



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: August 25, 2009
SUBJECT: Conditional Use Permit No. 738-09
APPLICANT: Ren Smith
450 Washington Boulevard
Marina Del Ray, CA 90292

REQUEST: To approve a Conditional Use Permit for an existing legal non-conforming second dwelling located within the RS (Residential, Single Family) zone district

PROPERTY INVOLVED: 754 E. Sepulveda Boulevard

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

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

Item No. 11B

I. Introduction

Date Application Received

- July 22, 2009: Conditional Use Permit No. 738-09

Applicant

- Ren Smith
450 Washington Boulevard
Marina Del Ray, CA 90292

Property Owner

- Federal National Mortgage Association
3005 Valley Glen Street
Castaic, CA 91384

Project Address

- 754 E. Sepulveda Boulevard, Carson, CA 90745

Project Description

- The proposal is to consider a conditional use permit (CUP) for an existing legal non-conforming second dwelling within the RS (Residential, Single Family) zone district.
- The project site is located on a 4,135 square-foot parcel with two dwelling units totaling approximately 1,100 square feet (696 square-foot main residence & 396 square-foot second dwelling unit).

II. Background

History of Property

- Los Angeles County Building and Safety Division's property records for the subject site indicate that the main 696 square-foot single family dwelling unit (752 E. Sepulveda Boulevard) was relocated onto the property from another property in south Los Angeles in late 1955. A few months later in early 1956, the existing 396 square-foot second dwelling unit was relocated onto the subject property. Given that the larger unit was the first of the existing two dwellings to be relocated to the subject property, it follows that the smaller unit is considered the second dwelling unit.

Previously Approved Discretionary Permits

- None. The relocation review permit was not a discretionary permit at the time the buildings were moved (1955/56).

Public Safety Issues

- There is no past or current zoning code enforcement case associated with this property.



III. Analysis/Findings

Location/Site Characteristics/Existing Development

- The subject property is located at 754 E. Sepulveda Boulevard. The subject site is compatible with surrounding residential single family uses.
- Surrounding the subject property to the south, east and west are single family residential uses zoned RS (Residential, Single-family). A similar second dwelling unit is located adjacent to the east side of the subject property. To the north, across Sepulveda Boulevard are industrial manufacturing and warehouse buildings zoned MH (Manufacturing, Heavy).
- The subject property consists of a legal non-conforming second dwelling requiring approval of a Conditional Use Permit pursuant to Section Nos. 9122.8, 9172.21 and 9182.3 of the Carson Municipal Code (CMC). The CMC was amended in 2003 to allow existing legal, nonconforming second dwelling units located in the RS or RA zones to be eligible for a conditional use permit. A 5-year time period is allowed for property owners to submit a conditional use permit application. The owners of the property adjacent to the east side of the subject property, under similar circumstances, along with owners of all other existing non-conforming second dwelling units in the city, have been notified recently that they are required to obtain a conditional use permit for their existing second dwelling unit, pursuant to CMC Section 9121.1 and other Sections noted above.
- Prior to the amendment to CMC Section 9182.3, second units were subject to an amortization period requiring abatement. The city recognized that existing second dwelling units provided an important housing resource and that the units 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.
- 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 also contracted an independent licensed property inspector to perform a thorough property inspection and provided a report to staff to ensure that any safety issues pertaining to building, plumbing, electrical and fire code deficiencies are mitigated prior to the issuance of a conditional use permit. The inspection report (Exhibit No. 2) did not indicate that any such deficiencies existed.
- The subject property's parking is legal non-conforming with respect to parking requirements per Section 9162. 21(A)(13) of the CMC. The parking non-conformity is allowed to continue indefinitely, except that an addition to a dwelling may be made without making the parking conforming, provided the number of dwelling units is not increased and the addition does not occupy the only available space on the lot which could be used to meet the parking requirement. There is no planned addition or increase in the existing number of units. Given the diminutive size of the subject property, and the existing dwelling units – which are also considerably under-sized as compared to newer residential development in the area, there is not ample space to provide additional parking onsite.



Zoning/General Plan/Redevelopment Area Designation

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

Required Findings: Conditional Use Permit No. 738-09

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. 738-09

- **ISSUE – SECOND DWELLING EXPANSION/ALTERATIONS:** The second dwelling's parking is non-conforming. Any un-authorized expansions and alterations would 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 changes to any dwelling shall be limited to minor alterations, improvements and repairs which do not increase the size of the dwelling, 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.
2. Any minor alterations, improvements and or repairs shall require review and approval by the Planning Division and issuance of a building permit if applicable.
3. A property inspection report was prepared by a qualified/certified property inspector that includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The minor corrections recommended in the property inspection report shall be



conducted within 90 days of Planning Commission approval of CUP No. 738-09. 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.

4. The parking for the dwelling units is non-conforming. 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. 738-09 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. 738-09 for an existing legal non-conforming second dwelling located at 754 E. Sepulveda Boulevard."

VI. Exhibits

1. Draft Resolution
2. Property Inspection Report
3. Land Use Map
4. Sections Nos. 9122.8, 9125.6, and 9182.3 of the CMC
5. Development Plans (under separate cover)

Prepared by: Steven C. Newberg, AICP, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp, Planning Officer

SN: srCUP738-09

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 738-09 FOR AN EXISTING LEGAL NON-CONFORMING
SECOND DWELLING LOCATED AT 754 E. SEPULVEDA
BOULEVARD

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, Ren Smith, with respect to real property located at 754 E. Sepulveda Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of an existing legal non-conforming second dwelling located within the RS (Residential, Single Family) zoned district.

A public hearing was duly held on August 25, 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 second dwelling is compatible with the neighborhood in that it has been located on the property since the mid-1950s with no significant issues or complaints;
- 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 is currently developed with no covered parking area, and is therefore, legal nonconforming as to parking. Given the diminutive size of the subject property and the existing dwelling units, which are also considerably under-sized as compared to newer residential development in the area, there is no adequate space to provide additional parking onsite. There are no records on file to indicate that there are issues associated with the lack of covered parking on the subject property, nor has there been correspondence received in opposition to the project in response to solicitation for comments as noticed on the public hearing notices sent for this project. Thus, the existing non-conforming parking condition is not anticipated to generate significant adverse effects to the existing neighborhood in terms of parking on the public street;



- d) There are no signs intended for the project site as the project is on a residential property;
- 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; and
- f) The existing legal nonconforming 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. 738-09 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 25th DAY OF AUGUST, 2009.

CHAIRMAN

ATTEST:

SECRETARY



**CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "A"
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NO. 738-09**

Property Address: 754 E. Sepulveda Boulevard

The land referred to as parcel no. 7404-009-007 is situated in the County of Los Angeles, State of California and is described as follows:

Lots 7 of Block N of Tract No. 5766 in the City of Carson, County of Los Angeles, State of California, As per Map recorded in Book 74, Page 69 of Maps, in the Office of the County Recorder of said County.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 738-09

GENERAL CONDITIONS

1. If Conditional Use Permit No. 738-09 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. 738-09. 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. The applicant provided a property inspection report prepared by a qualified/certified property inspector 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 the necessary corrective measures may be granted for up to an additional 90 days.

