

## MINUTES

### CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION

*Helen Kawagoe Council Chambers, 2<sup>ND</sup> Floor  
701 East Carson Street, Carson, CA 90745*

*December 8, 2015 – 6:30 P.M.*

1. **CALL TO ORDER** Chairman Diaz called the meeting to order at 6:30 P.M.
  2. **PLEDGE OF ALLEGIANCE** Commissioner Post led the Salute to the Flag.
  3. **ROLL CALL**  
  
Planning Commissioners Present: Andrews, Cinco, Diaz, Madrigal, Mitoma, Palmer, Pimentel, Post, Thomas  
  
Planning Commissioners Absent: Fe'esago, Guidry (excused)  
  
Alternates Present: Cinco, Palmer  
  
Planning Staff Present: Planning Manager Naaseh, City Attorney Soltani, Deputy City Attorney Chaffin, City Manager Farfaring, Community Development Director Raymond, Associate Planner Alexander, Recording Secretary Bothe
  4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
  5. **AGENDA APPROVAL** Without objection, Chairman Diaz moved that Agenda Item Nos. 9A and 10A be considered as the last order of business and to approve the agenda as amended.
  6. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None
  7. **CONSENT CALENDAR**  
  
Minutes: None
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**8. CLOSED SESSION (Executive Conference Room)**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

- 1) Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and (e) in one case.

The public was provided an opportunity to comment prior to the closed session item. No members of the public provided a comment. The Planning Commission held closed session at 6:36 P.M. and reconvened at 7:12 P.M. Deputy City Attorney Chaffin noted for the record there were no reportable actions taken in closed session.

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**9. PUBLIC HEARING**

**A) Zone Text Amendment No. 19-15**

Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission consider the Motion to Amend Something Previously Adopted (The November 24, 2015, Recommendation of Approval of a Comprehensive Update of the City's Oil and Gas Ordinance Regulating Petroleum Operations and Facilities, and a Finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308) Related to Setback Items Only to involve properties citywide.

Staff Report and Recommendation:

As requested, and assuming it is so inclined, the Planning Commission may amend its original motion with regard to setbacks.

Deputy City Attorney Chaffin explained that this allows an opportunity, at the request of a member of the Planning Commission, for this item to be placed back on the agenda for reconsideration, noting that staff report sets forth the parameters for doing so; and he added that because the Planning Commission does not have bylaws put in place to address these circumstances, they have used Robert's Rules of Order to guide staff on this decision. He added that public testimony is not required at this time.

Chairman Diaz made a decision not to open the hearing for public input.

Commissioner Andrews noted his disappointment that this item is back for reconsideration.

Planning Commission Decision:

Commissioner Andrews moved, seconded by Commissioner Post, not to amend the Planning Commission's original motion approving a 1,000-foot setback. This motion ultimately failed.

Commissioner Post stated this needs to go to City Council for consideration, stating she has made her decision and does not intend to change it regardless of any political intervention, questioning who is behind this effort.

By way of a substitute motion, Vice-Chairman Madrigal moved, seconded by Commissioner Cinco, to amend the Planning Commission's original motion by reducing the 1,000-foot setback requirement to 750 feet. This motion ultimately failed.

At the request of Commissioner Thomas, Chairman Diaz opened the hearing for one representative from the oil companies to answer his questions.

Commissioner Thomas asked if E&B will not challenge the 750-foot setback if that decision is made.

Ted Cordova, E&B Natural Resources, noted for Commissioner Thomas that at this time, they are not considering any legal challenge if the setback is lowered to 750 feet or lower.

Commissioner Mitoma asked what a 1,000-foot setback does to E&B's oil operation.

Mr. Cordova pointed out that the current setback is 300 feet; and that if a setback requirement goes beyond that, it devalues their assets.

Commissioner Mitoma asked if that limits their ability to drill.

Mr. Cordova stated, yes, that the majority of their sites are within 1,000 feet.

