



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 8, 2009

SUBJECT: Design Overlay Review No. 1310-09; Conditional Use Permit No. 724-09; and Conditional Use Permit No. 725-09

APPLICANT: SFC Communications, Inc.
Attn: Sandra Jacobs
2612 Marguerite Parkway, Suite H424
Mission Viejo, CA 92692

REQUEST: To install a 60-foot high, unmanned, co-locatable wireless telecommunication facility disguised as a Broad leaf tree (mono-broadleaf) on an approximately 6-acre lot in the MH (Manufacturing, Heavy) zoning district.

PROPERTY INVOLVED: 21136 S. Wilmington Avenue

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

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

Item No. 11A

I. Introduction

The applicant is proposing the development of a 60-foot high, co-locatable, unmanned wireless telecommunications facility disguised as a broadleaf tree (mono-broadleaf) on the east side of the property in the rear of the lot. An eight-foot-high chain-link fence will enclose the proposed 640-square-foot lease area which includes the mono-broadleaf, step-down transformer and four equipment cabinets. The subject property is approximately six acres located in the MH (Manufacturing, Heavy) zoning district. The proposed mono-broadleaf will be located over 100 feet from the front property line. A total of 30 antennas are proposed with this application. Royal Street will require 6 panel antennas (2 antennas on each of the 3 sectors) and 24 additional antennas for two future carriers. An existing trash enclosure located in the project area will be relocated to the north to accommodate the proposed mono-broadleaf.

II. Background

The subject property is six acres measuring 200 feet wide and 840 feet long. The property currently has a two-story, 215,109-square-foot, multi-tenant building used for warehousing, office, wholesale and freight forwarding. Parking is located north of the existing building and throughout the remainder of the property. There is no current zoning code enforcement case associated with this property.

III. Analysis

Section 9138.16(B)(8-11, 14, 18) of the Carson Municipal Code (CMC) defines the proposed project as a ground-mounted, stealth, major wireless telecommunication facility. Procedural standards contained in this Section require that a major wireless telecommunication facility be subject to the approval of a development plan in accordance with Sections 9172.23, Site Plan and Design Review (DOR), and Section 9172.21, Conditional Use Permit (CUP). In addition to a DOR, this project requires two conditional use permits. Section 9138.16 (D)(2) states that a CUP is required to allow the use of a major wireless telecommunication facility and Section 9138 (G) requires a CUP to allow the height to exceed the allowable 50 feet by 20% to total a height of sixty (60) feet.

DESIGN OVERLAY REVIEW NO. 1310-09

The Planning Commission may approve Design Overlay Review No. 1310-09 if the following findings can be made in the affirmative, as per CMC Section 9172.23(D):

- a. **Compatibility with the General Plan, any specific plans for the area, and surrounding uses.**



The subject property is designated as Heavy Industrial in the Land Use Element of the General Plan. The project site is located in the eastern part of the City of Carson on the east side of Wilmington Avenue, north of 213th Street and south of Dominguez Street. There are no specific plans for the area. Surrounding properties to the north, south and east have General Plan Land Use designations of Heavy Industrial. A chain link fence is located along the side and rear property lines. There is a railroad track east of the property. Approximately 83 linear feet of street frontage along Wilmington Avenue is located to the west. Properties to the west across Wilmington Avenue have a General Plan Land Use designation of Light Industrial. Surrounding areas include: a pallet company to the north; manufacturing and warehouse to the south; manufacturing and auto repair/logistics to the west; and freight forwarding/warehouse to the east. The proposed use is a permitted use in the MH zoning district and will be compatible with these surrounding uses in that it will not significantly impact the adjacent properties, in terms of noise, dust, odor, aesthetics or other environmental considerations.

- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.**

The properties located to the north, south and east of the proposed development are all industrial uses. Properties located west of Wilmington Avenue are light industrial uses. The proposed mono-broadleaf and related equipment, power and telephone company equipment cabinetry will occupy a lease area of approximately 640 square feet at the rear of the property – along the eastern property line adjacent to the north side of the existing building, in an area where an existing trash area is located. A new trash area will be constructed adjacent to the north side of the new telecommunication facility. The property is generally rectangular in shape and the proposed facility is located in an appropriate area in the rear of the property. The proposed facility would be screened and would blend in with the numerous trees located along the front of the property on Wilmington Avenue. Additional landscape screening is not necessary due to the location of the lease area on the subject property, which is located in an industrial area. As such, the aesthetic impacts will not be significant and the proposed project will be harmonious and attractive to the area.

- c. Convenience and safety of circulation for pedestrians and vehicles.**

The proposed facility will be located in an area that does not require the removal or alteration of the parking facility. The driveway widths and parking spaces will remain code-compliant, thereby adequately maintaining the convenience and safety of circulation for pedestrians and vehicles.

d. Attractiveness, effectiveness and restraint in signing, graphics and color.

Apart from the required safety, directional or informational signs, no product advertising signs are proposed for the project. The proposed facility is intended to simulate a broadleaf tree, in terms of shape and appearance. The use of synthetic rubber bark and leaves will be effective in helping to stealth the facility.

e. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15

The project is compliant with applicable design standards and guidelines.

In addition to the findings in Section 9172.23(D) of the CMC, the Planning Commission shall be guided by the provisions of Subsection F, Development and Design Standards, of Section 9138.16, which includes standards for setbacks, height, wiring, painting, lighting, noise and signs. Also, Subsection H, Findings, of Section 9138.16, which includes the following:

a. The proposed site is the best alternative after considering co-location with another facility and location at another site.

The applicant considered other industrial sites to the north and south but the sites did not have adequate space needed to accommodate a co-locatable facility. Determining factors in site selection included the ability to lease the necessary property, ability to construct the proposed site, conformance to the zoning code, and the ability to provide adequate radio frequency coverage and connect to surrounding network sites. The subject site was chosen based on these determinants.

b. The proposed wireless telecommunication facility will be located and designed to minimize the visual impact on surrounding properties and from public streets, including adequate screening through the use of landscaping that harmonize with elements and characteristics of the property and/or stealthing which incorporates the facility with the structure in which it will be mounted through use of material, color and architectural design.

There are a total of up to 30 panel antennas, which are proposed to be located in 3 sectors (6 panels on top sector and up to 12 panels per each lower two sectors). The synthetic tree branches, colored to simulate real branches, will feature synthetic leaves. The branches will start from approximately 15 feet above ground level and crown at the top of the tree to a total height of 60 feet, extending 10 feet at most from the center pole. The pole will be wrapped in a synthetic rubber material designed to resemble bark.

c. The proposed wireless telecommunication facility is not located on any residential dwelling or on any property which contains a residential



dwelling, except as may be associated with a church, temple, or place or religious worship.

The nearest residential properties are single-family homes located over 400 feet to the west across Wilmington Ave and southwest of 213th street.

CONDITIONAL USE PERMIT NO. 724-09

Approval of a CUP is required for a freestanding Major Wireless Telecommunication Facility in a manufacturing zone. Section 9172.21(D) of the Zoning Ordinance requires that the Planning Commission, by resolution, render its approval for a Conditional Use Permit based on the ability to make affirmative findings concerning the following:

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

The proposed use and development will be consistent with General Plan goals, which include promoting sustainable energy, communication, and other systems which meet the needs of the community.

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 six acres in size, rectangular and flat. The site is already developed for an industrial use. The site is located off of a major street and is surrounded by developed properties that are served by adequate infrastructure and utilities. Thus there are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power, telephone and other utility to their respective sources.

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

Access to the facility for routine maintenance or emergency repair is proposed from Wilmington Avenue along a twelve (12) foot easement for ingress and egress. The proposed facility will not impact traffic in the vicinity except possibly during the construction phase of the project and for the occasional maintenance vehicle.

