



# CARSON PLANNING COMMISSION STAFF REPORT

**DATE:** June 10, 2025  
**FROM:** Community Development Department – Planning Division  
**BY:** McKina Alexander – A/Planning Manager  
**SUBJECT:** Delegation of approval authority for certain Density Bonus applications to the City's Community Development Director with the concurrence of the City Manager

## PROJECT/APPLICANT INFORMATION

Project Summary: Consideration of a Resolution delegating the Planning Commission's approval authority for certain Density Bonus applications to the City's Community Development Director with the concurrence of the City Manager

Project Location: Citywide

Zoning: Not Applicable/Citywide

Project Applicant: City of Carson

## I. OVERVIEW

### A. Introduction and Background

Carson Municipal Code (CMC) Section 93113.9(K)(2) states, "A project with a Density Bonus Application, including a request for concessions, incentives or waivers, shall be reviewed for approval by the Planning Commission; provided, however, that if a development involves another permit or entitlement requiring City Council approval, then the Planning Commission may deny the development project or recommend its approval to the City Council." This Section was recently enacted by the City in 2024 pursuant to Ordinance No. 24-2405, as part of the City's new Phase 1 Zoning Code which is available for review at [www.carson2040.com](http://www.carson2040.com) [Carson 2040 General Plan Update](#) ("Phase 1 Code").

The State Density Bonus Law, Government Code Section 65915 ("SDBL"), does not require requests for SDBL density bonuses, concessions, incentives or waivers to be reviewed or approved by a city's city council or planning commission, as opposed to its administrative staff. The SDBL does not specify a particular city approval authority for such requests.

CMC Section 93113.9(K)(2) creates an impractical situation by requiring Planning Commission review of all development projects seeking approval of SDBL density bonuses, concessions, incentives or waivers, even when City administrative staff would otherwise be the applicable

City approval authority for the project. This adds unnecessary review and associated burdens and delays in the entitlement process. Having the Planning Commission serve as the approval authority over SDBL requests for projects that do not otherwise require Planning Commission or City Council approval does not increase the City's decision-making discretion over SDBL requests, as that is dictated and strictly limited by the SBDL. Furthermore, a public hearing is not required for Planning Commission consideration of such SDBL requests under CMC 93113.9(K)(2).

## **B. Project Description**

The proposed Resolution for consideration of the Planning Commission is to delegate its approval authority over density bonus applications pursuant to CMC 93113.9 for projects that do not seek or require another permit or entitlement for which the Planning Commission or City Council is the applicable City approval authority (i.e., projects for which the Director would otherwise be the applicable City approval authority). If approved, the Planning Commission would delegate its approval authority pursuant to CMC 93113.9(K)(2) for such applications to the Director (as defined in CMC 9112.3 to mean the Community Development Director or his or her designee), provided the Director obtains the prior concurrence of the City Manager or his or her designee in any decision the Director makes pursuant to this delegation of authority.

The proposed Resolution would remain in effect (i) for one year, (ii) until effectiveness of a further Planning Commission resolution superseding this Resolution, or (iii) until CMC Section 93113.9(K)(2) is amended to moot or obviate the delegation of authority made in this Resolution, whichever occurs first. Staff anticipates that CMC Section 93113.9(K)(2) may eventually be amended, as part of the Phase 2 Code update or otherwise, to correct this issue, but if it is not, the Planning Commission would need to revisit it within one year or the proposed delegation of authority would expire.

## **II. ANALYSIS**

### **A. Proposed Resolution No. 25-2889**

- The recitals/findings of the proposed resolution discuss how, as stated above, requiring the Planning Commission to act as the approval authority for SDBL projects that would otherwise be subject to Director approval adds little value and may lead to inefficiencies, delays, and unnecessary use of resources in the entitlement process. Even with the Commission's involvement, no public hearing is required for consideration of SDBL requests, and the City's decision-making discretion remains equally limited under State law regardless of whether the Commission or the Director is conducting the review. CMC Section 93113.9(K)(2) was likely included in its present form in the Phase 1 Code through inadvertence, and it is anticipated to be revised through a future zoning code amendment/update that will be presented to the Planning Commission and the City Council.

- The recitals/findings also note that allowing City administrative staff – rather than the Planning Commission – to review development project requests for SDBL concessions, incentives or waivers for approval where administrative staff is already the designated City approval authority for the project will help streamline the review process for residential development projects in the City. This proposed approach and delegation is consistent with the goals and provisions of the Phase 1 Code and better aligns with the Housing Element, including Policy 2-3, which encourages a more efficient and coordinated review process for housing projects. Policy 2-3 is to “improve the entitlement process to streamline and coordinate the processing of development permits, design review, and funding of housing projects.” It is also the approach that was adhered to by the City (as set forth in CMC 9412) prior to the Phase 1 Code update.
- The proposed resolution points out that delegating approval authority for such projects to the Community Development Director or designee, with the concurrence of the City Manager in any decision made pursuant to the delegation of authority, will not change the level of discretion the City has to deny requests for density bonuses, concessions, incentives or waivers under the SDBL or the City’s density bonus ordinance, as noted above. The proposed resolution also provides that consistent with CMC 93113.9(L), any decision made by the Director under this delegation of authority may be appealed to the Planning Commission as outlined in CMC 9412.13.
- The proposed resolution provides that it would be in effect for one year, unless prior to that it is superseded by a new Planning Commission resolution (either extending or terminating the delegation of authority) or CMC Section 93113.9(K)(2) is amended in a way that makes the delegation of authority no longer necessary—whichever occurs first.

#### **B. Environmental Analysis**

Consideration of Resolution No. 25-2889 is exempt from the California Environmental Quality Act (CEQA) under the “common sense” exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

#### **C. Public Hearing Notice**

Not applicable.

### **III. CONCLUSION AND RECOMMENDATION**

Adopting the proposed resolution delegating the Planning Commission’s approval authority for certain SDBL projects to the Community Development Director or designee with the concurrence of the City Manager will “improve the entitlement process to streamline and

coordinate the processing of development permits, design review, and funding of housing projects.” (Housing Element Policy 2-3)

Staff recommends that the Planning Commission:

ADOPT RESOLUTION NO. 25-2889, ENTITLED “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CARSON CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTION 15061(B)(3) AND APPROVE CODE AMENDMENT NO. ZCC NO. 04-25, ADOPTION OF VARIOUS AMENDMENTS TO THE TEXT OF THE CITY’S ZONING ORDINANCE DELEGATING APPROVAL AUTHORITY FOR CERTAIN DENSITY BONUS APPLICATIONS TO THE CITY’S COMMUNITY DEVELOPMENT DIRECTOR WITH THE CONCURRENCE OF THE CITY MANAGER.”

**ATTACHMENTS**

- 1) Planning Commission Resolution No. 25-2889