



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: March 25, 2008

SUBJECT: Modification to Special Use Permit No. 106-74

APPLICANT: Colony Cove Properties
c/o James Associates
255 N. El Cielo Rd. Suite 140-285
Palm Springs, CA 92262

REQUEST: To permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

PROPERTY INVOLVED: 17700 Avalon Boulevard

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Graber
		Vice Chair Hudson			Saenz
		Cannon			Verrett

Item No. 10A

I. Introduction and Additional Information

This item was originally agendized for the February 26, 2008 Planning Commission public hearing. The staff report from that meeting has been included (Exhibit No. 1). At that hearing, staff presented the case and affirmative findings to recommend approval of the project. However, the applicant disagreed with many of the Engineering Department's conditions of approval contained in Exhibit "B" of the Resolution (Exhibit No. 2), specifically nos. 10, 42, 47, 48, 49, 51, and 52. A letter from the applicant's attorney (Exhibit No. 3) was hand-delivered to the Planning Commission at that public hearing indicating their dissatisfaction with the proposed conditions of approval. Thus, additional time was requested by the applicant so that they could analyze costs associated with those conditions and reexamine them with staff. The conditions listed above relate to affordable housing for five of the 21 new units, landscaping, and right-of-way improvements, such as streetlights, ADA-compliant curb cuts and handicapped-accessible ramps. Engineering staff reconsidered the conditions in relation to the limited size of the proposed expansion. The conditions were prioritized with respect to their ability to provide for public safety and welfare. As a result, the following changes are provided for your consideration (deleted text stricken; added text underlined):

10. The applicant shall provide affordable rental housing for five new units at income levels and locations to be determined pursuant to an agreement with the city. The affordable rental rate shall be targeted to low moderate (or below)-income households, unless otherwise approved by the city, and may be patterned after State Government Code 66427.5 at the discretion of the city. The low-income rental rate shall remain in effect for a period of not less than 30 years or until such time that the city approves an amendment to the agreement. The affordable housing costs shall consider space rent, principle and interest on the mobilehome, mortgage loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs and a reasonable allowance for utilities. The program must be approved by the city before the applicant gets occupancy of units.

42. Repair any broken or raised (one-inch or more) sidewalk, curb and gutter along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer, which is limited to \$10,000 or less in performance costs.

47. Install and/or modify (if necessary) ~~if necessary, modify~~ existing wheelchair ramp along Avalon Boulevard at the entrance and exit to the subject site, and at the northwest corner of at the corner of Avalon Blvd and Albertoni Street; Rainsbury Avenue and Haxby Court; Rainsbury Avenue and Victoria Street per City of Carson Standard, in compliance with ADA requirements.



48. Install streetlights on concrete poles with underground wiring along Avalon Blvd, and Rainsbury Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
49. ~~All existing overhead utility lines less than 50 kilovolts along Avalon Blvd, abutting the proposed development, shall be undergrounded to the satisfaction of the City Engineer. [removed]~~
51. Plant approved parkway trees on locations along Avalon Boulevard and Victoria Street where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134. All new trees must be kept adequately watered.
52. ~~Install irrigation system for the purpose of maintaining the parkway trees along the development on Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue. [removed]~~

Additionally, in the resolution presented to Planning Commission February 26, 2008 condition of approval no. 34 was added which required that the applicant adjust the subject property lot lines to accommodate the 39-feet of land to facilitate fire department Station No. 116 expansion. Although this condition was added to ensure that the property owner's stated intentions to provide the Fire Department the additional land would be carried through, it has since been determined that there was no rational nexus for the "is required" language in the condition. Thus, the condition has been modified as follows (deleted text stricken; added text underlined):

34. At the discretion of the applicant, a 39-foot lot line adjustment shall be completed between the subject property and the adjacent Los Angeles County Fire Department property. The lot line adjustment shall be recorded with the Los Angeles County Recorder's Office prior to the occupancy of the new spaces.

II. Environmental Review

Based upon analysis of the environmental impact of the proposed project, a Negative Declaration has been prepared, pursuant to CEQA regulations. The 20-day period for public review and comment on this Negative Declaration ended February 26, 2008. No comments have been received by the Planning Department regarding the Negative Declaration.

III. Recommendation

That the Planning Commission:

- **ADOPT** the Negative Declaration;
- **APPROVE** Modification to Special Use Permit No. 106-74; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson approving Modification to Special Use Permit No. 106-74 for the addition of 21 mobile

home spaces to an existing 404-unit mobile home park located at 17700 Avalon Boulevard.”

IV. Exhibits

1. Planning Commission Staff Report, Dated February 26, 2008
2. Planning Commission Resolution, Dated February 26, 2008
3. Letter from the Law Offices Gilchrist and Rutter, Dated February 26, 2008
4. Planning Commission Minutes, Dated February 26, 2008
5. Resolution
6. Initial Study and Negative Declaration

Prepared by:



Steven C. Newberg, AICP, Associate Planner

Reviewed by:



John F. Signo, AICP, Senior Planner

Approved by:



Sheri Repp-Loadsman, Planning Division Manager

SN/mod_to_sup10674p



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 26, 2008

SUBJECT: Modification to Special Use Permit No. 106-74

APPLICANT: Colony Cove Properties
c/o James Associates
255 N. El Cielo Rd. Suite 140-285
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REQUEST: To permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

PROPERTY INVOLVED: 17700 Avalon Boulevard

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

~~Case # 08-~~

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
X		Chairperson Faletogo	X		Graber
X		Vice Chair Hudson	X		Saenz
X		Cannon	X		Verrett

Memo

2nd

**Requested continuance to March 25th, 2008 **

Item No. 11B

I. Introduction

On July 24, 2006, the applicant submitted an application for the addition of 21 mobile home spaces to the existing Colony Cove Mobile Home Estates, a 404-unit, renter occupied, mobile home park located at 17700 Avalon Boulevard. The applicant intends to provide additional parking and passive recreation areas and designate five of the mobile home spaces as affordable housing. The applicant will also contribute a portion of property to the Los Angeles County Fire Department to allow for an expansion to Fire Station No. 116. This application includes the following discretionary permit:

- Modification to Special Use Permit No. 106-74 – Addition of 21 mobile home spaces to existing 404-unit mobile home park.

II. Background

The subject property is located on the east side of Avalon Boulevard, north of Victoria Street and south of Albertoni Street. The property is 52.46 acres in area and zoned RM-8-D (Residential, Multi-family – 8 Dwelling Units per Acre – Design Overlay). Colony Cove Mobile Estates, built in 1975, was authorized by Special Use Permit No. 106-74.

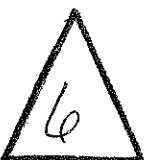
Surrounding Area

Adjacent to the northwest of the subject site is a retail fast-food establishment, and to the southwest is a small retail strip center and public library. Along the south boundary of the subject property is Fire Station 116 and south, across Victoria Street, is California State University, Dominguez Hills. To the east is the Stevenson Village housing tract comprised of two-story, single-family residential homes. The north property line of the subject property faces Albertoni Street and the 91 Freeway.

The applicant has applied for a subdivision to convert the existing mobile home park to resident ownership. A moratorium is currently in effect prohibiting the consideration of any mobile home park conversions. Consideration of the request for the additional 21 units has no bearing on the pending subdivision application.

III. Analysis

There were oil fields and oil wells in use prior to most of the development on and in the vicinity of the subject property. Oil wells previously occupied many of the proposed mobile home spaces. These wells have since been properly removed and capped pursuant to California Division of Oil and Geothermal Resources requirements, according to documents submitted by the applicant. These areas are considered safe for occupancy. Other proposed spaces are currently occupied by open areas, marked and unmarked guest parking areas, and trash enclosure locations. The applicant intends to clean up the vacant areas, grade them (if necessary), and prepare them for mobile home occupancy. This application is not for a subdivision of land, but to add additional mobile home spaces to the existing 52 acre lot.



