



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 27, 2010  
SUBJECT: Conditional Use Permit No. 754-09  
APPLICANT: Katherine De La Rosa  
21135 South Bolsa Street  
Carson, CA 90745  
REQUEST: To approve a Conditional Use Permit for a second dwelling unit located within the RS (Residential, Single-Family) zoning district.  
PROPERTY INVOLVED: 21135 ½ South Bolsa Street

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#### COMMISSION ACTION

☐ Concurred with staff  
☐ Did not concur with staff  
☐ Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaffer
		Diaz			Verrett
		Gordon			

***Item No. 11C***

## **I. Introduction**

### *Date Application Received*

- October 15, 2009

### *Applicant/ Property Owner*

- Katherine De La Rosa  
21135 South Bolsa Street  
Carson, CA 90745

### *Project Address*

- 21135 South Bolsa Street, Carson, CA 90745

### *Project Description*

- The proposal is to consider a conditional use permit (CUP) for an existing second dwelling within the RS (Residential, Single Family) zoning district.
- The project site is located on a 22,392-square-foot parcel with two dwelling units and two two-car garages totaling approximately 3,639 square feet. The front dwelling is 1,939 square feet and the rear dwelling is 980 square feet. Each two-car garage is 360 square feet in size.
- The main unit is located in the front of the property and the second dwelling unit is located in the rear of the property.

## **II. Background**

### *History of Property*

- The main dwelling unit located in the front of the property was built in 1956 and the second unit was built in 1973.

### *Previously Approved Discretionary Permits*

- There are no previously approved discretionary permits for this site.

### *Public Safety Issues*

- There are no open Code Enforcement cases for the subject property.

## **III. Analysis**

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

- The subject property is located at 21135 Bolsa Street. The subject site is rectangular in shape and is compatible with surrounding residential single family uses.
- The applicant is applying for a second dwelling unit Conditional Use Permit pursuant to Section No. 9172.21 and 9182.3 of the Carson Municipal Code



(CMC). Second dwelling units on single family residential zoned lots provide an important housing resource that should be preserved if findings could be made regarding the adequacy of the building condition, parking, landscaping and other features needed to meet neighborhood compatibility standards. The conditional use permit application upon approval promotes the health and safety of the second dwelling's occupants via the conditions of approval. (Exhibit No. 2 and Exhibit No. 3)

*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 the zoning designation.
- The zoning designation for the subject property is consistent with the General Plan Land Use designation of Low Density Residential.

*Applicable Zoning Ordinance Regulations*

The proposed CUP is subject to the approval of a development plan in accordance with the procedures as provided in Section 9172.21 and subject to CMC Sections 9122.8 (Second Dwelling Units), 9125.6 (Second Dwelling Unit Development Standards) and 9182.3 (Nonconforming Residential Density).

*Required Findings: Conditional Use Permit No. 754-09*

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 existing second dwelling unit, the following analysis with solutions have been identified:

- Issue – Structure / Site maintenance: Per Section 9122.8 of the Carson Municipal Code, the Commission may require additional improvements to the property. The following conditions of approval are recommended.

- **Conditions of Approval:**

1. Any minor alterations, improvements and or repairs shall require review and approval by the Planning Division and issuance of a building permit if applicable.
2. A property inspection report was prepared by a qualified/certified property inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies (Exhibit No. 3). The deficiencies described in the property inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.
3. There shall be no dwelling expansion or alteration that will intensify the number of bedrooms or other habitable area if the Planning Division determines there will be an impact to off-street parking.
4. All driveways leading to garages shall remain clear to facilitate automobile parking inside garages. Further, all building setback yard areas are to remain clear for fire prevention safety.
5. Per Section 9125.6.8 (L)(1) of the Carson Municipal Code, the applicant shall submit a deed restriction stating that:
  - The second dwelling unit shall not be sold separately.
  - The second dwelling unit is restricted to the maximum size allowed per the development standards.
  - The second dwelling unit shall be considered legal only so long as either the primary residence or the second dwelling unit is occupied by the owner of record of the property.
  - The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner.

#### **IV. Environmental Review**

Pursuant to Section 15301(e) "Existing Facilities" of the California Environmental Quality Act (CEQA), the proposed second dwelling unit does not have the potential for causing a significant effect on the environment and is found to be exempt.



