



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 24, 2012  
SUBJECT: Design Overlay Review No. 1455-11  
APPLICANT: Ruben Gutierrez  
19841 Lexington Lane  
Huntington Beach, CA 92646  
REQUEST: New 1,393-square-foot, single-story, single-family residence with an attached two-car garage on a 40-foot by 105-foot lot  
PROPERTY INVOLVED: 20832 Shearer Avenue

---

#### COMMISSION ACTION

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

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Saenz
		Vice-Chair Gordon			Schaefer
		Brimmer			Verrett
		Diaz			Williams
		Goolsby			

***Item No. 11A***

## **I. Introduction**

### *Date Application Received*

- September 6, 2011: Design Overlay Review No. 1455-11

### *Applicant / Property Owner*

- Ezekiel Zepeda, P.O. Box 5106, Downey, CA 90241

### *Project Address*

- 20832 Shearer Avenue

### *Project Description*

The applicant requests the approval of a new 1,393-square-foot, single-story, single-family residence with an attached 453-square-foot garage and 38-square-foot covered porch. The lot size is 40 feet by 105 feet and is within the RS (Residential, Single-Family) zone.

## **II. Background**

### *Previous Uses of Property*

The property is currently vacant. The Building and Safety Division has no record of any previous structures on the property, however, there is an existing driveway curb cut.

### *Previously Approved Discretionary Permits*

There are no previously approved discretionary permits for the project site.

### *Public Safety Issues*

There is no past or current zoning code enforcement case associated with this property.

## **III. Analysis**

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

The subject property is located at 20832 Shearer Avenue. Margaret Street is located to the east and Main Street to the west. Torrance Boulevard is located to the north and Dominguez Street to the south. Surrounding properties are single-family residences with properties further west on Main Street zoned ML (Manufacturing, Light). There is a large wrecking yard located approximately 60 feet southwest of the subject property on Main Street. The wrecking yard is on a through lot and is visible from Shearer Avenue and the project site.

The subject property is 40 feet wide and 105 feet deep, comprising a total area of 4,200 square feet. The lot is vacant and slopes toward the west from the rear of the lot to the street. There is an existing driveway apron, which is in very good condition and capable of providing access to a two-car garage.



### *Zoning/General Plan/Redevelopment Area Designation*

The subject property is zoned RS (Residential, Single-family) with all adjacent properties sharing the same zoning designation. The General Plan Land Use designation of the subject property and all surrounding properties is Low Density Residential, which is consistent with the zoning designations for said properties.

### *Project Details*

The proposed residence will have three bedrooms and two baths for a total of 1,393 square feet of living area. There will be a four-foot setback on each side, which is permitted by the zoning ordinance. A two-car attached garage (453 square feet) is proposed at the front of the house and will be setback 25 feet from the front property line. There is an exterior door to the garage to provide access to the side yard where trash and recycling containers may be stored. The floor plan features a small covered porch over the entryway located on the south side of the house. The living room connects to the kitchen/pantry area, and the dining area. A laundry area is located within a garage adjacent to the kitchen. Roofing materials are consistent throughout. A decorative pillar supports the entry canopy, and the windows are outlined with foam-core trim. A new single story is being proposed for protection of the neighbors' privacy and compatibility with the existing neighborhood. There will be French doors leading to the back yard. Exterior lighting is provided at the front of the garage and along the walkway to the home's entry, and there will be a 36-inch high stone veneer installed along the walkway from the front of the garage to the entry porch.

### *Applicable Zoning Ordinance Regulations*

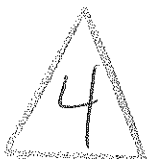
According to Section 9172.23 of the Carson Municipal Code (CMC), properties that are less than 50 feet wide are subject to Site Plan and Design Review. The Planning Commission has the approval authority for those projects that have a valuation of \$50,000 or more. The following table summarizes the proposed project's consistency with current site development standards for the RS zone district and other zoning code sections applicable to the proposed use:

Applicable Zoning Section	Compliant	Non-Compliant
<b>Residential Development Standards</b>		
Section 9121.1, Uses Permitted (see also 9126.9 and 9127.23)	X	