Commissioner Mitoma asked if E&B would consider a 1,000-foot setback to be a taking by not allowing them to drill on their land.

Mr. Cordova stated yes.

Commissioner Mitoma explained that his original assumption was that these existing properties would be grandfathered in and not affected by the 1,000-foot setback.

Mr. Cordova stated it would affect their vested rights and that it would also impact their business once new development would go outside that limit within their existing sites.

Commissioner Mitoma noted his new understanding is that the 1,000-foot setback would remove the incentive to move the wells farther away if they can't drill.

Deputy City Attorney Chaffin explained that based on staff report and Mr. Perez' findings, a setback at 1,000 feet would basically render the exchange incentive program without a substantial number of acres to consider. He added that E&B has no sites outside that setback in which to utilize the incentive program.

Mr. Perez explained that there would be approximately a reduction of 1,200 acres that would not be available for doing some of the exchange activity of moving away from sensitive uses.

Commissioner Mitoma reiterated that he did not know that by passing the 1,000-foot setback that it would limit the vested rights of the existing businesses and diminish the incentive program, a program proposed to move some of these operations further away from sensitive receptors.

Mr. Cordova reiterated that there is no incentive for that program with a 1,000-foot setback.

Commissioner Thomas asked what plans are currently being discussed to move any of their wells away from sensitive receptors.

Mr. Cordova stated he is not able to currently answer that because there is nothing in place.

Commissioner Palmer asked if E&B can guarantee they will move away from sensitive receptors if the setback is reduced.

Mr. Cordova stated he cannot guarantee that.

Commissioner Mitoma asked what happens with the City's oil code if the City is legally challenged by passing a 1,000-foot setback.

Deputy City Attorney Chaffin explained that if the City is challenged on its 1,000-foot setback, the new ordinance could be set aside and that the City would return to its current/outdated ordinance and not move forward until the end of a settlement.

City Attorney Soltani added that during the time there is litigation, the code would revert back to the current code in place, which is now a page and a half at this time; and that the new, comprehensive code wouldn't be put in place while being litigated. She added that this would mean an oil company can start drilling under the current page-and-a-half code while litigation is pending.

Commissioner Thomas asked if there is a way to bifurcate the challenged provisions from the rest of the code.

City Attorney Soltani stated it would depend on the lawsuit that's brought, noting at this point, an answer would be hypothetical if there is even a lawsuit.

Commissioner Palmer asked if there is a current CUP process.

Deputy City Attorney Chaffin indicated no.

City Attorney Soltani noted for Commissioner Mitoma that the City has received upwards of 10 letters from firms threatening lawsuits if the 1,000-foot setback is approved.

Commissioner Andrews asked if it is likely the oil companies will sue at 750 feet.

Mr. Cordova stated that E&B would not pursue litigation if the setback is lowered to 750 feet.

Vice-Chairman Madrigal's substitute motion failed as follows (750-foot setback):

AYES:       Cinco, Diaz, Madrigal, Pimentel  
NOES:       Andrews, Palmer, Post, Thomas  
ABSTAIN:   Mitoma  
ABSENT:    Fe'esago, Guidry

Commissioner Andrews' motion failed as follows (1,000-foot setback):

AYES:       Andrews, Palmer, Post, Thomas  
NOES:       Cinco, Diaz, Madrigal, Pimentel  
ABSTAIN:   Mitoma  
ABSENT:    Fe'esago, Guidry

Discussion ensued with regard to the ramifications of a 1,000-foot setback on the existing oil companies in Carson, using E&B Natural Resources as an example.

Vice-Chairman Madrigal moved, seconded by Commissioner Cinco, to amend the Planning Commission's original motion, reducing the recommendation for a 1,000-foot setback to a 750-foot setback. (This motion ultimately passed.)