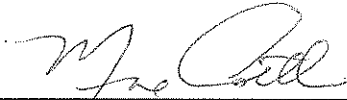
**V. Recommendation**


That the Planning Commission:


- **APPROVE** the Categorical Exemption;
- **APPROVE** Conditional Use Permit No. 754-09 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. 754-09 FOR A SECOND DWELLING UNIT LOCATED AT 21135½ S. BOLSA STREET."

**VI. Exhibits**

1. Zoning Map
2. Second Dwelling Unit Checklist
3. Property Inspection Report - Summary
4. Proposed Resolution
5. Proposed Development Plans (submitted under separate cover)

Prepared by:   
Max Castillo, Assistant Planner

Reviewed by:   
John F. Signo, AICP, Senior Planner

Approved by:   
Sheri Repp-Loadsman, Planning Officer

MC/c75409\_21135-1-2Bolsa\_p

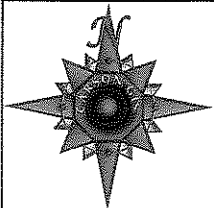
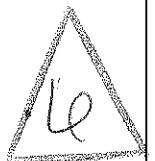


EXHIBIT NO. 1



K:\Addresses\Bolsa\_Ave\21135\ZoningMap.MXD 04/5/2010

Second Dwelling Unit Checklist for Planning Commission

Property Address: 2646 East Tyler Street

Application #: CUP No. 771-09

Date 1<sup>st</sup> Dwelling Unit Built: 1935

Date 2<sup>nd</sup> Dwelling Unit Built: 1938

**Applicable Development Standards per Section 9125.6**

**MINIMUM LOT SIZE**

Meets Code: No

7,500 square feet for RS zone

**Comments:**

Lot size = 5,775 square feet

**UNIT SIZE**

Meets Code: Yes

0 bdrm, 1 bthrm and kitchen: 500 s.f. max.

Attached d.u. same as above, but no more

1 bdrm, 1 bthrm and kitchen: 650 s.f. max.

than 40% of main d.u.

2 bdrms, 1 bthrm and kitchen: 700 s.f. max.

**Comments:**

Second unit size = 2 bedrooms, 1 bathroom and kitchen (498 square feet). Applicant also proposes a 200 square foot living room addition and porch for the second unit.

**SETBACK REQUIREMENTS**

Meets Code: Yes

10' from primary residence

15' rear yard

6' from accessory structure

If above accessory structure, 10' min. side yard

5' side yard

**Comments:**

Side yard setbacks are less than 5 feet. A condition of approval requiring all building setback yard areas to remain clear for fire prevention safety.

**OFF-STREET PARKING**

Meets Code: Yes

Studio: 1 uncov. sp. outside of FYSB

2 bdrms or over 700 s.f.: 2 spcs. within garage

1 bdrm: 1 sp. in 10'x20' gar. or 9'x20' carport

Main dwelling unit parking provided

**Comments:**

Second Unit (2 bedrooms) currently has 1-car garage. Applicant proposes interior modifications to create a 2-car garage to meet code requirements. Existing 2-story main dwelling unit parking (2-car garage) is provided. Applicant also proposes a 509 square foot living and dining room addition to the main unit. A condition of approval is recommended that states that there will be no un-authorized dwelling expansion or alteration that will intensify the number of bedrooms if the Planning Division



**Per Section 9122.8, the Commission may require additional improvements to the property, or any buildings or structure thereon, which may include but are not limited to the following:**

**1. Condition of landscaping**

**Staff's evaluation:** Good

**Comments:**

Rehabilitated landscaping shall be provided for the front and rear lawns.

**2. Exterior changes to promote compatibility of buildings and structures with surrounding development**

**Wall Paint:** Good

**Doors:** Good

**Building Material:** Good

**Windows:** Good

**Building Trim:** Good

**Porch:** Good

**Roof:** Good

**Accessory structure:** Not applicable

**Eaves:** Good

**Other:** Not applicable

**Comments:**

Applicant proposes compatible façade changes to the main unit and second unit with stucco exteriors, shingle roofs and compatible colors (beige exterior / white trim).

**3. General repairs to vehicular maneuvering or parking areas**

**Staff's evaluation:** Fair

**Comments:**

Staff recommends rehabilitation of the existing concrete driveway.

