



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: December 10, 2019

SUBJECT: Site Plan and Design Review (DOR) No. 1770-19
Conditional Use Permit (CUP) No. 1093-19

APPLICANT: Shippers Transport Express
1150 E. Sepulveda Blvd.
Carson, CA 90745

PROPERTY OWNER: Tesoro Logistics Operations LLC
301 E. Ocean Blvd. Ste. 1600
Long Beach, CA 90802

REQUEST: Consider approval of a Site Plan and Design Review No. 1770-19 and Conditional Use Permit No. 1093-19 to renovate an industrial site for a proposed cargo container storage facility.

PROPERTY INVOLVED: 2149 East Sepulveda Boulevard.

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairperson Pimental			Palmer
		Vice-Chair Cainglet			Rahman
		Fe'esago			Rashad
		Madrigal			Valdez
		Mitoma			Alt. Diaz Alt. Hellurud Alt. Zuniga

Item No. 6C

Introduction

Applicant

Shippers Transport Express
1150 E. Sepulveda Blvd.
Carson, CA 90745

Property Owner

Tesoro Logistics Operations LLC
301 E. Ocean Blvd. Ste. 1600
Long Beach, CA 90802

I. Project Description

Shippers Transport Express (Shippers) currently operates at 1150 East Sepulveda Boulevard and has been asked by their landlord to vacate their current site. Shippers provides numerous good paying-union jobs in the City. They have been working with staff for several months to finalize their plans to move their facility to this new location. On August 7, 2018, the City Council approved Resolution No. 18-117, an exception to the application of Interim Urgency Ordinance No. 18-1805U, a moratorium on the establishment of uses similar to Shippers operations. The City Council action allowed Shippers to file and process plans and permits necessary to operate a truck and container yard.

The applicant requests approval of DOR No. 1770-19 and CUP No. 1093-19 to renovate an existing industrial site and operate a new cargo container storage facility in the MH-D (Manufacturing, Heavy; Design Overlay District) zone. Carson Municipal Code Section 9172.23 (Site Plan and Design Review) requires Planning Commission review of projects within the Design Overlay District having construction valuation of \$50,000 or more. Carson Municipal Code Section 9148.9 (Truck Terminal and Truck Yard Facilities) requires Planning Commission review for CUP consideration.

Renovations include repairing the existing parking lot, extensive landscaping improvements, and upgrading of the existing perimeter fencing. The installation of four (4) modular structures on permanent foundations will include two (2) guard shacks, one (1) guard station and one (1) restroom facility.

Once site renovations are complete, the site is expected to be leased for the storage of cargo containers by Shippers Transport Express, who currently operates at 1150 East Sepulveda Boulevard. Cargo containers at the Port of Long Beach will be picked up by Shippers and will be temporarily staged at the project site until they can be delivered to their final destination. Shippers Transport Express is proposing to use the site to accommodate approximately 700 containers and 66 truck parking spaces and five standard vehicle parking spaces. No stacking of containers will occur on-site.

The number of workers at the project site is expected to be six excluding the truck drivers. There are no buildings on the project site, and no permanent buildings are proposed for the site. Shippers will install in four modular structures, including two guard shacks, one guard station, and one restroom facility. The proposed site is approximately one mile closer to the Alameda Street than Shippers' existing site resulting in a significant reduction in vehicle miles travelled, emissions, fuel, and Greenhouse Gases.

II. Project Site and Surrounding Land Uses

The subject property is located in the MH-D Zone and is designated Heavy Industrial under the Land Use Element of the General Plan. The subject property is located on the northeast corner of Avalon Street and Sepulveda Boulevard.

Land uses surrounding the proposed project site are primarily industrial.



Figure (a) Project Site in context to surrounding zoning.

The following table provides a summary of information regarding the project site:

Site Information	
General Plan Land Use	Heavy Industrial
Zone District	MH-D (Manufacturing, Heavy; Design Overlay District)
Site Size	872,071 (20.02 ac)
Present Use and Development	Construction equipment staging (Tesoro refinery)
Surrounding Uses/Zoning	North: Refinery, MH-D South: Storage Tank Farm, MH East: Refinery, Dominguez Channel; MH West: Alameda Corridor/Refineries, MH-D
Access	Ingress/Egress: Sepulveda Boulevard, Alameda Street

III. Analysis

Site History

The site is located in a heavy industrial area, surrounded on all sides by industrial uses. The subject property is currently vacant has previously been used for a number of heavy industrial uses, including truck parking and the staging of construction equipment for the Tesoro Refinery.



