



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 26, 2012

SUBJECT: Conditional Use Permit No. 847-10

APPLICANT: Rogelio Ramos  
23102 Dolores Street  
Carson, CA 90745

REQUEST: To approve an existing detached accessory structure that includes a 360-square-foot, 2-car garage and a 216-square-foot, unpermitted storage room totaling 576 square feet in the RS (Residential, Single-family) zoning district. A conditional use permit is required because the accessory structure exceeds 500 square feet.

PROPERTY INVOLVED: 23102 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
		Vice-Chair Gordon			Schaefer
		Brimmer			Verrett
		Diaz			Williams
		Goolsby			

I. **Introduction**

*Date Application Received*  
September 9, 2010

*Applicant/Property Owner*  
Rogelio Ramos  
23102 Dolores Street  
Carson, CA 90245  
[dvy@me.com](mailto:dvy@me.com)

*Project Address*  
23102 Dolores Street, Carson, CA 90745

*Project Description*

The property owner, Mr. Rogelio Ramos, is requesting approval of Conditional Use Permit No. 847-10 for a detached accessory structure exceeding 500 square feet that includes an existing 360-square-foot, 2-car garage and a 216-square-foot, unpermitted storage room totaling 576 square feet located at 23102 Dolores Street located within the RS (Residential, Single-family) zoning district. Pursuant to Section 9122.2, an accessory structures exceeding five hundred square feet of lot coverage is subject to a conditional use permit.

II. **Background**

Building permit records indicate that the main house and a detached, two-car garage were constructed in 1947. Staff confirmed that a final inspection for the main house and the garage was conducted and approved by the Building and Safety Division, but did not find an approved building permit for the 216-square-foot storage room addition to the garage located on the west side of the structure and the patio cover attached to the rear of the main house. As such, a conditional use permit is required for the detached garage with a storage room addition because the structure exceeds 500 square feet and a building permit is required to legalize the 216-square-foot storage room addition to the garage (the applicant recently was issued a building permit and obtained an approved final inspection for the 276-square-foot open patio cover on June 7, 2012). Staff has included as a condition of approval that all appropriate permits and final inspection be obtained from the Building and Safety Division.

In 2010, Mr. Rogelio Ramos participated in the residential property report (RPR) program and obtained an approved RPR through a property remediation agreement (PRA) with the city which allowed Mr. Ramos (the buyer at that time) to assume responsibility for correcting the code violations that were identified in the RPR which included to obtain a conditional use permit (CUP) for the 576-



square foot accessory structure. Pursuant to the property remediation agreement, Mr. Ramos agreed to submit an application and obtain Planning Commission approval for a conditional use permit for an existing accessory structure exceeding 500 square feet consisting of a 360-square-foot, detached, 2-car garage with an unpermitted 216-square-foot storage room addition to the west of the structure totaling 576 square feet, obtain all appropriate building permits from the Building and Safety Division to legalize the existing storage room addition, correct all violations and finalize all permits with a final sign off from Building and Safety by November 2010 (the compliance date was not to exceed 120 days from the agreement date July 27, 2010). Application for a conditional use permit was submitted in September 2010 and staff responded to the applicant within 30 days by deeming it incomplete. Due to the applicant's demanding work schedule, the application process was delayed. In April 2011, staff conducted a site visit and observed an unpermitted 276-square-foot open patio cover attached to the rear (east) of the main house, advised the applicant to obtain a building permit to legalize the open patio cover and requested the applicant to show the attached open patio cover on the revised plans upon re-submittal. The applicant was not in contact with staff until October 2011 when he responded to staff's "sunset letter" advising that his application will be closed unless notified to keep it open. In December 2011, the applicant re-submitted revised drawings and was advised within thirty days that his application was deemed complete.

Though the applicant's arduous work schedule delayed the application to be considered by the Planning Commission, he requests approval from the Planning Commission for Conditional Use Permit No. 847-10.

#### *Existing Site Conditions/Current Use of Property*

The 9,333-square-foot subject property is a rectangular-shaped lot that is located on Dolores Street between 229<sup>th</sup> Avenue and 233<sup>rd</sup> Street. The project site is zoned RS (Residential, Single-family) and has a General Plan land use designation of Low Density. The front yard setback is a well-maintained, landscaped area and the driveway entrance is through an alley which is accessed from 229<sup>th</sup> Avenue and 233<sup>rd</sup> Street.

