

**CITY OF CARSON**  
**PLANNING COMMISSION**

**RESOLUTION NO. 96-1612**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON  
APPROVING CONDITIONAL USE PERMIT NO. 391-92, VARIANCE 390-96 AND  
VARIANCE NO. 391-96**

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

**Section 1.** An application was duly filed by the applicant, Western Waste Industries, with respect to real property located at 135-401 Francisco Street, 19803-19809 Main Street, 19821 Main Street and 19831 Main Street and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit No. 391-92 and seeking approval of Variance No. 390-96 and Variance No. 391-96..

Public hearings were duly held on March 12, 1996, and March 26, 1996 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 meetings was duly given.

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

**Section 3.** The Planning Commission finds that:

- a) The proposed use and development is consistent with the Land Use Element of the General Plan and the Redevelopment Plan for Project Area No. 1 which designate the site for heavy industrial uses. The site has been in use as a refuse transfer station for over 25 years. The mitigation measures included as conditions of approval are designed to lessen any adverse impacts on the adjacent areas. Conditions have been included to mitigate noise, aesthetic and circulation impacts.
- b) Pursuant to Section 9141.1 of the Carson Municipal Code a refuse transfer station is required to obtain a conditional use permit. Pursuant to the approval of Special Use Permit No. 154-77 for the existing refuse facility a new conditional use permit is required when the hours of operation or throughput increase. The existing refuse transfer facility is operating under Special Use Permit No. 154-77 which allows a maximum of 2600 tons per day throughput. The applicant has requested an increase to 5300 tons per day throughput. The applicant is proposing the elimination of the current limit on hours of operation to allow for a 24 hour operation.
- c) The Noise Control Ordinance of the Carson Municipal Code establishes specific noise restrictions for construction noise. Preliminary analysis of the project related to construction impacts has identified that construction noise will exceed the standards contained in Section 5550, 12.08.440 (Construction Noise) unless a variance is issued. The noise analysis identified that the proposed project would not be in compliance with the maximum noise levels for construction equipment and the hours of operation limitations to protect residential or commercial properties. Pursuant to Section 5500, 12.08.580, a variance may be granted by the Commission for a period not to exceed two years, subject to such terms, conditions and requirements as may be reasonable under the circumstances.

- d) The applicant requests to proceed with construction during nighttime hours and Sunday in order to maintain the operation of the transfer station. The applicant does not have a reasonable alternative which would allow for the construction of the facility during day time hours. The properties that are anticipated to be impacted by the construction activities include the adjacent drive-in theater and the Don Dominguez apartments on Main Street. A condition has been included that requires a reduction or cessation of construction activities while the adjacent drive-in theater is in operation in order to minimize the disturbance to theater patrons.
- e) The subject site is approximately 6.7 acres and is adequate in size, shape, topography, location and utilities to accommodate the proposed expansion and use subject to the limitation of trailer parking that occupies required parking areas.
- f) Francisco Street is a fully dedicated and improved collector street. The existing refuse facility is the primary user of the public street. A condition has been added to require that the street be improved to repair the damage created by the trucks and vehicles accessing the subject property. The street is regularly utilized by employees of the refuse facility for parking. There will be adequate street access and traffic capacity via Francisco Street.
- g) The proposed use and development will be compatible with the existing and intended character of the area subject to compliance with the conditions requiring modification to the building design and provision of landscape areas to screen the subject property from adjacent areas.
- h) Pursuant to 9172.22 of the Carson Municipal Code, the applicant is requesting a variance from the Section 9146.3 which limits a solid wall in the required front yard to 3 1/2 feet in height. The applicant is proposing a solid wall with a maximum height of 10 feet in a portion of the front yard along Francisco Street. The proposed wall would limit views into the transfer station facility.
- i) The transfer facility is located on a collector street which has minimal public traffic and visibility. The request to construct a solid wall which exceeds the maximum permitted height contained in Section 9146.3 is justified in order to minimize the public view into the facility. A portion of the existing wall will be replaced with a solid wall not to exceed 10 feet in height. The granting of the variance would allow the transfer station to implement a mitigation measure which lessens the impacts of the project and allows for a better appearance of the site.