**4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units.**

**Staff's evaluation:** Existing is Acceptable

**Comments:**

Applicant proposes modifications to the second unit in order to comply with applicable standards (see



Second Dwelling Unit Checklist for Planning Commission

Property Address: 21135 ½ South Bolsa Street

Application #: CUP 754-09

Date 1<sup>st</sup> Dwelling Unit Built: 1956

Date 2<sup>nd</sup> Dwelling Unit Built: 1973

**Applicable Development Standards per Section 9125.6**

**MINIMUM LOT SIZE**

Meets Code: Yes

7,500 square feet for RS zone

**Comments:**

Lot size = 22,392 square feet

**UNIT SIZE**

Meets Code: No

0 bdrm, 1 bthrm and kitchen: 500 s.f. max.

Attached d.u. same as above, but no more  
than 40% of main d.u.

1 bdrm, 1 bthrm and kitchen: 650 s.f. max.

2 bdrms, 1 bthrm and kitchen: 700 s.f. max.

**Comments:**

Second unit size = 2 bedrooms, 1 bathroom and kitchen (980 square feet)

**SETBACK REQUIREMENTS**

Meets Code: Yes

10' from primary residence

15' rear yard

6' from accessory structure

If above accessory structure, 10' min. side yard

5' side yard

**Comments:**

None

**OFF-STREET PARKING**

Meets Code: Yes

Studio: 1 uncov. sp. outside of FYSB

2 bdrms or over 700 s.f.: 2 spcs. within garage

1 bdrm: 1 sp. in 10'x20' gar. or 9'x20' carport

Main dwelling unit parking provided

**Comments:**

Second unit (980 square feet) currently has a detached two-car garage.

**OWNER OCCUPIED**

Meets Code: Yes

**Comments:**

Owner will occupy the main residence (21135 S. Bolsa Street) located in the front of the property.



**Per Section 9122.8, the Commission may require additional improvements to the property, or any buildings or structure thereon, which may include but are not limited to the following:**

**1. Condition of landscaping**

**Staff's evaluation:** Good

**Comments:**

None

**2. Exterior changes to promote compatibility of buildings and structures with surrounding development**

**Wall Paint:** Good

**Doors:** Good

**Building Material:** Good

**Windows:** Good

**Building Trim:** Good

**Porch:** Fair

**Roof:** Good

**Accessory structure:** Good

**Eaves:** Good

**Other:** Choose an item.

**Comments:**

The applicant shall mitigate any deficiencies identified in the property inspection report

**3. General repairs to vehicular maneuvering or parking areas**

**Staff's evaluation:** Good

**Comments:**

None.

**4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units.**

**Staff's evaluation:** Existing is Acceptable

**Comments:**

None.



Second Dwelling Unit Checklist for Planning Commission

Planner: Max Castillo

Date Completed: 2/1/2010



This compiled Comments report is provided as a courtesy for quick access to the information within the inspection report. It is not intended as a substitute for reading the inspection report.

Client: Mrs. Katherine De La Rosa & Arthur De la

Report #: Bolsa - 235209

## GROUNDS

Page 4

## 2. Walkways/Side yards

1. The property does not have hard surface on the side yards to facilitate drainage, water will percolate and pond adjacent to the residence, which is not ideal, and you may wish to consider upgrading the site by adding hard surface with swales or area drains to direct water away from the residence.

## 6. Decks/Porches

1. Porch at west side had settled away from the house, major separation noted at floor to wall connection. This should be monitored for potential future movement. Recommend proper repairs to prevent further damaged.

## EXTERIOR

Page 5

## 9. Exterior Walls

1. The exterior stucco extends down to the soil without the benefit of a weep screed (metal flashing), which allows the house, walls to move independent of the foundation, and does prevent the plate line cracks that are seen at the base of the stucco walls and isolates the stucco from the soil to prevent moisture damaged that are seen in this house. recommend proper repairs by specialist to prevent further moisture damaged.

## 13. Hose Faucets

1. Hose faucets are not anti-siphon type valve: Suggest installing anti-siphon adapter to help prevent water supply contamination.

## 14. Gutters &amp; Downspouts

1. Recommend adding gutters and down spouts for proper drainage and to prevent water damaged on foundation and exterior walls.

