



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: September 10, 2013

SUBJECT: Modification No. 2 to Design Overlay Review No. 204-82

APPLICANT: Charles Couey  
22600 Normandie Avenue, No. 22  
Torrance, CA 90502

REQUEST: Construction of a 1,211-square-foot addition of lobby and restroom areas to an existing 5,781-square-foot church building located within the CR-D (Commercial, Regional – Design Overlay) zoning district

PROPERTY INVOLVED: 600 East Double Street

---

#### COMMISSION ACTION

Concurred with staff

Did not concur with staff

Other

#### COMMISSIONERS' VOTE

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

*Item No. 11c*

## I. Introduction

### *Applicant*

Charles Couey  
22600 Normandie Avenue, No. 22, Torrance CA 90502  
[charlescouey@earthlink.net](mailto:charlescouey@earthlink.net)

### *Property Owner*

United Samoan Church  
Contact: Reverend Samuel Tialayea  
600 East Double Street, Carson CA 90745  
[sampoga2u@yahoo.com](mailto:sampoga2u@yahoo.com)

### *Project Address*

600 East Double Street

### *Project Description*

Construct of a 1,211-square-foot addition of lobby and restroom areas to an existing 5,781-square-foot church building.

## II. Background

On April 12, 2005, the Planning Commission approved the proposed project as Modification No. 1 to Design Overlay Review (DOR) No. 204-82. However, the project did not move forward due to financial hardship. As a result, pursuant to CMC Section 9172.23(I) and Resolution No. 05-2027 (Conditions of Approval No. 1), the permit expired because it was not used within one year.

The proposed project, Modification No. 2 to DOR No. 204-82, is identical to the proposal approved in 2005. The applicant now has the funding to construct the proposed addition.

### *Existing Site Conditions/Current Use of Property*

Two structures, a church and youth center, are located on the 2.32-acre subject property. The plans indicate 199 parking spaces are provided on-site. The site is in relatively good condition. However, the parking lot is in need of repair (re-pave, re-stripe and replace damaged concrete wheel stops). Also, there are storage containers onsite that are proposed to be removed and replaced with landscape.

### *Previous Proposals/Approved Discretionary Permits*

- Variance No. 159-82  
On October 25, 1982, approval was granted to allow the reduction of the required number of parking spaces to 199 spaces, and the deletion of the required truck maneuvering space for buildings built in the CR-D zone.
- Design Overlay Review No. 204-82 and Modification to Variance No. 159-82

On December 21, 1982, approval was granted to construct the existing youth center and modify Variance No. 159-82 Condition No. 1 to change the site plan by allowing an east-west orientation of the new youth center. Additionally, it was noted that 200 parking spaces will be provided instead of 199 parking spaces.

- Modification to Design Overlay No. 204-82

On April 12, 2005, the Planning Commission approved a 1,211-square-foot addition (new lobby and restroom areas) to the existing church, but the approval became null and void because the permit was not used within the designated time period. (Exhibit No. 1)

*Public Safety Issues*

There is no open code enforcement case.

III. Analysis

As mentioned, this same project was presented to and approved by the Planning Commission in 2005. The applicant is requesting approval for a 1,211-square-foot addition to the front of the existing church building (United Samoan Church). The proposed addition consists of a new lobby area and accessible restrooms for men and women. The new roof will tie into the existing wood-shingle roof. New entryways are proposed for the north and east elevations and a covered patio will be added to the southern elevation. Large double-doors will serve as ingress and egress through the new entryways and from the new lobby/waiting area into the existing church sanctuary area. The proposed addition will consist of substantially similar architectural features, building materials and colors as the existing church.