**Section 4.** The Planning Commission further finds that the use permitted by the proposed Conditional Use Permit and Variance will not have a significant effect on the environment as indicated in the Initial Study and Negative Declaration prepared for this project. The proposed use will not alter the predominantly industrial character of the surrounding area and meets or exceeds all City standards for protection of the environment. The Planning Commission finds that the use permitted by the proposed Variance for the wall is categorically exempt pursuant to Section 15303(e) of the CEQA Guidelines.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 391-92, Variance No. 390-96 and Variance 391-96 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and adopts the Negative Declaration.

**Section 6.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 7.** This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

**PASSED, APPROVED AND ADOPTED THIS 26th DAY OF MARCH, 1996**

  
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**CHAIRMAN**

**ATTEST:**

  
\_\_\_\_\_  
**SECRETARY**

## EXHIBIT "A"

The Land referred to in the Application is described as follows:  
THE LAND IS DESCRIBED AS FOLLOWS:

### PARCEL 1

BEGINNING AT THE SOUTHEAST CORNER OF LOT 96 OF TRACT NUMBER 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE WESTERLY 175.17 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT DISTANT 820 FEET EASTERLY THEREON FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE PARALLEL WITH THE WEST LINE OF SAID LOT NORTHERLY 50 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID LOT, 172.69 FEET, MORE OR LESS TO THE WEST LINE OF MAIN STREET; AND THENCE SOUTHERLY 50.06 FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

### PARCEL 2

THAT PORTION OF LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 96, DISTANT 70 FEET EASTERLY FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 96, A DISTANCE OF 245.82

## DESCRIPTION (CONT'L)

FEET; THENCE EASTERLY PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, A DISTANCE OF 250 FEET; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 96, A DISTANCE OF 122.91 FEET; THENCE WESTERLY PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, A DISTANCE OF 50 FEET; THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF LOT 96, A DISTANCE OF 122.91 FEET TO THE SOUTHERLY LINE OF SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY LINE 200 FEET TO THE POINT OF BEGINNING.

### PARCEL 3

THAT PORTION OF LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGE 30 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT, A DISTANCE OF 334.55 FEET TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT, A DISTANCE OF 410 FEET; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID LOT, A DISTANCE OF 88.73 FEET MORE OR LESS TO THE NORTHERLY LINE OF THE LAND DESCRIBED IN THE DEEDS RECORDED IN BOOK 9961 PAGE 62 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND THE WESTERLY PROLONGATION THEREOF; A DISTANCE OF 390 FEET FEET MORE OR LESS TO THE EASTERLY LINE OF THE WESTERLY 20 FEET OF SAID LOT; THENCE SOUTHERLY ALONG SAID EASTERLY LINE, A DISTANCE OF 245.82 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY LINE A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING.

### PARCEL 4

THE EAST 50 FEET OF THE WEST 70 FEET OF THE SOUTH 245.82 FEET OF LOT 96 OF TRACT 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30-31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 5

THAT PORTION OF LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGE 30 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE LAND DESCRIBED AS PARCEL 3 IN THE DEED TO JOSEPH ANDERSON WEST AND WIFE, RECORDED MAY 23, 1931, AS INSTRUMENT NO. 1148 IN BOOK 10856, PAGE 219, OFFICIAL RECORDS OF SAID COUNTY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LAST MENTIONED LAND A DISTANCE OF 245.82 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF SAID LOT 96; THENCE WESTERLY ALONG SAID SOUTHERLY LINE, A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER OF THE LAND IN THE DEED TO RALPH S. TUFENKIAN AND WIFE, RECORDED FEBRUARY 26, 1971, AS INSTRUMENT NO. 284 IN BOOK D-4980 PAGE 284, OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTHERLY ALONG THE EASTERLY LINE OF THE LAND DESCRIBED IN SAID LAST MENTIONED DEED, TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN THE DEED TO RALPH S. TUFENKIAN AND WIFE, RECORDED MAY 4, 1971, AS INSTRUMENT NO. 23 IN BOOK D-5046 PAGE 154, OF SAID OFFICIAL RECORDS; THENCE EASTERLY AND NORTHERLY ALONG THE SOUTHERLY AND EASTERLY LINES OF THE LAND DESCRIBED IN SAID LAST MENTIONED DEED TO THE NORTHEAST CORNER THEREOF; THENCE EASTERLY IN A DIRECT LINE TO THE POINT OF BEGINNING.

