



## CARSON PLANNING COMMISSION STAFF REPORT

DATE: October 8, 2024

FROM: Christopher Palmer, AICP - Planning Manager

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SUBJECT: Carson Triangle - Development and Site Plan Review 00010-24  
State Residential Density Bonus Application RDB-00001-24,  
Vesting Tentative Tract Map 00002-24, and  
Addendum to Carson 2040 General Plan Update EIR

### PROJECT/APPLICANT INFORMATION

Project Summary: A request for approval of a 315-unit residential development  
Project Location: 21140, 21212, and 21126 Avalon Boulevard  
(APN # 7337-003-012, -13, and -014)  
General Plan/Zoning: Downtown Mixed Use (DMU)/Commercial Automotive (CA)  
Project Applicant: 21140 Avalon Blvd, LLC  
Project Owner: Maragaret C. Kott, Trustee

## I. OVERVIEW

### A. Introduction

The proposed Carson Triangle Residential project is located on a 14-acre site consisting of three parcels (APNs 7337-003-012, 7337-003-013, and 7337-003-014) at 21140, 21212, and 21126 Avalon Boulevard. The site is located within the central portion of the City of Carson on the east side of South Avalon Boulevard bounded by the I-405 and Dominguez Channel to the northeast and East 213th Street to the south, as shown in Attachment 2. The project proposes the demolition of an existing car dealership and the construction of a new residential development consisting of 32 affordable flats and 283 market-rate townhouses, as well as 659 on-site parking spaces, amenities, and associated site improvements.

The Applicant requests review and approval of the following:

- Site Plan and Design Review which is required by CMC Section 9172.23 for all developments requiring building permits for new construction (with some exceptions not applicable here);
- Density Bonus Application for incentives/concessions and waivers of development standards, pursuant to CMC Section 9400 *et seq.* and 93113.1 *et seq.*, and State Density Bonus Law (Government Code Section 65915);

- Vesting Tentative Tract Map, pursuant to CMC Section 9208.1 *et seq.* and the Subdivision Map Act to create two ground lots and 283 condominium units; and
- An Addendum to the 2040 General Plan Environmental Impact Report (SCH # 2001091120).

#### B. Project Description

The proposed project is a residential development consisting of 32 affordable flats and 283 market-rate townhouses. The site would ultimately contain 52 residential buildings, a community pool building, private and common open spaces, landscaping, off-street parking, internal roadways, infrastructure connections and landscaping.

The proposed residential unit mix consists of:

- Townhouses: 74 two-bedroom units, 164 three-bedroom units, and 45 four-bedroom units, ranging from 1,211 square feet to 1,773 square feet; and
- Flats: 32 one-bedroom units, averaging 469 square feet.

The project would provide common amenities such as a pool and spa, pool building, barbecue area, pedestrian paseos and courtyard garden. Each townhouse unit will have approximately 450 square feet of private open space. The flats will share 22,545 square feet of common open space. The project site will have approximately 150,000 square feet of open common space.

All townhouse structures are three stories and 35-40 feet in height. The flats are one story and 16-18 feet in height.

The townhouses' exterior design is a modern agrarian/farmhouse architectural aesthetic. Various color schemes and materials, including stucco, metal, and vertical siding, are utilized to break monotony and create visual interest. The pool house and trash enclosure will be designed to match the townhouse architecture. The architectural style of the flats will be modeled after the townhouses.

Vehicular access will be provided via a primary driveway on Avalon Boulevard and a secondary entry on 213th Street leading to internal, private streets. Each townhouse will have an attached two-car garage totaling 566 residential parking spaces. 16 parking spaces in a surface parking lot will be dedicated to the flats. A total of 77 guest spaces, including two ADA spaces, will be provided.

The project includes a vesting tentative tract map to merge and re-subdivide the existing three parcels into two ground lots - one parcel for the flats and one for the townhouses - as well as the creation of 283 condominium units for the townhouses.

Proposed site plan:



Proposed Elevations:

Affordable Flats



### Townhouses

#### Product B



#### Product C



*Product D*



C. Existing Conditions

The site is currently developed with five buildings that are 1-to 2 stories in height with ancillary parking for the uses of automobile dealerships, vehicle rental facilities, and vehicular storage and service areas.

The project site is located in a neighborhood characterized by a mix of residential and commercial uses. Commercial, US Post Office and single-family residential uses are across 213th Street to the south. Further south on the east side of Avalon Boulevard are a Los Angeles County Sheriff's station, Carson City Hall and the Juanita Millender-McDonald

Community Center. Directly across Avalon Boulevard to the west is the Imperial Avalon Specific Plan (“IASP”) area, where a residential project is expected to commence construction before the end of 2024. In addition, there is an automobile dealership and storage site to the west across Avalon Boulevard, with a gas station and continued mix of residential and commercial uses further south along Avalon Boulevard.

