

## **ORDINANCE NO. 22-2207**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING THE DISTRICT AT SOUTH BAY SPECIFIC PLAN AMENDMENT (SPA NO. 27-2021), TO MODIFY PERMITTED USES, DEVELOPMENT STANDARDS, DESIGN FEATURES, AND OPERATIONAL CHARACTERISTICS.**

WHEREAS, there is a 157-acre site generally located southwest of the Interstate 405 (I-405) Freeway (the San Diego Freeway) and north of the Avalon Boulevard interchange at 20400 Main Street in the City of Carson ("Project Site"), which includes the former Cal-Compact Landfill also referred to herein as the "157 Acre Site" and / or the "Project Site") that operated as a Class II landfill from 1959 until 1965; and

WHEREAS, the "Project" constitutes a modification to the permitted land uses and development standards for Planning Area 3 of the 157 Acre Site that is currently subject to The District at South Bay Specific Plan (the "2018 Specific Plan"; such specific plan as amended concurrent with this Resolution, the "Specific Plan" or "Specific Plan Amendment"); and

WHEREAS, the Project requires a General Plan Amendment to change the existing General Plan land use designation of a 73.53-acre portion of the 157 Acre Site (referred to as "Planning Area 3(a)" and/or " (PA3(a) " under the Specific Plan) from Commercial Marketplace (CM) to Light Industrial (LI) and to remove the requirement that Lenardo Drive be designed as a Major Highway under the existing General Plan; and

WHEREAS, Planning Area 3(a) of the Specific Plan will include a maximum of 1,567,090 square feet of light industrial development including 75,000 of supportive office uses under a Light Industrial (LI) General Plan designation within PA3(a), and will also include approximately 0.62-acre parkway space that will include shade trees and native planting, a meandering walking path, and a sidewalk along the south side of Lenardo Drive along PA3(a); and

WHEREAS, the proposed amendment to the General Plan is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

WHEREAS, the City, as the Lead Agency, has analyzed the Specific Plan Amendment and has prepared a supplemental environmental impact report ("2022 SEIR") to the 2018 FEIR (as defined below) to evaluate the changes proposed by the Project in comparison to the development proposed by the 2018 Specific Plan (which was previously evaluated under that certain Final Supplemental EIR (State Clearinghouse Number ) (the "2018 FEIR") and in order to evaluate and provide a comparison of the impacts of the proposed modified Project as compared with the approved development allowed under the Project 2018 Specific Plan evaluated in the 2018 FEIR; and

WHEREAS, The District at South Bay Specific Plan regulated the process of amendment of the Specific Plan of said Specific Plan by processing said amendment "in accordance with the applicable provisions of state law provided in California Government Code sections 65450, et seq.

The procedure in Section 9172.11 of the CMC shall be followed for hearing, notice and decision of a Specific Plan Amendment by the Planning Commission and City Council.”; and

**WHEREAS**, on April 18, 2022, the Planning Commission, after giving notice pursuant to Government Code Sections 65090, 65091, 65092 and 65094, (i) held a special public hearing for Development Agreement No. DA 29-2021, Specific Plan Amendment No. SPA 27-2021, General Plan Amendment No. GPA 118-2021, Site Plan and Design Review No. DOR 1877-2022, Vesting Tentative Tract Map No. VTTM 83481, and Supplemental Environmental Impact Report for The District at South Bay Specific Plan, State Clearinghouse No. 2005051059 (the "SEIR"); and (ii) adopted Resolution No. 22-2830 Approving Site Plan and Design Review No. DOR 1877-2022, Vesting Tentative Tract Map No. VTTM 83481, certifying Supplemental Environmental Impact Report, adopting CEQA Findings of Fact and a Statement of Overriding Considerations for The District at South Bay Specific Plan, State Clearinghouse No. 2005051059, and (iii) Adopted Resolution 22-2831 Recommending City Council Approval for Development Agreement No. DA 29-2021, Specific Plan Amendment No. SPA 27-2021, General Plan Amendment No. GPA 118-2021. The Planning Commission’s decision was appealed; and