Additionally, significant upgrades to the site include: re-pave and re-stripe the entire parking lot; remove two containers and replace with landscape areas; and rehabilitate the existing landscape areas and relocate the trash enclosure. Though the number of parking spaces will not be affected by the proposed accessory church area, as it does not create a need for increased parking spaces, the parking layout will change slightly due to the relocation of the trash enclosure. The relocated trash enclosure will now occupy two existing parking spaces instead of one. As such, two new standard parking spaces will be provided – one located in the former location of the trash enclosure near the property main entrance and the other in front of the youth center. Also, the accessible parking in front of the youth center will be re-striped to meet current Building Code. As such, the proposed addition and site improvements will revive the church's appearance, provide accessible restrooms and parking, and rehabilitate the subject property which will make the site more compatible with the surrounding areas.

*Location/Site Characteristics/Existing Development*

The subject property is located at the eastern end of Double Street, between Grace Avenue to the west and Avalon Boulevard to the east. The site is relatively flat with vehicular ingress and egress from Double Street only.

The subject property is about 330 feet wide and 310 feet in depth, comprising a total area of approximately 101,000 square feet, or 2.31 acres. It is a relatively flat, square-shaped lot consisting of the original 5,781-square-foot church building built in 1974 and an 11,264-square-foot youth center building constructed in 1983 by way of Design Overlay Review No. 204-82 and Variance No. 159-82. According to the development plans, 199 off-street parking spaces are provided.

Adjacent to the north and northeast is a mobile home park. Toward the northwest and west are single-family dwellings. The adjacent eastern lots are comprised of a vacant lot owned by the City of Carson Housing Authority and The Little Company of Mary Health Center, both fronting Avalon Boulevard. The property to the south along Carson Street is a large vacant lot owned by the City of Carson Housing Authority.

*Zoning/General Plan Designation:*

The subject property as well as the adjacent properties to the north and east are zoned CR-D (Commercial, Regional – Design Overlay). The adjacent lots to the south are zoned MU-CS (Mixed Use-Carson Street) and the lots to the west are zoned RS (Residential, Single-Family).

The General Plan Land Use designations are consistent with the zoning designations for the above-mentioned properties.

*Applicable Zoning Ordinance Regulations*

The following table summarizes the proposed projects' consistency with current site development standards for the CR-D zone district and other zoning code sections applicable to the proposed use:

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant
<b>Commercial Development Standards</b>		
9131.1, Uses Permitted	X	
9135.2, Minimum Lot Area	X	
9135.3, Street Frontage and Access	X	
9135.4, Minimum Lot Width	X	
9136.12, Height of Buildings and Structures	X	
9136.2, Fences, Walls and Hedges	X	
9136.22, Future Rights-of-way	X	

<b>Applicable Zoning Ordinance Sections</b>	<b>Compliant</b>	<b>Non-Compliant</b>
9136.23, Front Yard	X	
9136.24, Side Yards	X	
9136.25, Rear Yard	X	
9136.27, Space Between Buildings	X	
9136.29, Encroachments	X	
9136.4, Trash and Recycling Areas		X See Section 9164.5A8
9136.6, Parking, Loading, Truck Maneuvering and Driveways	X	
9136.7, Signs	X	
9136.8, Utilities	X	
9136.9, Site Planning and Design	X	
9137.1, Exterior Lighting	X	
9138.22, Church uses within the CR (Commercial, Regional) zone, see also 9182.25, Continuation of Churches, Temples or Other Places of Religious Worship located within the CR (Commercial, Regional) zone.	X	
<b>General Development Standards</b>		
9162, Development Policy	X	
9162.0, Paving and Drainage of Vehicular Areas	X	
9162.1, Off-street Parking – General Requirements	X	
9162.21, Parking Spaces Required	X	