Table 1.0  
Land Use Summary Table

	Existing Use	Zoning	General Plan
Subject Site	Auto dealership	CA (Commercial Automotive)	DMU (Downtown Mixed Use)
North of Subject Site	I-405 Freeway	NA	NA
South of Subject Site	Commercial, US Post Office and Single-Family Residential	DMU (Downtown Mixed Use) and LDR (Low Density Residential)	DMU (Downtown Mixed Use) and LDR (Low Density Residential)
East of Subject Site	I-405 Freeway	NA	NA
West of Subject Site	Commercial and Future Housing Development	Imperial Avalon Specific Plan and DMU (Downtown Mixed Use)	DMU (Downtown Mixed Use)

II. ANALYSIS OF APPLICABLE DEVELOPMENT STANDARDS

A. Preliminary Application

On September 3, 2024 the Applicant filed a Preliminary Application under Government Code Section 65941.1. Shortly thereafter the applicant submitted the remaining applications for the project.

B. General Plan Consistency

The General Plan land use designation for the project is Downtown Mixed Use (DMU). This designation is “intended to promote a vibrant ‘Main Street’ like ambiance throughout the downtown Carson core, with mid-rise, mixed-use development.” The ground floor frontage of the site along Avalon Boulevard is envisioned to be devoted to active commercial uses, with other parts of the site devoted to commercial or residential uses. The DMU designation has a maximum base floor area ratio (FAR) of 1.75 with a minimum 0.2 FAR active ground floor commercial use. The minimum residential density is 40 units per acre.

The project complies with the maximum residential FAR limitation, but does not include a commercial use component and proposes a residential density that is less than 40 units per acre. However, as explained in more detail below, the project is exempt from the commercial use requirement and the minimum residential density requirement as a result of State Density Bonus Law. Consequently, the project is consistent with all the General Plan requirements *that are applicable to the project*.

Furthermore, the project is consistent with the following General Plan policies:

Table 2.0  
General Plan Consistency

Policy	Project Consistency
LUR-P-2 Promote development of a range of housing types, including single-family homes on small lots, accessory dwelling units, townhouses, lofts, live-work spaces in transitioning industrial districts, and senior and student housing to meet the needs of future demographics and changing family sizes.	This project includes two different kinds of housing types: townhouses and flats. All of the flat units are set aside for Very Low Income Households.
LUR-P-15 Focus new residential, commercial and employment-generating land uses along Carson Street and Avalon Boulevard in order to support higher-frequency transit service. Provide adequate infrastructure, such as bus lanes or bus shelters at bus stops, to support transit service usage.	This project locates 315 residential units immediately adjacent to Avalon Boulevard. There is an existing bus stop at the north east corner of Avalon Boulevard and 213 <sup>th</sup> Street.
HE 2-1 Facilitate production of a variety of housing types in a diversity of settings and neighborhoods.	This project includes two different kinds of housing types: townhouses and flats. The units vary from 1 bedroom in the flats and 2 to 4 bedrooms for the townhouses
HE 2-2 Promote flexibility so that building design and development, as well as parking standards, are appropriate and do not present undue barriers to development feasibility.	Approving the Density Bonus application for this project, including the granting of incentives/concessions and waivers of development standards, would promote flexibility and remove barriers to development feasibility.
HE 2-5 Increase the number of owner-occupied units within condominiums and planned unit developments.	This project includes 283 townhouse condominiums that will be available for

	sale which will create needed home ownership opportunities in the City.
HE 3-6 Facilitate a mix of affordability levels in residential projects and dispersal of such units to achieve greater integration of affordable housing throughout the community.	This project includes 32 units for Very Low-Income households as well as 283 market-rate units. The dispersal requirement of CMC 9410.a is waived per the State Density Bonus Law.

C. Zoning Ordinance Compliance

The project site is in the Commercial Automotive (CA) zoning district. The City intends to rezone the project site as part of the implementation of the Updated Housing Element in order to make the zoning consistent with the General Plan land use designation. However, the re-zoning has not yet occurred and, consequently, some of the zoning standards applicable to the site are in conflict with the General Plan standards applicable to the site.

State law provides that when this kind of conflict occurs, a proposed housing development project is only required to comply with the General Plan standard. (Government Code Section 65589.5(j)(4).) Here, a conflict exists because the General Plan allows residential uses on the site, with the incentive removing the minimum density requirement for the project, the zoning does not. As a result, the use restrictions in the CA zone are deemed by state law to be inapplicable to the site, without the need for use of an incentive, GPA or rezone to dispense with the requirement.