The original permit was approved as a Special Use Permit, which was the predecessor to what is now called a Conditional Use Permit (changed in 1978). Although the entitlement nomenclature has changed, the findings remain the same, pursuant to CMC Section 9172.21.

Findings: Modification to Special Use Permit No. 106-74

- a). *The proposed use and development will be consistent with the General Plan*
The General Plan Housing Element calls for the the promotion of a variety of housing types, including mobile homes, and the development of quality affordable housing. The proposed 21 units exceeds the maximum density allowed in the zone of 8 units per acre. The applicant intends to provide affordable housing opportunities for five of the 21 new spaces (25%). Pursuant to state housing guidelines, the maximum density for a zone may be exceeded provided the new development offers a minimum percentage of affordable housing. This proposal is compliant with this requirement. Thus, the development will facilitate achievement of goals and objectives of the General Plan.
- b). *The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development*
The project site is 52.54 acres in area, flat, and square-shaped. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.
- c). *There will be adequate street access and traffic capacity*
Primary access to the subject property is via two driveways on the west side from Avalon Boulevard, which is a major thoroughfare running the length of the city and sufficient in width and capacity to serve the anticipated cumulative traffic impact created by the proposed mobile home expansion. Emergency vehicle access is provided by crash gates in two locations on the east side of the subject property along Rainsbury Avenue.
- d). *There will be adequate water supply for fire protection*
There are many fire hydrants located throughout the subject property. There is adequate water supply for the hydrants and sufficient access for fire department equipment and personnel in the event of an emergency.
- e). *The proposed use and development will be compatible with the intended character of the area*
The zoning for the property calls for multi-family residential uses, which the proposed use is compatible with. The proposed spaces will occupy existing areas within the mobile home park, which is consistent with the intended character of the area.
- f). *Such other criteria as are specified for the particular use in other Sections of this Chapter*
The project is compliant with applicable zoning codes and other criteria as specified for the use in the zoning code.



Issue of Concern: Affordable Housing Opportunities

The applicant is requesting to add 21 additional mobile home spaces to the existing 404-unit park, for a total of 425 units. The density allowed pursuant to the property's RM-8-D zoning designation is eight units per acre, which is a maximum of 420 units. As previously stated, state housing guidelines allow the maximum density for a zone to be exceeded provided the new development offers a minimum percentage of affordable housing. The applicant is proposing to have 25 per cent of the new units deemed affordable, which is consistent with the State requirement. The level of affordability is to be determined by agreement with the city. The actual location of the affordable units is to be dispersed among the new spaces in the park, so that there is equal distribution of affordable units in the park. It is anticipated that someday the applicant will apply for a subdivision conversion of the existing mobile home park to provide home ownership opportunities for the residents. If this happens, the affordable units created by the approval of the 21 unit expansion will remain affordable after the subdivision occurs, although the actual location of the affordable units may differ from their location prior to the subdivision. In either case, the rent plus the monthly cost of the unit must not exceed income levels as defined by an agreement with the city. The applicant may have to subsidize the purchase of the unit to qualify as an affordable unit. The details of the program have not been finalized.

MITIGATION: Conditions of approval have been added to the attached resolution to ensure that five of the 21 new units remain affordable for low-income renters, until such time that a subdivision conversion occurs, and affordable, at levels to be determined by an agreement with the city, for potential homeowners if and when a subdivision conversion is completed.

Issue of Concern: Land Dedication

The southern border of the subject property is adjacent to Los Angeles County Fire Station No. 116. The rear yards of two of the proposed spaces are adjacent to the east side of the fire station. The Fire Department has recently submitted an application for expansion of the fire station by adding a new truck bay to the east side of the existing building and additional employee parking areas along the east property line. In order to accommodate the fire department's proposed expansion the applicant has agreed to adjust the subject property lot lines to provide 39-feet to the fire station.

MITIGATION: A condition of approval has been added to the attached resolution which requires that the applicant adjust the subject property lot lines to accommodate the 39-feet of land to facilitate the fire department expansion.

Issue of Concern: Mobile Home Park Community Concerns

The applicant held a community meeting with Colony Cove residents December 12, 2007, in the Colony Cove community center. Staff held a subsequent meeting with park community stakeholders on January 22, 2008 and conducted individual



meetings with interested residents. Residents raised a variety of issues, which include the following:

- a). Guest parking concerns, in terms of the number of spaces and location of guest parking areas;
- b). Rent control issues for the 21 additional units;
- c). Potential contamination from oil well debris and residue from previous oil well usage in vicinity;
- d). Trash enclosure locations and issues related to collection methods and times;
- e). Storage and location of maintenance facilities for homeowner's association, including emergency response vehicle ("people-mover") and related equipment;
- f). Capital improvement cost issues;
- g). Parks and open space – location and quantity;
- h). Traffic issues, potential modifications to existing patterns.

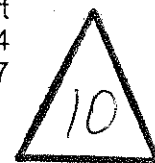
The applicant addresses these issues as follows:

- a). The zoning code requires one guest parking space for every four units. There are 108 existing guest parking spaces, including nine disabled parking spaces. The development plans include an additional 32 guest parking spaces, for a total of 144 guest parking spaces, including 18 parking spaces for the disabled. The applicant has worked with staff and community stakeholders to provide the new guest parking in dispersed locations among the park so that guest parking is accessible by visitors to all areas of the park. Numerous revisions were made to the proposed site plan to accommodate various requests concerning the quantity and location of guest parking. Staff believes that the current layout is sufficient to meet the stated needs of the residents.
- b). Currently, Colony Cove Mobile Estates is required to maintain affordable rental rates for the 404 existing units pursuant to the Carson Rent Stabilization Ordinance. Any new units are exempt from rent control and will be offered at market rate rents, except for the five new units that the applicant will provide as affordable housing for income levels to be determined by agreement with the city. If approved then, 409 of the 425 mobile home units will be required to maintain affordable rental rates.
- c). The applicant has provided documentation of "no further action" letters for each of the former oil well sites from the State Department of Oil and Geothermal Resources, which is indicative of proper capping and abandonment of those sites. According to the applicant, the sites have been found to be free of contaminants and safe for residential occupation.
- d). Residents were concerned with the lack of adequate waste disposal facilities, including recycling bins in the park, and the dilapidated condition of existing trash enclosures. Staff has worked with the applicant to revise the development plans to include trash enclosure locations and details. The applicant has agreed to



provide additional trash enclosures throughout the park, including a larger trash and recycling area located near the community center. Conditions of approval have been added to the attached resolution to ensure that existing trash enclosures are upgraded to current municipal code standards, and new trash enclosures and recycling areas are provided.

- e). Certain members of the homeowner association currently house emergency equipment and related paraphernalia in their homes and carport. Years ago, a luggage moving vehicle was donated to the homeowner's association which is currently housed in a resident's carport. The association maintains this vehicle for use in the event of a major catastrophe or other emergency. It is referred to as the "people-mover". According to park residents, discussions with the property manager resulted in a tentative agreement to provide a location in the new development plan for a maintenance shed for storage of emergency equipment and general storage for the association, and a covered carport for the "people-mover". The applicant has provided space along the new parking area in the northwest corner of the property for the equipment shed and a covered carport space.
- f). Any request for a capital rent increase will be reviewed pursuant to the standard procedures utilized by the Mobilehome Rent Review Board.
- g). According to Condition of Approval No. 10, in Exhibit "B" of Planning Commission Resolution No. 74-277 approving Special Use Permit No. 106-74, the recreation facility shall be no less than one-hundred square feet per mobile home unit in size. The additional 21 proposed units would increase this amount by 2,100 square feet. The applicant has identified a number of pocket parks adjacent to proposed guest parking areas, which are located throughout Colony Cove. Benches and tables will be provided in each park. The total square footage of new open-space park areas exceeds 12,000 square-feet. Staff considers this sufficient to meet the intent of that condition.
- h). There were issues raised concerning the existing traffic patterns in the park and the cumulative traffic impacts associated with 21 additional units. Although staff does not anticipate increased traffic from the park as a result of the additional units, the city Traffic Engineer provided an assessment of potential traffic outlets from the park which would help to mitigate any potential traffic impacts. There were two alternatives suggested, which included a new driveway onto Albertoni Street from Madison Drive on the north side of the park, and from Villa West on the east side of the park onto Rainsbury Drive. Both alternatives were not feasible, according to the Traffic Engineer, as they would cause deleterious effects over and above those which may result from using the existing entrance and exit from Avalon Boulevard. Staff suggests that the applicant leave the traffic control pattern in its current state.