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant
9162.3, Location of Parking	X	
9162.41, Automobile Parking Stall Size	X	
9162.42, Parking for the Disabled and Associated Signing and Ramping	X	
9162.43, Compact Automobile Parking Spaces	X	
9162.51, Standards for Automobile Parking Lot Design	X	
9162.52, Landscaping Requirements		X <i>See Issues of Concern below</i>
9162.53, Lighting	X	
9162.55, Perimeter Guards	X	
9162.56, Marking of Automobile Parking Areas	X	
9162.63, Truck Loading Facilities and Maneuvering Areas Required	X	
9162.7, On-site Automobile and Truck Maneuvering Standards	X	
9162.8, Driveway Widths, Driveway Approaches and Traffic Sight Distance	X	
9164.1, Trash Areas – Purposes, Definitions and Applicability	X	
9164.3, Non-residential Trash Areas		X Trash and Recycling Enclosures may not be located in any required setback area [see 9182.41(H), Trash Areas and <i>Issues of Concern</i> ]
9164.4, Collection and Loading of Recyclable Materials		
9164.5A8, Design Standards for Trash and Recycling Areas		

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant
9167.1, Signs	X	
<b>Procedures</b>		
9171.2, Elements of Procedure	X	
9171.4, Environmental Review Requirements	X	
9172.23, Site Plan and Design Review	X	
9173.1 through 9173.9, Elements of Procedure	X	
<b>Implementing Provisions</b>		
9182.25, Continuation of Churches, Temples or Other Places of Religious Worship located within the CR (Commercial, Regional) zone.		X Subject to (B)1-4, which requires upgrades to existing parking and landscaping
9182.41(H), Trash Areas		X Shall conform within one year from the date of non-conformance

*Required Findings: Modification No. 2 to Design Overlay Review No. 204-82*  
Pursuant to Section 9172.23, Design Overlay Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

- a. **Compatibility with the General Plan, any specific plans for the area, and surrounding uses;**  
The proposed addition and the existing church use are consistent with the General Plan Land Use Designation of Regional Commercial and the Commercial, Regional – Design Overlay zone.
  
- b. **Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance, scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area;**  
The size of the site is adequate to support the proposed use. The site is fairly flat and square-shaped, which will provide the adequate access to

and development of the proposed construction. Adequate existing utilities already serve the site.

- c. **Convenience and safety of circulation for pedestrians and vehicles;**  
Though the proposed project for an addition to the church does not affect the number of parking spaces provided, the upgrades to install code compliant accessible parking spaces, and re-pave and re-stripe the parking lot will provide for additional convenience and safe circulation for pedestrians and vehicles.

The proposed use will have adequate street access by way of an existing 26-foot wide driveway and will not negatively impact street access and traffic capacity in the immediate vicinity of the subject property. Additionally, the existing driveway provides appropriate access for emergency vehicles to service all of the buildings on the subject property and there is adequate water for fire protection.

- d. **Attractiveness, effectiveness and restraint in signing, graphics and color;**  
The existing signage will remain and continue to be effective in graphics and color.

- e. **Such other criteria as are specified for the particular use in other Sections of Chapter 9 of the Carson Municipal Code.**  
The subject property is located within an area that is predominantly comprised of mixed commercial and residential uses. The existing church has served the local community for more than 35 years and is not expanding beyond a capacity that would negatively impact the immediate neighborhood, in terms of parking, traffic, noise, and aesthetics. The proposed use is compatible with the area, as all of the properties surrounding the subject property are comprised of a mixture of commercial and single-family residential uses. The proposed project is consistent with applicable commercial and general development standards.

As such, all of the required findings pursuant to Section 9172.23(d), Site Plan and Design Review, Commission Findings and Decision, can be made in the affirmative. Specific details regarding the applicable findings identified for the discretionary permits are incorporated in the attached resolution

*Issues of Concern / Proposed Condition/Change: Modification to Design Overlay Review No. 204-82*

**Landscaping**

- o A field review conducted by staff found that the existing, previously approved landscaped areas are currently not landscaped. However, the applicant proposes to restore the landscape. Additionally, staff is recommending a Condition of Approval that will require that new

Planning Commission Staff Report  
Modification No. 2 to Design Overlay Review No. 204-82

September 10, 2013

Page 8 of 10



landscaping be planted in these areas and a new landscaping plan be approved prior to the issuance of final occupancy for the church remodel.

