



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: November 25, 2014

SUBJECT: Extension of Time for Conditional Use Permit No. 941-13

APPLICANT/OWNER: Richard Gould
2632 W. 237th Street
Torrance, CA 91367

REQUEST: A one-year time extension for Conditional Use Permit No. 941-13 to conversion three existing detached rental units to condominiums on a 0.46-acre property located in the RM-8-D (Residential, Multifamily – 8 units per acre – Design Overlay) zone district

PROPERTY INVOLVED: 545, 547, 549 E. 213th Street
(APNs 7337-002-003 and 004)

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

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

I. Introduction

The applicant, Richard Gould, is requesting a one-year extension for Conditional Use Permit No. 941-13, pursuant to Condition No. 1 of Planning Commission Resolution No. 13-2486. The property is located at 545, 547, 549 E. 213th Street and is zoned RM-8-D (Residential, Multi-family – 8 units per acre – Design Overlay).

II. Background

On July 23, 2013, the Planning Commission approved Conditional Use Permit No. 941-13 and Vesting Tentative Parcel Map No. 72086 to convert three existing detached rental units to condominiums.

III. Analysis

Pursuant to Section 9172.21.H.2. – of the Carson Municipal Code, a conditional use permit may be extended once for one year from the date of original expiration without a public hearing. The applicant has requested additional time to complete the project. The applicant submitted the extension of time request on July 15, 2014 which is prior to expiration date of July 23, 2014.

IV. Recommendation

That the Planning Commission:

- **APPROVE** the extension of time until July 23, 2015 for Conditional Use Permit No. 941-13; and
- **ADOPT** a minute resolution extending the approval of Conditional Use Permit No. 941-13 to July 23, 2015.

V. Exhibits

1. Planning Commission Resolution No. 13-2486 adopted on July 23, 2013

Prepared by:


Saied Naaseh, Planning Manager

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Saied Naaseh, Planning Manager



CITY OF CARSON

September 3, 2013

Richard Gould
2632 West 237th Street
Torrance, CA 91367

Subject: Vesting Tentative Parcel Map No. 72086 and
Conditional Use Permit No. 941-13

Dear Applicant:

The Planning Commission, at its meeting of July 23, 2013, approved the above-mentioned items, subject to the conditions in Resolution No. 13-2486.

As indicated in the Resolution, you and the property owner are required to sign the enclosed "Agreement Accepting Conditions" form and return ONLY that form to Associate Planner Naaseh within thirty (30) days of the receipt of this letter. Please retain the enclosed resolutions and a copy of the Agreement Accepting Conditions for your records.

If you have any questions concerning the City's procedures or any of the enclosed documents, please feel free to call your planner at (310) 952-1761.

Sincerely,

Denise Bothe, Planning Secretary
Development Services Group

**AGREEMENT ACCEPTING CONDITIONS
CITY OF CARSON PLANNING COMMISSION**

The city of Carson Planning Commission, at its meeting of July 23, 2013, approved your request for Vesting Tentative Parcel Map No. 72086 and Conditional Use Permit No. 941-13, subject to the conditions of approval in Resolution No. 13-2486. For and in consideration of the grant by the city of Carson Planning Commission, I (we), the undersigned do(es) hereby agree to all conditions set forth in the Resolution. The Resolution and Conditions of Approval of the discretionary permit(s) govern the use and/or development of the property identified and described below.

Address: 545, 547, 549 East 213th Street.

Description: Condominium conversion of three existing detached rental units on a 0.46-acre property located in the RM-8-D (Residential, Multifamily – 8 units per acre – Design Overlay) zone district.

Applicant: Richard Gould, 2632 West 237th Street, Torrance, CA 91367.

Property Owner(s): Kenan C. Thayer, 18831 Von Karman Avenue, Irvine, CA 92612.

This agreement shall run with the land and shall bind upon property owner, its successors and assigns, and any future owners, encumbrancers and their successors or assigns, and shall continue in effect until otherwise released by the authority of the relevant agency of the city of Carson or until such time as the Municipal Code of the City of Carson unconditionally permits the release of this Notice of Agreement.