IV. Environmental Review

Based upon analysis of the environmental impact of the proposed project, a Negative Declaration has been prepared, pursuant to CEQA regulations. The 20-day period for public review and comment on this Negative Declaration ended February 26, 2008. No comments have been received by the Planning Department regarding the Negative Declaration.

V. Conclusion

This project will provide an increased amount of affordable housing opportunities, rental housing, sufficient upgrades to the existing mobile home park, and help to facilitate the achievement of General Plan Housing Element goals and objectives.

VI. Recommendation

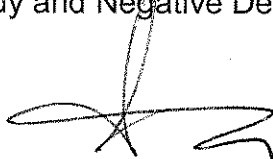
That the Planning Commission:

- **ADOPT** the Negative Declaration;
- **APPROVE** Modification to Special Use Permit No. 106-74; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson approving Modification to Special Use Permit No. 106-74 for the addition of 21 mobile home spaces to an existing 404-unit mobile home park located at 17700 Avalon Boulevard."

IV. Exhibits

1. Site Plan, Floor Plan, Elevations (under separate cover)
2. Land Use Map
3. Resolution
4. Initial Study and Negative Declaration

Prepared by:




Steven C. Newberg, AICP, Associate Planner

Reviewed by:



John F. Signo, AICP, Senior Planner

Approved by:



Sheri Repp-Loadsmann, Planning Division Manager



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION TO SPECIAL USE PERMIT NO. 106-74 FOR THE ADDITION OF 21 MOBILE HOME SPACES TO AN EXISTING 404-UNIT MOBILE HOME PARK LOCATED AT 17700 AVALON BOULEVARD

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

Section 1. An application was duly filed by the applicant, Colony Cove Properties, with respect to real property located at 17700 Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting authorization of a Modification to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

A public hearing was duly held on February 26, 2008, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan Housing Element calls for the the promotion of a variety of housing types, including mobile homes, and the development of quality affordable housing. The proposed 21 units exceeds the maximum density allowed in the zone of 8 units per acre. The applicant intends to provide additional mobile home spaces and affordable housing opportunites for five of the new spaces. The mobile home park is allowed to exceed the maximum density provided they provide affordable housing. In doing so, the development will facilitate achievement of goals and objectives of the General Plan.
- b) The project site is 52.54 acres in area, flat, and square-shaped. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.
- c) Primary access to the subject property is via two driveways on the west side from Avalon Boulevard, which is a major thoroughfare running the length of the city. Avalon Boulevard is considered sufficient in width and capacity to serve the anticipated cumulative traffic impact created by the proposed mobile home expansion. Emergency vehicle access is provided by crash gates in two locations along the east side of the subject property, facing Rainsbury Avenue.
- d) There are a sufficient number fire hydrants located throughout the subject property to facilitate the suppression of fire. There is adequate water supply for the hydrants and efficient means of access for fire department equipment and personnel in the event of an emergency.



- e) The zoning for the property calls for multi-family residential uses, with which the proposed use is compatible. The proposed spaces will occupy existing areas within the mobile home park, which is consistent with the intended character of the area.
- f) The proposed site plan is designed to mitigate park residents' concerns voiced in community meetings between staff, the applicant and park residents during the review process of this application, and has been revised in response to the salient issues raised by residents in these meetings.

Section 4. The Planning Commission further finds that the use permitted by the proposed Modification to Special Use Permit No. 106-74 will not have a significant effect on the environment as indicated in the Initial Study and Negative Declaration prepared for this project. The proposed use will not alter the character of the surrounding area and meets or exceeds all City standards for protection of the environment. The Planning Commission hereby adopts the Negative Declaration.

Section 5. Based on the aforementioned findings, the Commission hereby grants a Modification to Special Use Permit No. 106-74, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and adopts the Negative Declaration.

Section 6. The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 26th DAY OF FEBRUARY, 2008.

CHAIRMAN

ATTEST:

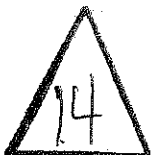
SECRETARY



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
MODIFICATION TO SPECIAL USE PERMIT NO. 106-74

GENERAL CONDITIONS

1. If a permit for new mobile homes is not obtained from the State Housing and Community Development Department, or if a building permit is not given for new construction on the project site within one year of the date of approval of Modification to SUP No. 106-74, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the approved development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the



applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.

7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Modification to Special Use Permit No. 106-74. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

AFFORDABLE HOUSING

10. The applicant shall provide affordable rental housing for five new units at income levels and locations to be determined pursuant to an agreement with the city. The affordable rental rate shall be targeted to low-income households, unless otherwise approved by the city, and may be patterned after State Government Code 66427.5 at the discretion of the city. The low-income rental rate shall remain in effect for a period of not less than 30 years or until such time that the city approves an amendment to the agreement. The affordable housing costs shall consider space rent, principle and interest on the mobilehome, mortgage loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs and a reasonable allowance for utilities. The program must be approved by the city before the applicant gets occupancy of units.
11. If a subdivision conversion to resident ownership is approved, the affordable rental housing covenant on the five units shall be converted to low-income home ownership opportunities for five units. The locations of such units will be subject to an agreement with the city. The agreement shall include a formula to provide a fair distribution between land value and unit value.



PARKING

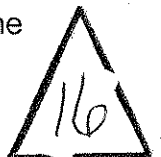
12. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
13. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
14. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
15. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

16. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect and in substantial conformance with preliminary landscape plans dated as received by the Planning Department on February 14, 2008. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
17. Such landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Trees, grass, and vine-like landscaping in the proposed park areas;
 - b. Perimeter landscaping near the "dog-run" area, as described on the site plan marked "Exhibit D";
 - c. Annual flowers wherever possible; and
 - d. Irrigation system designed to commercial grade standards.

Furthermore, these plans are subject to Planning Division review and approval before landscape/irrigation construction, which is to be completed prior to the issuance of final occupancy.

18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
19. The applicant shall install 6-inch by 6-inch concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the



Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

20. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

23. The specification of all colors and materials of new construction of trash enclosures, maintenance shed, and carport must be submitted and approved by the Planning Division prior to the issuance of any building permits.
24. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

FENCES/WALLS

25. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9126.3 (residential zones) of the Zoning Ordinance.

TRASH

26. Trash enclosures and recycling areas shall be located on four-inch concrete pads and in locations consistent with the approved site plan, subject to Planning Division review and approval. Painted metal, self-closing doors shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
27. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.



FIRE DEPARTMENT - COUNTY OF LOS ANGELES

28. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
29. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
30. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
31. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
32. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
33. Submit fire flow information to this Los Angeles County Fire Department, Land Development Division office for approval.
34. A 39-foot lot line adjustment shall be completed between the subject property and the adjacent Los Angeles County Fire Department property. The lot line adjustment shall be recorded with the Los Angeles County Recorder's Office prior to the occupancy of the new spaces.