PARKING

11. The parking for the second dwelling unit is non-conforming. There shall be no un-authorized expansion or alteration to either unit on the property 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.

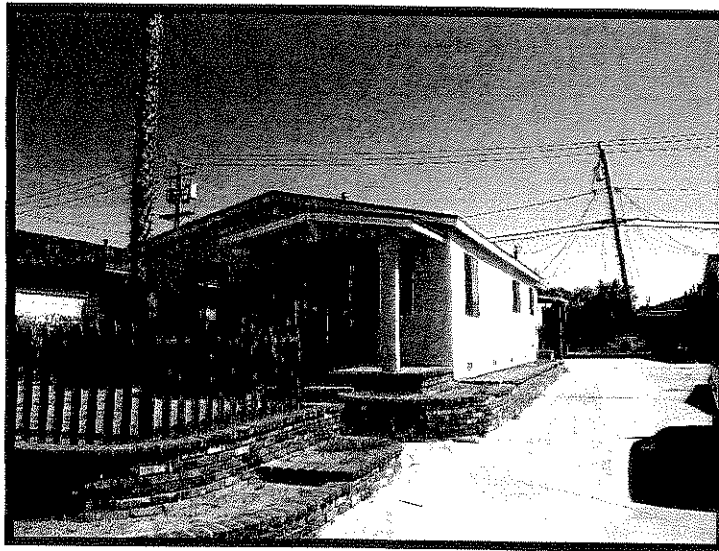
BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

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.





Property Inspection Report



**754 E. Sepulveda
Carson, CA 90754
July 17, 2009**

For questions regarding this report, please call (310) 540-0200



Equity Building Inspection
(310)540-0200

Re: 754 E. Sepulveda
Carson, CA 90754

Dear Ron Smith

At your request, and in your presence, a visual inspection of the above referenced property was conducted on . This inspection report reflects the visual conditions of the property at the time of the inspection only. Hidden or concealed defects cannot be included in this report. No warranty is either expressed or implied. This report is not an insurance policy, nor a warranty service.

An earnest effort was made on your behalf to discover all visible defects, however, in the event of an oversight, maximum liability must be limited to the fee paid. The following is an opinion report, expressed as a result of the inspection. Please take time to review limitations contained in the inspection agreement.

If you have any questions regarding this inspection report, feel free to contact our offices. We will be happy to discuss our findings with you.

Thank you for your business!

Sincerely,

Michael J. Boeger, CCI
Equity Building Inspection
www.equityinspection.com
310-540-0200



Inspection Action Items Report

754 E. Sepulveda
Carson, CA 90754

Read The Inspection Report

This document is provided for the benefit of the client(s) listed above and does not constitute a report, and does not list all of the conditions observed during the inspection. The client is directed to Read The Inspection Report as stated in the inspection agreement. We recommend that each of the conditions listed below be further evaluated and/or corrected by specialists in the appropriate trade prior to the close of escrow. As with all homes, ongoing maintenance is required and improvements to the systems of the home will be needed over time. The items listed have been coded for your ease of review.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

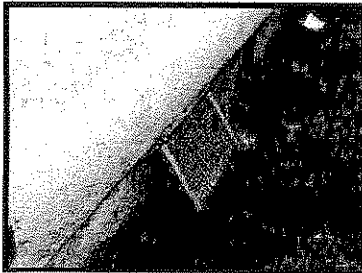
FOUNDATION/UNDER-FLOOR AREAS

CRAWL SPACE:

ACCESSIBILITY:

1. Accessed from the exterior at the left side of the building. [CR] The access door did not have a proper curb surrounding it. This will allow water under the structure.. We recommend it be repaired.

[CR] The crawl space access was limited due to plumbing pipes, heating ducts, debris and/or faulty grade. Only the accessible sections were inspected, this is a limited inspection.



EXTERIORS

EXTERIOR CONDITIONS:

BLOCK WALLS:

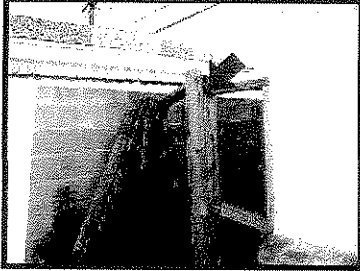
2. [CR] The block wall at the front left side of the front unit is pulling away from the unit due to the tree roots. We recommend repair.

GROUNDS

GROUNDS CONDITION:

FENCING & GATES:

3. The yard fencing appeared serviceable, with common signs of aging and wear present. Periodic maintenance is recommended to minimize damage and extend the service life. with exceptions noted.
- a. [CR] The metal fencing had damaged/missing parts, We recommend correcting the condition(s) noted.(rear left)



GRADING/DRAINAGE/LANDSCAPING CONDITION:

SITE GRADING:

4. The grading at the foundation and appeared to be adequate to drain excess surface water away from the building. with exceptions noted.
- a. [CR] There were areas where, adjustments (removal of top soil and/or vegetation) of the grading at the foundation would be advised to help excess moisture flow away from the foundation. (left side)(front house an front of rear house)

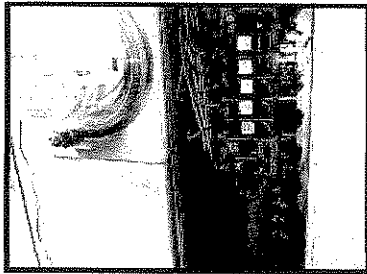


ELECTRICAL SYSTEMS

ELECTRICAL SERVICE CONDITIONS:

MAIN PANEL:

5. [CR] There is evidence of a previous fire inside the main panel at the rear house. We recommend further investigation by a licensed electrical inspector or contractor.
- The panel at the front unit was in serviceable condition with no adverse issues.



KITCHEN

REAR UNIT.

WINDOWS:

6. [SC] The window lock(s) were not latching/defective/missing. We recommend correcting the condition(s) noted for security reasons.

DISPOSAL:

7. [CR] The disposal was jammed/ frozen. We recommend correcting the condition(s) noted.

FRONT UNIT.

RECEPTACLES:

8. [SC] Receptacles were loose in the walls at the following locations: We recommend repair. (next to stove)

DISPOSAL:

9. [CR] The disposal was jammed/ frozen. We recommend correcting the condition(s) noted.

BATHROOMS

REAR UNIT.

TOILETS:

10. [CR] The toilet failed to flush properly. We recommend correcting the condition(s) noted.

FRONT UNIT.

TOILETS:

11. [CR] The toilet leaked water internally and was refilling itself. We recommend correcting the condition(s) noted. [CR] The toilet was loose on the floor and leakage was noted. The damaged area should be replaced before applying new floor coverings. Moisture deterioration in the wood is usually accompanied by mold as well as rot. The full extent of subfloor damage cannot be determined until the toilet base is removed and destructive discovery is performed.

