



WEDNESDAY, JANUARY 31, 2024  
701 East Carson Street, Carson, CA 90745  
City Hall, Helen Kawagoe Council Chambers  
6:30 p.m.

## MINUTES

### SPECIAL MEETING OF THE PLANNING COMMISSION

Members:	Dianne Thomas Interim Chair	Louie Diaz Interim Vice Chair	Frederick Docdocil
	Carlos Guerra	Del Huff	Jaime Monteclaro
	Karimu Rashad	Richard Hernandez	DeQuita Mfume
Alternates:	Leticia Wilson		
Staff:	Christopher Palmer, AICP Planning Manager	Benjamin Jones Assistant City Attorney	Sandy Solis Interim Secretary

---

“In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Planning Department at 310-952-1761 at least 48 hours prior to the meeting.” (Government Code Section 54954.2)

---

#### 1. CALL TO ORDER

Commissioner Diaz Called the meeting to order at 6:33 p.m.

---

#### 2. PLEDGE OF ALLEGIANCE

Commissioner Guerra led the Salute to the Flag.

---

#### 3. ROLL CALL

Planning Commissioners Present: Diaz, Guerra, Docdocil, Huff, Hernandez, Wilson

Planning Commissioners Absent: Thomas (Excused), Monteclaro (Excused), Rashad (Excused), Mfume

Planning Staff Present: Community Development Director Naaseh, Planning Manager Palmer, Senior Planner Alexander, Assistant City Attorney Jones, Interim Secretary Solis

## ITEM NO. 6A

---

**4. ORAL COMMUNICATIONS FOR NON-PUBLIC HEARING ITEMS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)**

None

---

**5. PUBLIC HEARING**

**A) Carson Zoning Ordinance and Zoning Map Comprehensive Update, Phase I (Residential/Mixed-Use, certain Commercial and General Provisions) – Zoning Text Amendment (ZTA) No. 195-23 and Zone Change (ZCC) No. 190-23**

Request:

Consider adoption of a resolution recommending that the City Council find a CEQA Exemption and adopt: (1) a comprehensive amendment to the provisions of the Carson Zoning Ordinance (Chapter 1 of Article IX of the Carson Municipal Code) pertaining to residential and mixed-use zoning districts and uses, including certain commercial and general provisions, consistent with the 2040 Carson General Plan; and (2) a comprehensive amendment to the Carson Zoning Map pertaining to residential and mixed-use zoning districts, effectuating rezoning of properties, consistent with the 2040 Carson General Plan.

Assistant City Attorney Jones – We are missing our Interim Chair Thomas tonight. It would be helpful if we could get a consensus of the commissioners to name a chair to preside over this hearing. If we could entertain a consensus vote for one of the commissioners to be the chair for the evening and preside over this hearing.

Planning Commission Decision:

Commissioner Guerra moved, seconded by Commissioner Huff, for Commissioner Diaz to temporarily fill the position of Chairperson for tonight’s meeting. Unanimous, motion carried.

Planning Manager Palmer – Tonight we’re going to revisit the draft of the Comprehensive Zoning Code Update and the associated map. This is not the first time that this has been before the commission or the public. In August 2023, the planning commission voted to continue this item to allow for more public outreach opportunity and feedback. Since then, we completed and have an ongoing public outreach program. Tonight, we are going to present the proposed changes and the draft that we are recommending for approval to the City Council.

Vivian Khan from Dyett & Bhatia provided the Draft Comprehensive Zoning Code Update presentation.

Recommendation:

Assistant City Attorney Jones – Staff’s recommendation is to ADOPT the proposed Resolution No. 24-\_\_\_\_, entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CARSON CITY COUNCIL MAKE A DETERMINATION OF APPLICABILITY OF CEQA GUIDELINES SECTION 15168(c)(2) AND APPROVE ZONING TEXT AMENDMENT NO. 195-23 AND ZONE CHANGE NO. 190-23 FOR A PHASE 1 COMPREHENSIVE RESIDENTIAL AND MIXED-USE UPDATE AND AMENDMENT TO THE CARSON ZONING ORDINANCE AND ZONING MAP”. We have one proposed amendment to the resolution. We would be adding Section 4(A)(1)(f) to the resolution

to make any modifications as necessary to carry through the provisions of Ordinance No. 23-2303 without substance of amendment, that is the Mobile Home Park Overlay District ordinance that was already adopted in 2023. The intent is to carry that through without any substance of amendment. There are a couple of discrepancies in Part 2 of the Draft Ordinance that need to be cleaned up to make sure that's consistent with existing Ordinance No. 23-2303 without any substance of amendment. We would add that paragraph to the resolution, and we would also reflect that modification in Subsection 4(B)(1) of the resolution. The resolution includes the CEQA action as well.

Acting Chair Diaz opened the public hearing.

Commissioner Guerra – Can you provide an overview of the CEQA process, who certifies the CEQA document, and maybe include the definition of the Housing Element and how it affects general planning?

