



File #: 2017-198, Version: 1

Report to Mayor and City Council

Tuesday, March 21, 2017

Discussion

SUBJECT:

**CONSIDER ADOPTING INTERIM URGENCY ORDINANCE NO. 17-1615U
IMPLEMENTING A 45-DAY TEMPORARY MORATORIUM ON THE ESTABLISHMENT,
EXPANSION, OR MODIFICATION OF TRUCK YARDS, LOGISTICS FACILITIES,
HAZARDOUS MATERIALS OR WASTE FACILITIES, CONTAINER STORAGE, AND
CONTAINER PARKING IN THE CITY OF CARSON, AND DECLARING THE URGENCY
THEREOF (CITY COUNCIL)**

I. SUMMARY

On February 7, 2017, the City Council directed staff to provide solutions to the City's ongoing concerns regarding industrial developments and the impacts these developments have on the community. More specifically, City Council discussed the speculative nature of these types of developments, permitted and conditional uses, hours of operation, increased truck traffic, damage to local streets, the fair share cost of the impacts on road maintenance, changing the image of the City from an industrial town, directing the Planning Commission to stop approving warehouse buildings, and lack of proper City regulations to address these issues. The City Council directed staff to provide some options to the City Council within 30-60 days.

The issues raised by the City Council require further land use, environmental, and fiscal analyses. Staff has determined that additional time is needed to conduct these studies. Since the City is about to initiate a comprehensive update of the City's General Plan and Zoning Code, staff recommends that the City Council consider adopting a moratorium to conduct the necessary studies and analyses so that the General Plan and Zoning Code update can address the impacts of truck yards, logistics facilities, hazardous materials or waste facilities, container storage, and container parking going forward (Exhibit No. 1). During this process, through community and stakeholder participation, the City staff can craft recommendations to address these very important policy issues facing the City.

II. RECOMMENDATION

WAIVE further reading and ADOPT an Interim Urgency Ordinance No. 17-1615U, "AN INTERIM URGENCY ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING A 45-DAY TEMPORARY MORATORIUM ON THE ESTABLISHMENT, EXPANSION, OR MODIFICATION OF TRUCK YARDS, LOGISTICS FACILITIES, HAZARDOUS MATERIALS OR WASTE FACILITIES, CONTAINER STORAGE, AND CONTAINER PARKING IN THE CITY OF CARSON, AND DECLARING THE URGENCY THEREOF," to ensure the public health, safety, and welfare is protected for 45-day period, by a 4/5ths vote.

III. ALTERNATIVES

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

IV. BACKGROUND

Based on City Council's direction, complaints received on the state of the City's pavement conditions, staff is recommending a moratorium to allow time for staff to analyze the issues and provide recommendations.

Big Picture Issues

Logistics facilities are an important part of Carson's economy as well as state and national economy. Approximately 50% of land uses in the City of Carson are dedicated to industrial uses; therefore, the impacts of industrial uses, both positive and negative, are very pronounced for the community and the City. In addition, industrial facilities are in very high demand because of the City's proximity to the ports. Currently industrial facilities have a 0.5% vacancy rate. Such high demand for industrial buildings creates market forces encouraging intensification of logistics facilities. While Carson has not experienced 2-story warehouses, Prologis is proposing a 2-story warehouse in South Seattle, and it is only a matter of time until multi-story warehouses become widespread. The industry has also been going through technological advances in e-commerce and robotics. The latter may result in loss of certain jobs and at the same time creating different ones. However, it may be difficult to find reliable and consistent information regarding quantity and quality of jobs lost and gained for the future. However, one industry expert estimates Amazon, stands to save approximately \$400-\$900 million a year in the so-called fulfillment costs by reducing the number of times a product is "touched". Therefore, it is likely that logistics facilities will further reduce its work force as automation becomes more efficient.

General Plan Policies

The following General Plan policies provide guidance and direction to the City on how to deal with truck related issues.

Land Use

LU-6.8 Manage truck-intensive uses.

LU-7.2 Locate truck intensive uses in areas where the location and circulation pattern will provide minimal impacts on residential and commercial uses.

Transportation

TI-1.2 Devise strategies to protect residential neighborhoods from truck traffic.

TI-1.3 Ensure that the City's designated truck routes provide efficient access to and from the I-405, I-110 and Route-91 Freeways, as well as the Alameda Corridor.

TI-1.5 Require that all new construction or reconstruction of streets or corridors that are designated as truck routes, accommodate projected truck volumes and weights.

Noise

N-2.1 Limit truck traffic to specific routes and designated hours of travel, where necessary

N-2.2 Examine the feasibility of implementing sound attenuation measures along the City's arterial streets, particularly along designated truck routes.

Concerns

The proliferation of truck yards, logistics facilities, hazardous materials or waste facilities, container storage, and container parking (logistic facilities) presents several issues for the Community and the City including land use, traffic and safety, environmental and health, and fiscal issues.

Land Use Issues

As discussed earlier, approximately 50% of all land uses in Carson are industrial. The square footage of buildings within the City's industrial zones totals approximately 50 million square feet. By their nature, logistics uses tend to locate on large parcels of land and in large industrial buildings. Similarly, truck yards, cargo container parking, and cargo container storage take large areas of land, albeit with no buildings. Therefore, both types of uses take up land that could otherwise be used to construct a building which would at least generate additional property tax for the City.

The City's Zoning Code is outdated and does not give staff the tools to address the issues created by logistics facilities for the community and the City; the range of permitted uses varies wildly in the Manufacturing Light (ML) and Manufacturing Heavy (MH) zones. Some uses such as manufacturing of poisons and explosives are permitted with a Conditional Use permit (CUP) in the MH zone. In addition, storage of hazardous materials is also permitted with a CUP in the MH zone.

The proximity of Carson to the Ports of Los Angeles and Long Beach often necessitates logistics facilities to operate 24-hours-a-day. In addition, logistics facilities often involve heavy truck traffic. Since 50% of land uses within the City are devoted to industrial uses, these uses are often either directly adjacent to residential areas or in very close proximity. The City's Zoning Code does not provide adequate protection for the residential areas. These compatibility issues along with permitted uses and standards for industrial zones will be closely discussed and analyzed with the community and other stakeholders during the time the moratorium is in effect.

Traffic and Safety Issues

As mentioned above, by their nature, most logistics facilities generate significant truck traffic, and sometimes the facilities and/or the trucks operate 24-hours-a-day. This truck traffic causes environmental issues including traffic congestion, detrimental air quality, noise, and vibration. The truck traffic generated by the nearly 50 million square feet of industrial uses could potentially be approximately 45,000 truck trips per day. These trucks travel on truck routes as well as other streets to reach their destinations and pose unique and challenging traffic issues because of their sheer size such as:

- Increased safety risk for smaller vehicles, pedestrians, and bicyclists
- Damage to City property/facilities from collisions (reported and unreported); i.e., street lights, traffic signal equipment, signs, trees, curbs, medians, etc.
- Reduced levels of service on streets and at intersections
- Increased impacts from improperly over-loaded trucks

Environmental and Health Issues

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is known as diesel particulate matter (DPM). DPM is considered a subset of particulate matter less than 2.5 microns in diameter (PM_{2.5}). Most PM_{2.5} derives from combustion, such as use of gasoline and diesel fuels by motor vehicles, burning of natural gas to generate electricity, and wood burning. DPM is most concentrated adjacent to freeways, truck routes, and roadways traveled by trucks. PM_{2.5} is the size of ambient particulate matter air pollution most associated with adverse health effects of the air pollutants that have ambient air quality standards. These health effects include cardiovascular and respiratory hospitalizations, and premature death.

The trucks also cause noise and vibrations when travelling on the roadways next to residential areas. According to the City standards, the exterior noise levels for residential areas should be under 65 Community Noise Equivalent Level (CNEL) which is a weighted average of noise level over time. The City's 2004 General Plan showed many residential areas exceeding this standard. The increase in industrial developments since 2004 and the resulting increase in truck traffic has most likely made the conditions worse for the residents who reside adjacent to major roadways and specially adjacent to truck routes.

Fiscal Issues

City Budget

Unlike most cities that derive most of their budget from property tax, the City of Carson is considered a low property tax City with receiving only 6.75% of each property tax dollar collected by the County. As a result, among other things, the City has had a structural budget deficit for the seven of the past 10 years. With the abolishment of the redevelopment agencies in California in 2012, the City's budget issues became even more evident as the City lost approximately \$30 million in revenue per year. As a result, the City has not been able to update and maintain its infrastructure as required. One major area of concern is lack of funding for maintaining the City's streets.

Condition of Streets and Budget Implications

As a result, the City receives numerous complaints regarding the condition of the roads in the City. Sometimes, these complaints result in claims for damages or injury. For example, recently the City received a claim from an out-of-town motorist for a flat tire for \$308.00. Another notable complaint the City recently received is from Watson Land Company who point out the deterioration of the City roads that need maintenance in their industrial parks (Exhibit Nos. 2 and 3). Staff has estimated that to address the road maintenance issues in and immediately adjacent to the three industrial parks would cost the city approximately \$17 million (Exhibit No. 4). The majority of these roads are either on truck routes, overweight truck corridors, or roads that are directly accessible from these corridors (Exhibit Nos. 5, 6, and 7). Comparatively, the City currently has budgeted \$1.5 million per year for the next 7 years to maintain the streets in the entire City.

Staff has received the Final Report on the City Pavement Management Program, prepared for the City by NCE dated January 2017. The City commissioned this study to obtain an inventory of pavement conditions for the entire City's street network, to develop strategies for the City to maintain all streets, and to perform budgetary analysis to determine the funding needs.

