



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 24, 2013
SUBJECT: Conditional Use Permit No. 931-13
APPLICANT: Norberto Lopez and Rosa M. Alvarez
2624 E. Madison Street
Long Beach, CA 90810
REQUEST: To approve a Conditional Use Permit for a second dwelling located within the RS (Residential, Single Family) zone district
PROPERTY INVOLVED: 2624 E. Madison Street

COMMISSION ACTION

- Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Pinon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

I. Introduction

Applicant/Property Owner

Norberto Lopez and Rosa M. Alvarez
2624 E. Madison Street, Long Beach, CA 90810

Project Address

2624 E. Madison Street, Long Beach, CA 90810

Project Description

The proposal is to consider a conditional use permit (CUP) for an existing second dwelling within the RS (Residential, Single Family) zone district.

Conditional Use Permit (CUP) No. 931-13, would legalize the existing second dwelling unit located at 2624 E. Madison Street.

II. Background

History of Property

The existing single main dwelling and a one car garage were built in 1923. The rear second dwelling unit consisting of approximately 475-square-feet appears to have been constructed in 1925.

Previously Approved Discretionary Permits

There are no previous approved discretionary permits on this site.

Public Safety Issues

There is an open code enforcement case on the subject property that requires approval of a conditional use permit for the second dwelling unit and a building permit approval for the primary dwelling unit rear patio and deck that were built without permits.

III. Analysis/Findings

Location/Site Characteristics/Existing Development

The subject property is located at 2624 E. Madison Street. According to Los Angeles County Assessor's records the main dwelling unit located at 2624 E. Madison Street was built in 1923 with a one car garage. The second dwelling unit appears to have been built in 1925. The second dwelling consists of a 475-square-foot building with a kitchen, a bathroom, two small closets and a 209-square-foot living area also being used as a bedroom.

Surrounding the subject property to the north, east, south and west are single family residential uses.

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). Staff has inspected the property and reviewed all building permit records. Due to the age of the structures, it appears that the main house and second dwelling unit were constructed prior to the requirement to obtain building permits. Pursuant to CMC



9182.3 a property inspection report was submitted by the applicant that identifies certain building, plumbing, electrical and fire code deficiencies. The Building and Safety Division has been requested to inspect the property due to the age and condition of the buildings and to determine measures that may be necessary to ensure that the building is brought to an acceptable condition.

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 continue the public hearing until October 8, 2013.

VI. Exhibits

None.

Prepared by: 
Zak Gonzalez II, Associate Planner

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

Approved by: 
Sheri Repp Loadsman, Planning Officer

ZG: srCUP931-13

**CITY OF CARSON
PLANNING COMMISSION**

RESOLUTION NO. 13-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 931-13 FOR A SECOND DWELLING LOCATED AT 2624 E.
MADISON STREET**

**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, Norberto Lopez and Rosa M. Alvarez, with respect to real property located at 2624 E. Madison Street, and described in Exhibit "A" attached hereto, requesting the approval of an existing second dwelling unit located within the RS (Residential, Single Family) zone district.

A public hearing was duly held on September 24, 2013, 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 is developed with a 475-square-foot second unit and a one-car garage. The site is considered nonconforming with respect to parking; however, the nonconformities are allowed to continue provided there is no intensification. The project will not 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 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. 931-13 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 24th DAY OF SEPTEMBER, 2013.

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

LEGAL DESCRIPTION:

LOTS 251 AND 252 OF TRACT MAP NO. 6720 AS RECORDED AT THE LOS ANGELES
COUNTY RECORDERS OFFICE ON PAGE 20



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 931-13

GENERAL CONDITIONS

1. If Conditional Use Permit No. 931-13 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 proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 931-13. 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. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

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 needed repairs identified in the property inspection report shall be addressed and repaired within 90 days of the conditional use permit approval.
11. All building setback areas shall remain clear for fire prevention safety.
12. The owner/applicant shall submit a building permit application to the Carson Building and Safety Division for two rear yard storage sheds exceeding 120-square-feet.

PARKING

13. The existing garage shall be used for parking of vehicles and not for storage only or for habitable space. There shall be no parking of in-operable automobiles on the driveway. Further, 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

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

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

15. There shall be no storage allowed within any required building setback yard area to promote fire safety.



BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

16. 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.