Applicable Zoning Section	Compliant	Non-Compliant
9125.4, Minimum Lot Width		X <50' wide, requires site plan & design review, pursuant to Section 9172.23 of the CMC
9124, Dwelling Units; 9152.2, Minimum Lot Area; 9125.3, Street Frontage and Access; 9126.12, Height of Buildings and Structures.	X	
9126.29, Encroachments	X	
9126.28, Usable Open Space	X	
9126.3, Fences, Walls and Hedges	X	
9126.4, Trash and Recycling Areas	X	
9126.6, Parking, Loading and Driveways	X	
9127.1, Exterior Lighting	X	
9126.8, Utilities	X	
9126.9 (D)(1), Site Planning and Design	X	

General Development Standards		
9162.0(A), Paving and Drainage of Vehicular Areas; 9162.1, General Requirements; 9162.3(A)(4), Location of Parking; 9162.41(A), Automobile Parking Stall Size; 9162.8, Driveway Widths, Driveway Approaches and Traffic Sight Distance	X	Min. garage dimensions is 18'x20' interior space
9162.52(C) , Landscaping Requirements	X	
Procedures		



9171.4, Environmental Review Requirements	X	
9172.23, Site Planning and Design Review		
9171.1(B)(3), Types of Procedure		
9173.1 through 9173.9, Elements of Procedure	X	

*Issues of Concern/Proposed Condition/Change: Design Overlay Review No. 1455-11*

- **ISSUE: Narrow lot width:** New single-family lots are required to be 50 feet wide while the subject property is only 40 feet wide. Thus, the subject parcel is legal non-conforming with respect to lot width.
  - Side yard setbacks will be four (4) feet, which is 10 percent of the width of the lot. This is consistent with the CMC.
- **ISSUE: Existing perimeter fencing:** Existing fencing is in poor condition and materials along the perimeter do not match.
  - As noted in the plans, a new wooden fence, six (6) feet in height will replace the older wooden fencing along the southern property line; the existing block wall along the northern property line and rear (eastern) property line will be maintained. Any front yard fencing will be limited to 42 inches in height in compliance with the CMC.
- **ISSUE: Garage size:** The minimum garage size for a property that has a lot width of less than 50 feet is 18 feet in width by 20 feet in length. This area must be unobstructed and measured from the interior walls. The proposed garage has a 20-foot width as measured from the exterior wall with a 19-foot length. This does not meet the CMC.
  - The garage must be revised so that there is an unobstructed minimum interior dimension of 18 feet in width by 20 feet in length.
- **ISSUE: Façade:** The front façade can be improved by providing architectural light fixtures in front of the garage and by providing a wider foam molding around the window.
  - A condition of approval has been included.

*Required Findings: Design Overlay Review No. 932-06*

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

- a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses;
- b. Compatibility of 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. Convenience and safety of circulation for pedestrians and vehicles;
- d. Attractiveness, effectiveness and restraint in signing, graphics and color; and
- e. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

All of the required findings pursuant to Section 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision," can be made in the affirmative. Specific details regarding the applicable findings are incorporated in the attached resolution.

#### IV. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Article 19, Section 15303(a), New Construction, a new single-family home in a developed residential neighborhood will not have a significant impact on the environment and is categorically exempt.

#### V. Recommendation

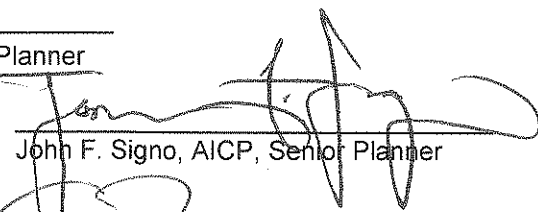
That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1455-11 FOR CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 20832 SHEARER AVENUE."

#### VI. Exhibits

1. Draft resolution
2. Land use map
3. Site plan, elevations, floor plans

Prepared by:   
Peter Raktiprakorn, Assistant Planner

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

Approved by:   
Sheri Repp, Planning Manager

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1455-11 FOR  
CONSTRUCTION OF A NEW SINGLE-FAMILY HOME LOCATED AT 20832  
SHEARER AVENUE**

**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, Ruben Gutierrez, with respect to real property located at 20832 Shearer Avenue, and described in Exhibit "A" attached hereto, requesting the approval of a Site Plan and Design Review to develop a new 1,393- square-foot, single-family dwelling on a 40-foot wide, 4,200-square-foot lot in the RS (Residential, Single-family) zone district.