The report concluded that average rating for City's entire 46,555,211 square-foot street network is 67 Pavement Condition Index (PCI) with 100 PCI being perfect. Sixty seven PCI is considered "fair" condition which include streets with both non-load related (weathering or raveling) and load related (alligator cracking) distress. Generally, streets with load-related distress are more expensive to repair. The report further breaks down the condition of the roads in the City as follows:

Class	PCI	Condition
Arterial	61	Fair
Secondary Arterial	50	Poor
Collector	62	Fair
Residential	75	Good

The study concluded the City currently has \$92.9 million in deferred roadway maintenance costs. With the current budget of \$1.5 million per year for the next seven years, the deferred maintenance will increase to \$145 million by FY 22/23 while the PCI rating will go down from 67 to 55 in the same time frame. The study also found that in order to maintain the same PCI rating of 67 for the same time frame, the City would have to increase its funding from \$1.5 million per year to \$8 million per year. In this scenario, however, the deferred maintenance only goes down from \$92.9 million to \$87.6 million. Therefore, even with a \$6.5 million increase in annual expenditures, the City's deferred maintenance issue will not be remedied. It is evident, however, that given the state of City's budget deficit; it is difficult for the City to increase the street maintenance budget from its current levels. Therefore, the City would need to reduce programs or services to pay for the \$6.5 million increase. For example, the following programs would have to be cut to save enough money to pay for the increased budget for maintaining roads:

- Stop Park Maintenance:

Total Savings: \$6,723,973

- Stop operating and staffing park (\$4,887,878) and close the community center (\$1,577,548):

Total Savings: \$6,465,426

- Cut 1/3 of the sheriff (20 deputies)

Total Savings: \$6,237,399

- Cut transportation by 40% to free up Prop C funds (\$1,446,4220), Close the Stroke Center, Middle School Enrichment, Early Childhood Program, Adult & Youth Sports, and Veteran's Sports Complex (\$1,241,184), Close the Community Center (\$1,577,548), No General Fund for City Events (\$273,903), Eliminate Cultural Arts Grants (\$164,688), Stop Median Maintenance & Graffiti Abatement (\$800,538), and Stop Legends & Curb Maintenance (\$510,044):

Total Savings: \$6,014,327

- Gas Tax - used for traffic signal maintenance street sweep, and arborist (\$1,950,622), Prop A Revenue - Used for Transit (\$1,743,783), Prop C Revenue - Used for Transit (\$1,446,422), Measure R - used for road projects (\$1,084,839), Measure M - new money (\$1,107,504):

Total Savings: \$7,333,170

Impact of Trucks on Streets

The table below provides a general overview of trips generated in the City by different land uses. These numbers exclude trips going through the City that is not generated from or to the City (prepared by the City's Traffic Engineer):

Land Use	Quantity	Trip Generation Rate (trips per day)	Generated Traffic (per day)
Residential - Low Density	18,244 DUs	9.52/DU	173,700

Residential - Medium/High Density	5,330 DUs	6.23 DU	33,200
General Commercial	2,383,114 s.f.	44.32/ksf	105,600 100,300 Non-Trucks 5,300 Trucks
Regional Commercial	1,652,268 s.f.	42.70/ksf	70,600 67,100 Non- Trucks 3,500 Trucks
Industrial	48,850,426 s.f.	4.54/ksf (20% Trucks)	221,800 177,400 Non-Trucks 44,400 Trucks
TOTAL			604,900 551,700 Non-Trucks 53,200 Trucks

Research indicates that a single truck trip is equivalent to 10,000 automobile trips with regard to pavement wear-and-tear and damage. So the 53,200 truck trips per day that are generated in Carson are equivalent to 532,000,000 automobile trips per day. Using these equivalencies, the total volumes relative to pavement wear-and-tear and damage are as follows:

Vehicle Type	Equivalent Volumes (trips per day)	Percent
Non-Trucks	560,500	0.1 %
Trucks - Commercial	88,000,000	16.5%
Trucks	444,000,000	83.4%
Total	532,551,700	100 %

As the table indicates, trucks are responsible for 99.9% of the pavement wear and damage in the City of Carson with industrial land uses being responsible for 83.4%.

Lack of Infrastructure Funding

The aging of the infrastructure and the lack of funding is not an issue just for Carson. This is an important issue at the state and national level as well. At the State level, the legislator will be considering SB1 (Beal) and AB1 (Frazier), if approved by the legislators by a 2/3 vote, the preliminary estimates could bring in an additional \$3.2 million a year for Carson at full phase-in. In addition, at the Federal Level, there have been discussion about the aging infrastructure and the need for new funding sources; however, the details on source of funding, the amount, and the type of projects that can funded will take more time. Both at the state and federal levels gas tax revenues that pay for road improvements have been decreasing. At the state level, the gas tax has been reduced by 1/3. At the federal level, it has not been increased in 25 years. In conclusion, there may be other sources of money available to the City in the future; however, it is not a certainty.

Gathering Facts

Address the City's concerns regarding the issues identified above, staff needs additional time to obtain all the information necessary to analyze the issues and provide recommendations to the City Council. Below are some examples of tasks and information that need to be performed or gathered:

- Meet landowners, businesses, brokers, community, schools, CC, PC, EDC to understand their issues and concerns;
- Understand the market forces to better address City's concerns and promote economic development at the same time and better understand the quantity and quality of jobs created by the logistics facilities;
- Determine the environmental and health impacts on the community from truck related uses to determine the mitigation measures necessary to better protect the community from these impacts such as sound walls, alternative pavement materials to reduce noise, cleaner trucks to improve air quality, and programs related to improving community's health;
- Examine incompatibility issues between sensitive uses and industrial areas to better address buffering between uses, permitted uses, hours of operations, and transitioning some industrial areas to alternative land uses;
- Initiate an effort to identify legal non-conforming, no longer legal-non-conforming (amortization period has expired), and illegally operating businesses in industrial areas;
- Assess short and long term impacts of large trucks defined as Federal Highway Administration (FHWA) Class 5 or higher excluding recreational vehicles and dually trucks on street maintenance costs and pavement life (Exhibit No. 8);
- Examine funding options for the City on how to address the City's deferred maintenance cost of \$92.9 million. For example, City of Vernon has a Logistics Tax of \$0.28 per square-foot. Another option would be to adopt a truck trip tax;
- Examine alternative pavement materials to reduce the long term maintenance costs of roads heavily traveled by trucks;
- Examine whether the designated truck routes can be modified to both provide the most efficient truck routes and ensure the best protection of the residential areas;
- Identify and determine legal and illegal truck yard and container storage and parking;
- Perform a fiscal impact analysis to obtain a more accurate accounting of the revenues generated by logistics facilities vs. the demand of City expenditures to provide services for these facilities.

Details of the Moratorium

The following provides the most important aspects of the proposed moratorium.

Businesses Subject To Moratorium

All logistics facilities as defined below are subject to this moratorium. Once it is determined a logistics facility is subject to the moratorium, other provisions of the moratorium (Exemptions from the Moratorium, Activities Subject to the Moratorium, Activities Subject to the Moratorium, Exceptions or Off-Ramps to the Moratorium) must be applied to determine how the moratorium impacts a particular logistics facility.

“Logistics facility” means any warehouse for storage and transportation of goods, distribution facilities, logistics services such as but not limited to material handling, production, packaging, inventory, transportation, storage, warehousing, freight forwarding, deposit, storage, safekeeping, or parts thereof, industrial wholesale, self-storage, portable storage rental facility, truck terminals, hazardous materials and/or hazardous waste facilities, truck yards, cargo container storage and cargo container parking, manufacturing uses with less than 50% of floor area devoted to manufacturing.

Exemptions from the Moratorium

The following activities are not subject to the moratorium:

- Business license renewals; routine or emergency maintenance and repair permits;
- Tenant improvements for current tenants within an existing building (no expansion);
- Leases 3 years or less;
- Buildings with 5 truck doors or less;

Activities Subject to the Moratorium

The following activities are subject to the moratorium:

- Establishment of new uses or buildings;
- Expansion of existing buildings by 10%+;
- Any expansion/intensification of truck/container yards;
- Any modifications to an existing building or site that require permits:
 - “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 and/or any permits necessary for the routine maintenance the buildings or sites shall not be considered issuance of a permit.

- New Or extended leases longer than 3 years;
- All Planning development applications related to logistics facilities that are submitted and are under review;
- All building permits related to logistics facilities that are under review but have not been issued;
- All logistics facilities that have obtained a building permit but have not started substantial construction.

Exceptions or Off-Ramps to the Moratorium

The City Council can consider the following activities to be exceptions to the moratorium subject to the processes and requirements of the moratorium:

- Necessary for the preservation of the public health, safety, and welfare
- Undue financial hardship; i.e. moratorium results in vacant buildings during moratorium
- Minimal or no truck traffic impacts
- Developer agrees to:
 - Form or annex into a CFD
 - A Development Agreement
 - Facility that can demonstrate:
 - No adverse negative fiscal impacts on the City
- Buildings that their tenant moves out during the effective time of the moratorium;
- Buildings that are empty on the effective date of the moratorium;
- Others:
 - Land controlled by City or any of its agencies and authorities including transactions approved by Department of Finance (DOF)

Schedule

Staff is proposing the following schedule during the next several months:

- Form outreach committee: Immediately
- Develop Scope of Work for studies: Immediately
- 10-Day Report: April 18, 2017
- Extension of the moratorium to March 2018: May 2, 2017
- Proceed with the General Plan and Zoning Code Update to address land use issues May 2, 2017
- Perform studies (RFP Process):
 - Fiscal and Economic Impact Study (estimated cost of study \$50,000)
 - Pavement Management Study (completed but not adopted)
 - Pollution, noise, and vibration
 - Truck route efficiency, effectiveness, and compatibility.

Correspondence

Staff has received one correspondence regarding this issue (Exhibit No. 9).

V. FISCAL IMPACT

None. After the scope of the studies are fully determined, prior to commencement of the consultant work, the fiscal impact of the preparation of the studies will be brought forward to City Council consistent with City's established procedures.

