



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS DISCUSSION: May 11, 2010
SUBJECT: Workshop regarding second dwelling units
APPLICANT: City of Carson
REQUEST: Discuss and consider requirements for second dwelling units
PROPERTIES INVOLVED: Citywide

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 | | | Schaefer |
| | | Diaz | | | Verrett |
| | | Gordon | | | |

I. Introduction

The purpose of this workshop is to discuss concerns and update the Planning Commission on the status of second dwelling units. This item is a follow-up to the September 8 and October 13, 2009 workshops on second dwelling units and the June 23, 2009 workshop on residential development standards that pertain to legal nonconforming homes. On December 1, 2009, due to concerns from the public regarding the current economic condition and cost of an application, the City Council reduced the conditional use permit (CUP) fee for legal nonconforming second dwelling units from \$1,500 to \$750. The City Council also advised the Planning Commission to consider the effectiveness of requiring a CUP for legal nonconforming second dwelling units. The workshop is also intended to address the City Council directive.

II. Background

On November 4, 2003, the City Council adopted Ordinance No. 03-1290 regarding second dwelling units and accessory structures within residential zones, pursuant to amendments made in 2002 by the State to Section 65852.2 of the California Government Code. The ordinance went into effect on December 4, 2003, and requires legal nonconforming second dwelling units to obtain a conditional use permit (CUP) by December 4, 2008.

In July 2009, staff reexamined the issue since the due date had expired and identified 131 properties with two or more dwelling units in the RS zone, of which 10 had already been approved, 60 had adequate building permits and were eligible for a CUP, and 61 did not have building permits on file.

On August 12, 2009, letters were sent to those 61 property owners in which building permits could not be found. The letter advised property owners to obtain records from the County Assessor's office supporting the legal development of their second dwelling unit. Staff continues to review the Assessor's information provided by property owners to determine if second dwelling units were established legally and are eligible for a CUP.

On September 30, 2009, staff sent notices to 74 property owners indicating their second dwelling unit is legal nonconforming. Additional notices were sent to property owners on October 27, 2009 and February 22, 2010 whose second dwelling units were determined to be legal based on the Assessor's information. The notices indicated two ways of bringing a legal nonconforming second dwelling unit into compliance:

1. Obtain ministerial approval from the Planning Division for a second dwelling unit which meets the requirements of Section 9122.8 (Second Dwelling Units) and Section 9125.6 (Second Dwelling Unit Development Standards) of the CMC; or
2. Obtain a conditional use permit if the second dwelling unit did not meet the requirements described in option 1.



On December 1, 2009, due to concerns by property owners regarding the state of the economy and the cost to submit an application, the City Council reduced the CUP fee for legal nonconforming second dwelling units from \$1,500 to \$750.

Update on CUP Applications

Since the Ordinance's adoption in 2003, two new units have obtained approval of conditional use permits because the units exceeded 700 square feet and were located on properties over 10,000 square feet. These CUP applications were reviewed pursuant to CMC Section 9125.5 (Multiple Single Family Rental Units) which provides for properties that are 10,000 square feet in size or more. A detached rental unit may be constructed for each 5,000 square feet of property.

A total of 93 legal nonconforming second dwelling units were constructed prior to Ordinance No. 03-1290 and are required to obtain a CUP or receive administrative approval pursuant to Section 9122.8 (Second Dwelling Units) and Section 9125.6 (Second Dwelling Units Development Standards). Staff has received a total of 24 CUP applications of which 9 have been reviewed by the Planning Commission and 15 are still pending.

Of the 61 properties originally identified to have no building permits, 20 have been determined to be legal through the County Assessor's records; 16 have been referred to the Code Enforcement Division for enforcement; eight (8) actually did not have a second dwelling unit and were referred to the County Assessor's office to correct property records; and the remaining second dwelling units are still under review.