TUB/SHOWER:

12. The tub/shower and faucet(s) were serviceable. with exceptions noted.

a. [CR] The shower diverter to not operate properly and is need of repair or replacement.

INTERIOR

LIVING ROOM FRONT UNIT.

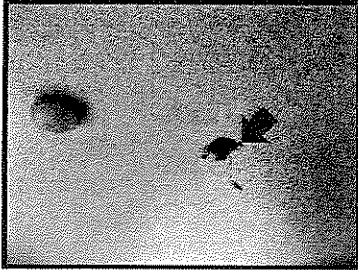
EXT DOORS:

13. [CR] The front door rubs heavy on the floor area. We recommend repair or replacement.

REAR UNIT LIVING ROOM.

LIGHTS/FIXTURES:

14. There is a missing fixture(s) . We recommend correcting the condition(s) noted.



REAR UNIT BEDROOM.

CLOSET(S):

15. [CR] The door(s) had been removed. We recommend inquiring about the condition(s) noted.

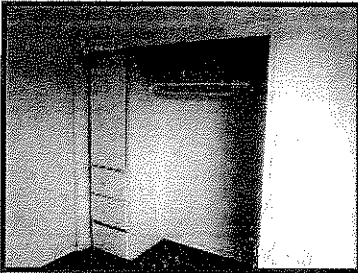


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754 E. Sepulveda
Carson, CA 90754

INSPECTION CONDITIONS

It is the clients sole responsibility to read this report in its entirety and to research any and all jurisdictional permits required by the local authorities regarding the property in contract before the close of escrow. The client is to personally perform a diligent visual inspection of the property after the seller vacates to insure that no "condition" was concealed by personal property and/or stored items while occupied, or damaged during the seller's evacuation of the building. Should any "condition" be revealed that was not addressed within this report prior to, or after the close of escrow please contact our office immediately for an additional evaluation regarding such "condition."

CLIENT & SITE INFORMATION:

DATE OF INSPECTION
July 17, 2009
CLIENT NAME:
Ron Smith
ADDRESS:
754 E. Sepulveda
CITY, STATE, ZIP
Carson, CA 90754

CLIMATIC CHARACTERISTICS:

WEATHER/SOIL:
Weather conditions during the inspection:

BUILDING CHARACTERISTICS:

STRUCTURE:
Single Family Residence

UTILITY SERVICES:

ELECTRICITY:
Municipal.
GAS:
Municipal.
WATER/SEWER:
Municipal.
UTILITIES:
Municipal:

OTHER INFORMATION:

COMMENTS:
Keep in mind that there is no way for the inspector to know the exact origin of any water intrusion unless he actually sees the water coming into the building such as during a rain. There is no way to ensure that a particular area is free from leakage until the next time there is rainfall sufficient to test the area. All the inspector can determine is that there is a discoloration of a particular area and further investigation may be needed to determine its source and if the area is a result of an active leak. The pupose of a building inspection is to evaluate the building



07/17/2009
754 E. Sepulveda
Carson, CA 90754

for function, operability and condition of systems and components, and not to list or attempt to address cosmetic flaws. It is assumed that the client will be the final judge of aesthetic issues and not the building inspector, as the inspector's tastes and values will always be different from those of the client. There may be a number of areas noted in and around the structure to have condition(s) in need of corrective measures. The areas of concern are preceded by codes i.e. [SC], [FE], [CR] and [RU] each code is defined in the "DEFINITIONS" section below. We recommend the condition(s) be corrected by specialists in the appropriate trades.

INTRODUCTORY NOTES:

IMPORTANT INFORMATION:

[NOTE] Any statements made in the body of this inspection report pertaining to left, right, front or rear are referenced to standing in front of and facing the building. [NOTE] We recommend obtaining equipment operating manuals and documentation for all warranted items of the building. [FE] We recommend inquiring about any/all permits and inspection records with final signatures for any changes or additions that may have been made to the building, and/or any known conditions that may have been inadvertently left out of the disclosure statements. [NOTE] We recommend having the locks on all of the exterior doors re-keyed after taking possession of the building for security reasons. [NOTE] Photographs when used, are simply a tool to convey our findings, they are not intended to enhance those findings or diminish any findings not photographed. [NOTE] Buildings built before 1978 may have products in them that contain some amounts asbestos or lead, determining the presence of these products is beyond the scope of this report. Information related to these products can be found in the "Homeowners Guide to Earthquake Safety & Environmental Hazards" pamphlet. [NOTE] We are not soil or geotechnical engineers and cannot render an opinion regarding soil stability or potential soil movement. If desired, qualified specialists should be consulted on these matters.

ENVIRONMENTAL CONCERNS:

Environmental issues include but are not limited to asbestos, lead paint, lead contamination, radon, toxic waste, formaldehyde, electromagnetic radiation, buried fuel oil tanks, ground water contamination and soil contamination. We are not trained or licensed to recognize or discuss any of these materials. We may make reference to one or more of these materials in this report when we observe one of the common forms of these substances. If further study or analysis seems prudent, the advice and services of the appropriate specialists is recommended. Information related to these products can be found in the "Homeowners Guide to Earthquake Safety & Environmental Hazards" pamphlet.

DEFINITIONS:

SAFETY CONCERNS:

[SC] Safety Concerns: Conditions noted that may pose a hazard to humans, the building or both. These conditions warrant further evaluation and corrections by a specialist in the appropriate trade prior to the close of escrow.

FURTHER EVALUATION:

[FE] Further Evaluation: Conditions noted that warrant further evaluation by specialists in the appropriate trades prior to the close of escrow..

CORRECTIONS RECOMMENDED:

[CR] Corrections Recommended: Conditions noted in need of maintenance, repair or replacement. We recommend that all corrections be made by specialists in the appropriate trades prior to the close of escrow.

RECOMMENDED UPGRADE:

[RU] Recommended Upgrades: Upgrades are systems and/or components that may not have been available or have been improved since the building was constructed. These may be, but are not limited to safety related items; such as GFCI receptacle and smoke detector locations and the installation of safety glass where subject to human impact.

SERVICEABLE:

Serviceable; As defined in the Websters Dictionary; "That can be of service; ready for use; useful; useable". Means that a system and/or component was capable of performing its intended *function* and/or task. It does not imply that the system and/or component was in perfect or in like new condition or that it would meet every individuals interpretation of an acceptable state.

FUNCTIONED:

Functioned; as defined in the CREIA/ASHI Standards of Practice; "Performing its normal, proper and characteristic action".

FAILED:

Failed; As defined in Websters Dictionary; "To be deficient or negligent in an obligation, duty, or expectation". If an item did not *function*, then it was not *serviceable* and was considered to have *failed*.

