



CARSON PLANNING COMMISSION STAFF REPORT

DATE: September 24, 2024
FROM: Christopher Palmer, AICP - Planning Manager
BY: Jarrod Coleman, Senior Planner
**SUBJECT: Tentative Parcel Map No. 084441
Case No. TPM 00001-24**

PROJECT/APPLICANT INFORMATION

Project Summary: A request for approval of a Tentative Parcel Map (TPM) to subdivide a 29,000 SQ. Ft. parcel into two legal parcels.
Project Location: 101 East Carson Street (APN # 7334-025-036) & 117 East Carson Street (APN #7334-025-039)
Zoning: Downtown Mixed Use
Project Applicant: Carson Emerald 101 LLC, Jason Ball
Project Owner: Rick S. Leng, trustee of Leng Family Trust

I. OVERVIEW

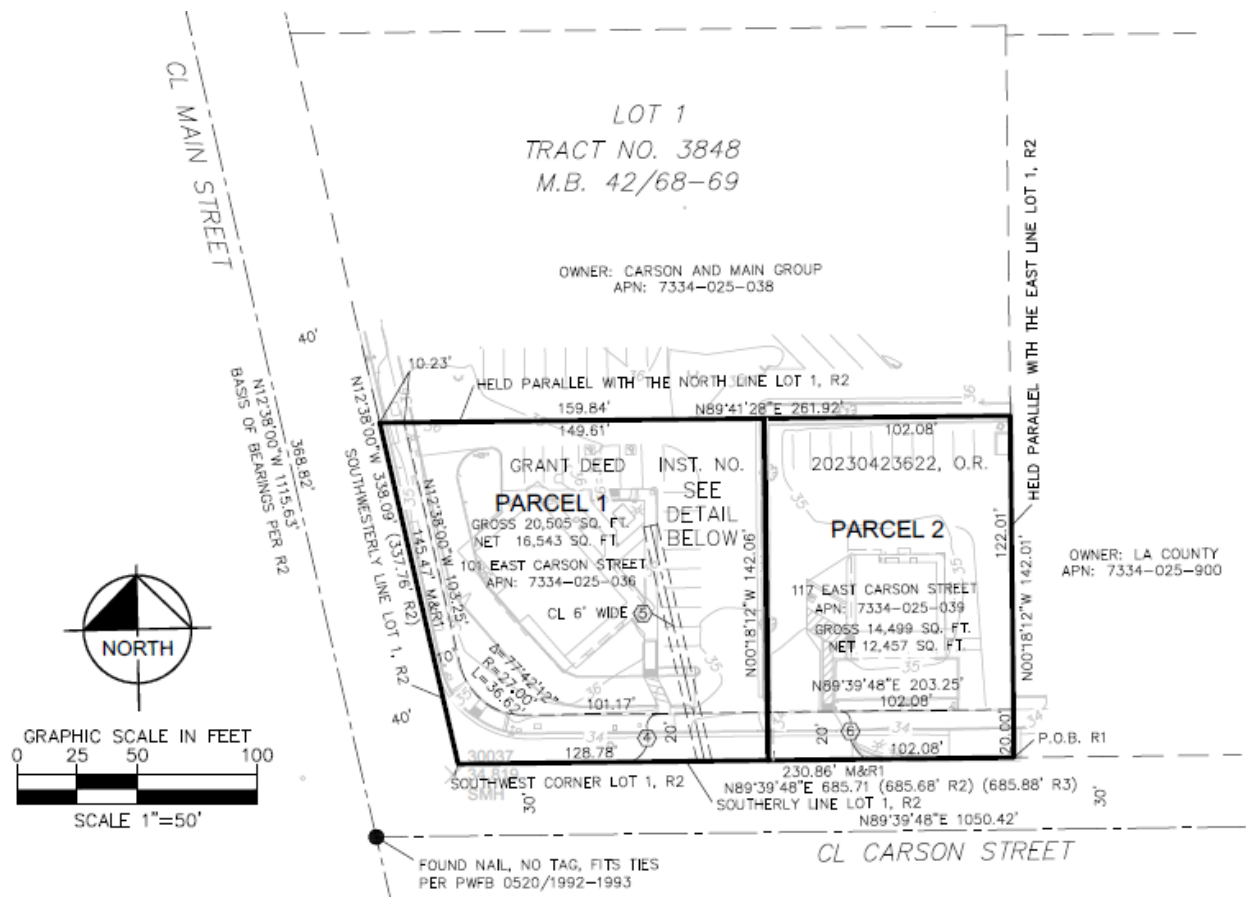
A. Introduction

Section 9203.16 of the Carson Municipal Code (CMC) stipulates that tentative maps shall be processed and approved in accordance with the terms and provisions of the Subdivision Map Act and the City's Subdivision Ordinance (Chapter 2 of Article IX of the CMC). This request is for the division of one parcel with two existing APNs into two parcels. There is no new development being proposed.

B. Project Description

As shown in Attachment 1, the applicant owns one parcel with two existing uses on different portions of the parcel. The owner desires to sell one, which requires approval of a TPM.

The applicant formally requests approval of Tentative Parcel Map (TPM) No. 084441 to split a single 29,000 square foot or .67-acre parcel into two parcels with their respective existing APNs (7334-025-036, 7334-025-039). Parcel 1 is proposed at 16,543 square feet and Parcel 2 is proposed at 12,457 square feet.



C. Existing Conditions

1. Land Use Information

The subject property site is in the Downtown Mixed Use (DMX) Zone and has a General Plan Land Use Designation of Downtown Mixed Use. The subject property site is in the southwest part along Carson St. of the City bordering Torrance.

Land uses surrounding the project site are primarily mixed use to the south, east, west and to the north.

