



CARSON PLANNING COMMISSION STAFF REPORT

DATE: May 13, 2025
FROM: Christopher Palmer, AICP - Planning Manager
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SUBJECT: Public Hearing for Consideration of a Recommendation to City Council regarding Zoning Text Amendment (ZCC 02-25)

PROJECT/APPLICANT INFORMATION

Project Summary: Consideration of recommending that the City Council make a finding of applicability of CEQA Guidelines Section 15061(b)(3) and approve amendments to the Carson Zoning Ordinance amending Sections 9211.3 (Development Regulations), and 9211.4, (Supplemental Regulations) of Division 1 (Residential Districts), and Sections 9212.3 (Development Regulations), and 9212.4 (Supplemental Regulations) of Division 2 (Mixed-Use Districts) of Part 2 (Base, Overlay and Special Districts) of the New Carson Zoning Code (Chapter 1 [Zoning] of Article IX [Planning And Zoning] of the Carson Municipal Code), to make various modifications to ensure compliance with the State Housing Element law, including Government Code Sections 65583(c)(1) and 65583.2(h)-(i), and consistency with the City's 2021-2029 Housing Element

Project Location: Citywide
Zoning: Residential and Mixed Use (Phase 1)
Project Applicant: City of Carson

I. OVERVIEW

A. Introduction and Background

The City's 2021-2029 Housing Element and State Housing Element Law commits the City to updating its Zoning Ordinance to remove barriers to housing production, rezone sites identified in the Housing Element's housing sites inventory to reflect allowable densities under the 2040 General Plan and comply with Government Code Sections 65583(c)(1) and 65583.2(h)-(i).

The proposed Zone Text Amendment (ZCC No. 02-2025) will amend the new Phase 1 Zoning Code (Chapter 1 of Article IX of the Carson Municipal Code) to fully comply with these requirements, which are administered and enforced by the California Department of

Community Development (“HCD”) and facilitate housing development and the expansion of affordable housing opportunities in Carson, thereby promoting public health, safety and welfare. See Attachment 2, Exhibit A - Ordinance No. 25-2510.

On September 6, 2022, following a Planning Commission recommendation to approve, the City Council approved General Plan Amendment No. 22-01, a subsequent draft revision to the City’s Housing Element (a part of the City’s General Plan) for the 2021-2029 planning period. This version of the adopted Housing Element updated the Housing Element for the 2021-2029 planning period that the City Council had adopted in or about February of 2022, and contained revisions that were made in response to comments from HCD during its review for compliance with State Housing Element Law requirements. Pursuant to City Council Resolution No. 22-193, additional minor modifications were approved by the Community Development Director in response to additional HCD comments.

In November of 2022, the final modified 2021-2029 Housing Element was submitted to HCD, and the City received approval, confirming compliance with the requirements of the State Housing Element Law. However, as approval was given after October 15, 2023, HCD required completion of certain rezoning actions for full compliance, particularly those related to accommodating the City's Regional Housing Needs Allocation (RHNA). The final, approved version of the 2021-2029 Housing Element is available at <https://www.carson2040.com/>, where it was published in November of 2022 (“Housing Element”).

On April 4, 2023, following a Planning Commission recommendation, the City Council adopted the remaining elements of the Carson 2040 General Plan. Several elements of the Carson 2040 General Plan, including the Land Use Element – which established a new land use framework and classifications – necessitated updates to the Carson Zoning Ordinance (Chapter 1 of Article IX of the Carson Municipal Code) to ensure consistency with the General Plan, as mandated by State law.

On March 19, 2024, by Ordinance No. 24-2405, the City adopted Phase 1 of a comprehensive update and amendment to the Carson Zoning Ordinance and Zoning Map focused on residential and mixed-use areas (the Phase 1 Zoning Code Update). The Phase 1 Zoning Code Update can also be viewed at <https://www.carson2040.com/>.

Following its adoption, the Phase 1 Zoning Code Update was submitted to HCD for review and a determination of full Housing Element compliance. However, in May-June 2024, HCD responded with comments indicating that additional changes were needed to comply with Government Code Sections 65583(c)(1) and 65583.2(h)-(i) based on the date of adoption of the Phase 1 Zoning Code Update. In July of 2024, City staff submitted to HCD the proposed amendments to the Phase 1 Zoning Code Update which are embodied (in substantially similar form) in the proposed ordinance (See Attachment 2, Exhibit A - Ordinance No. 25-2510).

After reviewing the proposed amendments, HCD confirmed to City staff, in an April 7, 2025, letter and related correspondence, that the proposed amendments to the Phase 1 Zoning Code Update meet State requirements, and that upon adoption of an implementing ordinance – Ordinance No. 25-2510 – the City will receive full, unconditional certification of substantial compliance with State Housing Element Law. See Attachment No. 2

B. Project Description

Zone Text Amendment (ZCC No. 02-2025) proposes modifications to the following sections of the Phase 1 Zoning Code Update:

- Sections 9211.3 (Development Regulations) and 9211.4 (Supplemental Regulations) of Division 1 (Residential Districts) of Part 2 (Base, Overlay and Special Districts); and
- Sections 9212.3 (Development Regulations – Mixed Use Districts) and 9212.4 (Supplemental Regulations) of Division 2 (Mixed Use Districts) of Part 2 (Base, Overlay and Special Districts).