SPECIALIST:

Specialist; as defined in the Websters Dictionary; "A person who specializes in a particular field of study, professional work". Any individual schooled, trained and/or otherwise holds a special knowledge of specific systems or components. Trade school or factory trained individuals in specific fields of expertise may be considered a "*Specialist*" as well as qualified state licensed contractors in specific occupations.

FOUNDATION/UNDER-FLOOR AREAS

FOUNDATION:

TYPE:

Type of foundation: Raised with a concrete perimeter and interior wood beams supported by concrete piers.

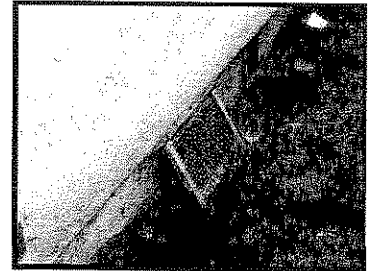
BOLTS/BRACING:

Anchor bolts were observed in the visible and accessible areas of the crawl space during the inspection.

CRAWL SPACE:

ACCESSIBILITY:

Accessed from the exterior at the left side of the building. [CR] The access door did not have a proper curb surrounding it. This will allow water under the structure.. We recommend it be repaired. [CR] The crawl space access was limited due to plumbing pipes, heating ducts, debris and/or faulty grade. Only the accessible sections were inspected, this is a limited inspection.



FOUNDATION:

The concrete foundation had hairline and/or common cracks. This type of cracking is common and often a result of shrinkage of materials. Settlement or seismic action and usually does not affect the strength of the foundation.

INSULATION:

[RU] There was no visible floor framing insulation installed. We recommend installing insulation as an energy conservation upgrade.

VENTILATION:

The crawl space ventilation appeared serviceable. Good ventilation is vital for moisture control. The exterior vents should be kept in good repair, clear of vegetation and inspected periodically.

VAPOR BARRIER:

[RU] There was no vapor barrier in place in the crawl space. A vapor barrier is considered a beneficial feature. This will help create a dry air space between the dirt and the framing and limit the amount of moisture that is able to rise into the framing, and reduce the possibility of future moisture damage. We recommend a vapor barrier be



installed.

MOISTURE:

The crawl space soil was dry, with no notable damage observed.

EXTERIORS

The visible exterior surfaces and materials of the building were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. Moisture intrusion through cracks or openings in the exterior siding, trim, windows and doors are the source of moisture deterioration and damage. We recommend sealing all cracks or openings in, and between the exterior siding and trim materials, especially around windows and doors. Routine maintenance may extend the service life and minimize deterioration of the exterior surfaces. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

EXTERIOR INFORMATION:

SIDING TYPE:

Materials: Materials: stucco.

EXT TRIM TYPE:

Materials: stucco.

EXT DOOR TYPE:

Materials: wood, and, metal.

WINDOW TYPE:

Type: horizontal sliding.

WINDOW MATRLS:

Materials: metal.

EXTERIOR CONDITIONS:

STUCCO SIDING:

The stucco siding appeared serviceable, with minor cracking and common signs of aging/wear, no action needed at this time.

BLOCK WALLS:

[CR] The block wall at the front left side of the front unit is pulling away from the unit due to the tree roots. We recommend repair.

EXT TRIM:

The exterior wood trim appeared serviceable. No action needed at this time.

EXT DOORS:

The doors viewed from the exterior appeared serviceable. No action needed at this time.

WINDOWS:

The windows viewed from the exterior appeared serviceable. No action needed at this time. with exceptions noted.

a. [CR] A number of the window screens were damaged and/or missing. We recommend they be repaired or replaced as needed by a specialist in the appropriate trade prior to the close of escrow.

MOIST CONTROL:

Our observations regarding evidence of damaged or deteriorated wood should not be a substitute for inspection by a licensed pest control operator or exterminator. We report current visible conditions only and cannot render an opinion regarding their cause or remediation.



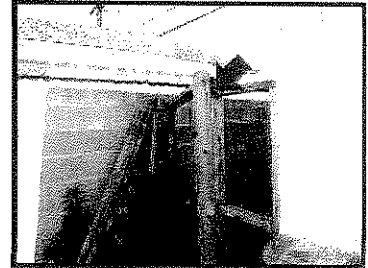
GROUNDS

GROUNDS INFORMATION:

- DRIVEWAY:**
Materials: concrete.
- WALKWAYS:**
concrete.
- STEPS & STAIRS:**
Materials: concrete.
- PATIOS:**
Materials: concrete.
- FENCING & GATES:**
Materials: wood, and, metal.

GROUNDS CONDITION:

- DRIVEWAY:**
There were common cracks in the driveway, no action is needed at this time.
- WALKWAYS:**
There were common cracks noted in the walkways, no action is needed at this time.
- PATIOS:**
There were common cracks in the patio, no action is needed at this time.
- FENCING & GATES:**
The yard fencing appeared serviceable, with common signs of aging and wear present. Periodic maintenance is recommended to minimize damage and extend the service life. with exceptions noted.
a. [CR] The metal fencing had damaged/missing parts, We recommend correcting the condition(s) noted.(rear left)



GRADING/DRAINAGE/LANDSCAPING INFORMATION:

- SITE GRADING:**
Gentle slope to the front.
- SITE DRAINAGE:**
Surface drainage.
- LAWN SPRINKLRS:**
NOTE: Yard sprinkler systems are outside of the scope of the inspection agreement and are not inspected.
- LOW VOLT LIGHTS:**
NOTE: Low voltage lighting systems are outside of the scope of the inspection agreement and are not inspected.



GRADING/DRAINAGE/LANDSCAPING CONDITION:

SITE GRADING:

The grading at the foundation and appeared to be adequate to drain excess surface water away from the building, with exceptions noted.
a. [CR] There were areas where, adjustments (removal of top soil and/or vegetation) of the grading at the foundation would be advised to help excess moisture flow away from the foundation. (left side)(front house an front of rear house)



SITE DRAINAGE:

The exposed areas of the surface drainage system appeared serviceable.

LANDSCAPING:

The vegetation and landscaping appeared manicured.

ROOF COVERINGS

The visible areas of the roof and components were observed to determine their current condition. The useful remaining life of this roof covering is impossible to predict. Areas concealed from view by any means are excluded from this report. The inspector cannot and does not offer an opinion or warranty as to whether the roof leaks or may be subject to future leakage. This report is issued in consideration of the foregoing disclaimer. The testing of gutters, downspouts and underground drain piping is beyond the scope of this report. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

ROOF INFORMATION:

INSPECT METHOD:

The inspector walked on the roof and viewed the accessible roofing components.

ROOF COVERING:

Materials: fiberglass/asphalt composition shingles.

ROOF LAYERS:

undetermined number of layers.

ROOF DRAINAGE:

there were no rain gutters installed.

ROOF CONDITION:

COMP SHINGLE:

The visible areas of the roof appeared serviceable with signs of weathering and aging. Periodic maintenance and inspection is recommended.