A public hearing was duly held on January 24, 2012, 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 adheres to the goals and objectives of the Housing Element of the General Plan by improving housing stock in the community and enhancing neighborhood quality. The proposed project is consistent with the General Plan Land Use designation of Low Density Residential. The surrounding neighborhood includes single-family homes, 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 proposed residence includes an attached two-car garage, which meets the off-street parking requirements. Circulation on adjacent public streets will not be adversely impacted.
- d) Most of the lots on the 20800 block of Shearer Avenue have a sub-standard 40-foot width instead of the 50-foot width required for properties in the RS (Residential, Single-family) zone, pursuant to Section 9125.4 of the Carson Municipal Code. Development of the proposed project would be consistent with existing homes in the neighborhood.
- e) There are no signs intended for the proposed project except for address number identification.

- f) 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.

**Section 4.** The Planning Commission further finds that the proposed project will not have a significant effect on the environment. The proposed project will not alter the predominantly residential 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 California Environmental Quality Act, Section 15303(a).

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1455-11 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.

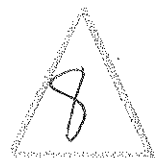
**Section 7.** This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

**PASSED, APPROVED AND ADOPTED THIS 24<sup>th</sup> DAY OF JANUARY, 2012.**

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

**ATTEST:**

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





# LEGAL DESCRIPTION

20832 Shearer Avenue, Carson, CA

Real property in the City of Carson, County of Los Angeles, State of California, described as follows:

LOT 9 IN BLOCK "F" OF TRACT NO. 8245, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 93 PAGE(S) 36 TO 38 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Tract No. 8245, Lot 9, Block "F"

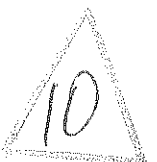
County Assessor's ID No. 7336 019 009



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**DESIGN OVERLAY REVIEW NO. 1455-11**

GENERAL CONDITIONS

1. If Design Overlay Review No. 1455-11 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 by the Planning Commission.
4. 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.
5. 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.
6. 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.
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 Design Overlay Review No. 1455-11. 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

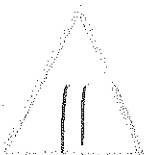
8. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
9. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
  - a. Concrete or asphaltic concrete to a minimum thickness of 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.
10. Prior to plan check submittal to Building and Safety, the plans shall be revised so that the garage has an unobstructed minimum interior dimension of 18 feet in width by 20 feet in length.

#### AESTHETICS

11. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.
12. The applicant shall install a new redwood board-on-board fence six feet in height at the south perimeter of the property. The six-foot CMU block wall will be installed at the north and east perimeter of the property, except that the fence or wall must conform to the zoning ordinance regulation of wall and fence heights within the front yard (42"). The perimeter fence or wall shall be constructed to the satisfaction of the Planning Division.
13. Additional architectural enhancements shall be provided for the front of the residence, including lighting fixtures at the garage and a wider foam molding around the window to the satisfaction of the Planning Division. These enhancements shall be incorporated into the development plans prior to submittal to Building and Safety.

#### FIRE DEPARTMENT - COUNTY OF LOS ANGELES

14. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.
15. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.



## ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

16. A construction permit is required for any work to be done in the public right-of-way.
17. If damaged during construction, the applicant shall repair or replace the driveway approach per the City of Carson Standard Plan. If necessary, the applicant shall construct any new driveway approach per city standard and in compliance with the ADA requirements. The applicant shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway width allowed for the site is 20 feet.
18. The applicant shall submit plans to the Department of Public Works showing all the required improvements in the public right of way for review and approval by the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
19. All infrastructure necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of the Certificate of Occupancy.
20. The applicant shall gain approval from the Planning Division for any applicable SUSMP requirements and shall incorporate Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
21. Prior to issuance of a Building Permit, the following must be on file:
  - a. Drainage/Grading plan as approved by the Los Angeles County Department of Public Works.
  - b. Construction bond as required for all work to be done within the public right of way.
  - c. Proof of Worker's Compensation and Liability Insurance.
22. Any city owned improvements, street or otherwise, damaged during construction shall be removed and reconstructed per City standard plan and to the satisfaction of the City Engineer.
23. At the time of the final improvement plan approval, the developer's engineer shall submit the approved project electronically stored on a 3½" diskette or CD/DVD in AutoCad format to the Engineering Services Department, in compliance with the City of Carson requirements.