Site Plan

The subject property measures approximately 20.02 acres and is currently improved with a fenced, paved and lighted industrial yard; there are no structures on the site. A total of four (4) new modular structures totaling (two guard shacks: 56 sf; guard station: 75 sf; restroom facility: 160 sf) 291 square feet are proposed on the southeastern portion of the subject property. On site improvements include patching, repairing and striping the parking lot and upgrading property line fencing. Privacy slats shall be provided for all fencing along any public right-of-way to provide screening for the site. A new trash enclosure is required and will be located north of the entrance to the site.

Per the Department of Public Works, damaged sidewalk, curb and gutter will be repaired and/or replaced along Alameda Street abutting the proposed development.

Access

One existing driveway along Sepulveda Boulevard will provide entrance-only access to the site. One existing driveway along Alameda Street will be designated as exit-only. Access to the site from freeways will require little to no driving on residential streets by utilizing Wilmington Avenue, Sepulveda Boulevard and Alameda Street, which are designated as truck routes.

The Los Angeles County Fire Department and the City's Traffic Engineer have reviewed and approved project vehicular access and site circulation. Any new gates will require Fire Department safety/access apparatus approval.

Parking & Traffic

Carson Municipal Code Section 9162.21 (Parking Spaces Required) requires 1 parking space for every 2 employees plus 1 space for each 300 square feet of office space for cargo container storage facilities (minimum 5 parking spaces). The proposed cargo container storage facility requires 4 parking spaces (291 sf / 300sf = 1 parking space) plus (6 employees/0.5 parking=3 parking spaces). The applicant proposes 5 parking spaces (the minimum); 4 regular with 1 ADA compliant parking space.

Signage

No signage is proposed for the property.

Fencing

The site is currently surrounded by a chain link fence in need of repair. Privacy slats will be installed on all property fencing adjacent to public right-of-ways to provide screening for the site.

Landscaping

Carson Municipal Code Section 9162.52 (Landscaping Requirements) requires automobile parking facilities and any parking facilities visible from the public right-of-way to have interior landscaping of not less than 5%. The proposed truck yard requires a total of 43,603 (872,071 x .05 = 43,603) square feet of landscaping. The applicant proposes 43,603 square feet of landscaping.

The subject property has a landscaped setback along Sepulveda Boulevard and Alameda Street. The landscaped area will be improved with new shade trees, groundcover and irrigation in order to provide screening from the public right-of-way. The City arborist provided an appropriate landscaping palate and maintenance program.

IV. CFD/IDIF Discussion

On April 16, 2019, the City Council adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee ("IDIF") Program as well as the Citywide Community Facilities District (CFD) 2018-01. However, since the City Council granted an exception for this project, the IDIF and CFD rates in effect at the time of granting the exception will be paid by the applicant. Pursuant to the "IDIF/CFD Agreement", the applicant is responsible to pay a total IDIF obligation of \$568,564 and annual CFD rate of \$16,425.00 per year. This CFD rate shall increase annually by the November annualized Consumer Price Index for Los Angeles-Long Beach-Anaheim for all Urban

Consumers. No permits shall be issued prior to the required payment of the DIF amount.

V. Zoning and General Plan Consistency

The proposed project is consistent with the standards of the Manufacturing Heavy (MH) zoning designation and Heavy Industrial General Plan land use designation and will remain consistent with the surrounding uses.

VI. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), a Draft Negative Declaration was prepared and made available for public review from November 7, 2019 through November 26, 2019. A Notice of Intent to Adopt a Draft Negative Declaration was posted with the City Clerk, LA County Clerk, Carson Library, the local newspaper Our Weekly, and sent to responsible agencies. An electronic copy of the document was also posted on the Planning Division website (<http://ci.carson.ca.us/CommunityDevelopment/DominguezSt.aspx>). No comments were received recommending that an Environmental Impact Report (EIR) should be prepared.

Less than significant impacts of air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise and transportation, have been identified. Per the Negative Declaration, no mitigation measures are required: The Negative Declaration has incorporated all comments received from the City's Environmental consultant, who peer reviewed the document.

