



# CITY OF CARSON

## PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC

HEARING DATE: March 14, 2017

APPLICATION NUMBER(S): Conditional Use Permit No. 1006-16  
Design Overlay Review No. 1627-16  
Zone Text Amendment No. 27-16  
Variance No. 561-16  
Zone Change Case No. 177-17

REQUEST: To construct a new blimp hangar, maintenance building and related site improvements at the existing Goodyear blimp port in the SU-BP-D-ORL (Special Use; Blimp Port; Design Review; Organic Refuse Landfill) zone.

PROJECT ADDRESS AND APN: 19200 South Main Street  
APN 7339-017-002

Commissioner Mitoma moved, seconded by Commissioner Fe'esago, to approve the applicant's request as presented, thus adopting Resolution No. 17-2600. Motion carried, 8-0 (absent Madrigal, Post).

AYE	NO		AYE	NO	
X		Chairman Diaz	Absent		Madrigal
X		Vice-Chair Pimentel	X		Mitoma
X		Andrews	Absent		Post
X		Fe'esago, Jr.	X		Thomas
X		Guidry	X		Osuna

**I. Property Owner, Applicant, Representative**

Property Owner / Applicant

Goodyear Tire & Rubber Company  
Attention: Jonathan Blumel  
841 Wingfoot Lake Road  
Mogadore, OH 92618  
330-796-8112

Representative

Ware Malcomb  
Attention: Mike Mladenoff  
10 Edelman  
Irvine, CA 92618  
949-660-9228

**II. Project Description**

The proposed project includes Design Review and Conditional Use Permit for the construction of a new 40,000 square foot airship hanger, 4,500 square foot maintenance building, and associated site improvements. The project also includes a Zone Text Amendment to accommodate the proposed signage.

**III. Background**

The site is part of the former BKK landfill, which operated on the site from 1948 to 1960. In 1967, Goodyear Tire and Rubber purchased the property and constructed the airship facility. The facility has been in operation ever since.

The Goodyear Carson Airship Facility was built on a portion of the former BKK Carson Landfill (Victoria Golf Course/BKK Carson Landfill) which has undergone a Remedial Investigation / Feasibility Study for soil and landfill gas media, and the Remedial Action Plan (RAP) for soil and landfill gas was finalized this year. Because of Goodyear's location on the former landfill, the proposed site improvement activities required coordination and discussion with DTSC to ensure that the landfill cover will not be compromised by any of the activities, that contingency and health and safety plans are in place for workers and the public, and to ensure that the activities will allow for continued compliance with the current post-closure monitoring and maintenance requirements outlined in the final RAP.

At this time, Goodyear is proposing facility improvements to accommodate their new airship, which is expected to arrive in October 2017.

The item was initially noticed for the February 14, 2017 Planning Commission meeting and then re-noticed for the February 28, 2017 Planning Commission meeting. At the request of Goodyear, on February 28, 2017, the Planning Commission continued this item to the March 14, 2017 Planning Commission meeting. Goodyear requested this continuance to allow continued discussions with

the Federal Aviation Administration (FAA) to address impacts of the blimp operations on the surrounding properties.

Since the blimp operations started in 1968, FAA has regulated the blimp operations. According to Goodyear, these regulations include a 1,300' radius area in which all proposed structures are limited to a maximum of 50' height, but do not apply to the proposed 88' inflatable hangar (Exhibit No. 2). Goodyear has stated the new airship reduces the 1,300' radius to 1,000', thereby reducing the impacts of the project on adjoining properties. However, this height restriction by the FAA had never been included in the City's zoning code. Staff had identified this as an issue since September 2016 but the applicant could not provide clear documentation from the FAA that requires this height restriction. Staff had also been unable to reach the FAA directly.

To address the FAA's height restriction, staff had initially recommended that the Blimp Overlay Zone, which currently includes only the blimp site, be expanded to include the 1000' buffer area through approval of Zone Change Case No. 177-17. Staff received comments from Watson Land Company, a neighboring property owner, regarding proposed Zone Change Case No. 177-17 and the 50-foot height restriction's impact on future development of their property (Exhibit No. 3). After considerable discussion, Goodyear, FAA, Watson Land, and staff have agreed that an expansion of the height-restricted buffer area is not necessary. Instead staff will route future development proposals within the 1000' radius to FAA for their review and comment. All future developments within this 1000' radius will have to agree to restrictions proposed by FAA. Watson Land agrees with this proposed solution as indicated in their correspondence, Exhibit 3. Therefore, staff is not requesting the Planning Commission to take action on Zone Change Case No. 177-17.

#### IV. Project Site and Surrounding Land Uses

The subject property is located on the east side of Main Street, north of the 405 Freeway and south of 192<sup>nd</sup> Street. The following provides a summary of the site information:

<b>Site Information</b>	
General Plan Land Use	Public Facilities
Zone District	SU-BP-D-ORL (Special Use; Blimp Port; Design Review; Organic Refuse Landfill)
Site Size	30 acres
Present Use and Development	Blimp Port with: <ul style="list-style-type: none"> <li>• Administration building</li> <li>• Blimp mooring area and pathways</li> <li>• Visitor center, maintenance building, mechanic office, hazmat building, trash area</li> </ul>
Surrounding	North: Vacant zoned ML-D-ORL (Manufacturing, Light; Design

Uses / Zoning	Review; Organic Refuse Landfill) South: Dominguez Channel zoned OS (Open Space) East: Victoria Golf Course zoned OS-ORL (Open Space; Organic Refuse Landfill) West: A tow-yard and industrial uses zoned MH-D and MH-D-ORL (Manufacturing, Heavy; Design Review; Organic Refuse Landfill)
Public Street Access	Ingress/Egress: Main Street

Previous Discretionary Approvals

On February 26, 2008, the Planning Commission approved CUP No. 671-07 and Relocation Review No. 3037 to construct a new 2,160 square foot modular office building to replace existing office building.

On January 19, 2016, the City Council adopted Interim Urgency Ordinance No. 16-1578U extending a moratorium on new development and expansion or modification of existing buildings or sites in six Planning Areas. Section 6 of this Ordinance allows the City Council to make exceptions. On June 8, 2016, the City Council approved an exception to the moratorium for this project. (Exhibit No. 4)

Public Safety Issues

None

**V. Analysis**

Use

The blimp facility will continue to be used for blimp landings, takeoffs, storage, and maintenance. The airship is used to provide aerial television coverage of sporting and other events.

A conditional use permit is required for the construction of a new blimp hangar on and ORL-designated site. The project meets zoning ordinance standards, as discussed below:

**Blimp Port Special Use Development Standards Compliance**

	<b>Standard</b>	<b>Proposed</b>	<b>Compliant?</b>
<b>Height of Buildings and Structures</b>	Max height of 20 ft., unless otherwise approved by a CUP	88 ft.	Yes, with approval of CUP

	<b>Standard</b>	<b>Proposed</b>	<b>Compliant?</b>
<b>Ground Coverage</b>	Max of 5% of net lot area	Proposal is 0.04% (buildings: 50,745 sf/ site: 1,305,760 sf)	Yes
<b>Yards</b>	25 ft. yard abutting each street and property line	25 ft.	Yes
<b>Unobstructed Yards</b>	<ul style="list-style-type: none"> <li>• Front Yard – 25 ft.</li> <li>• Side / Rear Yard – Not required</li> </ul>	<ul style="list-style-type: none"> <li>• Front yard - 18 ft. 8 inches</li> <li>• Side / Rear Yard - 0 feet</li> </ul>	<ul style="list-style-type: none"> <li>• Yes, with approval of Variance</li> <li>• Yes</li> </ul>
<b>Screening</b>	All equipment shall be enclosed within a 6-8 ft. tall solid fence or wall.	Additional front yard landscaping or shrubs to screen front yard mechanical equipment	Yes, with approval of CUP
<b>Perimeter Fencing</b>	The entire site shall be enclosed with a fence	Existing fence to be replaced new wrought iron and open black vinyl fence	Yes
<b>Parking</b>	There shall be a minimum of thirty (30) improved parking spaces located on the site.	The project is proposing 74 parking spaces, based on daily number of employees and visitors, and includes 2 handicapped spaces.	Yes
<b>Signs</b>	<ul style="list-style-type: none"> <li>• Max of one large sign, with not more than two sign faces of not more than 3,120 square feet area each, 100 feet height, 80 feet in length, and four feet in thickness.</li> <li>• Max of three other signs for identification,</li> </ul>	<ul style="list-style-type: none"> <li>• Larger Identification signage proposed for the proposed hangar and maintenance building.</li> <li>• Existing 2-faced pole sign (127 square feet per face) along Main</li> </ul>	<ul style="list-style-type: none"> <li>• Yes, with approval of Zoning Text Amendment</li> <li>• Yes, with approval of CUP</li> </ul>

	<b>Standard</b>	<b>Proposed</b>	<b>Compliant?</b>
	directional or informational purposes only, with max area of 100 square feet each, unless approved by a CUP.	Street to remain.	
<b>Landscaping</b>	All portions of the property and any abutting parkway area in a street right-of-way shall be covered with turf, sod or other suitable plant materials.	Additional landscaping to be added for screening of existing building equipment.	Yes, with the proposed CUP

### Site Plan

#### *Existing Conditions*

The project site is an interior lot with frontage along Main Street. Existing operations buildings and parking lot are located the western edge of the site. The blimp landing area and mooring pad is located at the center of the site. The entire site is surrounded by chain link and wrought iron fencing.

#### *Proposed Project*

The proposed project includes the addition of a new maintenance building at the southwestern corner, new hanger at the southern end, modifications to the existing administrative building and expanded landing and mooring area at the center of the site. The proposed project also includes new fencing at the project site perimeter.

### Building and Architecture

The proposed 40,000 square foot blimp hanger would have a height of 88 feet. The proposed 4,500 square foot maintenance building would have a height of 28 feet. Both of these structures are made out of an inflatable high-strength material that is fire retardant, UV (ultraviolet) protected and recyclable. The same material can be found on similar structures used by the U.S. Armed Forces. In addition, the blimp hanger includes a lighting system that uses subtle color-changing LEDs to light the entire structure.

### Landscaping

The existing site is landscaped with turf grasses, small trees and shrubs around the parking lot and visitor buildings. The vegetation is irrigated with reclaimed water and maintained to keep the landing area free of tall plants that could interfere with blimp operations. Since the site is a former landfill, the landscape palette is limited to mainly grasses.

### Access and Parking / Traffic

Access to the site is available via two driveways from Main Street. The project is proposing 74 parking spaces, based on daily number of employees and visitors, and includes 2 handicapped spaces. The City Traffic Engineer has reviewed the proposal and finds that there will be no significant traffic impacts.

Based on the Initial Study, the proposed project would have less than significant or no impacts regarding traffic. Compared to the existing condition, the proposed project would not substantially increase the amount of daily trips to or from the project site. A relatively minimal number of truck trips during construction, that are not presently occurring, would be occurring during the five months of construction; however, the number of truck trips would be relatively minor and temporary. A Traffic Control Plan would be prepared to minimize any impacts during construction. Weekly non-event related trips would decrease with the increased passenger capacity of the new airship. Event based trips occur one to two times per week, and the frequency is not anticipated to change.

### Public Improvements

Four new on-site fire hydrants are required by the Los Angeles County Fire Department as a condition of approval. The new hydrants would provide fire protection for the project site.

The City's Public Works Department is requesting several public improvements, including sewer connections, drainage infrastructure, a new sidewalk and modified driveways.

### Signage

Signage is proposed on the new hanger and new maintenance building that totals 21,528 square feet. Current code requirements limit the total sign area to 3,120 square feet. In order to consider this increase in sign area, the applicant has proposed a zoning ordinance amendment. This is a very substantial area for signage; however, it is unlike any other signage for commercial or industrial businesses and is similar to the Goodyear sign on the blimp.

### Zoning Ordinance Amendment

The sign area and dimensions proposed by the applicant exceeds the limit established by the current ordinance. The text amendment proposes to:

- increase the number of large identification sign structures from one to two;
- increase the maximum sign area from 3,120 to 21,528 square feet; and
- increase the maximum length from 80 to 370 feet.

The proposed project is a one-of-a kind facility with a distinctive identity and character. The Goodyear blimp makes appearances above the annual Rose Parade, Academy Awards, Super Bowl Week activities, X-Games and hundreds of NCAA, NBA, MLB and NHL games. Because of its unique landmark qualities, staff supports the request to provide larger signage.

Variance No. 561-16 (Front yard setback encroachment)

The required setback along a street or property line is 25 feet minimum. The proposed maintenance building will be setback 18 feet 8 inches and will not meet the setback requirement. Therefore, approval of a variance by the Planning Commission is required to accommodate the reduced setback for the proposed maintenance building.

A portion of the proposed maintenance building is already proposed to be located on the landfill. DTSC has already designated the this building area as “non-project” status and has determined that there will be no disturbance to the landfill cap due to this building being placed in this location (Exhibit No. 5). The placement of the building any further back than its current location would impact the landfill cap and will not be approved by DTSC. Therefore, this circumstance justifies approval of a Variance as it would be considered a hardship for the applicant to meet the setback requirement.

Per Section 9172.22 of the CMC, the Planning Commission must find that:

- Special circumstances, in terms of location of the subject property would deprive this property of certain privileges enjoyed by other properties in the vicinity. The strict application of the zoning code would cause a hardship to this property in that an adequate maintenance building would be in violation of the of the front yard setback requirements of the Municipal Code.

The proposed maintenance building is located so as to: 1) minimize its encroachment onto the adjacent landfill/waste limit line; 2) be in alignment with the setback of the existing maintenance building so as to maintain the existing non-conforming front yard setback; and 3) maximize its distance from the mooring circle while providing convenient access to personnel and less need for additional tile paving. Staff therefore finds that the orientation of the maintenance building combined with the location of the lot would make meeting all applicable regulations a significant hardship.

**VI. Zoning and General Plan Consistency**

Prior to the City’s incorporation in In 1968, the Goodyear Tire & Rubber Company (Goodyear) purchased the approximately 30-acre project site from Watson Land Sales in 1967 and operation of the Airship Operations Center began 1968. The current General Plan Land Use designation of Public Facilities remains consistent with the surrounding Open Space and Light and Heavy Industrial uses.



## VII. Environmental Review

The City reviewed the environmental impacts of the proposed project pursuant to the California Environmental Quality Act. A Mitigated Negative Declaration was prepared and made available for a public review period from January 10, 2017 through February 20, 2017. The potentially significant impacts identified in the Mitigated Negative Declaration including biological resources, geology/soils, and hazards and hazardous materials would be reduced to less than significant through implementation of mitigation measures. All mitigation measures from the Final MND have been incorporated into the conditions of approval. Specific environmental issues are discussed below:

### *Biological Resources*

The project site is completely graded and contains no sensitive vegetation communities. The majority of vegetation includes turf grasses. Several trees are located along the northwestern boundary of the project site, and could potentially be used by raptors and/or other avian species for nesting. Construction-related activities associated with the proposed project could potentially result in a significant impact if nesting raptors and/or migratory birds are located within or near the construction area. A mitigation measure and condition of approval are provided to monitor construction and establish a 300-foot construction buffer for any active nests.