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

The Los Angeles County Fire Department has reviewed the proposed project. Their concern did not address water supply adequacy. Based on their review, it is assumed that water supply to the project site is adequate.

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

The proposed use will not negatively impact in the vicinity of the subject site, in terms of parking, traffic, noise and safety. The intended character of the area is for all types of industrial activities which the proposed use is compatible.



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

In addition to the general criteria for the approval of a Conditional Use Permit, Section 9143 of the CMC outlines special criteria and limitations as indicated below that shall be considered in acting upon a Conditional Use Permit in an industrial zone:

- a. **Possible hazards to the surrounding area as a result of the proposed use.**

The equipment associated with the wireless communication facility will not be located in close proximity to sensitive receptors and does not emit fumes, smoke, or odors that could be considered objectionable.

- b. **Possible hazards to the proposed use due to proximity or integration with uses in the surrounding area.**

The proposed facility is generally compatible with the existing uses within the MH zoning district both in terms of use and aesthetics. This infrastructure will significantly improve communication service in the area in terms of allowing greater capacity opportunities for carriers and their customers, and further enhance the general welfare of the public by requiring a stealth co-locatable facility that will minimize the proliferation of individual poles in the area.

- c. **Cumulative and interactive effects upon the environment and public safety resulting from the interrelation, magnitude and intensity of industrial activities in the area.**

All FCC licensed wireless service providers are prohibited from maintaining any interference with exiting licensed communication uses, and must comply with all FCC emissions guidelines.

CONDITIONAL USE PERMIT NO. 725-09

Section 9138.16(F)(2)(d) of the Zoning Ordinance allows the Planning Commission to consider of approval of facilities to exceed the maximum height described in Section 9138.16(B)(10) subject to approval of a Conditional Use Permit. Such Conditional Use Permit for new facilities shall authorize a height limit in conformance with Subsection G, Minor Exceptions, of Section 9138.16. Subsection G provides for a twenty percent increase in the maximum height allowed by Section 9138.16(F)(2)(b), which is 50 feet in the MH zone. Thus, a total height of 60 feet is allowed if the Planning Commission approves a height modification. The height modification can be approved if at least one of the following findings is made based on evidence submitted by the applicant:

- a. **Existing natural geographic conditions preclude an obstruction-free reception area and there's no other option, including relocation, available.**



- b. Relief from the development standards results in a more appropriate design which minimizes the visual impact of the facility.
- c. The antenna height must be increased in order to accommodate the establishment of a co-located facility and there is no other option available.
- d. Visual impacts are negligible because the facility is designed to architecturally integrate with the surrounding environment.

The proposed project is designed to resemble a broadleaf tree to complement the existing trees at the rear perimeter of the property. Although the height of the proposed mono-broadleaf will be taller than the existing trees, efforts have been made to architecturally integrate the proposed project with the surrounding environment.

Based upon the discussion above, all of the required findings pursuant to Section 9172.23(d), Site Plan and Design Review, Approval Authority and Findings and Decision, Section 9171.21(d), Conditional Use Permit, Commission Findings and Decision, as well as all other specific criteria identified for each of the discretionary permits can be made in the affirmative.

IV. Environmental Review

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the proposed installation of a wireless telecommunications facility on a developed industrial property does not have the potential for causing a significant effect on the environment and is found to be exempt. A Notice of Exemption will be prepared if this project is approved.

V. Conclusion

The above analysis documents that the proposed wireless facility installation is consistent with the current wireless telecommunications facilities regulations in the Carson Municipal Code, to include the applicable zoning district and use, and proper land use planning principles. The proposed facility will be compatible with the industrial area and provide wireless customers in the area with improved service.

