



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 10, 2009  
SUBJECT: Conditional Use Permit No. 717-08  
APPLICANT: Jorge Murillo  
20927 Jamison Avenue  
Carson, CA 90745  
REQUEST: To approve a Conditional Use Permit for a second dwelling located within the RS (Residential, Single Family) zone district  
PROPERTY INVOLVED: 20927 Jamison Avenue

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### COMMISSION ACTION

- Concurred with staff  
 Did not concur with staff  
 Other

### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Cannon
		Vice-Chair Saenz			Gordon
		Brimmer			Graber
		Brown			Verrett

***Item No. 11-A***

## I. Introduction

### *Date Application Received*

- December 22, 2008: Conditional Use Permit No. 717-08

### *Applicant/Property Owner*

- Noe & Eloisa Murillo  
Attention: Jorge Murillo  
20927 Jamison Avenue  
Carson, CA 90745

### *Project Address*

- 20927 Jamison Avenue, Carson, CA 90745

### *Project Description*

- The proposal is to consider a conditional use permit (CUP) for a second dwelling within the RS (Residential, Single Family) zone district.
- The project site is located on an 8, 776 square-foot parcel with two dwelling units totaling approximately 1, 776 square feet (front dwelling with 816 square feet & second rear dwelling with 960 square feet).

## II. Background

### *History of Property*

- The front 816 square-foot dwelling unit located at 20927 Jamison Avenue was built in 1921. On June of 1993, a building permit was issued for a utility room/gym with an attached garage consisting of 960 square feet. Subsequently, the property owner converted the utility room/gym garage into a dwelling unit without building permits. Code Enforcement advised the property owner to apply for a Conditional Use Permit to allow a second dwelling on the subject property. The second dwelling is currently vacant.
- *Previously Approved Discretionary Permits*
- There are no previous approved discretionary permits on this site.

### *Public Safety Issues*

- Code Enforcement inspected the second dwelling and advised the property owner that a Conditional Use Permit would be required for a second dwelling.

## III. Analysis/Findings

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

- The subject property is located at 20927 Jamison Avenue. The subject site is compatible with surrounding residential single family uses.
- Surrounding the subject property to the north, east, south and west are single family residential uses zoned RS (Residential, Single-family).
- The applicant is applying for a second dwelling unit Conditional Use Permit pursuant to Section No. 9172.21 and 9182.3 of the Carson Municipal Code



(CMC). Second dwelling units on single family residential zoned lots provide an important housing resource that should be preserved if findings could be made regarding the adequacy of the building condition, parking, landscaping and other features needed to meet neighborhood compatibility standards. The Conditional Use Permit application upon approval promotes the health and safety of the second dwelling's occupants via the conditions of approval.

- Staff has inspected the property and reviewed all building permit records. The property is well maintained and there are no major identified building code issues.
- The applicant is proposing a 408 square foot addition to the front 816 square-foot dwelling. A two car detached garage with 420 square feet is proposed behind the front unit. The rear 960 square-foot second dwelling will have a new two-car attached garage. Thus, the subject dwellings will meet the CMC parking requirements.

*Zoning/General Plan/Redevelopment Area Designation*

- The subject property is zoned RS (Residential, Single-Family) with the adjacent properties to the north, south, east and west sharing the same the zoning designation.
- The zoning designation for the subject property is consistent with the General Plan Land Use designation of Low Density, Residential.

*Required Findings: Conditional Use Permit No. 717-08*

Pursuant to Section 9172.21, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

- a. The proposed use and development will be consistent with the General Plan.
- b. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be compatible with the intended character of the area.

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, if conditions of approval are implemented. Specific details regarding the applicable findings are incorporated in the attached resolution.

*Issues of Concern / Proposed Condition/Change: Conditional Use Permit No. 717-08*

- **ISSUE – SECOND DWELLING EXPANSION/ALTERATIONS:** Any unauthorized expansions and alterations may intensify potential hazards associated

with not having sufficient off-street parking area. Therefore, in accordance to Sections 9182.02 and 9182.21 of the CMC, Changes & Alterations, Nonconforming Use Eligible for Conditional Use Permit or Other Approval, and CMC Section No. 9182.3 Non Conforming Residential Density, the following conditions of approval are recommended.