### *Geology and Soils*

The project area is within a broad seismically active region. This could potentially result in significant impacts to proposed structures and associated facilities. Because the project site is mapped as a designated liquefaction hazard zone, implementation of the proposed project could potentially result in a significant impact. A mitigation measure and condition of approval are provided to require a geotechnical report to be approved by the Building and Safety Department to address seismically induced ground shaking at the site, liquefaction, unstable geologic or soil conditions, and expansive soils.

### *Hazards and Hazardous Materials*

The proposed use will involve storage and use of hazardous materials at the project site. The proposed project includes the addition of a relocatable building for proper storage of hazardous material. Helium used for blimp operations would continue to be stored on site in a single tank trailer. No increase in the use of these hazardous materials is anticipated. The Los Angeles County Fire Department currently has oversight over several statewide environmental programs that address the routine transport, use, or disposal of hazardous materials.

The proposed inflatable hangar would be exempt from the 50-foot height restriction due to the hangar's aerodynamic design and therefore would not impose a potential risk for blimp take-offs and landings.

The site is listed as a hazardous material site per Government Code Section 65962.5. Portions of the project site are located on a portion of the former BKK Landfill and the entire former landfill is subject to ongoing monitoring for methane gas. Methane is considered to be non-toxic, but is a hazard for combustion (fire/explosion). Monitoring of methane concentrations will continue for the site. If the results of future monitoring activities indicate methane levels above action levels, further remedial actions (such as a landfill gas collection and treatment system) may be required in the future. A soil and landfill gas Remedial Action Plan (RAP) currently addresses landfill maintenance and monitoring measures. The proposed areas where the mooring circle and access roads will increase will be paved with permeable decking that would allow any methane to vent (as well as water to percolate into the ground).

Due to the presence of known hazardous materials underlying the project site, construction activities could result in the exposure of construction workers to hazardous materials, which would be a potentially significant impact. A mitigation measure and condition of approval have been included to require construction plans that will address contaminated soil and groundwater and a site-specific health and safety plan.

## **VIII. Community Meeting and Public Notice**

### Community Meeting

On January 23, 2017, the applicant hosted a neighborhood meeting. Invites were sent to all property owners and tenants within 1,000 feet of the property boundary. The only person who attended the meeting was Pilar Hoyos, who represents Watson Land Company, an adjacent property owner. The applicant provided information about the historical background, site constraints, new hangar, fencing, and signage. Ms. Hoyos expressed concern about the potential limitations from the proposed flight path and landing zone on property owned by Watson Land. In the weeks following the meeting, the applicant provided additional information and explanation that clarified the FAA regulations to the satisfaction of Watson Land.

### Public Notice

Public notice was posted to the project site on January 26, 2017. Notices were mailed to property owners and occupants within 500 feet. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

## IX. Recommendation

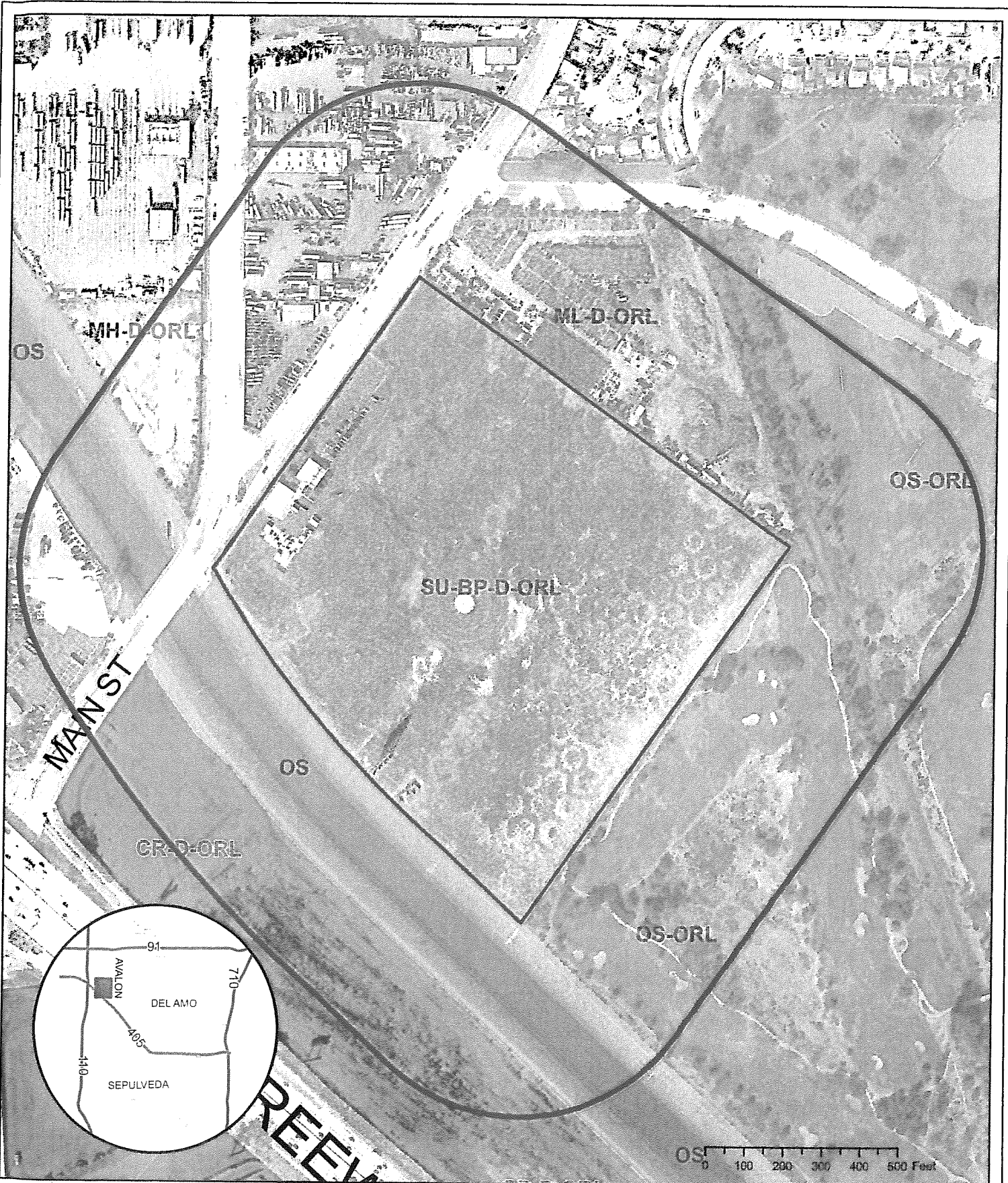
That the Planning Commission:

- **ADOPT** A MITIGATED NEGATIVE DECLARATION; and
- **WAIVE** further reading and **ADOPT** Resolution No. \_\_\_\_\_, “APPROVING DESIGN OVERLAY REVIEW NO. 1627-16 FOR THE MODIFICATION OF THE EXISTING GOODYEAR BLIMP PORT AND VARIANCE NO. 561-16 TO ACCOMMODATE THE REDUCED FRONT YARD SETBACK FOR THE PROPOSED MAINTENANCE BUILDING, AND RECOMMENDING APPROVAL TO THE CITY COUNCIL OF CONDITIONAL USE PERMIT NO. 1006-16 TO CONSTRUCT A NEW BLIMP HANGAR AND MAINTENANCE BUILDING ON A PROPERTY ZONED SU-BP-D-ORL (SPECIAL USE; BLIMP PORT; DESIGN REVIEW; ORGANIC REFUSE LANDFILL) AND ZONE TEXT AMENDMENT NO. 27-16 TO ACCOMMODATE THE PROPOSED SIGNAGE, FOR AN EXISTING GOODYEAR BLIMP PORT LOCATED IN AT 19200 SOUTH MAIN STREET.”

## X. Exhibits

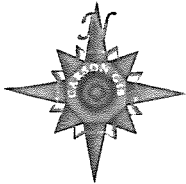
1. Zoning Map
2. Realigning Blimp Zone to FAA Requirements – Diagram – Goodyear Blimp Base Height Restrictions Presentation
3. Comment Letters – Height Restrictions – Watson Land Company – Dated February 22, 2017, February 9, 2017, and January 17, 2017
4. Resolution No. 16-066 - Allowing An Exception To The Application Of Interim Urgency Ordinance No. 16- 1578u To Allow Processing Of Plans And All Related Permits To Allow Modifications To The Goodyear Blimp Airship Base Located At 19140 South Main Street
5. “No Project” Designation Letter – DTSC – Dated August 23, 2016
6. Proposed Resolution
7. Final Initial Study/Mitigated Negative Declaration (under separate cover)
8. Mitigation Monitoring and Reporting Program (under separate cover)
9. Development Plans (under separate cover)

**Prepared by:** Max Castillo, Assistant Planner



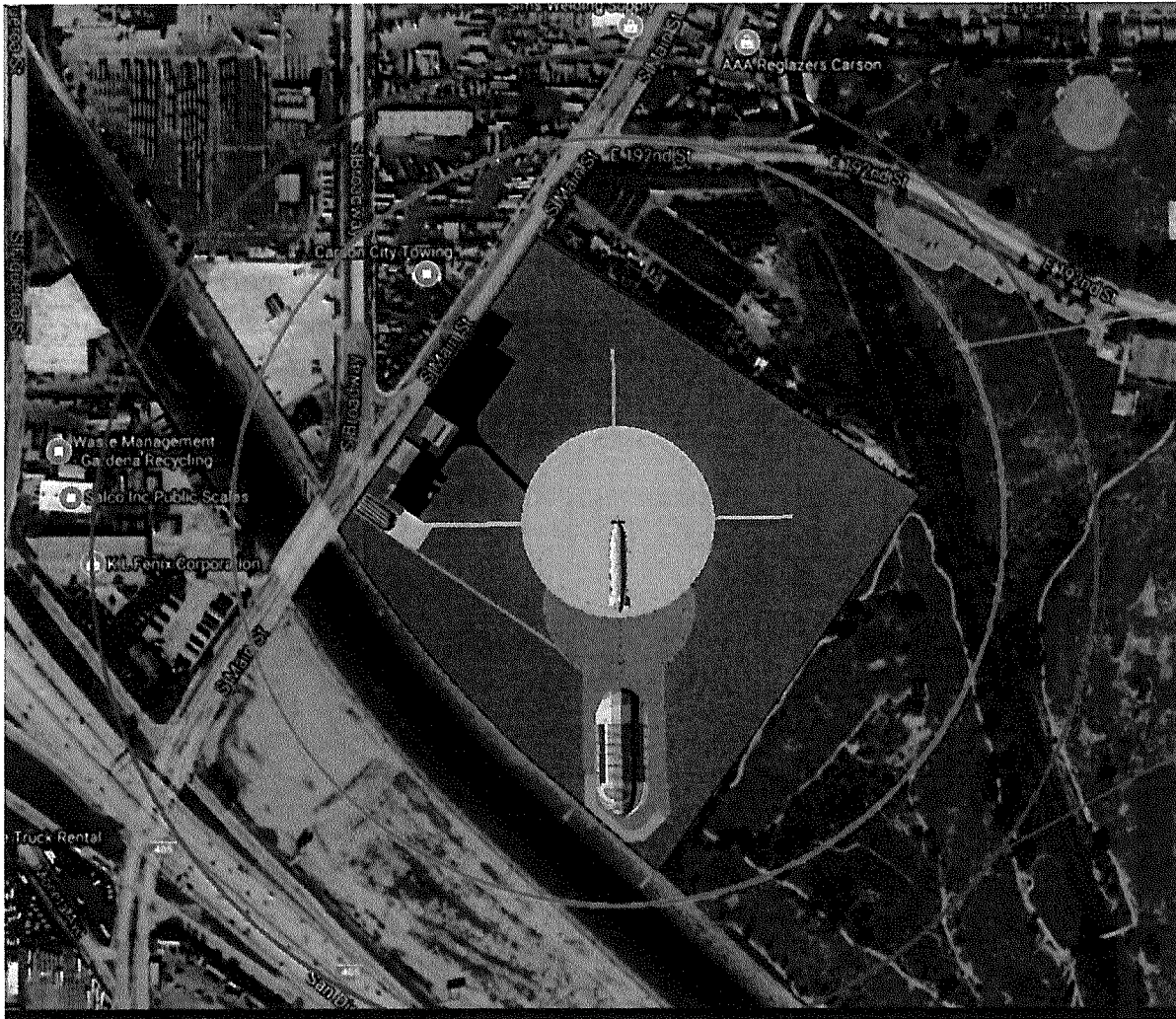
**City of Carson  
500 Foot Radius Map  
19200 Main Street**

**EXHIBIT NO. 1 -**





# Realigning Blimp Zone to FAA Requirements



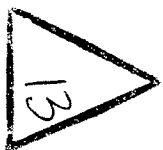
Current Blimp Flight Zone is confined to our Property, according to City Zoning

City has committed to expand Blimp Flight Zone in 2017: New 50' Building Height limit for Zeppelin NT (2000' diameter)

Hangar is exempt due to it's Aerodynamic properties and placement that prevents turbulence on Mooring Circle regardless of wind direction

Blimp Flight Approach Zone for GZ-20 Approach, and FAA has required since 1968 when Blimp Operations began, which was before City of Carson was founded

EXHIBIT NO. 2 -





February 22, 2017

**The Community Development Department, Planning Division**

**ATTN:** Saied Naaseh, Planning Manager

701 East Carson

Carson, CA 90745

**SUBJECT:** Planning Commission Public Hearing, Tuesday, February 28 to consider CUP - No. 1006-16; DOR No. 1627-16, Zone Text Amendment No. 27-16, Variance No. 561-16

On behalf of Watson Land Company, the owner of the adjoining 38 plus acres, I am writing to submit for the record the attached letter dated February 17, 2017 to The Goodyear Tire & Rubber Company to the attention of Mr. Jonathan Blumel, Senior Project Manager.

In light of the facts provided in the subject correspondence, we believe the proposed "mitigation measure" limiting the height of structures to 50' within the 1,000-foot-radius of the blimp mooring areas is neither necessary nor appropriate. The FAA DOES NOT impose a blanket prohibition on structures exceeding a specific height. The FAA process for any development should be the governing process for entitlement improvements on adjacent properties, and not the arbitrary 50' height limit requested by Goodyear without credible explanation or justification.

We therefore request the planning staff and Planning Commission remove the "overlay zone" condition of approval which would unnecessarily place a 50' height restriction on prime freeway frontage land. As noted in the city's recently adopted "Vision Plan", the 29 acres are "well positioned to support indoor and outdoor commercial entertainment uses" and has "high visibility from I-405". We are concerned that the arbitrary and unnecessary 50 foot restriction will result in the loss of exciting and attractive development opportunities.