CITY OF CARSON

By: Denise Bothe
Title: Denise Bothe, Planning Secretary
Date: September 3, 2013

Dated this ____ day of _____, 2013

By: _____
Applicant (Type or Print)

Applicant (Signature)

Dated this ____ day of _____, 2013

By: _____
Property Owner (Type or Print)

Property Owner (Signature)

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 13-2486

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING VESTING TENTATIVE PARCEL MAP NO. 72086 and CONDITIONAL USE PERMIT NO. 941-13 FOR A RESIDENTIAL CONDOMINIUM CONVERSION OF THREE (3) DETACHED UNITS LOCATED AT 545, 547, AND 549 E. 213TH STREET (APNs 7337-002-003 and -004)

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application for a Vesting Tentative Parcel Map (VTPM) and a Conditional Use Permit (CUP) was duly filed by the applicant with respect to real property located at 545, 547, and 549 E. 213th Street and described in Exhibit "A" attached hereto, requesting approval for a residential condominium conversion of three (3) detached condominium units located on 0.46 acre. A public hearing was duly held on July 23, 2013, at 6:30 P.M. at the Carson 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. Section 9121.1, Permitted Uses, of the Carson Municipal Code (CMC) states that the development of residential condominiums on a lot over 50 feet in width in an RM (Residential, Multi-family) zone district is subject to Section 9172.21, Conditional Use Permit. The Planning Commission finds that:

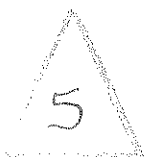
a) **The proposed use and development will be consistent with the General Plan.**

The proposed residential condominium conversion project is consistent with the General Plan Land Use Designation of Low Density Residential and conforms to the RM-8-D zone district. The project meets the goals and policies described in the General Plan Land Use Element. The owners of the condominium units will hold an undivided interest in the common areas and an association will be formed to pay for maintenance of common areas. The existing three units are of an attractive design and consistent with the General Plan and surrounding multiple family dwelling units. Therefore, this finding can be made in the affirmative.

b) **The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.**

The site is 0.46 acre and is zoned RM-8-D with a General Plan designation of Low Density Residential. The existing units were constructed in 1990 and the site can accommodate up to three residential units under the zoning designation. The site is located in a developed, urban area. The site is therefore adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed residential condominium conversion project. Therefore, this finding can be made in the affirmative.

EXHIBIT NO. 01



c) There will be adequate street access and traffic capacity.

The site is fully developed with three detached rental units which are proposed to be converted into residential condominiums. There is adequate street and traffic capacity from 213th Street which currently serves this site. Thus, this finding can be made in the affirmative.

d) There will be adequate water supply for fire protection.

The Fire Department has reviewed the project for adequate street access, driveway width, fire hydrants, and fire flow. Appropriate conditions of approval are attached to ensure that the project will be served by adequate fire protection. Therefore, this finding can be made in the affirmative.

e) The proposed use and development will be compatible with the intended character of the area.

The project site is located in an urban, developed residential community. The site is surrounded by multiple family dwelling units to the east and west, single-family homes to the south, and a mobile home park to the north. The proposed condominium conversion will be consistent with the character of the existing residential neighborhood. There are no alterations to the structure proposed. Therefore, this finding can be made in the affirmative.

f) Such other criteria as are specified for the particular use in other Sections of this Chapter.

VTPM No. 72086 for division of airspace for a condominium subdivision was concurrently filed with CUP No. 941-13. All additional and applicable sections can be satisfied provided that the conditions of approval are applied. Therefore, this finding can be made in the affirmative.

Section 4. Section 66474 of the California Government Code requires that a tentative map be denied if any of the following findings can be made. The Planning Commission finds that:

a) That the proposed map is not consistent with applicable general and specific plans in Section 65451.

The proposed subdivision is consistent with current RM-8-D (Residential, Multifamily – 8 units per acre – Design Overlay) zone district and with the General Plan land use designation of Low Density Residential. The proposal therefore complies with the requirements of the City's Subdivision Ordinance and the California Government Code.

b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The existing multifamily dwellings were constructed in 1990 and the structures and design are consistent with the zoning for this type of development and consistent with Municipal Code and General Plan policies. The proposed condominium conversion conforms to all development standards of the zoning ordinance. The project is compatible with adjacent residential land uses and complies with the city's Housing Element goal of promoting homeownership opportunities.

c) That the site is not physically suitable for the proposed development.



