

**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. 1918-22 FOR A PROPOSED ADDITION TO SINGLE FAMILY DWELLING ON A 40-FOOT-WIDE LOT AT 20912 MARGARET STREET**

**WHEREAS**, on December 8, 2022, the Department of Community Development received an application from Melesio and Maria A. Gonzalez, property owners, for real property located at 20912 Margaret Street and described in Exhibit “A” attached hereto requesting approval of Design Overlay Review No. 1918-22 to allow the construction of a new 1,177-square-foot, first and second-story addition to a 1,086-square-foot single-family residence. The remodeled first floor will consist of an extension of the living room, kitchen, first-floor bedroom, and half-bathroom. The new second floor will consist of three bedrooms and two bathrooms. The new addition will enlarge the living space from 1,086 square feet to 2,263 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 23<sup>rd</sup> day of May 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 May 11, 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 current architectural style of the existing residence is a conventional single-family stucco residence of approximately 886 square feet, an attached one-car garage located on the south side of the house, with a 2 ½-foot setback along the south property line. The existing 2 ½-foot wide setback is considered legal, nonconforming and not in accordance with the current minimum setback requirement of 4 feet. The applicant proposes an addition which will meet the minimum side yard setback requirement of 4

feet. The project would have an upgraded appearance, with repaint, new decorative windows and a new shingle roof for the existing unit and proposed addition. Second-floor window placement and privacy for the residence will not be affected as the properties immediately to the north, south and east of property are single-story homes. The existing front yard landscape is adequate. The project will be compatible and harmonious with the surrounding area.

- 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 not subject to the regulations under the California Environmental Quality Act (CEQA) because it is not a Project under Section 15378. Even assuming the proposed project were a Project under CEQA, it is categorically exempt from review under CEQA pursuant to State CEQA Guidelines Section 15301(e2), Class 1 -- Existing Structures, because the proposed modification of the existing single family residence is located in an urbanized residential zone where it is not environmentally sensitive, and therefore, will not have the potential to cause a significant effect on the environment; or alternatively, it is covered by CEQA's common sense exemption under CEQA Guidelines Section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment, whereas here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The project meets all of the foregoing criteria. A Notice of Exemption shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

**SECTION 4.** Site Plan and Design Review No. 1918-22 complies with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Section 9172.23 (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. 1918-22 for a new 1,177-square-foot, first and second-story addition to an existing single-family dwelling on the 40-foot-wide lot at 20912 Margaret Street 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 \_\_\_\_ day of May 2023.

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**CHAIRPERSON**

**ATTEST:**

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**SECRETARY**

**EXHIBIT “A”**

**Legal Description**

LOT 17 IN BLOCK “G: OF TRACT 8245 AS PER MAP RECORDED IN BOOK 93, PAGES 36 AND 38 OF MAPS, IN THE OFFICE OF THE LOS ANGELES COUNTY RECORDER.

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

**SITE PLAN AND DESIGN REVIEW NO. 1918-22 – 20912 MARGARET STREET**

**GENERAL CONDITIONS**

1. Site Plan and Design Overlay Review No. 1918-22 is for a new 1,177-square-foot, first and second-story addition to a 1,086-square-foot single-family residence on a 40-foot-wide lot at 20912 Margaret Street. The remodeled first floor will consist of an extension of the living room, kitchen, first-floor bedroom, and half-bathroom. The new second floor will consist of three bedrooms and two bathrooms. The new addition will enlarge the living space from 1,086 square feet to 2,263 square feet.
2. If building permits for Design Overlay Review No. 1918-22 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 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.
12. **Prior to Issuance of a Building and Safety permit for the proposed addition, the applicant shall obtain a Building and Safety permit for the conversion of the second unit into an Accessory Dwelling Unit.**

### **AESTHETICS**

13. 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.
14. 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**

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

## **LIGHTING**

16. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
17. 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**

18. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
19. 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**

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

## **BUILDING AND SAFETY DIVISION**

21. Submit development plans for plan check review and approval.
22. 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.