II. ANALYSIS

A. Zone Text Amendment (ZCC No. 02-25) Purpose

The proposed code modifications are required by HCD – a State agency – to enable the City to obtain full, unconditional certification of substantial compliance with State Housing Element Law, including Government Code Sections 65583(c)(1) and 65583.2(h)-(i), and consistency with the City's 2021-2029 Housing Element. By recommending approval, this action reinforces the City's commitment to meeting the State's Regional Housing Needs Allocation (RHNA) requirements and advancing broader housing goals.

B. Proposed Phase 1 Zoning Code Changes

To ensure the City is meeting the requirements of HCD, the following zone text modifications to the Phase 1 Zoning Code are proposed:

- Adds language to Phase 1 Zoning Code Sections 9211.3 (Development Regulations – Residential Districts) and 9212.3 (Development Regulations – Mixed Use Districts), requiring a minimum density of 20 units per net acre for residential development on sites identified in the City's 2021–2029 Housing Element, Housing Sites Inventory to accommodate the City's very low- or low-income housing need, in accordance with State law (Government Code Section 65583.2(h)-(i)).
 - As of the date of this report, the Housing Element Sites Inventory (Table C-17 of the Housing Element, which is available at <https://www.carson2040.com>), includes only one HDR-zoned site and no MDR-zoned sites, so absent a change to the Sites Inventory to include an MDR-zoned site, this change does not affect the MDR zone (which has a stated density range of 10-18 dwelling units per acre per the Phase 1 Code Update).

- Adds a new note to Section 9212.3, Mixed-Use Districts Development Regulations Table, to provide that for mixed-use projects on CMX, DMX, or FLX-zoned sites identified in the City's 2021–2029 Housing Element, Housing Sites Inventory, to accommodate the City's very low- or low-income housing need, residential uses must occupy at least two-thirds of the total floor area of the mixed-use development, in accordance with State law (Government Code Section 65583.2(h)-(i)).
- Add new Subsections (B) to Section 9211.4 (Supplemental Regulations, Residential Districts) and (R) to Section 9212.4 (Supplemental Regulations, Mixed-Use Districts) identifying an Interim Development Impact Fee Reduction for Certain Developments that will offer offers a 5% reduction in interim development impact fees for multifamily residential projects that (1) include at least 20% affordable units for lower-income households (as defined by State law) and (2) are located on sites identified in the City's 2021–2029 Housing Element to accommodate the City's very low- or low-income housing need, in accordance with State law (Government Code Section 65583.2(h)-(i)). This fee reduction is in addition to other eligible fee credits or exemptions. The application and approval process for the fee reduction will follow administrative guidelines set by the Community Development Director. These rules will be based as closely as possible on the existing procedures for demolition fee credits in Section 11800 of the Carson Municipal Code. However, a project does not need to involve demolition to qualify for the reduction. This fee reduction is in addition to any other eligible fee credits, reimbursements, or exemptions available under CMC Article XI.

C. Environmental Analysis

Consideration of Zone Text Amendment (ZCC No. 02-25) is exempt from the California Environmental Quality Act (CEQA) under the "common sense" exemption in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the adoption of the proposed ordinance may have a significant effect on the environment. The proposed code modifications are required by HCD for compliance with State Housing Element Law and are consistent with the Housing Element. Further, as more particularly described above, the proposed changes consist solely of a clarification of the minimum density requirement that applies per State law for a limited scope of potential projects/sites, a clarification of the required residential floor area component of residential use in mixed-use projects for a limited scope of potential projects/sites, and a reduction in development impact fees for a limited scope of potential projects/sites. It can be seen certainty that there is no possibility these code modifications may have a significant impact on the environment.

D. Public Hearing Notice

Public Notice was given in accordance with CMC Sections 9203.16 and 9173.22. Notice of public hearing was posted to the paper by April 24, 2025. The agenda was posted at City Hall no less than 72 hours prior to the Planning Commission meeting.

III. CONCLUSION AND RECOMMENDATION

The proposed amendments to the Phase 1 Zoning Code Update were submitted to HCD, which confirmed to City staff in April 2025 that the changes meet State Housing Element Law requirements. The Planning Commission's recommendation to approve the proposed code amendment, followed by Council adoption, is necessary to enable the City to obtain full, unconditional certification of substantial compliance with State Housing Element Law from HCD, and will ensure consistency with the City's 2021–2029 Housing Element, reinforcing the City's commitment to meeting RHNA requirements and advancing broader housing goals.

Staff recommends that the Planning Commission:

ADOPT RESOLUTION NO. 25-2888, ENTITLED "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THAT THE CARSON CITY COUNCIL MAKE A FINDING OF APPLICABILITY OF CEQA GUIDELINES SECTION 15061(B)(3) AND APPROVE CODE AMENDMENT NO. ZCC NO. 02-25, AN ORDINANCE TO MAKE VARIOUS MODIFICATIONS TO THE CITY'S ZONING CODE TO ENSURE COMPLIANCE WITH THE STATE HOUSING ELEMENT LAW, INCLUDING GOVERNMENT CODE SECTIONS 65583(C)(1) And 65583.2(H)-(I), AND CONSISTENCY WITH THE CITY'S 2021-2029 HOUSING ELEMENT."

ATTACHMENTS

- 1) Copies of CMC Phase 1 Zoning Code Sections 9211.3-9211.4 (Residential) and 9212.3-9212.4 (Mixed Use)
- 2) Planning Commission Resolution No. 25-2885
Exhibit A. Draft City Council Ordinance No. 25-2510