

CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 06-_____

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING TENTATIVE
PARCEL MAP NO. 27014 FOR THE RESIDENTIAL
CONVERSION OF CARSON HARBOR VILLAGE MOBILE
HOME PARK LOCATED AT 17701 AVALON
BOULEVARD**

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

Section 1. An application was duly filed by the applicant, Carson Harbor Village, Ltd., with respect to the real property located at 17701 Avalon Boulevard, Carson, California. The area is shown in Exhibit "A" attached hereto. The application requests approval of Tentative Parcel Map No. 27014. The property is currently developed with a 420 unit mobile home park, Carson Harbor Village Mobile Home Park. The applicant is requesting approval of a parcel map for condominium purposes in order to convert the rental park to a residential ownership park.

Section 2. Said application was submitted to appropriate agencies as required by the Subdivision Regulations of the City of Carson, with the request for their review, comments and requirements.

Section 3. A Subdivision Meeting was held on October 18, 2006, when the applicant, staff and representatives of agencies were present.

Section 4. Duly noticed public hearings were held on November 14, 2006, and December 12, 2006, January 9, 2007, January 23, 2006 and March 13, 2007 at 6:30 P.M. at the City Hall Council Chambers, 701 East Carson Street, Carson, California. A notice of the time, place and purpose of the aforesaid meetings was duly given.

Section 5. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 6. The Planning Commission finds that:

- a) The General Plan Land Use Map designates the area for low-density residential use. The zoning is RM-8-D (Residential, Multi-family-8 dwelling units per acre-Design-Overlay-Review. The existing and proposed use is in conformance with the General Plan and Zoning.
- b) The General Plan Housing Element Goal H-1 is "Protection of the supply of affordable housing." Policy No. H-4.4 states "The City should limit the conversion of affordable rental units to ownership units." Implementation Measure No. H-IM-4.2 states in part, "Protection of mobile home park tenants. ...Mobile home parks constitute a significant portion of the low-

and moderate-income housing in the City. The City has rent control for mobile home spaces only...” The 1999-205 Action Plan includes:

- Continue to require rent control for the City’s mobile home parks.
- Assist with mobile home park rehabilitation or conversion to ownership housing if appropriate and/or feasible.
- Assess the reasons for mobile home park closures and assist mobile home park owners in finding a solution to resist closure.

The City’s only action in this case is the approval or denial of Tentative Parcel Map No. 27014. If the City can not make the findings for denial, it must approve the subdivision. The City has a goal to preserve low and moderate-income housing. The proposed subdivision will maintain the existing number of mobilehome spaces. Residents will have the option to maintain a rental status or to become a resident owner. The applicant and Carson Redevelopment Agency intend on developing a resident purchase assistance program to facilitate resident ownership opportunities.

- c) A Special Use Permit No. 147-76 was approved on February 23, 1977, Resolution No. 77-368, which allowed a mobile home park to be constructed on the site.
- d) Section 9206.7 of the Carson Municipal Code gives the authority to the Planning Commission to require lights and other street improvements for existing streets that are adjacent to the subject property when considering a subdivision application. The current lighting on Albertoni Street and Avalon Boulevard is inadequate to provide adequate pedestrian and vehicle safety on the sidewalks and streets adjacent to Carson Harbor Village Mobile Home Park. The existing sidewalks do not meet current American with Disabilities Act (ADA) standards for accessibility. Conditions have been included to require the applicant to provide street lights and to modify existing driveways/entrances in the public right of way to comply with ADA requirements along Albertoni Street, Victoria Street and Avalon Boulevard within or abutting Carson Harbor Village Mobile Home Park per city standards and to the satisfaction of the City Engineer.
- e) The Los Angeles County Sheriff’s Department recommends that maximum lighting be provided in the area adjacent to the Carson Harbor Village Mobile Home Park to deter criminal and nuisance activity in the area.
- f) Section 66490 of the Subdivision Map Act requires a preliminary soils report prepared by a registered civil engineer in the state to be submitted.
- g) Section 66428.2 of the Subdivision Map Act does not apply to this application since the mobilehome park conversion to resident ownership is proposed by the park owner.
- h) The proposed project is subject to the provisions of CEQA. An Initial Study was prepared and it was determined that there would be no significant impact as a result of this request. A Negative Declaration was prepared, noticed and sent to the County Recorder’s office for posting. The property

owners and tenants within the affected and those within 500 feet of the corridor were noticed 20 days prior to the hearing.

Section 7. Pursuant to Government Code Section 66473.5, the Planning Commission finds that the proposed subdivision and the provisions for its design and improvement are compatible with the objectives, policies and general land use and programs provided in the City's General Plan.

Section 8. Pursuant to Section 66474 of the Subdivision Map Act, a city shall deny approval of a parcel map if it makes any of the findings listed below. The Planning Commission finds, that with the incorporation of those conditions attached in Exhibit B, the following:

- a) ***That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.***

Pursuant to the General Plan, the proposed subdivision map is consistent with the density, goals, policies and objectives for low density residential development applicable to the property in question.

- b) ***That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.***

The design of the existing Carson Harbor Village Mobile Home Park which will remain in its present configuration with the proposed subdivision, is consistent with the City of Carson General Plan for low density development.