VI. Recommendation

That the Planning Commission:


- WAIVE further reading and ADOPT Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1310-09, CONDITIONAL USE PERMIT NO. 724-09 AND CONDITIONAL USE PERMIT NO. 725-09 FOR A FREESTANDING 60-FOOT HIGH WIRELESS TELECOMMUNICATION FACILITY DISGUISED AS A BROAD-LEAF TREE (MONO-BROADLEAF) LOCATED AT 21136 S. WILMINGTON AVENUE."



VII. Exhibits

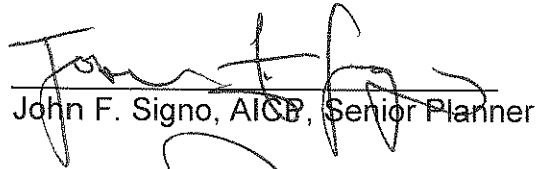
1. Land Use Map
2. Photo simulations – Global Tower, LLC
3. Coverage Maps – Metro PCS
4. Draft Resolution
5. Proposed Plans (Submitted under separate cover)

Prepared by:




McKina Alexander, Planning Technician

Reviewed by:



John F. Signo, AICP, Senior Planner

Approved by:



Sheri Repp, Planning Manager

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON
APPROVING DESIGN OVERLAY REVIEW NO. 1310-09, CONDITIONAL USE PERMIT NO.
724-09 AND CONDITIONAL USE PERMIT NO 725-09 FOR A FREESTANDING 60-FOOT
HIGH CO-LOCATABLE WIRELESS TELECOMMUNICATION FACILITY DISGUISED AS A
BROADLEAF TREE (MONO-BROADLEAF) LOCATED AT 21136 S. WILMINGTON
AVENUE

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, SFC Communications, Inc., with respect to real property located at 21136 S. Wilmington Avenue and described in Exhibit "A" attached hereto, requesting approval to construct a 60-foot high, unmanned, co-locatable telecommunications facility disguised as a Broadleaf tree (mono-broadleaf) on a six-acre lot in the MH (Manufacturing, Heavy) zoning district.

A public hearing was duly held on September 8, 2009, 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. Pursuant to the following Section 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision; Section 9172.21(D) – Commission Findings and Decision; Section 9143 – Conditional Use Criteria; and Section 9138.16(H), Wireless Telecommunication Facilities – Required Findings of the Carson Municipal Code, the Planning Commission finds that:

- a) The subject property is designated as Heavy Industrial within the Land Use Element of the General Plan. Surrounding properties to the north, south and east have General Plan Land Use designations of Heavy Industrial. To the west of the subject property is Wilmington Avenue. Properties to the west across Wilmington Avenue have a General Plan Land Use Designation of Light Industrial. There are no specific plans for the area. The project site is located in the eastern portion of the City of Carson on the east side of Wilmington Avenue, north of 213th Street and south of Dominguez Street. Surrounding uses include: a pallet company to the north; manufacturing and warehouse to the south; manufacturing and auto repair/logistics to the west; and freight forwarding/warehouse to the east. The proposed use is permitted use in the MH zoning district and will be compatible with these surrounding uses in that it will not significantly impact adjacent properties, in terms of noise, dust, odor, aesthetics or other environmental considerations. The proposed project is appropriate as it will not alter the intended heavy industrial use of the subject property.
- b) The proposed mono-broadleaf and related equipment, power and telephone company equipment cabinetry will occupy a lease area of approximately 640 square feet at the rear of the property along the eastern property line in an area where an existing trash area is located. A new trash area will be constructed to the north of the new cell site pursuant to applicable CMC sections. The

property is generally rectangular in shape. Power is located on the south-eastern end of the property within the existing building. Numerous trees are located on Wilmington Avenue in front of the subject property. Additional landscape screening is not necessary due to the location of the lease area within the industrial area and its location in the rear of the property. The proposed development is intended to resemble a broadleaf tree to complement the existing trees on the site along the rear perimeter of the property. As such, the aesthetic impacts will be lessened, thus helping to achieve a harmonious and attractive development of the area.

