



## Legislation Text

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**File #:** 20-0928, **Version:** 2

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Recommendation to declare ordinance amending and restating PD-32, Douglas Park Planned Development District (PD-32 North and PD-32 South), read and adopted as read. (District 5)

In December 2004, the City Council approved the establishment of the Douglas Park Planned Development District (PD-32), which included PD-32 Development Standards, Design Guidelines, and a Development Agreement, for the build-out of the 261-acre former aircraft production site centered at Lakewood Boulevard and Cover Street, north of the Long Beach Airport (Attachment A - Location Map). PD-32 aimed to integrate a variety of land uses including light industrial, office, retail, hotels, and residences. Amendments that split PD-32 into North and South segments and converted the planned uses in the North segment (the area north of Cover Street) from residential to office, light industrial, and retail uses, were approved in 2008.

PD-32 North and South were each further delineated into three Subareas as follows: PD-32 North - Subarea 1, Subarea 2, Subarea 3; PD-32 South - Subarea 7, Subarea 8A, Subarea 8B (Attachment B - PD-32 Subarea Map). Generally, the Subareas of PD-32 North were intended to offer less intense uses featuring more retail, office, and lighter industrial uses. The Subareas of PD-32 South were intended to offer more intense uses featuring aviation-related and certain manufacturing uses.

Recent City-initiated amendments to PD-32 North and PD-32 South, adopted by the City Council on May 12, 2020, have established aerospace and aircraft manufacturing as an allowable use throughout the Planned District. In consideration of this amendment, the Master Developer holding the majority ownership interest in Douglas Park (Sares Regis) is seeking other amendments that would allow additional manufacturing uses that are less intense than aircraft manufacturing. On June 18, 2020, the Planning Commission conducted a public hearing and recommended (with two Commissioners absent - 5-0) that the City Council approve the proposed PD-32 amendments and findings (Attachment C - Findings).

The following provides an overview of each of the proposed amendments for PD-32 North and South. The “red-lined” changes to the Ordinances are included in Attachment D - Redlined PD-32 North Amendments and Attachment E - Redlined PD-32 South Amendments.

### Warehouse/Distribution/Fulfillment Centers

Under the existing North and South Ordinances, businesses are limited to a maximum of 50 percent for floor area allocated to warehousing and distribution within a facility. The intent of

this initial restriction was to preclude the establishment of warehouses or distribution centers as principal uses. However, it has also presented challenges to some tenants who would typically have more than 50 percent of their space allocated to warehousing, but also have other components within their business model. These components would usually include office space, order fulfillment, assembly areas, staging areas, quality control, material handling, repair and testing, manufacturing, shipping, receiving, and packaging. While these facilities would usually have more than 50 percent of their floor area designated for warehousing, they are not considered warehouses as a primary use. The proposed amendment would eliminate this 50 percent restriction on warehouse or distribution space and also impose a performance standard on the number of jobs required per acre. This change is intended to allow greater flexibility with respect to floor space allocation, while simultaneously safeguarding against uses that have a low employment density (such as warehouses as a principal use).

In tandem with the proposal to eliminate the 50 percent restriction on warehouse/distribution space is the addition of a definition for “Fulfillment Center.” As the proposed definition suggests, fulfillment centers are typically characterized as having warehousing and distribution components, but also including order processing, returns, packaging, marketing, and other uses associated with orders being shipped directly to customers or other businesses. The proposed definition also elucidates that fulfillment centers include larger office components than traditional warehousing and distribution uses, and generally utilize smaller delivery vehicles such as delivery vans and box trucks. Additionally, related changes to Table 2: Uses by Sub Area (Table 2) (PD-32 North and South) are proposed. These changes classify fulfillment centers under wholesale trade uses and further distinguish them from third-party logistics (3PL) uses that have a Standard Industrial Classification (SIC) Code 4212 - “Local Trucking Without Storage.” The importance of this distinction is to clearly rule out 3PL uses, which are still undesirable in Douglas Park.

### Manufacturing Uses

Proposed amendments to Table 2 are aimed predominantly at the PD-32 North Ordinance and are meant to allow more flexibility in the uses permitted north of Cover Street. As the build-out of Douglas Park commenced over the last several years, a noticeable trend has occurred. The overall similarities in the types of tenants/uses that have located in North and South are readily evident. Also, general design characteristics have shaped how these uses impact the surrounding area. These characteristics include high-quality architecture, high-quality materials that meet Green Building Standards, large building setbacks in certain places, and effective buffering with the use of landscaping and bike paths. Although South allows more intense industrial uses, the differences between the built environment of North and South and the impacts of their uses is very minimal. Therefore, the intent of the changes to Table 2 are to allow PD-32 North to more closely align with PD-32 South, in terms of allowable uses in certain Subareas.