VI. EXHIBITS

1. Proposed Ordinance No 17-1615U. (pgs. 13-25)
2. Watson Land Company Request #1. (pgs. 26-27)
3. Watson Land Company Request #2. (pg. 28)
4. Staff Estimate for Watson Land Company request #2. (pg. 29)
5. Truck Routes. (pg. 30)
6. Overweight Truck Corridors. (pgs. 31)
7. Pictures of Watson Land Company Request # 2. (pgs. 32-36)

8. FHWA Vehicle Classifications. (pgs. 37-39)

9. Correspondence. (pgs. 40-44)

1.

Prepared by: Saied Naaseh, Planning Manager

ORDINANCE NO. 17-1615U

AN INTERIM URGENCY ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, IMPLEMENTING A 45-DAY TEMPORARY MORATORIUM ON THE ESTABLISHMENT, EXPANSION, OR MODIFICATION OF TRUCK YARDS, LOGISTICS FACILITIES, HAZARDOUS MATERIALS OR WASTE FACILITIES, CONTAINER STORAGE, AND CONTAINER PARKING IN THE CITY OF CARSON, AND DECLARING THE URGENCY THEREOF

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

SECTION 1. AUTHORITY AND EFFECT

- A. 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.
- B. This Interim Urgency Ordinance is enacted pursuant to the authority conferred upon the City Council of the City of Carson by Government Code Section 65858 and shall be in full force and effect immediately upon its adoption by a four-fifths (4/5) vote of the City Council as if, and to the same extent that, such Ordinance had been adopted pursuant to each of the individual sections set forth herein.

SECTION 2. DEFINITIONS

The following definitions are applicable to this Interim Urgency Ordinance, unless the context clearly indicates otherwise:

- A. "Big box discount store" shall mean a large retail store whose physical layout resembles a large square or box when seen from above. A big-box store is typically characterized by a large amount of floor space (generally more than 50,000 square feet), a wide array of items available for sale, and its location in suburban areas. Big-box stores often typically offer lower prices because they buy products in high volume. Examples of big box discount stores include WalMart, Costco, Home Depot, Lowe's, TJ Maxx, Smart & Final, etc.
- B. "Cargo container" shall mean any container sufficiently durable for repeated use which, by virtue of its own particular design, permits the temporary storage and protection of bulk commodities, goods, and other cargo, and which may be transported in various modes without intermediate loading or unloading.
- C. "Cargo container storage " shall mean a facility for the storage or stacking of one or more cargo containers.
- D. "Cargo container parking" shall mean a facility for the parking of a trailer, detached from the tractor unit, on which one or more cargo containers may be loaded.

- E. "Director" means the Director of Community and Economic Development, and his/her designee.
- F. "Establishment" means to bring into existence (a new logistics facility).
- G. "Expansion" means:
1. An increase of the total size of the floor area of any existing building area by 10% or more;
 2. Any expansion/intensification of truck yards, cargo container parking, and cargo container storage;
 3. Construction of any new structure on the premises of an existing business;
- H. "Facility" means a temporary or permanent use of land or use of premises, a building or structure, or part of a building or structure.
- I. "Hazardous materials" shall have the same meaning as Section 25501(n) of the Health and Safety Code.
- J. "Hazardous waste" shall have the same meaning as Sections 25117 and 25141(b) of the Health and Safety Code, and Section 40141 of the Public Resources Code.
- K. "Industrial wholesale" means an industrial facility consisting of the exchange of large quantities of goods for future distribution and resale for financial or other considerations.
- L. "Logistics facility" means any warehouse for storage and transportation of goods, distribution facilities, logistics services such as but not limited to material handling, production, packaging, inventory, transportation, storage, warehousing, freight forwarding, deposit, storage, safekeeping, or parts thereof, industrial wholesale, self-storage, portable storage rental facility, truck terminals, hazardous materials and/or hazardous waste facilities, truck yards, cargo container storage and cargo container parking, manufacturing uses with less than 50% of floor area devoted to manufacturing.
- M. "Logistics services" means services including labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. However, establishments in this industry group always provide warehousing or storage services in addition to any logistic services. Furthermore, the warehousing or storage of goods must be more than incidental to the performance of services, such as price marking.
- N. "Modification" means making any changes, remodeling, or alterations to an existing building or site that require permits. Modification shall include change in tenant at an existing facility requiring a business license. A change in tenant means any amendment to a lease agreement that extends the term of the lease for more than three years, or a new lease agreement with a term longer than three years.

- O. “Permit” means any City planning land use approvals, any new 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, whether the approval or issuance is discretionary or ministerial.
- P. “Portable storage rental facility” means operations that rent individual storage containers to members of the public or businesses for the storage of a variety of items.
- Q. “Self-storage facility” means facilities that rent out space to persons for the storage of personal property. Self-storage facilities shall include public storage rental facilities.
- R. “Sensitive land uses” means residences and residential facilities, parks, schools, and hospitals.
- S. “Truck” means all Federal Highway Administration (FHWA) vehicle classes including Class 5 or higher with the exception of dually trucks and Recreational Vehicles.
- T. “Truck yard” means a principal use of land for parking or storage of trucks in active use with or without servicing or repairing of trucks as an incidental use thereto.
- U. “Truck terminal” means a principal use of land or building where there are dock facilities for trucks, either partially enclosed or unenclosed, for the purposes of transferring goods or breaking down and assembling tractor-trailer transport.
- V. “Hazardous waste and/or hazardous materials facility” means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery, or recycling of hazardous waste and/or materials. A hazardous waste and/or materials facility may consist of one or more treatment, transfer storage, resource recovery, or recycling hazardous waste management units, or combinations of these units. Health & Safety. § 25117.1.
- W. “Warehouse” means an industrial building used for the freight forwarding, deposit, storage, safekeeping, or manufacture of goods or parts thereof, regardless of whether the goods are offered for sale. Warehouses are used by manufacturers, importers, exporters, wholesalers, transport businesses, customs, etc. They are usually large buildings with loading docks to load and unload goods from trucks. Sometimes warehouses are designed for the loading and unloading of goods directly from railways, airports, or seaports.

SECTION 3. FINDINGS

The City Council of the City of Carson hereby finds, determines, and declares that:

- A. This Ordinance is being adopted in order to allow the City time to thoroughly review, study and revise the City’s laws, rules, procedures and fees related to logistics businesses in the City of Carson.
- B. The close proximity of the City to major transportation facilities such as ports, airports, rail, and freeways make the City a desirable location for logistics businesses. Logistics

businesses usually involve one or more of the following: material handling, production, packaging, inventory, transportation, storage, warehousing, freight forwarding, deposit, storage, safekeeping, and hazardous waste and/or materials, hazardous waste . In addition, truck yards and container yards are necessary to serve logistic businesses.

- C. Generally, logistics facilities consume large areas of land that could be used for more desirable land uses such as manufacturing, office, or retail that generate jobs, utility users taxes, property taxes, sales tax, business license revenues, and other revenues. Logistics facilities typically generate a significant number of truck trips to and from the facility, are not likely to employ significant numbers of individuals, and generally do not generate significant sales tax revenue.
- D. Truck trips generated by logistics facilities have direct impacts on the community including traffic, air quality, noise, vibrations, and health impacts on the community.
- E. Truck traffic increases the maintenance costs on roads for the City. For example, a 1999 study for the City of Irwindale concluded that **one loaded mining truck causes street damage equivalent to that caused by 10,000 automobiles**. *City of Irwindale Mining Reclamation Impact Study*, prepared by Greystone, March 1999, Vol. I, p. iii @ 2.a., and Vol. II., pp. 25-29. A loaded mining truck weighs approximately 80,000 pounds, which is comparable to the average weight of loaded 18-wheeler trucks that commonly traverse the City of Carson to and from logistics facilities. The City intends to further research this issue and determine the impacts of trucks with three axles or more.
- F. Truck trips from commercial and industrial uses in Carson account for approximately 99.9% of all trips generated by Carson land uses (excluding trips going through the City that are not generated from or to the City). Approximately, 83.4% of all trips generated by Carson land uses is generated by industrial uses.
- G. The City of Carson cannot afford to continue to add new facilities that cause extensive damage to the City roads and often contribute little by way of revenue to mitigate these impacts. With the elimination of redevelopment, the City faced an loss of \$30 million annually, and that loss has not been recovered from other revenue sources. The City's structural deficit for FY 17-18 is projected to be \$3 million. This deficit will grow by about \$1 million per year over the next 4 years due to changes at CalPERS and other factors. A preliminary estimate of the FY 21-22 structural deficit is \$9.4 million.
- H. The City's share of every dollar of property tax collected is \$0.0674. This low property tax rate is one of the reasons the City of Carson is not able to adequately budget for the maintenance of roads. As stated in Section E., above, trucks are responsible for causing the damage on our roads and increasing the maintenance costs. This is evident from the condition of the roads in Carson and the lack of appropriate maintenance of the roads today. The City commissioned a Pavement Management Program Study prepared by NCE, dated January 2017. NCE obtained an inventory of pavement conditions for the entire City's street network, to develop strategies for the City to maintain all streets, and to perform budgetary analysis to determine the funding needs, among other tasks.