Conditional Use Permit (CUP) Information for

| | |
|------------------------------------|----|
| CUP applications submitted | 24 |
| 9 CUPs approved | |
| 0 CUPs denied | |
| 15 CUPs pending for existing units | |

| | |
|---|----|
| Number of Existing Properties Remaining to Submit Application | 69 |
|---|----|

Approved CUP Summary (9 Units)

Lot Size Information

| | |
|---|---|
| Properties that comply with lot size | 2 |
| Properties that do not comply with lot size | 7 |

Unit Size Information

| | |
|--|---|
| 2nd dwelling units that comply with size | 5 |
| 2nd dwelling units that exceed unit size | 4 |

Setbacks Information

| | |
|-------------------------------|---|
| Properties that comply | 2 |
| Properties that do not comply | 4 |

Off-street Parking Information

| | |
|-------------------------------|---|
| Properties that comply | 3 |
| Properties that do not comply | 6 |

Owner Occupied

| | |
|--|---|
| Properties that are owner occupied | 8 |
| Properties that are not owner occupied | 1 |

Development Standards for Second Dwelling Units in RS Zone

Ordinance No. 03-1290 established requirements for second dwelling units in Sections 9122.8 and 9125.6 (Second Dwelling Unit Development Standards) of the CMC which describes the development standards for second dwelling unit. The following table summarizes those requirements.

| | Section 9122.8 |
|-------------------------------|--|
| Location | One second dwelling unit per lot |
| | Adequate roadways, utilities, & services |
| | Consistent with General Plan |
| Submittal Requirements | Site plan |
| | Floor plan |
| | Elevations/photos |
| | Deed |

| | |
|---|--|
| | Section 9125.6 |
| A. Lot Criteria | One main single-family residence |
| | No more than one second dwelling unit |
| | No accessory living quarters |
| B. Min. Lot Size | 7,500 s.f. w/in RS |
| | 6,500 s.f. w/in RM |
| | Section 9125.6 (cont.) |
| C. Unit Size (Detached) | 0 bdrm., 1 bath, kitch; 500 s.f. max (detached) |
| | 1 bdrm., 1 bath, kitch; 650 s.f. max (detached) |
| | 2 bdrms., 1 bath, kitch; 700 s.f. max (detached) |
| D. Unit Size (Attached) | Same as detached, not to exceed 40% of main unit |
| E. Setback Requirements | 5 feet from primary residence |
| | 6 feet from accessory structure |
| | Side yard: 5 feet |
| | Rear yard: 15 feet |
| | If above accessory structure, 10' min. side yard |
| F. Height | 2 stories; max. 30 feet |
| G. Off-Street Parking | Studio: 1 uncovered outside front yard |
| | 1 bdrm: 1 space in garage (10'x20') or carport (9'x20') |
| | 2 bdrm or >700 s.f.: 2 garage spaces |
| | Parking for main unit shall be made conforming to be eligible for 2 nd unit |
| H. Architectural Compatibility | Similar architectural features as main unit |
| | Similar colors and materials |
| I. Foundation | Permanent foundation provided |
| J. Owner Occupied | Owner lives on property |
| K. Privacy | Second story does not pry onto neighbors |
| | Glazing, screening treatment, etc. provided |

| | |
|-----------------------------|---|
| L. Resale & Deed | Agreement of restriction filed w/ County Recorder |
| | Second dwelling unit cannot be sold separately |
| | Second dwelling unit restricted to max. size per development standards or CUP |
| | Legal only if owner lives on property |
| | Restrictions binding upon any successor |

III. Discussion

Ordinance No. 03-1290

Prior to the adoption of Ordinance No. 03-1290, second units could only be allowed on RS zoned properties that were at least 10,000 square feet in size. Second units on smaller properties were deemed legal, nonconforming subject to abatement. Both the Planning Commission and City Council were concerned with the loss of housing and the potential financial burdens placed on existing property owners resulting from the loss of the second dwelling unit.