- c) ***That the site is not physically suitable for the type of development.***

The existing Carson Harbor Village Mobile Home Park was approved by the Planning Commission in 1977. The park was built in compliance with Special Use Permit No. 147-76 and the development standards in effect at the time for mobile home parks. With the recommended conditions of approval specified in this Resolution, the subdivision meets all applicable development criteria specified for Special Use Permit No. 147-76, the criteria for mobile home parks and the RM-8-D (Residential, multi-family-8 dwelling units per acre-Design Overlay Review) zone on the property.

- d) ***That the site is not physically suitable for the proposed density or development.***

The General Plan designates low density residential development as appropriate for the site and the property is zoned RM-8-D (Residential, multi-family-8 dwelling units per acre-Design Overlay Review). Both the General Plan and the zone district allow 8 dwelling units per acre. The mobile home park, as currently developed, has a density of approximately 5.1 dwelling units per acre which is in compliance with the density provisions of the General Plan.

- e) ***That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.***

The site of the proposed condominium conversion is already developed and the subdivision application does not contemplate any additional development on the property. The existing wetland or marsh located in the center of the property is regulated by the Department of Fish and Game. There are restrictions on the property that assure that the wetlands will not be damaged.

- f) ***That the design of the subdivision or type of improvements are likely to cause serious public health problems.***

Conditions have been included to ensure that the design of the subdivision or improvements is not likely to cause serious public health problems. The adjacent lighting does not meet today's standards and the standards that are asked of every developer whether the project is a subdivision or a discretionary permit. The existing condition is detrimental to the public safety of the residents of the park. If the condition requiring an improvement of the adjacent lighting is not met, then a condition will remain which is likely to cause serious public health problems.

- g) ***That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court or competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.***

The project will not conflict with existing traffic flow adjacent to the property on Avalon Boulevard or Albertoni Street. The easements for sewer and water run under the current mobile homes. This condition has existed since the park was developed and will not change as a result of this subdivision. It should be noted that if a sewer or other utility line needs to be repaired, it may require access under mobile homes.

Section 9. A nexus or rough proportionality has been established for the required road and sidewalk improvements, and for off-site improvements as related to the tentative parcel map. The Planning Commission finds:

- a) The soils in the area are subject to liquefaction. A geology\soils report is necessary to determine impacts on the mobile homes should an earthquake occur.
- b) The right to restrict vehicular access on Albertoni Street, Avalon Boulevard and Victoria Street to the current driveways is necessary to limit the number of driveways and access on these three streets to maintain public safety.

- c) The provision of street lighting along Albertoni Street and Avalon Boulevard is necessary to provide safe pedestrian and vehicular access for the present and future residents of the site and for the public at large.
- d) An area sewer study is necessary to determine if there is adequate capacity of the sewers. When the park developed in 1977, it was an adult only park which would indicate that 1 or 2 people would typically occupy a mobile home. The park is currently a family park and the occupancy of the units has risen significantly. Changes to the number or size of units occupying the park may impact the sewer capacity. A condition has been included to require the sewer area capacity study to be provided as a disclosure document for purchasers of spaces and for limitations or improvements to be included for future construction in the mobile home park.
- e) The upgrading and modifying of the existing entrances to Carson Harbor Mobile Home Park to comply with current American With Disabilities Act (ADA) requirements is necessary to provide a safe means of access for disabled persons, both residents of the park and the public at large.
- f) When the mobile home park was built in 1977 pursuant to the then existing requirements of the fire code. The Los Angeles County Fire Department has determined that certain changes are necessary to meet current fire code requirements. Conditions have been included to require compliance with applicable fire code requirements. A condition has been included to allow the Los Angeles Fire Department to modify any condition associated with fire code requirements if a determination is made that existing or alternative improvements meet fire code requirements.

Section 10. Pursuant to California Subdivision Map Act Sections 66427, 66451, 66452 and the City of Carson Municipal Code Sections 9202.1 through 9209.6, the Planning Commission has determined that the application was noticed in accordance with all applicable provisions and will also require:

- a) That each tenant and each person applying for the rental of a unit has received all applicable notices and rights now or hereafter required by Section 66427 and in Chapter 3 of the California Subdivision Map Act (commencing with Section 66451);
- b) That each tenant and each person applying for the rental of a unit shall receive a 10 day written notice that an application for a public report will be, or has been submitted to the Department of Real Estate, and that such a report will be available upon request;
- c) That each tenant shall receive a written notification within 10 days of approval of a Final Map for the proposes subdivision conversion;
- d) Each of the tenants shall receive 180 days written notice of intention to convert prior to the termination of tenancy due to the conversion or proposed conversion; and
- e) Each tenant of the proposed condominium shall be given notice of an exclusive right to purchase his or her respective unit for terms available to

the general public or terms more favorable to the tenant. This right shall run for a period of not less than 180 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professional Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.

Section 11. The Planning Commission further finds that the use permitted by the proposed subdivision will not have a significant effect on the environment. The proposed facility will not alter the character of the surrounding area and meets or exceeds all City standards for protection of the environment.

Section 12. Based on all evidence presented at the meetings and the aforementioned findings, the Planning Commission hereby adopts the Negative Declaration and approves Tentative Parcel Map No. 27014, subject to the conditions set forth in attached Exhibit B which are to be satisfied prior to recordation of the final map.

Section 13. 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.

Section 14. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

PASSED, APPROVED AND ADOPTED THIS 13th DAY OF MARCH, 2007.

PLANNING COMMISSION CHAIR

ATTEST:

SECRETARY