



CITY OF LONG BEACH

H-1

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 Phone: 570.5237 Fax: 570.6205

October 19, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the hearing, and declare either Ordinance A or Ordinance B read the first time and laid over to the next regular meeting of the City Council for final reading. (Ordinance A, which reflects the Planning Commission's recommendation, would create in the City's Industrial zones Special Development Standards for certain trucking related uses. Ordinance B, which reflects City Staff's recommendation, would require in the City's Industrial zones the issuance of a Conditional Use Permit for such trucking related uses). (Citywide)

DISCUSSION

On December 2, 2008, the City Council adopted a one-year moratorium prohibiting all trucking related uses defined under Standard Industrial Classification (SIC) groups 4212, 4213 and 4214 in the General Industrial (IG) zone citywide. The moratorium was extended an additional year on December 1, 2009, setting the current expiration date for January 13, 2011.

In response to the moratorium, Planning staff presented draft zoning amendments on five separate occasions to the North and West Project Area Committees (PAC), the Magnolia Industrial Group (MIG), and the Planning Commission. On August 20, 2009, staff recommended the City require a Conditional Use Permit on all sites within 300 feet of a residential district. The Planning Commission heard staff's initial recommendation and asked that staff develop special development standards in-lieu of requiring a Conditional Use Permit for trucking-related uses.

At the Planning Commission's request, staff created Special Development Standards for trucking uses. While reviewing the standards, staff determined that a Conditional Use Permit should be required for trucking uses regardless of proximity to residential uses. The North PAC supported this recommendation, while the West PAC was opposed. After community review, the draft standards were presented to the Planning Commission on December 17, 2009. After public input, the Planning Commission again recommended that staff develop Special Development Standards (Standards) in-lieu of a Conditional Use Permit. In addition to the recommendation, the Planning Commission also asked staff to work with the community to strengthen the proposed Standards.

Staff met with the community on several occasions to make final changes to the proposed Standards. The proposed Standards, which include landscaping buffers, block walls, office and restroom facilities, lighting, and on-site circulation, were intended to facilitate improvements to poorly maintained properties. The Standards recommended by the Planning Commission allow trucking uses in the heavy industrial zone as of right, with no discretionary permit. However, as part of the plan check process, new trucking uses would have to comply with specific design and operational requirements.

The proposed Standards were presented to the Planning Commission on May 20, 2010. After public testimony, the Planning Commission recommended approval of the Standards to the City Council.

The recommendation from the Planning Commission on ordinances and resolutions, according to the City Charter, is necessary to implement the General Plan, specific neighborhood plans and redevelopment area plans, and must be forwarded to the City Council for consideration.

The Planning Commission's recommended Special Development Standards are attached for City Council consideration (Ordinance A). Staff is recommending an alternative approach to regulating trucking uses in all industrial zones within Long Beach. While the Planning Commission's recommendation includes valuable and important design and operational standards, long term and effective enforcement of the regulations will be extremely difficult without a discretionary permit.

Trucking facilities create impacts to residential and commercial areas, and without proper review, facilities can become unsightly and cast the impression an area is blighted. Because of these issues, the majority of cities interested in improving the quality of life for residents and improving blighted areas, require a Conditional Use Permit for trucking facilities. In a survey of surrounding cities, Carson, Compton, Paramount, Montebello, Commerce, and Downey all require Conditional Use Permits for trucking facilities. Los Alamitos, Seal Beach and Bell Gardens prohibit the use, and Lynwood and Maywood allow the use as of right without a Conditional Use Permit.

Long Beach is committed to protecting and improving residential areas and enhancing the visual appearance of industrial uses in the City. Thus, staff recommends that the City Council require a Conditional Use Permit that incorporates the Special Development Standards, as a means to assist staff in dealing with site-specific impacts (noise, loitering, and site maintenance). A Conditional Use Permit would also allow Long Beach to be consistent with nearby jurisdictions, which require a Conditional Use Permit for trucking-related uses. An alternative ordinance is attached (Ordinance B) that implements staff recommendation.

A Notice of Public Hearing was published in the September 29, 2010 issue of the Press Telegram, as required by the Long Beach Municipal Code.

This letter was reviewed by Assistant City Attorney Michael Mais on October 11, 2010 and by Budget Management Officer Victoria Bell on September 30, 2010.

HONORABLE MAYOR AND CITY COUNCIL

October 19, 2010

Page 3 of 3

TIMING CONSIDERATIONS

City Council action on this matter is requested on October 19, 2010 to allow for implementation prior to the expiration of the Interim Ordinance on January 13, 2011.

FISCAL IMPACT

There will be no fiscal impact as a result of this recommendation. It is unknown what type of impact the recommendation will have on jobs.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Lawrence Brugger

For, AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:sv

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Attachments: Ordinance A: Special Development Standards
Ordinance B: Conditional Use Permit

APPROVED:


PATRICK H. WEST
CITY MANAGER

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING TABLE 33-2; AND BY
ADDING SECTION 21.45.168, RELATED TO TRUCK
TERMINAL AND TRUCK YARD FACILITIES

The City Council of the City of Long Beach ordains as follows:

Section 1. Items 5.1 and 5.2 of Table 33-2, in Chapter 21.33 of the Long
Beach Municipal Code, are amended to read as follows:

Table 33-2
Uses in Industrial Districts

Use	IL	IM	IG	IP	*Notes and Exceptions
5.1 With no outdoor container storage	C	Y/C	Y*	See item 10	See Special Development Standards for Trucking terminals and yards. Section 21.45.168.
5.2 With outdoor container storage associated with shipping/trucking/rail	C	C	Y*		See Special Development Standards for Trucking terminals and yards. Section 21.45.168.

