



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 8, 2008

SUBJECT: Conditional Use Permit No. 682-07

APPLICANT: Exxon/Mobil Pipeline Company
Attn: Stephen L. Guice, II
12851 E. 166th Street
Cerritos, CA 90703-2103

REQUEST: A conditional use permit for the proposed installation of a motor operator on an existing valve, and solar panel power system with remote control equipment on an existing pipeline located in the OS (Open Space) zone and within Redevelopment Project Area No. 1.

PROPERTY INVOLVED: 23016 Main Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Graber
		Vice Chair Hudson			Saenz
		Cannon			Verrett

Item No. 11B

I. Introduction

On October 11, 2007, the applicant submitted development plans to install a motor-operated, remote control valve switch, and solar panel equipment on an existing 12-inch product pipeline. The applicant has cited certain internal safety requirements and related government regulations as reasons for installing the remote control valve switch and related facilities. Upon installation of the proposed system, product flow through the pipeline will be continuously monitored and the valve remotely controlled from facilities in Houston, TX. In the event of a catastrophe or other emergency the pipeline could be shut off within two minutes by remote control, drastically reducing the potential amount of product spill and leakage. Currently, typical response times range from 30-45 minutes.

II. Background

The subject property is located on the east side of Main Street, approximately 70 yards north of Del Amo Boulevard. The approximate 5.5 acre property is currently used by the Los Angeles City Department of Water and Power as a high-power electrical transmission line right-of-way. It is zoned OS (Open Space) and located within Redevelopment Project Area No. 1. The proposed solar panel system and motor-operated valve equipment will be located on and adjacent to the existing exposed (about 3-feet above grade level) section of pipeline approximately 100 feet east of Main Street. The total project area is approximately 55' x 13', or 715 square feet. The project site is currently enclosed in an 8-foot high, chain-link cage. The applicant is proposing to remove the chain-link fence and install 10-foot high, wrought-iron fencing around the perimeter of the project area.

Surrounding Area

The subject site is located adjacent to a plant nursery to the north, vacant land to the south, Dominguez Channel to the south, and industrial uses to the west across Main Street.

III. Analysis

Conditional Use Permit No. 682-07

Pursuant to CMC Section 9151.1, the authorization of a control station as a permitted use is subject to the approval of a CUP. CMC Section 9172.21, allows the Planning Commission to approve a CUP if it is able to make affirmative findings based on the following criteria:

- a). *The proposed use and development will be consistent with the General Plan*
The General Plan Land Use designation for the subject property is General Open Space, which is identified as land essentially unimproved for the purposes of management of production of natural resources, such as utility easements. As such, the proposed use is compatible 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*



The subject property is approximately 5.5 acres in area, flat, and rectangular-shaped. The project location is located at the west end of the property about 100 feet east of Main Street. The location is suitable for the use. Although the subject property lacks a power source, the energy needs for the proposed project are minimal, thus the applicant intends to use solar panels to generate the energy necessary to relay monitor information electronically. In the rare event of a shut-off, reserve power supplies are sufficient to remotely control the valve switches.

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

The property is accessed from Main Street by a easement on the south side of the pipeline. Traffic impacts from the proposed project will be negligible, except for the occasional maintenance truck. Main Street is considered a major street and is a sufficient width to accommodate the level of traffic generated by the proposed project.

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

There are fire hydrants in the vicinity and sufficient access for fire department equipment and personnel in the event of an emergency.

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

The intended character of the area is for open-space type uses, which serve to protect natural resources and which require minimal structures to operate. The proposed use and development is compatible in this regard.

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

CMC Section 9153, Conditional Use Criteria, requires that the use shall not detract from the intended open space character of the area. The solar panel, valve switch, monitoring equipment, and related facilities will be located on or adjacent to the existing pipeline. As such, the project does not deter from the open space character of the area, and is consistent with the intent of the open space zone.

Issue of Concern: Potential Residential Development on Parcels to the South

In February, 2006 Specific Plan No. 10 was approved to authorize the development of the Avalon at South Bay project on the 168 acres south of the subject site. Part of the specific plan calls for residential development on the property adjacent to the south side of the subject parcel. In the event that residential development occurs, there will be a clear view onto the proposed project. Staff is concerned with potential aesthetic impacts to the new residences.