#### **Trash Enclosure**

- The current trash enclosure area is adjacent to the 6-foot-high concrete masonry wall separating the church parking lot from the single-family residential lot to the west. This enclosure is within the required setback area and is in violation of Carson Municipal Code (CMC) Section 9164.5A8 which makes it non-conforming. CMC Section 9182.41H deems the enclosure illegally non-conforming and requires that it conform within one year from the date of non-conformance. Staff is recommending a Condition of Approval to remove and replace the trash enclosure to a more appropriate location, subject to staff review and approval of a new site plan.

#### **Parking**

- The youth center building approved under Design Overlay Review No. 204-82 and built in 1983 necessitated an increase in the amount of required parking. Thus, Variance No. 159-82 that was approved to allow for less than the parking required per CMC Section 9162.21.C. Upon staff review as part of the current proposal to expand the church, it was determined that the parking is sufficient to meet the needs of all uses currently on site. CMC section 9162.21.C.1 requires one space per 21 square feet of net floor area for the approximately 4,000-square-foot youth center gymnasium (the largest assembly area), equaling 190 spaces. There are 199 (instead of 200) existing parking spaces serving the church and its accessory uses, which is in excess of the more stringent parking standard which removes the need for a variance request from the parking requirements. Therefore, included in the resolution for Modification No. 2 to Design Overlay Review No. 204-82 is a statement that annuls Variance No. 159-82.

#### **IV. Environmental Review**

Pursuant to the California Environmental Quality Act (CEQA), Article 19, Section 15301(e)(1), Class 1, Existing Facilities, the proposed modification to the existing church building is deemed Categorical Exempt.

#### **V. Recommendation**

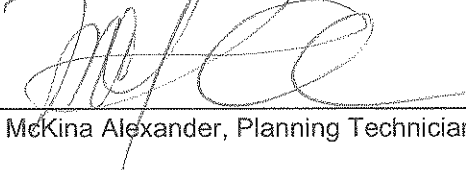
That the Planning Commission:


- **APPROVE** the Categorical Exemption;
- **APPROVE** Modification No. 2 to Design Overlay No. 204-82, subject to 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 Modification No. 2 to Design Overlay Review No. 204-82 for a 1,211-square-foot addition to an existing church and perform parking, landscaping, and general site improvements to a property located at 800 East Double Street."

