II. RECOMMENDATION

TAKE the following actions:

1. **OPEN** the Public Hearing and take public testimony; **AND**
2. **CLOSE** the Public Hearing; **AND**
3. **WAIVE** further reading and introduce for first reading by title only Ordinance No. 24-2405, entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON APPROVING AND ADOPTING THE CEQA FINDINGS AND ADOPTION OF: (1) A COMPREHENSIVE AMENDMENT TO THE PROVISIONS OF THE CARSON ZONING ORDINANCE (CHAPTER 1 OF ARTICLE IX OF THE CARSON MUNICIPAL CODE) PERTAINING TO RESIDENTIAL AND MIXED USE ZONING DISTRICTS AND USES, INCLUDING CERTAIN COMMERCIAL AND GENERAL PROVISIONS, CONSISTENT WITH THE 2040 CARSON GENERAL PLAN; AND (2) A COMPREHENSIVE AMENDMENT TO THE CARSON ZONING MAP PERTAINING TO RESIDENTIAL AND MIXED-USE ZONING DISTRICTS, EFFECTUATING REZONING OF PROPERTIES, CONSISTENT WITH THE 2040 CARSON GENERAL PLAN”

1.

III. ALTERNATIVES

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

IV. BACKGROUND

The Code and the Map are required to be consistent with the General Plan and implement the General Plan including the Housing Element. On April 4, 2023, the Carson City Council adopted the 2040 General Plan. The Sixth Cycle Housing Element for the City was adopted by the City Council in September 2022, with changes recommended by the State Department of Housing and Community Development (HCD) incorporated in November 2022. The 2021-2029 Housing Element presents goals, policies, and actions to affirmatively further fair housing for all residents of Carson. On November, 8, 2022, the California Department of Housing and Community Development (HCD) determined the City’s Housing Element to meet the statutory requirements of the State Housing Element Law; however, the City’s Housing Element is not be found to be in full compliance until the City adopts the Code and the Map. HCD expects the City to adopt the Phase 1 Code and Map by April of 2024.

The Code update would translate the proposed General Plan policies into specific use

regulations, development standards, and performance criteria to govern development on individual properties. The Code text provides standards, rules, and procedures for development, while the Zoning Map translates the General Plan land use districts into zoning districts. In addition to making the Code consistent with the updated General Plan and easier to understand and use, the update is intended to make certain that it complies with applicable statutory and case law and reflects contemporary zoning approaches and terminology.

Amendments to the Code in Phase 1 will also assist in overcoming governmental constraints to housing development through relaxed parking standards, providing zoning for a variety of housing types, and increased housing opportunities in High Resource Areas. Furthermore, the Phase 1 Code update will substantially increase the maximum permitted residential densities in several land use designations, consistent with and as provided in the 2040 General Plan and the Housing Element.

The following provides some of the highlights of the Code:

Permitted Uses

The following provides a short list of uses in residential and mixed-use zones. Table 9211.2 (page 39/431) and 9212.2 (page 60 of 431) for a complete list of uses (The New Zoning Code, Phase 1 www.carson2040.com <<http://www.carson2040.com/>>).

The following are notable uses regulated by the Code in Residential Zones, Low Density (LDR), Medium Density (MDR) and High Density (HDR). Low Medium density Mixed Residential (LMX):

- Supportive Housing and Transitional Housing are treated as residential uses, subject only to those restrictions that apply to other residential uses of the same development type in the same district.
- Family Day Care (14 or fewer) permitted in all residential zones.
- Single Room Occupancy, MCUP in HDR
- Residential Care Facility permitted in LDR, LMX, MDR, HDR
- Group Residential (6 or fewer) permitted in LDR, LMX, MDR, HDR
- Group Residential (6 or larger) permitted in LMX, MDR, HDR

The following are notable uses regulated by the Code in Mixed Use Zones (DMX, CMX, FLX):

- Group residential including sober living, MCUP in DMX and CMX and permitted with

restrictions in FLX

- Residential Care Facility Large and Limited, permitted in DMX, CMX and permitted with restrictions in FLX
- Single Room Occupancy, permitted with restrictions in FLX
- Supportive and Transitional Housing, treated as residential uses, subject only to those restrictions that apply to other residential uses of the same development type in the same district. These regulations are mandated by the State.
- Adult Day Care, Small, MCUP in CMX
- Adult Day Care, Large, Not permitted
- Emergency Shelters, Permitted DMX and CMX
- Low-Barrier Navigation Center, Permitted DMX and CMX
- Social Services Center (less than 5,000 square feet), MCUP DMX, Permitted CMX
- Social Services Center (larger than 5,000 square feet), MCUP CMX
- Adult Businesses, Phase 2 (current code applies)
- Auto/Vehicle/Equipment Repair-Light, MCUP CMX,
- Auto/Vehicle washing/Detailing, Phase 2
- Service Station- Full Service, Phase 2
- Service Station-Minimum Service, Phase 2
- Check Cashing Business, Not permitted
- Electronic Game Center, Permitted DMX and CMX
- Bar/Tavern/Lounge, Phase 2
- Brewpub, Phase 2
- Restaurant, Full Service, Phase 2
- Restaurant, Limited Service, Permitted DMX and CMX
- Restaurant, Drive-Through, CUP CMX
- Tasting Room/Wine Bar, Phase 2