FLASHINGS:

The visible flashings appeared serviceable.

ROOF DRAINAGE:

[RU] There were no rain gutters to control of rooftop drainage. We recommend installing rain gutters and downspouts on all down sloped roofs.



ATTIC AREAS & ROOF FRAMING

The visible areas of the attic and roof framing were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. The accessible permanently installed equipment or components are checked for their basic operation. Thermostatically operated attic vent fans are excluded from the inspection. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

ATTIC/FRAMING INFORMATION:

ATTIC ACCESS:

Access's: 1 Second bedroom closet.

ATTIC/FRAMING CONDITION:

ACCESS:

The entrance to the attic was restricted by personal belongings or shelving. This area could not be inspected. We recommend removing any items that may be blocking the access.

PLUMBING SYSTEM

The visible areas of the main water line, shutoff valve, water supply & drain lines, gas meter and piping were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. The accessible permanently installed equipment or components are checked for their basic operation. Leakage or corrosion in underground or concealed piping cannot be detected by a visual inspection. Older fixtures or components should be budgeted for replacement. Fixture shutoffs are not tested, some corrosion is common. We are not equipped to repair a leaky shutoff caused by a test, we recommend fixture shutoffs be tested by a specialist in the appropriate trade equipped to repair or replace the shutoffs. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

PLUMBING INFORMATION:

MAIN WATER LINE:

Materials: Copper.

WATER SHUTOFF:

The main water shutoff valve was located at the front of the building.

WATER PRESSRE:

60-70 PSI.

WATER PIPING:

copper piping where visible.

WASTE LINES:

Materials: ABS black plastic piping where visible. and, cast iron piping.

GAS SHUTOFF:

The gas meter and shutoff valve are located at the rear of the building.



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PLUMBING CONDITIONS:

WATER SHUTOFF:

The main water shutoff valves are outside the scope of the inspection and are not tested.

WATER PRESSRE:

The water pressure measured at an exterior hose faucet was within the acceptable range.

WATER PIPING:

The visible water supply piping appeared serviceable.

WATER FLOW:

A number of fixtures were operated simultaneously with a serviceable water flow.

HOSE FAUCETS:

The accessible hose faucets were serviceable.

WASTE PIPING:

The visible waste piping appeared serviceable. [FE] The main underground sewer in not visible, due to its location. We make no representations regarding this system. We recommend further evaluation/scope/camera performed by a specialist in the appropriate trade.

WASTE FLOW:

A number of drains were emptied simultaneously and appeared serviceable.

VENT PIPING

The visible areas of the vent pipes appeared serviceable.

GAS PIPING:

The visible areas of the gas piping appeared serviceable.

WATER HEATERS

The water heater(s) and the related components were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. Water heaters that were shut down, turned off or inactive will not be turned activated. Water that is hotter than the manufacturers recommended setting of 125 degrees poses a scald hazard. The water temperature should never be set higher than the manufacturers recommended setting. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

WATER HEATER INFORMATION:

LOCATION:

front house.

MANUFACTURER:

Rheem.

MANUFCTR DATE:

2001.

SIZE / GALLONS:

30 gallon.

ENERGY TYPE:

Natural gas.



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WATER HEATER CONDITIONS:

VENTING SYSTEM:

The visible areas of the flue vent piping were intact and secured at the connections.

WATER PIPES:

[RU] The shutoff valve and visible water supply connectors appeared serviceable, they were not insulated. We recommend insulating the exposed water piping to minimize heat loss.

T&P VALVE:

A temperature & pressure relief valve and discharge line were installed. The discharge line extended to the exterior and terminated close to the ground facing downward.

TANK:

The water heater tank appeared serviceable, no leakage noted.

SEISMIC :

The water heater was double strapped and stabilized/blocked to resist movement.

COMBUSTION AIR:

A combustion air supply for the water heater was present. Adequate ventilation for all fuel burning appliances is vital for their safe operation.

ENERGY SUPPLY:

[FE] The pilot light was off, shut down, the unit was non-operational. Lighting pilot lights is outside the scope of the inspection. We recommend further evaluation and correction(s) by a specialist in the appropriate trade.

CONTROLS:

The temperature control was set in the "normal range" and the water at the faucets was warm/hot.

WATER HEATER INFORMATION:

LOCATION:

Rear unit closet.

MANUFACTURER:

Unknown, The unit is covered with an insulating blanket.

MANUFCTR DATE:

Unknown, the unit is covered with an insulating blanket.

SIZE / GALLONS:

30 gallon.

ENERGY TYPE:

Natural gas.

WATER HEATER CONDITIONS:

VENTING SYSTEM:

The visible areas of the flue vent piping were intact and secured at the connections.

WATER PIPES:

[RU] The shutoff valve and visible water supply connectors appeared serviceable, they were not insulated. We recommend insulating the exposed water piping to minimize heat loss.

T&P VALVE:

A temperature & pressure relief valve and discharge line were installed. The discharge line extended to the exterior and terminated close to the ground facing downward.

TANK:

The water heater tank appeared serviceable, no leakage noted.



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SEISMIC :

The water heater was double strapped and stabilized/blocked to resist movement.

COMBUSTION AIR:

A combustion air supply for the water heater was present. Adequate ventilation for all fuel burning appliances is vital for their safe operation.

ENERGY SUPPLY:

[FE] The pilot light was off, shut down, the unit was non-operational. Lighting pilot lights is outside the scope of the inspection. We recommend further evaluation and correction(s) by a specialist in the appropriate trade.

CONTROLS:

The temperature control was set in the "normal range" and the water at the faucets was warm/hot.

ELECTRICAL SYSTEMS

The service entrance, grounding system, main and sub panels were observed to determine their current condition. Areas concealed from view by any means are excluded from the report. Lights and accessible receptacles were checked for basic operation. Light fixtures that have missing or dead bulbs were considered non-functioning. The location of GFCI circuit protection devices will be identified when present. The operation of time control devices was not verified. The location of smoke detectors will be identified when present. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

ELECTRICAL SERVICE INFORMATION:

SERVICE TYPE:

Overhead.

MAIN PANEL:

Located at the rear of the buildings.

SERVICE RATING:

120/240 volt system, rated at 100 Amperes.

SERVICE WIRING:

Material observed: copper.

BRANCH WIRING:

Material observed: copper.

DISCONNCT TYPE:

Circuit breakers.

GROUNDING:

Water piping.

ELECTRICAL SERVICE CONDITIONS:

SERVICE WIRING:

The overhead service wires and weatherhead appeared to be serviceable.

GROUNDING:

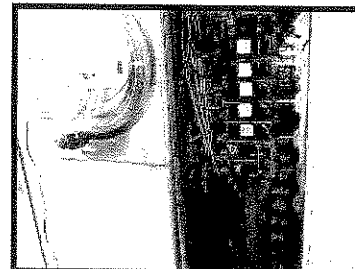
The visible ground connections appeared serviceable.