By way of a substitute motion, Commissioner Thomas moved, seconded by Commissioner Post, not to amend the Planning Commission's original motion to recommend the approval of a 1,000-foot setback.

Commissioner Thomas' substitute motion failed as follows:

AYES: Andrews, Palmer, Post, Thomas  
NOES: Cinco, Diaz, Madrigal, Mitoma, Pimentel  
ABSTAIN: None  
ABSENT: Fe'esago, Guidry

Vice-Chairman Madrigal's motion to reduce the setback to 750 feet carried as follows (Resolution No. 15-2557):

AYES: Cinco, Diaz, Madrigal, Mitoma, Pimentel  
NOES: Andrews, Palmer, Post, Thomas  
ABSTAIN: None  
ABSENT: Fe'esago, Guidry

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## 10. CONTINUED PUBLIC HEARING

### A) Zone Text Amendment No. 20-15 (Continued from October 13, 2015)

#### Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission consider adoption of an Ordinance prohibiting hydraulic fracturing ("fracking"), acidizing and any other form of well stimulation, and a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308 for properties citywide.

#### Staff Report and Recommendation:

If the Planning Commission is inclined to recommend approval of the Ordinance prohibiting hydraulic fracturing, etc., and the associated CEQA finding to the City Council with the staff additions, staff recommends the Planning Commission ADOPT RESOLUTION NO. 15-2562; RECOMMEND APPROVAL of a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308, as the Ordinance is an action taken by a regulatory agency for the protection of the environment; and RECOMMEND APPROVAL to the City Council an Ordinance to adopt Text Amendment No. 20-15, adding Sections 9535, 9536 and 9536.1 to, and amending Section 9501.B of, Chapter 5 of Article IV of the Carson Municipal Code to prohibit well stimulation techniques, including hydraulic fracturing ("fracking") and acidizing, in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city.

Mr. Perez noted that as directed by the Commission, they have met with the new City Manager, with community members and other stakeholders; that they also spent time reviewing additional literature and studies that have been completed which have been very pressing to this issue, including fracking studies by the CCST and also from other states; and that they have looked at potential options from those materials and those submitted by the industry. He highlighted staff recommendation for a fracking ban which prohibits the storage of certain volumes of acid on site; that it limits the amount of water usage unless approved by the City Manager; and that it regulates the amount of truck trips to the site for water deliveries. He stated that 9535 would create operational prohibitions that would prevent any company from conducting any fracking operation.

Mr. Perez stated that in addition to that language for 9535, specific language in 9536 would prohibit hydraulic fracturing, acidizing or any other well stimulation treatment. He explained that because the industry uses acid for maintenance purposes, the fracking ban would exclude the use of acid and other methods for maintenance purposes; and that there is also an exception in the event an operator can demonstrate to the City Manager that the well stimulation technique is necessary to recover the operator's reasonable investment. He added that language also has been added to address violation fees of up to \$100,000 per calendar day, at the discretion of City Manager.

Chairman Diaz opened the public hearing.

Robert Leslie, resident, expressed his belief this ordinance is ambiguous and flawed; stated that flaring has not been addressed; that the impacts of steaming has not been adequately addressed, noting his concern with leakage of chemicals; and stated that more information is needed to address pressure operations and its impacts.

Christopher St. Anne, resident, commented on this new ordinance and its negative impacts on local tax revenues and services, stating it discourages oil production. He stated that Carson residents use and rely on these services every day; and that the City should be working to strengthen employment opportunities for Carson residents instead of hurting their chances.

William Navarro, resident, stated that this industry provides community benefits, generates revenues for police, fire, schools, libraries; and urged the Commission to consider the loss of jobs if this is passed.

Cruz Gonzales, resident, stated that this industry generates important tax revenues and funds important community services, such as schools, parks, libraries, roads, police, and fire protection; and he urged the Planning Commission to delay making a decision until it has considered all options, not just a flat-out ban on production techniques.

