



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 10, 2008  
SUBJECT: Conditional Use Permit No. 695-08  
APPLICANT/OWNER: Arsenio Castanares  
22135 Dolores Street  
Carson, CA 90745  
REQUEST: To approve a Conditional Use Permit for a new 3,370-square-foot, two-story, single-family residence on a property with two existing single-family residences in the RS (Residential, Single-family) zone.  
PROPERTY INVOLVED: 22137 South Dolores Street

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### COMMISSION ACTION

- Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Cannon			Verrett
		Graber			

***Item No. 11A***

## I. Introduction

### *Applicant/Property Owner*

- Arsenio Castanares  
22135 Dolores Street  
Carson, CA 90745

### *Project Address*

- 22137 South Dolores Street , Carson, CA 90745

### *Project Description*

- The proposal is to consider a conditional use permit (CUP) for a new 3,370 square-foot, two-story single-family residence on a property with two existing single-family residences in the RS (Residential, Single-family) zone.
- All residences, including the new residence, will be for rental use.
- The project site is located on a 0.4-acre parcel with two dwelling units. The existing units are 2,000 square feet each in size.
- The applicant will provide 3 guest parking spaces for the property and 155 square feet of private open space for the new dwelling in compliance with the Carson Municipal Code. The new dwelling will have a stucco exterior finish painted to match the existing dwellings and a concrete tile roof.
- Site improvements include a two-foot wide paver area along the northern edge of the property to facilitate on-site drainage.

## II. Background

### *History of Property*

- The dwelling units located at 22135 and 22139 South Dolores Street were issued building permits by the City of Carson in 1988.

### *Previously Approved Discretionary Permits*

- There are no previous approved discretionary permits on this site.

### *Public Safety Issues*

- The Public Safety Department has not reported any current code enforcement cases associated with this property.

## Analysis/Findings

### *Location/Site Characteristics/Existing Development*

- The subject property is located at 22137 South Dolores Street. The subject site is compatible with surrounding residential single family uses.
- The subject property consists of a proposed single-family rental dwelling requiring approval of a Conditional Use Permit pursuant to Section No. 9125.5 and 9172.21 of the Carson Municipal Code (CMC). Section 9125.2 allows one dwelling unit for each 5,000 square feet of land and allows new detached rental units on properties containing existing dwellings in the residential zones. The city



density provided an important housing resource and that new rental units could be built if findings could be made regarding the size of the lot, open space, parking, design and other features needed to meet neighborhood compatibility standards.

*Zoning/General Plan/Redevelopment Area Designation*

- The subject property is zoned RS (Residential, Single-Family) with the adjacent properties to the north, south, east and west sharing the same zoning designation.
- The zoning designation for the subject property is consistent with the General Plan Land Use designation of Low Density, Residential.
- The subject property is not located within a redevelopment project area.

*Required Findings: Conditional Use Permit No. 695-08*

Pursuant to Section 9172.21, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

- a. The proposed use and development will be consistent with the General Plan.
- b. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be compatible with the intended character of the area.

All of the required findings pursuant to Section 9172.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision", can be made in the affirmative, if conditions of approval are implemented. Specific details regarding the applicable findings are incorporated in the attached resolution.

*Issues of Concern: Zoning Requirements / Conditional Use Findings*

After careful review and analysis of the proposed residential unit, and its determination of compliance with the applicable code sections as cited in the above table, the following analysis with solutions have been identified:

- Public Work Improvements
  - The following will be included as a condition of approval
    - The applicant shall dedicate a 5-foot wide right-of-way along Dolores Street fronting the proposed development.



III. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303, New Construction or Conversion of Small Structures, the City's approval of a Conditional Use Permit (CUP) for the proposed project is "Categorically Exempt".

IV. Recommendation

That the Planning Commission:

- **APPROVE** Conditional Use Permit No. 695-08 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the City of Carson Approving Conditional Use Permit No. 695-08 for a new 3,370 square-foot, two-story single-family residence on a developed property located at 22137 South Dolores Street."

