

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **ZONING - CALIFORNIA**

### **Carson Harbor Village, Ltd. v. City of Carson**

**Court of Appeal, Second District, Division 8, California - July 31, 2015 - Cal.Rptr.3d - 2015 WL 4600066**

Mobile home park filed mandate action against city, challenging city's denial of park's application to convert park from rental spaces to subdivision of individually owned lots. The Superior Court entered judgment against city. City appealed. The Court of Appeal reversed in part, affirmed in part, and remanded with directions. Following remand, city held new public hearings and rejected park's application. Park brought another mandate action against city. The Superior Court found in favor of park. City appealed.

The Court of Appeal held that:

- Determination in prior appeal that inconsistency in city's general plan was not available ground for denying application was not law of the case;
- City was permitted to deny application based on inconsistency with open space element of city's general plan; and
- Evidence was sufficient to support city's finding that subdivision was inconsistent with open spaces element of general plan.