The subject site is developed with three detached residential dwelling units. Condominiums are an appropriate type of development at this site, given surrounding multifamily development patterns, which include condominiums.

d) That the site is not physically suitable for the proposed density of development.

The site is 0.46 acre, rectangular-shaped, fairly flat, and is zoned RM-8-D. The project site was developed in 1990 three detached rental units with attached two-car garages. The site can accommodate up to three residential units under the zoning regulation and is located in a developed, urban area. The site is therefore physically suitable for the proposed residential condominium conversion project.

e) That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

The proposed project will not impact the environment as it is determined to be Class 32 Categorical Exemption, in-fill development.

f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

No impacts detrimental to the general welfare of the public are foreseen from the approval of a Tentative Tract Map to allow the conversion of three units to be sold individually as condominiums.

g) That the design of the subdivision or type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternative easements for access of use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

All concerned city departments have reviewed the tentative tract map and it has been found that the existing design and improvements of the site will not conflict with public access easements. There are no easements required by the public at large for access through, or for the use of the property.

Section 5. Condominium conversions must comply with Sections 66427.1 of the Subdivision Map Act. The legislative body shall not approve a final map for a subdivision to be created from the conversion of residential real property into a condominium project unless it finds all of the following. The Planning Commission finds that:

a) Each of the tenants of the proposed condominium project has received, pursuant to Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map pursuant to Section 66452. In addition, a finding shall be made that each tenant has received 10 day written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request. The written notices to tenants required by this subdivision shall be deemed satisfied if such notices comply with the legal requirements for service by mail.

Exhibit 3 includes verification that the applicant has notified all tenants with the required 60 day notice. After tentative map approval, the property owner is required by the conditions of approval to provide the city the verification that the 10 day written notice to each tenant advising them that a report will be submitted to the Department of Real Estate for the residential condominium conversion project has been provided to each tenant.

b) Each of the tenants of the proposed condominium project has been, or will be given, written notification within 10 days of approval of a final map for the proposed conversion.

After tentative map approval, the property owner is required by the conditions of approval to provide the city the verification that the 10 day final map notice to each tenant has been provided to each tenant.

c) Each of the tenants of the proposed condominium project has been, or will be given, 180 days' written notice of intention to convert prior to termination of tenancy due to the proposed conversion.

After tentative map approval, the property owner is required by the conditions of approval to provide the city the verification that the 180 day written notice of intention to convert prior to termination of tenancy due to the proposed conversion has been provided to each tenant.

d) Each of the tenants of the proposed condominium project has been, or will be given, notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.

After tentative map approval, the property owner is required by the conditions of approval to provide the city the verification that not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code each of the tenants of the proposed condominium project has been, or will be given, notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant.

Section 6. The Planning Commission further finds that pursuant to California Environmental Quality Act (CEQA) guidelines, the proposed project has been determined to be categorically exempt under Section 15332 In-fill Development Project, Class 32 based on the determinations in the staff report.

Section 7. Based on the aforementioned findings, the Planning Commission hereby approves Vesting Tentative Parcel Map No 72086 and Conditional Use Permit No. 941-13, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 8. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 9. 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 23rd DAY OF JULY, 2013.


CHAIRMAN

ATTEST:

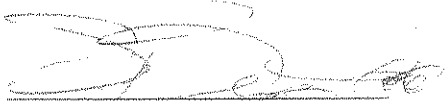

SECRETARY

EXHIBIT A
LEGAL DESCRIPTION

THE EAST 66 FEET OF THE WEST 132 FEET OF THE EAST 264 FEET OF LOT 42 OF TRACT NO. 3848, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONAL USE PERMIT NO. 941-13
VESTING TENTATIVE PARCEL MAP NO. 72086