- I. The report concluded that average Pavement Condition Index (PCI) rating for City's entire 46,555,211 square-foot street network is 67 (a perfect PCI rating score is 100). Sixty-seven PCI is considered "fair" condition for streets with both non-load related (weathering or raveling) and load related (alligator cracking) distress. Generally, streets with load-related distress are more expensive to repair. The report further breaks down the condition of the roads in the City as follows:

Class	PCI	Condition
Arterial	61	Fair
Secondary Arterial	50	Poor
Collector	62	Fair
Residential	75	Good

- J. The study further concluded the City currently has \$92.9 million in deferred roadway maintenance costs. With the current budget of \$1.5 million per year for the next seven years, the deferred maintenance will increase to \$145 million by FY 22/23 while the PCI rating will drop from 67 to 55 in the same time frame. The study also found that in order to maintain the same PCI rating of 67 for the same time frame, the City would have to increase its funding from \$1.5 million per year to \$8 million per year. In this scenario, however, the deferred maintenance only decreases from \$92.9 million to \$87.6 million. Therefore, even with a \$6.5 million increase in annual expenditures, the City's deferred maintenance issue will not be remedied. It is evident, however, that given the state of City's budget, it is impossible for the City to increase the street maintenance budget from its current levels.
- K. The City has approximately 48.2 centerline miles of roads designated as truck routes, and its annual road repair budget is \$1.5 million. As stated above, even in order to maintain the existing level of road conditions, the City has to spend \$8 million per year for the next seven years and still have a deferred maintenance budget of \$87.6 million. This significant increase has a substantial impact on the City's budget. Logistics facilities should pay their fair share to pay of this maintenance.
- L. Reducing roads designated as truck routes is likely to reduce the impacts the trucks impose on City streets. In addition, further limiting truck traffic or hours from arterials with residential uses could reduce impacts on the community. However, an analysis needs to be done on which routes can be removed as truck routes and still ensure adequate truck circulation. The new truck routes must also reduce or eliminated negative impacts on automobile and public transportation traffic. These possible mitigation measures require further study.
- M. Trucks also cause noise and vibration, which cause disturbances and potential damage to businesses and homes that are near truck route roads. Noise and vibration impacts can be reduced by limiting truck routes, by building sound barrier walls along these routes,

restricting the hours certain truck routes can be used, and/or by other noise reducing measures. The City needs to conduct the appropriate studies to identify these impacts and provide recommendations for mitigation measures.

- N. Trucks likely affect air quality, as their emissions are many times those of passenger vehicles, and thus are also likely to have concomitant health effects. Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is known as diesel particulate matter (DPM). DPM is considered a subset of particulate matter less than 2.5 microns in diameter (PM2.5). Most PM2.5 derives from combustion, such as use of gasoline and diesel fuels by motor vehicles, burning of natural gas to generate electricity, and wood burning. DPM is most concentrated adjacent to freeways, truck routes, and roadways traveled by trucks. PM2.5 is the size of ambient particulate matter air pollution most associated with adverse health effects of the air pollutants that have ambient air quality standards. These health effects include cardiovascular and respiratory hospitalizations, and premature death.
- O. Health impacts can be reduced by employing strategies that improve air quality such as tree plantings programs, building bike lanes and trails, and assisting residents with health related issues. Other long term solutions can include adopting a clean trucks program. For example, zero emission trucks similar to those in the Catenary Drayage Truck for Zero-Emissions Goods Movement demonstration project, found here <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2014/2014-feb7-005.pdf?sfvrsn=2> and <http://www.aqmd.gov/docs/default-source/technology-research/clean-fuels-program/clean-fuels-program-advisory-group---january-29-2015/siemens-catenary-project-update---joe-impullitti.pdf?sfvrsn=7>. The City needs to conduct a the appropriate studies to determine whether a clean truck program would improve air quality in Carson.
- P. In some instances logistics facilities store and transport hazardous waste and/or materials. Hazardous waste and materials facilities present potential dangers to their immediate surroundings and to the community at large; as an example, hazardous gases could be released into the atmosphere as a result of accidents, emissions that are above and beyond those caused by other logistics facilities. Hazardous waste and materials facilities must be strictly regulated and limited in numbers so as to minimize or eliminate the risk of a hazardous materials spill. The Fire Department has identified 170 facilities in Carson that handle hazardous materials.
- Q. Scientific studies have been conducted on the impacts of trucks on surface water quality, specifically copper and zinc pollution issues. Further studies may be required to assess these impairments as they relate to truck traffic on the Dominguez Channel, the Los Angeles River, and Machado Lake that impact the City. The City has adopted an Enhanced Watershed Management Plan that calls out both regional projects and green street implementation to address the impairments, which provides for a compliance schedule and an a cost to implement the program, including potential fines for the City for noncompliance.

- R. Over the next few years, the City will also update its General Plan and zoning code to update its goals and policies for the development of the City. While the City recognizes the value of logistics facilities, the City must balance the interests of such businesses on the one hand, and the well-being of the community, attraction of land uses that create high-paying jobs, and generating revenues to pay for road maintenance , and ensure that logistics facilities mitigate their fair share of fiscal impacts on the City budget. To assess the true financial impacts of logistics facilities on the City's budget, a fiscal impact report needs to be prepared.
- S. The City needs time to evaluate the potential cumulative impacts of logistics facilities, now, before any more of these businesses create further irreversible or costly negative impacts in the community. Furthermore, the City should adopt "good neighbor" standards that reduce impacts of existing or future logistics facilities, on adjacent sensitive land uses.
- T. Many logistics facilities operate 24-hour a day. Limiting the operating hours may address many of the compatibility issues with sensitive land uses.
- U. Fifty percent of land use in City of Carson is devoted to industrial uses. Together with a 0.5% vacancy rate and the strategic location of Carson to the ports of Los Angeles and Long Beach, market forces will only intensify the logistics uses. This intensification could take the form of a second story for logistics facilities, and would further intensify truck traffic through the City.
- V. The advancements in robotics has played a significant role in the quantity of jobs generated by the sector. Logistics facilities, therefore, do not generate jobs the way they used to in the past and may be less desirable for that reason. The City needs to accurately assess the current benefits or impacts on the job market of logistics facilities.
- W. The General Plan's Land Use Element contains the following policies:
1. **LU-6.8** Manage truck-intensive uses.
 2. **LU-7.2** Locate truck intensive uses in areas where the location and circulation pattern will provide minimal impacts on residential and commercial uses.
- X. The General Plan's Transportation Element contains the following policies:
1. **TI-1.2** Devise strategies to protect residential neighborhoods from truck traffic.
 2. **TI-1.3** Ensure that the City's designated truck routes provide efficient access to and from the I-405, I-110 and Route-91 Freeways, as well as the Alameda Corridor.
 3. **TI-1.5** Require that all new construction or reconstruction of streets or corridors that are designated as truck routes, accommodate projected truck volumes and weights.
- Y. The General Plan's Noise Element contains the following policies:

1. **N-2.1** Limit truck traffic to specific routes and designated hours of travel, where necessary
2. **N-2.2** Examine the feasibility of implementing sound attenuation measures along the City's arterial streets, particularly along designated truck routes.
- Z. It is anticipated that these policies will be included in the General Plan update, and will likely be strengthened and broadened. The City therefore needs to conduct the appropriate studies to ensure that current and future logistics facilities regulations are consistent with the relevant General Plan policies and will also be consistent with the General Plan update.

SECTION 4. MORATORIUM

- A. 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 any logistics facilities 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.
- B. Exemptions: the Ordinance shall not apply to the following:
 1. 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.
 2. Tenant improvements for current tenants within an existing building, provided the tenant improvements would not otherwise be considered an expansion or modification of the facility.
 3. Any logistics facility that has obtained a vested property right in the use to which the moratorium applies.
 4. Any logistics facility with 5 or fewer loading doors.
 5. Any new or renewed lease agreement, provided that the term does not exceed 3 years.
 6. Big box stores.

SECTION 5. REVIEW AND STUDY

During the period of this Ordinance, the Director shall review and study the adverse impacts of and the benefits provided by, logistics facilities in the City, so as to quantify the concerns described in Section 3, above, and shall recommend proposed revisions to the City's laws, rules, procedures, and fees related to these facilities, so as to enable the City to adequately and appropriately balance the rights of existing property owners and future applicants who wish to

establish, expand, or modify logistics facilities, with the preservation of the health, safety and welfare of the communities.

SECTION 6. EXCEPTIONS

- A. The City Council may, but is not required to, 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 days after the Director's receipt of that evidence, the City Council determines any or a combination of the following:
 - 1. The City's receipt and consideration of an application for a permit to establish, expand, or modify a logistics facilities, within the City's jurisdiction is necessary for the preservation of the public health, safety, and welfare.
 - 2. Application of the Ordinance would impose an undue financial hardship on a property or business owner.
 - 3. If an existing building is empty on the effective date of this Ordinance, or a tenant moves out of an existing building during the effective period of this Ordinance, and the property or facility owner wishes to have a new tenant or new use, provided the Council makes the following findings: the new use is permitted or conditionally permitted in the zone; the City Council deems the proposed new use or new tenant to be consistent with the purposes of this Ordinance and the General Plan; and the proposed new use or new tenant will not be in conflict with the contemplated general plan update, any specific plan or zoning code update that the City Council is considering or studying or intends to study.
 - 4. Land controlled by the City or by any of its agencies and authorities including, transactions approved by the Department of Finance.
 - 5. The developer or tenant agrees to form or to participate in a Community Financing District (CFD) to pay for ongoing City services, including but not limited to, road maintenance, landscape maintenance, lighting, public safety, storm water management, etc., to the satisfaction of the City Council
 - 6. The developer or tenant enters into a development agreement that guarantees the City the same financial assurances offered by a CFD.
 - 7. The fiscal impact analysis for the business shows that the business will not have adverse negative fiscal impacts on the City.
 - 8. The logistics facility will generate minimal or no truck traffic impacts.
- B. 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 logistics businesses 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 the urgency measure is necessary in order to ensure adequate regulation of logistics businesses, which regulations will serve to adequately and appropriately balance the rights of existing property owners and future applicants who wish to propose new logistics businesses in the City, with the preservation of the public health, safety, and welfare of the surrounding communities. The facts constituting the urgency are:

- A. Establishment, expansion, or modification of logistics businesses may create immediate irreversible and costly adverse impacts in the community; to wit, road damage, noise, vibration, and pollution. The City's limited budget does not cover the cost of mitigating such impacts. The impacts are already dire for the City, and would worsen and become less manageable with every new logistics facility that begins or expands its operation in the City of Carson. The City cannot afford to continue to impose such impacts onto its budget and onto its citizens and cannot allow these impacts to accumulate any further while the General Plan and zoning code are updated.
- B. It is now essential to determine the development capacity of the zoning districts in the City where such businesses are currently permitted, in light of the capabilities of those districts' infrastructure and public services.
- C. Through analysis of the impacts currently imposed by the current amount of truck traffic generated by logistics facilities, traffic studies to determine ways in which to minimize truck traffic impacts, analysis of appropriate measures to regulate hazardous materials within the City, and measures that the City can take to mitigate or prevent impacts from logistics facilities altogether.
- D. Absent the adoption of this Ordinance, the establishment, expansion, or modification of logistics businesses could result in the negative and harmful secondary effects identified above.
- E. As a result of the negative and harmful secondary effects associated with the establishment, expansion, or modification of logistics businesses, the current and immediate threat these businesses pose to the public health, safety, and welfare, and the potential zoning conflicts that would be created by such development, it is necessary to adopt a temporary, forty-five (45) day moratorium on the establishment, expansion, or modification of logistics businesses in the City.
- F. A moratorium is necessary in order to protect the City and its residents, businesses and visitors from the potential health and safety impacts of logistics businesses, 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.