V. Exhibits

1. Land use map
2. Resolution
3. Site plan, elevations, floor plans (C-1, D-1)

Prepared by:

  
Max Castillo, Assistant Planner

Reviewed by:

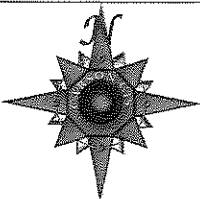
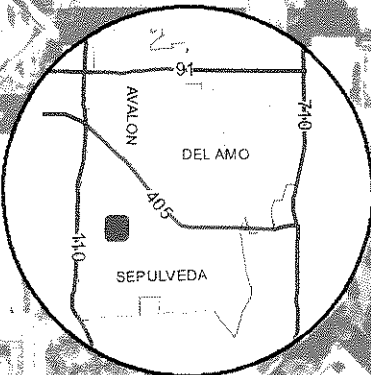
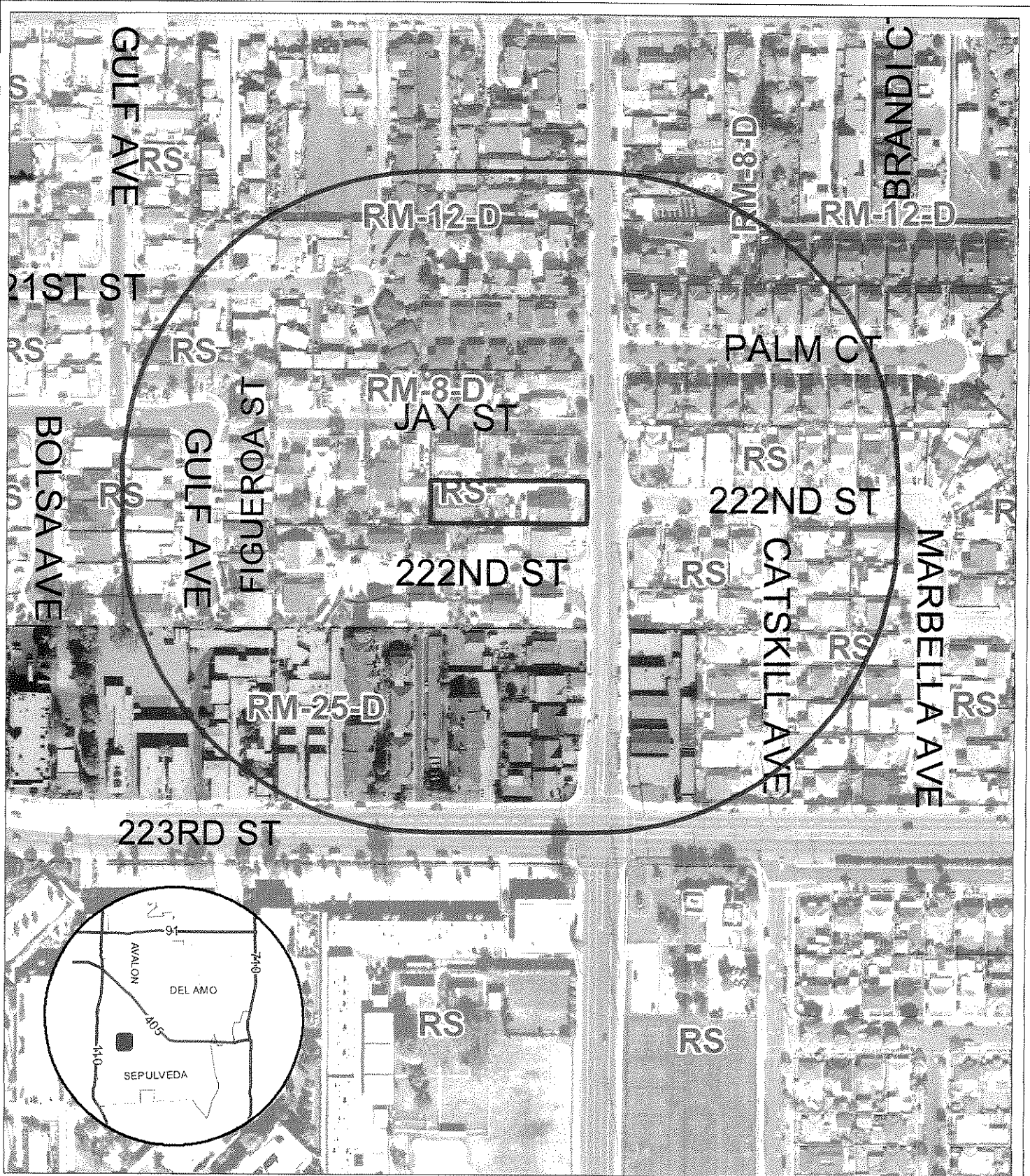
  