One of the main requirements of Ordinance No. 03-1290 is that legal nonconforming second dwelling units are allowed to remain subject to the property owner obtaining a conditional use permit (CUP) by December 4, 2008. As of now, nine (9) CUP applications have been approved by the Planning Commission since the Ordinance went into effect. Under Section 9172.21 of the CMC, the Planning Commission has the discretion to deny, approve, or approve with conditions a CUP application for a second dwelling unit. Staff has observed that those applications that have been approved have been required to make upgrades to the property and remediate nuisance issues that would have otherwise remained. Thus, it is staff's opinion that Ordinance No. 03-1290 has been effective in improving legal nonconforming second dwelling units that were constructed many decades ago and bringing those properties closer into conformance with the CMC.

New vs. Existing Second Dwelling Units

The main distinction between a new second dwelling unit and an existing lawfully established second dwelling unit is that the former receives ministerial approval by meeting all the requirements described in Sections 9122.8 and 9125.6. If an existing lawfully established second dwelling unit does not meet those requirements, it is still eligible for a CUP before the Planning Commission. At that point, the Planning Commission may use its discretion in determining if adequate on-site parking is provided and additional improvements are needed. This may include new or rehabilitated landscaping; exterior changes to promote compatibility of the buildings and structures with surrounding development; general repairs to vehicular maneuvering or parking areas; or modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units. Furthermore, an inspection report must be prepared by a qualified building inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire



code deficiencies per Section 9182.3(A). For example, if the lot size is less than 7,500 square feet and the property is deficient in parking, the Planning Commission may require additional on-site parking and upgrades to the second dwelling unit building. The recommendations in the inspection report are usually included as conditions of approval and improvements must be completed within 90 days.

For new second dwelling units, the requirements of Section 9122.8 and 9125.6 must be met. The only exception is in the event that the lot size is 10,000 square feet or more and the density is at least 5,000 square feet per unit. In this case, the provisions of Section 9125.5 can be applied to consider the dwellings as multiple single-family rental units. The requirements of Section 9125.5 include the ability to provide adequate open space, guest parking, and similar architectural features. The advantages of constructing multiple single-family rental units are that the units are not limited to the size requirements described in Section 9125.6. Since 2003, the Planning Commission has approved two (2) CUP applications for multiple single-family rental units on Jamison Avenue that met the requirements of Section 9125.5.

There have been a number of policy issues that have been discussed during the review of prior CUP applications for existing second units. In addition, during the pending review of the Housing Element, the California Department of Housing and Community Development has raised questions regarding the restrictive nature of second unit development standards and conditional use permit process. The Planning Commission is asked to consider the following policy issues:

1. Appropriateness of minimum lot size.
2. Restrictions to second unit size.
3. Parking requirements, specifically the need for an existing primary unit to have conforming parking (two-car garage) in order to be eligible for a second unit.
4. Appropriateness of owner occupancy restriction.

IV. Conclusion

The Planning Commission should consider the issues discussed in this report and the opportunities to preserve existing housing opportunities. Staff believes that the parking and owner occupancy restrictions bear reconsideration for both existing and proposed second units. There are still over 60 property owners that must submit an application for review of their existing second dwelling unit. It is staff's opinion that Ordinance No. 03-1290 has improved the health, safety, and welfare of second dwelling units throughout the city by requiring code compliance and much needed upgrades to older structures. Second dwelling units provide an important housing resource and should be retained if deemed compatible with existing development in the vicinity, including aspects of site planning, land coverage, landscaping, appearance, scale of structures and open space, and other features relating to a harmonious and attractive development of the area.



Recommendation

That the Planning Commission:

- CONSIDER and DISCUSS the information provided for in this workshop;
- DIRECT staff in procedures for processing CUP applications for second dwelling units; and
- RECEIVE and FILE.

V. Exhibits

1. Excerpts from the Carson Municipal Code
2. Second dwelling unit flowchart

Prepared by:


John F. Signo, AICP, Senior Planner

Reviewed by:


Sheri Repp Loadsman, Planning Officer

§ 9122.6 Sale of Produce in RA Zone.