There are currently two structures on the subject site: a 1,340-square-foot single family dwelling (facing Dolores Street) with an attached 276-square-foot open patio cover and a 360-square-foot, detached, 2-car garage with an attached 216-square-foot storage room totaling 576 square feet located in the rear of the property facing the alley. Both structures are architecturally similar in terms of features, materials and colors. Pursuant to Section 9122.2, accessory structures exceeding 500 square feet of lot area is subject to a conditional use permit.

#### *Previous Proposals/Approved Discretionary Permits*

There were no discretionary permits found on record.



### *Public Safety Issues*

There is no open code enforcement case associated with this property.

### **III. Analysis**

The garage and attached storage room incorporates substantially similar architectural features, building materials and colors as the main dwelling and is compatible with dwellings located on adjacent properties.

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

The project site is located in the southwest portion of the city on Dolores Street between 229<sup>th</sup> Avenue and 233<sup>rd</sup> Street. It is located in a predominantly single-family residential neighborhood, and most of the homes in the neighborhood were built during the mid-century with detached garages facing an alley for ingress and egress. Staff has noted other properties within the vicinity that have permitted detached accessory structures exceeding 500 square feet: 23202 Dolores Street (870-square-foot garage with storage room) and 23206 Dolores Street (garage with a work shop addition and a 511-square-foot music and rumpus room).

#### *Zoning/General Plan Designation*

The subject property and the surrounding properties are zoned RS (Residential, Single-family) with a General Plan designation of Low Density. As such, the existing single-family dwelling and detached, 2-car garage with a storage room addition are consistent with the RS zoning district and the general plan land use designation.

#### Conditional Use Permit No. 847-10

Pursuant to CMC Section 9122.2, a conditional use permit is required for accessory structures exceeding 500 square feet of lot coverage. Section 9172.21(D) of the Zoning Ordinance requires the Planning Commission, by Resolution, render its approval based on the ability to make affirmative findings concerning the following:

**a. The proposed use and development will be consistent with the General Plan.**

The subject property consists of one single-family dwelling with an attached open patio cover and a detached, 2-car garage with a storage room addition which is consistent with the General Plan designation of Low Density.

**b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.**

The subject site is 54 feet wide and about 170 deep, rectangular, relatively flat, located between a major street to the west and an alley to the east, and



is adequately served by existing utilities. As such, there is no significant, foreseeable impact to the existing utilities.

**c. There will be adequate street access and traffic capacity.**

The subject site is located on Dolores Street which is a two lane arterial street designed to serve the capacity for the residential properties adjacent to it, and there is an alley located east of the property (between 229th Avenue and 223rd Street) which provides access to the neighborhood residential garages located in the rear of each property. As such, there is adequate ingress and egress to the existing single-family home and garage. The project will not affect or impact the safe circulation of either pedestrians or vehicular traffic.

**d. There will be adequate water supply for fire protection.**

The existing primary structure and detached garage were permitted; so adequate water supply for fire protection already exists.

**e. The proposed use and development will be compatible with the intended character of the area.**

The proposed use will not negatively impact the vicinity of the subject site, in terms of parking, traffic, noise and safety. The neighborhood consists predominantly of single-family homes with detached garages facing the alley. Since the intended character of the area is low density residential, the existing use is compatible.

**f. Such other criteria as are specified for the particular use in other Sections of this chapter.**

The proposal conforms to all applicable design standards and guidelines adopted pursuant to Section 9172.15 of the Carson Municipal Code.

*Areas of Concern:*

- No building permits were found for the 216-square-foot storage room addition to the detached, two-car garage.
- Staff received an anonymous communication complaining about excessive noise and foot traffic at this property.

*Suggested Mitigation:*

- Obtain appropriate building permits and an approved final inspection from Building and Safety to legalize the 216-square-foot addition to the detached garage.

**IV. Environmental Review**

Pursuant to Section 15301 – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA), the existing accessory living quarter does not have the potential to cause a significant effect on the environment and is found to be exempt.

**V. Recommendation**

That the Planning Commission:

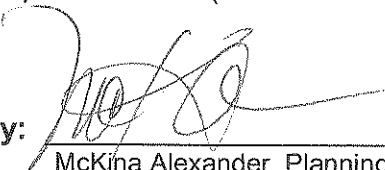
- **APPROVE** the Categorical Exemption;
- **APPROVE** Conditional Use Permit No. 847-10 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and

**VI. WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_\_, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 847-10 FOR AN EXISTING DETACHED ACCESSORY STRUCTURE EXCEEDING 500 SQUARE FEET THAT INCLUDES A 360-SQUARE-FOOT, 2-CAR GARAGE AND AN ATTACHED 216-SQUARE-FOOT STORAGE ROOM TOTALING 576 SQUARE FEET TO A PROPERTY LOCATED AT 23102 DOLORES STREET"