MITIGATION: The applicant intends to remove the existing chain-link fencing surrounding the perimeter of the project area and replace it with wrought-iron fencing. Staff has included conditions of approval in the attached resolution which require the wrought-iron fencing and that the applicant make best efforts to coordinate with the adjacent property owner to the south to mitigate potential aesthetic impacts during the construction phase of the residential development to the south.



IV. Environmental Review

The proposed project will not have a significant effect on the environment. The proposed facilities will not alter the predominantly open-space character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be exempt under the general rule of CEQA, Section 15061(b)(3).

VI. Recommendation

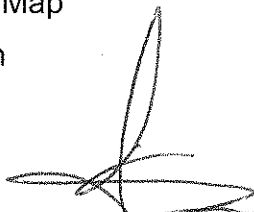
That the Planning Commission:

- **APPROVE** the Categorical Exemption;
- **APPROVE** Conditional Use Permit No. 682-07 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. 682-07 for the installation of a motor operator on an existing valve, and solar panel power system with remote control equipment on an existing pipeline located at 23016 Main Street."

VII. Exhibits


1. Site Plan, Floor Plan, Elevations
2. Land Use Map
3. Resolution

Prepared by:



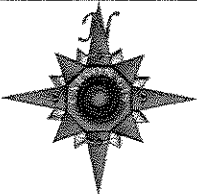
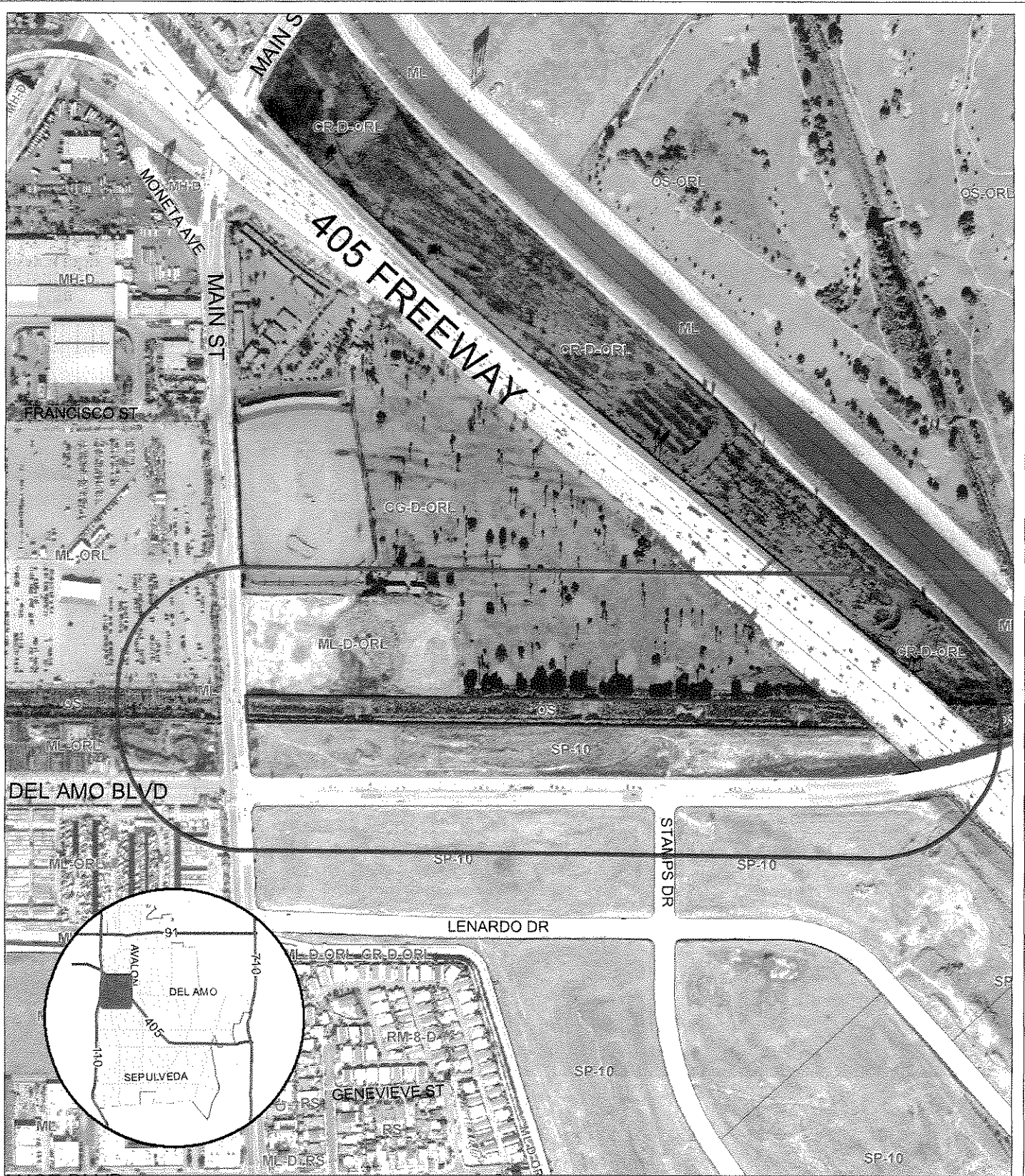
Steven C. Newberg, AICP, Associate Planner