John F. Signo, AICP, Senior Planner

Approved by:

  
Sheri Repp-Loadman, Planning Manager

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**City of Carson  
500 Foot Radius Map  
22137 Dolores St**

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**EXHIBIT NO. 1**

CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 695-08 FOR A NEW 3,370-SQUARE-FOOT, TWO-STORY SINGLE-FAMILY RESIDENCE ON A DEVELOPED PROPERTY LOCATED AT 22137 SOUTH DOLORES STREET.

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

**Section 1.** An application was duly filed by the applicant, Arsenio Castanares , with respect to real property located at 22137 South Dolores Street, and described in Exhibit "A" attached hereto, requesting the approval of a new 3,370 square-foot, two-story, single-family residence on a developed property with two existing single-family residences in the RS (Residential, Single-family) zone.

A public hearing was duly held on June 10, 2008, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

**Section 2.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** The Planning Commission finds that:

- a) The proposed project is identified in the General Plan as a permitted use in the Low Density Residential land use designation subject to Conditional Use Permit approval. The surrounding properties are developed with residential single family dwellings and the proposed project is compatible with the neighborhood.
- b) The project 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.
- c) Safety and convenience of vehicular and pedestrian access is provided with the on-site driveway. Dolores Street is a collector street that can accommodate the proposed development. The project is a low trip generator and is not expected to significantly increase traffic patterns to the subject site.

The property owner will provide a 5-foot dedication in order to facilitate widening of Dolores Street. A condition has been included to require the applicant to provide a 5-foot dedication for the subject property.



- d) Appropriate conditions of approval are associated with the development to ensure that the project will be served by adequate fire protection including adequate street access, driveway width, fire hydrants, and fire flow.
- e) The proposed project conforms to all applicable design standards and guidelines that have been adopted pursuant to Section 9172.15 of the Carson Municipal Code.
- f) The proposed 3,370 square-foot, two-story, single-family residence meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. All of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Approval Authority and Findings and Decision" can be made in the affirmative.

**Section 4.** The Planning Commission further finds that the use permitted by the Conditional Use Permit will not have a significant effect on the environment. The proposed use will not alter the predominantly residential single family character of the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore the proposed project is found to be categorically exempt under the CEQA Guidelines, Section 15301 (Existing Structures or Facilities).

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 695-08 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and approves the categorical exemption.

**Section 6.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 7.** 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.

**PASSED, APPROVED AND ADOPTED THIS 10<sup>th</sup> DAY OF JUNE, 2008.**

\_\_\_\_\_  
CHAIRMAN

ATTEST:

\_\_\_\_\_  
SECRETARY



Exhibit "A"

Legal Description

THE SOUTHERLY 70.00 FEET OF THE EAST ONE-HALF OF THE SOUTHERLY 100.00 FEET OF THE NORTHERLY 165.00 FEET OF THE EASTERLY 504.24 FEET OF LOT 16, TRACT 2982, IN THE CIT OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 35, PAGE(S) 31 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.