- c) Access to the facility for routine maintenance or emergency repair is proposed on Wilmington Avenue along a 12-foot easement for ingress and egress. The proposed facility will not impact traffic in the vicinity except possibly during the construction phase of the project and for the occasional maintenance vehicle. Safety and convenience of vehicular and pedestrian access will not be hindered by the proposed development.
- d) Apart from the required safety, directional or information signs, no product advertising signs are proposed for the project. The proposed facility is intended to simulate a broad leaf tree, in terms of shape and appearance. The use of synthetic rubber bark and leaves will be effective in helping to stealth the facility.
- e) The applicant considered other industrial sites to the north and south but the sites did not provide adequate space for equipment needed for a co-locatable facility. Determining factors in site selection included the ability to lease the necessary property, ability to construct the proposed site, conformance to the zoning code, and the ability to provide adequate radio frequency coverage and connect to surrounding network sites. The subject site was chosen based on these determinants.
- f) The subject property is approximately six acres, rectangular and flat. The site is already developed for an industrial use. The site is located off of a major street and is surrounded by developed properties that are served by adequate infrastructure and utilities. Thus there are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power, telephone lines and other utilities.
- g) The proposed use will not negatively impact the vicinity in terms of parking, traffic, noise and safety. The intended character of the area is for industrial activities which the proposed use is compatible.
- h) The proposed wireless telecommunication facility is located and designed to minimize the visual impact on surrounding properties and from public streets, including stealthing which includes disguising the facility to resemble a broadleaf tree. The synthetic tree branches, colored to simulate real branches, will feature synthetic leaves. The pole will be wrapped in a synthetic rubber material designed to resemble bark.
- i) The proposed wireless telecommunication facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore, all of the required findings pursuant to Section 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision; Section 9172.21(D) – Commission Findings and Decision; Section 9143 – Conditional Use Criteria; and Section 9138.16(H), Wireless

Telecommunication Facilities – Required Findings of the Carson Municipal Code, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed installation of a wireless telecommunications facility on a developed industrial property does not have the potential for causing a significant effect on the environment and is found to be categorically exempt, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1310-09, Conditional Use Permit No. 924-09, and Conditional Use Permit No. 925-09 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF SEPTEMBER, 2009.

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

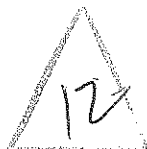
THAT PORTION OF LOT 3 IN BLOCK "B" OF THE SUBDIVISION OF THE PORTION OF THE RANCHO SAN PEDRO, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGES 601 AND 602 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF SAID LOT WITH A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTHERLY 15 ACRES OF SAID LOT AND DISTANT SOUTHERLY 165 FEET, MEASURED AT RIGHT ANGLES THEREFROM; THENCE NORTH 89° 58' 40" EAST ALONG SAID PARALLEL LINE 1320.97 FEET; MORE OR LESS, TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTHERLY ALONG SAID EASTERLY LINE 209.36, MORE OR LESS, TO A LINE WHICH IS PARALLEL WITH SAID SOUTH LINE OF THE NORTHERLY 15 ACRES OF SAID LOT AND DISTANT SOUTHERLY 365 FEET, MEASURED AT RIGHT ANGLES THEREFROM; THENCE SOUTH 89° 58' 40" WEST ALONG SAID PARALLEL LINE 1321.12 FEET, MORE OR LESS, TO THE WESTERLY LINE OF SAID LOT; THENCE NORTHERLY ALONG SAID WESTERLY LINE TO THE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR RAILROAD SPUR TRACK, OVER THAT PORTION OF LOT 3 IN BLOCK "B" OF THE SUBDIVISION OF A PORTION OF THE RANCHO SAN PEDRO, AS PER MAP RECORDED IN BOOK 1 PAGES 601 AND 602 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

