

CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 23-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1929-23 FOR A PROPOSED ADDITION TO A REAR UNIT OF A FREESTANDING MULTIFAMILY DUPLEX.

WHEREAS, on July 25, 2023, this project was continued to ensure proper notice was given to the community. The previous posting for this project was not clearly visible and the planning commission agreed to continue the item. This allowed for the posting to adhere with Carson Municipal Code section 9173.22 (Notification of Hearing) On January 23, 2023 the Department of Community Development received an application from Amer Khan, property owner, for real property located at 310 W. 220th Street and described in Exhibit “A” attached hereto requesting approval of Design Overlay Review No. 1929- 23 to allow a 303 square foot addition and 120 square foot covered patio to an existing 852 square foot detached single-family residence on a freestanding duplex property. The 303 square foot addition will consist of a new bedroom, bathroom, and laundry room. The covered patio will be located on the front end of the proposed addition, which is to the rear dwelling on site.

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 ___ day of August 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 August 9th, 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 the same are incorporated herein by reference as findings of fact.

SECTION 2. The Planning Commission further finds 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 High Density Residential and the proposed development is compatible with the surrounding uses. There is no applicable specific plan.
- b) The proposed project, as conditioned pursuant to the conditions of approval set forth in Exhibit “B” hereto, 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 residences. The subject property currently does not meet the CMC landscaping requirement that live plant material shall cover 75% of the landscaping area, and therefore the approval granted pursuant to this resolution is

conditioned upon the applicant/property owner's compliance with said requirement.

- c) The proposed development will preserve and maintain convenience and safety of circulation for pedestrians and vehicles via the existing driveway and garage. There will be no change to the site access, driveway or circulation from the subject residence or the other residence on the subject property.
- d) There is no signage associated with the proposed development.
- e) The proposed development will occur in one phase.
- f) The proposed development is in conformance with the City's design standards and guidelines applicable to this project.
- g) 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 with respect to the project as conditioned pursuant to the conditions of approval attached hereto as Exhibit "B".

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).

SECTION 4. Site Plan and Design Review No. 1929-23, as conditioned pursuant to Exhibit "B", complies with the City's General Plan and Zoning Ordinance, including Article IX, Chapter 1, Section 9172.23 (Site and Design Review) 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. 1929-23 for a 303 square foot addition and 120 square foot covered patio to a detached single-family residence on a freestanding duplex property at 310 W. 220th 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.

PASSED, APPROVED and ADOPTED this _____ day of August 2023.

ATTEST:

INTERIM CHAIRPERSON

SECRETARY

EXHIBIT A

LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Los Angeles, City of Carson and described as follows:

The West 50 feet of the East 157 feet of Lot 55 of Tract No. 3612, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 40, Page(s) 5 to 6 of Maps, in the Office of the County Recorder of said County.

Except therefrom the south 143 feet thereof. Also, except all waters, claims or rights to water, in or under said lands.

APN: 7341-003-009

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

SITE PLAN AND DESIGN REVIEW NO. 1929-23 – 310 W. 220th St.

GENERAL CONDITIONS

1. Site Plan and Design Review (“DOR”) No. 1929-23 is to permit addition of 303 square feet of enclosed building floor area plus a 120 square foot covered patio to the detached single-family residence located at the rear of the subject property, which is developed as freestanding duplex. The 303 square foot addition will consist of a new bedroom, bathroom, and laundry room. The covered patio will be located on the front end of the proposed addition to the rear dwelling on site.
2. If building permits for DOR No. 1929-23 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, property owner, and any successor-in-interest (“Developer”) shall comply with all city, county, state, and federal regulations applicable to this project.
5. Developer 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 (and as may be amended).
7. It is further made a condition of this approval that if any of these conditions is violated or if any applicable law, statute or ordinance is violated, whether by Developer, any tenant or occupant, or otherwise, DOR No. 1929-23 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. To the fullest extent permitted by law, 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 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 Developer. Developer shall bring the subject property into compliance with the landscape requirements of the Carson Municipal Code, as may be amended, including but not limited to the requirement that live plant material shall cover 75% of the landscaping area.

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 and approved by 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.