GENERAL CONDITIONS

1. Conditional Use Permit No. 941-13 shall be declared null and void after one year of the date of approval unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Conditional Use Permit No. 941-13 is contingent upon recordation of Vesting Tentative Parcel Map No. 72086 or subsequent map relating to the condominium subdivision of the property located at 545, 547, and 549 E. 213th Street. Conditions of approval for Vesting Tentative Parcel Map No. 72086 or subsequent map shall apply unless specifically superseded herein.
3. The tentative map shall expire two years after the Planning Commission's approval, unless an extension of time is granted by the Planning Commission or the final map is recorded with the County Recorder prior to expiration.
4. Each extension of this tentative map, provided for in the Subdivision Ordinance, must be accompanied by an extension of Conditional Use Permit No. 941-13. All extensions must be secured from the Planning Commission prior to expiration of this map.
5. The applicant shall comply with all city, county, state and federal laws and regulations applicable to this land division.
6. The applicant shall provide a final City Attorney approved copy of the CC&Rs to the Planning and Engineering Divisions prior to recordation of the map.
7. The applicant shall make any necessary site plan and design revisions and shall submit two complete sets of plans to the Planning Division in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. The revisions to the plans shall be reviewed and approved by the Planning Division prior to the issuance of a building permit. Substantial changes will require review by the Planning Commission.
8. 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.



9. It is further made a condition of this approval that if any condition is violated or if any law, statute 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.
10. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
11. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
12. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
13. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
14. Covenant, Conditions, and Restrictions (CC&Rs). Covenants, Conditions, and Restrictions (CC&Rs) shall be established for the project. The applicant or successor in interest shall pay for the cost of review and approval of the CC&Rs by the City Attorney. The CC&Rs shall provide for proper maintenance of the property and include other necessary conditions to carry out the terms herein, and shall be enforceable by City, and recorded prior to development of any parcels. An initial deposit of \$5,000 is required to cover processing costs. The applicant shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
15. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.

16. 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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 941-13 or Vesting Tentative Parcel Map No. 72086. 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% 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 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 City shall have no liability to the applicant.
17. All Conditions of Approval shall be completed prior to recordation of the Map.
18. A common areas exhibit shall be submitted to the Planning Division. The CC&Rs shall provide for access and maintenance of common areas.

PARKING

19. The required parking shall meet all applicable standards as outlined in the City of Carson development standards.
20. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
21. The Fire Department turnaround shall remain clear and marked, "No Parking." Painted red curbs or stripes shall be used if necessary.
22. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
23. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
24. Each garage shall be provided with electrical wiring and features appropriate to support alternative fuel vehicles subject to the approval of the Planning and Building and Safety Divisions.

25. The entire drive aisle and parking spaces shall be resurfaced.
26. Clear all garage spaces and keep them clear to allow parking for 2 cars.
27. Remove all cars parked from the drive aisle. A 24'-26' clear space shall always be maintained for the drive aisle. "No Parking" signs shall be posted to inform the residents and guests that cars shall not be parked on the drive aisle.
28. Four guest parking spaces shall be maintained. The guest parking spaces shall be designated as such.
29. Trash bins shall be stored within private yards and shall not be stored on the drive aisle except for pick up days.
30. Decorative colored concrete pattern or pavers shall be used at the private driveway entry between the right of way line and the gate and for all new pedestrian walkways, including a walkway from the street leading to the rear of the property if the entire drive aisle area is replaced with new surface. All other areas of the private drive aisle shall be of concrete material.

LANDSCAPING/IRRIGATION

31. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
32. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
33. 6" x 6" concrete curbs are required around all landscaped planter areas, unless the Standard Urban Stormwater Mitigation Plan (SUSMP) and best management practices (BMPs) dictate another approach.
34. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
35. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Annual flowers wherever possible; five and one gallon shrubs; and flats of ground cover planted 8-inches on center;
 - b. One specimen tree, minimum 36" box, for each unit shall be provided; and
 - c. Tree height and plant materials to be approved by the project planner prior to installation.
36. The Conditions, Covenants, and Restrictions (CC&Rs) of the Homeowners Association shall indicate that installation, maintenance, and repair of all landscaping in public areas shared by homeowners shall be managed by the Homeowners Association.

