



# CITY OF CARSON

## Legislation Text

File #: 2020-719, Version: 1

### Report to Mayor and City Council

Tuesday, November 17, 2020

Consent

#### SUBJECT:

**CONSIDER APPROVAL OF AMENDMENT NO. 3 TO THE AGREEMENT WITH DYETT & BHATIA, URBAN AND REGIONAL PLANNERS (C-17-021) TO PROVIDE SERVICES FULLY REIMBURSABLE BY LOCAL EARLY ACTION PLANNING (LEAP) GRANT AND CONSIDER RESOLUTION 20-169 "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2020-21 BUDGET IN THE GENERAL FUND" (CITY COUNCIL)**

#### **I. SUMMARY**

In June 2017, the City entered into an agreement with Dyett & Bhatia, Urban & Regional Planners to provide planning services to update the General Plan and Zoning Ordinance, in the amount of \$1,110,194 (Exhibit 1). As work to update the General Plan has progressed, the agreement has been amended twice: on June 5, 2018 Amendment No. 1 (Exhibit No. 2) added \$65,000 to the agreement to incorporate public outreach strategies to increase project awareness and community engagement; and, on February 18, 2020 Amendment No. 2 (Exhibit No. 3) added \$196,970 to the agreement to provide evaluation of the Carson Circuit and Dial-A-Ride services and to implement the Senate Bill 743 Vehicle Miles Traveled (VMT) approach into the traffic and circulation element of the General Plan.

On June 17, 2020 the City of Carson applied for the Local Early Action Planning Grant (Exhibit No. 4), a reimbursable state grant that would provide for an updated Housing Element, new Environmental Justice Element and new Accessory Dwelling Unit Ordinance. On October 16, 2020 the City was notified that it had been approved for Local Early Action Planning (LEAP) grant funding in the amount of \$300,000 (Exhibit No. 5).

Staff is recommending the City Council approve Amendment No. 3 to the agreement with Dyett & Bhatia (Exhibit No. 6) to increase the contract amount by \$300,000, which will be reimbursed by state grant funds and increase the total contract amount from \$1,372,164.00 to \$1,672,164.00, and adopt Resolution No. 20-169 (Exhibit No. 7).

#### **II. RECOMMENDATION**

**TAKE** the following actions:

1. **APPROVE** Amendment No. 3 to the agreement with Dyett & Bhatia, Urban and Regional Partners to increase the contract amount by \$300,000, from \$1,372,164 to \$1,672,164 to provide an updated local Housing Element, a new Environmental Justice Element and a new Accessory Dwelling Unit Ordinance;
  2. **AUTHORIZE** the Mayor to execute the agreements following approval as to form by the City Attorney; and
  3. **WAIVE** further reading and ADOPT Resolution No. 20-169, "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2020-21 BUDGET IN THE GENERAL FUND".
- 1.

### III. ALTERNATIVES

TAKE any other action the City Council deems appropriate.

### IV. BACKGROUND

The Carson General Plan Update (Carson 2040) scope of work currently does not include preparation of the Housing Element, which is required to be updated on state mandated cycles. The next Housing Element cycle will cover the planning period October 2021 through October 2029 and would have to be completed by October of 2021. The General Plan Update also does not include the preparation of an ordinance that addresses Accessory Dwelling Units as mandated by Section 65852.2 of the Government Code nor does it include the creation of an Environmental Justice Element as mandated by Section 65040.12 of the Government Code. The latter two items are the result of relatively recent legislation enacted by the State.

On June 17, 2020 the City of Carson applied for the Local Early Action Planning Grant (LEAP), a reimbursable state grant that would provide for an updated Housing Element, new Environmental Justice Element and new Accessory Dwelling Unit Ordinance. On October 16, 2020 the City was notified that it had been approved for LEAP grant funding.

#### Housing Element

The City was awarded the LEAP grant for the update and certification of the City's Housing Element and subsequent compliance with the latest cycle of the state Regional Housing Needs Allocation (RHNA). The Regional Housing Needs Assessment is mandated by state housing law as part of the periodic process of updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods. The 6th cycle RHNA allocation plan will cover the planning period October 2021 through October 2029. The draft RHNA allocation for the City of Carson is 5,605 units. A portion of the Grant funds will also be used to create a state-compliant Environmental Justice Element and Accessory Dwelling Unit (ADU) Ordinance. The proposed work will be implemented in one phase.

