



**MAYOR BOB FOSTER**  
**CITY OF LONG BEACH**

Date: December 1, 2009  
To: City Council  
From: Mayor Bob Foster  
Subject: Item 19 – Truck Transfer Facility Moratorium

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Attached is the staff report for Item 19 on tonight's Council agenda, requesting adoption of a Minute Order to establish a moratorium on truck transfer facilities citywide.

This item comes to Council with some urgency, in that the existing moratorium on truck transfer facilities passed by the City Council at the December 2, 2008 meeting is set to expire tomorrow. City Council action was requested for our December 9, 2009 meeting to extend the moratorium; however, this creates a window of time in which the moratorium would not be in effect.

In order to ensure no such facilities are able to begin operations in Long Beach, this Minute Order must be passed to cover the aforementioned time frame.

Please see attachments that detail past City Council action in regards to this issue.



# City of Long Beach

333 West Ocean Boulevard  
Long Beach, CA 90802

## Legislation Details (With Text)

**File #:** 08-1208      **Version:** 2      **Name:** CA - E-ORD moratorium truck transfer/terminal fac.  
**Type:** Emergency Ordinance      **Status:** Adopted  
**File created:** 11/11/2008      **In control:** City Council  
**On agenda:** 12/9/2008      **Final action:** 12/9/2008  
**Title:** Recommendation to declare ordinance involving the temporary limitation (moratorium) on truck transfer and truck terminal facilities in the IG (General Industrial) Zone; declaring the urgency thereof; and declaring this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-08-0035) (Citywide)  
**Sponsors:** City Attorney  
**Indexes:**  
**Code sections:**  
**Attachments:** 120208-H-2sr&att.pdf, 120908-ORD-20att.pdf, ORD-08-0035.pdf

Date	Ver.	Action By	Action	Result
12/9/2008	2	City Council	declare ordinance read and adopted as read	Pass
12/2/2008	1	City Council	approve recommendation and adopt	Pass
12/2/2008	1	City Council	declare emergency to exist	Pass

**TITLE**

Recommendation to declare ordinance involving the temporary limitation (moratorium) on truck transfer and truck terminal facilities in the IG (General Industrial) Zone; declaring the urgency thereof; and declaring this ordinance shall take effect immediately, read and adopted as read. (Ordinance No. ORD-08-0035) (Citywide)

**SUGGESTED ACTION**

Approve recommendation.

**BODY**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH INVOLVING THE TEMPORARY LIMITATION ON TRUCK TRANSFER AND TRUCK TERMINAL FACILITIES IN THE IG (GENERAL INDUSTRIAL) ZONE; DECLARING THE URGENCY THEREOF; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Details

File #: 08-1208 Version: 1  
 Type: Emergency Ordinance  
 Mover: Tonia Reyes Uranga Seconded: Dee Andrews  
 Result: Pass  
 Agenda note:  
 Minutes note: Mike Mais, Assistant City Attorney, spoke. Harvey Cochran spoke. Randy McGintle spoke. Councilwoman Gabelich spoke. Vice Mayor Lerch spoke. Mayor Foster spoke. Mike Mais, Assistant City Attorney, spoke.  
 Action: approve recommendation and adopt  
 Action text: A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to approve recommendation and adopt Emergency Ordinance No. ORD-08-0035. The motion carried by the following vote:

Votes (8)

8 records	Group	Export	
Name			Vote
<u>Suja Lowenthal</u>			Yes
<u>Gary DeLong</u>			Yes
<u>Patrick O'Donnell</u>			Yes
<u>Gerrie Schipske</u>			Yes
<u>Dee Andrews</u>			Yes
<u>Tonia Reyes Uranga</u>			Yes
<u>Rae Gabelich</u>			Yes
<u>Val Lerch</u>			Yes

Second reading

Details

File #: 08-1208 Version: 2  
 Type: Emergency Ordinance  
 Mover: Tonia Reyes Uranga                      Seconded: Dee Andrews  
 Result: Pass  
 Agenda note:  
 Minutes note:  
 Action: declare ordinance read and adopted as read  
 Action text: A motion was made by Councilmember Reyes Uranga, seconded by Councilman Andrews, to declare ordinance read and adopted as read. The motion carried by the following vote:

Votes (8)