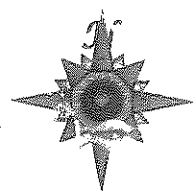
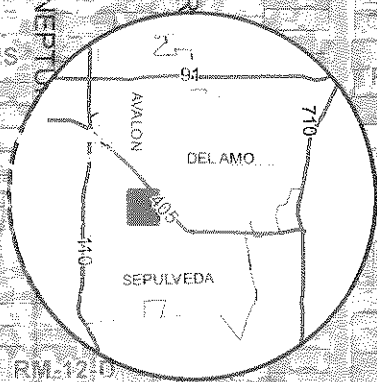
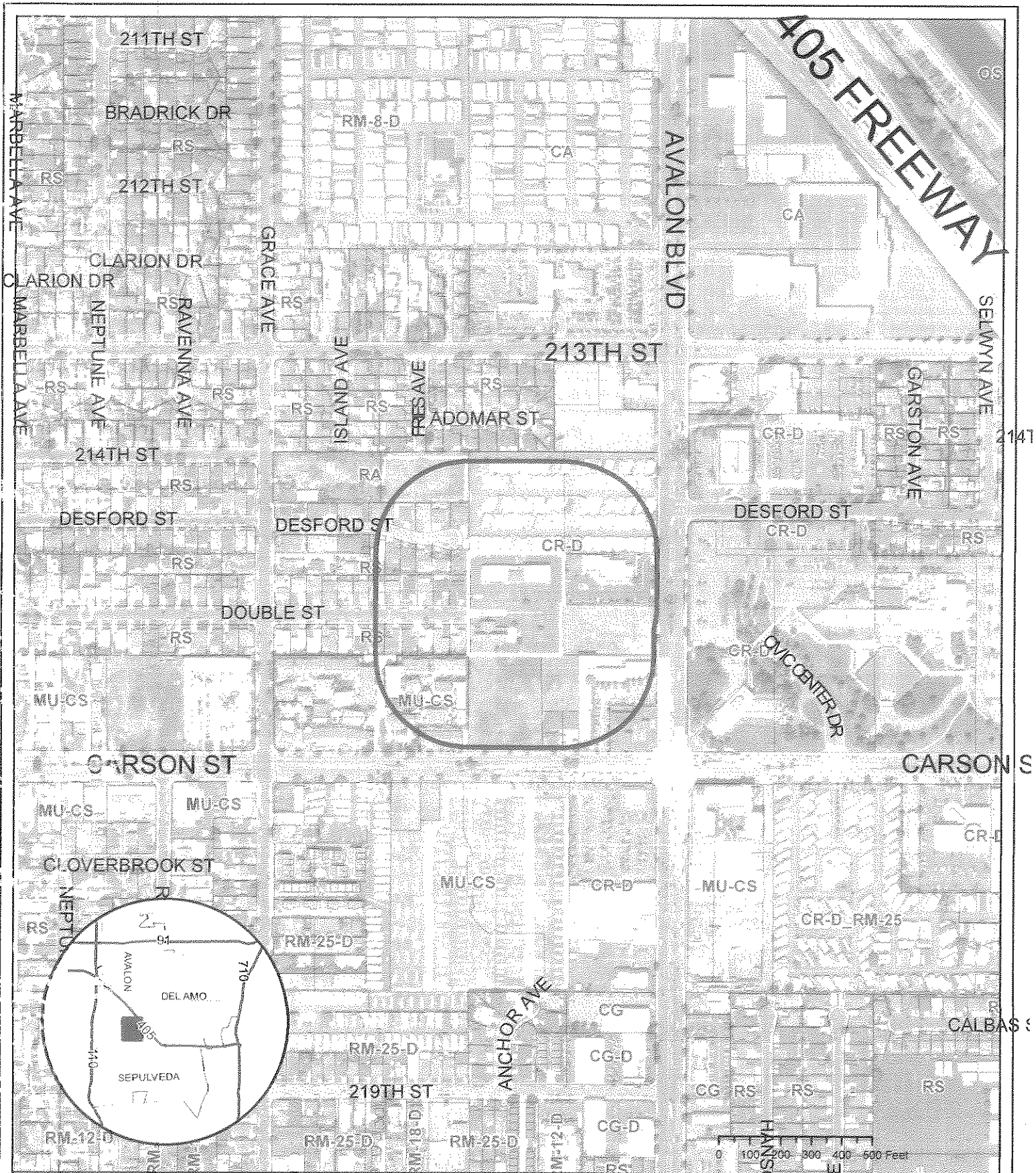
**VI. Exhibits**

1. Land use map
2. Planning Commission Minutes of April 12, 2005
3. Draft Resolution for Modification No. 2 to Design Overlay Review No. 204-82
4. Site plan, elevations, floor plans (under separate cover)

**Prepared by:**   
McKina Alexander, Planning Technician

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

**Approved by:**   
Sheri Repp, Planning Officer



*City of Carson*  
*300 Foot Radius Map*  
*600 East Double Street*

EXHIBIT NO. 01



Commissioner Hudson moved, seconded by Commissioner Diaz, to approve the February 22, 2005, Minutes as presented. Motion carried (absent Commissioners Philipp and Pulido).

**9. CONTINUED PUBLIC HEARING**

**A) Modification to Design Overlay Review No. 204-82**

Applicant's Request:

The applicant, Charles Couey, is requesting proposed construction of a 1,200-square-foot addition of lobby and restroom areas to an existing 5,781-square-foot church building located at 600 East Double Street.