Sincerely,

Pilar M. Hoyos

Senior Vice President, Public Affairs

PMH/mf





February 17, 2017

Mr. Jonathan Blumel  
Senior Project Manager  
The Goodyear Tire & Rubber Company  
C/O Airship Operations  
841 Wingfoot Lake Road  
Mogadore, OH 44260

Dear Mr. Blumel:

We continue to struggle with Goodyear's stated rationale for proposing a project mitigation measure imposing a "Special Use-Blimp Port Overlay Zone" with a 50 foot height limitation on Watson's adjacent properties. I requested and received from the city of Carson copies of the documents Goodyear submitted to the city of Carson in support of its request for the imposition of the building height limitation. One document consisted of excerpts from the Pilot's Operating Handbook for the soon to be obsolete GZ-20 blimp, and one document consisted of the "Limitations" section of an "Airship Ground Handling Manual", presumably for the new Zeppelin airship. These two documents were devoid of any FAA authority for imposing height restrictions on Watson's property.

The third document, which appears to be a PowerPoint slide deck prepared by Goodyear, contains a number of misstatements and misrepresentations requiring correction and clarification.

One such statement is as follows: "... [T]he Goodyear Blimp Base has an FAA approved Instrument Approach (FAA identifier for the Carson base is 64CL)". This statement is not true. There is no published Instrument Approach Chart for airport designation 64CL (the Goodyear Blimp Base), and therefore there is no FAA approved instrument approach. This conclusion is further supported by other well-respected and credible pilot resources. For example, the section of the *Airports Guide* published by the Aircraft Owners and Pilots Association for the 64CL Goodyear Blimp Base notes the instrument procedures as "None".

In another section of the Goodyear PowerPoint document, related to the new 88 foot high hangar proposed to be constructed by Goodyear on the existing Blimp Base, states that "Hangar is exempt due to it's (*sic*) Aerodynamic (*sic*) properties and placement that prevents turbulence on Mooring Circle regardless of wind direction". It is notable, however, that another section of Goodyear's PowerPoint presentation (which, without citation, purports to summarize factors requiring notice to the FAA 45 days prior to construction) makes no mention of aerodynamic properties of the proposed improvements.

In fact, we find no authority for Goodyear's statement that its 88 foot high hangar located on the Blimp Base is "exempt" from any FAA requirements. No such exemption can be found in the FAA Part 77 Regulations so liberally quoted by Goodyear. If there is some such authority and we were simply unable to locate it, please provide it to us. However, it appears that Goodyear's proposed



Mr. Jonathan Blumel  
February 17, 2017  
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hangar must comply with the normal FAA notice and approval procedures. In this regard, we note that an FAA Form 7480-1 is required for construction of the proposed hangar, and we request that a copy of Goodyear's Form 7480-1 be provided to the city of Carson and to Watson.

As you are undoubtedly aware, structures exceeding various heights within various distances of an airport are subject to the 45 day FAA notice requirement prior to construction. In this instance, the applicable FAA form would be FAA form 7460-1 (in contrast to the FAA Form 7480-1 required for construction by Goodyear on the Blimp Base itself) to construct. Watson is well aware of the FAA notice requirements and procedures, and is fully willing to and capable of complying with the FAA requirements. However, as you are also aware, the notice requirement to FAA is simply that—a notice requirement. The FAA will then evaluate the proposed construction and make a determination of "No Hazard to Air Navigation" or determine that the improvement would be a hazard to air navigation. There are a number of factors the FAA takes into consideration in making its hazard determination. However, the FAA DOES NOT impose a blanket prohibition on structures exceeding a specific height, and it is unnecessary for Goodyear to attempt through a zoning overlay to have the city of Carson impose one on all surrounding properties other than Goodyear's. The fact that the FAA does not impose a blanket height restriction provides the opportunity for Goodyear to construct its 88 foot high hangar. The FAA process should be the governing process for entitling improvements on adjacent properties, and not the arbitrary 50' height limitation being proposed by Goodyear.

For the reasons stated above, we believe the proposed 50' height restriction impacting numerous property owners (not just Watson Land Company) is arbitrary, unnecessary, and unfair. The existing FAA notice and approval procedures adequately address any concerns about future improvements creating potential hazards to air navigation. The proposed zoning overlay height restriction is unnecessary, and is not an appropriate project mitigation measure.

We have reached out to Goodyear on numerous occasions to discuss this issue, and for reasons unknown to us, Goodyear has declined to engage in discussions with us. We remain available to speak with the appropriate individuals to cooperatively resolve this issue.

Very truly yours,



Bradley D. Frazier  
Executive Vice President  
Chief Administrative Officer  
General Counsel

C: Nancy L. Berardinelli-Krantz



# Allen Matkins

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**Andrew Lee**  
E-mail: alee@allenmatkins.com  
Direct Dial: 949 851 5484 File Number: 999903-14000/OC1138102

## VIA EMAIL/OVERNIGHT MAIL

February 9, 2017

Saied Naaseh, Planning Manager  
City of Carson Community Development  
Department  
701 East Carson Street  
Carson, CA 90745

### **Re: Goodyear Airship Operations Center Improvements Project.**

Dear Mr. Naaseh:

We represent Watson Land Company ("Watson"), which owns property adjacent to the Goodyear Airship Operations Center ("AOC"), located at 19200 South Main Street, Carson, California 90248. We have recently become aware of Carson's processing of the proposed Goodyear Airship Operations Center Improvements Project ("Project"). In connection with its evaluation of the Project, Carson is processing a Mitigated Negative Declaration ("MND") to comply with CEQA. Watson does not desire to oppose the Project. However, Watson has concerns that a mitigation measure set forth in the MND – Land Use and Planning LU-1 mitigation measure ("LU-1") – may negatively impact Watson's properties. (MND, pages 4-5.) LU-1 requires Carson to adopt an amendment to its Special Use-Blimp Port Overlay Zone to require a 50-foot height restriction on all structures within a 1,000-foot radius of the AOC.

Watson's properties would be negatively impacted by the proposed height restriction of LU-1. Watson contacted Goodyear representatives weeks ago when Watson first learned of LU-1's height restriction. However, Goodyear has still not provided Watson with any of the FAA documents that Goodyear has cited to as the basis for needing LU-1's height restrictions. Goodyear has stated to Watson that these documents will be forthcoming.

In order to have an adequate amount of time for Watson to fully consider the Project's impacts, Watson respectfully requests that Carson continue the public circulation period for the MND by an additional *two weeks*. The extension would provide Watson with sufficient time to evaluate the Project and submit its written comments. We understand that Goodyear has agreed to continue the upcoming public hearing on the Project before the City Planning Commission to the Commission's next scheduled hearing on February 28, 2017. Due to Goodyear's continuance



Allen Matkins Leck Gamble Mallory & Natsis LLP  
Attorneys at Law

Saied Naaseh, Planning Manager

February 9, 2017

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request on the hearing, this two-week extension of the public circulation process would not delay Carson's consideration of the Project.

Thank you for your consideration of this request. Please contact us with any questions or comments regarding this.

Very truly yours,



Andrew Lee

AL:slp

cc: Max Castillo (via email)  
John C. Condas, Esq.



RESOLUTION NO. 16-066

A RESOLUTION OF THE CITY OF CARSON, CALIFORNIA, ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 16-1578U TO ALLOW PROCESSING OF PLANS AND ALL RELATED PERMITS TO ALLOW MODIFICATIONS TO THE GOODYEAR BLIMP AIRSHIP BASE LOCATED AT 19140 SOUTH MAIN STREET.

WHEREAS, On December 15, 2015, Interim Urgency Ordinance No. 15-1575U was enacted pursuant to the authority conferred upon the City Council of the City of Carson by Government Code Section 65858 by a 5-0 vote; and

WHEREAS, Interim Urgency Ordinance No. 15-1575U enacted a 45-day moratorium on new development and expansion or modification of existing buildings or sites in six planning areas; and

WHEREAS, On January 5, 2016, the City issued a "10-day report" describing the measures taken to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 15-1575U, which date was at least ten (10) days prior to the adoption of this extension , as required by State law; and

WHEREAS, On January 19, 2016, the City Council adopted Interim Urgency Ordinance No. 16-1578U extending a moratorium on new development and expansion or modification of existing buildings or sites in six Planning Areas for 10 months and 15 days. On February 2, 2016, the City Council ratified the ordinance; and

WHEREAS, A moratorium was necessary in order to protect the City and its residents, businesses and visitors from the potential impacts of new development and expansion or modification of existing buildings or sites in the six planning study areas, including air quality, noise, traffic, parking, public safety and other impacts, and to preserve the quality of life and protect the health, safety and welfare of the community given potential development boosts in the area given the immanency in approval and development of a "Signature Project" on the Property. The City must make certain that new development and expansion or modification of existing buildings or sites in the six planning study areas are issued only under adequate regulations and to study cumulative impacts of developments in the area as well. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of a comprehensive studies and plans for the regulation of such activities. The absence of this Ordinance would create a serious threat to the orderly and effective implementation of any amendments to the Carson Municipal Code, which may be adopted by the City Council as a result of studying this issue, in that new development and expansion or modification of existing buildings or sites in the six planning study areas under the Existing Regulations may be in conflict with or frustrate the purposes of the City's General Plan; and

EXHIBIT NO. 4-

[MORE]

WHEREAS, During the effective period of the moratorium, no application for permit will be accepted, no consideration of any application for permit will be made, and no permit will be issued by the City for the establishment, expansion, or modification of new development in six planning study areas within the City until this ordinance has expired or has been repealed according to applicable law; and

WHEREAS, The City Council may allow exceptions to the application of the moratorium, if, based on substantial evidence presented in writing to the City Council at a Council meeting held no less than 30 nor more than 90 City- calendar days after the Planning Manager's receipt of that evidence, it determines any of the following:

- A. The City's receipt and consideration of an application for a permit to establish, expand, or modify development in six planning study areas within the City's jurisdiction is necessary for the preservation of the public health, safety and welfare; or
- B. The City's receipt and consideration of an application for a permit to expand, or modify development in six planning study areas within the City's jurisdiction will result in a project which will improve energy or water efficiency; or
- C. The request is for an exception from the application of this Ordinance for the leasing and tenant improvements of tenant space within an existing building or structure and either (1) the use proposed under the lease is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; or
- D. The request is for an exception from the application of this Ordinance for permits for development of new projects or expansion and modification of existing buildings and sites and the use proposed is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; and

WHEREAS, on May 7, 2016, Mr. Jonathan Blumel, Senior Project Manager for Airship Operations, on behalf of Goodyear Tire & Rubber Company, filed an application for an exception from Interim Urgency Ordinance No. 15-1575U to allow processing of plans and all necessary permits for the modifications needed to allow the Carson airship base to accommodate the new fleet of airships.

WHEREAS, Staff has reviewed application and views this use consistent with "signature project" as defined in concept in the Land Use and Economic Development Elements of the City's General Plan because it is consistent with the existing and future vision for the area. The area is expected to remain light industrial and golf course.

WHEREAS, If the City Council determines to allow an exception, then such applications and/or permits may be filed and processed in accordance with the City's then current regulations

and authority, subject to the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and any other applicable laws, ordinances and regulations.

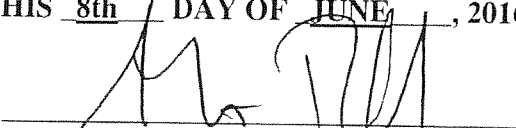
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON HEREBY MAKES THE FOLLOWING FINDINGS:

1. Section 6 of Interim Urgency Ordinance No. 16-1578U states that the City Council may allow exceptions to the application of this Ordinance, if the City Council determines any of the provisions included in Section 6, A through D apply to the request. Staff has determined that provisions of Section 6.C. apply to this request; and

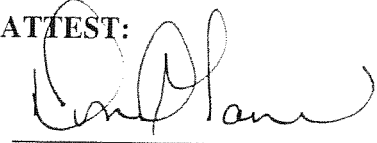
2. The request is for an exception from the application of Interim Urgency Ordinance No. 16-1578U for modifications needed to allow the Carson airship base to accommodate the new fleet of airships is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan. The "signature project" will be a regional retail destination and the proposed improvements do not compete with the "signature project". In addition, the improvements would eventually compliment the "signature project"; and

3. The said property is an existing facility for the Goodyear airship base with a General Plan designation of Public Facilities. The improvements to the existing facility will assist in accommodating the new fleet of airships. The facility is an asset to the community and will continue to be after the improvements are completed. Staff has determined the said improvements are generally consistent with the existing zoning and character of the area and would not pose an impediment to the establishment of a "signature project" as required by Section 6.C Interim Urgency Ordinance No. 16-1578U.

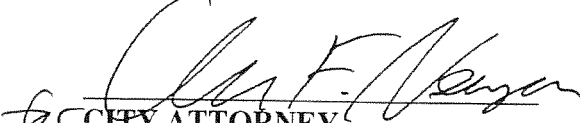
PASSED, APPROVED AND ADOPTED THIS 8th DAY OF JUNE, 2016.

  
MAYOR ALBERT ROBLES

ATTEST:

  
DONESIA L. GAUSE, CITY CLERK

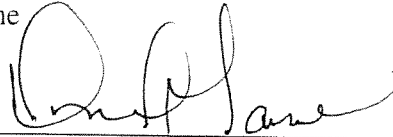
APPROVED AS TO FORM:

  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON                )

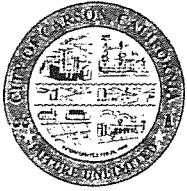
I, Donesia L. Gause, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 16-066, adopted by the Carson City Council at its meeting held on the 8<sup>th</sup> day of June, 2016, by the following vote:

AYES:	COUNCIL MEMBERS:	Mayor Robles, Davis-Holmes, Santarina, Hilton, and Hicks
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



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Donesia L. Gause, CMC

[MORE]



File #: 2016-653, Version: 1

**Report to Mayor and City Council**

Wednesday, June 08, 2016

Discussion

**SUBJECT:**

**CONSIDER RESOLUTION NO. 16-066, AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 16-1578U TO ALLOW FOR MODIFICATIONS TO THE GOODYEAR BLIMP AIRSHIP BASE LOCATED AT 19140 SOUTH MAIN STREET (CITY COUNCIL)**

**I. SUMMARY**

On January 19, 2016, the City Council adopted Interim Urgency Ordinance No. 16-1578U extending a moratorium on new development and expansion or modification of existing buildings or sites in six Planning Areas for 10 months and 15 days. On February 2, 2016, the City Council ratified the ordinance (Exhibit No. 1). Section 6 of this Ordinance allows the City Council to make exceptions to the application of this Ordinance. On May 7, 2016, Mr. Jonathan Blumel, Senior Project Manager for Airship Operations, filed a request to make an exception to this ordinance to allow processing of plans and all necessary permits for the modifications needed to allow the Carson airship base to accommodate the new fleet of airships. The improvements include: placing a 46,000 square-foot inflatable hangar with signage, placement of approximately 240,000 square feet of landing and mooring pads made from white perforated composite decking specially designed for landfill sites (in-lieu of asphalt), removal of the Goodyear billboard, installation of wrought iron along Main Street and chain link fencing for the remainder of the site, placement of a storage building, and other minor improvements (Exhibit No. 2). The improvements are expected to be completed by fall of 2017. If the City Council determines to allow an exception pursuant to Section 6, such applications and/or permits may be filed and processed in accordance with the City's regulations and authority, and any other applicable laws, ordinances and regulations. Staff recommends adoption of Resolution No. 16-049 (Exhibit No. 3).