- G. A moratorium is immediately required to preserve the public health, safety, and welfare and should be adopted immediately as an urgency ordinance, to make certain that permits for logistics businesses are issued only under adequate regulations and consistent with the City's future goals for development and expansion. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of comprehensive studies and plans for the regulation of such activities. The absence of this Ordinance would allow the proliferation of such businesses and their undesirable secondary impacts, and create a serious threat to the orderly and effective implementation of any amendments to the General Plan and the Zoning Code, as well as the vision for the City going forward, contemplated by the City Council.

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.

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

- ## SECTION 10. PUBLICATION

SECTION 11. EFFECTIVENESS OF ORDINANCE.

PASSED, APPROVED and ADOPTED as an URGENCY ORDINANCE this 21st day of March, 2017.

ATTEST:

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

I, DONESIA L. GAUSE, City Clerk, of the City of Carson, California, do hereby certify that the foregoing Ordinance No. _____ was introduced, and adopted upon at a meeting of the City Council of the City of Carson, held on the 21st day of March, 2017. Said Ordinance was duly passed, approved, and adopted by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Dated this 21st day of March 2017

Donesia L. Gause, CMC, City Clerk
City of Carson, California

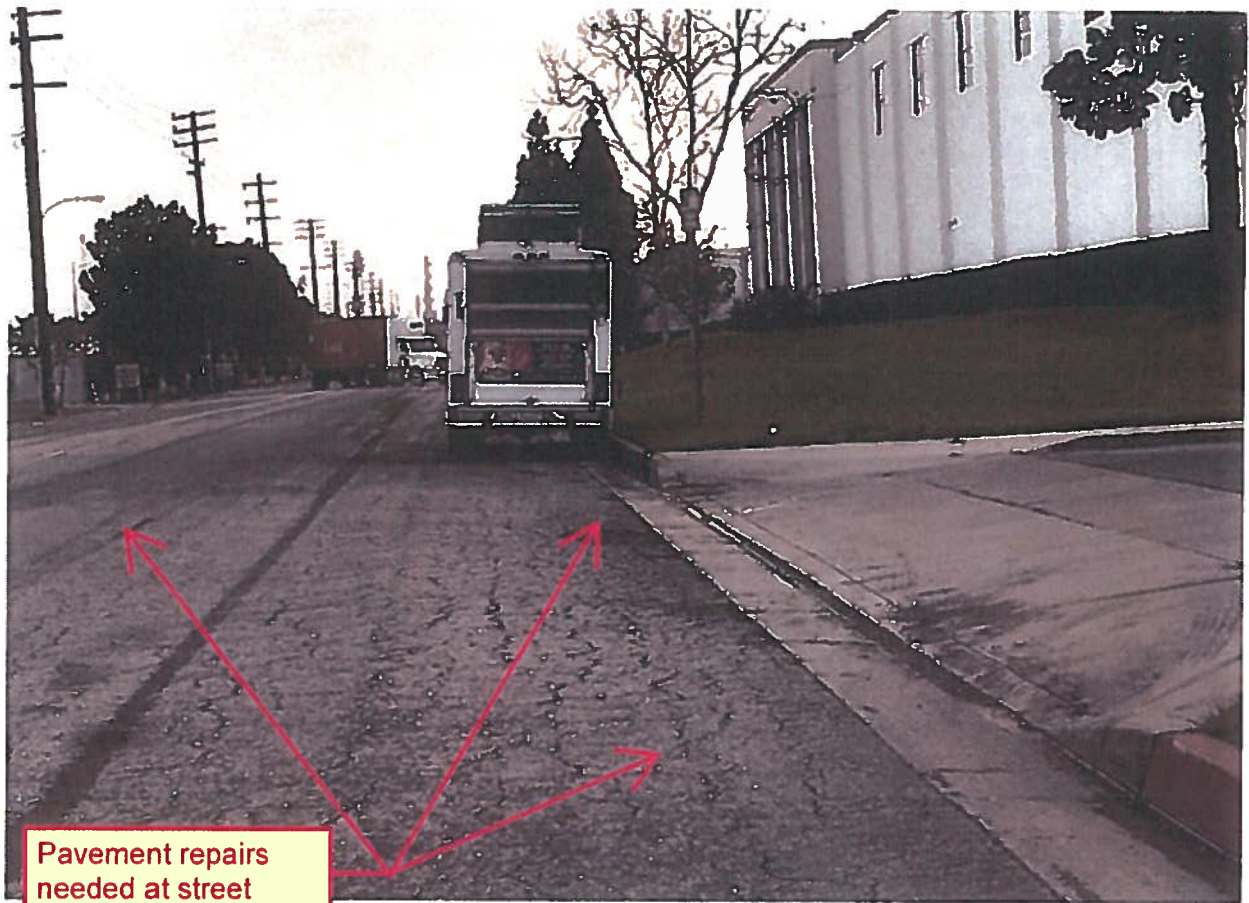
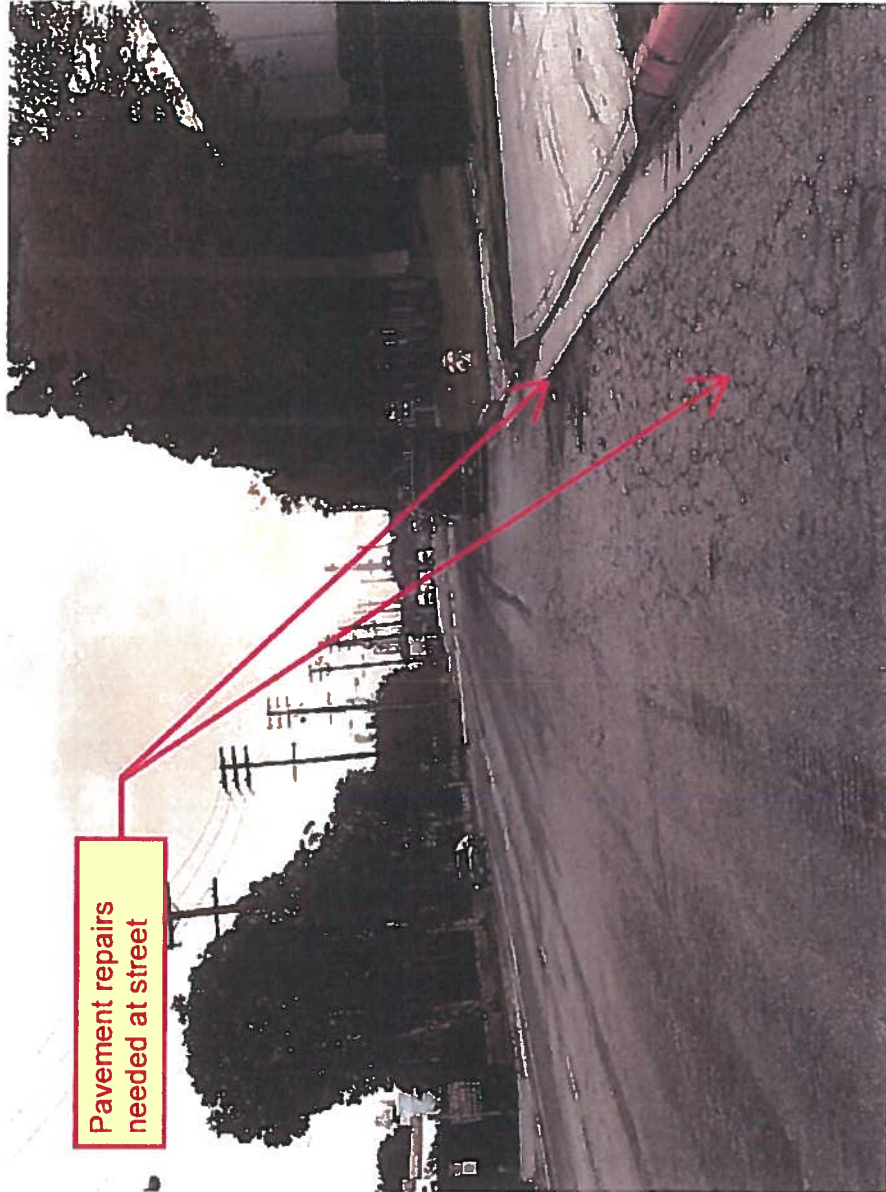
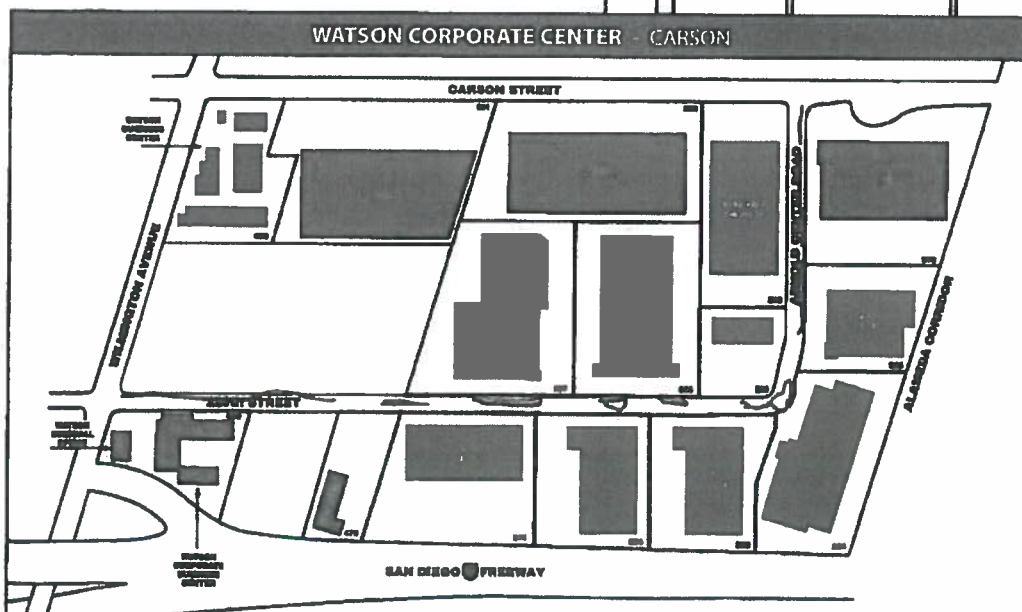
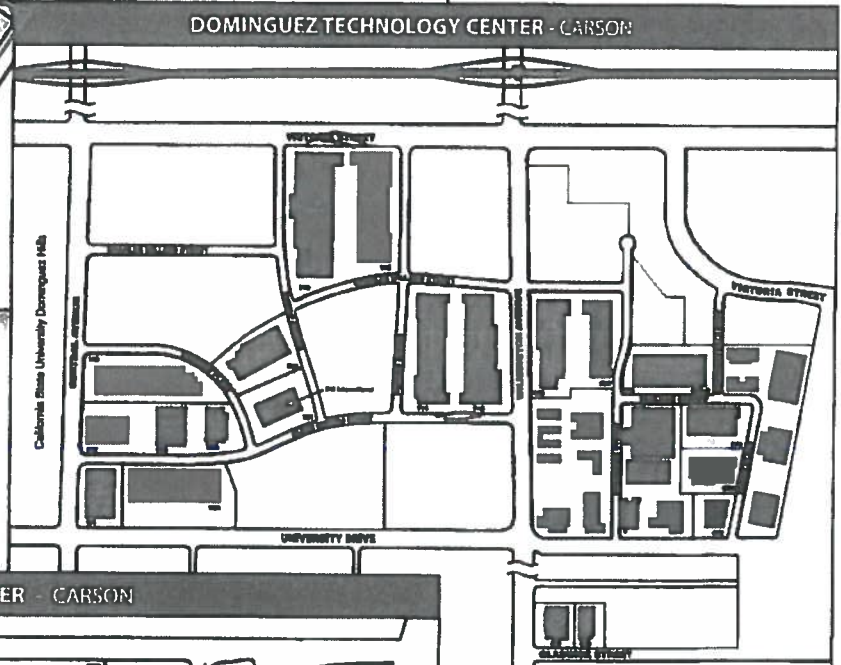
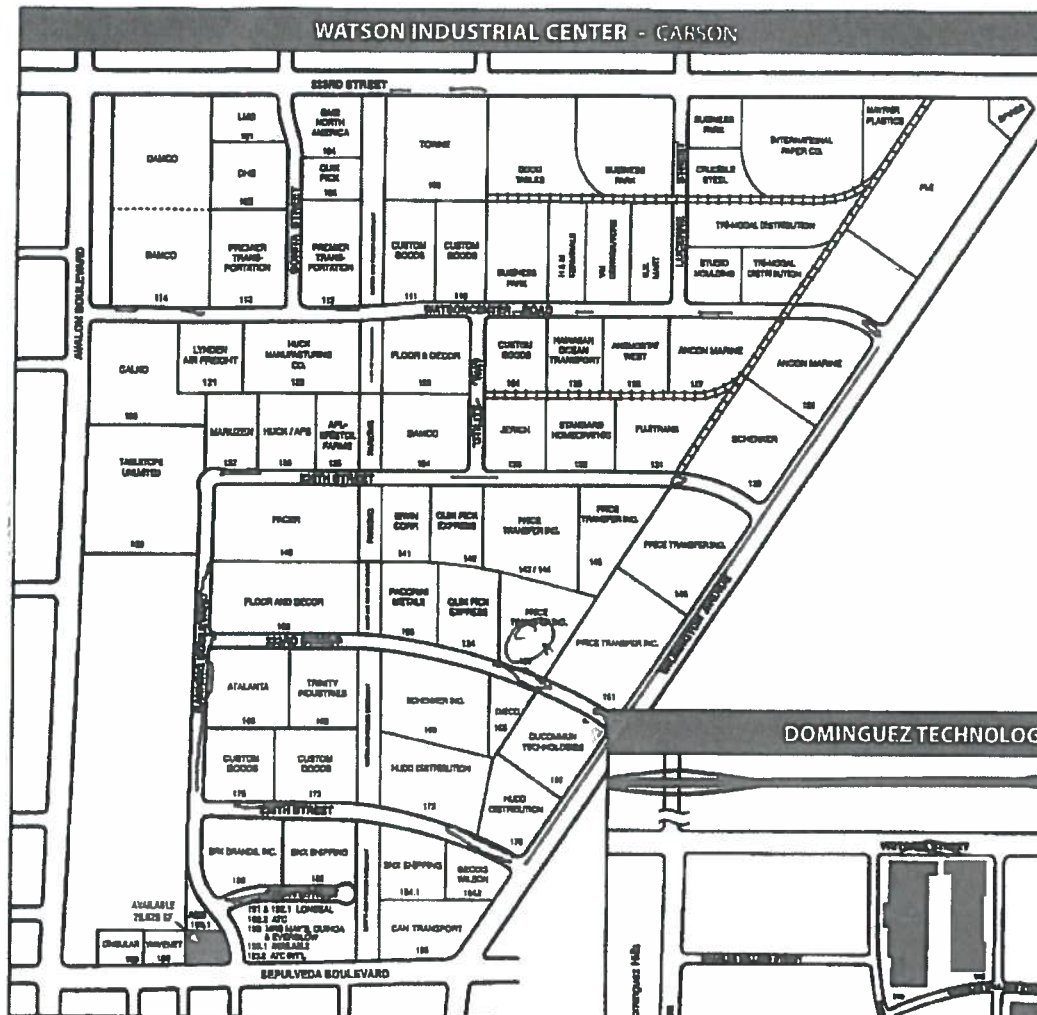