### PARCEL 6

THAT PORTION OF LOT 96 OF TRACT 4671, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGE 30 OF MAPS, IN THE

## DESCRIPTION (CONT'D)

OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT 96, DISTANT EASTERLY THEREON 820 FEET FROM THE NORTHWEST CORNER OF SAID LOT; SAID POINT BEING THE NORTHWEST CORNER OF THE LAND DESCRIBED IN PARCEL 2 OF THE DEED RECORDED IN BOOK 10856 PAGE 219 OFFICIAL RECORDS OF SAID COUNTY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LAND AND THE SOUTHERLY PROLONGATION THEREOF, A DISTANCE OF 68.73 FEET TO THE TRUE POINT OF BEGINNING; SAID POINT BEING THE SOUTHWESTERLY CORNER OF THE LAND DESCRIBED AS PARCEL 2 IN DEED RECORDED IN BOOK D-3850 PAGE 236 OFFICIAL RECORDS OF SAID COUNTY; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LAND, A DISTANCE OF 160.99 FEET MORE OR LESS TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTHERLY ALONG SAID EASTERLY LINE, A DISTANCE OF 70.085 FEET MORE OR LESS TO THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN PARCEL 1 OF THE DEED RECORDED IN BOOK 10856 PAGE 219 OFFICIAL RECORDS OF SAID COUNTY; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LAST MENTIONED DEED A DISTANCE OF 165.45 FEET TO THE SOUTHWESTERLY CORNER THEREOF; THENCE NORTHERLY ALONG THE WESTERLY LINE OF THE LAND SO DESCRIBED IN SAID LAST MENTIONED DEED AND THE NORTHERLY PROLONGATION THEREOF, A DISTANCE OF 70 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

### PARCEL 7

THE WESTERLY 75.00 FEET OF THAT PORTION OF SAID LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT, A DISTANCE OF 245.82 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTHERLY LINE OF SAID LOT, A DISTANCE OF 470.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY, PARALLEL WITH SAID WESTERLY LINE 245.82 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID LOT DISTANT ALONG SAID SOUTHERLY LINE, 100.00 FEET EASTERLY FROM THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN AN OPTION TO PURCHASE, ETC., RECORDED FEBRUARY 19, 1934 AS INSTRUMENT NO. 725 IN BOOK 12560 PAGE 283, OFFICIAL RECORDS OF SAID COUNTY; THENCE EASTERLY ALONG SAID SOUTHERLY LINE 150.00 FEET TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED AS PARCEL 3, IN DEED TO JOSEPH ANDERSON WEST AND WIFE, RECORDED MAY 23, 1931 AS INSTRUMENT NO. 1148 IN BOOK 10856 PAGE 219 OFFICIAL RECORDS OF SAID COUNTY; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL 3, 245.82 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 3; THENCE WESTERLY, PARALLEL WITH SAID NORTHERLY LINE, 150.00 FEET TO THE TRUE POINT OF BEGINNING.

### PARCEL 8

THAT PORTION OF LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF LOT 96; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 96, A DISTANCE OF 245.82 FEET; THENCE EASTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT, A DISTANCE OF 545 FEET TO THE NORTHEASTERLY CORNER OF SAID LAND DESCRIBED IN THE DEED TO RALPH S. TUFENKIAN AND WIFE, RECORDED ON FEBRUARY 26, 1971 AS DOCUMENT NO. 284 IN BOOK D-4980 PAGE 284 OFFICIAL RECORDS OF SAID COUNTY; BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LAND OF TUFENKIAN TO A LINE THAT IS PARALLEL WITH AND DISTANT SOUTHERLY 50.00 FEET (MEASURED AT RIGHT ANGLES) FROM A LINE THAT IS PARALLEL WITH NORTHERLY LINE OF SAID LOT 96 AND WHICH PASSES THROUGH THE TRUE POINT OF BEGINNING; THENCE EASTERLY ALONG SAID SECOND MENTIONED PARALLEL LINE, 70.00 FEET; THENCE

## DESCRIPTION (CONT'L)

NORTHERLY PARALLEL WITH SAID EASTERLY LINE, TO SAID PARALLEL LINE WHICH PASSES THROUGH SAID TRUE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE TO THE TRUE POINT OF BEGINNING.