VII. Public Notice

Notice of public hearing was posted to the project site by November 28, 2019. Notices were mailed to property owners and occupants within a 750' radius by November 28, 2019. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

VIII. Recommendation

That the Planning Commission:

- **ADOPT** Resolution No. 19-____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING SITE PLAN AND DESIGN OVERLAY REVIEW NO. 1770-19 AND CONDITIONAL USE PERMIT NO. 1093-19 FOR A SITE RENOVATION TO A PROPOSED CARGO CONTAINER STORAGE FACILITY AT 2149 EAST SEPULVEDA BOULEVARD."

IX. Exhibits

1. Draft Resolution
 - A. *Legal Description*
 - B. *Conditions of Approval*
2. Development Plans (under separate cover)

Prepared by: Max Castillo, Assistant Planner

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 19-___

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING SITE PLAN AND
DESIGN OVERLAY REVIEW NO. 1770-19 AND
CONDITIONAL USE PERMIT NO. 1093-19 FOR A SITE
RENOVATION TO A PROPOSED CARGO CONTAINER
STORAGE FACILITY AT 2149 EAST SEPULVEDA
BOULEVARD**

WHEREAS, on February 28, 2019, the Department of Community Development received an application from Shippers Transport Express, for real property located at 2149 East Sepulveda Boulevard and described in Exhibit "A" attached hereto, requesting approval of Design Overlay Review No. 1770-19 and Conditional Use Permit No. 1093-19 to renovate an existing industrial site and operate a new cargo container storage facility; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the tenth day of December, 2019, conduct a duly noticed public hearing as required by law to consider said design overlay application and conditional use permit. Notice of the hearing was originally posted and mailed to property owners and properties within a 750-foot radius of the project site by November 28, 2019; and

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF
CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:**

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and are incorporated herein by reference.

SECTION 2. The Planning Commission finds as follows:

1. With respect to the **Site Plan and Design Review No. 1770-19:**
 - a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Heavy Industrial and the proposed cargo container storage facility is compatible with the surrounding areas.
 - b) The proposed project is compatible in 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, open spaces, and other features relative to a harmonious and attractive development of the area. A total of four (4) new modular structures totaling (two guard shacks: 56 sf; guard station: 75 sf; restroom facility: 160 sf) 291 square feet are proposed on the southeastern portion of the subject property. On site improvements include patching, repairing and striping the parking lot and upgrading property line fencing. Privacy slats shall be provided for all fencing along any public right-of-way to provide screening for the site. A new trash enclosure is required and will be located north of the entrance to the site.

EXHIBIT NO. - 1



- c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. The project design will allow for and promote safe and convenient pedestrian and vehicle circulation.
 - d) All signage associated with this project will comply with applicable Carson Municipal Code provisions, and will exhibit attractiveness, effectiveness and restraint in signing graphics and color.
 - e) Landscaping and site design will provide the proper screening from public right-of-way along Alameda Street and Sepulveda Boulevard. The existing site includes landscaping within the setbacks along Sepulveda Boulevard and Alameda Street. which will be improved with new shade trees, groundcover and irrigation in order to enhance the screening of the site.
2. With respect to the **Conditional Use Permit (CUP) No. 1093-19**:
- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Heavy Industrial and the proposed truck yard development is compatible with the surrounding areas.
 - b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development of a new cargo container storage facility.
 - c) The proposed development will have adequate street access for pedestrian and vehicles, and also adequate capacity for parking and traffic. One existing driveway along Sepulveda Boulevard will provide entrance-only access to the site. One existing driveway along Alameda Street will be designated as exit-only. Access to the site from freeways will require little to no driving on residential streets by utilizing Wilmington Avenue, Sepulveda Boulevard and Alameda Street, which are designated as truck routes. Carson Municipal Code Section 9162.21 (Parking Spaces Required) requires 1 parking space for every 2 employees plus 1 space for each 300 square feet of office space for cargo container storage facilities (minimum 5 parking spaces). The proposed cargo container storage facility requires 4 parking spaces ($291 \text{ sf} / 300\text{sf} = 1 \text{ parking space}$) plus ($6 \text{ employees} / 0.5 \text{ parking} = 3 \text{ parking spaces}$). The applicant proposes 5 parking spaces (the minimum); 4 regular with 1 ADA compliant parking space. The project design will allow for and promote safe and convenient pedestrian and vehicle circulation.
 - d) The County Fire Department has reviewed the proposed project and concludes that adequate water supply exists to meet current and anticipated fire suppression needs.
 - e) The proposed cargo container storage facility will be compatible with the intended character of the area. A total of four (4) new modular structures totaling (two guard shacks: 56 sf; guard station: 75 sf; restroom facility: 160 sf) 291 square feet are proposed on the southeastern portion of the subject property. On site improvements include patching, repairing and striping the parking lot and upgrading property line fencing. Privacy slats shall be provided for all fencing along any public right-of-way to provide screening for the site. A new trash enclosure is required and will be located north of the entrance to the site.