In connection with a permitted agricultural use in the RA Zone, wholesale trade (but no retail sales) of the products raised on the premises may be conducted. No advertising signs are permitted.

§ 9122.7 Motor Vehicle Repair and Service.

Minor repair and service of a motor vehicle as defined in CMC 9191.406 is permitted as an accessory use in conjunction with a dwelling unit, subject to the following limitations:

A. All minor repair and service activities, as defined in CMC 9138.11(A)(4), and minor upholstery repair may be performed on a motor vehicle if conducted within an enclosed garage or in any carport, side or rear yard which is screened from public view.

B. Minor repair and service activities performed on a driveway, in a carport, or other legally paved surface on private property, and visible from the public right-of-way, shall be limited to the following:

1. Washing, cleaning, and polishing of a motor vehicle.

2. Adding or changing fluids such as brake fluid, window washing fluid, oil, water, etc.

3. Changing or replacing wiper blades, head/tail lamps, fuses, flat tires, timing, spark plugs, radiator cap, filters, brakes, and batteries and similar activities.

All minor repairs and services may only be performed on motor vehicles owned by and registered to the occupants of the dwelling or their invitees.

No repair or service work shall involve repetitive testing of an operating engine.

Not more than one (1) motor vehicle, as viewed from a public right-of-way, may be repaired at any one (1) point in time.

No repair or service work shall be performed on any motor vehicle where such work results in any loud, unusual or penetrating noise which is disturbing, obnoxious, discomforting, or annoying to a reasonable person of normal sensitiveness residing in the area. (Added by Ord. 93-1017, § 1)

 **§ 9122.8 Second Dwelling Units.**

A. Purpose and Intent. The purpose of this Section is to comply with amendments made in 2002 to Government Code Section 65852.2, which provides for the city to set standards for the development of second dwelling units so as to increase the

supply of smaller and affordable housing while ensuring that they remain compatible with existing neighborhoods.

B. Location.

1. One second dwelling unit may be located on any residentially zoned lot that principally allows single-family dwellings and contains only a legal, single-family detached dwelling.

2. Second dwelling units shall not be allowed where roadways, public utilities and services are inadequate.

3. Second dwelling units are not required to meet the density requirements of the General Plan, but shall otherwise be consistent with the General Plan text and diagrams.

C. Permitting Procedures. Any application for a second dwelling unit that meets the location standards of subsection B of this Section and the development standards of CMC 9125.6, shall be approved ministerially without discretionary review or public hearing. Existing lawfully established second dwelling units that do not meet the standards defined in CMC 9125.6 shall obtain a conditional use permit pursuant to CMC 9172.21 and be subject to the provisions of CMC 9182.3.

D. Submittal Requirements and Application Processing.

1. Step One – Submittal. The application for a second dwelling unit permit shall be submitted to the Planning Division concurrent with the submittal of an application for a building permit. In addition to the standard submittal requirements for a building permit, the second dwelling unit application shall include:

a. Site Plan.

i. Lot lines and dimensions.

ii. North arrow and scale of plan.

iii. All setback lines.

iv. Footprint of existing and proposed buildings, structures, fences, walls, walks, and landscaping on site (measured from property line and distances between buildings and structures).

v. Indicate lot size, lot coverage, building area (by floor).

vi. Locations, dimensions and descriptions of all parking spaces, access to parking spaces, circulation patterns both on and off the site, and curb cuts.