The proposed project meets all other development standards applicable to the CA zone, with the exception of the front setback requirement, wall height requirements, and some parking-related requirements, as detailed in Table 3.0, Development Standards Compliance. In relation to the inconsistencies with the General Plan standards, and as explained in more detail below, the project requests waivers from the standards that it does not comply per the State Density Bonus Law.

The CA zone residential use prohibition cannot be the subject of a waiver because it does not constitute a “development standard” within the meaning of Government Code Section 65915 and CMC Sections 9400 *et seq.* Government Code Section 65915 defines “development standard to include “a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, a minimum lot area per unit requirement, or a parking ratio that applies to a residential development . . . .” CMC Section 9401 defines “development standard” as “any site or construction condition including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an on-site open-space requirement, or a parking ratio that applies to a housing development . . . . A ‘site and construction condition’ is a development condition or law that provides a specification for the physical development of a site and



buildings on the site in a housing development.” The prohibition against residential uses in the CA zone is not a site or construction condition, is not among the non-exclusive list of enumerated development standards in either of the aforementioned code sections, and does not provides a specification for the physical development of a site and buildings on the site in a housing development. However, no waiver is required to dispense with this requirement because it is inconsistent with the General Plan DMU designation (with approval of the incentive/concession removing the minimum density requirement), as discussed above.

D. Summary of Development Standard Compliance

The project’s compliance with development standards is summarized in the table below:

\* Indicates that the Applicant is requesting a waiver or modification of the standard pursuant to State Density Bonus Law.

Table 3.0  
Development Standards Compliance

	Requirement	Compliance
<i>General Plan LUR Element (DMU)</i>		
Floor Area Ratio (FAR)	Maximum base FAR is 1.75	Yes. Project FAR is 1.05.
Commercial Use Requirement	Commercial use required on ground floor along Avalon Blvd; a minimum 0.2 FAR active ground floor commercial use is required	*No. Project only includes residential uses.  <b>(A density bonus waiver is requested to deviate from this standard.)</b>
Density	Minimum residential density is 40 units/acre; maximum residential density is 65 units per acre	*No. Project density is 22.4 units/acre.  <b>(A density bonus incentive is requested to deviate from this standard.)</b>
<i>Commercial Automotive (CA) Zone</i>		
Height Limit (CMC 9136.12)	40 feet	Yes.
Front Setback (CMC 9126.23)	20 feet or 20% of lot depth, whichever is less.	*No. Public street setback is 20 feet for townhouses and 14 feet for flats.

		(A density bonus waiver is requested to deviate from this standard.)
Side Setback (CMC 9136.24)	10 feet for lots wider than 50 feet.	Yes.
Rear Setback (CMC 9136.25)	15 feet or 15 percent of the lot depth, whichever is less.	Yes.
Building Separation (CMC 9136.27)	10 feet, except where a parking space is proposed therein, in which case there shall be at least 15 feet between main buildings	<b>*No. The project proposes from 5 and 26 feet between buildings.</b>  (A density bonus waiver is requested to deviate from this standard.)
Projections from Buildings (CMC 9136.29.A)	Projections from buildings may project into a required yard not more than one-half of the width of the required yard. No projections are permitted into future right-of-way areas.	Yes.
Walls and Fences (CMC 9136.3)	No fence, wall or hedge in a commercial zone shall exceed a height of 8 feet.	<b>*No. The project proposes a 9.5-foot retaining wall along on the northeast side of the project.</b>  (A density bonus waiver is requested to deviate from this standard.)

E. Parking Requirements

The project is eligible for automatic reduced parking standards under State Density Bonus Law (“SDBL”) (Government Code Section 65915(p)) because 10% of the units in the project will be affordable to Very Low-Income households. Consequently, the applicable amount of parking spaces required for the project is either the amount required by State Density Bonus Law, or the amount required by CMC Section 9162.21, whichever is lower.

As shown in Table 4.0, Parking Analysis, the project is required to provide 502 parking spaces, but proposes to provide 659 total parking spaces. The majority of townhouses will be provided with a two-car garage, and there will be 77 additional street-level guest parking

spaces on the townhouse parcel. There will also be 16 street-level parking spaces on the flats parcel.

Table 4.0, Parking Analysis, shows the amount of required parking spaces for the project. The applicable parking ratios (i.e., the lower ratios) are highlighted in gray:

Table 4.0  
Parking Analysis

Unit Type (# of units)	City Standard	SDBL Standard	Required
<b>Affordable Units (32)</b>	2 spaces within either a garage dwelling or carport for each dwelling unit. In addition, 1 guest parking space for every 1 multifamily unit with 3 bedrooms or more and 1 guest parking space for every 2 multifamily units with 2 bedrooms or less. <sup>1</sup>	1 space/unit (including guest spaces)	32 spaces
<b>2 &amp; 3 BR Townhouses (238)</b>	2 spaces within a garage for each dwelling unit. In addition, 1 guest parking space for every 1 multifamily unit with 3 bedrooms or more and 1 guest parking space for every 2 multifamily units with 2 bedrooms or less.	1.5 spaces/unit (including guest spaces)	357 spaces
<b>4 BR Townhouses (45)</b>	2 spaces within a garage for each dwelling unit. In addition, 1 guest parking space for every 1 multifamily unit with 3 bedrooms or more and 1 guest parking space for every 2 multifamily units with 2 bedrooms or less.	2.5 spaces/unit (including guest spaces)	112.5 spaces

Total Required	Total Provided
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<sup>1</sup> Carson Municipal Code Section 9162.21(A)(3) - Multi-family dwelling.