Reviewed and Approved by:



Sheri Repp-Loadsman, Planning Division Manager





**City of Carson
500 Foot Radius Map
20316 Main Street**

Exhibit 2

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 682-07 FOR THE INSTALLATION OF A MOTOR OPERATOR ON AN EXISTING VALVE, AND SOLAR PANEL POWER SYSTEM WITH REMOTE CONTROL EQUIPMENT ON AN EXISTING PIPELINE LOCATED AT 23016 MAIN 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, Exxon/Mobil Pipeline Company, with respect to real property located at 23016 Main Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit (CUP) No. 682-07 to install a motor operator on an existing valve, and solar panel power system with remote control equipment on an existing pipeline located in the OS (Open Space) zone and within Redevelopment Project Area No. 1.

A public hearing was duly held on April 8, 2008, 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. Pursuant to Section 9172.21(D), Conditional Use Permit – Approving Authority Findings and Decision and Section 9153, Conditional Use Criteria – Required Findings of the Carson Municipal Code, the Planning Commission finds that:

- a) The General Plan Land Use designation for the subject property is General Open Space, which is identified as land essentially unimproved for the purposes of management of production of natural resources, such as utility easements. As such, the proposed use is compatible with the General Plan;
- b) The subject property is approximately 5.5 acres in area, flat, and rectangular-shaped. The project location is located at the west end of the property about 100 feet east of Main Street. The location is suitable for the use. Although the subject property lacks a power source, the energy needs for the proposed project are minimal, thus the applicant intends to use solar panels to generate the energy necessary to relay monitor information electronically. In the rare event of a shut-off, reserve power supplies are sufficient to remotely control the valve switches;
- c) The property is accessed from Main Street by a easement on the south side of the pipeline. Traffic impacts from the proposed project will be negligible, except for the occasional maintenance truck. Main Street is considered a major



street and is a sufficient width to accommodate the level of traffic generated by the proposed project;

- d) There are fire hydrants in the vicinity and sufficient access for fire department equipment and personnel in the event of an emergency;
- e) The intended character of the area is for open-space type uses, which serve to protect natural resources and which require minimal structures to operate. The proposed use and development is compatible in this regard;
- f) The solar panel, valve switch, monitoring equipment, and related facilities will be located on or adjacent to the existing pipeline. As such, the project does not deter from the open space character of the area, and is consistent with the intent of the open space zone.

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 facilities will not alter the predominantly open-spacel character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be exempt under the general rule of CEQA, Section 15061(b)(3).