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MAIN PANEL:

[CR] There is evidence of a previous fire inside the main panel at the rear house. We recommend further investigation by a licensed electrical inspector or contractor.
The panel at the front unit was in serviceable condition with no adverse issues.



WORKMANSHIP:

The wiring within the panel appeared serviceable.

BREAKERS/WIRE:

The breakers to wire connections appeared compatible where visible within the panel.

ELECTRICAL OVERALL

OVERALL COMMENTS:

[FE] We recommend further evaluation of the conditions noted by a specialist in the appropriate trade.

HOUSEHOLD COMPONENT CONDITIONS:

SWITCHES:

Serviceable overall; deficiencies are identified in the location of the conditions.

FIXTURES:

Serviceable overall; deficiencies are identified in the location of the conditions.

RECEPTACLES:

Serviceable overall; deficiencies are identified in the location of the conditions.

GFCI DEVICES:

[RU] There were GFCI outlets in some of the places as is now required. Ground fault circuit interrupter devices (GFCI) afford additional protection against electrical shock. GFCI protection is typically found in homes built from the mid 1970's in areas where electrical receptacles are located near sources of water. Local building codes vary as to where these devices or their protection feature are required and when the requirement began. We have identified areas that are appropriate for GFCI installation.

HEATING SYSTEMS

The visible areas of the furnace units, electrical and gas connections, ducting and filters were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. The accessible permanently installed equipment or components are checked for their basic operation. Determining the condition of heat exchangers is beyond the scope of this report. The inspector does not light pilot lights. Thermostats are not checked for calibration or timed functions. Routine maintenance is recommended per the manufacturers specifications and operating conditions. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

HEATING SYSTEM INFORMATION:

MANUFACTURER:

Williams (rear unit) . & Cozy (front unit)

MANUFCTR DATE:

No identifiable manufactured date.

LOCATION, TYPE &

FUEL:

Wall heater, Natural gas fired x2.

APPROX. BTU'S:

50-60,000 btu's.

HEATING SYSTEM CONDITIONS:

VENTING SYSTEM:

The visible areas of the flue vent piping were intact and secured at the connections.

HEATING UNIT:

[FE] The pilot light was off, shut down, the unit was non-operational. We recommend contacting the gas company to have the unit lit and evaluated.

COMBUSTION AIR:

The combustion air supply for the furnace appeared adequate.

ENERGY SUPPLY:

[FE] The pilot light was off, shut down, the unit was non-operational. Lighting pilot lights is outside the scope of the inspection . We recommend contacting the gas company who will come out and light the units and fully inspect their operation.

HEAT EXCHANGR:

[NOTE] The heat exchanger was not visible to inspect without dismantling the unit, which is beyond the scope of the inspection.

COMMENTS:

NOTE: All previous notes on the heating system pertain to both units unless otherwise noted.



KITCHEN

The visible areas of the walls, ceilings, floors, cabinets and counters were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. The accessible doors, windows, lights, receptacles, conditioned air vents and permanently installed components or equipment were checked for basic operation. Self or continuous cleaning functions, timing devices and thermostat accuracy are not include in the inspecti on. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

REAR UNIT.

KITCHEN OVERALL

The finished surfaces, hardware, windows and doors are generally in adequate condition with exceptions noted herein.

WINDOWS:

[SC] The window lock(s) were not latching/defective/missing. We recommend correcting the condition(s) noted for security reasons.

CABINETS/TOPS:

[CR] The door(s)/drawer(s) did not operate smoothly or close properly. We recommend correcting the condition(s) noted.

DISPOSAL:

[CR] The disposal was jammed/ frozen. We recommend correcting the condition(s) noted.

COOKTOP:

[CR] One or more of the control knobs was damaged/missing/illegible. We recommend correcting the condition(s) noted.

KITCHEN APPLIANCES

All appliances were tested using normal operating controls, and were found to be functional.

FRONT UNIT.

KITCHEN OVERALL

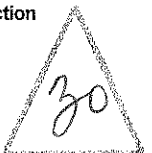
The finished surfaces, hardware, windows and doors are generally in adequate condition with exceptions noted herein.

RECEPTACLES:

[SC] Receptacles were loose in the walls at the following locations: We recommend repair. (next to stove)

DISPOSAL:

[CR] The disposal was jammed/ frozen. We recommend correcting the condition(s) noted.



BATHROOMS

REAR UNIT.

ALL OK

All doors, windows, surfaces, hardware and fixtures were found to be in serviceable condition with exceptions noted herein.

HEAT & COOL:

[CR] The ceiling exhaust fan is missing its cover. We recommend repair.

RECEPTACLES:

[SC] The accessible receptacles were not GFCI protected as required, this condition is a Safety Hazard. We recommend correcting the condition(s) noted.

VENTILATION:

The ventilation was provided by a window which appeared adequate.

TOILETS:

[CR] The toilet failed to flush properly. We recommend correcting the condition(s) noted.

FRONT UNIT.

ALL OK

All doors, windows, surfaces, hardware and fixtures were found to be in serviceable condition with exceptions noted herein.

VENTILATION:

The ventilation was provided by a window which appeared adequate.

SINK/PLUMBING:

[CR] The stopper mechanism was defective/missing parts. We recommend correcting the condition(s) noted.

TOILETS:

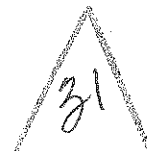
[CR] The toilet leaked water internally and was refilling itself. We recommend correcting the condition(s) noted.
[CR] The toilet was loose on the floor and leakage was noted. The damaged area should be replaced before applying new floor coverings. Moisture deterioration in the wood is usually accompanied by mold as well as rot. The full extent of subfloor damage cannot be determined until the toilet base is removed and destructive discovery is performed.

TUB/SHOWER:

The tub/shower and faucet(s) were serviceable. with exceptions noted.
a. [CR] The shower diverter to not operate properly and is need of repair or replacement.

ENCLOSURE:

[NOTE] There was no shower curtain or glass doors present.



INTERIOR

The visible areas of the walls, ceilings, floors, cabinets and counters were observed to determine their current condition. Areas concealed from view by any means are excluded from this report. The accessible doors, windows, lights, receptacles, conditioned air vents and permanently installed components or equipment are checked for basic operation. Determining the condition of insulated glass windows is not always possible due to temperature, weather and lighting conditions. In general almost all insulated glass window seals will fail and can fail at any time. Fireplaces with gas lines should have the damper fixed so it will not close and the gas line should be sealed to the wall where it enters the fireplace. All fireplaces should be cleaned and inspected on a regular basis to insure safe operation. Smoke detectors should be installed within 15 feet of all sleeping rooms, to examine or test is outside the scope of this report. We recommend older homes be upgraded to meet the current smoke detector installation standards for added occupant safety. All maintenance, repairs or corrections should be made by specialist's in the appropriate trade using approved methods.