**II. RECOMMENDATION**

1. WAIVE further reading and ADOPT Resolution No. 16-06, "ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 16-1578U TO ALLOW PROCESSING OF PLANS AND ALL RELATED PERMITS TO ALLOW MODIFICATIONS TO THE GOODYEAR BLIMP AIRSHIP BASE LOCATED AT 19140 SOUTH MAIN STREET."

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### III. ALTERNATIVES

TAKE such other action as the City Council deems appropriate, consistent with the requirements of law.

### IV. BACKGROUND

Section 6 of Interim Urgency Ordinance No. 16-1578U states that the City Council may allow exceptions to the application of this Ordinance, if the City Council determines any of the provisions included in Section 6, A through D apply to the request. Staff has determined that provisions of Section 6.C. apply to this request. Section 6.C. of Interim Urgency Ordinance No. 16-1578U states:

"The request is for an exception from the application of this Ordinance for the leasing and tenant improvements of tenant space within an existing building or structure and either (1) the use proposed under the lease is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; or"

Staff has determined the said use and its expansions to be consistent with the existing zoning and character of the area and would not pose an impediment to the establishment of a "signature project" as required by Section 6.C.

### V. FISCAL IMPACT

None.

### VI. EXHIBITS

1. Ordinance No. 16-1578U. (pgs. 3-11)
2. Letter from Mr. Jonathan Blumel, dated May 7, 2016. (pg. 12-19)
3. Resolution No. 16-066. (pgs. 20-22)

Prepared by: Saied Naaseh, Planning Manager



ORDINANCE NO. 16-1578U

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, EXTENDING A CITYWIDE MORATORIUM ON NEW DEVELOPMENT AND EXPANSION OR MODIFICATION OF EXISTING BUILDINGS OR SITES IN SIX PLANNING AREAS WITHIN THE CITY OF CARSON FOR A PERIOD OF TEN MONTHS AND FIFTEEN DAYS

The City Council of the City of Carson hereby ordains as follows:

**SECTION 1. AUTHORITY AND EFFECT**

R. The State Planning and Zoning Law (Cal. Gov't Code Sections 65000, et seq.) broadly empowers the City to plan for and regulate the use of land in order to provide for orderly development, the public health safety and welfare, and a balancing of property rights and the desires of the community and how its citizens envisions their city.

S. On December 15, 2015, Interim Urgency Ordinance No. 15-1575U was enacted pursuant to the authority conferred upon the City Council of the City of Carson by Government Code Section 65858 by a 5-0 vote.

T. Interim Urgency Ordinance No. 15-1575U enacted a 45-day moratorium on new development and expansion or modification of existing buildings or sites in six planning areas.

U. On January 5, 2016, the City issued a "10-day report" describing the measures taken to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 15-1575U, which date was at least ten (10) days prior to the adoption of this extension , as required by State law; and

V. Based on the foregoing, the City Council finds that there continues to be a current and immediate threat to the public health, safety, and welfare from the issuance of permits, business licenses, or other applicable approvals and entitlements for new development and expansion or modification of existing buildings or sites in six planning areas prior to the City's completion of its study. Therefore, an extension of the temporary moratorium on the issuance of such permits, licenses, and entitlements is necessary to protect the public health, safety, and welfare.

W. In accordance with the authority granted to the City of Carson under Government Code Section 65858, subdivision (b), the City Council hereby extends the moratorium on the approval of use permits, variances, building permits, business licenses or other applicable approvals, licenses, permits, or other entitlements for new development and expansion or modification of existing buildings or sites in six planning areas for an additional 10 months and 15 days following the original 45 day period of Ordinance No. 15-1575U.

**SECTION 2. FINDINGS**

This Ordinance is an extension of Interim Urgency Ordinance No. 15-1575U, and is adopted pursuant to the authority granted to the City of Carson by California Government Code Section

65858, and is for the immediate preservation of the public health, safety and welfare. The facts constituting the urgency of this Ordinance are as follows; therefore, the City Council of the City of Carson hereby finds, determines, and declares that:

A. This moratorium is being extended in order to provide the City with enough time to thoroughly and adequately review, study, and revise the City's laws, rules, procedures, and fees related to new development and expansion or modification of existing buildings or sites in six planning areas as identified on Exhibit 1, as well as to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to on new development and expansion or modification of existing buildings or sites in six planning areas on the one hand, with the preservation of the health, safety, and welfare of the communities in the City of Carson on the other hand.

B. The existing rules do not provide for a cohesive future development plan to assist with the City's general plan goal of development of the 157-acre site as a potential location for a "Signature Project" that would create a focal point and identity for the City with commercial, recreational, entertainment and lodging uses that would serve the entire region.

C. New development and expansion or modification of existing buildings or sites in the six planning study areas may create irreversible or costly negative impacts in the community which will be inconsistent with the City's goals of transforming Carson to a regional/national/international destination with hotels, entertainment uses, restaurants, commercial centers, and a variety of other uses and in light of the immanent decision by the NFL on the possible relocation approval of a Los Angeles Stadium, the City needs to study the particular type of uses which are more attractive and supplemental as ancillary developments to create the "Signature Project" in Carson.

D. It is now essential to determine the development capacity of the six planning areas in light of the capabilities of the areas' infrastructure and public services and the market and to conduct comprehensive environmental analysis, the impacts which could result from the desired development can be mitigated or prevented altogether and identify the necessary infrastructure and public services that can be developed in a timely and cost effective manner.

E. Through analysis of opportunities and constraints, stakeholder outreach and planned development, and comprehensive environmental analysis including a review of the Public Safety and Public Services, the impacts which could result from development can be mitigated or prevented altogether with a comprehensive financing plan.

F. Absent the adoption of this Interim Urgency Ordinance, new development and expansion or modification of existing buildings or sites in the six study areas could result in the negative and harmful secondary effects, as identified above;

G. As a result of the negative and harmful secondary effects associated with improperly planned and regulated new development in the six planning study areas, the current and immediate threat such secondary effects pose to the public health, safety and welfare, and the potential zoning conflicts that would be created by new development and expansion or modification of existing buildings or sites in the six planning study areas, it is necessary to adopt a temporary, forty-five (45) day moratorium on new development in the six planning study areas in the City.

H. A moratorium is necessary in order to protect the City and its residents, businesses and visitors from the potential impacts of new development and expansion or modification of existing buildings or sites in the six planning study areas, including air quality, noise, traffic, parking, public safety and other impacts, and to preserve the quality of life and protect the health, safety and welfare of the community given potential development boosts in the area given the immanency in approval and development of a "Signature Project" on the Property. The City must make certain that new development and expansion or modification of existing buildings or sites in the six planning study areas are issued only under adequate regulations and to study cumulative impacts of developments in the area as well. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of a comprehensive studies and plans for the regulation of such activities. The absence of this Ordinance would create a serious threat to the orderly and effective implementation of any amendments to the Carson Municipal Code, which may be adopted by the City Council as a result of studying this issue, in that new development and expansion or modification of existing buildings or sites in the six planning study areas under the Existing Regulations may be in conflict with or frustrate the purposes of the City's General Plan.

I. The revisions described in Paragraph H, above, and the nature of the land use will likely result in the City amending, repealing, and/or adding provisions to the Carson Municipal Code, including the Zoning Code.

### SECTION 3. MORATORIUM

During the effective period of this ordinance, no application for permit will be accepted, no consideration of any application for permit will be made, and no permit will be issued by the City for the establishment, expansion, or modification of new development in six planning study areas within the City until this ordinance has expired or has been repealed according to applicable law. Further, all processing of existing applications for permits shall be suspended immediately. "Expansion" means increasing the total size of the floor area of the building by 10% or more. "Modification" means making any modifications to an existing building or site that require permits.

The provisions of this ordinance shall not apply to the leasing of tenant space within an existing building or structure if the term of the lease or rental agreement is three (3) years or less from the date of adoption of this ordinance with no further renewal options and it does not involve an Expansion of the total size of the floor area of the building by 10% or more. For such circumstances, the following may be issued by the City:

- A. Business license; and
- B. Permits for interior modifications or tenant improvements

"Permit" means any City planning land use approvals, issuance of any business license tax permit including the transfer of a business license from one owner to another, and any building, grading, plumbing, electrical or mechanical permit issued by the City, whether the approval or issuance is discretionary or ministerial. The annual renewal of an existing business license, any permits necessary for the routine maintenance of the buildings or sites, or any permits necessary for repairs required due to an emergency or to protect the public health, safety and welfare, shall not be considered issuance of a permit.



#### **SECTION 4. REVIEW AND STUDY**

During the period of this Ordinance, the Director of Community Development or his or her designee shall review, study and propose revisions as necessary to the City's laws, rules, procedures and fees related to the establishment, expansion, or modification of new development in six planning study areas, to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish, expand, or modify new development in six planning study areas in the City, with the preservation of the health, safety and welfare of the communities surrounding planning areas.

#### **SECTION 5. GRANDFATHERING**

This Interim Urgency Ordinance shall not apply to any project which has been previously approved by the City or its constituent boards, commissions or officials so long as such approvals remain valid. Any application for discretionary land use development entitlements, zoning variances which is being processed shall be subject to the requirements hereof.

#### **SECTION 6. EXCEPTION**

The City Council may allow exceptions to the application of this Ordinance, if, based on substantial evidence presented in writing to the City Council at a Council meeting held no less than 30 nor more than 90 City- calendar days after the Planning Manager's receipt of that evidence, it determines any of the following:

- A. The City's receipt and consideration of an application for a permit to establish, expand, or modify development in six planning study areas within the City's jurisdiction is necessary for the preservation of the public health, safety and welfare; or
- B. The City's receipt and consideration of an application for a permit to expand, or modify development in six planning study areas within the City's jurisdiction will result in a project which will improve energy or water efficiency; or
- C. The request is for an exception from the application of this Ordinance for the leasing and tenant improvements of tenant space within an existing building or structure and either (1) the use proposed under the lease is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; or
- D. The request is for an exception from the application of this Ordinance for permits for development of new projects or expansion and modification of existing buildings and sites and the use proposed is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan.

If the City Council determines to allow an exception pursuant to this section, then such applications and/or permits may be filed and processed in accordance with the City's then current regulations and authority, subject to the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and any other applicable laws, ordinances and regulations.

## SECTION 7. URGENCY MEASURE

It is hereby declared this Ordinance is necessary as an urgency measure for the preservation of the public health, safety and welfare. The City Council finds that the current zoning regulations and land use plans relating to the establishment, expansion, or modification of new development in six planning study areas do not adequately protect the peace, health, safety, and general welfare of the residents of the City or in communities around the City. The City Council finds that this interim urgency ordinance is necessary in order to ensure adequate regulation of the establishment, expansion, or modification of new development in six planning study areas, which regulations will serve to adequately and appropriately balance the rights of existing operators and future applicants who wish to establish, expand, or modify of new development in six planning study areas on the one hand, with the preservation of the public health, safety, and welfare of the surrounding communities on the other hand. The facts constituting the urgency are:

A. The City of Carson desires to encourage the development of approximately 157-acre property ideally located on the 405 Freeway, near the 110 (Harbor) Freeway (the "Property") within the City, which is currently undeveloped, is identified in the City's General Plan as a potential location for a "Signature Project" that would create a focal point and identity for the City with commercial recreational uses that would serve the entire region.

B. The Property is on a former landfill. Clean-up of the Property and implementation of remediation systems are subject to oversight by the Department of Toxic Substance Control ("DTSC").

C. The remediation of the applicable portions of the Property is well underway and the Property is ready for development. Ground water remediation and landfill gas systems are fully permitted and operational. The Carson Reclamation Authority has also installed reclaimed water lines to serve the site for landscaping and construction purposes.

D. In connection with this, the City Council desires to consider and study the development of ancillary uses within the City on appropriate sites to assist in the successful development of this "Signature Project."

E. The Property is ready and can be used to build a major retail center per the originally approved mixed-use retail project.

F. In connection with development of the Property, the City has gone to the South Bay Council of Governments and received approval for a rapid transit plan to serve the signature development on the property.

G. The "Signature Project" will provide economic development opportunities associated with its development creating construction and permanent jobs in the City and the surrounding area, generating new economic activity, including generating new business for local hotels and restaurants, and encouraging the creation of new businesses in the City and the surrounding area.

H. The site is surrounded by over 600 acres of vacant and developed land with commercial, industrial and recreational uses within six planning areas that present a unique development and redevelopment opportunity as identified on Exhibit 1.

I. The proposed "Signature Project" provides a unique opportunity for the development and redevelopment of the surrounding properties within the planning areas and the City is aware of interested parties in acquiring and developing in the six planning areas.

J. The properties within the six planning areas were originally developed under L.A. County zoning and many of the sites are former land-fills or industrial brownfield uses and as a result are "distressed" properties.

K. If planned accordingly, the entire area could be envisioned and transformed into vibrant districts designed to maximize the compatibility with the "Signature Project" with new commercial businesses and nearby residences. This planning effort would assure that all new development can be accommodated by proper zoning, appropriate remediation measures and proper infrastructure and public services and that an infrastructure financing plan is developed to identify the financing options for this infrastructure and public services.

L. The City Council would like to take advantage of this opportunity to transform Carson to a regional/national/international destination with hotels, entertainment uses, restaurants, commercial centers, and a variety of other uses.

M. This effort will require careful planning of the area surrounding the proposed "Signature Project". The proposed moratorium would provide the time necessary for the City to thoroughly study the area, meet with property owners, the community, and other stakeholders, and develop plans for the area that would benefit all the parties involved, such as potential development of hotels, restaurants, and other retail uses which would be complimentary to the Signature Project and the City's goals of transforming Carson to a regional/national/international destination. The final product of this effort could include specific plans, area wide urban design guidelines, environmental impacts reports, infrastructure plan, financing plans, and implementation plans for the study areas to facilitate their development/redevelopment.

N. The City also needs time to evaluate the potential cumulative impacts of new development in the six planning areas now, before continued development creates irreversible or costly negative impacts in the community. It is now essential to determine the development capacity of the six planning areas in light of the capabilities of the areas' infrastructure and public services and the market. Through analysis of opportunities and constraints, stakeholder outreach and planned development, and comprehensive environmental analysis, the impacts which could result from the desired development can be mitigated or prevented altogether and identify the necessary infrastructure and public services can be developed in a timely and cost effective manner.

O. To permit development in the six planning areas to continue without being subject to regulations that are consistent with the General Plan, and that take into account the impacts that such developments have, constitutes a threat to the health, safety, and welfare.