PUBLIC SAFETY - CITY OF CARSON

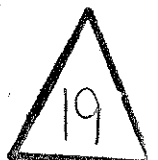
35. Ensure compliance with current seismic mitigation codes.
36. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

37. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory.
38. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
39. Dedicate 6-ft of additional right-of-way along portions of Rainsbury Avenue. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Recorders Office.



40. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
41. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
42. Repair any broken or raised sidewalk, curb and gutter along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
43. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
44. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
45. Where sidewalk meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
46. If any, remove unused driveway approach if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
47. Install/If necessary, modify existing wheelchair ramp at the corner of Avalon Blvd and Albertoni Street, Rainsbury Avenue and Haxby Court; (Rainsbury Avenue and Victoria Street) per City of Carson Standard, in compliance with ADA requirements.
48. Install streetlights on concrete poles with underground wiring along Avalon Blvd, and Rainsbury Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
49. All existing overhead utility lines less than 50 kilovolts along Avalon Blvd, abutting the proposed development, shall be undergrounded to the satisfaction of the City Engineer.
50. All new utility lines, along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue abutting the proposed development shall be underground to the satisfaction of the City Engineer.
51. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.



52. Install irrigation system for the purpose of maintaining the parkway trees along the development on Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue.
53. Paint Curbs Red along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
54. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
55. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
56. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
57. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
58. Comply with mitigation measures recommended by the water purveyor.
59. The Developer shall submit a copy of approved plans on mylars (i.e. Grading, Sewer, Street, and Storm Drain Improvement Plans), to the City of Carson – Engineering Division, prior to issuance of construction permits.
60. A construction permit is required for any work to be done in the public right-of-way.
61. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
62. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
63. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the Engineer in the field. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)

64. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
65. Prior to issuance of Building Permit, the following must be on file:
66. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
67. Construction bond as required for all work to be done within the public right of way.
68. Proof of Worker's Compensation and Liability Insurance.
69. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

70. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.



LAW OFFICES
GILCHRIST & RUTTER
PROFESSIONAL CORPORATION

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February 26, 2008

VIA HAND DELIVERY

Chairperson Tua'au Pele Faletofo
Vice Chairperson Margaret Hudson
Commissioner Clifford Cannon
Commissioner John Graber
Commissioner Amador Saenz
Commissioner Olivia Verrett
City of Carson, Planning Commission
701 East Carson Street
Carson, CA 90745

Re: City of Carson's Unconstitutional Conditions of Approval on Colony Cove
Mobile Estates' Amendment To Special Use Permit No. 106-74

Dear Chairperson Faletofo, Vice Chairperson Hudson, Commissioners Graber, Saenz and Verrett:

As you are aware, we represent the owners of Colony Cove Properties, LLC ("Colony Cove"), doing business as Colony Cove Mobile Estates ("Park"), a mobile home park within the City of Carson ("City"), which is requesting an amendment to the existing special use permit for the addition of twenty-one (21) mobile home spaces to the existing 404-unit mobile home Park. The City's Development Services, Planning Division staff ("Staff") has recommended approval of Colony Cove's development plan on condition that it comply with certain requirements detailed in Exhibit "B" – Conditions of Approval – Modification To Special Use Permit No. 106-74 ("SUP"). Colony Cove objects to several of the seventy conditions imposed on it as a requirements to obtain the SUP amendment. These conditions constitute an illegal taking under the United States and California Constitutions and Colony Cove requests that the City remove these conditions of approval from the City's grant of an amendment to the SUP.

I. The City Cannot Constitutionally Impose Conditions On the Approval of a Development Permit That Have No Reasonable Relationship to the Property In Question.

The Fifth Amendment to the Constitution provides in relevant part: "No person shall be ... deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." (Emphasis added.) The Supreme Court has held that a city unconstitutionally takes private property without just compensation when it requires a private property owner to comply with individualized land-use conditions that have insufficient nexus to the development project in order to obtain a discretionary development

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permit from the city. See *Nollan v. California Coastal Comm.*, 483 U.S. 825 (1987) (“*Nollan*”); *Dolan v. City of Tigard*, 512 U.S. 374 (1994) (“*Dolan*”); see also *Ehrlich v. City of Culver City*, 12 Cal. 4th 854, 860 (1996) (holding that a local regulatory authority must demonstrate a “reasonable relationship” between the monetary exaction and the public impact of the development).

The *Nollan* and *Dolan* decisions establish legal standards to address the situation where government officials, in the context of individual land use permitting decisions, seek to attach permit conditions as a means of shifting the burden of providing the cost of a public benefit to a private party not responsible for or only remotely or speculatively benefiting from it.

Both *Nollan* and *Dolan* involved Fifth Amendment takings challenges to adjudicative land-use exactions. See *Dolan*, 512 U.S. at 379-380 (permit to expand a store and parking lot conditioned on the dedication of a portion of the relevant property for a “greenway,” including a bike/pedestrian path); *Nollan*, 483 U.S. at 828 (permit to build a larger residence on beachfront property conditioned on dedication of an easement allowing the public to traverse a strip of the property between the owner's seawall and the mean high-tide line). In each case, the question was whether the government could, without paying the compensation that would otherwise be required upon affecting a taking, demand a land-use exaction as a condition for granting a development permit. Both the *Nollan* and *Dolan* Courts answered in the affirmative, but only if the condition satisfied the following requirements:

1. Whether an “essential nexus” existed between a legitimate state interest and the permit condition; and
2. When there was a “nexus,” whether the means used by the public entity to achieve its objective “substantially advance” the intended purpose. This involved another two step inquiry:
 - a. Does the *type* of condition imposed address the same *type* of impact caused by the development; and
 - b. Is the condition “roughly proportional” to the nature and scope of the public impact of the proposed development?

Nollan, 483 U.S. at 837; *Dolan*, 512 U.S. at 391.

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The requirements of nexus, reasonable relationship and rough proportionality essentially serve as the unconstitutional-conditions doctrine. *Dolan*, 512 U.S. at 385. When there is little relation between the government's objective and the exaction, there is no legitimate basis for imposing the land use condition. *See Nollan*, 483 U.S. at 837 ("unless the permit condition serves the same governmental purpose as the development ban, the building restriction is not a valid regulation of land use but 'an out-and-out plan of extortion'"). The conditions the City is considering impose on Colony Cove to obtain the SUP amendment fail the *Nollan* and *Dolan* test.

As demonstrated below, the objectionable conditions have no reasonable relationship or proportionality to any impact the additional 21 spaces proposed by Colony Cove may have. By conditioning its approval of the SUP amendment on the requirements proposed by Staff, the City will be engaging in regulatory "extortion" by imposing unconstitutional conditions through its ad hoc permitting process. As such, the conditions listed below represent an unconstitutional taking of Colony Cove's property for public use.

II. City's Conditions Lack Any Relationship and Proportionality To Colony Cove's Addition of Twenty-One Spaces at the Park or Any Impact That Development Would Have on Public Services.

The following conditions are illegal under the *Nolan* and *Dolan* test and must be withdrawn as a condition to obtain the SUP.

- No. 34. "A 39-foot lot line adjustment shall be completed between the subject property and the adjacent Los Angeles County Fire Department property. The lot line adjustment shall be recorded with the Los Angeles County recorder's Office prior to the occupancy of the new spaces."
- No. 39. "Dedicate 6-ft of additional right-of-way along portions of Rainsbury Avenue. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Recorders Office."

These conditions are a blatant attempt by the City to take Colony Cove's property for public use without resort to eminent domain or just compensation. These conditions bear no relationship to Colony Cove's proposed addition of 21 mobile home spaces or any burden they

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would impose on public resources. As such, they constitute unlawful exactions. *See Rohn v. City of Visalia*, 214 Cal. App. 3d 1463, 1473-1474 (no nexus between land use right-of-way dedication requested by city as a condition to obtain a building permit and development of professional office buildings).