**VII. Exhibits**

1. Site Map
2. Draft Resolution
3. Development Plans (submitted under separate cover)

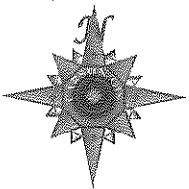
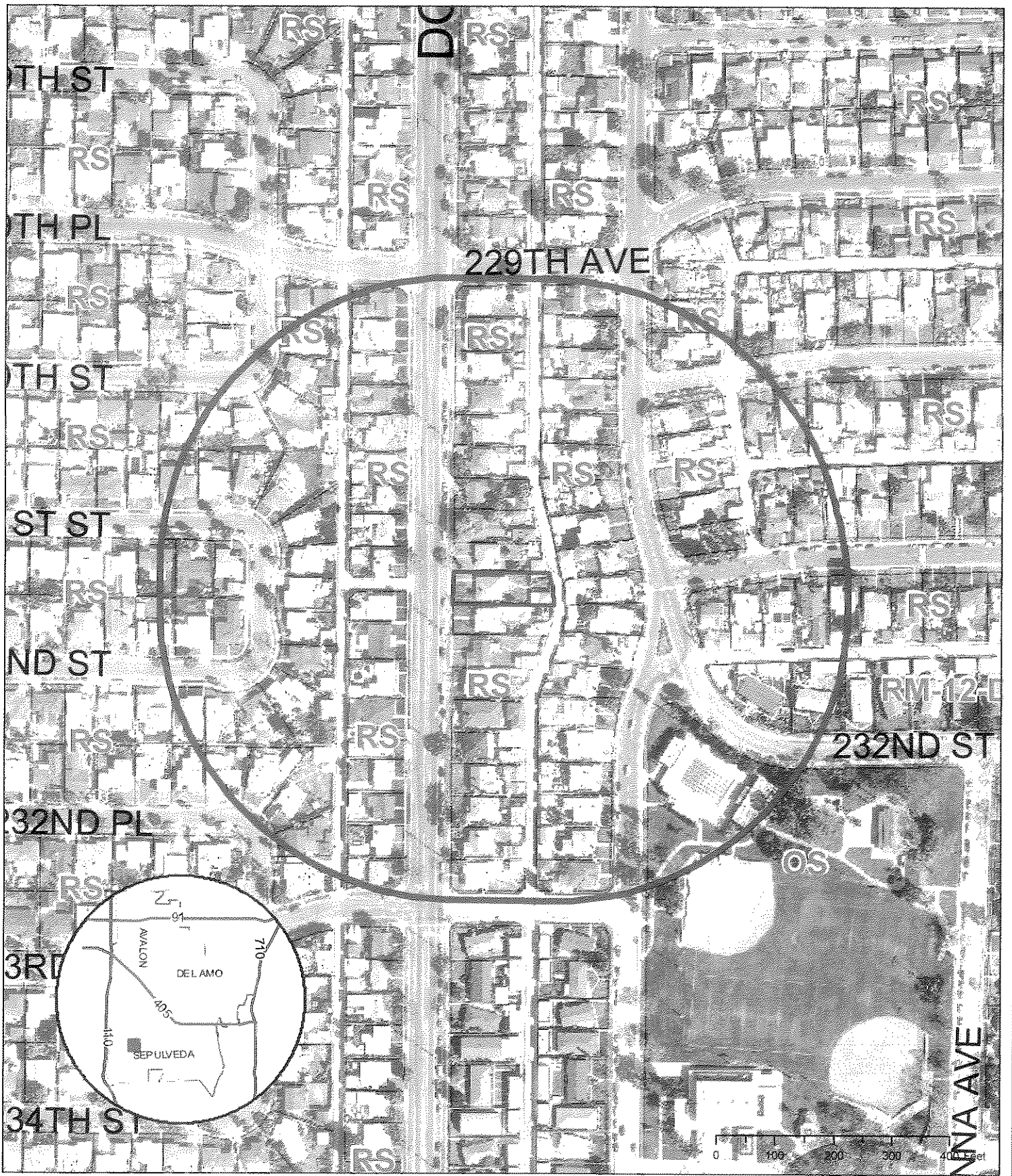
**Prepared by:**

  
McKina Alexander, Planning Technician

**Reviewed and Approved by:**

  
John F. Signo, AICP, Senior Planner

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City of Carson  
500 Foot Radius Map  
23102 Dolores St