- Convenience Store, CUP DMX and CMX
- Liquor Store, phase 2
- Cannabis, Consistent with current Code
- Pawnshop, MCUP DMX and CMX
- Smoke Shop, CUP DMX and CMX
- Swap Meet (indoor), MCUP DMX
- Swap Meet (Outdoor), Not Permitted
- Bed and Breakfast, CUP DMX and CMX
- Brewery Micro, Permitted DMX and CMX
- Brewery-Large, MCUP DMX and CMX

General Regulations

Part 3-B of the Code, General Regulations provides specific regulations for over 50 uses. Some of the regulations for these uses are included in Phase 1; however, some will be included in Phase 2 (Page 83/431) www.carson2040.com <<http://www.carson2040.com/>>.

Permits and Approval Authority

Development and Site Plan Review Permit

The Community Development Director is the approving body for this permit. All new construction for uses permitted in the Code will fall under this permit. When a development project requires a Use Permit, Variance, or any other discretionary approval, the Development and Site Plan Review application shall be submitted to the Planning Division as part of the application for the Use Permit, Variance, or other discretionary approval. Development and Site Plan Review decisions shall be made by the review authority for the Use Permit, Variance, or any other discretionary permit.

Minor Use Permit

A new category of permit is created by the new Code for Minor Conditional Use Permit (MCUP) with the Director of Community Development having the approval authority for MCUPs. The uses subject to MCUP are included in Table 9211.2 (page 39/431) and 9212.2 (page 60 of 431) for a complete list of uses (The New Zoning Code, Phase 1 www.carson2040.com <<http://www.carson2040.com/>>).

High-Resource Areas

As a requirement of HCD, the General Plan includes housing opportunities High Resource Areas to promote “missing middle” and student housing in addition to greater diversity of housing in high-resource areas of Carson, which are clustered in two areas of the City-in north Carson, largely around California State University Dominguez Hills, and in the

southwestern section of the City along E. Sepulveda Boulevard and Main Street. These tracts are currently exclusively zoned Single Family, with minimum 5,000 square foot lot size (corresponding to density of approximately eight units per net acre). Low Medium Mixed Residential (LMX) zoning district will implement the high-resource areas. The LMX District is for a variety of lower-density residential development types that will expand housing opportunities for students and other households in higher income/higher resource areas near California State University, Dominguez Hills and in the southwestern part of the city. Permitted housing types, residential densities, maximum FAR, and building heights correspond to those for Low Density Residential on lots smaller than 15,000 square feet and those for Medium Density Residential on lots larger than 15,000 square feet. Multi-unit residential development is permitted on lots larger than 15,000 square feet. To encourage the development of smaller units, such as studio and one-bedroom units smaller than 600 square feet per unit, they are counted at half the density of larger units on lots larger than 10,000 square feet. Projects including larger units may be built on lots larger than 15,000 square feet at a density of up to 18.0 units per acre.

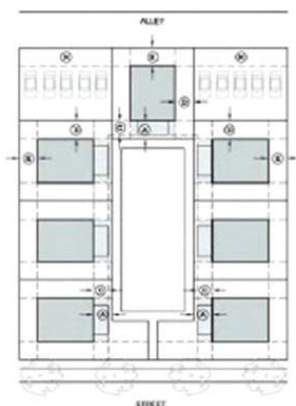
Mobile Home Park Overlay District

This District applies to all “existing mobile home parks. It was established pursuant to Ordinance No. 23-2303 to implement the housing element and land use element of General Plan 2040 by enacting regulations to maintain, pre-serve, and promote mobile home parks as an important source of affordable rental housing and is intended to be carried through the comprehensive update to the City’s Zoning Ordinance such that this District remains in effect without substantive amendment.