It should be noted that although Colony Cove indicated to Staff it would agree to the lot line adjustment to provide the County Fire Department with additional land if the SUP amendment were approved without additional burdensome conditions, despite the fact that such a condition could not legally be imposed involuntarily, Colony Cove will not agree to Condition No. 34 in light of the additional illegal conditions recommended by Staff.

- No. 47. "Install/If necessary, modify existing wheelchair ramp at the corner of Avalon Blvd and Albertoni Street; Rainsbury Avenue and Haxby Court; Rainsbury Avenue and Victoria Street per City of Carson Standard, in compliance with ADA requirements."

There is no relationship between the construction of 21 additional spaces at the Park and the modification and construction of wheelchair access ramps at three corners of the Park's property. Although the Park is a seniors-only park, there is no finding that Colony Cove's construction will not comply with ADA requirements or inhibit Park residents' access to the Park or its services.

- No. 48. "Install streetlights on concrete poles with underground wiring along Avalon Blvd, and Rainsbury Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works."

This proposed condition bears absolutely no relationship, either direct or indirect, to the addition of 21 spaces to the 404 existing mobile home spaces in the Park. The City's attempt to condition the amended SUP on the construction of public street lighting, with underground wiring along public streets, is a not-so disguised effort to shift the cost of a public benefit to Colony Cove. This is exactly the sort of unconstitutional exaction prohibited under the *Nollan* and *Dolan* standard.

- Nos. 49-50. "All *existing* overhead utility lines less than 50 kilovolts along Avalon Blvd, abutting the proposed development, shall be underground to the satisfaction of the City Engineer."

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“All *new* utility lines, along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue abutting the proposed development shall be underground to the satisfaction of the City Engineer.” (Emphasis added.)

Like condition No. 48, there is no evidence or claim that these conditions have any relationship to the proposed development. There is no indication that the addition of 21 additional spaces at the Park will increase the burden on the City’s electrical grid or power lines in any meaningful way, let alone require that they now be buried. Requiring Colony Cove to incur hundreds of thousands of dollars in costs to bury public utility lines is not proportional to any increased electrical usage at the Park from the proposed development. This condition is nothing more than regulatory extortion to force Colony Cove to pay for costs the City might incur to bury its power lines.

Nos. 51-52. “Plant approved parkway tree on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.”

“Install irrigation system for the purpose of maintaining the parkway trees along the development of Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue.”

Whatever objective the City is attempting to achieve through these conditions, it is obvious that these conditions are not associated with or related to any alleged impact Colony Cove’s development would have on public resources. Planting trees, and designing an irrigation system for those trees, does not address the type of impact the addition of 21 spaces to the Park would have on public resources. Again, these conditions appear to be a cost-shifting strategy of the City to Colony Cove without the required relationship or proportionality between the condition and the proposed development. Under *Nollan* and *Dolan*, such a condition represents an unreasonable exercise of the City’s police power and constitutes an unconstitutional taking. *See Dolan*, 512 U.S. at 385.

Under the doctrine of “unconstitutional conditions,” “the government may not require a person to give up a constitutional right – [for example] the right to receive just compensation when property is taken for a public use – in exchange for a discretionary benefit (i.e. a special use permit) conferred by the government where the benefit has little or no relationship to the property.” *Dolan*, 512 U.S., at 385. If the above-referenced conditions had been imposed on Colony Cove independently of a development permit process, they would unquestionably have

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constituted per se takings. Based on the *Nollan* and *Dolan* test, there is no constitutional basis for imposing these conditions on Colony Cove as a prerequisite to issuing the amended SUP.

III. Carson Municipal Code Section 9161.4 Does Not Make the City's Unconstitutional Conditions Legal.

Carson Municipal Code section 9161.4, cited by Staff as authority for imposing the contested conditions, provides:

- A. Before any building permit is issued for any building or structure subject to the provisions of this Division I, the applicable improvements identified in subsection B below shall be installed, constructed or otherwise provided for.
- B. The required improvements may include, without limitation, the following: pavement, curbs, gutters, sidewalks, drainage facilities, sewer facilities, water facilities, lighting, traffic signals, signing, striping, median improvements, parkway trees and landscaping, grading of right-of-way, right-of-way dedication, noise attenuation barriers, modifications to existing utilities to facilitate any or all of the improvements identified herein, and repairs to any or all of the improvements identified herein . . .
- C. The estimated cost of all such required improvements shall not exceed fifty (50) percent of the valuation of the structure for which a building permit is requested.

(Emphasis added.)

Staff mistakenly asserts that Section 9161.4 authorizes the imposition of the conditions at issue here. Staff is obviously incorrect. By its own terms, Section 9161.4 only applies to *building permits* issued for the construction of a "building or structure." Yet, Colony Cove is not seeking a building permit. Section 9161.4 is inapplicable to Colony Cove's proposed development on its face.

Furthermore, even if that provision purported to apply here, the City cannot give itself permission through Section 9161.4 to violate the constitutional requirement that the City only impose conditions that have an essential nexus to the development project and are roughly

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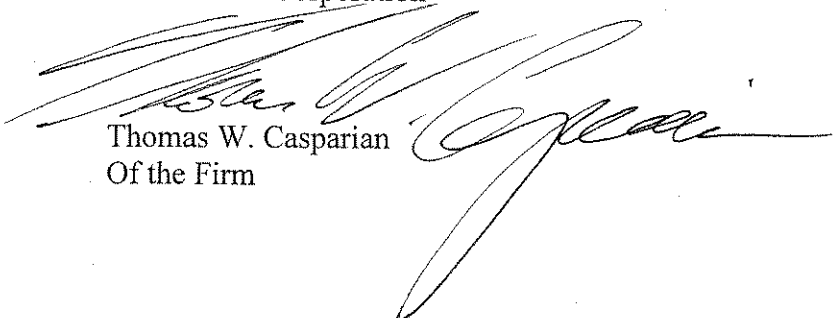
proportional to the impact of the development project. *See Nollan*, 483 U.S. at 837; *Dolan*, 512 U.S. at 391. As explained above, the City's conditions fail to meet these constitutional requirements.

Moreover, even if Section 9161.4 did apply to Colony Cove's proposed development, the costs of complying with the City's conditions would far exceed the 50% of valuation limit imposed by the City's own ordinance. Carson Mun. Code § 9161.4(C). According to Colony Cove's engineer, the estimated cost to comply with the conditions at issue here would be approximately \$750,000 to \$1 million. Therefore, Colony Cove's cost of compliance with the City's conditions exceeds Section 9161.4's limitation by several-fold, at least.

We hope that the City will reevaluate its position on these conditions and withdraw them from the amended SUP approval process.

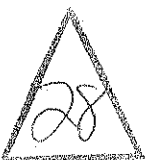
Very truly yours,

GILCHRIST & RUTTER
Professional Corporation


Thomas W. Casparian
Of the Firm

TWC:ja/156287_1.DOC/022608
4541.009

cc: Helen S. Kawagoe, City Clerk (*via Hand Delivery*)
William Wynder, Esq., City Attorney (*via Hand Delivery*)
Sheri Repp-Loadsman (*via U.S. mail*)



Staff's Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to ADOPT the Negative Declaration; APPROVE Relocation Review No. 3037; RECOMMEND approval of Conditional Use Permit No. 671-07 to the City Council; and WAIVE further reading and ADOPT Resolution No.____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Relocation Review No. 3037 and recommending approval of Conditional Use Permit No. 671-07 to the City Council to permit the construction of a pre-fabricated office building on an Organic Refuse Landfill designated property located at 19200 Main Street."

Chairman Faletogo opened the public hearing.

Leon Felus, project architect, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Graber, to approve the request, thus adopting Resolution No. 08-2191. Motion carried.