**WHEREAS**, on April 21, 2022, an application for an Appeal was filed to appeal the Planning Commission’s decision to approve Resolution 22-2830 (1) adopting the Findings required by CEQA Guidelines; (2) certifying the 2022 to the Final EIR (SCH No. 20050551059) for the District at South Bay Specific Plan; (3) adopting a Mitigation Monitoring and Reporting Program, (4) adopting a Statement of Overriding Considerations; and (5) approving Site Plan and Design Review No. DOR 1877-2021 and Vesting Tentative Tract Map No. VTTM 83481; and

**WHEREAS**, pursuant to California Government Code Sections 65867 and 65090, the City of Carson on April 22, 2022, published a legal notice of the public hearing regarding Specific Plan Amendment No. 27-2021, General Plan Amendment No. GPA 112-2021 and Development Agreement No. DA 29-2021, to be held by the City Council on May 3, 2022. In addition, on April 21, 2022, a public hearing notice was mailed to each property owner within an expanded radius of 2,000 feet of the Project site, indicating the date and time of the public hearing in accordance with state law; and

**WHEREAS**, the City Council consideration of the provisions of Specific Plan Amendment No. 27-2021, General Plan Amendment No. GPA 112-2021 and Development Agreement No. DA 29-2021 at the public hearing on May 3, 2022, was continued to May 23, 2022, and the meeting adjourned to a following regular City Council meeting on May 23, 2022; and

**WHEREAS**, the City Council considered and (1) approved Ordinance No. 22-2207 adopting Specific Plan Amendment No. 27-2021; at a duly noticed public hearing on May 23, 2022, and all interested parties were given an opportunity to be heard, and thereafter introduced this Ordinance; and

THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ORDAINS AS FOLLOWS:

Section 1. **RECITALS.** The above recitals are true and correct and incorporated fully herein.

Section 2. **CEQA FINDINGS.** The 157 Acre Site was previously analyzed for development pursuant to: (1) a Final Environmental Impact Report for the Carson Marketplace Specific Plan (SCH No. 2005051059), which was certified by the City of Carson on February 8, 2006 (2006 FEIR); (2) Addendum 1 to the 2006 FEIR, which was approved in March 2009; and (3) a Supplemental Environmental Impact Report, which was certified by the City on April 3, 2018 (2018 SEIR). A Supplemental Environmental Impact Report, was certified by the Planning Commission on April 18, 2022 (2022 SEIR). The Planning Commission certification of the 2022 SEIR was appealed on April 21, 2022. The 2022 SEIR was considered by the City Council on May 23, 2022 and the City Council approved Resolution No. 22-085 (1) adopting the Findings required by CEQA Guidelines; (2) certifying the 2022 to the Final EIR (SCH No. 20050551059) for the District at South Bay Specific Plan; (3) adopting a Mitigation Monitoring and Reporting Program, (4) adopting a Statement of Overriding Considerations; and (5) approving Site Plan and Design Review No. DOR 1877-2021 and Vesting Tentative Tract Map No. VTTM 83481. The Project and the 2022 SEIR are consistent with the analysis under the 2006 FEIR and 2018 SEIR, but the physical changes being described in the 2022 SEIR apply only to the 84 acres south of Lenardo Drive. The Specific Plan Amendment was expressly included within the scope of the project, and was environmentally assessed in the SEIR.

Section 3. **FINDINGS.** Pursuant to Government Code Sections 65864 through 65869.5 and in light of the record before it including the staff report (and all attachments), and all evidence and testimony heard at the public hearing for this item, and in light of all evidence and testimony provided in connection with the SEIR and the Entitlements, and consistent with the findings and recommendations of the Planning Commission as set forth in Resolution No. 22-2831, the City Council makes the following findings pertaining to Specific Plan Amendment No. SPA 27-2021:

- a) The Specific Plan Amendment is consistent with and furthers a number of goals and objectives identified in the City's General Plan. The Project proposed by the Specific Plan Amendment represents a productive reuse of a brownfield site that is compatible with surrounding uses, and offers Carson residents new opportunities for residential, retail, light industrial, open space and amenity uses and employment. The cumulative, 168-acre project features up to 1,550 residential units, with 1,250 permitted in Planning Area 1 south of Del Amo, bringing needed housing to the City and generating a unique mixed-use environment that can serve as a signature project for Carson. The City's General Plan also envisions an expanded commercial base, including encouraging specialty retail development. Further detailed findings of consistency between the Project and the General Plan are an appendix to the SEIR, which findings and supporting evidence has been previously certified by the Planning Commission.