### PARCEL 9

THAT PORTION OF LOT 96 OF TRACT 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 96 DISTANT EASTERLY THEREON 620 FEET FROM THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT, 245.82 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 100 FEET; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 245.82 FEET TO THE SOUTHERLY LINE OF SAID LOT; THENCE WESTERLY ALONG SAID SOUTHERLY 100 FEET TO THE POINT OF BEGINNING.

### PARCEL 10A

THAT PORTION OF LOT 96, OF TRACT 4671, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 96; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT, A DISTANCE OF 122.91 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, A DISTANCE OF 320 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING EASTERLY, PARALLEL WITH SAID SOUTHERLY LINE, A DISTANCE OF 50 FEET; THENCE NORTHERLY, PARALLEL WITH SAID WESTERLY LINE, A DISTANCE OF 122.91 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTHERLY LINE, A DISTANCE OF 50 FEET; THENCE SOUTHERLY PARALLEL WITH SAID WESTERLY LINE, A DISTANCE OF 122.91 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTHERLY LINE, A DISTANCE OF 50 FEET; THENCE SOUTHERLY PARALLEL WITH SAID WESTERLY LINE, A DISTANCE OF 122.91 FEET; THENCE EASTERLY PARALLEL WITH SAID SOUTHERLY LINE, A DISTANCE OF 50 FEET; THENCE NORTHERLY PARALLEL WITH SAID WESTERLY LINE, A DISTANCE OF 122.91 FEET TO THE TRUE POINT OF BEGINNING.

### PARCEL 10B

THE WESTERLY 100 FEET OF THAT PORTION OF LOT 96, OF TRACT 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE LAND DESCRIBED AS PARCEL 3, IN THE DEED TO JOSEPH ANDERSON WEST AND WIFE, RECORDED ON MAY 23, 1931 IN BOOK 10856, PAGE 219, OFFICIAL RECORDS, AS INSTRUMENT NO. 1148, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 96, A DISTANCE OF 250.00 FEET, MORE OR LESS, TO THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN AN OPTION TO PURCHASE, ETC. BETWEEN JOHN W. COUNTS AND ADA F. COUNTS, FIRST PARTY, AND GEORGE GETTS, JR., SECOND PARTY, RECORDED ON FEBRUARY 19, 1934 IN BOOK 12560, PAGE 283 OF SAID OFFICIAL RECORDS, AS INSTRUMENT NO. 725; THENCE NORTHERLY ALONG THE EASTERLY LINE OF THE LAND LAST DESCRIBED A DISTANCE OF 122.91 FEET, MORE OR LESS, TO THE NORTHERLY CORNER OF SAID LAST MENTIONED LAND; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO MARY UNTERKIRCHNER, RECORDED ON APRIL 22, 1930 IN BOOK 9961, PAGE 62 OF SAID OFFICIAL RECORDS, TO AND ALONG THE SOUTHERLY LINE OF THE LAND DESCRIBED IN THE DEED TO FRANK CYR, RECORDED ON JANUARY 6, 1930 IN BOOK 9579, PAGE 203 OF SAID OFFICIAL RECORDS, AS INSTRUMENT NO. 799, TO AND ALONG THE SOUTHERLY LINE AND ITS EASTERLY PROLONGATION OF THE LAND DESCRIBED IN THE DEED TO

## DESCRIPTION (CONT'D)

MARAGRET I. DODGE, RECORDED ON FEBRUARY 21, 1924 IN BOOK 12582, PAGE 293 OF SAID OFFICIAL RECORDS, AS INSTRUMENT NO. 729, A DISTANCE OF 250.00 FEET, MORE OR LESS, TO THE WESTERLY LINE OF SAID PARCEL 3 OF THE LAND OF WEST AND WIFE; THENCE SOUTHERLY ALONG SAID LAST MENTIONED WESTERLY LINE, A DISTANCE OF 122.91 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