EXHIBIT NO. 1



vii. Indicate all contiguous properties, streets and alleys showing center lines, lane striping, curb lines, street widths, right-of-way lines, street names, fire hydrants and other street furniture.

viii. Indicate uses of adjoining lots and location of building footprints.

ix. Indicate all existing and proposed easements.

x. Identify proposed utility locations (i.e., transformers and water mains).

xi. Indicate landscape areas including existing trees on the site and parkway.

b. Floor Plans.

i. Overall building and individual room dimensions, including square footage calculations.

ii. All proposed interior walls and partitions.

iii. Room identification.

iv. Window and door locations.

c. Elevations (photographs may be substituted for elevations on existing buildings unless otherwise required by the Planning Division).

i. Show exterior sides of building(s), label according to which direction the building faces (i.e., north face).

ii. Indicate exterior wall openings.

iii. Show roof pitches.

iv. All roof-mounted equipment and screening.

v. Exterior materials and finishes.

d. Color photographs of the site and adjacent properties. The photos shall be taken from each of the property lines of the project site to show the project site and adjacent sites. Label each photograph and reference to a separate site plan indicating the location and direction of the photograph.

e. Deed restriction completed as required, signed and ready for recordation.

2. Step Two – Issuance. The Planning Division shall issue a second dwelling unit building permit if it conforms to the specific standards contained in this Section and CMC 9125.6 (Second Dwelling Unit Development Standards). (Ord. 03-1290, § 1)

§ 9122.9 Sex Offender Residency Restrictions.

Permanent and temporary residence for a sex offender is permitted as an accessory use to a mobilehome or dwelling subject to the provisions

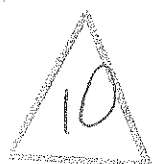
of Chapter 15 of Article IV and CMC 9182.31. (Ord. 08-1413U, § 2; Ord. 08-1414U, § 3; Ord. 08-1413, § 2)

Division 3. Conditional Use Criteria

§ 9123 Conditional Use Criteria.

In addition to the general criteria for the approval of a Conditional Use Permit pursuant to CMC 9172.21(d)(1), special criteria and limitations as indicated below shall be considered in acting upon a Conditional Use Permit in a residential zone:

| | |
|---|---|
| Residential condominium; residential stock cooperative: | Ability to comply with the provisions of CMC 9128.11 – 9128.17. |
| Mobile home park: | Ability to comply with the provisions of CMC 9128.2. |
| Fraternity or sorority house, dormitory: | The location shall be conveniently accessible in relation to the college or other institution attended by residents. |
| Community care facility, long-term health care facility: | The facility shall become licensed pursuant to Division 2 of the California Health and Safety Code or, if exempt from licensure, shall meet standards equivalent to those prescribed by State law for similar facilities. |
| Private elementary or secondary school: | The site shall have frontage on an arterial street. |
| Electric distribution substation, pumping station, water well, water reservoir: | The facility shall be necessary for the safe or efficient functioning of a public utility system. |
| | The location in a residential zone shall be necessary to serve the residential uses in the vicinity and no suitable alternate location shall be available in a nonresidential zone. |



No lot shall be reduced to less than the required width, except a portion of a lot may be acquired for public purposes provided the lot width of the remainder is not less than forty (40) feet.

→ § 9125.5 Multiple Single-Family Rental Units.

A. Development Standards. Detached rental units may be constructed on any sewered parcel containing an existing dwelling unit provided:

1. The parcel is ten thousand (10,000) square feet or larger;
2. The density of the parcel will not exceed five thousand (5,000) square feet per unit;
3. Adequate private open space shall be provided to each unit;
4. Adequate guest parking shall be provided to relieve impacts to surrounding properties; and
5. Detached rental units incorporate the same or substantially similar architectural features, building materials and colors as the main dwelling unit or comparable dwellings located on adjacent properties, unless otherwise approved by the Planning Commission.

B. Procedure.

1. Second dwelling units that meet the location and development standards, as defined in CMC 9122.8 and 9125.6, shall be approved ministerially without discretionary review or public hearing.
2. All other units permitted by this Section shall obtain a conditional use permit pursuant to CMC 9172.21. (Ord. 78-434; Ord. 86-728, §§ 1, 2; Ord. 03-1290, § 2)

→ § 9125.6 Second Dwelling Unit Development Standards.