37. New landscaping shall be provided within the front yard between the proposed fence/gate and edge of right of way.
38. New landscaping shall be provided in the landscape planter along the east elevation of the 545 house between the house and the driveway.
39. New landscaping shall be provided within the right of way between the sidewalk and the ultimate property line.
40. The area between the driveway and the east property line shall be landscaped.
41. Remove the large tree along the west property line that is lifting the sidewalk.
42. The concrete around the large eucalyptus tree shall be removed and replaced with landscaping. The city inspector shall examine the trunk of the tree at the base after the concrete removal. If the inspector determines the tree is unsafe, the applicant shall remove the tree and replace it with an acceptable street tree as approved by the City.
43. Every effort shall be made to preserve the two large Eucalyptus trees when redesigning and reconstructing the driveway to ADA standards.

GRAFFITI LANDSCAPING

44. The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.
45. Graffiti shall be removed from all project areas within three (3) days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

UTILITIES

46. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions, and electrical utilities shall be installed underground.
47. Any aboveground utility cabinet or equipment shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.
48. The applicant shall remove at his own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
49. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.

50. *Plumbing Shut-off Valves.* Water supply lines to each unit within the project shall be fitted with shut-off valves of either a hand valve or screw-stop type. If there are extenuating circumstances which make the installation of such valves impractical, the Commission may approve a system which provides individual shut-off valves ahead of each fixture within the unit. A shut-off valve shall also be provided ahead of each water-supplied appliance not contained within a unit.
51. *Drip Pans.* Hot water heaters and any other appliances which the Building Official determines to be a potential source of water leakage or flooding shall be installed with built-in drip pans and a one and one-quarter (1-1/4) inch minimum diameter drain line leading to a safe point of disposal outside the building. The end of said drain shall be provided with a removable screen to prevent insect entrance to the unit. Drip pans may be omitted where appliances are located in garages that are constructed such that any water leakage cannot damage the common wall between units or find its way into an adjoining unit. (Ord. 80-536, § 1)
52. *Utility Meters.* With the exception of water supply and central heating and/or air conditioning, each utility that is controlled and consumed within the individual unit shall be separately metered in such a way that the unit owner can be separately billed for its use.
53. *Circuit Breaker.* Each unit shall have its own circuit breaker panel for all electrical circuits and outlets which serve the unit. Such panel shall be accessible without leaving the unit.

AESTHETICS

54. The front yard setback area shall be landscaped to the satisfaction of the Planning Division, pursuant to Section 9162.3.A of the Carson Municipal Code (CMC).
55. High quality postal delivery receptacles shall be provided subject to the approval of the Planning Manager.
56. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the recordation of the final map.
57. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
58. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Director of the Planning Division.
59. A property inspection report shall be submitted. All recommendations in the report shall be implemented.

60. Paint and repair all surface areas of building facades, walls, and fences that visibly need repair and paint as determined by the Planning Division.

FENCES/WALLS

61. Perimeter walls shall be architecturally coordinated with the project buildings and subject to the approval of the Planning Division.
62. Where walls are used, they shall be of decorative material to include stucco block, slumpstone or splitface.
63. Chain-link fencing, including barbed and concertina wire, shall be removed. Decorative wrought iron fencing or a wall shall be used as a replacement if necessary.
64. Any wall or fence located in the required front yard setback area shall have a height not to exceed 42 inches, pursuant to Section 9126.23 of the CMC. A fence and gate may be erected outside of the required front yard setback area provided approval is granted by the Planning Division and Fire Department.
65. A fencing plan shall be submitted to include new perimeter fencing for all three units and the front gate.
66. The front gate shall be at least 20 feet from the front property line and shall be either sliding or swing inside.
67. ~~No fencing shall be permitted within the front yard. (Deleted by Planning Commission July 23, 2013)~~

LIGHTING

68. A precise lighting plan shall be submitted showing all proposed street, walkway, and recreational area lighting, subject to the approval of the Planning Division.
69. Lighting shall be directed downward and inward toward the project site. In no instance shall lighting face adjacent properties or public roadways in a manner that would cause a nuisance or safety hazard to persons.