William Smart, Los Angeles, advised that Californians consume all the oil and gas that is generated in this state; stated that the government requires 60 percent of its energy supplies be imported; and stated that these energy supplies should come from local resources and not from unregulated foreign countries. He urged the Commission to consider all available options.

Resident, stated that this industry funds vital services, such as schools, police, fire, libraries; pointed out that California is already heavily regulated and is the strictest in the nation, designed to protect human health and the environment; stated that this industry should be allowed to continue oil production in California, thereby providing jobs and vital tax revenues and to achieve energy independence; and urged the Planning Commission to take into account all options before enacting a harmful ordinance that will ruin the economy all the way around.

Tina Bulchand, Director of Search to Involve Pilipino Americans (SIPA), stated that she comes across people every day who are struggling to find employment; stated that they help people find jobs and other business opportunities; pointed out that 35 percent of people in Southern California has a high school degree or less and urged the City not to pass an ordinance that will impact employment opportunities.

Antonio Garcia, Gardena, President of Southern California Hispanic Chamber of Commerce, expressed his belief that this ordinance will have an enormous negative impact on the entire region, urging the Commission to consider all possible options before voting.

Mike Lavatai, IBEW Local 11, stated that this industry provides high paying jobs and vital tax revenues; and urged the Commission to carefully consider all options.

Alexandra Nagy, Southern California Food and Water Watch, noted her support for a ban on fracking, believing it leads to ground water contamination, air pollution, health problems, and earthquakes. She highlighted the work being undertaken statewide by Food and Water Watch, noting they are leading the statewide effort to ban fracking nationwide. She added that water contamination is threatening the health and safety for all, noting that this contamination is not being adequately reported; that the oil companies are not forthcoming with these issues; and that there is a lack of adequate oversight of this industry.

Chris Huntington, IBEW Local 11, stated it is vital to keep the jobs in this region; and urged the Commission to carefully consider the economic impacts of this ordinance.

Dianne Thomas, resident, stated this should be about quality of life; pointed out that due to the shrinking price of oil, every refinery has had massive layoffs; and stated that analysts predict the price of oil will continue to go down. She stated that clean energy jobs are this country's future, jobs that will provide a better quality of life for all; and stated that the fracking ban needs to go forward.

Thomas Walker, Huntington Beach, pointed out that when he started working in this industry in 1986, the price per barrel of oil dropped from \$28 a barrel to \$14; and that he has seen oil prices rise and fall over the years and he has remained gainfully employed in this industry for roughly 30 years. He pointed out there is a lot of difference between fracking water injection and water disposal issues. He stated that the ordinance needs to further define acidation and the allowance of water flooding, stating it currently is not clear; and advised that this has all been safely done since 1947. He asked that the ordinance allow water flooding and simple well maintenance techniques.

Benjamin Hanelin, Californians for Energy Independence, stated that California has the most stringent regulations for this industry and that these operations have been done safely for many decades. He stated that this is not an extreme method of production; and that it's been safely done in California for many years. He pointed out that what happens here in California is different from other states; advised that a recent EPA 5-year study found no increased impacts as a result of hydraulic fracturing; and stated that a ban on fracking is not necessary. He pointed out a ban is unwise, exposes the City to unnecessary risk, and sends the wrong message; and he strongly urged the Commission to recommend against a ban on hydraulic fracking, that other options need to be considered.

Chairman Diaz closed the public hearing.

Mr. Perez highlighted the available options for consideration this evening: Option 1, approve as is with safety clause; Option 2, complete ban with enhanced appeal process (allow appeal to Planning Commission on safety clause issue); Option 3, no ban; Option 4, comprehensive restrictions (require city permit, evidence of compliance with state laws, etc.); and Option 5, other options. He added that with the comprehensive option, the City would be deferring a lot to DOGGR's permitting requirements per SB-4; he pointed out that the likelihood of fracking in Carson is very low; and that the reason this ban is before the Planning Commission is because of City Council direction from May of last year.