[SC] Safety Concerns [FE] Further Evaluation [CR] Corrections Recommended [RU] Recommended Upgrade

LIVING ROOM FRONT UNIT.

EXT DOORS:

[CR] The front door rubs heavy on the floor area. We recommend repair or replacement.

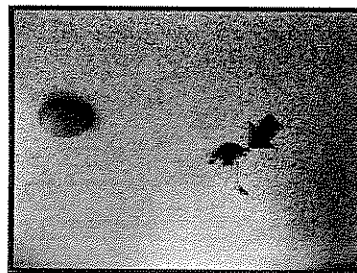
REAR UNIT LIVING ROOM.

WINDOWS:

[SC] The window lock(s) were not latching/defective/missing. We recommend correcting the condition(s) noted for security reasons.

LIGHTS/FIXTURES:

There is a missing fixture(s) . We recommend correcting the condition(s) noted.



REAR UNIT BEDROOM.

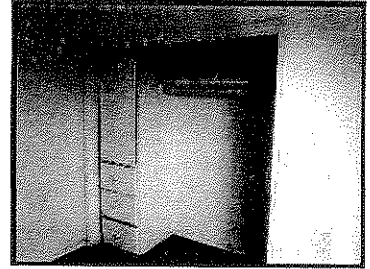
INT DOORS:

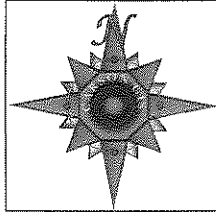
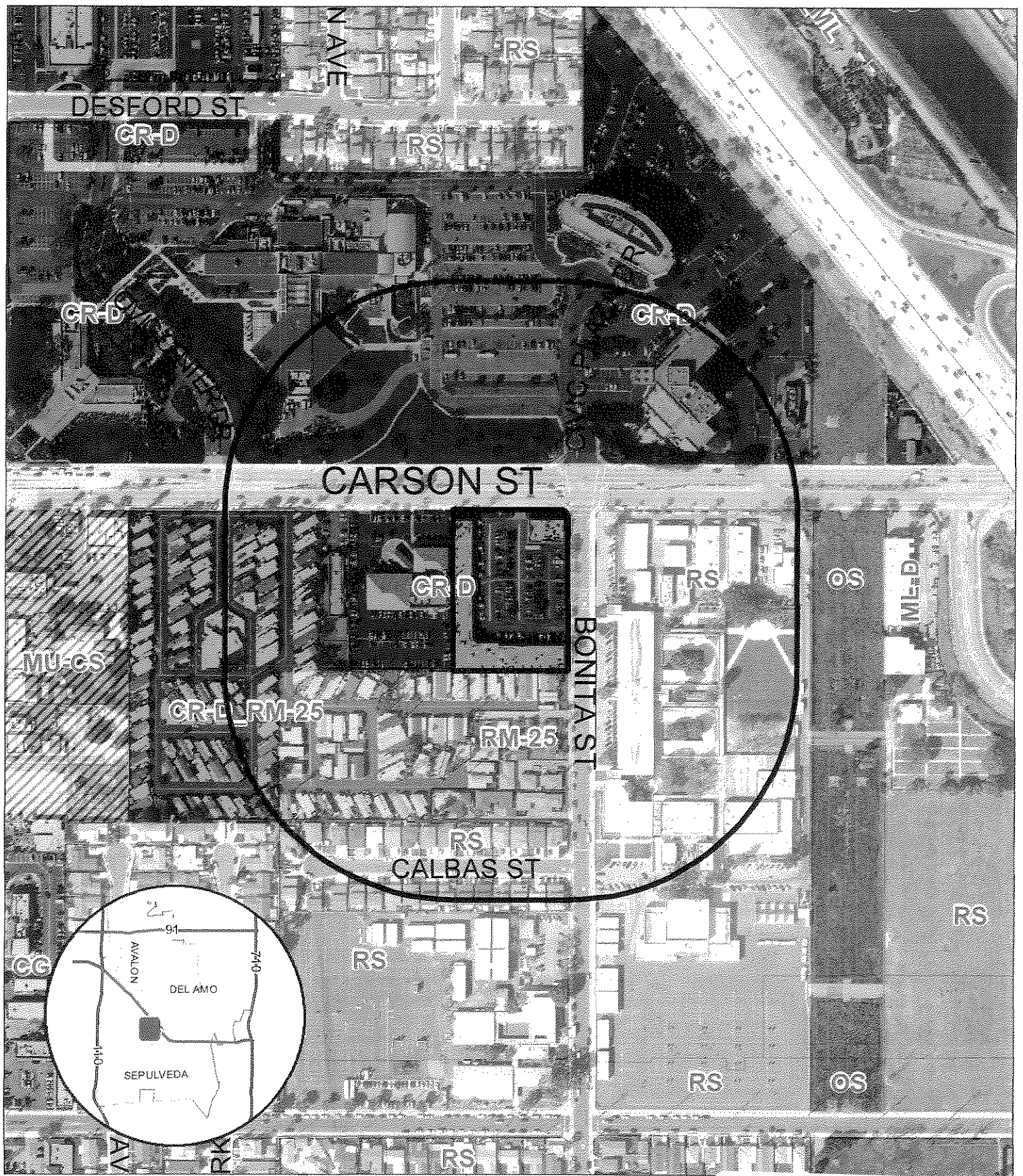
[CR] The door(s) rubbed the floor/jamb/each other. We recommend correcting the condition(s) noted.

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CLOSET(S):

[CR] The door(s) had been removed. We recommend inquiring about the condition(s) noted.





City of Carson
 500 Foot Radius Map
 754 E Sepulveda Blvd

Exhibit 3



9122.8 Second Dwelling Units.

A. Purpose and Intent. The purpose of this Section is to comply with amendments made in 2002 to Government Code Section 65852.2, which provides for the city to set standards for the development of second dwelling units so as to increase the supply of smaller and affordable housing while ensuring that they remain compatible with existing neighborhoods.

B. Location.

1. One second dwelling unit may be located on any residentially zoned lot that principally allows single-family dwellings and contains only a legal, single-family detached dwelling.

2. Second dwelling units shall not be allowed where roadways, public utilities and services are inadequate.

3. Second dwelling units are not required to meet the density requirements of the General Plan, but shall otherwise be consistent with the General Plan text and diagrams.

C. Permitting Procedures. Any application for a second dwelling unit that meets the location standards of subsection B of this Section and the development standards of CMC 9125.6, shall be approved ministerially without discretionary review or public hearing. Existing lawfully established second dwelling units that do not meet the standards defined in CMC 9125.6 shall obtain a conditional use permit pursuant to CMC 9172.21 and be subject to the provisions of CMC 9182.3.

D. Submittal Requirements and Application Processing.

1. Step One – Submittal. The application for a second dwelling unit permit shall be submitted to the Planning Division concurrent with the submittal of an application for a building permit. In addition to the standard submittal requirements for a building permit, the second dwelling unit application shall include:

a. Site Plan.