SECTION 3. The Planning Commission further finds that the development permitted by the proposed project will not have a significant effect on the environment as indicated in the Negative Declaration prepared for this project, which is available at <http://ci.carson.ca.us/CommunityDevelopment/DominguezSt.aspx>, and which is incorporated herein by reference. A Notice of Determination shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

SECTION 4. Design Overlay Review No. 1770-19 and Conditional Use Permit No. 1093-19 comply with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Section 9172.21 (Conditional Use Permit) and Section 9172.23 (Site Plan and Design Review) and of the Carson Municipal Code.

SECTION 5. The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby approve Design Overlay Review No. 1770-19 and Conditional Use Permit No. 1093-19 to renovate an existing industrial site and operate a new cargo container storage facility at 2149 East Sepulveda Boulevard, subject to the Conditions of Approval contained in Exhibit B.

SECTION 6. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 10th day of December, 2019.

CHAIRPERSON

ATTEST:

SECRETARY



Exhibit "A"

Legal Description

All that certain real property situated in the County of Los Angeles, State of California, described as follows.

LOT 1 OF TRACT NO. 10844, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 301 PAGES 37, 38 AND 39 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN THE DEED TO LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, A BODY CORPORATE AND POLITIC, RECORDED OCTOBER 9 1961, AS INSTRUMENT NO. 4182, OFFICIAL RECORDS.

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN THE DEED TO LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, A BODY CORPORATE AND POLITIC, RECORDED JULY 14, 1979, AS INSTRUMENT NO. 2615, OF OFFICIAL RECORDS.

ALSO EXCEPT THAT PORTION OF SAID ~~LAND~~ DESCRIBED IN THE DEED TO STAUFFER CHEMICAL COMPANY, A DELAWARE CORPORATION, RECORDED DECEMBER 21, 1973, AS INSTRUMENT NO. 272, OF OFFICIAL RECORDS

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN THE DEED TO THE COUNTY OF LOS ANGELES, RECORDED JULY 24, 1995, AS INSTRUMENT NO. 95-1197702, OF OFFICIAL RECORDS

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN THE DEED TO BP WEST COAST PRODUCTS LLC, A DELAWARE LIMITED LIABILITY COMPANY, RECORDED FEBRUARY 22 2002, AS INSTRUMENT NO. 02-0419284, OF OFFICIAL RECORDS

ALSO EXCEPT THAT PORTION OF SAID LAND DESCRIBED IN THE QUITCLAIM DEED TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, A BODY CORPORATE AND POLITIC, RECORDED JUNE 26, 2003, AS INSTRUMENT NO. 03-1836063, OF OFFICIAL RECORDS

APR. 7315-323-319



**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

**EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1770-19
CONDITIONAL USE PERMIT NO. 1093-19**

GENERAL CONDITIONS

1. City adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee ("IDIF") Program. In accordance with this IDIF program, the applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") shall be responsible for payment. Based on the proposed 704 container spaces, the developer will be responsible for development impact fees in the amount of for payment of one-time impact fees at the rate of \$808 per truck space, a total up-front payment of \$568,564 (DIF Amount), provided that if the Project increases or decreases in size, the DIF Amount will be adjusted accordingly at the same rate. The DIF Amount is payable to the City as one time up-front payment and no building permit(s) shall be issued prior to the full payment of the DIF Amount; provided, however, that Developer may enter into a separate agreement to pay the DIF Amount in annual installments over a specified number of years. A form agreement for DIF Amount installment payments is attached hereto and incorporated herein, entitled "Agreement for Development Impact Fees and Operation and Maintenance Costs". See the following City webpage for additional information regarding the IDIF Program: <http://ci.carson.ca.us/CommunityDevelopment/IDIFProgram.aspx>.
2. City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Based on the adopted CFD, the subject property falls under Industrial Zone 2 and will be charged accordingly. The base year CFD fee has been established at \$5,347.80 per acre. Calculated CFD for this site up to June 2020 is \$16,425. Developer shall annex to the CFD and be subject to the CFD special taxes within 6 months from the date of this approval; provided, however, that Developer may enter into a separate agreement to pay for its fair share of the operation and maintenance costs of CFD Services (O&M Costs) provided to and for the benefit of the property to at least the same or roughly proportionate percentage that the property would have shared of the total CFD special taxes levied on participating property owners of the CFD. A form agreement for O&M Costs is attached hereto and incorporated herein, entitled "Agreement for Development Impact Fees and Operation and Maintenance Costs". See the following City webpage for additional information regarding the CFD: <http://ci.carson.ca.us/communitydevelopment/CFD.aspx>.
3. Within 60 days from the date of this approval, and if applicable, Developer shall agree to and execute a form of the "Agreement for Development Impact Fees and Operation and Maintenance Costs" (Agreement) attached hereto and incorporated herein, to pay for the DIF Amount in annual installment payments and to pay for O&M Costs. The Agreement will be in a form reviewed and approved by the City Attorney's office.