SUBDIVISION

70. The lots will be merged upon recordation of the final map. Should the applicant decide to abandon the condominium conversion, the requirement to merge the two lots will still be applicable.
71. A qualified home inspection contractor shall be retained to determine the condition of the interior and exterior of each building. The qualified home inspection contractor shall be selected by the Planning Division and funded by the applicant. Corrective actions shall be implemented, subject to approval of the Planning Division, prior to final map approval.
72. The applicant shall provide verification that each tenant has received 10 day written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available

on request. The written notices to tenants required by this subdivision shall be deemed satisfied if such notices comply with the legal requirements for service by mail.

73. The applicant shall provide verification that each of the tenants of the proposed condominium project has been, or will be given, written notification within 10 days of approval of a final map for the proposed conversion.
74. The applicant shall provide verification that each of the tenants of the proposed condominium project has been, or will be given, written notification within 180 days written notice of intention to convert prior to termination of tenancy due to the proposed conversion.
75. The applicant shall provide the city the verification that not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code each of the tenants of the proposed condominium project has been, or will be given, notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant.

CONDOMINIUMS/MULTI-FAMILY

76. The condominium project shall conform to all the development standards as outlined in Section 9128.15 and 9128.54 of the Zoning Ordinance, unless otherwise provided for in this approval.
77. The Declaration of Covenants, Conditions and Restrictions shall be provided for as outlined in Section 9128.17 of the Zoning Ordinance and submitted to the Planning Division for review and approval including maintenance responsibilities and for common areas.

QUALITY ASSURANCE (CONDOMINIUMS ONLY)

78. Notwithstanding any other requirements, including those of other agencies, the developer shall comply with the following quality assurance conditions:
 - a. The developer shall provide for increased capitalization of the project's homeowners association by establishing with the association a cash reserve as follows:
 1. \$250 per unit, but not less than;
 2. \$3,000 for 10 or fewer units; and
 3. \$5,000 for 11 or greater units.
 - b. For projects of less than 20 units, the developer shall provide the homeowners association with independent professional management services for a period of one year from the date 51 percent of the project's units have closed escrow. In the event the developer maintains a professional management services staff for purposes of establishing

homeowner's associations, the developer may request approval of the Planning Division to substitute their owner service for the required independent professional management services. Such substitution must be made in writing with such supporting documentation as the General Manager may deem appropriate in order to ensure that the developer's services are equivalent to independent services. The developer's request must be made in sufficient time to allow the projects' CC&Rs to reflect the approach to management services which will be provided.

- c. For projects of 20 units or greater, the developer shall establish the project's homeowners association utilizing independent professional management services.
- d. Compliance with conditions a, b, and c above shall be reflected in the project's CC&Rs as approved by the City Attorney's office.
- e. Prior to the recordation of the map, the developer shall deposit into a three-party escrow account a cash deposit for purposes of project quality assurance. The amount of the deposit shall be as follows:
 - 1. \$2,000 per unit for the first 10 units;
 - 2. \$1,000 per unit for units above 10; and
 - 3. The escrow account deposit shall be retained for a period of two years from the date of closing of the last purchase escrow or until such time as all warranty work and/or corrective work has been satisfactorily completed. The parties to the escrow account shall consist of the developer, the project's homeowners association, and the City of Carson. Disbursements from the escrow account may be made upon mutual agreement of two of the three parties. Closure of the escrow may only take place as noted above with mutual agreement of two of the three parties at which time any remaining funds shall be returned to the developer.
- f. The developer shall offer a minimum two-year unconditional normal use new home warranty to all first time buyers, including the project's association in the case of common facilities. The new home warranty shall have the effect of extending the manufacturers' warranties to two years.
- g. The developer shall be responsible for facilitating all warranty repairs during the new home warranty period.
- h. All exterior fixtures and equipment used in the project shall be quality grade intended for heavy-duty "commercial-type" applications.
- i. All landscaped areas of the project shall be subject to the posting of a separate landscape viability assurance bond in conjunction with final approval of landscaping and irrigation plans by the Planning Division.
- j. The City's Building and Safety Division may impose such additional requirements over and above standard code requirements as may be deemed necessary in order to ensure the integrity of the following

systems: waterproofing; grading and compaction; site drainage; paving; and common area equipment.