### PARCEL 10C

THAT PORTION OF LOT 96, OF TRACT 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

AT THE SOUTHWEST CORNER OF SAID LOT 96; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 96, 245.82 FEET; THENCE EASTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 96, 370 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 96, 122.91 FEET; THENCE EASTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 100 FEET; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 96, 122.91 FEET; THENCE WESTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 96, 100 FEET TO THE TRUE POINT OF BEGINNING.

### PARCEL 11

THAT PORTION OF LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDER IN BOOK 56 PAGE 30 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT, DISTANT EASTERLY THEREON 320 FEET FROM THE SOUTHEASTERLY CORNER OF SAID LOT; THENCE CONTINUING EASTERLY ALONG SAID SOUTHERLY LINE 50 FEET TO A SOUTHWESTERLY CORNER OF THE LAND DESCRIBED IN THE DEED TO RAYMOND E. PERRY, RECORDED ON JUNE 4, 1948, AS INSTRUMENT NO. 537, IN BOOK 27382 PAGE 232, OFFICIAL RECORDS; THENCE NORTHERLY ALONG A WESTERLY LINE OF SAID LAND 122.91 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE WESTERLY PARALLEL WITH SAID SOUTHERLY LINE 50 FEET; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 122.91 FEET TO THE POINT OF BEGINNING.

### PARCEL 12

THE NORTHERLY 45.82 FEET OF THE SOUTHERLY 145.82 FEET, EXCEPT THE WESTERLY 820 FEET OF LOT 96 OF TRACT 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGES 30 AND 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALL DISTANCES MEASURED ON THE WESTERLY AND SOUTHERLY LINES.

### PARCEL 13A

THAT PORTION OF LOT 96 OF TRACT 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56 PAGE 30 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT DISTANT EASTERLY 410 FEET FROM THE NORTHWEST CORNER OF SAID LOT; THENCE EASTERLY ALONG SAID NORTHERLY LINE 410 FEET TO THE NORTHWEST CORNER OF THE LAND DESCRIBED IN PARCEL 2 OF THE DEED TO JOSEPH ANDERSON WEST AND WIFE, RECORDED ON MAY 23, 1931, AS INSTRUMENT NO. 1148 IN BOOK 10856 PAGE 219 OFFICAL RECORDS OF SAID COUNTY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LAND OF WEST AND ITS SOUTHERLY PROLONGATION 88.73 FEET TO THE NORTHWEST CORNER OF THE LAND DESCRIBED IN PARCEL 1, OF THE DEED LAST MENTIONED; THENCE WESTERLY



## DESCRIPTION (CONT'D)

ALONG THE WESTERLY PROLONGATION OF THE NORTHERLY LINE DESCRIBED IN SAID LAST MENTIONED 410 FEET TO A LINE THAT IS PARALLEL WITH THE WESTERLY LINE OF SAID LOT AND PASSED THROUGH POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID PARALLEL LINE 88.73 FEET TO THE POINT OF BEGINNING.

### PARCEL 13B

THAT PORTION OF LOT 96 OF TRACT NO. 4671, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 56, PAGES 30 TO 31 OF MAPS, IN THE OFFICE OF THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT, 265.82 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 820 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT, 68.73 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF SAID LOT; THENCE EASTERLY THEREON 158.56 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT, 68.79 FEET TO A LINE PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, WHICH PASSES THROUGH THE TRUE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID PARALLEL LINE, 160.99 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