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 682-07 with respect to the properties 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 8th DAY OF APRIL, 2008

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

3. Legal Description:

ALL THOSE PORTIONS OF THE 327.64 ACRE PARCEL AND OF THE 852.37 ACRE PARCEL OF THE RANCHO SAN PEDRO, IN THE COUNTY OF LOS ANGELES ALLOTTED TO GUADALUPE V. DOMINGUEZ BY DECREE OF PARTITION ENTERED IN CASE 3284 IN THE SUPERIOR COURT OF SAID COUNTY, AND OF THAT PORTION OF THE RANCHO SAN PEDRO DESCRIBED AS PARCEL A IN DEED TO DOMINGUEZ ESTATE CO. RECORDED IN BOOK 6025 PAGE 143, OFFICIAL RECORDS LYING WITHIN THE BOUNDARIES OF A STRIP OF LAND 100 FEET IN WIDTH, THE SIDE LINES OF SAID STRIPS OF LAND BEING 50 FEET ON EACH SIDE OF A CENTER LINE, DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT IN THE CENTER LINE OF MAIN STREET, DISTANT THEREON NORTH 6° 12' 44" WEST 292.93 FEET FROM ITS POINT OF INTERSECTION WITH THE EASTERLY PROLONGATION OF THE CENTER LINE OF JAMES STREET; THENCE FROM SAID POINT OF BEGINNING NORTH 87° 07' 26" EAST 3106.12 FEET; THENCE SOUTH 42° 33' 33" EAST 3707.02 FEET TO A POINT IN THE NORTHERLY LINE OF TRACT 3848, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, TANGENT ALONG SAID TRACT LINE NORTH 86° 37' 32" EAST 443.77 FEET FROM ITS POINT OF INTERSECTION WITH THE CENTER LINE OF AVALON BOULEVARD.

EXCEPT THAT PORTION OF LAND WITHIN MAIN STREET. EXCEPT THEREFROM ALL OIL AND MINERAL RIGHTS IN AND TO THE ABOVE DESCRIBED PROPERTY, "PROVIDED THAT THE RESERVATION OF SUCH OIL AND MINERAL RIGHTS SHALL NOT BE CONSTRUED TO INCLUDE THE RIGHTS OF THE GRANTOR HEREIN TO DRILL FOR OIL AND MINE FOR MINERALS ON ANY PORTION OF THE PARCELS OF PROPERTY, AND THAT ANY RIGHTS OF THE GRANTOR HEREIN, OR ANY OTHER PARTY, TO DRILL FOR OIL OR MINE FOR MINERALS ON THE SAID PROPERTY SHALL BE FULLY CANCELLED AND ELIMINATED BY THE GRANTOR HEREIN AND THE GRANTEE HEREIN SHALL NOT ACQUIRE TITLE TO THE SAID PROPERTY SUBJECT TO ANY SUCH RIGHT, AS RESERVED IN THE DEED RECORDED IN BOOK 19574 PAGE 48, AND IN BOOK 20688 PAGE 242, BOTH IN OFFICIAL RECORDS. (Tract Map is attached hereto as Item No. "3")



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 682-07

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Conditional Use Permit No. 682-07 is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
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 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.
5. 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 shall be determined to be automatically revoked, provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
6. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as exhibits to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit



7. A modification of the conditions of these permits, 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.
8. 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, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 682-07. 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.

AESTHETICS

9. Existing chain-link fencing enclosing the project site shall be removed and replaced with ten-foot high, black, 'shepard's crook', wrought-iron fencing around the perimeter of the project site. Fencing plans shall be reviewed and approved by the Planning Division prior to the issuance of a building permit for such fencing.
10. The applicant shall make best efforts to cooperate with the property owner of the adjacent property to the south of the project site to mitigate potential aesthetic impacts, as identified by the Planning Division, in the event that residential development occurs on the adjacent property to the south.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

11. As necessary, the applicant shall remove and replace any broken driveway approach per City of Carson Standard.
12. If needed, easements shall be granted to the City, appropriate agency, or entity for the purposes 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.
13. Any city-owned improvements damaged during the construction of the proposed project shall be removed and reconstructed per City Standard Plan and to the satisfaction of the City Engineer prior to the issuance of a building permit.
14. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.



FIRE DEPARTMENT – LOS ANGELES COUNTY

15. Battery backup, storage areas, and solar generator equipment shall be constructed and maintained in compliance with Article 64 of the Uniform Fire Code (UFC).

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

16. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the pipeline valve facility to be located at 23016 Main Street, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