4. If a building permit for Design Overlay Review No. 1770-19 and Conditional Use Permit No. 1093-19 are not issued within **two years** of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
5. 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.
6. The applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") 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.
7. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
8. Substantial project revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
9. 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.
10. A modification of these conditions, 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.
11. 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.
12. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
13. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.



14. **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 therefor, or work may cease on the Project.

15. **Indemnification.** The applicant, owner, and tenant(s), for themselves and their successors in interest ("Indemnitors"), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them ("Indemnitees") from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, "Claims") against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees' review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors' operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees' associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors' consent. Indemnitors shall provide a deposit to the City in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorneys' fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

AESTHETICS

16. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.

17. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.

18. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.



19. Graffiti shall be removed from all areas within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. 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 modification (i.e. fencing, landscaping, chemical treatment, etc.).
20. The proposed project site shall be maintained free of debris, litter and inoperable vehicles at all times. The subject property shall be maintained to present an attractive appearance to the satisfaction of the Planning Division.

FENCE/WALLS

21. Perimeter walls and fences shall be architecturally coordinated with the project building and subject to the approval of the Planning Commission.
22. Privacy slats shall be provided for all fencing along any public right-of-way to provide screening for the site, subject to Planning Division approval.

LANDSCAPE/IRRIGATION

23. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
24. 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.
25. The proposed irrigation system shall include best water conservation practices.
26. Installation of 6" x 6" concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.
27. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
28. Prior to Issuance of Building Permit, the applicant shall submit two sets of landscape and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division.

LIGHTING

29. Shall provide adequate lighting for the parking areas.
30. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.



31. Such 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.

PARKING

32. All driveways shall remain clear. No encroachment into driveways shall be permitted.
33. All areas used for movement, parking, loading, or storage of vehicles shall be paved, striped and provided with wheel stops in accordance with Section 9162.0 of the Zoning Ordinance.

TRAFFIC / ACCESS

34. All vehicle inbound traffic entering the site from Sepulveda Boulevard shall approach the site from the westbound direction with trucks using the Terminal Island Freeway (SR 103).

TRASH

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

UTILITIES

36. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
37. The applicant shall remove at his/her own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
38. Any aboveground utility cabinet or equipment cabinet shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.

BUILDING AND SAFETY DIVISION

39. Submit development plans for plan check review and approval.
40. Obtain all appropriate building permits and an approved final inspection for the proposed project.
41. Prior to issuance of building permit, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.

FIRE DEPARTMENT

42. The proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements.



ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

42. The street dedication and street improvement requirements of CMC §9161.1 and §9161.3 through §9161.7 shall not apply due to the exceptions stated in CMC § 9161.2, except as otherwise required by these conditions.
43. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
44. A construction permit is required for any work to be done in the public right-of-way.
45. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to issuance of permit by Engineering Division.
46. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of permit by Engineering Division.
47. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
48. The Developer shall submit an electronic copy of **approved** plans (*such as, Sewer, Street and/or Storm Drain Improvements, whichever applies*), to the City of Carson – Engineering Division, prior to the issuance of construction permits.
49. Comply with the applicable National Pollutant Discharge Elimination System (NPDES) requirements including best management practices to control storm water pollution from construction activities and facility operations.
50. Per City of Carson Municipal Code Section 5809, Developer shall comply with all applicable Low Impact Development (LID) requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations to the satisfaction of the City Engineer.
51. All infrastructure necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

BUSINESS LICENSE

52. All parties involved in the subject project including but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.

