

**CITY OF CARSON**

**PLANNING COMMISSION**

**RESOLUTION NO. 23-\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND APPROVING SITE PLAN AND DESIGN REVIEW NO. 1921-22 FOR A PROPOSED ADDITION TO SINGLE FAMILY DWELLING ON A 40-FOOT-WIDE LOT AT 311 W. 223<sup>rd</sup> St.**

**WHEREAS**, on November 15, 2022, the Department of Community Development received an application from A. Carolina Abrego-Pineda on behalf of Leida Perez, property owner, for real property located at 311 W. 223<sup>rd</sup> St. and described in Exhibit “A” attached hereto requesting approval of Design Overlay Review No. 1921-22 to allow the construction of a new 428 square foot addition to a 1,012 square foot single-family residence. The addition consists of a master bedroom, bathroom and laundry room and will enlarge the living space from 1,012 to 1,440 square feet.

**WHEREAS**, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the 28<sup>th</sup> day of March 2023, conduct a duly noticed public hearing as required by law to consider said design overlay application. Notice of the hearing was posted on the subject property and mailed to property owners and properties within a 750-foot radius of the project site by March 16, 2023.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:**

**SECTION 1.** The Planning Commission finds that the foregoing recitals are true and correct, and are incorporated herein by reference.

**SECTION 2.** The Planning Commission determines that the facts of this matter are as follows:

- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Low Density Residential and the proposed development is compatible with the surrounding uses. There is no applicable specific plan.
- b) The proposed 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. The applicant has proposed an attractive architectural style and high-quality materials that are consistent with the existing residence and ADU and compatible with the surrounding residences and other uses.
- c) The proposed development plans comply with the Carson Municipal Code requirements ensuring that the project is well designed and aesthetically pleasing to the surrounding physical environment.

- d) The proposed development will preserve and maintain convenience and safety of circulation for pedestrians and vehicles. There will be no change to the site access, driveway or circulation from the existing residence.
- e) No signage is proposed.
- f) The proposed development will occur in one phase.
- g) The proposed development is in conformance with the City’s design standards and guidelines applicable to this project.
- h) The required findings pursuant to Carson Municipal Code Section 9172.23 (D), “Site Plan and Design Review,” can be and are made in the affirmative.

**SECTION 3.** . The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1 – Existing Facilities which consists of the operations, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. An example of this exemption is additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed addition meets the criteria of said example. CEQA Guidelines §15301(e)(1). The project is also categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303, Class 3- New Construction or Conversion of Small Structures which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. A notice of exemption shall be filed with the County Clerk of the County of Los Angeles pursuant to CEQA.

**SECTION 4.** Site Plan and Design Review No. 1921-22 complies with the City’s Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Section 1972.23 (Site and Design Review) and of the Carson Municipal Code.

**SECTION 5.** The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby approve Site Plan and Design Review No. 1921-22 for a 428square foot rear addition to an existing single-family dwelling on the 40-foot-wide lot at 311 W. 223<sup>rd</sup> St., subject to the Conditions of Approval contained in Exhibit “B” attached hereto.

**SECTION 6.** This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed within that time in accordance with section 9173.4 of the Zoning Ordinance.

**SECTION 7.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant

**APPROVED** and **ADOPTED** this \_\_\_\_ of March 2023.

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**CHAIRPERSON**

**ATTEST:**

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**SECRETARY**

EXHIBIT A - LEGAL DESCRIPTION

THE WESTERLY 40 FEET OF THE EASTERLY 120 FEET OF THE NORTHERLY 115 FEET OF THE SOUTHERLY 130 FEET OF LOT 70, OF TRACT 3612, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 40 PAGE (S) 5 AND 6 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL MINERALS, OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND AS RESERVED BY A DEED RECORDED APRIL 17, 1952 IN BOOK 38726, PAGE 279 OF OFFICIAL RECORDS.

APN: 7341-005-014

**CITY OF CARSON**  
**COMMUNITY DEVELOPMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**

**SITE PLAN AND DESIGN REVIEW NO. 1921-22 – 311 W. 223<sup>rd</sup> St.**

**GENERAL CONDITIONS**

1. Site Plan and Design Overlay Review No. 1921-22 is for a 428 square foot rear addition to an existing 1,012 square foot single-family dwelling on a 40-foot-wide lot at 311 W. 223<sup>rd</sup> St. The proposed addition consists of a master bedroom, bathroom and laundry room and will enlarge the total square footage of the single-family dwelling to 1,440 square feet.
2. If building permits for Design Overlay Review No. 1921-22 are not issued within two years of the effective date of this approval, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The applicant shall submit a complete set of electronic plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.
4. The applicant shall comply with all city, county, state, and federal regulations applicable to this project.
5. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
6. 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.
7. 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.
8. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
9. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits

**EXHIBIT 1B**

and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.

10. **Deposit Account.** A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
11. **Indemnification.** The applicant, property owner, and tenant(s), for themselves and their successors in interest (“Indemnitors”), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them (“Indemnitees”) from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, “Claims”) against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees’ review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors’ operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors’ consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City’s estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorneys’ fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

## **AESTHETICS**

12. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
13. Prior to Issuance of Building and Safety plan check submittal, the specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division.

## **LANDSCAPE/IRRIGATION**

14. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.

## **LIGHTING**

15. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
16. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

## **PARKING**

17. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
18. 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.

## **TRASH**

19. Trash collection shall comply with the requirements of the City's trash collection company.

## **BUILDING AND SAFETY DIVISION**

20. Submit development plans for plan check review and approval.
21. Obtain all appropriate building permits and an approved final inspection for the proposed project.

## **ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON**

22. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
23. A construction permit is required for any work to be done in the public right-of-way.
24. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to issuance of permit by Engineering Division.

25. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of permit by Engineering Division.

**FIRE DEPARTMENT**

26. The proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements.

**BUSINESS LICENSE DEPARTMENT – CITY OF CARSON**

27. All parties involved in the subject project including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.