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

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

**DESIGN OVERLAY REVIEW NO. 574-93**

**CONDITIONAL USE PERMIT NO. 391-92**

**VARIANCE NO. 390-96**

**VARIANCE NO. 391-96**

**GENERAL CONDITIONS**

- \*1. If Design Overlay Review No. 574-93, Conditional Use Permit No. 391-92, Variance No. 390-96, Variance 391-96 are not used within one year of their effective date, said permits shall be declared null and void unless an extension of time is previously approved by the Planning Commission. Design Overlay Review No. 574-93 is for a phased development plan which authorizes Phase 1 to commence within one year and Phase 2 to commence within 18 months.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
- \* \* 3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission as Exhibits "C-1" and "D-1" respectively in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
4. The applicant shall make any necessary site plan and design revisions in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial changes will require review by the Planning Commission.
5. The applicant shall file an Affidavit of Acceptance with the Community Development Department within thirty days of receipt of the Planning Commission Resolution. The applicant shall record said Affidavit in the Office of the Los Angeles County Recorder, and proof of such recordation shall be submitted to the Community Development Department within thirty days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, the permits shall lapse, provided the applicant has been given written notice to cease such violation and has failed to do so for a period of sixty days.

7. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
8. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Community Development Department prior to the issuance of a building permit.
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. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
11. Special Use Permit No. 154-77 is determined to be null and void and superseded by Conditional Use Permit No. 391-92.

#### PARKING

12. The required parking shall meet all applicable standards as outlined in Part 6, Division 2 of the Carson Zoning Ordinance.
13. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
14. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
15. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base.
16. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.
17. All parking lots shall be accessible to the employees for parking at all times. No storage is permitted in parking areas.

- \*\*\* \*\*18. There shall not be trailer or truck parking or storage in the automobile parking areas.

#### LANDSCAPING/IRRIGATION

19. 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 Community Development Department prior to the issuance of any building permit.
20. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."

21. 6" x 6" concrete curbs are required around all landscaped planter areas.
22. 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.
- \*\*23. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
  - \*a. Eucalyptus and pine trees along the west property line dense enough to block view into the building from the nearby freeway;
  - \*b. Ten feet of landscaping along the parking lot fronting on Main Street,
  - \*c. Rehabilitated landscaping along the entire frontage along Francisco Street including the parking lot on Francisco and Main Streets,
  - \*d. Landscaping in front of the office building (if the area can not be planted, then trees, etc. in pots),
  - \*f. Irrigation system designed to commercial grade standards.

### AESTHETICS

24. All colors and materials approved by the Community Development Department must be used in the construction of the building.
25. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Community Development Department.
26. Graffiti shall be removed from all project areas within 15 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).
27. The opening on the west side of the building shall be no larger than 40'.
28. Dense landscaping shall be provided as necessary to provide screening of the facility.

### SIGNS

29. A sign program shall be submitted to the Community Development Department prior to the issuance of a building permit(s). The sign program shall detail all signs to be erected including location, size, type, materials, etc. All signs shall be subject to the approval of the Community Development Department.
30. 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.

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

#### FENCES/WALLS

32. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (industrial zones) of the Zoning Ordinance.
33. All existing walls and fences shall be repaired, as necessary, and maintained in good condition.
34. A 7 foot masonry wall with decorator block and wrought iron shall be maintained along Francisco Street with the exception in the area where a solid wall will be built. A decorator block wall with a monument sign with a maximum height of 10 feet shall be built and maintained between the two center drives. The design of the wall and sign shall be approved by the Director of Community Development.

#### LIGHTING

35. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (industrial zones) of the Zoning Ordinance.
36. All lighting of buildings, landscaping, parking lots and similar facilities shall be directed away from all adjoining and nearby property. Such lighting shall be arranged and controlled so as not to create a nuisance or hazard to traffic or to the living environment. This condition is also applicable to arc lights, search lights and similar lighting devices. Any lighting used during construction including temporary lighting devices must be directed so they do not impact nearby property. If nearby property owners indicate that lighting from the site is impacting their property, then the lighting affecting the nearby property shall cease and a lighting study shall be submitted by the applicant as deemed necessary by the Director of Community Development.

#### NOISE

37. Reduce on- and off-site noise by proper maintenance of mufflers on vehicles operated by applicant. Applicant will issue verbal and written notification of potential loss of tipping privileges to other operators of noisy vehicles if there are repeated violations.
- \*\*\*38. All waste transfer and processing operations shall be under roof.
39. Reduce exposure of workers to noise by making a noise plugs available to all employees working in the waste processing area.
40. During construction, applicant shall require contractors to utilize equipment and vehicles with properly maintained mufflers and noise suppression devices.