P. Undesirable developments are likely to seek to be located in the City of Carson based on the lack of regulations, which will further exacerbate the impacts of such developments.

Q. Absent the adoption of this Interim Urgency Ordinance, the development in the six planning areas is likely to result in the negative and harmful secondary effects described above;

R. Based on the negative and harmful secondary effects associated with improperly regulated development within the six planning areas, the current and immediate threat such secondary effects pose to the public health, safety and welfare, and the potential zoning conflicts that would be created by this development, it is necessary to extend the moratorium for the six planning areas for a period of 10 months and 15 days.

S. This extension is necessary in order to continue to protect the City and its residents, businesses, and visitors from the potential health and safety impacts of establishment, expansion, or modification of new development in six planning study areas, including air quality, noise, traffic, parking, and other impacts, and to preserve the quality of life and protect the health, safety, and welfare of the surrounding communities.

T. This extension is immediately required to preserve the public health, safety, and welfare, to make certain that permits for establishment, expansion, or modification of new development in six planning study areas are issued only under adequate regulations. The extension of the moratorium will allow the City sufficient time to conclude the preparation of a comprehensive ordinance for the regulation of such activities. Allowing the moratorium to expire would create a serious threat to the orderly and effective implementation of any amendments to the Carson Municipal Code, which may be adopted by the City Council as a result of studying this issue, in that establishment, expansion, or modification of new development in six planning study areas under the existing regulations may be in conflict with or frustrate the purposes of the City's General Plan.

#### **SECTION 8. SEVERABILITY**

The City Council hereby declares, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

#### **SECTION 9. CEQA COMPLIANCE**

Pursuant to Section 15001 of the California Environmental Quality Act ("CEQA") Guidelines, this interim urgency ordinance is exempt from CEQA based on the following:

(a) This ordinance is not a project within the meaning of CEQA Section 15378 because it has no potential for resulting in physical change to the environment, either directly or indirectly.

(b) This ordinance is also exempt pursuant to CEQA Section 15061(b)(3) since the proposed ordinance involves an interim urgency ordinance extending a 45-day temporary moratorium on establishment, expansion, or modification of new development in six planning study areas by 10 months and 15 days and does not have the potential to significantly impact the environment.

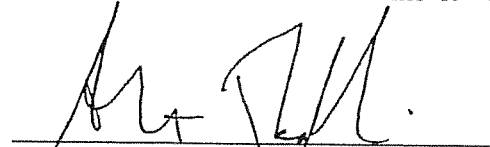
#### **SECTION 10. PUBLICATION**

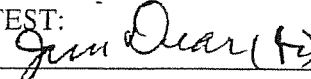
The City Clerk shall certify as to the passage and adoption of this Interim Urgency Ordinance and shall cause the same to be published in a manner prescribed by law.

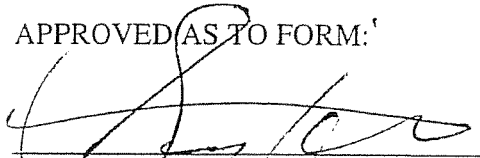
**SECTION 11. EFFECTIVENESS OF ORDINANCE.**

This Interim Urgency Ordinance shall become effective immediately upon adoption if adopted by at least four-fifths (4/5) vote of the City Council and shall be in effect for an additional 10 months and 15 days from the date of the expiration of the original 45-day Interim Urgency Ordinance, and shall expire on December 15, 2016.

**PASSED, APPROVED and ADOPTED** as an URGENCY ORDINANCE this 19<sup>th</sup> day of January, 2016.

  
Albert Robles, Mayor  
City of Carson, California

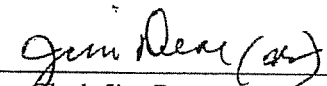
ATTEST:  
  
Jim Dear, City Clerk  
City of Carson, California

APPROVED AS TO FORM:  
  
City Attorney Sunny K. Soltani

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES   ) ss.  
CITY OF CARSON             )

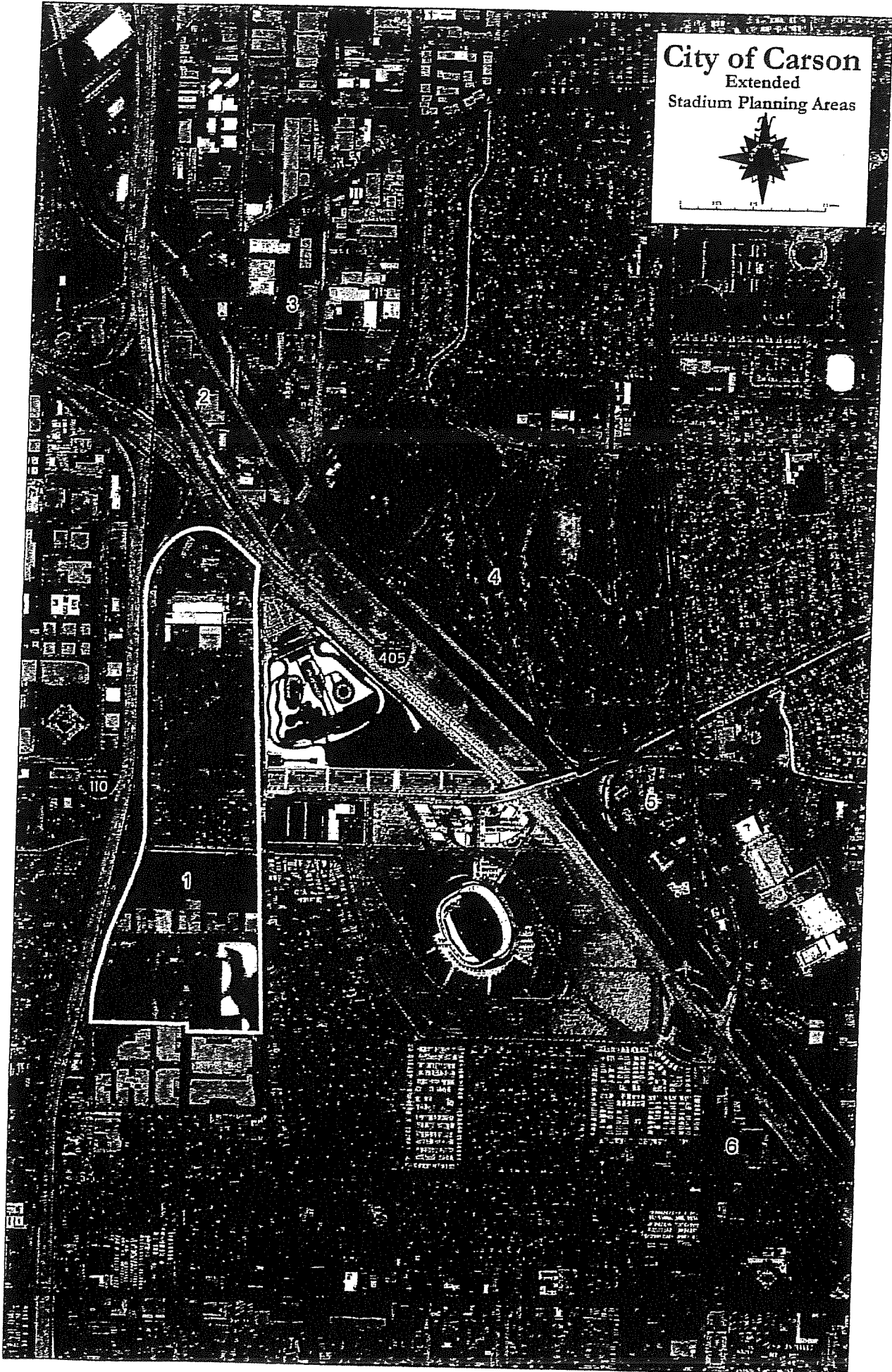
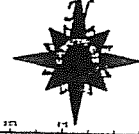
I, Jim Dear, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance No. 16-1578U was adopted by the City Council on an urgency basis at a meeting of said Council, held on the 19<sup>th</sup> day of January, 2016, by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Mayor Robles, Davis-Holmes, Hilton, and Gause-Aldana
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	Santarina
ABSENT:	COUNCIL MEMBERS:	None

  
City Clerk Jim Dear



City of Carson  
Extended  
Stadium Planning Areas



3733

RESOLUTION NO. 16-066

A RESOLUTION OF THE CITY OF CARSON, CALIFORNIA, ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 16-1578U TO ALLOW PROCESSING OF PLANS AND ALL RELATED PERMITS TO ALLOW MODIFICATIONS TO THE GOODYEAR BLIMP AIRSHIP BASE LOCATED AT 19140 SOUTH MAIN STREET.

WHEREAS, On December 15, 2015, Interim Urgency Ordinance No. 15-1575U was enacted pursuant to the authority conferred upon the City Council of the City of Carson by Government Code Section 65858 by a 5-0 vote; and

WHEREAS, Interim Urgency Ordinance No. 15-1575U enacted a 45-day moratorium on new development and expansion or modification of existing buildings or sites in six planning areas; and

WHEREAS, On January 5, 2016, the City issued a "10-day report" describing the measures taken to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 15-1575U, which date was at least ten (10) days prior to the adoption of this extension , as required by State law; and

WHEREAS, On January 19, 2016, the City Council adopted Interim Urgency Ordinance No. 16-1578U extending a moratorium on new development and expansion or modification of existing buildings or sites in six Planning Areas for 10 months and 15 days. On February 2, 2016, the City Council ratified the ordinance; and

WHEREAS, A moratorium was necessary in order to protect the City and its residents, businesses and visitors from the potential impacts of new development and expansion or modification of existing buildings or sites in the six planning study areas, including air quality, noise, traffic, parking, public safety and other impacts, and to preserve the quality of life and protect the health, safety and welfare of the community given potential development boosts in the area given the immanency in approval and development of a "Signature Project" on the Property. The City must make certain that new development and expansion or modification of existing buildings or sites in the six planning study areas are issued only under adequate regulations and to study cumulative impacts of developments in the area as well. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of a comprehensive studies and plans for the regulation of such activities. The absence of this Ordinance would create a serious threat to the orderly and effective implementation of any amendments to the Carson Municipal Code, which may be adopted by the City Council as a result of studying this issue, in that new development and expansion or modification of existing buildings or sites in the six planning study areas under the Existing Regulations may be in conflict with or frustrate the purposes of the City's General Plan; and

EXHIBIT NO. 3  
[MORE]

WHEREAS, During the effective period of the moratorium, no application for permit will be accepted, no consideration of any application for permit will be made, and no permit will be issued by the City for the establishment, expansion, or modification of new development in six planning study areas within the City until this ordinance has expired or has been repealed according to applicable law; and

WHEREAS, The City Council may allow exceptions to the application of the moratorium, if, based on substantial evidence presented in writing to the City Council at a Council meeting held no less than 30 nor more than 90 City- calendar days after the Planning Manager's receipt of that evidence, it determines any of the following:

- A. The City's receipt and consideration of an application for a permit to establish, expand, or modify development in six planning study areas within the City's jurisdiction is necessary for the preservation of the public health, safety and welfare; or
- B. The City's receipt and consideration of an application for a permit to expand, or modify development in six planning study areas within the City's jurisdiction will result in a project which will improve energy or water efficiency; or
- C. The request is for an exception from the application of this Ordinance for the leasing and tenant improvements of tenant space within an existing building or structure and either (1) the use proposed under the lease is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; or
- D. The request is for an exception from the application of this Ordinance for permits for development of new projects or expansion and modification of existing buildings and sites and the use proposed is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; and

WHEREAS, on May 7, 2016, Mr. Jonathan Blumel, Senior Project Manager for Airship Operations, on behalf of Goodyear Tire & Rubber Company, filed an application for an exception from Interim Urgency Ordinance No. 15-1575U to allow processing of plans and all necessary permits for the modifications needed to allow the Carson airship base to accommodate the new fleet of airships.

WHEREAS, Staff has reviewed application and views this use consistent with "signature project" as defined in concept in the Land Use and Economic Development Elements of the City's General Plan because it is consistent with the existing and future vision for the area. The area is expected to remain light industrial and golf course.

WHEREAS, If the City Council determines to allow an exception, then such applications and/or permits may be filed and processed in accordance with the City's then current regulations

and authority, subject to the California Environmental Quality Act (“CEQA”), CEQA Guidelines, and any other applicable laws, ordinances and regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON HEREBY MAKES THE FOLLOWING FINDINGS:

1. Section 6 of Interim Urgency Ordinance No. 16-1578U states that the City Council may allow exceptions to the application of this Ordinance, if the City Council determines any of the provisions included in Section 6, A through D apply to the request. Staff has determined that provisions of Section 6.C. apply to this request; and

2. The request is for an exception from the application of Interim Urgency Ordinance No. 16-1578U for modifications needed to allow the Carson airship base to accommodate the new fleet of airships is consistent with and will not pose an impediment to the establishment of a “signature project” as that concept is described in the Land Use and Economic Development Elements of the City’s General Plan. The “signature project” will be a regional retail destination and the proposed improvements do not compete with the “signature project”. In addition, the improvements would eventually compliment the “signature project”; and

3. The said property is an existing facility for the Goodyear airship base with a General Plan designation of Public Facilities. The improvements to the existing facility will assist in accommodating the new fleet of airships. The facility is an asset to the community and will continue to be after the improvements are completed. Staff has determined the said improvements are generally consistent with the existing zoning and character of the area and would not pose an impediment to the establishment of a “signature project” as required by Section 6.C Interim Urgency Ordinance No. 16-1578U.

**PASSED, APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**MAYOR ALBERT ROBLES**

**ATTEST:**

\_\_\_\_\_  
**DONESIA L. GAUSE, CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**





May 7, 2016

The Goodyear Tire & Rubber Company  
Goodyear Airship Operations  
841 Wingfoot Lake Road  
Mogadore, OH 44260



Saied,

Per your request here is a cover letter that introduces our base upgrades needed for Goodyear to continue Blimp operations at Carson, CA. The slideshow that is attached depicts the needed upgrades at this location to ensure safe and successful operation of our new fleet of airships. The selections we have made were done with the following guiding principles:

- Avoid altering the performance of the existing landfill cap
- Avoid invasive work in the landfill cap
- Provide a means for sheltered onsite blimp maintenance
- Maximize operating space

Based on these principles here are the proposed site improvements:

- Update Mooring Area to accommodate new ship and GSE
  - 140,000 ft<sup>2</sup> Mooring Circle for Airship takeoff/landing
  - 10,000 ft<sup>2</sup> Mast Truck positioning roads
  - Rail and Trolley system to reduce risk of damage due to whirlwind activity
  - Tear Down Billboard
  - Rework Lawn Sprinkler System
- Facility Upgrades:
  - 46,000 ft<sup>2</sup> Inflatable hangar (selected due to small lot size and ease of implementation without
  - 100,000 ft<sup>2</sup> Tarmac for hangar entry/exit.
  - Composite Paver Hangar Floor with Secondary Containment Liner for methane control
  - Self Contained Restroom system at the Hangar
  - Prefab, relocatable "building" to store hazmat in
  - 8' high open wrought iron style security fence along Main Street
  - 8' high chain link fence around rest of property to increase security
  - 9,000 ft<sup>2</sup> maintenance garage next to existing maintenance space is being investigated as an additional need

We are requesting an exception from the Building Moratorium. Please let me know if you have any further questions.