11. PUBLIC HEARING

B) Modification to Special Use Permit (SUP) No. 106-74

Applicant's Request:

The applicant, Colony Cove Properties, is requesting to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-Family – 8 units per acre – Design Overlay) zoned district. The subject address is 17700 Avalon Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to ADOPT the Negative Declaration; APPROVE Modification to Special Use Permit No. 106-74; and WAIVE further reading and ADOPT Resolution No.____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification to Special Use Permit No. 106-74 for the addition of 21 mobile home spaces to an existing 404-unit mobile home park located at 17700 Avalon Boulevard."

Chairman Faletogo opened the public hearing.

Nader and Suhair Qoborsi, Foresight Engineering representing the applicant, highlighted on a map the areas being proposed for the 21 mobile homes, the trash enclosure, dog run area, parking and handicapped parking, and the new green areas inside the park.

Thomas Casparian, attorney representing the applicant, noted his opposition to Condition Nos. 47 through 52, believing these conditions do not have a reasonable



relationship to the impact of the proposed 21 spaces to this development; he mentioned that the applicant is dedicating 4,200 square feet of land to the fire department for their future expansion on Victoria Street; and asked that this matter be continued to March 25, 2008, to allow for an opportunity to meet with staff and discuss these six conditions, noting these conditions will end up costing them approximately \$750,000. He expressed his belief these conditions also constitute a taking of Colony Cove's property without just compensation and is a violation of their due process rights.

Assistant City Attorney Galante stated he disagrees with Mr. Casparian's comments regarding what the law allows the City to impose, pointing out the City's Municipal Code gives staff the authority to impose these six conditions. He added that it was the applicant's offer to dedicate the 4,200 square feet to the fire department; mentioned that the applicant can withdraw the offer to dedicate that land; stated that the conditions were not created after the fact; and reiterated that the conditions of approval are appropriately supported by the City's codes.

Bill Smalley, park resident, stated the proposed 21 spaces exceed the maximum density for this property; expressed his belief the proposal should be reduced by five spaces; and stated the last six conditions are excessive. With regard to Site D, he noted his opposition to adding up to 8 additional parking spaces on the south side of this area because it will negatively impact ingress/egress from the property and create an unsafe traffic condition.

Gary Roberts, park resident, stated the applicant should apply for a variance to exceed the maximum density by five extra units, expressing his belief a variance is still required regardless of their affordability.

Dr. Rita Boggs, resident, highlighted the proposed five affordable units, questioning whether under the rent control program, these five conditions would result in five percent of any expenses being chargeable to the rent of the entire park; and stated if that is the case, the City should be careful with imposing new conditions upon the applicant when those conditions would generate a financial impact upon the park residents.

John Goolsby, park resident, noted his support of the applicant's request and expressed his belief the last six conditions are excessive.

Planning Manager Repp advised that the rent increases for the five affordable units will most likely be guided by the CPI, not the City's rent control program.

Battalion Chief Rick Moreno, local fire department representative, commented on the needs of the adjacent fire station, noting the station needs to be enlarged to accommodate the larger vehicles and greater number of staff that use this fire station.

Planning Commission Decision:

Vice-Chair Hudson moved, seconded by Commissioner Saenz, to continue this matter to the March 25, 2008, Planning Commission meeting to allow the applicants time to confer with staff on Condition Nos. 47 through 52. Motion carried.

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION TO SPECIAL USE PERMIT NO. 106-74 FOR THE ADDITION OF 21 MOBILE HOME SPACES TO AN EXISTING 404-UNIT MOBILE HOME PARK LOCATED AT 17700 AVALON BOULEVARD

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

Section 1. An application was duly filed by the applicant, Colony Cove Properties, with respect to real property located at 17700 Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting authorization of a Modification to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district.

Public hearings were duly held February 26, 2008 and March 25, 2008, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meetings were duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meetings.

Section 3. The Planning Commission finds that:

- a) The General Plan Housing Element calls for the the promotion of a variety of housing types, including mobile homes, and the development of quality affordable housing. The proposed 21 units exceeds the maximum density allowed in the zone of 8 units per acre. The applicant intends to provide additional mobile home spaces and affordable housing opportunities for five of the new spaces. The mobile home park is allowed to exceed the maximum density provided they provide affordable housing. In doing so, the development will facilitate achievement of goals and objectives of the General Plan.
- b) The project site is 52.54 acres in area, flat, and square-shaped. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.
- c) Primary access to the subject property is via two driveways on the west side from Avalon Boulevard, which is a major thoroughfare running the length of the city. Avalon Boulevard is considered sufficient in width and capacity to serve the anticipated cumulative traffic impact created by the proposed mobile home expansion. Emergency vehicle access is provided by crash gates in two locations along the east side of the subject property, facing Rainsbury Avenue.
- d) There are a sufficient number fire hydrants located throughout the subject property to facilitate the suppression of fire. There is adequate water supply for the hydrants and efficient means of access for fire department equipment and personnel in the event of an emergency.



- e) The zoning for the property calls for multi-family residential uses, with which the proposed use is compabitle. The proposed spaces will occupy existing areas within the mobile home park, which is consistent with the intended character of the area.
- f) The proposed site plan is designed to mitigate park residents' concerns voiced in community meetings between staff, the applicant and park residents during the review process of this application, and has been revised in response to the salient issues raised by residents in these meetings.

Section 4. The Planning Commission further finds that the use permitted by the proposed Modification to Special Use Permit No. 106-74 will not have a significant effect on the environment as indicated in the Initial Study and Negative Declaration prepared for this project. The proposed use will not alter the character of the surrounding area and meets or exceeds all City standards for protection of the environment. The Planning Commission hereby adopts the Negative Declaration.

Section 5. Based on the aforementioned findings, the Commission hereby grants a Modification to Special Use Permit No. 106-74, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and adopts the Negative Declaration.

Section 6. The Secretary shall certify the adoption of this Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF MARCH, 2008.

CHAIRMAN

ATTEST:

SECRETARY



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "A"

LEGAL DESCRIPTION

MODIFICATION TO SPECIAL USE PERMIT NO. 106-74

Property Address: 17700 Avalon Boulevard

The land referred to as parcel no. 7319-017-086 is described as follows:

Parcel 1 in the City of Carson, County of Los Angeles, State of California, as shown on Parcel Map No. 6150 filed in Book 69, Pages 69, 70, and 71 of Parcel Maps, in the Office of the County Recorder of said County.

Except from said land that portion lying below a depth of 500 feet, measured vertically from the surface of said land, as said surface existed on October 25, 1965.

Also except therefrom all mobile homes situated on said land.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
MODIFICATION TO SPECIAL USE PERMIT NO. 106-74

GENERAL CONDITIONS

1. If a permit for new mobile homes is not obtained from the State Housing and Community Development Department, or if a building permit is not given for new construction on the project site within one year of the date of approval of Modification to SUP No. 106-74, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the approved development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the



applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.

7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Modification to Special Use Permit No. 106-74. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

AFFORDABLE HOUSING

10. The applicant shall provide affordable rental housing for five new units at income levels and locations to be determined pursuant to an agreement with the city. The affordable rental rate shall be targeted to moderate (or below)-income households, unless otherwise approved by the city, and may be patterned after State Government Code 66427.5 at the discretion of the city. The low-income rental rate shall remain in effect for a period of not less than 30 years or until such time that the city approves an amendment to the agreement. The affordable housing costs shall consider space rent, principle and interest on the mobilehome, mortgage loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs and a reasonable allowance for utilities. The program must be approved by the city before the applicant gets occupancy of units.
11. If a subdivision conversion to resident ownership is approved, the affordable rental housing covenant on the five units shall be converted to low-income home ownership opportunities for five units. The locations of such units will be subject to an agreement with the city. The agreement shall include a formula to provide a fair distribution between land value and unit value.