The following provides a summary of the site information:

Site Information	
General Plan Land Use	Downtown Mixed Use
Zone District	DMX (Downtown Mixed Use)
Site Size	29,000 square foot or .67-acres
Present Use and Development	Restaurants & parking lots
Surrounding Uses/Zoning	North: DMX South: DMX East: DMX West: DMX

2. Site Conditions/ Project History

On **Parcel 1**, which is 101 E Carson St., exists the Yoshinoya Japanese Restaurant with a drive-thru that has been in business since 1995 and previously built as a Long John Silvers in 1982. On **Parcel 2**, which is 117 E. Carson St., exists the Foster Freeze which was built in 1959 and the first business license recorded at our city began in 1971. Both businesses have been operating and servicing the local Carson Community for many years. Currently, there is no proposed development or construction on either site and the two restaurants will continue existing operations without change to their building envelope for the foreseeable future.

3. General Plan and Zoning Information

The Downtown Mixed Use General Plan Land Use Designation provides for ground floor development along Carson Street to be devoted to active commercial uses; active commercial uses are those that are accessible to the general public, generate walk-in pedestrian clientele and contribute to a high level of pedestrian activity. Such uses include retail shops, restaurants like Yoshinoya and Foster Freeze, bars, theaters, private recreational areas, fitness studios, banks, libraries, museums, galleries, and many more active commercial uses.

The Downtown Mixed Use (DMX) Zone is established to create a Downtown Core that will be the primary focal point and destination for the community and visitors. The DMX District includes City Hall as well as the South Bay Pavilion Mall, along with a variety of other businesses, entertainment, restaurants, cultural and civic uses and also supports higher density residential development.

II. ANALYSIS

A. Zoning Ordinance Compliance

The proposed Tentative Parcel Map is consistent with the DMX zoning designation of the site, and the General Plan land use designation of Downtown Mixed Use. The two parcels that would result from approval of the parcel map comply with the following lot requirements of the CMC:

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant	Requirement
Site Requirements			
9212.3, Minimum Lot Size	X		Minimum lot size should be 5,000 sq. ft. (Exceeds)
9212.3, Minimum Lot Width	X		Width of at least 50 ft. (Exceeds)

B. Subdivision Ordinance Required Findings

Per CMC 9203.14, “The Advisory Agency shall make the findings required by Section [66427.1](#), [66473.5](#), [66474](#), [66474.1](#), and [66474.6](#) of the California Government Code and Section 21100 of the California Public Resources Code prior to approval of the tentative or final tract map or parcel map.” Here, the Advisory Agency is the Planning Commission, and the map at issue is a tentative parcel map.

The finding required by Gov’t Code Section 66427.1 is not applicable here, because it only applies to a legislative body approving a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project.

Gov’t Code Section 66473.5 provides, “No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan or any specific plan. A proposed subdivision shall be consistent with a general plan or a specific plan only if the local agency has officially adopted such a plan and the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan.”

Here, the proposed subdivision is consistent with the City’s General Plan, in that it is compatible with the objectives, policies, general land uses, and programs specified therein, including but not limited to the DMX land use designation. There is no applicable specific plan.

Gov't Code Section 66474 provides that "a legislative body of a city shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) That the proposed map is not consistent with applicable general and specific plans.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements 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."

Here, there is no basis to make any of the above findings that would require denial, because the proposed subdivision is consistent with the General Plan and merely maintains the existing development, with no new improvements or development proposed.

The finding required by Gov't Code Section 66474.1 is not applicable here as it applies only to a legislative body's approval of final or parcel map (stating that the legislative body shall not disapprove such map if it has previously approved a tentative map for the proposed subdivision and if it finds that the final or parcel map is in substantial compliance with the previously approved tentative map), whereas the proposed action here is approval of a tentative parcel map.

Gov't Code Section 66474.6 provides, "the governing body of any local agency shall determine whether the discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California regional water quality control board pursuant to Division 7 (commencing with Section 13000) of the Water Code. In the event that the governing body finds that the proposed waste discharge would result in or add to violation of requirements of such board, it may disapprove the tentative map or maps of the subdivision." Again here, there is no basis to find that the proposed waste discharge would result in or add to violation of requirements

of such board because the proposed subdivision merely maintains the existing development, with no new improvements or development proposed.

Finally, Public Resources Code Section 21100 (a part of CEQA) is not applicable here because the proposed project is exempt from CEQA, as discussed in subsection (D) below.

Tentative Parcel Map No. 084441 was reviewed by the City of Carson and LA County Public Works Departments, who have confirmed that the proposed Tentative Parcel Map meets the remaining applicable requirements of the City's Subdivision Ordinance (e.g., required tentative map contents) and the State Subdivision Map Act, and will provide conditions of approval prior to the final map.

C. Public Hearing Notice

Public Notice (Attachment 2) was given in accordance with CMC Sections 9203.16 and 9173.22. Notice of public hearing was posted to the project site and mailed to property owners and occupants within a 750' radius by September 11, 2024. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

D. Environmental Analysis

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Minor Land Division which consists of the division of property in urbanized areas zoned for residential, commercial or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. These criteria are met with respect to the proposed project, and no exception to the categorical exemption applies under CEQA Guidelines Section 15300.2.

III. CONCLUSION AND RECOMMENDATION

Staff recommends the Planning Commission:

- **ADOPT** Resolution No. 24-____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 084441 TO SPLIT ONE LOT INTO 2 LOTS LOCATED AT 101 & 117 E. CARSON ST. / APN 7334-025-036 & 7334-025-039."

IV. ATTACHMENTS

- 1) Tentative Parcel Map
- 2) Public Hearing Notice
- 3) Radius Map
- 4) Draft Resolution No 24-_____.
 - a. Legal Description
 - b. Conditions of Approval