502	659
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III. EVALUATION OF APPLICATIONS

A. Site Plan and Design Review

The Planning Commission must make the following findings to grant a development plan approval. Each of these findings is addressed below.

1. *“Compatibility with the General Plan, any specific plans for the area, and surrounding uses..”*

The proposed development plan is compatible with the General Plan (with approval of RDB-00001-24 removing the DMU minimum density requirement pursuant to the State Density Bonus Law) and surrounding uses. The project is consistent with the following General Plan policies, without limitation: LUR-P-2, LUR-P-15, HE 2-1, HE 2-2, and HE 2-5.

The Property is located in a neighborhood characterized by a mix of residential and commercial uses. The site is located on the east side of South Avalon Boulevard bounded by the I-405 and Dominguez Channel to the northeast and East 213th Street to the south. Commercial, US Post Office and single-family residential uses are across 213th to the south. Further south on the east side of Avalon Boulevard are a Los Angeles County Sheriff’s station and Carson City Hall. Directly across Avalon Boulevard to the west is the Imperial Avalon Specific Plan (“IASP”) area, which was approved in December 2022 and is expected to commence construction before the end of 2024. In addition, there is also an automobile dealership and storage site to the west across Avalon Boulevard, with a gas station and continued mix of residential and commercial uses further south along Avalon Boulevard.

The forthcoming construction of The District at South Bay’s commercial uses and the Carson Place community dining and recreation hub in combination with the existing South Bay Pavilion to the north of the Property creates mutually beneficial uses along this backbone corridor, balancing the area’s provision of new housing with the creation of new and revitalized employment, dining, and shopping opportunities.

There is no applicable specific plan for the area..

2. *“Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area..”*

b) The proposed development plan is compatible in architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces, and other features relative to a harmonious and attractive development of the area.

The development generally consists of two dedicated areas whereby the majority of the site would be developed with for-sale three-story attached townhouses, and the northern portion of the site would be developed with residential for-rent buildings. Landscaped setbacks and massing orientation of buildings ensure a comfortable environment for occupants, visitors, and the general community. The Project will include approximately 129,000 SF of landscaped area. The perimeter landscape would be designed to blend into the surrounding community and streetscape character.

The project proposes a modern agrarian/farmhouse architectural aesthetic, designed in various color and material schemes to diversify the design and add visual interest, that integrates harmoniously with the design vernacular of the IASP located across Avalon Boulevard to the west, similarly approved for residential use.

The proposed project will bring a broad selection of housing opportunities, including a mix of two-, three-, and four-bedroom market rate attached single-unit/single-family dwellings of various configurations and sizes across several buildings. The development would include an integrated townhome neighborhood whose buildings would have maximum eave heights of approximately 30 feet and no more than 40 feet to the peak of some roof elements. In addition, single-story, individual-entry rental units deed-restricted as affordable housing would also be provided at the northernmost portion of the site.

The site design also implements strong vehicular and pedestrian connectivity to the neighboring communities and nearby uses. The Project will include various interior walkable paseos, amenity-rich common open spaces (including pool and spa), and landscaped setbacks from the public right-of-way.

All building permits for the affordable units shall be issued concurrently with, or prior to, issuance of building permits for the market-rate units, and the affordable units shall be constructed concurrently with, or prior to, construction of the market-rate units. Certificates of occupancy permits for the affordable units shall be approved concurrently with, or prior to, approval of certificates of occupancy for the market rate units.

Townhouse Product B does not meet the same level of architectural compatibility with the surrounding neighborhood as Townhouse Products C and D, therefore Condition of Approval 23 was introduced. This condition states: *Facade Enhancements for Townhouse Product B: Prior to Building and Safety plan check submittal and prior to issuance of building permits, the Developer shall submit plans demonstrating enhanced architectural design for Townhome Product B in order to establish stronger consistency with townhome Products C and D. The architectural enhancement shall include at least one of the following: façade materials such as siding, stone, or brick, and/or window treatments, and/or other architectural treatment(s), subject to the review and approval of the Community Development Director. Such enhancements must be incorporated on all four sides of the building. .*

3. *“Convenience and safety of circulation for pedestrians and vehicles.”*

c) The proposed development plan provides for convenience and safety of circulation for pedestrians and vehicles.