Vivian Khan – The California Environmental Quality Act referred to as CEQA is a law that says when a public agency undertakes an action that may have potentially significant effect on the environment it has to examine that action, it has to do an analysis, and then it has to try to make whatever adjustments are possible in that action to reduce the significance impact on the environment. In the case of the General Plans obviously adoption of the new plan is going to have a major effect on the jurisdiction. In some cases, it's going to increase traffic, or it may shift traffic from one area to another. It may result in development for example, on sites that have been used for industrial purposes that have been polluted, there's a potential adverse impact and you have to do something about. You may create additional noise that has to be addressed. There are going to be new buildings that are going to be brighter than a lot of the existing developments. All those things have to be examined. If something is determined to be a significant or a potentially significant impact, you have to explain that it's either significant but it's important and there are overarching circumstances that require to approve it anyhow, or that you have taken steps to mitigate it to reduce the significance of that impact to lessen significant levels. That is what was done for the General Plan and because the zoning code is implementing the General Plan, and it's another action, which in some cases jurisdictions might significantly change the zoning code from a General Plan. There might in fact be an impact that was not previously discussed that would have to be disclosed and you might have to do an additional document. In this case because we did it soon after the General Plan there is no need for examining impacts you didn't identify. Nothing has happened that wasn't anticipated so we were able to recommend that the Planning Commission tell the City Council we've reviewed this and our recommendation is that you can find that there are no new impacts that the city has met all the requirements in the law and there's no need to do a subsequent supplemental Environmental Impact Report because the conditions that existed haven't changed since the Environmental Impact Report for the General Plan was adopted and this is consistent with that General Plan. The Housing Element is one of seven elements that comprise the General Plan. They are sometimes viewed as chapters of the General Plan, but they really are issues that the General Plan needs to address. For many years land use was the most important part of the General Plan. Since the state legislature became very concerned about the need to build housing in California, the Housing Element has become one of the most important, if not the most important element in the General Plan. There are very lengthy requirements for doing a Housing Element that meets state requirements. There are potentially dire consequences for jurisdictions that fail to adopt the Housing Element that meets the state

requirements. Essentially, you could lose the ability to approve and make decisions on residential developments. We took a lot of care to write a Housing Element for your consideration which was ultimately adopted.

Commissioner Guerra – Who certifies the EIR?

Assistant City Attorney Jones – The EIR has already been certified, it was with the General Plan when that was adopted. The council certified the EIR. What you are determining is that under the CEQA guidelines provision the General Plan EIR covers this. This Zoning Code Update is within the scope of what was already considered in the General Plan EIR, and no further environmental document is required. We do have an ESA study that is attached to the staff report that goes through it and confirms after analysis that this is within the scope of the General Plan EIR. A subsequent or a new EIR is not required to be certified this time around.

Socorro Magana (speaker) – I'm a little confused regarding the notice I received. There are 81 families living in Rancho Dominguez Mobile home. We don't know what's happening and we are scared.

Assistant City Attorney Jones – This action will not close your mobile home park. Your mobile home park is not closing. The mobile home park is within the mobile home overlay district and this action carries the mobile home overlay district through. There's no change.

Jan Smith (speaker) – Our mobile home park owner is always trying to close the park because it's non-conforming. With the non-conforming use that is going to be on phase 2, is it going to affect the park?

Assistant City Attorney Jones – No, the mobile home parks under the Mobile Home Zone Ordinance are not considered non-conforming anymore. Rancho Dominguez is not considered non-conforming anymore because it's in the mobile home overlay district and that is not changing as part of this ordinance.

Robin Burse (speaker) – At what point does the infrastructure come into play with the zoning. What actions can we take to re-mitigate the potential traffic increase flow on the major thoroughfares, and residential streets being used as a thoroughfare? Is the 157-acres land part of the zoning presentation?

Vivian Khan – You zone sites, you don't zone the streets. Infrastructure that serves private property is dealt with in the Municipal Code but in other parts of the Municipal Code. There are other laws that say services have to be provided. School districts are not run by the city. They are separate districts and separate legal entities. One of the things that the General Plan looked at were locations where schools were appropriate and that is something you generally deal with in the General Plan to make sure that there is land available. You don't regulate the schools through the Zoning Ordinance. New development is required to pay school impact fees. The city collects the fees, but they go to the school district, and they are based typically on floor area. The city can get paid through fees on new developments. If you can demonstrate that a development is going to exceed the capacity of the existing infrastructure you can require them to pay a fee to expand the infrastructure. You don't charge new development to pay for resolving problems with existing infrastructure. You can make them pay if it can be

demonstrated that a new subdivision is going to have so many students, or it's going to have so many houses, and it can't be served by the existing fire station in that area, or the schools aren't going to be large enough to accommodate all those students. That can be dealt through impact fees. In reference to traffic, one of the things that the city can do when it approves development is impose conditions on where driveways are going to be, how you access a site, and how you leave a site. The city can require that driveways be located so that they do not impact certain streets. You can also impose conditions on certain types of businesses that limit the number of vehicles that are going in and out at certain times of the day. We are not dealing with heavy industrial uses in this phase of the General Plan. I expect that many of those issues are going to be fully analyze in Phase 2.