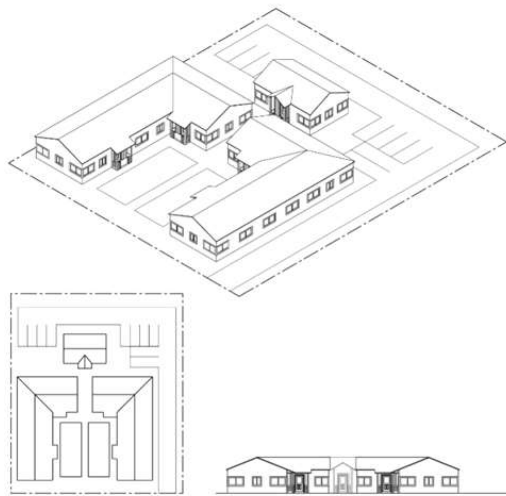
Bungalow court, courtyard housing

Bungalow court, courtyard housing, and townhouse development may be proposed and approved on any site within a residential district where there are vacant and undeveloped lots or on sites where homes have been demolished or vacated, and undeveloped parcels adjacent to major corridors where the density will not exceed the General Plan maximum. The Director or Planning Commission may allow development on lots smaller than required by the base district regulations but no less than 2,000 square feet in area and 25 feet in width when the dimensions do not vary by more than 10 percent from the requirements in Table 9211.9 and the units will be occupied by households earning no more than 120 percent of the Areawide Median Income.

BUNGALOW COURT



COURTYARD HOUSING



Phase 2

Only Phase 1 is before the City Council at this time; Phase 2 is a separate and independent action that will be presented to the City Council at a separate public hearing for City Council's consideration. Adoption of Phase 1 does not commit the City to adoption of Phase 2. When Phase 1 is adopted, the current Code or Map provisions which are within the scope of Phase 1 will be repealed and replaced by the Phase 1 zone update, whereas the portions of the existing Code and Map that are not within the scope of the Phase 1 update will remain in full force and effect unless and until amended pursuant to Phase 2 or otherwise. Additional public outreach will be provided for Phase 2.

The future Phase 2 related to non-residential uses will be undertaken, including the portion of the Code and Zoning Map update pertaining to Flex District, Mixed Use Business, General Commercial, Light Industrial, and Heavy Industrial Districts as well as other sections of the Code such as sign, wireless, non-conforming uses, and other pertinent regulations not included in Phase 1 regulations.

Environmental Analysis

California Environmental Quality Act (CEQA) Guidelines Section 15168 (Program EIR), subsection (c) states that "later activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared." Furthermore, sub-subsection 15168(c)(2) states that if the lead agency finds pursuant to CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) that no subsequent EIR would be required, "the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required."

The proposed Phase 1 Code and Map amendments are consistent with and implement the General Plan densities/intensities and land uses established in the General Plan, for which an EIR was previously prepared and certified. According to CEQA Guidelines Section 15162, once an EIR has been certified, no subsequent or supplemental EIR shall be required (Environmental Memo, Attachment 4).

Based on the analysis, the proposed Code update would not result in a new significant impact not identified in the 2023 EIR or an increase in the severity of a significant impact identified in the 2023 EIR. No mitigation measures or alternatives have been identified that differ from what was evaluated or are now considered to be feasible.

Community Engagement

Community engagement began at the outset of the project. “Our Carson Zoning Code Update” community engagement and outreach focuses on five pillars with the intent to:

- **Inform** - Provide balanced and objective information;
- **Consult** - Obtain public feedback;
- **Involve** - Ensure the public concerns and aspirations are understood and considered;
- **Collaborate** - Partner with the public throughout the entire process; and
- **Empower** - Community’s voice.

To accomplish these goals, public outreach has included the following:

- Launching web-based engagement tools;
- Meeting with Carson stakeholders;
- Routine social media blasts on the City platforms and intermittent email-blasts;
- Mailing over 50,000 public notices to Carson property owners regarding the Phase 1 Code update;
- Presented before several City Commissions (Economic Development, Senior Citizen Advisory, Human Relations, Public Safety, Public Relations, and Environmental);
- Introduced the Code Update Phases 1 to the Carson Chamber of Commerce;
- Hosted a virtual “Lunch and Learn” meeting and an in-person “Listening Session” for the community;
- Planning Division launched a survey and a dedicated email zoningcodeupdate@carsonca.gov <mailto:zoningcodeupdate@carsonca.gov> and webpage [Zoning Code Update \(carson.ca.us\)](https://ci.carson.ca.us/ZoningCodeUpdate(carson.ca.us)) <<https://ci.carson.ca.us/CommunityDevelopment/ZoningCodeUpdate.aspx>>.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Planning Commission Resolution No. 24-2862 (pgs. 10-43)
2. Draft Zoning Code Ordinance Phase 1 are available at www.carson2040.com [<http://www.carson2040.com>](http://www.carson2040.com) (pg. 44)
3. Draft Zoning Map Amendment Phase 1 (Zone Code Change No. 190-23 www.carson2040.com [<http://www.carson2040.com/>](http://www.carson2040.com) (pg. 45)
4. Zoning Ordinance Phase 1 Comparison/Cross-Reference Table is available at www.carson2040.com [<http://www.carson2040.com/>](http://www.carson2040.com) (pg. 46)
5. Environmental Memo Phase 1 available at www.carson2040.com [<http://www.carson2040.com/>](http://www.carson2040.com) (pg. 47)
6. Ordinance No. 24-2405 (pgs. 48-59)

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