Exhibit No. 2



This document is based upon current information, subject to availability and revisions at any time.



Contact:

Lance Ryan 310.952.6424
lryan@watsonlandcompany.com

Mike Bodlovich 310.952.6414
mbodlovich@watsonlandcompany.com

WATSON LAND COMPANY
22010 Wilmington Avenue
Carson, California 90745

General Office 310.952.6401
Fax 310.522.8788

watsonlandcompany.com

Watson Properties Pavement Restoration Project

Preliminary Cost Estimate

A Road sections serving Watson Properties as part of the Overweight Truck Routes

	Pavement	M&R	Cost / SqFt	Area (SqFt)	Total Coast	2017 (PCI) Estimated
1	Watson Industrial Center	Grind & Overlay 4" AC	\$5.23	1,279,052	6,689,442	45
2	Wilmington Ave.along Watson	Reconstruction FDR + 5" AC	\$7.21	414,445	2,988,148	10
3	Sepulveda Ave. West along Watson	Grind & Overlay 4" AC	\$5.23	122,539	640,879	45
4	Sepulveda Ave. East along Watson	Reconstruction FDR + 5" AC	\$7.21	122,539	883,506	15
5	Dominguez TECH. Center	Grind & Overlay 3" AC	\$3.27	235,528	770,177	45
6	Watson Corporate Center	Grind & Overlay 3" AC	\$3.27	348,000	1,137,960	45
A	SUB-TOTAL for Watson Properties Streets				\$13,110,112	