41. If the noise produced during operation of the transfer facility or material recovery operations exceeds that allowed by the Noise Ordinance, then a study will be conducted by the property owner to identify mitigation measures to reduce the noise impacts on adjacent areas. The mitigation measures will then be implemented to reduce excessive noise. If the noise is not reduced to that allowed by the Noise Ordinance, the Conditional Use Permit may be subject to revocation subject to the requirements of the Carson Municipal Code.
42. There shall be a reduction or cessation of construction activities during the operating hours of the drive-in movie theater as necessary to not unreasonable interfere with the use of the facility by theater patrons.

### OPERATIONS

43. The transfer station operations shall be confined to the working area as shown on the approved plans to prevent waste material from blowing away or causing a nuisance during the transfer operations.
- \*\*\* 44. All material recovery operations shall be conducted within the enclosed building.
- \*\*\* 45. All refuse material shall be removed daily and premises cleaned daily. No refuse material shall remain on the ground surface more than 24 hours or be deposited on the ground until the next day's operation.
46. The owner/operator of the transfer station shall prevent or eliminate immediately any nuisance created by dust, odors, blowing material, litter, ponding water, noise or other nuisance.
47. The site and processing areas shall be swept on a daily basis. A vapor misting system shall be operational throughout the transfer station building.
- \*48. All incoming loads must be fully tarped.
49. No hazardous or liquid waste can be accepted at the site.
50. Any increase in throughput above 5300 tons per day will require a new Conditional Use Permit.
51. Monthly reports detailing the amount of materials which were recycled (including residential, commercial and industrial materials) attributable to the City of Carson shall be submitted the Director of Facilities and Maintenance.
52. The Conditional Use Permit shall be subject to review by the Planning Commission for possible modifications to the operation of the facility as necessary to control negative circulation impacts associated with queuing from project related trucks in the public right-of-way.

## BUILDING AND SAFETY

53. A landfill gas protection plan prepared by a licensed Civil Engineer will be required prior to the issuance of building permits. The plan must be approved by the District Engineer.

## FIRE DEPARTMENT - COUNTY OF LOS ANGELES

54. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
55. Submit fire flow information to this Los Angeles County Fire Department for approval.

## PUBLIC SAFETY - CITY OF CARSON

56. Ensure compliance with non-structural seismic mitigation measures, e.g. overhead glass treatments should use safety glass or film; vending machines, ice machines (if used) and other types of machines and equipment should be bolted or braced. Pictures and decorative items within common areas shall be secured for earthquake safety.

## ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

- \*\*\* 57. The Francisco Street roadway shall be repaired from Figueroa Street to Main Street to the satisfaction of the City Engineer. This will require design, plan preparation and reconstruction of the structural section of a major portion of the pavement and curb to curb overlay. The applicant shall bear all costs for this work.
58. The two large driveway on Francisco Street shall be Type 4. They shall be modified in accordance with Ordinance 91-945. (Maximum "W" of 40' unless need for larger dimension can be justified.)
59. All missing or damaged parkway items on the north side of Francisco Street and the east side of Main Street along the project frontage shall be repaired or replaced to the satisfaction of the City Engineer.
60. Existing driveway approaches to be abandoned shall be replaced with standard curb, gutter, and sidewalk..
- \*\* \* 61. A lot merger or parcel map shall be recorded to consolidate the lots currently held under the same ownership. An agreement shall be submitted to the City signed by all owners indicating ownership of building and provisions allowing building to be built across lot lines. The agreement shall be reviewed and approved by the City prior to the issuance of a building permit. The applicant shall pay for all reasonable costs incurred by the city in the review of the agreement document. The applicant shall deposit funds to cover the costs incurred by the city with any remaining funds to be refunded.

\*At the August 13, 1996, Planning Commission meeting, Condition of Approval No. 61 was amended. See pg. 7 of 7, the following page.

\*\* At the March 16, 1999, PC meeting, Condition of Approval No. 61 was amended. See following pages.