The Southern California Association of Governments (SCAG) is in the process of finalizing the 6th cycle RHNA plan. While draft allocations have been released, formal adoption of

the allocations is planned for adoption by SCAG in February 2021. The increased contract sum of this proposed amendment will allow the Consultant to make use of LEAP Grant funds for the update and certification of the Housing Element and subsequent compliance with the latest cycle of the State RHNA.

The draft RHNA allocation for the City of Carson is 5,605 units (Very low income units: 1766; Low income units: 911; Moderate income units: 873; Above moderate income units: 2055). Communities use the RHNA in land use planning, prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment and household growth. The RHNA does not necessarily encourage or promote growth, but rather allows communities to anticipate growth, so that collectively the region and sub-region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs.

#### Environmental Justice Element

In 2016, the Legislature passed Senate Bill 1000, which requires cities and counties to identify lower-income communities that are disproportionately affected by pollution and other environmental justice issues. The City of Carson's industrial history has contributed to public health and environmental justice challenges. There are 12 census tracts within the City of Carson and one within its Sphere of Influence that are identified as disadvantaged communities. Four of those census tracts are within the highest percentile of CalEnviroScreen scores, meaning they are some of the most significantly burdened tracts in the entire state. The Environmental Justice Element will address disproportionate burdens in these environmental justice communities. The proposed scope of work and budget reflect the most current Office of Planning and Research Guidelines and efforts required to comply with SB 1000. Identification of disadvantaged communities and key environmental justice issues will draw on research completed as part of the Existing Conditions Report.

#### Accessory Dwelling Units Standards

Over the past three years, the Government Code has been amended several times to prescribe very specific requirements for local Accessory Dwelling Unit (ADU) ordinances (Stats. 2018, Ch. 856, Sec. 4. (SB 1333) Amended by Stats. 2019, Ch. 659, Sec. 1.5. (AB 881) Effective January 1, 2020 and Stats. 2019, Ch. 655, Sec. 2. (AB 68)). The new state laws were codified primarily in California Government Code Sections 65852.2 and 65852.22 and became effective January 1, 2020. They provide a set of default standards governing local agencies' regulations and require approval of ADUs without local regulation. They also provide authority for local ordinances that would regulate ADUs and Junior Accessory Dwelling Units (JADUs), subject to specific state standards. More specifically, pursuant to the Government Code, the City can enact certain local standards and permitting procedures for ADUs that will facilitate the development of these units in Carson. ADUs offer lower cost housing to meet the needs of the existing and future residents, and the proposed development standards will ensure that they will be compatible with existing neighborhoods and that adequate water and sewer service will be provided.

Staff is recommending City Council approve Amendment No. 3 to the agreement with Dyett & Bhatia, increase the contract amount by \$300,000 which will be reimbursed by state grant funds and increase the total contract amount from \$1,372,164.00 to \$1,672,164.00, and adopt Resolution No. 20-169.

## **V. FISCAL IMPACT**

The State of California Local Early Action Planning (LEAP) Grant will reimburse the entire \$300,000 of this proposed contract amendment. However, as it is a reimbursement grant, the City must first pay for the services proposed by this amendment, then submit to the state for reimbursement with LEAP grant funds. Expenditures and reimbursement should be reflected in the Planning account 101-70-780-290-6004.

## **VI. EXHIBITS**

1. Executed Agreement with Dyett & Bhatia, Urban and Regional Planners. (pgs. 5-96)
2. Executed Amendment No. 1 to Agreement with Dyett & Bhatia. (pgs. 97-103)
3. Executed Amendment No. 2 to Agreement with Dyett & Bhatia. (pgs. 104-121)
4. Local Early Action Planning Grant Application. (pgs. 122-135)
5. Local Early Action Planning Grant award letter. (pg. 136)

6. Proposed  
Amendment No. 3 to Agreement with Dyett & Bhatia. (pg.137)7. Resolution No.20-169 (pgs.138-148)

Prepared by: Saied Naaseh, Community Development Director, Alvie Betancourt, Planning Manager