Staff Report:

Planning Technician Newberg presented staff report (of record).

Staff Recommendation:

- **WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the City of Carson Approving Modification to Design Overlay Review No. 204-82."

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Saenz, to concur with staff recommendation, thus adopting Resolution No. 05-2027. Motion carried (Commissioner Boggs abstained; absent Commissioners Philipp and Pulido).

**9. CONTINUED PUBLIC HEARING**

**B) Design Overlay Review No. 03-10-835; Conditional Use Permit No. 03-10-559; and Tentative Parcel Map No. 60311**

Applicant's Request:

The applicant, Dynamic Group Consultants, Ltd., is requesting to construct three (3) detached condominium units within the RM-12-D (Residential, Multi-family-twelve (12) units per acre; Design Overlay) zoned district and within Redevelopment Project Area No. 4. The property is located at 22028 Grace Avenue.

Staff Report:

Senior Planner Scully asked that this matter be continued to the June 14, 2005, Planning Commission meeting.

Staff Recommendation:

Continue to June 14, 2005.

Chairperson Cottrell opened the public hearing.



CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING MODIFICATION NO. 2 TO  
DESIGN OVERLAY REVIEW NO. 204-82 FOR A 1,211-  
SQUARE-FOOT ADDITION TO AN EXISTING CHURCH AND  
PERFORM PARKING, LANDSCAPING, AND GENERAL SITE  
IMPROVEMENTS TO A PROPERTY LOCATED AT 800 EAST  
DOUBLE STREET

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

**Section 1.** An application was duly filed by the applicant, Charles Couey, with respect to real property located at 600 E. Double Street and described in Exhibit "A" attached hereto, requesting approval of a Modification No. 2 to Design Overlay Review No. 204-82 to construct a 1,211-square-foot addition of lobby and restroom areas to an existing 5,781-square-foot church building. The subject property has a General Plan land use designation of Regional Commercial and is zoned CR-D (Commercial, Regional – Design Overlay).

A public hearing was duly held on September 10, 2013 at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

**Section 2.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** Pursuant to Section 9172.23(D), "Design Overlay Review, Approving Authority Findings and Decision", the Planning Commission finds that:

- a) The proposed addition and the existing church use are consistent with the General Plan Land Use Designation of Regional Commercial and the Commercial, Regional – Design Overlay zone. The proposed addition and existing church meet the requirements of Sections 9138.22 and 9182.25 in that the proposed addition is an expansion of an existing freestanding church and a development plan has been prepared in accordance with the requirements of Site Plan and Design Review.
- b) The size of the site is adequate to support the proposed use. The site is fairly flat and square-shaped, which will provide adequate access to and development of the proposed construction. Adequate existing utilities already serve the site.
- c) The proposed use will have adequate street access by way of an existing 26-foot wide driveway and will not negatively impact street access and traffic capacity in the immediate vicinity of the subject property.
- d) The proposed use will provide adequate access for emergency vehicles, including fire, by way of the existing driveway servicing all of the buildings on,

the subject property from Double Street. There is adequate water supply for fire protection of the subject property.

- e) The subject property is located within an area that is predominantly comprised of mixed commercial and residential uses. The existing church has served the local community for more than 30 years and is not expanding beyond a capacity that would negatively impact the immediate neighborhood, in terms of parking, traffic, noise, and aesthetics. The proposed use is compatible with the area, as all of the properties surrounding the subject property are comprised of a mixture of commercial and single-family residential uses.
- f) The proposed project is consistent with applicable commercial and general development standards.
- g) Parking is sufficient to meet the needs of all uses currently on site. CMC Section 9162.21(C)(1) requires one space per 21 square feet of net floor area for the largest assembly room (4,000-square-foot youth center gymnasium), equaling 190 spaces. There are 199 existing parking spaces serving the church and its accessory uses, which is in excess of the parking standard and therefore removes the need for a variance request from the parking requirements. Therefore, Variance No. 159-82 is no longer applicable to the subject property.
- h) The parking layout will change due to the relocated trash enclosure occupying two existing standard parking spaces. As a result, two new standard parking spaces will be provided pursuant to the approved site plan. Additionally, the accessible parking spaces layout in front of the youth center will change (re-striped) to comply with current building code.