- k. The property shall be maintained in good order at all times. If said property is not maintained, the City of Carson shall have the ability to make an assessment of the property and direct all subsequent costs of clean up or improvements to the developer.

BUILDING AND SAFETY

79. An "Acknowledgment of No Vested Rights in Tentative Map Approval" form shall be filed with the City of Carson prior to the issuance of a building permit except as provided in Government Code Sections 66498.1 et. seq.
80. The proposed project shall meet all requirements of the American Disabilities Act (ADA).

TRASH

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

EASEMENTS

82. A Covenant and Agreement form for existing easements shall be recorded with the Los Angeles County Recorder's office prior to the recordation of the final map. Said document shall indicate all easements.

THE GAS COMPANY

83. Underground Service Alert (USA), (800) 442-4133 or (800) 227-2600, must be notified within 48 hours prior to commencing work. Inform Gas Co. of construction schedules, pre-construction meetings, etc. so that they can plan ahead.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

84. The applicant shall meet all requirements and/or revisions of the LA County Fire Department including but not limited to their letter Conditions of Approval dated April 28, 2013.

COUNTY SANITATION DISTRICTS – COUNTY OF LOS ANGELES

85. The applicant shall pay the appropriate connection fee to the County Sanitation Districts of Los Angeles County for connection or incremental expansion of the Sewerage System. Payment of the connection fee shall be required prior to issuance of sewer connection permit. The applicant shall comply with all requirements indicated in the County Sanitation Districts of Los Angeles County letter dated, June 14, 2013.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

86. Any hazardous wastes/materials encountered during construction shall be remediated in accordance with local, state, and federal regulations.

SOUTHERN CALIFORNIA EDISON

87. In the event that the development requires relocation of facilities on the subject property, which facilities exist by right of easement or otherwise, the owner/developer shall be required to bear the cost of such relocation and provide Edison with suitable replacement rights. Such costs and replacement rights are required prior to the performance of the relocation.

DEPARTMENT OF PUBLIC WORKS - COUNTY OF LOS ANGELES

88. The applicant shall obtain clearance from the Department of Public Works, Los Angeles County regarding the following Conditions of Approval:

Drainage

- a. Approval of this map pertaining to drainage is recommended (no grading is proposed).

Geology/Soils

- b. The final map does not need to be reviewed by the County of Los Angeles Department of Public Works' Geotechnical and Materials Engineering Division.

Grading

- c. Approval of this map pertaining to grading is recommended (no grading is proposed).

Road

- d. Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on 213th Street to the satisfaction of the City.
- e. Construct new driveways to meet current Americans with Disabilities Act guidelines and to the satisfaction of the City.
- f. Plant street trees along property frontage on 213th Street to the satisfaction of the City. Existing trees in dedicated, or to be dedicated, right of way shall be removed and replaced if not acceptable as street trees.
- g. Execute a covenant for private maintenance of curb/parkway drains, if any, to the satisfaction of the City.

- h. Repair any improvements damaged during construction along the property frontage on 213th Street to the satisfaction of the City.
- i. Prior to final map approval, enter into an agreement with the County-franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench, to the satisfaction of the City, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of the City.

Sewer

- j. The subdivider shall install separate house laterals to serve each building in the land division to the satisfaction of the City and the County of Los Angeles Sanitation District.
- k. The subdivider shall send a print of the land division map to the County Sanitation District with a request for annexation. The request of annexation must be approved prior to final map approval.

Water

- l. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
- m. There shall be filed with the City Engineer a statement from the water purveyor indicating that the water system will be operated by the purveyor, that under normal conditions the system will meet the requirements for the land division, and that water service will be provided to each building.
- n. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this land division to the satisfaction of the City Engineer.
- o. Provide a "Verification" letter from the water purveyor indicating that recycle water is available for irrigation of common landscape area equal to or greater than 2,500 square feet.
- p. Submit landscape and irrigation plans for each multi-family parcel in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance to the satisfaction of the City Engineer.