Planning Commission Decision:

Commissioner Post moved to continue this matter to the Planning Commission's February 9, 2016, meeting. This motion died due to the lack of a second.

Commissioner Thomas moved, seconded by Commissioner Andrews, to adopt staff recommendation to ban fracking, Option 2, a complete ban with enhanced appeal process, allowing appeal to the Planning Commission on safety clause issues. (This motion ultimately passed.)

By way of a friendly amendment, Commissioner Mitoma asked that cyclic steaming also be included in this ban.

Commissioner Thomas did not accept the friendly amendment.

By way of a substitute motion, Commissioner Mitoma moved to adopt staff recommendation to ban fracking, Option 2, a complete ban with enhanced appeal process, allowing appeal to the Planning Commission on safety clause issues; and to include cyclic steaming in this ban. This motion died due to the lack of a second.

Commissioner Thomas' motion carried as follows, adopting Resolution No. 15-2562:

AYES: Andrews, Madrigal, Mitoma, Palmer, Post, Thomas

NOES: Cinco, Diaz, Pimentel

ABSTAIN: None

ABSENT: Fe'esago, Guidry

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**11. PUBLIC HEARING**

**A) Conditional Use Permit No. 990-15**

Applicant's Request:

The applicant, Scott Hampton, for Carson Toyota, is requesting the demolition of an existing electronic message center sign and construction of a new LED electronic message center sign for Carson Toyota for the property located at 1333 E. 223<sup>rd</sup> Street.

Staff Report and Recommendation:

Planning Manager Naaseh presented staff report and the recommendation to APPROVE Categorical Exemption and Conditional Use Permit No. 990-15 subject to the conditions attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 15-2558, approving Conditional Use Permit No. 990-15 for construction of a 676.5-square-foot LED electronic message center sign to be located at 1333 E. 223<sup>rd</sup> Street.

Commissioner Thomas noted his concerns with the potential of traffic accidents and digital displays.

Planning Manager Naaseh stated that the Caltrans guidelines are adhered to with these digital signs.

Chairman Diaz opened the public hearing.

Diaa Ahmed, Carson Toyota General Manager, advised that they sold 5,400 cars so far this year, believing the digital signage will increase their sales.



Rod Wilson, owner of EMI, stated that these signs must abide by Caltrans standards; he asked that Condition No. 17 be amended as follows: "The existing pylon sign shall be removed prior to ~~issuance of the building permits~~ **to the proposed sign being installed**"; and he noted his concurrence with the remainder of the conditions of approval.

Ernie Paculba, Jay Street resident, noted his concerns with traffic safety in this area on 223<sup>rd</sup> Street and specifically with a stop light on Lincoln at 223<sup>rd</sup> Street that was approved over a year ago.

Planning Manager Naaseh noted he will get an update on that from the traffic engineer.

There being no further input, Chairman Diaz closed the public hearing.

Planning Commission Decision:

Commissioner Mitoma moved, seconded by Commissioner Thomas, to approve the applicant's request; moved to amend Condition No. 17, "...shall be removed prior to ~~issuance of the building permits~~ **the proposed sign being installed...**"; and moved to adopt Resolution No. 15-2558. Motion unanimously carried, 7-0, (absent Fe'esago, Guidry).

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## 11. PUBLIC HEARING

### B) Design Overlay Review No. 1591-15 and Conditional Use Permit No. 989-15

Applicant's Request:

The applicant, Verizon, is requesting to approve a 64-foot high major communications facility designed to resemble a eucalyptus tree (mono-eucalyptus), an equipment shelter, and general site improvements in the ML-D (Manufacturing, Light – Design Overlay) zoning district. The subject property is located at 17210 Main Street.

