



January 22, 2019

Planning Commission
City of Carson
701 E Carson Street
Carson, CA 90745

Re: Commission Agenda 1-22-2019 Item No. 7, "Zone Text Amendment 32-18 & Zone Text Amendment 33-18"

Dear Members of the Carson Planning Commission:

Agenda Item No. 7 on the Planning Commission agenda of January 22, 2019 addresses, among other things, the placement of temporary signs within the public right-of-way. The South Bay Association of Realtors® (SBAOR) has worked with the Planning Commission and the City Council in past years regarding the managed placement of "Open House" signs, also known as "lead-in signs", during the specific hours when a home or property for sale is open to the public.

Currently, such practice is prohibited under the Carson Municipal Code. SBAOR has been grateful for the opportunities to work with City staff and City officials on exploring specific and appropriate times, places and manners for licensed real estate agents to place such signs. The Staff Report for this item correctly states that we "have expressed concerns that the City's prohibition on the placement of off-site open house directional signs is negatively impacting the real estate business and in turn jeopardizing the City's economic growth."

SBAOR offers its support for this proposal and we respectfully request that the Planning Commission adopt the Staff Report incorporated with the considerations listed below. We urge caution regarding proposed indemnification the City from liability related to the placement of temporary signs in the public right-of-way. We urge thoughtful review of the following:

- Any indemnification agreement should be executed as a blanket agreement for a fixed period of time, such as one year, and not on a per-use basis.
- Any fees charged should reflect the cost incurred by the City to administer the agreement and should not be associated with other fees, taxes or assessments.
- Any real estate agent who does not desire to place temporary signs in the public right-of-way should not be required to execute an indemnification agreement nor should he be required to

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EXHIBIT NO. 3



register with the City his intention not to do so, nor should he pay costs, taxes or fees beyond that which is otherwise required for a licensed real estate agent or broker operating in the City of Carson.

- Any liability assigned to parties placing temporary signs should not be unlimited in scope but rather should be reasonably defined in a manner relevant to the act of placing a temporary sign in a specific and limited component of the public right-of-way.
- We request the opportunity to work with City staff and the City Attorney on developing and publishing a set of guidelines for real estate professionals on how to mitigate potential liability for signs, including but not limited to 1) mitigating risks of damages to the City, 2) the rights and responsibilities of real estate professionals, City officials, and the public, and 3) the placement of signs in a way that does not interfere with the safe passage of pedestrians and vehicles nor with the entrance and egress of vehicles from public streets onto properties.

Thank you for your consideration of this opportunity to allow placement of temporary signs in the public right-of-way and thank you as well for your thoughtful review of the special considerations related to any agreement of indemnity. We look forward to this and future dialogue with the City of Carson.

Kind regards,



David Kissinger

Director of Government Affairs