The Project's residents and visitors would utilize three different points of ingress/egress: a newly constructed, fully-signalized intersection along Avalon Boulevard; a secondary access point along 213th Street, and a tertiary access point along the northern section of Avalon Boulevard with direct access to surface parking spaces. In addition, the Project would include a fourth access point, restricted to emergency vehicle access located on 213th St. Vehicular access gates would be utilized and set back from the street by 123 feet along Avalon and 61 feet along 213th, helping to safely and efficiently absorb the traffic entering the site.

The Project's design varies building height from single-story to three-story structures within the applicable height limit, all of which are setback at least 14 feet from the public right-of-way. These site design elements encourage an attractive pedestrian experience further enhanced by a streetscape design that includes a 7 foot wide sidewalk and by reducing the number of existing curb cuts. By reducing existing entrances and locating the main entrance at a newly-created signalized intersections on Avalon Blvd, pedestrian safety is improved and automobile confusion reduced by providing longer continuous, unbroken curb lengths. The setbacks along Avalon Blvd and 213th Street support a safe, engaging, pleasant, and walkable environment within the downtown core, encouraging pedestrian and bicycle access to the surrounding neighborhood commercial centers which contain everyday goods and services. The perimeter landscape is intended to encourage walkability and pedestrian uses. Internal streetscape design would likewise encourage pedestrian connectivity to the broader community. The Project, with the Conditions, will dedicate right-of-way to facilitate development of a bike lane along Avalon Blvd. abutting the Project, and the applicant has voluntarily proposed to share bicycle and transit information, such as maps and schedules, that would make it easier for residents to visit nearby destinations without a vehicle. There are shopping and employment areas along Avalon Boulevard and Carson Street within a mile of the project site, which is within the distance residents may be willing to walk, bike, or take transit for local trips.

The Project includes approximately 659 total parking spaces, including 643 on the townhome parcel, which exceeds the maximum parking space ratios and total number of parking spaces that the City can legally require as detailed in Section 4 below. Parking will be internal to the Project and located away from the public right of way to facilitate the creation of a more livable and human-scaled public space, and encouragement of non-auto travel.

A traffic operation study was conducted by Fehr & Peers for the Project, the findings of which were summarized in a memorandum that the applicant submitted to the City in connection with the application materials (the "Traffic LOS Study"). The Traffic LOS Study estimated the Project will generate approximately 2,350 daily trips, 158 trips (40 inbound/118 outbound) during the AM peak hour, and 185 trips (109 inbound/76 outbound) during the PM peak hour. No trip credits were applied to the trip generation estimate for existing uses or potential walk/bike/transit trips. The Traffic LOS Study identified eight intersections nearby the Property and conducted a Level-of-Service (LOS) analysis of potential effects on the roadway system due to future increases in traffic plus traffic generated by the project. The results of the analysis indicate that all study intersections operate at LOS D or better during the weekday AM and PM peak hours with the exception of the intersection of Avalon Boulevard

& Carson Street and Carson Street & Main Street (see Traffic LOS Study Table 5), which are projected to operate at LOS E in the PM peak hour in all analysis scenarios, including existing conditions. Additionally, the analysis indicates that the Project would not worsen any location operating from LOS D or better to LOS E or F, and that Project-related delay increases would not exceed three seconds at any analyzed intersection. Therefore, no operational deficiencies or General Plan conflicts were identified through the analysis.

4. *“Attractiveness, effectiveness and restraint in signing graphics and color.”* d)

There is no proposed signage for the Project. Any signage associated with the Project will be pursuant to a separate permit and shall exhibit attractiveness, effectiveness, and restraint in signing graphics and color..

5. *“Development scheduling (if phased development) which will satisfy the above criteria in each phase”* Construction of the proposed development will involve several ongoing construction phases that are anticipated to overlap and will comply with all above criteria

6. *“Conformance to any applicable design standards and guidelines which have been adopted pursuant to CMC 9172.15. Such design standards and guidelines may be generally applicable or may specify different requirements for different areas.”* The required findings pursuant to CMC Section 9172.23(D), “Site Plan and Design Review,” can be and are made in the affirmative.

## B. Density Bonus Application

State density bonus law (Government Code Section 65915 *et seq.*) entitles applicants for housing projects to density bonuses, incentives and concessions, waivers, and reduced parking ratios in exchange for providing housing that serves targeted demographic groups, including Very Low, Lower or Moderate Income households. This project proposes a total of 315 dwelling units including 32 units restricted for Very Low-Income households, which amounts to over 10% of the units. As a result, the project is entitled to, and is requesting, two incentives/concessions, multiple waivers of development standards, and reduced parking ratios (which were discussed above). The applicant is not requesting any density bonus—i.e., no increase in the permitted residential density for the project above the General Plan permitted density. A Notice of Completeness was provided to the applicant on October 3, 2024.