A second dwelling unit permit shall be issued per CMC 9122.8 (Second Dwelling Units) only if the unit complies with the following development standards:

A. Lot Criteria.

1. Must contain one (1) single-family residence.
2. No more than one (1) second dwelling unit shall be located on a single lot.
3. Subject lot shall not contain an accessory living quarters or other structure used for living purposes.

B. Minimum Lot Size.

1. Seven thousand five hundred (7,500) square feet within the RS (Residential, Single-Family) Zone.
2. Six thousand five hundred (6,500) square feet within the RM (Residential, Multiple-Family) Zone.

C. Unit Size (Detached).

1. Zero (0) bedroom, one (1) bathroom and kitchen: five hundred (500) square foot maximum.
2. One (1) bedroom, one (1) bathroom and kitchen: six hundred fifty (650) square foot maximum.
3. Two (2) bedrooms, one (1) bathroom and kitchen: seven hundred (700) square foot maximum.

D. Unit Size (Attached).

1. Same requirements as in subsection C of this Section, (Unit Size (Detached)), but shall not exceed forty (40) percent of existing dwelling unit's living area. In case of internal division to create second unit, the floor area of the primary residence shall not be reduced to less than one thousand (1,000) square feet, excluding garage/carport.

E. Setback Requirements.

1. A detached second dwelling unit shall be set back a minimum of ten (10) feet from the primary residential structure and a minimum of six (6) feet from accessory structures. Side yard setback shall be five (5) feet and rear yard setback shall be fifteen (15) feet.

2. If second unit is proposed above accessory structure, minimum side yard setback shall be ten (10) feet, including accessory structure.

F. Height.

1. A second dwelling unit shall not exceed two (2) stories. The maximum building height for a second dwelling unit is thirty (30) feet.

G. Off-Street Parking.

1. The number and type of parking spaces required for second dwelling units shall be as provided in CMC 9162.21(A)(13).
2. Second dwelling unit parking requirement is in addition to any parking spaces required for a primary residence. Existing single-family dwelling shall be conforming to parking requirement as provided in CMC 9162.21. Nonconformity to parking requirement shall be made conforming in order to be eligible for a second unit.



H. Architectural Compatibility.

1. The second dwelling unit shall incorporate the same or substantially similar architectural features, building materials and colors as the main dwelling unit or compatible dwellings located on adjacent properties, unless otherwise approved by the Planning Division.

I. Permanent Foundation.

1. A permanent foundation shall be required for all second dwelling units.

J. Owner Occupied.

1. Either the main residence or second dwelling unit shall be occupied by owner of the property.

K. Privacy.

1. Any balcony, window or door of a second story second dwelling unit shall utilize techniques to lessen the privacy impacts onto adjacent properties. These techniques may include use of obscured glazing, window placement above eye level, screening treatments, or locating balconies, windows and doors toward the existing on-site residence.

L. Resale Requirement and Deed Restrictions.

1. Before obtaining a second dwelling unit permit, the property owner shall file with the County Recorder a declaration or agreement of restrictions, which has been approved by the City Attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner and 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. (Ord. 03-1290, § 3)

Division 6. Site Development Standards**Buildings and Structures****§ 9126.11 Reserved.****§ 9126.12 Height of Buildings and Structures.**

No building or structure shall exceed a height of thirty (30) feet as measured from the average grade of the existing or proposed curb abutting the subject lot. (Ord. 84-705, § 1)

Yards and Open Spaces**§ 9126.21 Ground Coverage.**

In the RM Zone, the ground area included within the exterior walls and/or supporting columns of all roofed structures shall not exceed forty (40) percent of the net lot area, except when a parking structure or subterranean parking is proposed, the ground area shall not exceed seventy (70) percent of the net lot area. (Ord. 09-1426, § 4)

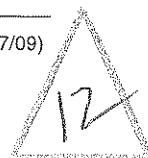
§ 9126.22 Future Rights-of-Way.