Jonathan Blumel, Senior Project Manager for Airship Operations

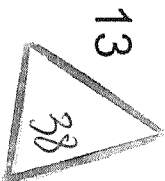
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# Base Upgrades needed for Goodyear to continue Blimp operations at Carson, CA

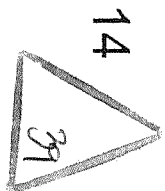
The following slides depict the needed upgrades at this location to ensure safe and successful operation of our new fleet of airships. The selections we have made were done with the following guiding principles:

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- Provide a means for sheltered onsite blimp maintenance
- Maximize operating space

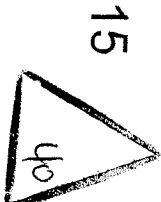
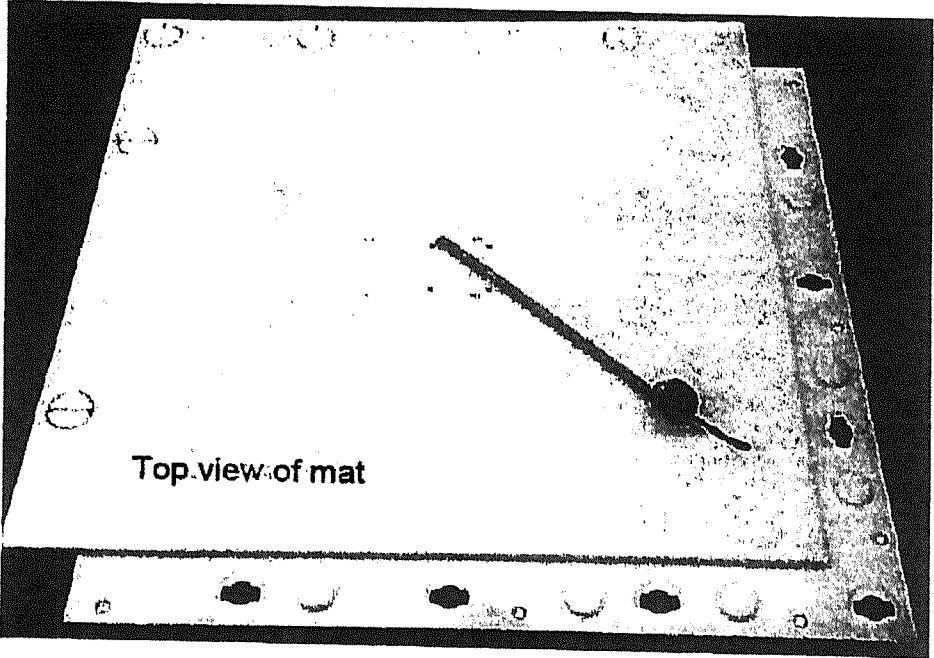
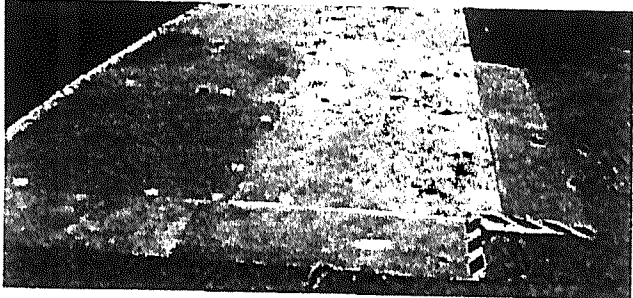
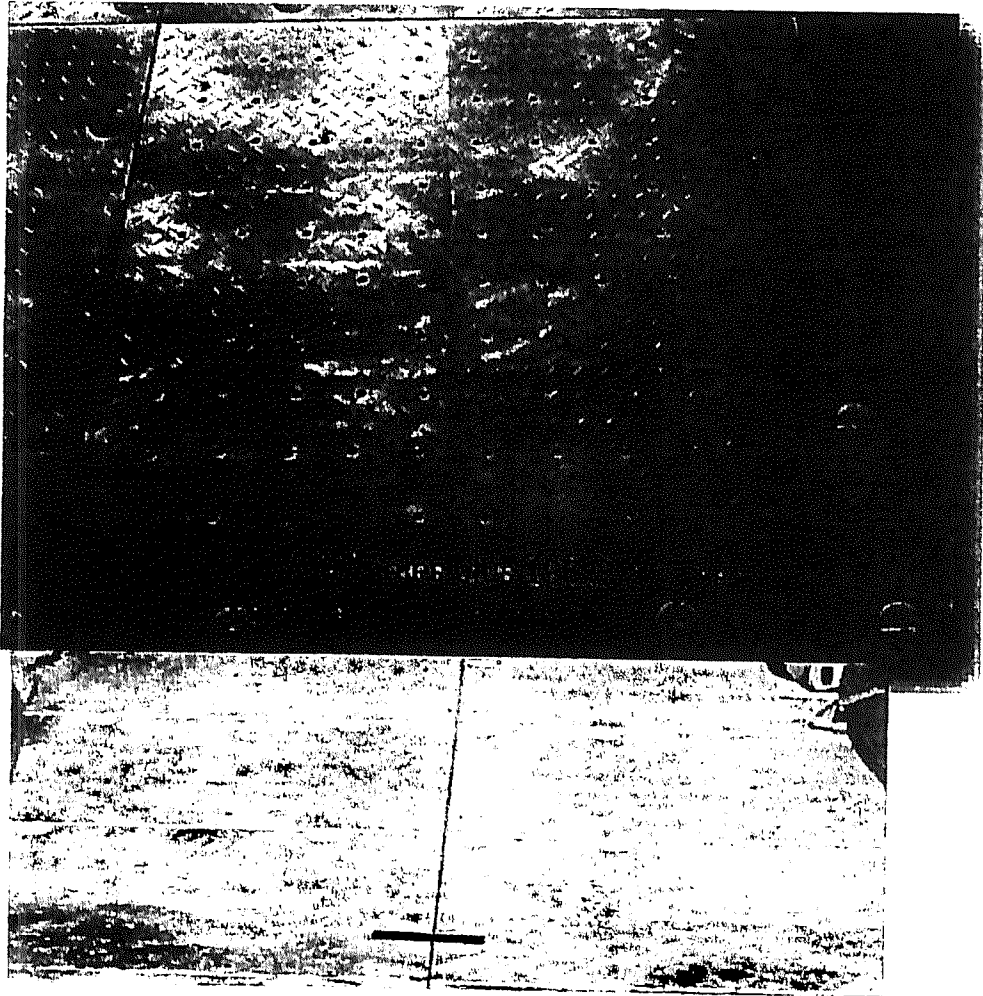


# Required Base Improvements

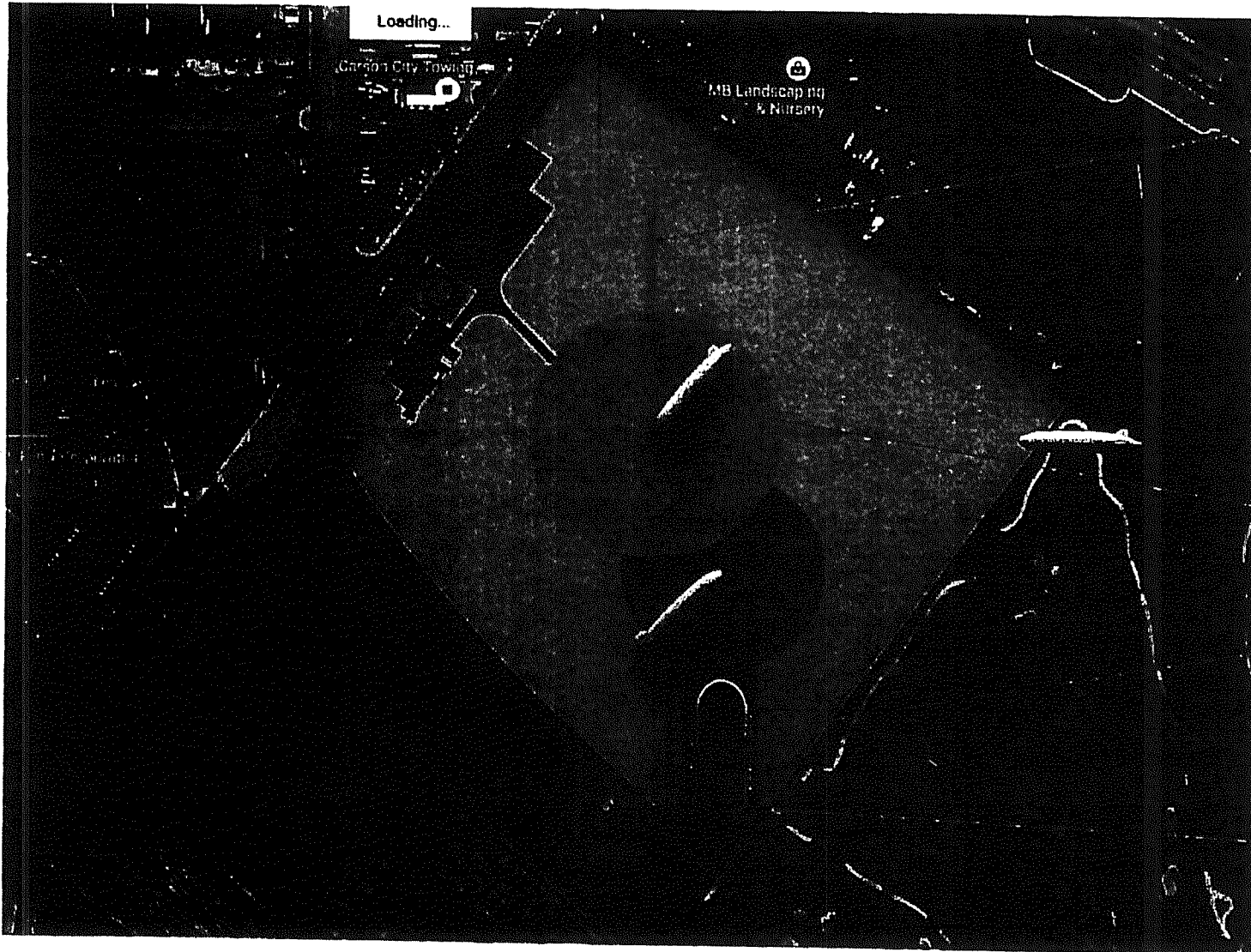
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  - Composite Paver Hangar Floor with Secondary Containment Liner for methane control
  - Self Contained Restroom system at the Hangar
  - Prefab, relocatable “building” to store hazmat in
  - 8’ high open wrought iron style security fence along Main Street
  - 8’ high chain link fence around rest of property to increase security
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Perforated Composite Decking 300PSI loading for all paved surfaces





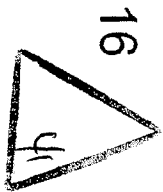


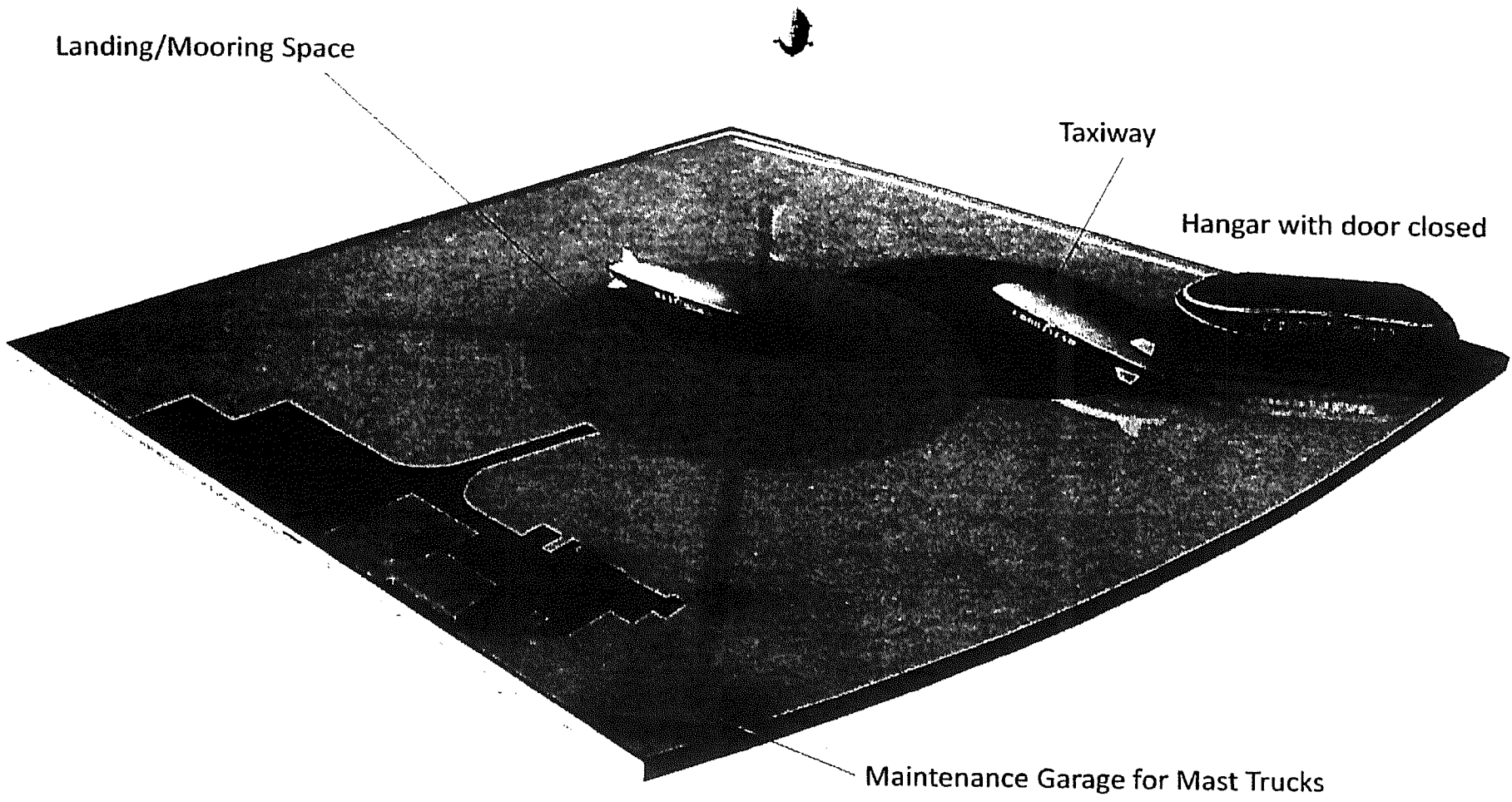
11' x 450' TRUCK APPROACH  
ROADS (FROM CENTER)