**Section 4.** The Planning Commission further finds that the addition to the existing church building will not have a significant effect on the environment. The proposed addition and existing church use will not significantly alter the existing profile of commercial and residential uses in the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under CEQA, Article 19, Section 15301, Class 1, Existing Facilities.

**Section 5.** Based on the aforementioned findings, the Commission hereby approves the Modification No. 2 to Design Overlay Review No. 204-82, with respect to the real 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 10th DAY OF SEPTEMBER, 2013.

\_\_\_\_\_  
CHAIRMAN

ATTEST: \_\_\_\_\_  
SECRETARY



## EXHIBIT A

### LEGAL DESCRIPTION

Real property in the City of Carson, County of Los Angeles, State of California, described as follows:

PARCEL 1:

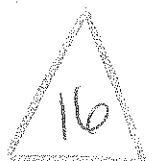
THE WESTERLY 305 FEET OF LOT 52 OF TRACT NO. 3848, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE NORTHERLY 165 FEET OF SAID LAND.

PARCEL 2:

THE WEST 315 FEET OF THE NORTH HALF OF LOT 52 OF TRACT NO. 3848, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 42 PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7337-011-037





**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**MODIFICATION NO. 2 TO DESIGN OVERLAY REVIEW NO. 204-82**

**GENERAL CONDITIONS**

1. If Modification No. 2 to Design Overlay Review No. 204-82 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The 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 as directed by the Planning Commission in compliance with all the Conditions of Approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval 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 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. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.



8. 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.
9. 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.
10. 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.
11. 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.
12. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Modification No. 1 to Conditional Use Permit No. 232-83. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.



13. 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.
14. 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.

### **PARKING**

15. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
16. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
17. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
18. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
19. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either
  - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
  - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
20. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
21. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

### **LANDSCAPING/IRRIGATION**

22. Landscape areas shall be restored and rehabilitated pursuant to the development plans. 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.
23. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
24. 6" x 6" concrete curbs are required around all landscaped planter areas.



25. 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.
26. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
  - a. Vine-like landscaping along perimeter walls;
  - b. Annual flowers wherever possible; and
  - c. Irrigation system designed to commercial grade standards.
27. Existing, previously approved landscaped areas not landscaped at the time of this permit approval, shall be landscaped to the satisfaction of the Planning Division prior to the issuance of the final certificate of occupancy.

### **AESTHETICS**

28. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
29. Graffiti shall be removed from all project areas within 15 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.).
30. All existing non-permitted structures existing on the subject site, including storage containers shall be removed prior to the issuance of the final certificate of occupancy.

### **SIGNS**

31. All permitted signs must be in compliance with the provisions of Section 9136.7 or 9146.7 of the Zoning Ordinance.

### **FENCES/WALLS**

32. 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**

33. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) or Section 9147.1 (industrial zones) of the Zoning Ordinance.
34. Lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.



**BUILDING AND SAFETY**

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

**TRASH**

- 36. The trash enclosure along the western property line shall be removed and relocated 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. Trash enclosure design and location is to be approved by the Planning Division prior to issuance of certificate of occupancy.

**FIRE DEPARTMENT**

- 37. Provide Fire Department and City approved building address numbers prior to occupancy.
- 38. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.

**PUBLIC SAFETY**

- 39. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.

**ENGINEERING SERVICES DEPARTMENT**

- 40. Obtain approval for draining/grading prior to issuance of a building permit.
- 41. 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.

**BUSINESS LICENSE DEPARTMENT**

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