B Road sections must be included as part of the Overweight Truck Routes

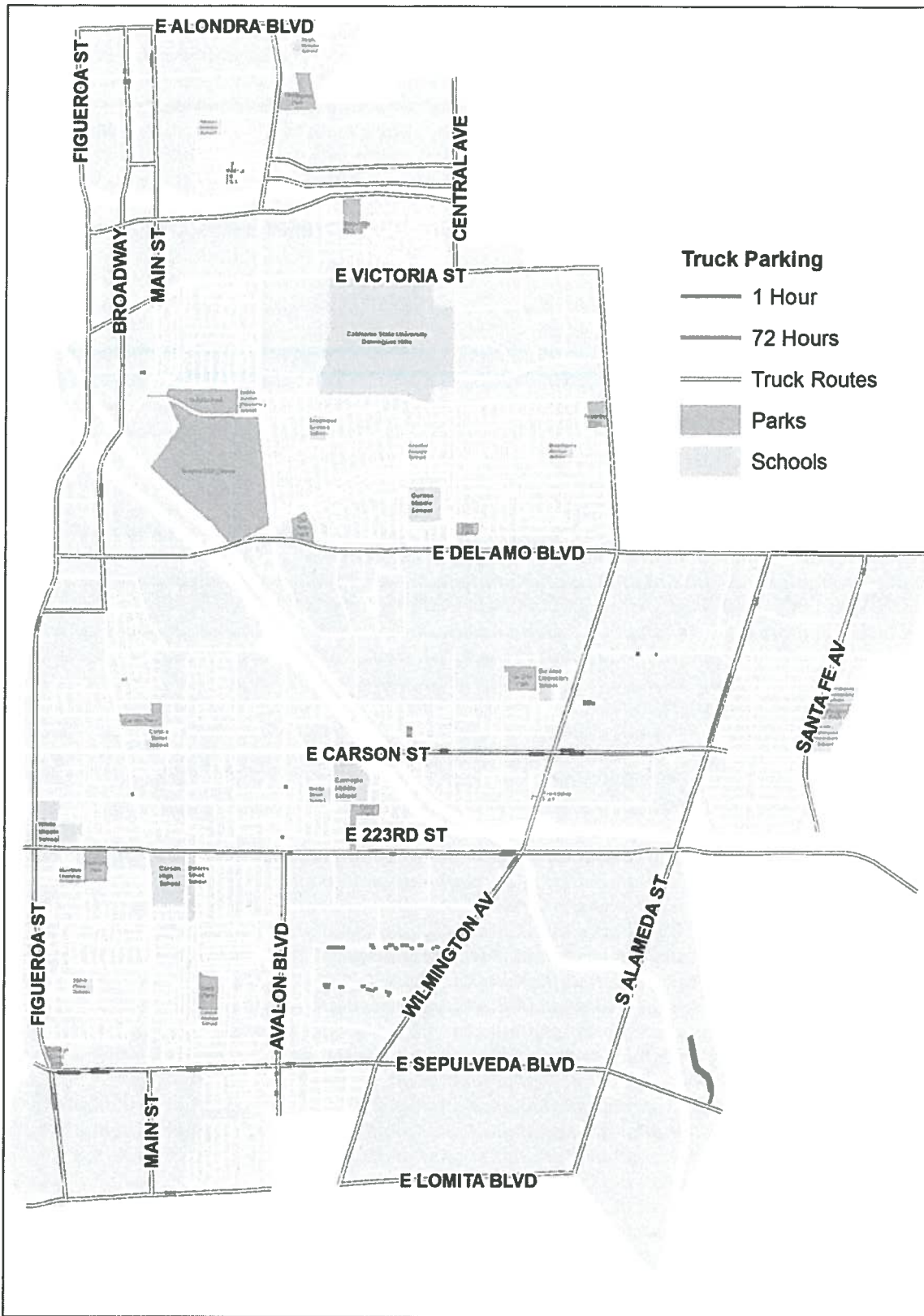
	Pavement	M&R	Cost / SqFt	Area (SqFt)	Total Coast	2017 (PCI) Estimated
3(a)	Sepulveda Ave. West	Grind & Overlay 4" AC	\$5.23	245,078	1,281,758	45
4(a)	Sepulveda Ave. East	Reconstruction FDR + 5" AC	\$7.21	245,078	1,767,012	15
7	ALAMEDA STREET	Grind & Overlay 4" AC	\$5.23	180,832	945,751	30
B	SUB-TOTAL for Overweight Truck Routes				\$3,994,522	

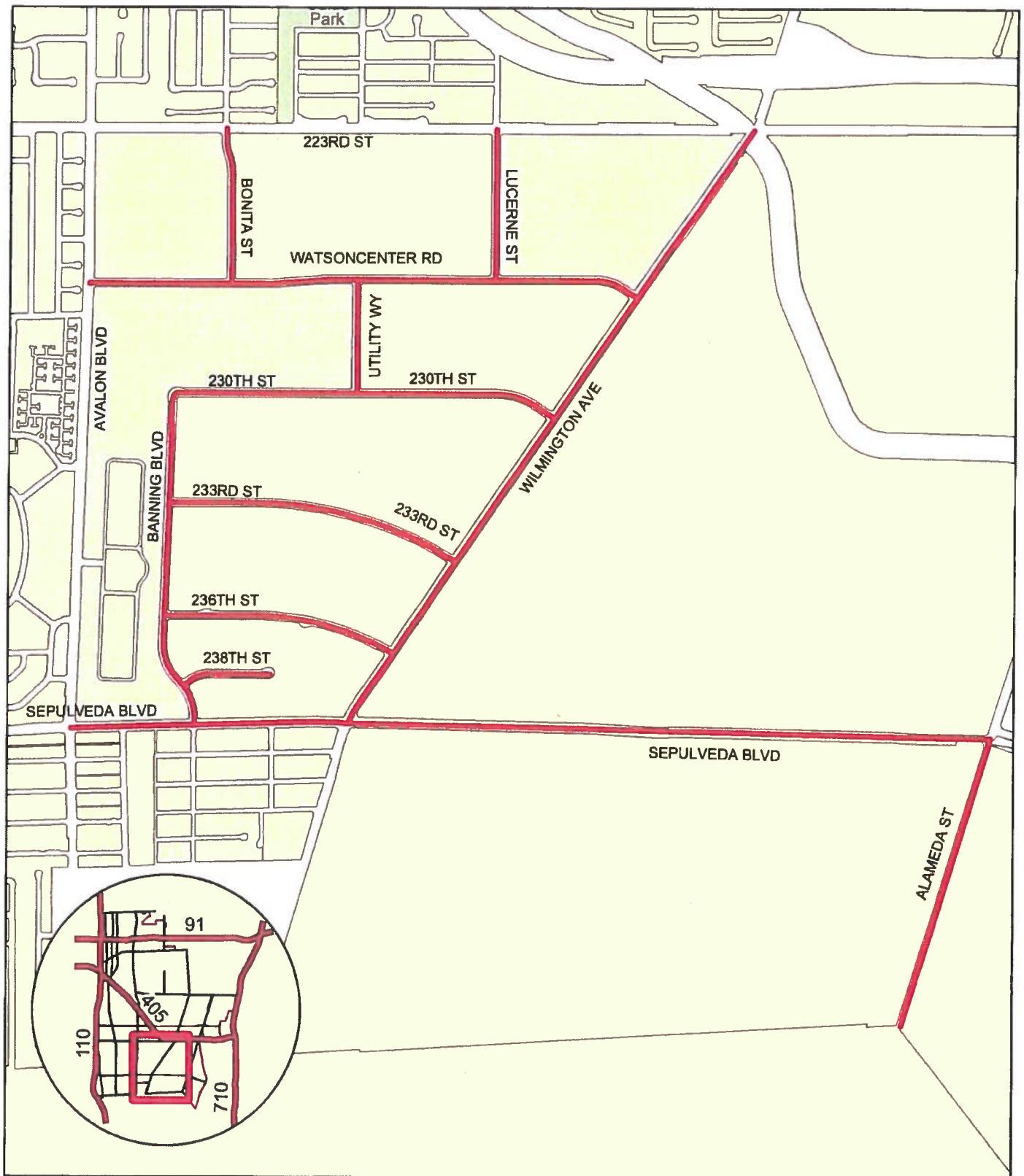
TOTAL PAVEMENT RESTORATION PROJECT = A+B

\$17,104,634

2017 JAN 24 PM 5:19
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 ENGINEERING SERVICES
 CITY OF CARSON

RECEIVED





**Location Map
City of Carson
Proposed Streets for Overweight Trucks**




























Appendix A: Vehicle Classification Using FHWA 13-Category Scheme

FHWA Vehicle Classifications			
<p>1. Motorcycles 2 axles, 2 or 3 tires</p> 	<p>2. Passenger Cars 2 axles, can have 1- or 2-axle trailers</p> 	<p>3. Pickups, Panels, Vans 2 axles, 4-tire single units Can have 1 or 2 axle trailers</p> 	<p>4. Buses 2 or 3 axles, full length</p> 
<p>5. Single Unit 2-Axle Trucks 2 axles, 6 tires (dual rear tires) single unit</p> 	<p>6. Single Unit 3-Axle Trucks 3 axles, single unit</p> 	<p>7. Single Unit 4 or More-Axle Trucks 4 or more axles, single unit</p> 	<p>8. Single Trailer 3- or 4-Axle Trucks 3 or 4 axles, single trailer</p> 
<p>9. Single Trailer 5-Axle Trucks 5 axles, single trailer</p> 	<p>10. Single Trailer 6 or More-Axle Trucks 6 or more axles, single trailer</p> 		
<p>11. Multi-Trailer 5 or Less-Axle Trucks 5 or less axles, multiple trailers</p> 		<p>12. Multi-Trailer 6-Axle Trucks 6 axles, multiple trailers</p> 	
<p>13. Multi-Trailer 7 or More-Axle Trucks 7 or more axles, multiple trailers</p> 			

A. FHWA Vehicle Classes With Definitions

Class 1 - Motorcycles (Optional). All two- or three-wheeled motorized vehicles. Typical vehicles in this category have saddle type seats and are steered by handlebars rather than steering wheels. This category includes motorcycles, motor scooters, mopeds, motor-powered bicycles, and three-wheel motorcycles. This vehicle type may be reported at the option of the State.

Class 2 - Passenger Cars. All sedans, coupes, and station wagons manufactured primarily for the purpose of carrying passengers and including those passenger cars pulling recreational or other light trailers.

Class 3 - Other Two-Axle, Four-Tire Single Unit Vehicles. All two-axle, four-tire vehicles, other than passenger cars. Included in this classification are pickups, panels, vans, and other vehicles such as campers, motor homes, ambulances, hearses, carryalls, and minibuses. Other two-axle, four-tire single-unit vehicles pulling recreational or other light trailers are included in this classification. Because automatic vehicle classifiers have difficulty distinguishing Class 3 from Class 2, these two classes may be combined into Class 2.

Class 4 - Buses. All vehicles manufactured as traditional passenger-carrying buses with two axles and six tires or three or more axles. This category includes only traditional buses (including school buses) functioning as passenger-carrying vehicles. Modified buses should be considered to be a truck and should be appropriately classified.

Class 5 - Two-Axle, Six-Tire, Single-Unit Trucks. All vehicles on a single frame, including trucks, camping and recreational vehicles, motor homes, etc., with two axles and dual rear wheels.

Class 6 - Three-Axle Single-Unit Trucks. All vehicles on a single frame, including trucks, camping and recreational vehicles, motor homes, etc., with three axles.