The majority of changes proposed for Table 2 pertain to manufacturing uses, including

leather, furniture and fixtures, paper and allied products, rubber and miscellaneous plastics, textile mill products, lumber and wood products, fabricated metal products, and tobacco products. These proposed changes follow the example of allowing aircraft manufacturing in North, to mimic South. While some manufacturing uses will be allowed by right, other more intense uses would require a Conditional Use Permit (CUP) in North, particularly in Subareas 2 and 3.

### *Aviation-Related/Courier-Delivery/Miscellaneous Uses*

Other proposed amendments to Table 2 relate to aviation-related, courier/delivery, and other miscellaneous uses, all meant to allow more flexibility of uses in North.

Aviation-related uses include maintenance and storage, pilot/passenger amenities, charter operations, aircraft rentals, aircraft storage, commercial aviation services, and special events. These aviation-related uses are currently prohibited in each Subarea of North. Proposed amendments would change the prohibition of these uses to a CUP requirement within Subarea 3, while Subareas 1 and 2 remain prohibited. Due to Subarea 1's role as a retail hub, allowing the more intense aviation-related uses within Subareas 1 and 2 would not be consistent.

Parcel delivery services such as FedEx and UPS facilities are currently classified in the same manner as 3PL uses. Changes to Table 2 would reclassify such uses to fit under "Courier Service Except by Air (SIC Code 4215)," which is already listed within the use table. Courier Services with a SIC Code of 4215 includes letter delivery, mail delivery, package delivery, and parcel delivery, with contents usually weighing less than 100 pounds. They currently require a CUP within Subareas 2 and 3. Reclassifying FedEx, UPS, and similar facilities under Courier Services would allow a CUP requirement, instead of an outright prohibition within Subareas 2 and 3.

Miscellaneous uses that are proposed to be amended in Table 2 are as follows: (1) allowing the wholesale of alcohol in Subarea 3 (currently, all alcohol sales are prohibited); (2) allowing communications uses (SIC 48) in Subarea 3 (SIC 48 includes establishments furnishing point-to-point communications services, engaged in providing paging and beeper services, or in leasing telephone lines - currently prohibited in Subarea 3); and, (3) allowing Communication Facilities such as electrical distribution stations in Subarea 2 (currently prohibited in Subarea 2, but allowed by right in Subarea 3).

### *Clarity of General Use Permitted*

Within the North and South Ordinances, before Table 2 is introductory section labeled "Permitted Uses." This section provides an overview of the classes of uses shown in Table 2 and definitions. Clarifying language has been added to acknowledge that both uses and technologies evolve over time and may occasionally require interpretation. This allowance for interpretation of uses above and beyond what is specified in Table 2 is similar to Section

21.33.010 of the Long Beach Municipal Code (LBMC), which has similar introductory language that precedes Table 33-1, Industrial Uses.

### Public Noticing and Environmental Compliance

The required public notice was provided in accordance with LBMC Chapter 21.21. A public hearing notice was published in the Long Beach Press-Telegram on September 1, 2020, and a public hearing notice was posted online. Due to COVID-19-related closures, notices were not posted at libraries, notice posting was provided at City Hall but not at multiple locations and no public meetings were held on this matter. A notice of the proposed code amendment was distributed through the City's LinkLB e-mail blast system. No comments have been received as of the preparation of this report.

Pursuant to the California Environmental Quality Act (CEQA), Article 5, Section 15061 and the State CEQA Guidelines, it can be seen with certainty that the subject modifications to the City's LBMC noted above will not have the potential for having a significant effect upon the environment and, therefore, the activity is not subject to CEQA.

This matter was reviewed by Assistant City Attorney Michael J. Mais on August 13, 2020 and by Budget Analysis Officer Julissa José-Murray on August 17, 2020.

Pursuant to Section 21.25.103 of the Zoning Regulations, this request should be presented to the City Council within 60 days of the Planning Commission hearing, which took place on June 18, 2020. While the advisory 60-day period could not be met, the earliest possible City Council action is requested on September 15, 2020.

There is no fiscal or local job impact associated with this recommendation. This recommendation has no staffing impact beyond the budgeted scope of duties and is consistent with existing City Council priorities.

Approve recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING  
AND RESTATING PD-32, DOUGLAS PARK PLANNED DEVELOPMENT DISTRICT (PD-32  
NORTH AND PD-32 SOUTH)

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