

FINDINGS

Modification to Conditional Use Permit 1501-53

2340 West 17th Street

Application No. 1711-21 (MOD17-017)

May 3, 2018

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, the Planning Commission shall not approve a Conditional Use Permit unless the following findings are made. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM, AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;

The applicant proposes the expansion of an existing truck yard. The project includes removing two (2) buildings that support an existing steel fabrication shop and reconfiguring truck parking stalls in the expansion area. The existing 300-square-foot modular office on the site would be removed and replaced with a new 1,450-square-foot modular office with nine (9) automobile parking spaces and landscaping.

The subject site is designated General Plan Land Use District (LUD) No. 9G, General Industry. LUD No. 9G intends for relatively intense manufacturing operations and other legitimate industrial uses that are consistent with applicable safety and environmental regulations. Trucking-related uses, necessary for the movement of goods to and from the Ports of Long Beach and Los Angeles, figure to be among the industrial uses intended for in this LUD.

As determined under Conditional Use Permit (App. No. 1501-53), the subject site's zoning designation of General Industrial (IG) allows for trucking uses contingent upon approval of a Conditional Use Permit. In addition to the Conditional Use Permit requirement, trucking uses are subject to Special Development Standards pursuant to Section 21.45.168 of the Zoning Regulations. As conditioned, the expansion of the truck yard at the subject site would require compliance with all applicable zoning regulations pertaining to trucking related uses.

2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE;

Special Development Standards, applicable to all trucking-related uses, have been adopted under the approved Conditional Use Permit (App. No. 1501-53). As conditioned, the truck yard to be expanded under this permit will be in compliance with all such regulations to safeguard against unwanted impacts.

3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USES, AS LISTED IN CHAPTER 21.52; AND

Certain industrial uses identified in Chapter 21.33 (Industrial Districts) are subject to Conditional Use Permit review and approval. In addition to the standard considerations and findings required to approve a Conditional Use Permit, the following additional considerations and findings shall be made:

The proposed use, and the siting and arrangement of that use on the property, will not adversely affect surrounding uses nor pose adverse health risks to persons working and living in the surrounding area.

The subject site is located in the General Industrial (IG) zone. The surrounding land uses are industrial and this portion of southwest Long Beach is generally isolated from residential, commercial, and institutional uses. Special Development Standards for trucking related uses such as property perimeter screening, office and restroom requirements, and truck queuing and circulation standards are in place to prevent adverse impacts on surrounding uses and the health of those who work or live nearby. These Specific Development Standards have been incorporated into the conditions established under Conditional Use Permit (App. No. 1501-53), and would remain in effect for the expansion area of the truck yard.

Adequate permitting and site design safeguards will be provided to ensure compliance with the performance standards for industrial uses contained in Section 21.33.090 (Performance Standards) of this Title.

21.33.090-Performance Standards

The performance standards established in Zoning Regulations Chapter 21.33 (Industrial Districts) are intended to ensure that industrial/manufacturing uses operate in a manner that protects public health and safety, and prevent industrial operations from producing adverse impacts on nearby properties and the community at large. Under the conditions established under Conditional Use Permit (App. No. 1501-53), the truck yard was determined to operate in a manner that would not adversely affect surrounding uses or pose adverse health risks to persons working or living in the area. The expansion of the truck yard under this modification would be subject to the operating standards required under the approved permit. Truck loading and unloading activities would not impact any residential uses due to the subject site's setting within a dense cluster of industrial uses, and site design standards have been reviewed and incorporated to ensure performance standards have been met.

21.45.168-Truck Terminal and Truck Yard Facilities

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

Special conditions for industrial uses, Section 21.52.410 and Standards for outdoor service and repair of vehicles, Section 21.45.150 shall also apply.

21.52.410-Special Conditions-Industrial Uses

Under the conditions established under Conditional Use Permit (App. No. 1501-53), truck yard operations at the site, as conditioned, were determined not to adversely impact surrounding land uses or pose adverse health risks to those who live or work in the area. The expansion of the truck yard to the remainder of the property would not adversely impact surrounding land uses or pose adverse health risks to those who live or work in the area. There will be no hazardous waste treatment, hazardous waste disposal, or hazardous waste transfer in conjunction with the expansion of the truck yard operation.

21.45.150-Outdoor Service and Repair of Vehicles and Equipment

Auto repair operations at the site are prohibited. Furthermore, no vehicles parked or stored on site shall be used as a source of parts.

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

As conditioned, no transport containers will be stored onsite for more than 72 hours. Additionally, all cargo containers will be required to remain on a wheel chassis.

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

As conditioned, all drayage trucks are required to comply with the Clean Truck Program.

