



Legislation Details (With Text)

File #: 10-1141 **Version:** 2 **Name:** DS - ORD truck transfer ordinance
Type: Ordinance **Status:** Adopted
File created: 9/30/2010 **In control:** City Council
On agenda: 11/2/2010 **Final action:** 11/2/2010
Title: Recommendation to declare ordinance amending the Long Beach Municipal Code Table 33-2 in Chapter 21.33; and by adding Section 21.45.168, related to truck terminal and truck yard facilities, read and adopted as read. (Citywide)
Sponsors: Development Services
Indexes: Ordinance request
Code sections:
Attachments: 1. 101910-H-1sr&att.pdf, 2. 101910-H-1-Handout P Cullen.pdf, 3. 101910-H-1- Dev Serv PowerPoint.ppt, 4. 110210-ORD-14att.pdf, 5. ORD-10-0033.pdf

Date	Ver.	Action By	Action	Result
11/2/2010	2	City Council	approve recommendation and adopt	Pass
10/19/2010	1	City Council	approve substitute motion	Fail
10/19/2010	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass
10/19/2010	1	City Council	approve recommendation and refer	Pass

Recommendation to declare ordinance amending the Long Beach Municipal Code Table 33-2 in Chapter 21.33; and by adding Section 21.45.168, related to truck terminal and truck yard facilities, read and adopted as read. (Citywide)

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 (Exhibit A - 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 (Exhibit B - 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.

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.

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.

Approve recommendation.

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST
CITY MANAGER

Both Ordinance A and Ordinance B have the same title.

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.