Staff Report and Recommendation:

Associate Planner Alexander presented staff report and the recommendation to APPROVE Design Overlay No. 1591-15 and Conditional Use Permit No. 989-15 subject to conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 15-2559, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1591-15, and Conditional Use Permit No. 989-15 for a major exception to build a 64-foot-high major communications facility disguised to resemble a eucalyptus tree (mono-eucalyptus), construct an equipment shelter and provide general site improvement to a property located at 17210 Main Street."

Associate Planner Alexander noted for Commissioner Mitoma that there is a 120-foot strip/landscape buffer and advised that this proposal meets FCC standards.

Chairman Diaz opened the public hearing.

Peter Blied, applicant's representative, thanked and commended Associate Planner Alexander for getting this project quickly before the Planning Commission; stated that this request is necessary to fill a void in coverage at this location; advised that they will be using the newest technology; and he commented on the growing number of households that are eliminating landlines and the growing importance of filling all voids in cell tower coverage, which includes E-911 emergency cell phone calls.

There being no further input, Chairman Diaz closed the public hearing.

Planning Commission Decision:

Vice-Chairman Madrigal moved, seconded by Commissioner Andrews, to approve the applicant's request, thus adopting Resolution No. 15-2559. Motion unanimously carried, 7-0 (absent Fe'esago, Guidry).

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**11. PUBLIC HEARING**

**C) Relocation Review No. 3050-15**

Applicant's Request:

The applicant, Glen Davis for AECOM, is requesting to permit a temporary contractor's yard and three temporary modular offices for a six-year period in the MH-D (Manufacturing, Heavy – Design Overlay) zoning district. The subject property is located at 133T W. Lomita Boulevard (APN 7406-026-918).

Staff Report and Recommendation:

Associate Planner Alexander presented staff report and the recommendation to APPROVE Relocation Review No. 3050-15 subject to the conditions of approval attached as Exhibit "B" to the Resolution; WAIVE further reading and ADOPT Resolution No. 15-2560, entitled, "A Resolution of the Planning Commission of the city of Carson approving Relocation Review No. 3050-15 to approve a temporary contractor's yard consisting of three temporary modular offices and designated storage and parking areas for six years at property located at 133T Lomita Boulevard (APN 7406-026-918)."

Chairman Diaz opened the public hearing.

Glen Davis, applicant's representative, explained that this is the most appropriate site to accommodate the work that will be done, noting that the workers will park at this site and will be shuttled to the work area; stated that the workforce meetings will take place at this site; and advised that the parking area will be paved. He noted his concurrence with the conditions of approval.

There being no further input, Chairman Diaz closed the public hearing.

Planning Commission Decision:

Commissioner Post moved, seconded by Chairman Diaz, to concur with staff recommendation, thus adopting Resolution No. 15-2560. Motion unanimously carried, 7-0 (absent Fe'esago, Guidry).

## **11. PUBLIC HEARING**

### **D) Zone Text Amendment No. 22-15**

#### Applicant's Request:

The applicant, city of Carson, is requesting to consider adoption of an Ordinance allowing directional wayfinding signs for properties citywide.

#### Staff Report and Recommendation:

Planning Manager Naaseh presented staff report and the recommendation to ADOPT Resolution No. 15-2561, RECOMMENDING APPROVAL of a finding that the adoption of this Ordinance Amendment is exempt from CEQA pursuant to Section 15061(b)(3), because there is no possibility that the activity may have a significant effect on the environment; and RECOMMENDING APPROVAL to the City Council an Ordinance to adopt Text Amendment No. 22-15 adding Section 9167.4 (Directional Wayfinding Signs) of Division 7 (Signs) of Part 6 (General Development Standards) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code to allow directional signs along City maintained roads.

Planning Manager Naaseh noted for Commissioner Palmer that this is not intended to generate revenues, that the companies who want the directional signage will be paying for those signs.

Chairman Diaz opened the public hearing. There being no input, Chairman Diaz closed the public hearing.