1. *Incentives/Concessions*

“Incentive” and “concession” are synonymous terms and include (a) a reduction in site development standards or a modification of zoning code requirements, and (b) other regulatory incentives or concessions proposed by the developer that result in identifiable and actual cost reductions to provide for the affordable units included in the project. The Planning Commission is required to grant requests for incentives and concessions unless it makes a written finding, based upon substantial evidence, of any of the following:

- A. The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units.
- B. The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
- C. The concession or incentive would be contrary to state or federal law.

The applicant is requesting the following two concessions:

- Concession 1: Reduction in Minimum Density Requirement

The applicant requests a reduction in the minimum density applicable to the project site. The site has a general plan land use designation of Downtown Mixed Use (DMU) which has a minimum residential density of 40 units per acre. The project is proposing a total residential density of 22.4 units per acre to allow for a townhouse/home ownership building typology, with a density of 21.9 units per acre on the townhouse parcel and 27.6 units per acre on the affordable flats parcel.

The reduction in minimum density would result in identifiable and actual cost reductions, to provide for affordable housing costs, because it would allow the project to include a housing product - namely, townhouses - that is currently in high demand as compared to higher-density unit types. This will allow the applicant to realize a greater return on investment for the market rate units in the project, which will offset the absence of return on investment that can be realized on the affordable units.

- Concession 2: Partial Exemption from CMC Section 9410

The applicant also requests a partial exemption from compliance with Carson Municipal Code Section 9410, which reads as follows:



- A. Affordable units qualifying a housing development for a density bonus shall be reasonably dispersed throughout the housing development and compatible with the design of market-rate units in terms of appearance, materials, and finished quality. The applicant may reduce the interior amenities and square footage of affordable units, provided all units conform to all other requirements of the Carson Municipal Code.
- B. For developments with multiple market-rate units containing differing numbers of bedrooms, affordable units qualifying a housing development for a density bonus shall be representative of the market-rate unit mix.
- C. All building permits for affordable units qualifying a housing development for a density bonus shall be issued concurrently with, or prior to, issuance of building permits for the market-rate units, and the affordable units shall be constructed concurrently with, or prior to, construction of the market-rate units. Occupancy permits and final inspections for affordable units qualifying a housing development for a density bonus shall be approved concurrently with, or prior to, approval of occupancy permits and final inspections for the market rate units.

The proposed project would locate all affordable units on the northwest corner of the property (Parcel 2) rather than dispersing them throughout the development. The affordable units would also be a different unit type than the market-rate units (for-rent flats rather than for-sale townhouses). Finally, the bedroom mix in the affordable units will not be comparable to the bedroom mix in the market-rate units, as all of the affordable units will be one-bedroom units. The applicant will, however, agree to a condition of approval implementing the requirement in CMC 9410(C). This has been included as Condition 15.

This partial exemption from CMC Section 9410 would result in identifiable and actual cost reductions, to provide for affordable housing costs, because it would reduce the size and thus the cost of the affordable units, and would allow the development to include more market-rate for sale units, which would otherwise not fit on the site if the affordable units would have to be equally dispersed and be of the same size and bedroom count as market-rate units. Moreover, the segregation of the affordable units on a separate ground lot would facilitate the applicant's ability to potentially secure tax credit financing, which typically requires the affordable project to be located on its own parcel. Eligibility for tax credit or bond financing would clearly produce cost reductions and economic benefit to the project by reducing and offsetting the amount of private financing and other forms of public subsidy that would be required to feasibly construct and complete the project.

## 2. *Waivers*

Government Code Section 65915(e) requires that a city may not “apply any development standard that will have the effect of physically precluding the construction of a development meeting the [SDBL eligibility requirements] at the densities or with the concessions or incentives permitted by [SDBL].” The modification or deletion of a development standard under subdivision (e) is called a “waiver.” The project is entitled to an *unlimited* number of waivers. The City must not only waive development standards that would physically preclude the construction of the project in any form, but must waive standards that would physically preclude the construction of the project *as designed*.

The Planning Commission may only deny requests for waivers if it makes one of the following findings:

- A. The waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
- B. The waiver or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
- C. The waiver or reduction would be contrary to state or federal law.

The applicant requests waivers of development standards to provide relief from General Plan and zoning standards that would physically preclude development of the proposed housing project. Waivers of the following General Plan and zoning standards are specifically requested because the application of any of these standards would result in the loss of townhouse and/or affordable units and/or result in the need for a major project redesign which is not permitted under State Density Bonus Law. Each standard, if applied, would result in a direct loss of units due to a reduction in building footprint or a requirement to program other uses/and or features into the site plan where there is currently no available physical space.