250' R LANDING & MOORING  
PAD covering full 360 to  
accommodate trolley system

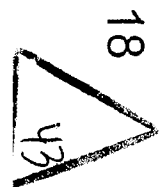
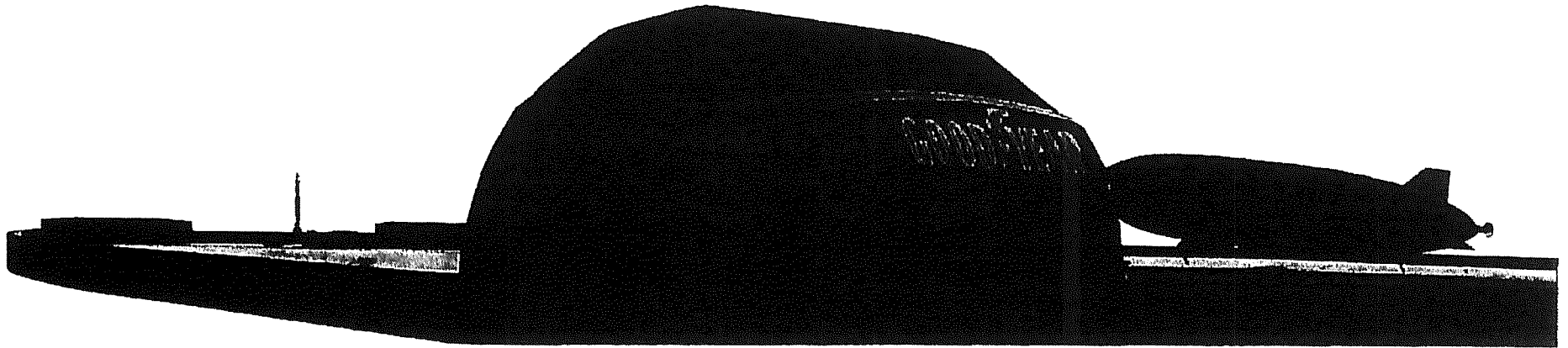
Temporary Hangar w/  
secondary containment liner  
for methane control and  
Tarmac for maneuvering ship

Property Line

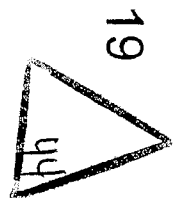
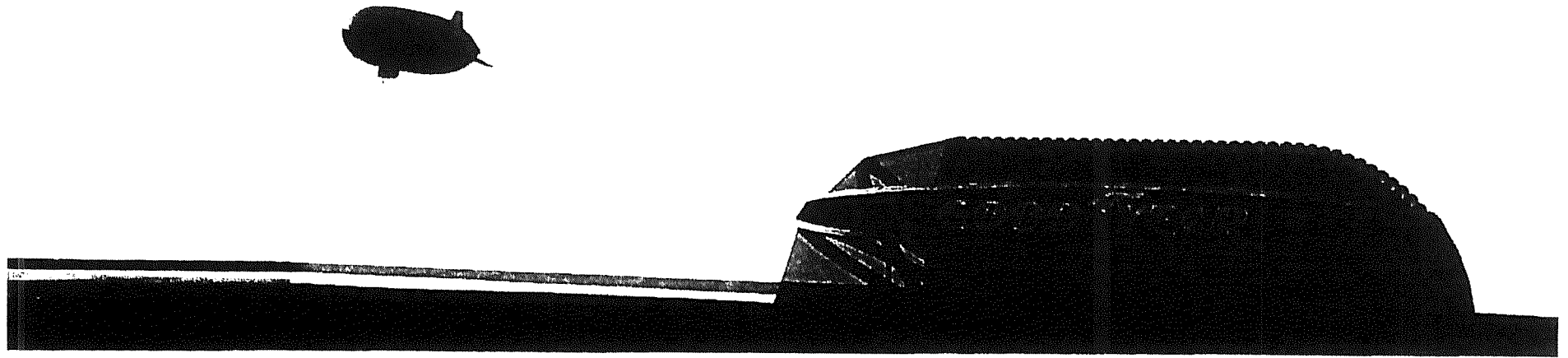




Renderings depicting view from 405 Northbound, with Hangar Door shut and Airship at mooring circle



Renderings depicting view from 405 southbound, with Hangar Door shut and airship on approach





Matthew Rodriguez  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Barbara A. Lee, Director  
5796 Corporate Avenue  
Cypress, California 90630



Edmund G. Brown Jr.  
Governor

August 23, 2016

Mr. Jeff Sussman  
Senior Manager  
The Goodyear Tire & Rubber Company  
Global EHS Sustainability  
200 Innovation Way, D/108i  
Akron, Ohio 44316-0001

### "NO PROJECT" DESIGNATION FOR GOODYEAR CARSON AIRSHIP FACILITY- AIRSHIP SITE IMPROVEMENTS, CARSON, CALIFORNIA

Dear Mr. Sussman:

The California Department of Toxic Substances Control (DTSC) has completed its review of Goodyear's letter dated August 22, 2016, Subject: DTSC "No-Project" Designation Addendum, File No. 42899-001, Goodyear Carson Airship Facility, Airship Site Improvements. In addition, DTSC has met on a number of occasions with you, other Goodyear representatives, and Goodyear consultants to discuss the proposed improvements at the Goodyear Carson Airship Facility. The site improvements are needed in order to accommodate the incoming larger Goodyear airship in 2017.

The Goodyear Carson Airship Facility (Goodyear Facility) was built on a portion of the former BKK Carson Landfill (Victoria Golf Course/BKK Carson Landfill, Operable Unit 2) which has undergone a Remedial Investigation/Feasibility Study for soil and landfill gas media, and the Remedial Action Plan (RAP) for soil and landfill gas was finalized this year. Because of Goodyear's location on the former landfill, the proposed site improvement activities required coordination and discussion with DTSC to ensure that the landfill cover will not be compromised by any of the activities, that contingency and health and safety plans are in place for workers and the public, and to ensure that the activities will allow for continued compliance with the current post-closure monitoring and maintenance requirements outlined in the final RAP.

The proposed improvements to the Goodyear Facility will include expansion of the airship mooring and road areas using synthetic decking material, and the inclusion of two inflatable buildings on non-landfill waste areas. Discussion items in meetings with Goodyear included, site grading, landfill cover maintenance and monitoring, landfill gas issues, differential settlement, maximum loading, and contingency plans. Based on the review of information that Goodyear has provided, and from meeting discussions, DTSC concurs that the proposed improvements will not negatively impact the current landfill cover, will not

EXHIBIT NO. 5 -

49  
45

Mr. Jeff Sussman  
August 23, 2016  
Page 2

trigger any RAP modifications, and the "No Project" designation is appropriate for Goodyear's proposed improvements at the Goodyear Facility.

If you have any questions on this matter, please contact me at (714) 484-5429.

Sincerely,



Alice Gimeno-O'Brien  
Senior Environmental Scientist  
Brownfields and Environmental Restoration Program

cc: CY Jeng  
[cy.jeng@dtsc.ca.gov](mailto:cy.jeng@dtsc.ca.gov)

Ted Peng  
[ted.peng@dtsc.ca.gov](mailto:ted.peng@dtsc.ca.gov)

Douglas Bautista  
[douglas.bautista@dtsc.ca.gov](mailto:douglas.bautista@dtsc.ca.gov)

Ron Clark  
[ron.clark@goodyear.com](mailto:ron.clark@goodyear.com)

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 17-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1627-16 FOR THE MODIFICATION OF THE EXISTING GOODYEAR BLIMP PORT AND VARIANCE NO. 561-16 TO ACCOMMODATE THE REDUCED FRONT YARD SETBACK FOR THE PROPOSED MAINTENANCE BUILDING, AND RECOMMENDING APPROVAL TO THE CITY COUNCIL OF CONDITIONAL USE PERMIT NO. 1006-16 TO CONSTRUCT A NEW INFLATABLE AIRSHIP HANGAR AND MAINTENANCE BUILDING AND OTHER SITE IMPROVEMENTS ON A PROPERTY ZONED SU-BP-D-ORL (SPECIAL USE; BLIMP PORT; DESIGN REVIEW; ORGANIC REFUSE LANDFILL) AND ZONE TEXT AMENDMENT NO. 27-16 TO ACCOMMODATE THE PROPOSED SIGNAGE, FOR AN EXISTING GOODYEAR BLIMP PORT LOCATED AT 19200 SOUTH MAIN STREET.**

**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, Ware Malcomb, on behalf of the property owner, Goodyear Tire & Rubber Company, with respect to real property located 19200 South Main Street and described in Exhibit "A" attached hereto, requesting:

- Conditional Use Permit No. 1006-16 to construct a new inflatable Airship Hangar and Maintenance Building, tail wheel ring/rolling trolley, gravel and turf tile landing pad/taxiways, permitted accessory buildings and new perimeter fencing for an existing Goodyear Blimp Port, located in the SU-BP-D-ORL (Special Use; Blimp Port; Design Review; Organic Refuse Landfill) zone;
- Design Overlay Review No. 1627-16 for the modification of the existing Goodyear Blimp Port;
- Zone Text Amendment No. 27-16 to accommodate the proposed signage, and a variance, for an existing Goodyear Blimp Port located in the SU-BP-D-ORL (Special Use; Blimp Port; Design Review; Organic Refuse Landfill) zone; and
- Variance No. 561-16 to accommodate the reduced front yard setback for the proposed maintenance building

A Planning Commission meeting was duly held on February 28, 2017, 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. At the meeting of February 28, 2017, the public hearing was continued to March 14, 2017.

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

EXHIBIT NO. 6 -



**Section 3.** With respect to the Conditional Use Permit, the Planning Commission finds that:

a) The subject property is identified as Public Facilities in the General Plan. Planning goals contained within the General Plan Land Use document include eliminating all evidence of property deterioration throughout Carson. The proposed modifications to the property will include site upgrades including new fencing and landscaping which will help to achieve General Plan goals and objectives.

b) The project site is 29 acres in area, flat, and diamond-shaped. The blimp port is located in the center of the property with the existing and proposed maintenance and office buildings along the western property line, fronting Main Street. The location is suitable for the use, and there are adequate facilities to serve the subject property and intended use.

c) There is adequate pedestrian and vehicular access from the driveway fronting Main Street which leads to a large parking area and a walkway to the office building.

d) Adequate water supply and sufficient access for fire department equipment and personnel in the event of an emergency will be provided for the site, subject to Fire Department conditions.

e) The proposed modifications to the existing Blimp Port will accommodate the new fleet of airships and continue their operation for Goodyear Tire and Rubber. The zoning of the property is SU-BP-D-ORL, specifically intended for a blimp port. Thus, the proposed use is compatible with the intended character of the area.

**Section 4.** With respect to Site Plan and Design Review, the Planning Commission finds that:

a) The proposed modification to the existing use and development will be consistent with the General Plan.

b) The proposed project is compatible with the architecture and design of existing and anticipated development in the area, including site planning, land coverage, landscaping, appearance, scale of structures and open space. The project's architecture will be compatible with anticipated development and create a harmonious and attractive development in the area.

c) The project site is proposing adequate parking spaces and circulation will be provided to assure the convenience and safety of pedestrians and vehicles. The proposed development will have direct access Main Street.

d) All signage associated with this project will comply with the Carson Municipal Code provisions and will be reviewed and approved by the Planning Division prior to building occupancy.

**Section 5.** With respect to the Zone Text Amendment, the Planning Commission finds that:



a) The proposal to modify the requirements of Section 9159.2(D)(10) is consistent and compatible with the existing surrounding open space and industrial uses and compatible/consistent with the surrounding General Plan land use designations and includes the following modification:

- Not more than two (2) ~~one (1)~~ large identification sign structures shall be permitted, with not more than four (4) ~~two (2)~~ sign faces totaling ~~of~~ not more than twenty-one thousand five-hundred twenty-eight ~~three thousand one hundred twenty (3,120)~~ (21,528) square feet of sign face area. Said ~~structure~~ signs shall not exceed eight-eight (88) ~~one hundred (100)~~ feet in height, and three-hundred seventy eighty (80) ~~feet~~ in length, and four (4) ~~feet~~ in thickness ~~and shall be located adjacent to the southwesterly boundary of the site. The faces of this sign may be floodlighted or internally illuminated but there shall be no rotating, flashing or scintillating feature nor other variation in the intensity of illumination.~~

b) The proposed project will be consistent with the General Plan upon City Council approval of the Planning Commission recommendation modifying the requirements of Section 9159.2(D) (10).

c) The proposed text amendment will accommodate the proposed signage. Staff finds that the increase in the number of signs, maximum sign area, and maximum sign length are not significant increases and are within the intent of Section 9159.2(D) (10) and the regional nature of the use.

**Section 6.** With respect to the Variance, the Planning Commission finds that:

a) Special circumstances, in terms of location of the subject property would deprive this property of certain privileges enjoyed by other properties in the vicinity. The strict application of the zoning code would cause a hardship to this property in that an adequate maintenance building would be in violation of the of the front yard setback requirements of the Municipal Code.

b) A variance is requested from Section 9159.2 of the Carson Municipal Code to encroach into the required 25-foot front yard setback. The proposed maintenance building will be located along the front property line with an 18 foot 8 inch setback which will align with the existing maintenance building and existing non-conforming setback which would allow a continuous building line and therefore provide better design. The proposed maintenance building is located so as to minimize its encroachment onto the adjacent landfill/waste limit line as well as maximize its distance from the mooring circle while providing convenient access to personnel and less need for additional tile paving.

c) A portion of the proposed maintenance building is already proposed to be located on the landfill. DTSC has already designated the this building area as “non-project” status and has determined that there will be no disturbance to the landfill cap due to this building being placed in this location. The placement of the building any further back than its current location would impact the landfill cap and will not be approved by DTSC. Therefore, this circumstance justifies approval of a Variance as it would be considered a hardship for the applicant to meet the setback requirement.

d) The orientation of the maintenance building combined with the location of the lot make meeting all applicable regulations a significant hardship.

**Section 7.** With respect to the Moratorium Exception, the Planning Commission finds that:

a) The project site is located within Area 1C of the "Signature Project" moratorium area. On June 8, 2016, the City Council approved an exception to the moratorium for the modification to the Carson airship base to accommodate the new fleet of airships, finding the project to be consistent with and complementing the "Signature Project" as a regional destination that serves the local market (Resolution No. 16-066).

**Section 8.** 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 Initial Study and Mitigated Negative Declaration prepared for this project.

**Section 9.** Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1627-16 and Variance No. 561-16, and recommends City Council approval of Conditional Use Permit No. 1006-16, and Zone Text Amendment No. 27-16 to modify Section 9159.2(D) (10) of the Carson Municipal Code to accommodate the proposed signage, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 10.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 11.** 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 14<sup>th</sup> DAY OF MARCH, 2017**

\_\_\_\_\_

**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_

**SECRETARY**



**CITY OF CARSON**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 1006-16**  
**DESIGN OVERLAY REVIEW NO. 1627-16**  
**ZONE TEXT AMENDMENT NO. 27-16**  
**VARIANCE NO. 561-16**  
**ZONE CHANGE CASE 177-17**

**GENERAL CONDITIONS**

1. Development project approval shall become null and void one year following the effective date of application approval unless a building permit is issued and construction is commenced and diligently pursued toward completion or a time extension has been approved by the Planning Commission. This Permit does not supersede an individual time limits specified herein for performance of specific conditions or improvements.
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 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.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. 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 and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.