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ROBERT E. SHANNON, City Attorney
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Long Beach, CA 90802-4664

1 Section 2. The Long Beach Municipal Code is amended by adding
2 Section 21.45.168 as follows:

3 21.45.168 Truck Terminal and Truck Yard Facilities.

4 The following special development standards shall apply to trucking
5 terminal and yards, in all Industrial Zones:

6 A. Special standards for industrial uses, Section 21.52.410 and
7 standards for outdoor service and repair of vehicles, Section 21.45.150
8 shall also apply.

9 B. Storage. Transport containers used for storing goods,
10 materials, or equipment to be transported by truck, train, or marine vessel
11 may be stored anywhere on a lot, with the exception of any required corner
12 cutoff area. No more than two (2) containers shall be stacked atop one
13 another.

14 C. Special Inspection. A special building/site inspection shall be
15 required on all new or transferred business licenses. If illegal structures,
16 property maintenance or public health issues are found upon inspection, a
17 building permit shall be required and all special development standards
18 mentioned herein shall be addressed to the satisfaction of the Director of
19 Development Services.

20 D. Clean Truck Program. All drayage trucks, as defined in the
21 Clean Truck Program, utilized for trucking business operations shall comply
22 with the Clean Truck Program.

23 E. Maintenance. All yard areas shall be developed and
24 maintained in a neat, quiet, and orderly condition and operated in a manner
25 so as not to be detrimental to adjacent properties and occupants. This shall
26 encompass the maintenance of exterior facades of the building, designated
27 parking areas serving the use, fences and the perimeter of the site

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1 (including all public parkways).

2 F. Facilities/Restrooms. All trucking terminals and yards shall
3 contain office(s) and restroom facilities that are large enough to
4 accommodate employees and guests. Truck terminals and yards are
5 prohibited on vacant lots.

6 G. Landscaping.

7 1. A ten foot (10') wide landscaping buffer shall be
8 provided on regional corridors and major arterial streets within the front yard
9 and street side yard setback using drought tolerant plants common to the
10 region.

11 2. A five foot (5') wide landscaping buffer shall be
12 provided on minor arterial and collector streets, within the front yard and
13 street side yard setbacks.

14 3. A ten foot (10') landscaping buffer shall be provided
15 adjacent to all residentially zoned properties using drought tolerant plants
16 common to the region.

17 4. All landscaping shall be permanently irrigated with a
18 twenty-four (24) hour / seven (7) day electronic or solar powered time clock.

19 H. Lighting. Lighting shall be provided in accordance with
20 Chapter 21.41 in a relatively even pattern and in compliance with California
21 Title 24 Energy requirements.

22 I. Fencing.

23 1. A maximum twelve-foot (12') in height decorative fence
24 is required at all driveways, parking and loading areas that are visible from
25 the public right-of-way.

26 2. An eight foot (8') in height decorative block wall shall
27 be placed on all property lines adjacent to residentially zoned properties.

1 3. Chainlink, barbed wire and razor wire fencing are
2 prohibited, except when located atop an eight foot (8') or taller decorative
3 fence on interior property lines, including a public alley.

4 J. Truck Queuing, Circulation, Paving and Grading.

5 1. Adequate turning radius shall be provided to allow an
6 adequate egress and ingress to the site.

7 2. Trucking uses that accept deliveries or transfers from
8 out of state trucks shall provide a minimum of thirty foot (30') wide curb
9 approach.

10 3. The site shall be designed to safely accommodate on-
11 site maneuvers of any truck used for the business, and shall permit such
12 trucks to enter and exit the site in a forward direction, thereby avoiding
13 backing from or into a public street, except that trucks may back into a site,
14 but not back into the street on lots less than twelve thousand five hundred
15 (12,500) square feet in size.

16 4. No loading or unloading of any materials or trailers
17 shall be allowed on the public right of way, including an alley.

18 5. Areas utilized for the parking of trucks shall be surfaced
19 with a minimum six inch (6") thick reinforced concrete over compacted
20 grade to ninety percent (90%) relative compaction; or a minimum five inch
21 (5") thick asphalt paving over 6 inch compacted road base, over compacted
22 grade to ninety percent (90%) relative compaction, to the satisfaction of the
23 Director of Development Services.

24 6. The site shall be graded to drain in accordance with
25 city's NPDES requirements (Chapter 18.62) and adequate catch basins
26 shall be provided to screen runoff from the site.

27 7. Major auto repair associated with a trucking use and
28

*ORDINANCE A (PC Recommendation)
(Special Development Standards)*

1 subletting to trucking repair businesses shall be prohibited. Minor auto
2 repair associated with a trucking use is allowed as an accessory use.

3 8. Dumping of tires, oil, transmission fluids, filters, or any
4 other hazardous materials is strictly prohibited.

5
6 Section 3. The City Clerk shall certify to the passage of this ordinance by
7 the City Council and cause it to be posted in three (3) conspicuous places in the City of
8 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
9 Mayor.

10 I hereby certify that the foregoing ordinance was adopted by the City
11 Council of the City of Long Beach at its meeting of _____, 20__, by the
12 following vote:

13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
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City Clerk

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26 Approved: _____
27 (Date)

28 _____
Mayor

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**ORDINANCE B (Staff Recommendation)
(CUP & Special Development Standards)**

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17 _____

18 Noes: Councilmembers: _____
19 _____

20 Absent: Councilmembers: _____
21 _____

22
23
24 _____
City Clerk

25
26 Approved: _____
27 (Date)

28 _____
Mayor

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