The applicant is requesting the following waivers:

- Waivers of General Plan Standards
  - (i) Requirement for commercial use in ground floor frontage along Avalon Boulevard.
  - (ii) Requirement of minimum 0.2 FAR active ground floor commercial use.
- Waivers of Commercial Automotive Zone Standards

- (i) Front setback requirement for the townhouse parcel. The project will provide 20-foot setbacks on all three sides of the project site. Because the townhouses are more than 30 feet in height, the required front setback for the townhouses per CMC 9136.23 would be greater than 20 feet. The Project requests a waiver of this requirement.
  - (ii) The CMC limits walls and fences in commercial zones to 8 feet in height. The project proposes a 9.5 foot retaining wall along on the northeast side of the project. Furthermore, the ultimate design of the wall may not meet the CA zone wall design standards. Thus, the Project is requesting a waiver of the wall height requirement and of any design standards that conflict with the ultimate design of the retaining wall.
- Waivers of Parking Standards
    - (i) Parking spaces for affordable flats: The project exceeds the total number of required parking spaces. However, while 32 spaces are required for the affordable flats only 16 parking spaces are provided on the parcel where the affordable flats are located, with the remainder of required parking spaces provided as surface parking on the parcel where the townhouses are located, which will also be available to guests. Thus, the Applicant requests a waiver of the requirement in CMC Section 9162.3(A) to provide all parking spaces for the affordable flats on the parcel where the affordable flats are located, and a waiver from any requirement to provide 32 parking spaces that are exclusively available to residents of the affordable flats.
    - (ii) Covered Parking: The Applicant requests a waiver of the requirement for the parking for the affordable flats to be within a garage or carport.
    - (iii) Additional Parking Standards: The Applicant requests a waiver of the parking dimension requirements in CMC Section 9162.41(A); the parking lot design standards in CMC Section 9162.51; and the landscaping, screening, setback, and irrigation requirements in CMC Section 9162.52.

In conclusion, planning staff believe that the project is entitled to the requested incentives/concessions and waivers under the State Density Bonus Law. As a condition of approval of the density bonus application, the applicant will be required to enter into an affordable housing agreement with the City, which will be recorded on the project site, to ensure the continued affordability of the flat units. This is included as Condition of Approval 17.

### C. Vesting Tentative Tract Map No. 00002-24

The applicant has applied for a vesting tentative tract map to merge and re-subdivide the existing three parcels into two new ground lots and to create 283 condominium units to enable sale of the townhouses. Parcel 1 will be 12.92 acres and will encompass the area where the townhouses/condominiums are located. Parcel 2, located in the upper corner of the site, will be 1.16 acres and will encompass the area where the flats are located. The proposed vesting tentative map is included as Attachment 3.

The proposed vesting tentative map is consistent with the General Plan and the CMC. The DMU land use designation in the General Plan does not include any requirements related to lot size or lot dimensions. Consequently, the proposed map is consistent with the General Plan. The CA zone requires both a minimum lot size of 1 acre and a minimum lot width of 50 feet; the new parcels comply with both requirements. (CMC 9135.2 and 9135.4.) In compliance with CMC Section 9135.3, each new parcel has vehicular access to a public street and has a street frontage of at least 30 feet.

Furthermore, as required by Government Code Section 66474, the site is physically suitable for residential development at the proposed density, the design of the subdivision and proposed improvements is not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat, neither the design of the subdivision nor the type of improvements is likely to cause serious health problems, and neither the design of the subdivision nor the type of improvements will conflict with existing public easements for access through or use of the property.

In conclusion, the required findings can be made to approve the vesting tentative tract map. Appropriate conditions of approval will be imposed on the tract map to ensure compliance with the City's subdivision ordinance and the Subdivision Map Act.

### IV. "No-Net-Loss" Findings

Government Code Section 65863 requires cities to make certain findings when they approve housing developments to ensure that the approval of the proposed development will not prevent the City from being able to accommodate its regional housing needs allocation (RHNA) in each income category. It should be noted here that the proposed project does not displace any existing residents or household units from the heretofore commercially-zoned project site.

The City's Housing Element Sites Inventory assigns 901 above-moderate-income (ie., market rate) and no affordable units to the project site. However, the project only proposes 283 above-moderate-income units, which results in a net loss of market rate units. Consequently,

the approval of the project will result in the City being able to accommodate 618 fewer above-moderate-income units than it planned for in the Housing Element. On the other hand, the project's proposed 32 Very Low Income units result in a net *gain* of affordable housing units that were not contemplated in the Housing Element.