#### Planning Commission Decision:

Commissioner Palmer moved, seconded by Commissioner Mitoma, to concur with staff recommendation, thus adopting Resolution No. 15-2561. Motion unanimously carried, 7-0 (absent Fe'esago, Guidry).

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## **11. PUBLIC HEARING**

### **E) Zone Text Amendment No. 23-15**

#### Applicant's Request:

The applicant, city of Carson, is requesting to consider adoption of an Ordinance to prohibit medical marijuana dispensaries, mobile dispensaries, and marijuana cultivation in all zones citywide.

#### Staff Report and Recommendation:

Planning Manager Naaseh stated that this matter is being referred back to staff to be presented at a later date.

Chairman Diaz opened the public hearing.

Richard Bis, resident, urged the City to continue its ban on medical marijuana dispensaries, highlighting the City's involvement with the Red Ribbon Week program;

and he commented on driving impairments of those under the influence of drugs and alcohol. He distributed to the Commission a flyer to describe the mission of Carson Initiative for Substance Abuse Awareness and Prevention (CISAAP), a program/coalition for drug-free and underage-drinking-free neighborhoods in Carson.

Vera Robles-Dewitt, resident, suggested that the City look at how other cities are currently dealing with this legislation in their communities.

There being no further input, Chairman Diaz closed the public hearing.

Planning Commission Decision:

Without objection, Chairman Diaz ordered this matter referred back to staff, bringing it back at a later date.

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**11. PUBLIC HEARING**

**F) Conditional Use Permit No. 978-15**  
(This item to be continued indefinitely)

Applicant's Request:

The applicant, Mike Kelton, is requesting to permit the storage of hazardous materials within existing buildings totaling approximately 253,092 square feet on a 12.4-acre site zoned MH (Manufacturing, Heavy). The subject property is located at 2132 E. Dominguez Street "Building A."

Staff Recommendation:

Continue indefinitely

Chairman Diaz opened the public hearing. There being no further input, Chairman Diaz closed the public hearing.

Planning Commission Decision:

Without objection, Chairman Diaz ordered this matter continued indefinitely.

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**12. WRITTEN COMMUNICATIONS** None

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**13. MANAGER'S REPORT**

- Cancellation of December 22<sup>nd</sup> Planning Commission meeting

Planning Manager Naaseh stated there are no items for the December 22<sup>nd</sup> meeting, noting that meeting will go dark. He invited the Commissioners to volunteer to work with him on addressing when to require a community meeting to take place on items brought before the Planning Commission, noting those ultimate recommendations would come to the Planning Commission for consideration. Commissioners Mitoma and Thomas volunteered for that task.

#### 14. COMMISSIONERS' REPORTS

Commissioner Post noted her disappointment in tonight's agenda item to amend the original Planning Commission decision to reduce the setback from 1,000 feet to 750 feet, pointing out that many people have worked tirelessly on this effort; and she expressed her belief this was politically motivated. She wished everyone happy holidays.

Vice-Chairman Madrigal wished everyone happy holidays; and noted his appreciation of staff's and the Commissioners' hard work throughout the year.

On behalf of the City Attorney's Office, City Attorney Soltani applauded the Planning Commission for all their hard work, especially with the oil and gas update; advised that with the passing of this oil and gas code update, Carson will have the most well-reasoned and comprehensive oil code in the state; pointed out that it provides absolute protections for the residents and the community; and stated she is amazed with what this Commission has accomplished.


Chairman Diaz thanked staff, the attorneys, the Commissioners, the consultants, and all the stakeholders for their efforts this year; and noted his respect and admiration for the Commission's opinions regardless of their opposing beliefs/votes; and he urged the Commission to keep their comments respectful and civil when not in agreement with other Commissioners.

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#### 15. ADJOURNMENT

At 9:30 P.M., the meeting was formally adjourned to January 12, 2016, 6:30 P.M., Helen Kawagoe Council Chambers.

  
Chairman

Attest By:   
Secretary