Subdivision

- q. Place a note on the final map, to the satisfaction of the City Engineer, indicating that this map is approved as a condominium conversion project for three units.
- r. Thirty days prior to requesting final approval of the parcel map submit gummed mailing labels for each tenant in the structure to be converted, a notarized affidavit signed by all of the owners listing all vacant units, a minimum deposit of \$25 for each occupied unit, and recorded copies of all covenants and agreements applicable to this conversion project to the City Engineer. Copies of the covenants and agreements must be mailed to all tenants by the applicant at least 30 days prior to final approval.
- s. Place standard condominium conversion notes on the final map to the satisfaction of the City Engineer.
- t. Label driveways and multiple access strips as a private driveway or as a fire lane and delineate on the final map if required by the Fire Department to the satisfaction of the City Engineer.
- u. If required, provide suitable turnaround and label the driveway as a private driveway and fire lane on the final map to the satisfaction of the Fire Department.
- v. Provisions shall be made for the continual maintenance of the common areas. This can be achieved by the formation of an owners' association, comprised of the owners of the parcels and responsible for the maintenance of the common areas.
- w. Provide reciprocal easements for drainage, ingress/egress, sewer, water, utilities, and maintenance purposes, etc., over the common driveway in document to the satisfaction of the City Engineer.
- x. Relocate or quit claim any easements interfering with building locations to the satisfaction of the City Engineer.
- y. Provide addressing information in Microsoft Excel format to the satisfaction of the City Engineer.
- z. Private easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the final map is filed with the Registrar-Recorder/County Clerk's office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
- aa. A final guarantee will be required at the time of the filing of the final map with the Registrar-Recorder/County Clerk's office. A final map prepared

by, or under the direction of, a pre-1982 registered Civil Engineer or licensed Land Surveyor must be processed through the City Engineer prior to being filed with the Registrar-Recorder/County Clerk's office.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

GENERAL

89. The Developer shall submit a copy of approved public right of way improvement plans to the City of Carson – Engineering Division, prior to issuance of construction permits.
90. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
91. A construction permit is required for any work to be done in the public right-of-way.
92. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services prior to Final Map approval.
93. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.
94. The developer shall obtain all necessary building permits from Building and Safety Division, and shall complete all the required improvements to the satisfaction of the city's Building Official.
95. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.

MAP

96. A Final Map prepared by, or under the direction of, a pre-1982 Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
97. CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required.
98. Private easement will not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the Final Map is filed with the County Recorder. If easements are granted after the date of tentative map approval, a subordination must be executed by the easement holder prior to the filing of the Final Map.

99. Prior to tentative map approval, quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
100. A final guarantee will be required at the time of the filing of the Final Map with the County Recorder/County Clerk's Office.
101. At the time of approval of Final Map and improvement plans, the developer's engineer shall submit the approved off-site improvement plans electronically stored a CD in AutoCad format to the Engineering Services Division.

Prior to approval of the Final Map:

102. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the existing streetlights. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the approval of the Final Map. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. *(annexation procedure is approximately 12-month)*
103. Provide suitable turnaround and label the driveways "Private Driveway and Fire Lane" on the Final Map to the satisfaction of the Fire Department.
104. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
105. The Developer shall comply with the applicable SUSMP requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations.
106. The Developer shall submit improvement plans to the Engineering Services Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
107. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
108. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
 - a. Comply with mitigation measures recommended by the water purveyor.

109. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along 213th Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
110. The Developer shall modify existing driveway within the public right of way abutting this proposed development, to comply with the ADA requirements. Right of Way dedication may be required to accommodate this requirement. If required, it is the developer's responsibility to provide the city with a signed Right of Way dedication form, and a legal description of the proposed dedication for city's review and acceptance. The minimum width of driveway required is 24 ft., it is the developer's responsibility to remove any improvements interfering with the proposed driveway to meet this requirement. The proposed driveway shall be constructed per City of Carson Standard and to the satisfaction of the City Engineer.
111. All existing overhead utility lines less than 12 kilovolts along 213th Street shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the in-lieu fee. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination.
112. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
113. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
114. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
115. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to Final Map recordation.

CALIFORNIA WATER SERVICE COMPANY

116. The applicant shall comply with all the requirements for California Water Service Company letter dated May 7, 2013.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

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