## 15. Lot Drainage / Grading

## FOUNDATION

Page 6

1. Grading and drainage is negative adjacent to the residence and moisture intrusion will remain a possibility, the soil or hard surface should slope away from the residence to a distance of at list six feet to keep moisture away from the residence.

## 17. Raised Foundation

1. The screen doors at access openings to subarea were not closing properly and would allow intrusion of rodents and other animals to subarea.
2. Evidence of water intrusion to subarea noted at south and north side through access openings and the lack of proper drainage on exterior grounds, see items #2, #14 and #15 for more information.
3. Vents to subarea were blocked and or damaged, recommend opening vents for proper ventilation of subarea.

## Wood Frame: Floor Joist

1. Foundation was originally unbolted, bolting mud sills to the foundation and adding straps to wood posts are the most effective steps you can take to strengthen the house for earthquakes.

## 23. Main Line

## PLUMBING

Page 8

1. Evidence of prior repairs on main line below water valve, clamp was used to repair pipe.

## 25. Waste Lines

1. All of the waste lines were not fully visible, city sewer service, underground pipes, drain pipes, water pipes if any, septic system and any other underground pipes are not visible at time of this inspection and therefore are not part of this inspection.
2. Insufficient fall for adequate drainage observed on ABS pipe in crawl space area, this condition would cause stoppage or clogged drains, recommend further evaluation for proper installation of drain lines.
3. Drain lines lack proper strapping or support in crawl space area, pipes were supported by bricks at time of this inspection.

## 26. Fuel System

1. The fuel lines lack proper support in the crawl space area. See key #2.

## 27. Water Heater(s)

1. T P R valve overflow pipe was missing at the time of the inspection. See key #(2).
2. Vent pipe is too short and too close to windows, vent pipe shall terminate above roof line per city standards, SAFETY HAZARD.
3. Water heater was missing seismic straps as required by city standards, need to install seismic straps..

## HEATING

Page 9

## 29. Condition

1. Heating system did not respond to normal controls, recommend further evaluation. by heating contractor. See key #(2).

## HEATING Continued &amp; AIR COOLING

Page 10

## 36. Heating Notes

Recommend complete system evaluation by a licensed heating contractor, before escrow closes. (2)

## ELECTRICAL

Page 11

## 40. Main Panel

1. The main ground cable was connected to an abandoned water pipe, this condition does not provide proper grounding to main panel, SAFETY HAZARD, recommend proper installation of ground.

## 41. Conductors, 42. Sub-panel(s), 43. Panel Notes

1. Missing dead front covers at breaker on main panel. See key #2
2. The main panel appears too small, electric system appears outdated by today's standards, recommend upgrading electric system. See key #2.

## 44. Wiring Notes

1. GFCI's (a safety device for outlets near water which functions to deenergize a circuit when a hazardous condition exists) which is mandated by current standards and is an important safety feature needed at exterior / garage / bathrooms / kitchen / laundry room.

## 45. Entry Doors

## INTERIOR

Page 12

California Home Inspections &amp; Pacific H.

Report #: Bolsa - 235209

Part - 2

1. The entry doors had defects, gap noted at bottom of doors and at sides of door, missing weather-stripping at the time of the inspection, recommend installing sweep shoe molding at bottom of door and weather-stripping to prevent wind draft.

#### 46. & 47 .Interior & Exterior Doors

1. The exterior door won't latch or close properly, door hits door jamb, exterior side door needed adjustment repair at the time of the inspection.
2. Door rubs floor covering, difficult to operate in bedroom #2.

### INTERIOR Continued

Page13

#### 54. Smoke Detectors

1. Smoke detectors were missing or not responding to test in hallway and bedrooms 1 - 2, smoke detectors shall be replace/install new detectors per city standards.

#### 55. Laundry

1. The outlets in the laundry room should be upgraded to have ground fault protection, see page #11 item 44 for more information.
2. The dryer vents into the crawl space area, SAFETY/FIRE HAZARD, dryer shall vent to an exterior wall.

#### 56. Attic

1. Screens on attic vents were missing and or damaged, recommend installing screens at vents to prevent intrusion of animals to the attic area.

#### 57. Floor

### GARAGE

Page14

1. Missing floor tiles in bootlegged garage.
2. The garage was converted with a non permitted addition at time of this inspection.