The Housing Element anticipates this potential outcome by planning for the City to accommodate 1,629 more above-moderate units than is required under state law. This additional 1,629 units is known as a "buffer." Because the buffer is much larger than the loss of capacity that would result from approval of this project, the approval of this project will not affect the City's ability to accommodate its RHNA requirement for above-moderate-income units. Appropriate findings have been included in proposed Resolution No. 24-\_\_\_ to comply with the requirements in Government Code Section 65863.

#### V. Environmental Review

The proposed development constitutes a project within the scope of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. Accordingly, the applicant has prepared an Addendum to the Carson 2040 General Plan Update Environmental Impact Report ("EIR") (SCH # 2001091120) for the project. The EIR included an environmental impact (and/or effects) analysis of the full build out of the residential density (901 above-moderate income units) allowed in the General Plan. The proposed project does not exceed the residential density permitted in the General Plan, nor does it include any other project features that would result in impacts not already sufficiently analyzed the EIR.

Section 15164(a) of the CEQA Guidelines (Title 14 of the California Code of Regulations) states that: "The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." The conditions in Section 15162 requiring a subsequent EIR are as follows:

- (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was*

*certified as complete or the negative declaration was adopted, shows any of the following:*

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

The residential density of the proposed project (22.4 dwelling units/acre) is significantly less than the 60 du/ac analyzed in the EIR. Also, any potential effects from including any of the higher intensity commercial uses also studied in the EIR are being avoided by the proposed fully-residential program. As demonstrated by the detailed environmental analysis included in the Addendum, the project would not result in any new significant impacts or effects, nor would it substantially increase the severity of previously identified significant impacts or effects. Rather, all of the impacts or effects associated with the project are within the envelope of impacts addressed in the EIR and do not constitute a new or substantially increased significant impact or effect. Therefore, the modifications resulting from the project do not meet the criteria for a Supplemental or Subsequent EIR pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 and 15163.

Consequently, staff recommend that the Planning Commission approve the proposed Addendum the EIR and not require any further environmental review of the project.

## VI. COMMUNITY OUTREACH

Extensive community engagement occurred during the public review processes of the General Plan Update, its Housing Element, and its Environmental Impact Report. In addition to the Citywide mailing of multiple notices, below are the public meetings held during The General Plan's public review process.

- Draft EIR Notice of Preparation Public Review: March 18, 2021 – April 21, 2021
- Community Scoping Meeting for Notice of Preparation: April 14, 2021

- Draft EIR Public Review Period: September 2, 2022 – October 17, 2022
- Community Public Review Meeting: September 29, 2022
- Planning Commission DEIR Meeting: January 10, 2023
- Community Public Review Stakeholder Meeting: March 17, 2023
- City Council Meetings: February 15, 2023, February 21, 2023, March 21, 2023, April 4, 2023

The scope of the proposed project significantly decreases the density and intensity contemplated for the site during the General Plan process. When compared to what was studied and discussed at those meetings and in the final documents certified by City Council, the proposed project should be considered smaller and less impactful, and thus consistent with what the community has previously reviewed.

#### VII. PUBLIC HEARING NOTICE

Notice of this public hearing was given in accordance with chapter 9173.22 of the CMC. Notice of public hearing was posted to the project site and mailed to property owners and occupants within a 2,000 foot radius by September 26, 2024. The notice was published in the Daily Breeze newspaper on Thursday, September 26, 2025. Notice of the public hearing was posted at two locations on the project site and one at the property west of Avalon Boulevard. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

#### VII. CONCLUSION AND RECOMMENDATION

##### A.

That the Planning Commission Adopt:

- Resolution No. 24-2878, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING AN ADDENDUM TO THE CARSON 2040 GENERAL PLAN UPDATE ENVIRONMENTAL IMPACT REPORT AND APPROVING STATE RESIDENTIAL DENSITY BONUS REQUEST NO. RDB-00001-24, SITE PLAN AND DESIGN REVIEW NO. 00010-24, AND VESTING TENTATIVE TRACT MAP NO. 00002-24, SUBJECT TO CONDITIONS OF APPROVAL, FOR A 315-UNIT RESIDENTIAL DEVELOPMENT AT 21126, 21140, AND 21212 AVALON BOULEVARD (APNs 7337-003-012, -013, and -014)”

#### ATTACHMENTS

- 1) Development Plans
- 2) Radius Map
- 3) Vesting Tentative Tract Map No. 00002-24

- 4) Resolution No. 24-2878 Approving EIR Addendum, State Residential Density Bonus Request No. RDB-00001-24, Site Plan and Design Review No. 00010-24, and Vesting Tentative Tract Map no. 00002-24,
  - A. Legal Description
  - B. EIR Addendum
    - 1. Air Quality
    - 2. GHG Report
    - 3. Noise Study
    - 4. Vibration Report
    - 5. Traffic Report
  - C. Conditions of Approval
  - D. Non-CEQA Traffic LOS Memo