8 records    Group    Export

Name	Vote
<u>Suja Lowenthal</u>	Yes
<u>Gary DeLong</u>	Yes
<u>Patrick O'Donnell</u>	Yes
<u>Gerrie Schipske</u>	Yes
<u>Dee Andrews</u>	Yes
<u>Tonia Reyes Uranga</u>	Yes
<u>Rae Gabelich</u>	Yes
<u>Val Lerch</u>	Yes



# City of Long Beach

333 West Ocean Boulevard  
Long Beach, CA 90802

## Legislation Details (With Text)

**File #:** 08-1109      **Version:** 1      **Name:** CD1&2 - Minute order initiating a moratorium on certain truck  
**Type:** Agenda Item      **Status:** Approved  
**File created:** 10/13/2008      **In control:** City Council  
**On agenda:** 10/21/2008      **Final action:** 10/21/2008  
**Title:** Recommendation to adopt a Minute Order initiating a one year moratorium on certain truck and transportation related uses in the General Industrial (IG) Zoning Districts. (Citywide)  
**Sponsors:** VICE MAYOR VAL LERCH, COUNCILMEMBER, NINTH DISTRIC, COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT  
**Indexes:**  
**Code sections:**  
**Attachments:** 102108-R-13sr.pdf *505*

Date	Ver.	Action By	Action	Result
10/21/2008	1	City Council	approve recommendation	Pass

TITLE

Recommendation to adopt a Minute Order initiating a one year moratorium on certain truck and transportation related uses in the General Industrial (IG) Zoning Districts. (Citywide)

DISCUSSION

**Background:** With the recent adoption and implementation of the Port of Long Beach's "Clean Trucks Program" it has become apparent that the City's Zoning Regulations may need to be revised to address certain trucking related uses in the City's General Industrial (IG) Zone. Currently, truck transfer and truck terminal facilities (with no outdoor storage) are permitted as a matter of right in the IG Zone. The City does not require the issuance of either a Conditional Use Permit (CUP) or Administrative Use Permit (AUP) for these types of uses to legally operate. This lack of administrative oversight has created a potential health and safety risk to the citizens of the City due to the City's current inability to control the volume of trucks entering or leaving a facility, the hours of operation for such facilities, the noise emanating from the facilities, or the other potential pollutants that can result from the operation of intense trucking related activities. This issue is particularly acute in those IG Zone areas that are in close proximity to residential or school uses. Furthermore, the best use of property in areas zoned IG is in manufacturing. Trucking and distribution facilities not directly related to manufacturing on the site may, in fact, detract from and deter the City's efforts to attract and grow a strong manufacturing base within the City.

In recognition of the need to better control the activities related to trucking or distribution uses in the IG Zone, we are requesting that the City Council adopt a minute order requesting the City Attorney, in cooperation with the Development Services Department, to prepare a one year interim (moratorium) ordinance pursuant to Chapter 21.50 of the Municipal Code. The moratorium would temporarily prohibit the development or operation of new trucking related uses such as truck transfer or truck terminal facilities, as well as those trucking operations described in Standard Industrial Code (SIC) Groups 4212, 4213 and 4214.

In this way, the status quo can be maintained while staff and the Planning Commission undertake a study to determine the appropriate controls or zoning regulations in the IG Zone that are related to trucking and/or distribution uses.

SUGGESTED ACTION

Approve recommendation.

Respectfully Submitted,

Val Lerch, Vice Mayor, Ninth District  
Bonnie Lowenthal, Councilmember, First District

Details

File #: 08-1109 Version: 1  
 Type: Agenda Item  
 Mover: Val Lerch Seconderc: Tonia Reyes Uranga  
 Result: Pass  
 Agenda note:  
 Minutes note: Vice Mayor Lerch spoke. Mike Mais, Assistant City Attorney, spoke and advised that the moratorium ordinance would return to City Council on the December 2, 2008 meeting agenda. Vice Mayor Lerch spoke. Mayor Foster spoke. Harvey Cochran spoke. Tom Palateo spoke.  
 Action: approve recommendation  
 Action text: A motion was made by Vice Mayor Lerch, seconded by Councilmember Reyes Uranga, that this matter be approve recommendation. The motion carried by the following vote:

Votes (9)

9 records Group Export

Name	Vote
Bonnie Lowenthal	Absent
Suja Lowenthal	Yes
Gary DeLong	Yes
Patrick O'Donnell	Yes
Gerrie Schipske	Absent
Dee Andrews	Yes
Tonia Reyes Uranga	Yes
Rae Gabelich	Yes
Val Lerch	Yes