EXHIBIT NO. 1 -



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 12-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 847-10 FOR AN EXISTING, DETACHED ACCESSORY STRUCTURE EXCEEDING 500 SQUARE FEET THAT INCLUDES A 360-SQUARE-FOOT, 2-CAR GARAGE AND AN ATTACHED 216-SQUARE-FOOT STORAGE ROOM TOTALING 576 SQUARE FEET TO A PROPERTY LOCATED AT 23102 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, Rogelio Ramos, with respect to real property located at 23102 Dolores Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 847-10 for an existing, detached accessory structure exceeding 500 square feet consisting of a 360-square-foot, two-car garage and an attached 216-square-foot storage room totaling 576 square feet located on a 0.21-acre lot in the RS (Residential, Single-family) zoning district. The accessory structure is located behind the primary house facing an alley and was legally built in 1947 as a 360-square-foot, detached, 2-car garage. A 216-square-foot storage room addition to the garage was subsequently built without the appropriate building permits which increased the accessory structure to 576 square feet. Pursuant to Ordinance No. 03-1290, a conditional use permit for an accessory structure exceeding 500-square-feet is required.

A public hearing was duly held on June 26, 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.** Pursuant to Section 9172.21, Conditional Use Permit, the Planning Commission finds that:

- a) The General Plan Land Use designation for the subject property is Low Density, of which the existing zoning of RS (Residential, Single-family) is compatible.
- b) 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.
- c) The site is 54 feet wide and 170 feet deep, rectangular, relatively flat, located adjacent to a major residential street, and is adequately served by existing utilities. The use and development will not significantly impact existing utilities.
- d) The surrounding properties are predominantly developed with single-family homes which were mostly built mid-century. The existing accessory structure – a detached garage with a storage room addition – has similar architectural features, building materials and colors as the main dwelling unit and 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.

- e) On the Dolores Street side, there is a cement walkway from the sidewalk to the front house and in back of the subject property is an alley which adequately provides access to the existing 2-car garage and subject property.
- f) The property will not generate significant adverse parking impacts to the adjacent public street because there is an existing two-car garage.
- g) There are no signs intended for the subject property.
- i) 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.
- j) The existing accessory structure 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 accessory structure will not have a significant effect on the environment. The accessory structure will not alter the predominantly single-family 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 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. 847-10 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 26<sup>th</sup> DAY OF JUNE, 2012.**

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**CHAIRMAN**

**ATTEST:**

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**SECRETARY**

**"EXHIBIT A"**

LOT 249 OF TRACT NO. 13843, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 302 PAGES 17, 18, 19 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS AND OTHER MINERALS AND ALL RIGHTS IN AND UNDER SAID LAND.

A.P.N. NO. 7329-031-029

**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**EXHIBIT "B"**  
**CONDITIONAL USE PERMIT NO. 847-10**

GENERAL CONDITIONS

1. Approval by Planning Division, issuance of all appropriate building permits, and an approved final inspection by Building and Safety are required for the 216-square-foot storage room addition to the west side of the detached, 2-car garage (accessory structure).
2. The property owner shall consent to an inspection of the interior and exterior of all buildings upon receipt of a written request by the city in order to determine compliance with these conditions and applicable Carson Municipal Code requirements.
3. The accessory structure cannot be occupied or rented as a separate dwelling unit and a kitchen is prohibited.
4. A deed restriction prohibiting the use of the accessory structure as a living quarter or separate dwelling unit shall be recorded at the County Recorder's Office within 30 days after it is reviewed and approved by the Planning Division. Proof of recordation shall be furnished to the Planning Division.
5. Any improvements, expansions, alterations or repairs shall require review and approval by the Planning Division and issuance of a building permit, if applicable.
6. 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 and submitted to Planning division.
7. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
8. 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.
9. The applicant and the 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.



10. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
11. 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.
12. It is further made a condition of this approval that if any condition is violated or if any law, statute 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.
13. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit (CUP) No. 847-10. 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

14. Designated parking shall meet all applicable standards as outlined in the City of Carson development standards. No expansions, additions, or landscaping shall be constructed that precludes or prevents on-site parking.
15. All parking areas and driveways shall remain clear to facilitate automobile parking and access. No encroachment into parking areas and/or driveways shall be permitted.

#### FENCES/WALLS

16. Any wall or fence located in the required front yard setback shall have a height not to exceed 42 inches, pursuant to Section 9126.23 of the CMC.

BUILDING AND SAFETY

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

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

18. All requirements by the Los Angeles County Fire Department shall be met.
19. There shall be no storage allowed within any required building setback yard area to promote fire safety.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

20. A construction permit is required for any work to be done in the public right-of-way.
21. Any city-owned improvements damaged during construction shall be removed and reconstructed per the City of Carson Standard plan and to the satisfaction of the City Engineer.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

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