This Section is applicable only where portions of a lot are within areas planned to be part of future streets, alleys or public rights-of-way, as determined by the Director, and the acquisition of such portions would not reduce the lot area to less than eighty (80) percent of the required area or below four thousand (4,000) square feet, whichever is greater, and would not reduce the lot width below forty (40) feet.

In cases to which this Section is applicable, unless otherwise approved by the Commission, the portions of any lot within such future right-of-way areas shall not be occupied by structures other than those encroachments allowed in future right-of-way areas as provided in CMC 9126.29. All other required setbacks, yards and open spaces shall be provided in addition to the future right-of-way areas, and the future right-of-way lines shall be considered to be lot lines for purposes of measuring such other setbacks, yards and open spaces.

§ 9126.221 Parking Setback.

Any garage having its vehicular access facing a public street shall be set back at least twenty-five (25) feet from the street property line.



§ 9182.27 Continuation of Existing, Lawfully Established Truck Terminals.

Existing, lawfully established truck terminals, prior to the enactment of the Conditional Use Permit requirement, shall continue as legal, conforming uses pursuant to the existing provisions of the Carson Municipal Code, just as if the foregoing Code amendments had never been enacted. The City Council hereby finds that the only existing, lawfully established truck terminals, prior to the enactment of the Conditional Use Permit requirement, are as follows:

1. The land and improvements commonly known as 21300 S. Wilmington Avenue, Carson, California 90810 including, without limitation, the land known as Assessor Parcel Number 7316-023-033.

2. The land and improvements commonly known as 1101 E. Janis Street, Carson, California 90746 including, without limitation, the land known as Assessor Parcel Number 7319-032-004.

3. The land and improvements commonly known as 20805 S. Fordyce Avenue, Carson, California 90810 including, without limitation, the land known as Assessor Parcel Numbers 7318-015-019 and 7318-015-020. (Ord. 04-1308, § 8)

§ 9182.28 Payday Loans.

Existing lawfully established payday loan facilities as of April 7, 2009, may continue to operate without complying with the conditional use permit requirements of CMC 9172.21. (Ord. 09-1419, § 8)

Density Nonconformities



§ 9182.3 Nonconforming Residential Density.

A. Existing lawfully established second dwelling units located in the RS or RA Zone shall obtain a conditional use permit by the Planning Commission pursuant to CMC 9172.21. An application for a conditional use permit shall be submitted within a five (5) year period of the effective date of the ordinance codified in this Section or prior to the termination of the amortization period, whichever provides the greater amount of time.

When approving a conditional use permit, the Commission shall make findings regarding the adequacy of on-site parking and applicable development standards contained in CMC 9125.6. The Commission shall require, as a condition precedent

to the continued use of the property under the conditional use permit, that a report be submitted by the applicant, which shall provide and include plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas;
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units.

This Section shall not validate any existing illegal second dwelling unit. An application for a permit may be made pursuant to CMC 9122.8 and 9125.6 to convert an illegal second dwelling unit to a conforming second dwelling unit, and the standards and requirements for said conversion shall be the same as for newly proposed second dwelling units.

B. In the RS or RA Zone, a lawfully established residential use of a type or with a density of dwelling units no longer permitted in the RS or RA Zone shall be considered to be a nonconforming use subject to the provisions of CMC 9182.21 through 9182.23.

C. In the RM Zone, a lawfully established residential use which becomes nonconforming with respect to the density of dwelling units, but is otherwise a permitted use, shall be permitted to continue indefinitely provided there is no further increase in the number of units. (Ord. 03-1290, § 10)

§ 9182.31 Nonconforming Residential Density for Sex Offenders.

A. A lawfully established temporary or permanent residence for a sex offender subject to the provisions of CMC 9122.9 and 9138.72 shall be permitted to continue indefinitely provided the residential dwelling unit is not occupied by more than one (1) sex offender, unless those persons are legally related by blood, marriage or adoption.

B. A lawfully established temporary or permanent residence for a sex offender subject to the provisions of CMC 9122.9 and 9138.72 which