- **Conditions of Approval:**

1. Any minor alterations, improvements and or repairs shall require review and approval by the Planning Division and issuance of a building permit if applicable.
2. A property inspection report shall be prepared by a qualified/certified property inspector prior to issuance of a building permit that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the property inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.
3. There shall be no un-authorized dwelling expansion or alteration that will intensify the number of bedrooms or other habitable area if the Planning Division determines there will be an impact to off-street parking.

#### IV. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing Structures or Facilities, the City's approval of a Conditional Use Permit (CUP) for the proposed project is "Categorically Exempt".

#### V. Recommendation

That the Planning Commission:


- **APPROVE** the Categorical Exemption;
- **APPROVE** Conditional Use Permit No. 717-08 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the City of Carson Approving Conditional Use Permit No. 717-08 for a second dwelling unit located at 20927 Jamison Avenue."

VI. Exhibits

1. Resolution

2. Development Plans

Prepared by:   
Zak Gonzalez II, Planner

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

Approved by:   
Sheri Repp, Planning Manager

ZG: srCUP717-08

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT  
NO. 717-08 FOR A SECOND DWELLING LOCATED AT 20927  
JAMISON 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, Jorge Murillo, with respect to real property located at 20927 Jamison Avenue, and described in Exhibit "A" attached hereto, requesting the approval of a 960-square-foot second dwelling unit located within the RS (Residential, Single Family) zoned district.

A public hearing was duly held on March 10, 2009, 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 is identified in the General Plan as a permitted use for this land use category subject to Conditional Use Permit approval. There is no specific plan for this area. The surrounding properties are developed with residential single family dwellings 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 and open spaces and other features relative to a harmonious and attractive development of the area.
- c) The property will be developed with 2 two-car garages, and is not anticipated to generate significant adverse effects to the circulation on the adjacent public street.
- d) There are no signs intended for the proposed project site.
- e) 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.
- f) The existing second dwelling 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 9171.21(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 use permitted by the proposed Conditional Use Permit will not have a significant effect on the environment. The proposed use will not alter the predominantly residential single family 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 Commission hereby approves the categorical exemption and grants Conditional Use Permit No. 717-08 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 Zoning Ordinance.

**PASSED, APPROVED AND ADOPTED THIS 10<sup>th</sup> DAY OF MARCH, 2009.**

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

**ATTEST:**

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



## Exhibit "A"

### Legal Description:

Lot 45 in Block "G" of Tract No. 8245, as per map recorded in Book 93, Pages 36 to 38 inclusive of Maps, in the Office of the County Recorder of Los Angeles County.

APN: 7336-21-15

20927 Jamison Avenue, Carson, CA





**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 717-08**

GENERAL CONDITIONS

1. If Conditional Use Permit No. 717-08 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 and approval by the Planning Commission.
4. 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.
5. 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.
6. 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.
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 Conditional Use Permit No. 717-08. 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.

#### SECOND DWELLING EXPANSION/ALTERATIONS/AESTHETICS

8. Any changes to the second dwelling shall be limited to minor alterations, improvements, repairs, or changes of use which do not increase the degree of nonconformity present and do not constitute or tend to produce an expansion or intensification of a nonconforming use.
9. Any minor alterations, improvements and or repairs shall require review and approval (where applicable) by the Planning Division and issuance of a building permit.
10. A property inspection report shall be prepared by a qualified/certified property inspector prior to issuance of a building permit that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The deficiencies described in the property inspection report shall be eliminated or mitigated within 90 days. The Planning Division shall inspect the property for compliance with the corrective measures. An extension of time to complete necessary corrective measures may be granted for up to an additional 90 days, subject to the discretion of the Planning Division.

#### PARKING

11. The applicant shall develop 2-two car garages with automatic roll-up doors. Garages shall be used for parking of vehicles only and not for storage or for habitable space. There shall be no un-authorized dwelling expansion or alteration that will intensify potential hazards associated with not having sufficient off-street parking.

#### BUILDING & SAFETY

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

#### FIRE DEPARTMENT - COUNTY OF LOS ANGELES

13. All requirements by the Los Angeles County Fire Department shall be complied with.

#### BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

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