62. Prior to issuance of a building permit, a site plan shall be submitted for approval which shows existing and proposed lot lines and existing proposed parkway improvements (street lights, drive approaches, underwalk drain, etc.)
63. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.
64. All work within the public right-of-way shall be performed under the City's standard permitting procedures, including the posting of sureties and plan check and inspection deposits.

\* Condition of Approval No. 61 was amended at the August 13, 1996, Planning Commission meeting as follows:

Condition No. 61: "A tract map shall be recorded to consolidate the lots currently held under the same ownership. The Applicant shall submit a Tentative Tract Map consolidating all parcels prior to the issuance of building permits. The Final Tract Map shall be recorded prior to the issuance of an occupancy permit.

**\*\*The Planning Commission at its March 16, 1999, meeting made the following revisions:**

- **APPROVE** a modification of the conditions of approval for Planning Commission Resolution No. 96-1612 for Conditional Use Permit No. 391-92, Variance No. 390-96 and Variance No. 391-96 and Resolution No. 96-1613 for Design Overlay Review No. 574-93 by amending Condition Nos. 3, 18, 23 and 48 and incorporating the previous amendment to Condition No. 61 to read as follows:

"3. That the applicant shall comply with the conditions of approval for Design Overlay Review No. 574-93 as recommended for approval by the Planning Commission on March 26, 1996 and approved by the Redevelopment Agency on May 7, 1996. The conditions of approval contained herein are identical to the approval by the Redevelopment Agency, except as subsequently modified by the Planning Commission, and are thereby considered to be in full force and effect. The applicant shall make any necessary site plan and design revisions to the site plan and elevations dated February 5, 1999 approved by the Planning Commission as Exhibits "C-1" and "D-1" respectively in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission and may require review by the Redevelopment Agency if beyond the scope of the original approval."

18. There shall be a maximum of 45 trucks parked on the site, 20 of the trucks shall be parked within the building. There shall not be trailer or truck parking in the automobile parking areas.

23. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but not be limited to:

- a. Eucalyptus and pine trees along the west property line dense enough to block view into the building from the nearby freeway;
- b. Ten feet of landscaping along the parking lot fronting Main Street:



- c. Rehabilitated landscaping along the entire frontage along Francisco Street including the parking lot on Francisco and Main Street. The landscaping at the parking lots on Francisco and Main Streets and the frontage along Phase I shall be installed by June 16, 1999.
  - d. Landscaping in front of the office building (if the area can not be planted, then trees, etc. in pots);
  - e. Irrigation system designed to commercial grade standards;
  - f. A 5' landscaped area shall be installed on the north edge of the parking lot west of the office building.
48. All commercial vehicles with incoming loads must be fully tarped. The adjoining streets shall be kept clear at all times of debris and refuse from the transfer station and the incoming trucks.

61. A tract map shall be recorded to consolidate the lots currently held under the same ownership. The Applicant shall submit a Tentative Tract Map consolidating all parcels prior to the issuance of the building permits. The Final Tract Map shall be recorded prior to the issuance of an occupancy permit."

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The following amendments were made at the January 15, 2002, Planning Commission meeting:

- Cond. No. 1, add: "Phase 1 is complete. The time for Phase 11 has elapsed, therefore, Phase 11 will not be built."
- Cond. No. 18 should read: "Overnight transfer trailer parking shall be limited to the areas designated on the October 2001 site plan. There shall not be trailer or truck parking in the automobile parking areas."
- Cond. No. 38 should read: "All municipal solid waste transfer and processing operations shall be under roof."
- Cond. No. 44 should read: "All material recovery operations shall be conducted in accordance with the October 2001 Site Plan and Description of Current Operations, dated October 2001."
- Cond. No. 45 should read: "All municipal solid waste shall be removed within 48 hours from the time of receipt, unless otherwise allowed by the Local Enforcement Agency of the Los Angeles County Health Department, as provided by State law. The premises shall be cleaned daily."
- Cond. No. 57, add: "Prior to making a final determination as to the timing of the work, the City shall take into consideration the timing and scope of the future redevelopment in this area, as well as the timing of other adjacent major road repair work. Until a decision is made, the City may require the applicant to maintain a bond in an amount to cover the cost of the repairs."