PARKING

12. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
13. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
14. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
15. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

16. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect and in substantial conformance with preliminary landscape plans dated as received by the Planning Department on February 14, 2008. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
17. Such landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Trees, grass, and vine-like landscaping in the proposed park areas;
 - b. Perimeter landscaping near the "dog-run" area, as described on the site plan marked "Exhibit D";
 - c. Annual flowers wherever possible; and
 - d. Irrigation system designed to commercial grade standards.

Furthermore, these plans are subject to Planning Division review and approval before landscape/irrigation construction, which is to be completed prior to the issuance of final occupancy.

18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
19. The applicant shall install 6-inch by 6-inch concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the



Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

20. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9126.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

23. The specification of all colors and materials of new construction of trash enclosures, maintenance shed, and carport must be submitted and approved by the Planning Division prior to the issuance of any building permits.
24. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

FENCES/WALLS

25. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9126.3 (residential zones) of the Zoning Ordinance.

TRASH

26. Trash enclosures and recycling areas shall be located on four-inch concrete pads and in locations consistent with the approved site plan, subject to Planning Division review and approval. Painted metal, self-closing doors shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
27. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.



FIRE DEPARTMENT - COUNTY OF LOS ANGELES

28. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
29. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
30. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
31. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
32. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
33. Submit fire flow information to this Los Angeles County Fire Department, Land Development Division office for approval.
34. At the discretion of the applicant, a 39-foot lot line adjustment shall be completed between the subject property and the adjacent Los Angeles County Fire Department property. The lot line adjustment shall be recorded with the Los Angeles County Recorder's Office prior to the occupancy of the new spaces.

PUBLIC SAFETY - CITY OF CARSON

35. Ensure compliance with current seismic mitigation codes.
36. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

37. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory.
38. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
39. Dedicate 6-ft of additional right-of-way along portions of Rainsbury Avenue. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Records Office.



40. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
41. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
42. Repair any broken or raised (one-inch or more) sidewalk, curb and gutter along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer, which is limited to \$10,000 or less in performance costs.
43. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
44. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
45. Where sidewalk meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
46. If any, remove unused driveway approach if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
47. Install and/or modify (if necessary) existing wheelchair ramp along Avalon Boulevard at the entrance and exit to the subject site, and at the northwest corner of Rainsbury Avenue and Victoria Street per City of Carson Standard, in compliance with ADA requirements.
48. Install streetlights on concrete poles with underground wiring along Avalon Blvd, and Rainsbury Avenue to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
49. All existing overhead utility lines less than 50 kilovolts along Avalon Blvd, abutting the proposed development, shall be undergrounded to the satisfaction of the City Engineer.
50. All new utility lines, along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue abutting the proposed development shall be underground to the satisfaction of the City Engineer.
51. Plant approved parkway trees on locations along Avalon Boulevard and Victoria Street where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134. All new trees must be kept adequately watered.



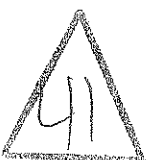
52. Paint Curbs Red along Avalon Blvd, Albertoni Street, Victoria Street and Rainsbury Avenue within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
53. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
54. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
55. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
56. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
57. Comply with mitigation measures recommended by the water purveyor.
58. The Developer shall submit a copy of approved plans on mylars (i.e. Grading, Sewer, Street, and Storm Drain Improvement Plans), to the City of Carson – Engineering Division, prior to issuance of construction permits.
59. A construction permit is required for any work to be done in the public right-of-way.
60. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
61. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
62. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the Engineer in the field. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
63. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.



64. Prior to issuance of Building Permit, the following must be on file:
65. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
66. Construction bond as required for all work to be done within the public right of way.
67. Proof of Worker's Compensation and Liability Insurance.
68. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

69. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

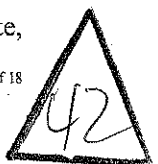


Environmental Checklist Form

1. **Project Title:** Modification to Special Use Permit No. 106-74
2. **Lead Agency Name and Address:** City of Carson, Planning Division
701 East Carson Street
P.O. Box 6234
Carson, CA 90749
3. **Contact Person and Phone Number:** Steven C. Newberg, AICP, Associate Planner
(310) 952-1761 x1810
4. **Project Location:** 17700 S. Avalon Blvd.
5. **Project Sponsor's Name and Address:** Colony Cove Properties
c/o James & Associates
255 N. El Cielo Rd. Suite 140-285
Palm Springs, CA 92262
6. **General Plan Designation:** Low Density - Residential
7. **Zoning:** RS-8-D (Residential, Single Family – 8 units per acre – Design Overlay Review)
8. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
The applicant is proposing 21 additional units at an existing 404-unit mobile home park ("Colony Cove Mobile Estates"), 5 of which are to be deemed affordable, pursuant to City of Carson Municipal Code and other applicable State standards.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:**
The area is adjacent to single-family residential use to the east, Dominguez Hills State College and the Home Depot Center to the south, a mobile home park to the west and commercial uses to the north.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) Carson Redevelopment Agency for any financial program**

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources that preparer cites in the parentheses following each question. A "No Impact" answer is adequately supported if the reference information shows that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site,

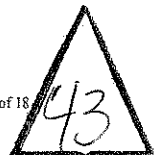


cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The preparer must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," may be cross-referenced).
- 5) Early analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect analyses are discussed at the end of the checklist.
- 6) Preparers are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

EVALUATION OF ENVIRONMENTAL IMPACTS:

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I.	AESTHETICS. Would the project:				
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Source: General Plan; Carson Municipal Code

Explanation:

- (a,b) The project is located in a fully developed urban area. No scenic vistas, scenic resources, or designated historic buildings exist in the vicinity, and none of the adjacent streets, Albertoni Street, Avalon Boulevard nor Victoria Street are designated as State scenic highways. Thus, the proposed project will have no impacts.
- (c) The uses along Avalon Boulevard, Albertoni Street and Victoria Street include a variety of commercial uses, single-family residents and public uses (college and soccer stadium). The proposed subdivision will not affect the visual character of the area.
- (d) The lights on private property will not impact adjacent residential uses.

Mitigation:

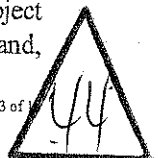
None Required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
II.	AGRICULTURAL RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) Prepared by the California Dept. of Conservation as an optional Model to use in assessing impacts on agriculture and farmland. <i>Would the project:</i>				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code

Explanation:

- (a) According to Appendix G of the State Guidelines and the Department of Conservation, a project will have a significant impact on agricultural resources if it falls into any of the following Farmland designations: Prime Farmland; Farmland of Statewide Importance; or Unique Farmland. The project area is a fully developed commercial corridor. The subject site is not designated as Prime, Farmland,



Unique Farmland, or Farmland of Statewide Importance (Farmland), and thus will not have an impact.

- (b) No agricultural areas exist nearby the project site. The project would not result in direct or indirect impacts to agricultural resources. The project does not comprise an agricultural preserve under a Williamson Act contract.
- (c) The project area is not located on agricultural or farmlands. The project would neither directly nor indirectly result in the conversion of Prime, Unique, or other Farmland of Statewide Importance to a non-agricultural use.

Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III.	AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <i>Would the project:</i>				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standards or contribute substantially to an existing or projected air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code

Explanation:

(a,c,d,e) The proposed 21 units in a park that currently has 404 units would not have a significant impact.



Mitigation:

None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV.	BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code.

Explanation:

(a – f) No riparian or sensitive habitat is identified within the project area. The project site is developed and is located in a built-out commercial area. No sensitive vegetation or wildlife will be affected. The proposed project will not conflict with any habitat conservation plan. Thus, no significant impact to biological resources is expected.



Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V.	CULTURAL RESOURCES. <i>Would the project</i>				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan Update EIR; Carson Municipal Code; Local CEQA Guidelines.

Explanation:

- (a) There are no identified historical resources on the project site.
- (b) There are no identified archaeological resources on the project site.
- (c) There are no identified paleontological resources on the project site.
- (d) There are no identified human remains or formal cemeteries on the project site.

Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI.	GEOLOGY AND SOILS. <i>Would the project:</i>				
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, or injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

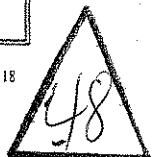
Source: General Plan EIR; Carson Municipal Code

Explanation:

- (a) The project site is located west of the seismically active Newport-Inglewood fault and west of the Palos Verdes fault zone. Although there is a potential for liquefaction during strong seismic activity, the proposed use is not expected to induce seismic hazards or liquefaction since it will be located on a developed site. This is considered a less than significant impact.
- (b-d) All construction and grading activities will be reviewed to assure proper construction and grading practices and compliance to building regulations. No soil erosion, loss of topsoil, or related geologic hazard is expected to result from this project.
- (e) The proposed project does not involve the installation or use of septic tanks or alternative disposal systems and once completed, will be connected to the existing City water distribution and sewer systems.

Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII.	HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites Compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan.

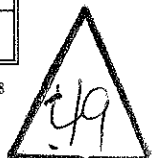
Explanation:

(a ,b) No significant amounts of hazardous materials will be allowed to be stored the mobile home park.

(c-h) The residents are not expected to generate hazardous wastes.

Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII.	HYDROLOGY AND WATER QUALITY.				
	<i>Would the project:</i>				
a)	Violate any water quality standards or waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	discharge requirements?				
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan, Carson Municipal Code.

Explanation:

(a,e) The proposed units will be evaluated for its impact on water quality standards and storm runoff.

Mitigation: None required.



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX.	LAND USE AND PLANNING. <i>Would the project:</i>				
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code.

Explanation:

- (a,b) The site is designated on the General Plan as Low Density Residential. The mobile home park developed at 8 units per acre meets the requirements of low density residential use.
- (c) The project is not located within a habitat conservation plan or natural community conservation plan. No impacts are anticipated.

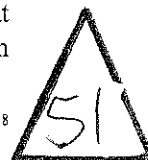
Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X.	MINERAL RESOURCES. <i>Would the project:</i>				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan.

Explanation:

- (a) The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State because the project site is not located in a mineral rich area nor does it involve any mining practices.



- (b) There are no known locally important mineral resources at the project site. The project would have no effects on the availability of a mineral resource.

Mitigation: None required.

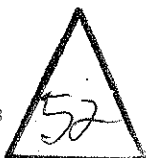
		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI.	NOISE. <i>Would the project result in:</i>				
a)	Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in the ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan.

Explanation:

- (a-d) The proposed project is located adjacent to residential neighborhoods, however the existing and proposed units are not expected to have a noise impact on the adjacent areas.
- (e,f) The project is not located within the vicinity of a private airstrip, and would not expose people residing or working in the project area to excessive noise levels. The project site is not located within two miles of an airport.

Mitigation: None required.



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII.	POPULATION AND HOUSING. <i>Would the project</i>				
a)	Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

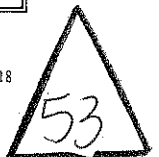
Source: General Plan

Explanation:

(a – c) The project site is located on Albertoni Avenue, Avalon Boulevard and Victoria Street which is a developed urban area, and is adjacent to a developed residential area. The proposed use will not induce substantial growth such as offsite roadways, infrastructure, or other residential developments, nor will it displace housing or residents.

Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII.	PUBLIC SERVICES.				
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code

Explanation:

(a) *Fire Protection* - Fire service to the project site would be provided by the Los Angeles County Fire Department. The project would adhere to all requirements of the Fire Code. The applicant is dedicating 39 feet to the adjacent Fire Station No. 116.

Police Protection - Police protection would be provided by the Los Angeles County Sheriffs Department (Carson Substation).

Schools - The mobile home park is a senior park and will generate very few students.

Parks - The proposed project is not expected to require additional parks or impact existing parks.

Other public facilities - The proposed project is not expected to create any significant impacts to other public facilities. The City would maintain its roads and other public facilities without adverse effects on service capabilities.

Mitigation: None required.



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV.	RECREATION.				
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration the facility would occur to be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

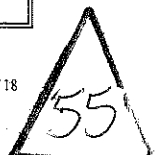
Source: General Plan

Explanation:

(a – b) The proposed project is not expected to generate the need for additional parks or expansion of existing parks. No impact is expected.

Mitigation: None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XV.	TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
a)	Cause an increase in traffic, which is substantial in relation to the existing system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code.

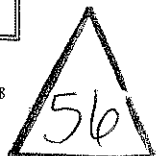
Explanation:

(a-e) The additional traffic from 21 mobile home units occupied by seniors will not have a significant impact on traffic.

Mitigation:

None required.

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI.	UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code.

Explanation:

- (a) The Sanitation District has indicated that there is enough capacity for 21 additional units.
- (b) The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities.
- (c) The project will not result in the construction of new storm water drainage facilities.
- (d) The project would continue to be served by the existing water service provider. No impacts are anticipated.
- (e) The project would not result in the generation of wastewater in excess of the capacities of the current wastewater treatment provider.
- (f) Solid waste generated during project construction and operation would be transported to an appropriate disposal facility.
- (g) The project would comply with all federal, state, and local statutes and regulations related to solid wastes. Therefore, no impacts are identified.

Mitigation: None required.



		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII.	MANDATORY FINDINGS OF SIGNIFICANCE.				
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan; Carson Municipal Code.

Explanation:

- (a) The project area is developed and does not contain any sensitive, protected, rare, or endangered wildlife or vegetation. No impacts area anticipated.
- (b) The proposed project is in conformance with the General Plan.
- (c) The proposed project is not expected to have substantial adverse effects on residents. This is considered a less than significant impact.

Mitigation: None required.

Earlier Analysis

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects may have been adequately analyzed in an earlier EIR or negative declaration, Section 15603(c)(3)(D).

Signature

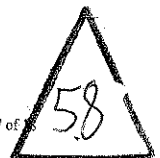
Steven C. Newberg, AICP

Printed Name

Date

2/4/08

For



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities /Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION (completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____

February 4, 2008
Date

References

- City of Carson. April 2000. Existing Conditions Report for the General Plan Update.
- City of Carson. October 2002. Environmental Impact Report for the General Plan Update.
- City of Carson, Current Municipal Code.
- City of Carson, Amended General Plan (2004).





CITY OF CARSON

NEGATIVE DECLARATION

Case: Modification to Special Use Permit No. 106-74

Applicant: Colony Cove Properties (c/o James and Associates)

Address: 255 N. El Cielo Rd. Suite 140-285, Palm Springs, CA 92262

Project Description: A request to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates) located on approximately 52 acres in the RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay) zone district

Project Location: 17700 Avalon Blvd, Carson, CA 90746

On the basis of the Initial Study prepared for the project, it has been determined that the project would not have a potential for a significant effect on the environment. A copy of said Initial Study is available for review at the Community Development Department, 701 E. Carson Street, Carson, California, 90745. This document constitutes a Negative Declaration.

Mitigation Measures: None

Responsible Agencies: City of Carson, Planning

Trustee Agencies: City of Carson, Engineering Division; City of Carson, Housing Division

Notice pursuant to Section 21092.5 of the Public Resources Code:

A Public Hearing will be held before the Planning Commission in the City Hall Council Chambers, 701 E. Carson Street, Carson, California, on February 26, 2008 at 6:30 p.m. to consider this project. At that time, any interested person is welcome to attend and be heard on this matter.

Prior to the Public Hearing, the public is invited to submit written comments on this Negative Declaration to the Community Development Department, City Hall, 701 East Carson Street, Carson, California 90745 or phone (310) 952-1761. Please refer to the case number listed above



Steven C. Newberg, AICP, Associate Planner

2/5/08

Date