1. The Project is consistent with General Plan Goal LU-1, Productive reuse of "brownfield" site. The Project would put to productive reuse a contaminated, former landfill/brownfield site through site remediation consistent with the approved

Remedial Action Plan (RAP) and under the oversight of the DTSC. The 2021 Project would enable the full remediation of the Project Site and would contain a mix of uses that would be sufficient to fund ongoing and future operation and maintenance (O&M) costs, which has long been the goal of the City and the CRA (the owner of the Project Site).

2. The Project is consistent with General Plan Goal LU-5.2 Implement and expand strategies to market, attract, and/or retain retail commercial areas and encourage businesses to participate. The Project would establish the Project Site as a signature development along the I 405 Freeway, with nearby access to both the I 405 Freeway and the Harbor Freeway (I 110 Freeway). The Project would offer high visibility in a new, planned development. It would include commercial uses within PA2 adjacent to the I 405 Freeway that would attract visitors and meet the needs of local population. In addition, the Project would include the Carson Country Mart, an approximately 11.12-acre publicly accessible area in PA3(b) that would include community commercial uses and other recreational amenities.
3. The Project is consistent with General Plan Goal LU-5.3 to identify unique economic opportunities, such as niche markets, that will allow the City to capitalize on its location, its cultural diversity, and the tourism industry in the region. The Project would provide a mix of uses in a prime location visibly noticeable along the I 405 Freeway corridor. The 2021 Project would include residential, commercial, and light industrial uses. In addition, the 2021 Project would provide approximately 11.12 acres of passive and active spaces with local serving commercial uses in the Carson Country Mart. The 711,500 sf of commercial uses within PA2 and the 33,800 sf of commercial uses within PA3(b) would provide a mix of visitor and local serving uses that would create an opportunity to support a large range of uses and would provide a regional destination.
4. The Project is consistent with General Plan Goal LU 6.2 Achieve a sustainable land use balance through provision of incentives for desired uses; coordination of land use and circulation patterns; and promotion of a variety of housing types and affordability. The Project would provide a mix of residential, commercial, and light industrial uses with an integrated design and a circulation system that coordinates the land uses and access.
5. The Project is consistent with General Plan Goal LU-7.3 to promote the use of buffers between more intensive industrial uses and residential uses. The Project would include light industrial uses within PA3(a), which is located across Lenardo Drive from the residential uses proposed within PA1 and across the Torrance Lateral from the existing off-site residential uses to the west and south of the Project Site. Lenardo Drive would be approximately 80 feet in width, and the light industrial buildings within PA3(a) would maintain a variety of setbacks from the property line along the Torrance Lateral. The setbacks would be 55.5 feet at Building F; 70 feet at Building D (with the implementation of Mitigation Measure B-1); and 113 feet at Building A. In addition,

the Torrance Lateral would provide an additional buffer of 75 feet from the property line to the nearest off-site residential uses. The loading areas would be screened by the orientation of the building and/or the installation of sound walls, as well as landscaping. Therefore, buffers between the light industrial uses and adjacent residential uses (both on and off site) would be provided. Additionally, the conditions of approval impose nighttime operational restrictions in the buffer areas located nearest to residential sensitive receptors.

- b) The District at South Bay Project will further the public health, safety and welfare through the remediation and development of a former landfill site.
- c) The Specific Plan Amendment No. SPA 27-2021 complies with Government Code Section 65451
- d) The approval of the Amended Specific Plan for the District at South Bay Project, which will allow for the orderly development of the largest vacant parcel within the City of Carson, are in conformity with public convenience and good land use practices, will not adversely affect the orderly development of property and will not adversely affect property values.

Section 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

Section 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days after its passage.

Section 6. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance, and shall cause the same to be posted and codified in the manner required by law.

**PASSED, APPROVED and ADOPTED** this 23<sup>th</sup> day of May, 2022.

---

Mayor Lula Davis-Holmes

ATTEST:

---

Dr. Khaleah K. Bradshaw, City Clerk

APPROVED AS TO FORM

---

Sunny Soltani, City Attorney

---