6. All construction documentation shall be coordinated for consistency including but not limited to architectural structural mechanical electrical plumbing landscape and irrigation, grading, utility, traffic signal, street lighting, traffic signing, traffic striping and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department Division.
7. The project site shall be developed and maintained in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Division prior to building permit issuance and may require review and approval by the Planning Commission and/or City Council.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. Covenant, Conditions, and Restrictions (CC&Rs). Covenants, Conditions and Restrictions (CC&Rs) shall be established for the project. The applicant or successor in interest shall pay for the cost of review and approval of the CC&Rs by the City Attorney. The CC&Rs shall provide for proper maintenance of the property and include other necessary conditions to carry

out the terms herein, and shall be enforceable by the City, and recorded prior to development of any parcels. An initial deposit of \$5,000.00 is required to cover processing costs. The applicant 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 therefore, or work may cease on the Project.
15. Indemnification. The applicant, the owner, tenant(s), and their subsequent successors (Parties) agree to 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 any damage or harm to people or property, real and personal, that may result from Goodyear Tire and Rubber Company(s) operations or any claims against the City for or as a result of the granting of the continuance. The City will promptly notify the Parties of any such claim, action, or proceeding against the City and Parties will pay the City's associated legal costs and will advance funds assessed by the City 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 Parties' 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. Parties shall provide a deposit 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 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 Parties fails to provide or maintain the deposit, the City may abandon the action and Parties shall pay all costs resulting therefrom and the City shall have no liability to Parties.

**PRIOR TO PERMITTING (BUILDING, GRADING, ENCROACHMENT, ETC.)**

16. A copy of the herein listed conditions of approval shall be included in the construction documentation package for the project which shall be continuously maintained on site during project construction.

17. All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California and submitted to the City Engineer for review and approval **AND/OR** all required plans and studies shall be prepared by a Registered Architect in the State of California and submitted to the Planning Manager for review and approval.
18. The applicant shall obtain an Encroachment Permit and Traffic Control Permit as required, for all work within the public right-of-way. Prior to issuance of the Encroachment Permit, all public improvement plans, which include but are not limited to street, water, sewer, storm drain, recycled water, traffic signal, lighting, signing and striping, etc. shall be reviewed and approved by the City Engineer.
19. After project's entitlement approval, the applicant shall pay all applicable departmental fees. Fees shall be paid at the rate established by resolution of the City Council.
20. Prior to inflating the hanger, the applicant shall provide the City with appropriate clearances from the Federal Aviation Administration (FAA).

## **AESTHETICS**

21. 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.
22. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
23. 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.)
24. 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.
25. Prior to Issuance of building permit, the specification of all colors and materials must be submitted and approved by the Planning Division.

26. Outdoor storage areas, trash enclosures, and mechanical equipment shall be enclosed within a 6-8 feet tall solid fence or wall, or screened with other materials, subject to Planning Division review and approval

### **FENCE/WALLS**

27. Perimeter walls shall be architecturally coordinated with the project building and subject to the approval of the Planning Commission.
28. Prior to the issuance of a building permit a Wall and Fence Plan shall be reviewed and approved by the Planning and Building Divisions. The plans shall indicate materials colors and height of proposed and existing walls and fences and shall include a cross section of walls fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development and approved by the Planning Division.

### **LANDSCAPE/IRRIGATION**

29. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
30. The proposed irrigation system shall include best water conservation practices.
31. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
32. 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.
33. Such 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 walls where trellises are proposed;
  - b. Annual flowers wherever possible; and
  - c. Irrigation system designed to commercial grade standards.

Furthermore, these plans are subject to Planning Division review and approval before landscape/irrigation construction, which is to be completed prior to the issuance of final occupancy.

34. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."

35. 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.
36. Due to current drought conditions, staff recommends that the applicant replace existing grass with drought tolerant groundcover as a condition of approval.
37. Front yard landscaping shall be provided to screen the mechanical equipment of the existing maintenance building visible from Main Street.
38. Additional and enhanced landscaping shall be provided between the curb and the fence.

### **LIGHTING/SECURITY**

39. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
40. 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**

41. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
42. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
43. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

### **SIGNS**

44. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23 of the Zoning Ordinance.
45. Future modifications to the existing pole sign will require replacement of the pole sign with a monument sign.



## **TRASH**

46. Trash collection shall comply with the requirements of the City's trash collection company.
47. All refuse shall be stored in an appropriate container and maintained within a City approved enclosure. All on-site trash enclosures shall be design with solid cover roofs to prevent rainwater contact with waste materials. The trash enclosure and roof design shall be consistent with the design of the building architecture.

## **UTILITIES**

48. 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.

## **BUILDING AND SAFETY DIVISION**

49. Periodic monitoring reports concerning the presence of subsurface landfill-generated methane gas seepage shall be furnished to the Building Official upon request. Necessary improvements deemed to be required to mitigate known leaks of methane gas shall be required if found to be significant, subject to discretion of the Building Official.
50. Submit development plans for plan check review and approval.
51. Obtain all appropriate building permits and an approved final inspection for the proposed project.
52. 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.
53. The applicant shall work with Los Angeles County and the Division of Toxic Substances Control in their assessment and monitoring of the entire BKK landfill, in which portions of the subject property are contained.

## ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

54. 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.
55. 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 issuance of construction permits.
56. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
57. A construction permit is required for any work to be done in the public right-of-way.
58. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services prior to issuance of permit by Engineering Services.
59. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

Prior to issuance of **Building Permit**, the proposed development is subject to the following:

60. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a **copy of approved** Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.
61. The Developer shall comply with applicable Low Impact Design (LID) requirements (Carson Municipal Code 5809) and shall include Best Management Practices (BMP) necessary to control storm water pollution from construction activities and facility operations to the satisfaction of Building and Safety.
62. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
  - a. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.

63. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
64. The Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
  - a. Street Improvements (if any) along Main Street.
  - b. Sewer Main Improvements (if any) along Main Street as determined by the aforementioned sewer area study.
  - c. Storm Drain Improvements (if any) along Main Street as determined by the aforementioned requirement.
65. Off-site improvements (*eg. driveways, sidewalk, parkway drains, trees, curb/gutter etc*) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans. Prior to issuance of Grading permit, developer shall obtain clearance from City of Carson Engineering Division.
66. The Developer has the option to make a cash payment/ shall make a cash payment to the City of Carson In-Lieu of constructing the following Improvements:
  - a. Installation of Landscape Median (7 feet wide) - \$11 / sq. ft.
  - b. Installation of Slurry Seal Type II - \$0.45 / sqft.

### **CERTIFICATE OF OCCUPANCY**

Prior to issuance of **Certificate of Occupancy**, the proposed development is subject to the following:

67. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
68. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
69. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be

operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.

a. Comply with mitigation measures recommended by the water purveyor.

70. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
71. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along 19200 Main Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
72. Install sidewalk along 19200 Main Street abutting this proposed development per City of Carson Standard.
73. Fill in any missing sidewalk within the public right of way along 19200 Main Street abutting this proposed development
74. Remove and replace any broken/damaged driveway approach within the public right of way along 19200 Main Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
75. Remove unused driveway approach if any, within the public right of way along 19200 Main Street abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
76. The Developer shall modify existing driveways within the public right of way along 19200 Main Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
77. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 30 feet.
78. Plant parkway grass in the public right of way along 19200 Main Street abutting this proposed development to the satisfaction of the City Engineer.
79. Install raised landscaped median along 19200 Main Street to the satisfaction of the City Engineer.

80. The Owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. **Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (annexation procedure is approximately 12-months)** Contact Sam Abdelhadi at LACDPW at (626) 300-4771.
81. All existing overhead utility lines 12 kilovolts and less including telecomm along 19200 Main Street shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the in-lieu fee before issuance of Certificate of Occupancy. Undergrounding estimate shall be prepared by Southern California Edison and other overhead utility companies and shall be submitted to the City Engineer for his determination.
82. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
83. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
84. Install striping and pavement legend per City of Carson standard.
85. Paint Curbs Red along 19200 Main Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
86. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of 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.
87. Streets abutting the development shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS).
88. At the time of issuance of Certificate of Occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored a CD in AutoCAD format to the Engineering Services Division.

89. All infrastructures 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.

## **FIRE DEPARTMENT**

90. The required fire flow for public fire hydrants at this location is 4250 gallons per minute at 20 psi for a duration of 4 hours, over and above maximum daily domestic demand. Three hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
91. Two off-site public fire hydrants and four on-site fire hydrants adjacent to the proposed new hangar building shall be installed per Fire Department requirements. All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall. Additional fire hydrants may be required per Fire Department review.
92. Installation of the turf tile and subgrade must be inspected by a registered civil engineer and certified capable of supporting the weight of a 70,000 pound Fire Department quint. Any damage caused by Fire Department apparatus driving on the surface will be the responsibility of the property owner and repaired as necessary. The turf tile manufacturer shall provide a statement to the Fire Department that the turf tile and subgrade has been tested for their use as fire apparatus access roads.
93. The proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements (i.e. fire hydrant installations and fire flow requirements).

## **GABRIELENO BAND OF MISSION INDIANS – KIZH NATION**

94. Goodyear, or it's representative, shall provide the Gabrielino Band of Mission Indians, Kizh Nation with 30-days' notice of the beginning of ground disturbing activities. Typical Ground disturbing activities include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, and trenching, within the project area. The tribe will be allowed access to the site to observe ground disturbing activities. Any tribal members on site shall be required to abide by any of the project's required health and safety training and protocols. In addition, the monitor(s) will be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation

activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k). The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has indicated that the site has a low potential for archeological resources.

### **CALTRANS**

95. Applicant shall obtain a transportation permit for any transportation of heavy construction equipment and/or materials requiring use of oversized-transport vehicles on State highways.

### **BUSINESS LICENSE**

96. All parties involved in the subject project located at 19200 South Main Street including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.

### **MITIGATION MEASURES**

97. If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (nesting season generally extend from February 1 - August 31, but can vary from year to year based upon seasonal weather conditions), pre-construction clearance survey for nesting birds shall be conducted within three days prior to any ground disturbing activities to ensure that no nesting birds will be disturbed during construction.
98. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active bird nests will occur. If an active avian nest is discovered during the 3-day preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet.
99. If special status avian species are identified during the pre-construction survey, a biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, normal construction activities can occur. Pursuant to CFG Code 3503, it is unlawful to destroy any birds' nest or any birds' eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (birds of prey, such as hawks and owls) are

protected under CFG Code 3503.5 which makes it unlawful to take, possess, or destroy their nest or eggs.

100. A consultation with CDFW and/or USFWS (dependent on the species) shall be required prior to the removal of any raptor nest on the project site, if a raptor nest is determined to be located on site during the pre-construction clearance survey.
101. Prior to the issuance of grading permits, the applicant shall retain a qualified geotechnical engineer to prepare a geotechnical report to inform project design as relates to seismically induced ground shaking at the site. All grading and construction on site shall adhere to the specifications, procedures, and site conditions contained in the final design plans, which shall be fully compliant with the seismic recommendations of the geotechnical report. The procedures and site conditions shall encompass site preparation, foundation specifications, and protection measures for buried metal. The final structural design shall be subject to approval and follow-up inspection by the City of Carson Building and Safety Department. Final design requirements shall be provided to the on-site construction supervisor and the City of Carson Building and Safety Department to ensure compliance. A copy of the approved design shall be submitted to the City of Carson Building and Safety Department.
102. Prior to construction the City of Carson shall require the construction contractor to prepare and implement (as needed during construction) a soil and water management plan, which specifies the method for handling and disposal of contaminated soil and groundwater. The plan shall include all necessary procedures to ensure that excavated materials and fluids generated during construction are stored, managed, and disposed of in a manner that is protective of human health and in accordance with applicable laws and regulations. The plan shall include the following information.
  - Procedures shall be implemented if unknown subsurface conditions or contamination are encountered, such as previously unreported tanks, wells, waste or contaminated soils.
  - Procedures shall be implemented for containment, handling and disposal of water generated during construction such as dewatering (if needed), runoff from dust control, and accumulation of rainwater. The plan shall outline the laboratory methods for analysis of hazardous materials likely to be encountered and the appropriate treatment and/or disposal methods.
  - Procedures shall be implemented to ensure that imported soils brought on site do not contain hazardous materials above regulatory thresholds.
103. The City of Carson shall require the construction contractor to retain a qualified environmental professional to prepare a site-specific health and



safety plan (HASP) in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal/OSHA regulations (8 CCR Title 8, Section 5192). The HASP shall address worker health and safety issues during construction. The HASP shall include the following information:

- All required measures to protect construction workers and the general public by including engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction area and to reduce hazards outside of the construction area. If prescribed contaminant exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with state and federal regulations.
  - Required worker health and safety provisions for all workers potentially exposed to contaminated materials, in accordance with state and federal worker safety regulations, and designated qualified individual personnel responsible for implementation of the HASP.
  - The contractor shall have a site health and safety supervisor fully trained pursuant to hazardous materials regulations present during excavation, trenching, or cut and fill operations to monitor for evidence of potential soil contamination, including soil staining, noxious odors, debris or buried storage containers. The site health and safety supervisor must be capable of evaluating whether hazardous materials encountered constitute an incidental release of a hazardous substance or an emergency spill. The site health and safety supervisor shall direct procedures to be followed in the event that an unanticipated hazardous materials release with the potential to impact health and safety is encountered. These procedures shall be in accordance with hazardous waste operations and regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release; notifying the Department of Environmental Health, and retaining a qualified environmental firm to perform sampling, remediation, and/or disposal. Documentation that HASP measures have been implemented during construction shall be required.
  - Provision that submittal of the HASP to the City of Carson, or any review of the contractor's HASP by the City of Carson, shall not be construed as approval of the adequacy of the contractor's health and safety professional, the contractor's HASP, or any safety measure taken in or near the construction site. The contractor shall be solely and fully responsible for compliance with all laws, rules, and regulations applicable to health and safety during the performance of the construction work.
104. The applicant will be required to obtain the services of qualified Native American Monitor's during construction related ground disturbance activities. Ground disturbance is defined by the Tribal Representatives from the

Gabrieleno Band of Mission Indians, Kizh Nation as activities that include pavement removal, pot-holing/auguring, boring, grading, excavation and trenching within the project area.

105. Goodyear Tire & Rubber Company will be subject to compliance with the current post-closure monitoring and maintenance requirements outlined by the State Department of Toxic Substances Control (DTSC) Remedial Action Plan which may include regular monitoring reports for DTSC review.