Class 7 - Four or More Axle Single-Unit Trucks. All trucks on a single frame with four or more axles.

Class 8 - Four or Fewer Axle Single-Trailer Trucks. All vehicles with four or fewer axles consisting of two units, one of which is a tractor or straight truck power unit.

Class 9 - Five-Axle Single-Trailer Trucks. All five-axle vehicles consisting of two units, one of which is a tractor or straight truck power unit.

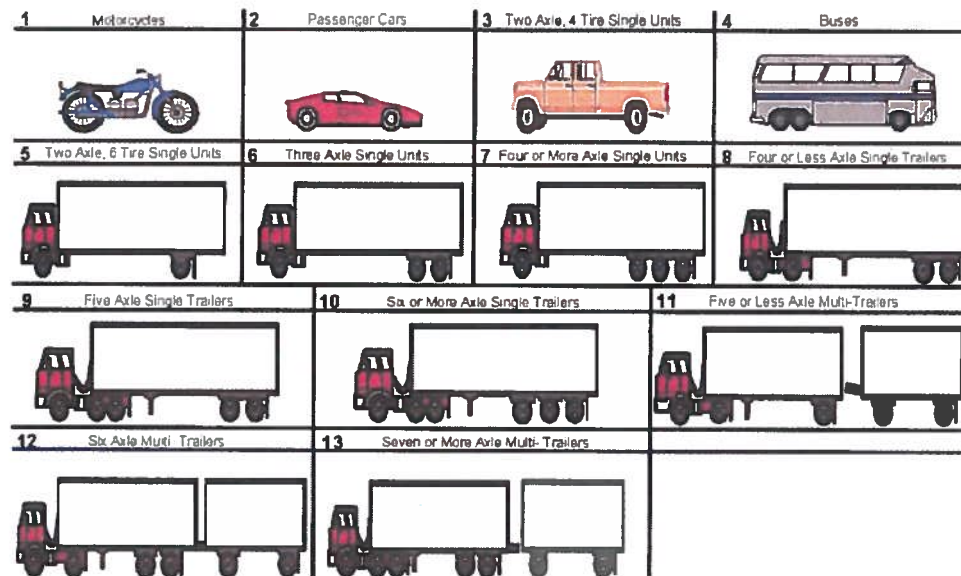
Class 10 - Six or More Axle Single-Trailer Trucks. All vehicles with six or more axles consisting of two units, one of which is a tractor or straight truck power unit.

Class 11 - Five or fewer Axle Multi-Trailer Trucks. All vehicles with five or fewer axles consisting of three or more units, one of which is a tractor or straight truck power unit.

Class 12 - Six-Axle Multi-Trailer Trucks. All six-axle vehicles consisting of three or more units, one of which is a tractor or straight truck power unit.

Class 13 - Seven or More Axle Multi-trailer Trucks. All vehicles with seven or more axles consisting of three or more units, one of which is a tractor or straight truck power unit.

Figure A.1 FHWA Vehicle Classifications



Source: 2006 NYSDOT Traffic Data Report.



Herbert E. Gleicke Trust

CITY MANAGER
17 FEB 28 AM 10:28

VIA US MAIL, MESSENGER DELIVERY

Kenneth C. Farfsing, City Manager
CITY OF CARSON, CALIFORNIA
701 E. Carson Street
Carson, CA 90749

27th of February, 2017

Re: *Daily Breeze*, 8th of February, 2017, Published Statement, "council could consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses."

Dear Mr. Farfsing:

Greetings! I am a third generation stakeholder in Carson, where our family has owned an approximate 4.6 acre site in this community for over 60-years.

I have recently read with great concern, your statement as published in the *Daily Breeze* on the 8th of February, 2017, whereas you were quoted stating the following; "council could consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses," (please see attachment A).

If your statement was accurately quoted, I am concerned that your representation of intentions from the Carson City Council could prove to have significantly negative financial consequences for the residents of Carson, and a chilling effect on business development within the city.

What financial analysis was conducted by the city of Carson, such as tax base contribution and other revenue streams to the city, to reach a conclusion to even "consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses" as to be contemplated by the Council?

What employment study was conducted by the city of Carson, such as job opportunities to the Carson community, to reach a conclusion to even "consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses" as to be contemplated by the Council?

-continued-

Exhibit No. 9



Herbert E. Gleiche Trust

Kenneth C. Farfsing, City Manager
CITY OF CARSON, CALIFORNIA

27th of February, 2017

Re: *Daily Breeze*, 8th of February, 2017, Published Statement, "council could consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses."

Page 2

What real estate market study was conducted by the city of Carson such as first and best use, market saturation, competitive markets neighboring Carson as it relates to warehouses, to reach a conclusion to even "*consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses*" as to be contemplated by the Council?

Given the magnitude of impact to the residents of Carson, the business community and the financial contribution to the city of Carson's annual revenue and the potential loss of revenue until another stream comes online, I strongly suggest that appropriate due diligence be conducted before any recommendations and or decisions are made regarding imposing restriction(s), permitting and or modification of current building plans as it relates to industrial warehouses and or their ancillary uses, such as truck operations.

It should also be self evident that any consideration of a moratorium as it relates to industrial warehouses and or their ancillary uses, such as truck operations would not be appropriate, given that there is no current or pending threat to "*the health, safety and welfare*" of the community, which is a primary requirement for legally implementing a moratoria.

Everyone has a stake in the city of Carson's successful future and in securing a sustainable pathway to arrive at this destination. May I suggest that a committee be formed comprising of Carson government representatives and management including City Planning, residents of Carson and representatives of the business community, including business operators and developers so that the parties can discuss the varying objectives envisioned for the city and a cohesive, collective approach to meet all of the needs of the community.



Herbert E. Gleicke Trust

Kenneth C. Farfsing, City Manager
CITY OF CARSON, CALIFORNIA

27th of February, 2017

Re: *Daily Breeze*, 8th of February, 2017, Published Statement, "council could consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses."

Page 3

When complex problems are solved organically, incorporating all points of view, and all of those who are impacted, then there is no limit to what can be accomplished.

Thank you for your consideration.

Sincerely,
HERBERT E. GLEICKE TRUST


Loren Miles
Trustee

LM/vp

encls:

cc: Mayor Albert Robles
Mayor Pro Tempore Lula Davis-Holmes
Council Member Elito Santarina
Council Member Jawane Hilton
Council Member Cedric Hicks, Sr.
Saied Nasseh, Planning Manager
Richard Rojas, Senior Planner
Sunny Soltani, Carson City Attorney
DeShon Andrews
Barbara Post
Sharon Guidry
Louie Diaz
Joey Cinco
Michael Mitoma
Charles Thomas
Ramon Madrigal
Ramona Pimentel
Uli Fe'esago, Jr.
Christophe Palmer

DAILY BREEZE

MUNICIPAL GOVERNMENTS

Home News *Municipal governments*

Carson clears way for three new warehouses, but the tenants are a mystery

By **Sandy Mazza**, *Daily Breeze*

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POSTED: 02/08/17, 6:21 PM PST UPDATED: 1

WEEK, 5 DAYS AGO

1 COMMENT

Construction on three new warehouses totalling more than 250,000 square feet have been approved in Carson despite City Council complaints that the tenants remain a mystery.

The City Council approved "downzoning" of two lots along the 405 and 91 freeways to "light industrial" uses from heavy industrial and business park designations Tuesday night, clearing the way for construction to begin.

"There are no tenants identified with the buildings. We've discussed with the applicants that we would desire to have uses that would increase sales tax to the city and also bring jobs to the city," said Planning Manager Saied Naaseh. "These type of buildings have to be built before the applicant can market them. So we hope the applicant will do their best to bring the best tenant to the city."

Light industrial uses include a wide range of activities, including storing and distributing goods, and manufacturing pharmaceuticals, clothing and jewelry — but not cars, explosives, heavy metals, or processes involving very hazardous materials.

Newport Beach-based Panattoni Development Co. will erect two large warehouses on a 5.5-acre lot across from Tesoro's Los Angeles Refinery off the 405 Freeway between South Alameda Street and the Dominguez Channel at 2254 E. 223rd St.

On the other site, a 6.4-acre parcel at 230 E. Alondra Blvd., at the corner of Ball Avenue bordering unincorporated Rancho Dominguez and Compton, Newport Beach-based Alere Property Group will build one large, two-story warehouse. The company will pay Carson \$150,000 to offset any street repairs that

might be needed to accommodate increased truck traffic to and from the location.
end articleparagraph1.pbo start articleparagraph1.pbo

"The site can support up to 146,000 square feet of rentable warehouse space and is well located near a major on/off ramp on the 91 Freeway at Main Street and just eight miles from the Ports of Long Beach and Los Angeles," reads a statement on the company's website. "Alere plans to develop one state-of-the-art industrial distribution building on the site."
Last year, the company bought the Murad Inc. skin-care facility in Torrance. It also owns the Citizen Watch Co. of America headquarters in Torrance.
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Panattoni has long-standing clients that include FedEx, Avon, Big 5 Sporting Goods, The Home Depot and others.

Councilwoman Lula Davis-Holmes approved the zoning changes, but asked city staff to look into ways to keep a closer eye on what industrial businesses are coming to town.

"Another warehouse, and we don't know what's going in," Davis-Holmes said. "We need to know what's coming into our city. What can we do?"

City Manager Ken Farfsing said the council could consider tightening permitting restrictions to reduce the city's large stock of industrial warehouses.

Tesoro officials also complained about having added truck traffic near their entrance to Tesoro Campus Drive, but city officials said the complaints aren't warranted because a study determined the increased traffic wouldn't cause major negative effects.

Panattoni's plans include two tilt-up buildings on the site, which was home to Stauffer Chemical Co. until 1982. Hazardous materials have been cleaned from the lot, and the state Department of Toxic Substances Control has approved new construction.