- i. Lot lines and dimensions.
- ii. North arrow and scale of plan.
- iii. All setback lines.
- iv. Footprint of existing and proposed buildings, structures, fences, walls, walks, and landscaping on site (measured from property line and distances between buildings and structures).
- v. Indicate lot size, lot coverage, building area (by floor).
- vi. Locations, dimensions and descriptions of all parking spaces, access to parking spaces, circulation patterns both on and off the site, and curb cuts.
- vii. Indicate all contiguous properties, streets and alleys showing center lines, lane striping, curb lines, street widths, right-of-way lines, street names, fire hydrants and other street furniture.
- viii. Indicate uses of adjoining lots and location of building footprints.
- ix. Indicate all existing and proposed easements.
- x. Identify proposed utility locations (i.e., transformers and water mains).
- xi. Indicate landscape areas including existing trees on the site and parkway.

b. Floor Plans.

i. Overall building and individual room dimensions, including square footage calculations.

- ii. All proposed interior walls and partitions.
 - iii. Room identification.
 - iv. Window and door locations.
 - c. Elevations (photographs may be substituted for elevations on existing buildings unless otherwise required by the Planning Division).
 - i. Show exterior sides of building(s), label according to which direction the building faces (i.e., north face).
 - ii. Indicate exterior wall openings.
 - iii. Show roof pitches.
 - iv. All roof-mounted equipment and screening.
 - v. Exterior materials and finishes.
 - d. Color photographs of the site and adjacent properties. The photos shall be taken from each of the property lines of the project site to show the project site and adjacent sites. Label each photograph and reference to a separate site plan indicating the location and direction of the photograph.
 - e. Deed restriction completed as required, signed and ready for recordation.
2. Step Two – Issuance. The Planning Division shall issue a second dwelling unit building permit if it conforms to the specific standards contained in this Section and CMC 9125.6 (Second Dwelling Unit Development Standards). (Ord. 03-1290, § 1)

9125.6 Second Dwelling Unit Development Standards.

A second dwelling unit permit shall be issued per CMC 9122.8 (Second Dwelling Units) only if the unit complies with the following development standards:

A. Lot Criteria.

1. Must contain one (1) single-family residence.
2. No more than one (1) second dwelling unit shall be located on a single lot.
3. Subject lot shall not contain an accessory living quarters or other structure used for living purposes.

B. Minimum Lot Size.

1. Seven thousand five hundred (7,500) square feet within the RS (Residential, Single-Family) Zone.
2. Six thousand five hundred (6,500) square feet within the RM (Residential, Multiple-Family) Zone.

C. Unit Size (Detached).

1. Zero (0) bedroom, one (1) bathroom and kitchen: five hundred (500) square foot maximum.
2. One (1) bedroom, one (1) bathroom and kitchen: six hundred fifty (650) square foot maximum.
3. Two (2) bedrooms, one (1) bathroom and kitchen: seven hundred (700) square foot maximum.

D. Unit Size (Attached).

1. Same requirements as in subsection C of this Section, (Unit Size (Detached)), but shall not exceed forty (40) percent of existing dwelling unit's living area. In case of internal division to create second unit, the floor area of the primary residence shall not be reduced to less than one thousand (1,000) square feet, excluding garage/carport.

E. Setback Requirements.

1. A detached second dwelling unit shall be set back a minimum of ten (10) feet from the primary residential structure and a minimum of six (6) feet from accessory structures. Side yard setback shall be five (5) feet and rear yard setback shall be fifteen (15) feet.
2. If second unit is proposed above accessory structure, minimum side yard setback shall be ten (10) feet, including accessory structure.

F. Height.

1. A second dwelling unit shall not exceed two (2) stories. The maximum building height for a second dwelling unit is thirty (30) feet.

G. Off-Street Parking.

1. The number and type of parking spaces required for second dwelling units shall be as provided in CMC 9162.21(A)(13).
2. Second dwelling unit parking requirement is in addition to any parking spaces required for a primary residence. Existing single-family dwelling shall be conforming to parking requirement as provided in CMC 9162.21. Nonconformity to parking requirement shall be made conforming in order to be eligible for a second unit.

H. Architectural Compatibility.

1. The second dwelling unit shall incorporate the same or substantially similar architectural features, building materials and colors as the main dwelling unit or

compatible dwellings located on adjacent properties, unless otherwise approved by the Planning Division.

I. Permanent Foundation.

1. A permanent foundation shall be required for all second dwelling units.

J. Owner Occupied.

1. Either the main residence or second dwelling unit shall be occupied by owner of the property.

K. Privacy.

1. Any balcony, window or door of a second story second dwelling unit shall utilize techniques to lesson the privacy impacts onto adjacent properties. These techniques may include use of obscured glazing, window placement above eye level, screening treatments, or locating balconies, windows and doors toward the existing on-site residence.

L. Resale Requirement and Deed Restrictions.

1. Before obtaining a second dwelling unit permit, the property owner shall file with the County Recorder a declaration or agreement of restrictions, which has been approved by the City Attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner and stating that:

a. The second dwelling unit shall not be sold separately.

b. The second dwelling unit is restricted to the maximum size allowed per the development standards.

c. The second dwelling unit shall be considered legal only so long as either the primary residence or the second dwelling unit is occupied by the owner of record of the property.

d. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall void the approval of the unit and may result in legal action against the property owner. (Ord. 03-1290, § 3)

9182.3 Nonconforming Residential Density.

A. Existing lawfully established second dwelling units located in the RS or RA Zone shall obtain a conditional use permit by the Planning Commission pursuant to CMC 9172.21. An application for a conditional use permit shall be submitted within a five (5) year period of the effective date of the ordinance codified in this Section or prior to the termination of the amortization period, whichever provides the greater amount of time.

When approving a conditional use permit, the Commission shall make findings regarding the adequacy of on-site parking and applicable development standards contained in CMC 9125.6. The Commission shall require, as a condition precedent to the continued use of the property under the conditional use permit, that a report be submitted by the applicant, which shall provide and include plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies. The Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas;
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for second dwelling units.

This Section shall not validate any existing illegal second dwelling unit. An application for a permit may be made pursuant to CMC 9122.8 and 9125.6 to convert an illegal second dwelling unit to a conforming second dwelling unit, and the standards and requirements for said conversion shall be the same as for newly proposed second dwelling units.

B. In the RS or RA Zone, a lawfully established residential use of a type or with a density of dwelling units no longer permitted in the RS or RA Zone shall be considered to be a nonconforming use subject to the provisions of CMC 9182.21 through 9182.23.

C. In the RM Zone, a lawfully established residential use which becomes nonconforming with respect to the density of dwelling units, but is otherwise a permitted use, shall be permitted to continue indefinitely provided there is no further increase in the number of units. (Ord. 03-1290, § 10)