**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**CONDITIONAL USE PERMIT NO. 695-08**

GENERAL CONDITIONS

1. If Conditional Use Permit No. 695-08 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
5. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
8. It is further made a condition of this approval that if any condition is violated or if any law, statute, or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



9. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceedings against the City or its agents, officers, or employees to attack, set aside, void or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 695-08. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

#### PARKING

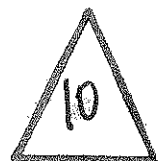
10. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
11. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
12. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
13. All areas used for the movement or parking of vehicles shall be paved with either:
  - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
  - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.

#### AESTHETICS

14. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
15. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.

#### ENGINEERING SERVICES DIVISION- CITY OF CARSON

16. The Developer shall submit a copy of approved Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of construction permits.
17. On-site base, paving, curb and gutters are subject to inspection by Public Works Inspectors. Permit shall be obtained from City of Carson Engineering Services.
18. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.



19. A construction permit is required for any work to be done in the public right-of-way.
20. Prior to issuance of a Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory. Compliance with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan shall be required.
21. Prior to issuance of a Building Permit, the Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
22. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
23. Prior to issuance of a Building Permit, CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required.
24. Prior to issuance of a Building Permit, quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
25. Prior to issuance of a Building Permit, additional Right-of-Way is required beyond the existing right-of-way line. Dedicate 5-ft of additional right-of-way abutting the development along Dolores Street. New Right-of-Way line shall be 35-ft from existing centerline. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Records Office. All documents shall be approved and ready for recordation prior to issuance of Building Permits.
26. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
27. Prior to issuance of a Building Permit, a Drainage/Grading plan shall be prepared by a registered Civil Engineer, to the satisfaction of the Building and Safety Division.
28. Prior to issuance of a Building Permit, the Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way (Dolores Street) for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
29. Prior to issuance of a Building Permit, a Construction bond is required for all work to be done within the public right of way.
30. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance is required.



31. Prior to issuance of the Certificate of Occupancy, easements, If needed, shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
32. Prior to issuance of the Certificate of Occupancy, repair any broken or raised sidewalk, curb and gutter along Dolores Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
33. Prior to issuance of the Certificate of Occupancy, the Developer shall fill in any missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
34. Where sidewalk meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
35. Prior to issuance of the Certificate of Occupancy, the Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
36. Prior to issuance of the Certificate of Occupancy, provision shall be made for the continual maintenance of the common driveways and common areas. This can be achieved by the formation of an association, comprise of the owners of the units, responsible for the maintenance of the common driveways and common areas.
37. Prior to issuance of the Certificate of Occupancy, remove existing street light on wooden poles and install streetlights on concrete poles with underground wiring along Dolores Street to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
38. Prior to issuance of the Certificate of Occupancy, all new utility lines, along Dolores Street abutting the proposed development shall be underground to the satisfaction of the City Engineer.
39. Prior to issuance of the Certificate of Occupancy, plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
40. Prior to issuance of the Certificate of Occupancy, plant parkway grass along Dolores Street to the satisfaction of the City Engineer.
41. Prior to issuance of the Certificate of Occupancy, install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on Dolores Street.
42. Prior to issuance of the Certificate of Occupancy, the Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
43. Prior to issuance of the Certificate of Occupancy, the Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under



normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.

44. Prior to issuance of the Certificate of Occupancy, the Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
45. Prior to issuance of the Certificate of Occupancy, streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
46. Prior to issuance of the Certificate of Occupancy, all infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

#### BUILDING & SAFETY

47. All building improvements shall comply with City of Carson Building and & Safety Division requirements.
48. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.
49. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

#### FIRE DEPARTMENT - COUNTY OF LOS ANGELES

50. Provide water mains, fire hydrants, and fire flows as required by Los Angeles County Fire Department and Fire Warden for the proposed site.
51. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
52. All requirements by the L.A. County Fire Department shall be complied with.

#### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

53. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