#### 58. Firewall/Ceiling

1. The exterior wall on the west side was not accessibly and or not visible at this time, therefore no inspection was done to the side wall at this time, recommend further evaluation.

#### 61. Exterior Door

1. The exterior entry door was damaged and at end of useful life.

### KITCHEN

Page15

### BATHROOMS

Page16

#### 74. Ventilation / Heat

1. Window won't open fully and won't stay open in bath A, sash cord appear damaged and non functional
2. No electric outlet found in bath B

#### 76. Shower

1. Damaged walls, unfinished wall noted outside shower stall in bath B.
2. Missing floor covering noted outside shower stall in bath B.

**NOTE: Pages #17 - #18 & #20 N/A to this Report**

### 83. General

1. The property has been remodel or renovated with, therefore you should request documentation that will include permits any warranties that might be applicable, because we do not approve of or endorse any work that was completed without permits and latent defects may exist.

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 754-09 FOR A SECOND DWELLING UNIT LOCATED AT  
21135½ S. BOLSA 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, Katherine De La Rosa, with respect to real property located at 21135 ½ South Bolsa Street, and described in Exhibit "A" attached hereto, requesting the approval of a detached second dwelling unit located within the RS (Residential, Single Family) zoned district. The second dwelling unit is 980 square feet and located in the rear of the property.

A public hearing was duly held on April 27, 2010, 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 Carson Municipal Code as a permitted use for this land use category subject to Conditional Use Permit approval. There is no specific plan for this area. 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, open spaces and other features relative to a harmonious and attractive development of the area.
- c) The front dwelling is developed with a two-car garage and the rear dwelling is developed with a two-car garage, thus the property will not generate significant adverse effects to the adjacent public street.
- d) There are no signs intended for the proposed project.
- 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 existing second dwelling unit 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 9171.21(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 proposed 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 Planning Commission hereby approves the categorical exemption and grants Conditional Use Permit No. 754-09 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**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 Municipal Code.

**PASSED, APPROVED AND ADOPTED THIS 27<sup>th</sup> DAY OF APRIL, 2010.**

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY**

MC/C75409\_21135-1-2Bolsa\_pr



**EXHIBIT "A"**

**Legal Description**

THE NORTH 66.03 FEET OF THE EAST 322 FEET OF LOT 6 OF TRACT NO. 3848,  
AS PER MAP RECORDED IN BOOK 42 PAGE 68 OF MAPS IN THE OFFICE OF THE  
COUNTY RECORDER OF SAID COUNTY.



**CITY OF CARSON**  
**ECONOMIC DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 754-09**

GENERAL CONDITIONS

1. If Conditional Use Permit No. 754-09 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 applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. 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.
4. 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 within 90 days of receiving approval by the Planning Commission.
5. 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.
6. 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.
7. 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. 754-09. 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.

8. A property inspection report was prepared by a qualified/certified property inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the property inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.
9. Per Section 9125.6.8 (L)(1) of the Carson Municipal Code, the applicant shall submit a deed restriction stating that:
  - a. The second dwelling unit shall not be sold separately.
  - b. The second dwelling unit is restricted to the maximum size allowed per the development standards.
  - c. The second dwelling unit shall be considered legal only so long as either the primary residence or the second dwelling unit is occupied by the owner of record of the property.
  - d. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner.

#### SECOND DWELLING UNIT EXPANSION/ALTERATIONS/AESTHETICS

10. Any changes to the second dwelling unit shall be limited to minor alterations, improvements, repairs, or changes of use which do not increase the degree of nonconformity present and do not constitute or tend to produce an expansion or intensification of a nonconforming use.
11. Any minor alterations, improvements and or repairs shall require review and approval (where applicable) by the Planning Division and issuance of a building permit.

#### PARKING

12. Existing garages shall be used for parking of vehicles only and not for storage or habitable space. There shall be no parking of in-operable automobiles on any garage driveway. Driveways shall be kept clear of any household items, firewood, plants or rubbish. Further, there shall be no un-authorized dwelling expansion or alteration that will intensify potential hazards associated with not having sufficient off-street parking.



#### BUILDING & SAFETY

13. All building improvements shall comply with City of Carson Building and & Safety Division requirements.

#### FIRE DEPARTMENT - COUNTY OF LOS ANGELES

14. All requirements by the Los Angeles County Fire Department shall be complied with.

#### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

15. 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.

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