Planning Manager Palmer - Part of the approved General Plan includes the circulation element and that includes the hierarchy of streets in the city. Each project that comes before the city is bedded through our engineering team. There is not a project that comes through the city that we are not considering future infrastructure in our existing infrastructures.

Community Development Director Naaseh – The 157-acre project owned by the Carson Reclamation is already approved, it has zoning, and it has received all the entitlements. It basically tells us where all the buildings are, what they look like, and how large they are. I can describe that in three parts. In reference to the part that is next to the 405, we are currently negotiating with the largest commercial shopping center developer in the country to develop that site with a 400,000 square foot outlet mall. The negotiations are still ongoing and hopefully they'll come to fruition in the next few months. The second part of that property is what we refer to as South Street 4 and 5. It has been approved for a 1.5 million square foot industrial park. In addition to that, it has a 12-acre open space area and restaurants. The last part of the 157-acre does not have any developers associated with it. We are hoping that area is developed as residential, but nothing is for sure yet.

Nick Papadakis (speaker) – I owned various commercial properties in the city. I would like to ask regarding the proposal for Conditional Use Permits for the sale of alcohol and beverages in packaged stores. What is the reason for the proposal for a CUP for an existing business?

Vivian Khan – Many cities for a long time did not require Conditional Use Permits for the sale of alcohol. That created a lot of problems with people loitering, creating noise, disturbances, and so forth. Many cities then started requiring Conditional Use Permits in addition to the licenses from the state. We hope that some of the requirements that we are recommending address a lot of the problems that people fear in connection with alcohol sales. Hopefully that will make the CUP process a lot smooth. It's up to the city if they want to continue requiring a CUP. In my experience most cities continue to require a CUP for alcohol sales for either on site or off-site consumption. Exceptions are when alcohol is consumed with meals.

Nick Papadakis - It is routine for a new license to come under the condition of the CUP for a new licensee. It is not common for an existing business to have to go through a CUP. I will leave the commission with this. Before taking a vote on imposing a CUP for licenses that have been in business for many years, for establishments that are peaceful, I would check with the Carson Sheriff's Department to find out if these particular businesses are an attracted nuisance.

If there is an attracted nuisance there is an argument for a CUP. In my opinion, if they are not an attracted nuisance then the CUP is being misapplied.

Robert Lesley (speaker) – I was concern about the Flex portion of the notice itself as well as you know that Flex has a variance just like the ADU type of format. Regarding the ADUs, there are no standard parking guidelines. They will remove the guidelines upon on certain affordable housing. My understanding under affordable care whether it's a multiunit or residential, there's no guideline as there is when you make a new structure where you have to provide adequate parking for that particular facility. You are saying that CEQA is not going to be standard upon this new proposal here. Does it supersede our charter guidelines? I want to know what is the new guideline that is overriding our local ordinance.

Nick Vargas (speaker) – I have two properties, and each is 25 square feet. The City Council wants me to build one house on two lots. I brought information so that you can study it since you are working on the zone. There's a California bill that states that if you have a home you can build on the back. I don't want to build on the back, I want to build one house on each lot.

Graciela Vivian (speaker) – Are there going to be any changes on the setback variance?

Assistant City Attorney Jones – One of the modifications to the Draft Ordinance that is listed in Section 4(A)(1)(a) of the resolution says to modify Section 9211.3 of the Draft Ordinance including Table 9211.3, to revise interior side setbacks for Medium Density Residential to 5 feet for lots wider than 50 feet for multiple-family residential projects designed as detached, single-family dwellings. Multiple-family residential projects designed as detached, single-family dwellings projects, for purposes of this modification, is intended to refer to projects/developments where the density is multi-family, but all the units are detached units. That modification is reducing the interior side setback standard from 10 feet to 5 feet for the medium residential zone.

Acting Chair Diaz closed the public hearing.

Planning Commission Decision:

Acting Chair Diaz moved, seconded by Commissioner Guerra, to approve staff's recommendation, thus adopting Resolution No. 24-2862 with new Section 4(A)(1)(f) and Section 4(A)(2). Motion carried, 6-0.

---

## **6. COMMISSIONER'S ORAL COMMUNICATIONS**

Commissioner Docdocil – I appreciate hearing from the community.

Commissioner Huff – The coverage of this agenda item was magnificent. Thank you to the community for coming out.

Commissioner Wilson – Thank you to the community for being here. We have a diverse community, if we could please consider having a translator so people can listen in their respective language.

Commissioner Guerra – Thank you everyone for coming.

Acting Chair Diaz – Thank you for coming out and voicing your concerns.

---

## **7. STAFF ORAL COMMUNICATIONS**

None

---

## **8. ADJOURNMENT**

The meeting was adjourned at 8:11 p.m.

---

Louie Diaz  
Acting Chair

Attest By:

---

Laura Gonzalez  
Planning Secretary