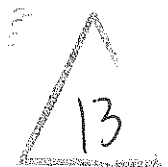
BEGINNING AT THE SOUTHEASTERLY CORNER OF THE NORTHERLY 15 ACRES OF SAID LOT; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, 172.72 FEET, MORE OR LESS, TO A LINE PARALLEL WITH THE SOUTHERLY LINE OF THE NORTHERLY 15 ACRES OF SAID LOT AND DISTANT SOUTHERLY 165 FEET, MEASURED AT RIGHT ANGLES THEREFROM; THENCE WESTERLY ALONG SAID PARALLEL LINE 50 FEET; THENCE NORTHEASTERLY IN A DIRECT LINE, 190 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1310-09
CONDITIONAL USE PERMIT NO. 924-09
CONDITIONAL USE PERMIT NO. 925-09

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 1310-09, Conditional Use Permit No. 924-09, and Conditional Use Permit No. 925-09 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 previously 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 comply with all city, county, state and federal regulations applicable to this project.
4. 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 by the Planning Commission.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



7. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
8. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the Planning Division in writing in the event that the use of the facility is discontinued for any reason. In the event the facility is discontinued or abandoned for a period of more than 180 days, then the owner(s) and/or operator(s) shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises as appropriate so as to be in conformance with applicable zoning codes at the owner's and/or operator's expense. All such removal, repair and restoration shall be completed within 90 days after the use is discontinued or abandoned, and shall be performed in accordance with all applicable health and safety requirements.
9. 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 Design Overlay Review No. 1310-09, Conditional Use Permit No. 724-09 and Conditional Use Permit No. 725-09. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

PARKING

10. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
11. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.

UTILITIES

12. All utility meters will be painted the same color as the structures to reduce visibility.

AESTHETICS

13. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.



14. The wireless telecommunication facility shall not exceed 60 feet in height, up to and including the faux branches and leaves.
15. All electrical and Telco wiring shall be placed underground or concealed within the building or structure, as noted in the approved drawings.
16. The ground equipment enclosure(s) shall be compatible with the architectural design of the main building.
17. The main support structure (pole) for the telecommunication tower shall be coated with a synthetic rubber material resembling tree bark, subject to approval by the Planning Officer. All other supporting structure(s) shall be painted a non-glossy, neutral color, subject to approval by the Planning Officer.
18. Graffiti shall be removed from all project areas within 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.).

SIGNS

19. The display of any sign or any other graphic on a wireless telecommunications facility or on its screening is prohibited, except for signs for health, safety, and welfare purposes, which is required to be posted in case of an emergency. Emergency signs shall be visibly posted at the facility and shall include contact information including the phone number of the utility provider.

FENCES/WALLS

20. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) or Section 9146.3 (industrial zones) of the Zoning Ordinance.

LIGHTING

21. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (Industrial Zones) of the Zoning Ordinance.

NOISE

22. All wireless telecommunication facilities shall be constructed and operated in such a manner as to meet the requirements of the Noise Ordinance.
23. Backup generators shall only be operated during power outages and for testing and maintenance purposes.

BUILDING AND SAFETY

24. Submit for plan check, obtain all building permits and have a final inspection conducted for proposed project.



TRASH

25. The trash enclosure(s) shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. When adjacent to multi-story buildings, said enclosure shall incorporate an overhead door (standard electrical or manual).
26. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

27. Battery backup and storage areas shall be constructed and maintained in compliance with Article 64 of the uniform Fire Code (UFC).

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

28. If needed, easements shall be granted to the City, appropriate agency, or entity for the purposed 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.
29. Any city-owned improvement 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.
30. Prior to the 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.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

31. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the mono-broadleaf telecommunication facility to be located at 21136 S. Wilmington Avenue, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

OTHER

32. Future modifications to the approved development plans, including the installation of additional panels and equipment cabinetry, shall be subject to Planning Division review and approval. If deemed to be major modifications, the Planning Commission shall be the approval authority.