Maintenance. All yard areas shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).

Under the conditions established under Conditional Use Permit (App. No. 1501-53), the property is required to be maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties. This condition of approval will also be required for the expanded truck yard.

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

The proposed project includes demolition of the existing 300-foot modular office and construction of a new 1,450-square-foot modular building that will include offices and restroom facilities for the expanded truck yard. The addition of this modular building will ensure compliance with this standard.

Landscaping.

As per Map 12: Context-Sensitive Street Classification System of the General Plan's Mobility Element, the property is not located along or abutting a regional corridor or major arterial street. Rather, all three streets are classified as collector streets. Under the conditions established under Conditional Use Permit (App. No. 1501-53), a five-foot (5') wide landscaping buffer between the street property lines and proposed perimeter fencing was required to be incorporated into final plans. The expanded truck yard would be required to continue the five-foot (5') wide landscaping buffer and perimeter fencing along the three street frontages. All landscaping areas will be conditioned to provide a permanently irrigated landscaping area with an electronic or solar powered time clock.

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

As conditioned, lighting in the truck yard area will be provided in a relatively even pattern to the satisfaction of the Director of Development Services.

Fencing.

The area for the expanded truck yard currently has deteriorated chain link perimeter fencing with barbed wire. The existing fencing will be removed and replaced with a 12', 0" tall wrought iron fence to match the fencing installed under the previous CUP approval. The fence along the interior property line would also be replaced with wrought iron fencing. Barbed wire and razor wire are prohibited at the site, and chain link fencing is permitted only on the site's interior, as conditioned.

Truck Queuing, Circulation, Paving and Grading.

The truck yard, as proposed, will have access points off West 16th Street and West 17th Street. Should larger site access points be necessary, the Director of Development Services, in coordination with the Department of Public Works, reserves the right to require enlargement of access points to a width deemed suitable, as conditioned. All unused curb cuts are proposed to be replaced with a full height curb and gutter to the satisfaction of the Director of Public Works.

The site abuts no alleyways, and all loading and unloading activities would occur on-site in designated areas. As proposed, the reconfigured truck stall areas will have a minimum turning radius of 70 feet. The applicant will be required to maintain or improve on-site maneuvering of trucks and vehicles when any type of construction or remodeling occurs onsite, including landscaping and parking area improvements, as conditioned. As conditioned, the expansion areas utilized for the parking of trucks will be surfaced with a minimum six inch (6") thick reinforced concrete over compacted grade to ninety percent (90%) relative compaction; or a minimum five inch (5") thick asphalt paving over six inch (6") compacted road base, over compacted grade to ninety percent (90%) relative compaction, to the satisfaction of the Director of Development Services. Furthermore, the site shall be graded to drain in accordance with the City's NPDES requirements and adequate catch basins shall be provided to screen runoff from the site. No auto repair activities will be permitted at the site, as conditioned. A prohibition on dumping of any kind has also been conditioned. All loading will occur on-site and will not impact residential properties.

Truck traffic and loading activities associated with the business will not adversely impact surrounding residential neighborhoods.

The subject site is located in a heavily industrial area of southwest Long Beach that is isolated from residential, commercial, and institutional uses. Truck loading and unloading activities would not impact any residential uses due to the subject site's setting within a dense cluster of industrial uses.

Businesses involved with hazardous waste treatment, hazardous waste disposal, or hazardous waste transfer shall comply with the following location requirements:

- 1. The use shall not be located within two thousand feet (2,000') of any residential zone or use, any hotel or motel, any school or daycare facility, any hospital or convalescent home, any church or similar facility, or any public assembly use.**
- 2. The use shall not be located within one hundred feet (100') of any known earthquake fault, or within a fault hazard or flood hazard zone identified by the State of California.**
- 3. The use shall not be located on any land subject to liquefaction, as identified in the Seismic Safety Element of the General Plan, unless appropriate soils remediation occurs as required by the City Engineer.**

As conditioned under the previous CUP approval (App. No. 1501-53), the on-site treatment and/or transfer of hazardous waste shall be prohibited. In addition, the dumping of tires, oil, transmission fluids, filters, or any other hazardous materials is strictly prohibited. The proposed expansion of the truck yard would be required to comply with this condition. Therefore, there will be no hazardous waste treatment, hazardous waste disposal, or hazardous waste transfer in conjunction with the expanded trucking operation. The provisions of this section related to the location of businesses involved with hazardous waste treatment, hazardous waste disposal, or hazardous waste transfer would not apply to the proposed project.

- 4. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.**

The provisions of Section 21.45.400 would not apply to the proposed project.