



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5<sup>th</sup> Floor

Long Beach, CA 90802

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July 19, 2012

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Approve a Conditional Use Permit request to establish a trucking operation with night watchman's quarters located at 2170 West Esther Street within the General Industrial (IG) zoning district. (District 1)

APPLICANT: Environmental Management Technologies  
c/o Mike Kelly  
1456 S. Gage Street  
San Bernardino, CA 92408  
(Application No. 1205-26)

## DISCUSSION

The applicant is requesting approval of a Conditional Use Permit to establish a trucking operation with night watchman's quarters at 2170 West Esther Street, located at the southeast corner of Esther Street and Judson Avenue (Exhibit A- Location Map). The subject property is located in the General Industrial (IG) zoning district and is currently improved with a two-story office building.

The proposed trucking operation involves use of the existing office building as a dispatching office with three to eight employees, including one night watchman. The four trucks stored at the site will each make an average of three trips per day to various clients in the South Bay area to collect both hazardous and non-hazardous materials and deliver all materials to a permitted treatment storage disposal facility. This proposal does not involve any storage, handling, transfer, or repackaging of any hazardous or non-hazardous materials on the project site. The storage containers located between the landscaping strip and the truck parking area would only be used for the storage of tools, supplies and equipment needed for trucking maintenance and operations. Vehicle repair activities would be limited to minor maintenance repairs to the four trucks.

The project proposal is consistent with the required findings necessary to make a Conditional Use Permit approval recommendation (Exhibit C – Findings & Conditions). The subject site has a General Plan land use designation of LUD #9G General Industry,

which is intended for industrial uses such as this proposed trucking operation. The zoning district is General Industrial (IG), which allows trucking operations with approval of a Conditional Use Permit. The proposed use, subject to the recommended approval conditions, would not be detrimental to the surrounding community including the public health, safety, general welfare, environmental quality or quality of life. The proposed use is also in compliance with all applicable special conditions and development standards listed in Sections 21.33.090, 21.45.168 and 21.52.410 of the City of Long Beach Municipal Code.

Based on the findings for this proposal, staff recommends approval subject to the attached conditions (Exhibit C – Findings & Conditions). These approval conditions require improvements to the site involving decorative fencing consisting of solid metal/aluminum interlocking slats along the entire length of both street frontages on Esther Street and Judson Avenue, a five-foot-wide landscaping strip by the Judson Avenue frontage, planter boxes with palm trees by the Esther Street frontage, repainting the existing freestanding sign, and parking area striping and wheel stops.

**PUBLIC HEARING NOTICE**

A Notice of Public Hearing was distributed on July 3, 2012 in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

**ENVIRONMENTAL REVIEW**

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Categorical Exemption (Exhibit D – Categorical Exemption 12-040) was issued for the proposed project.

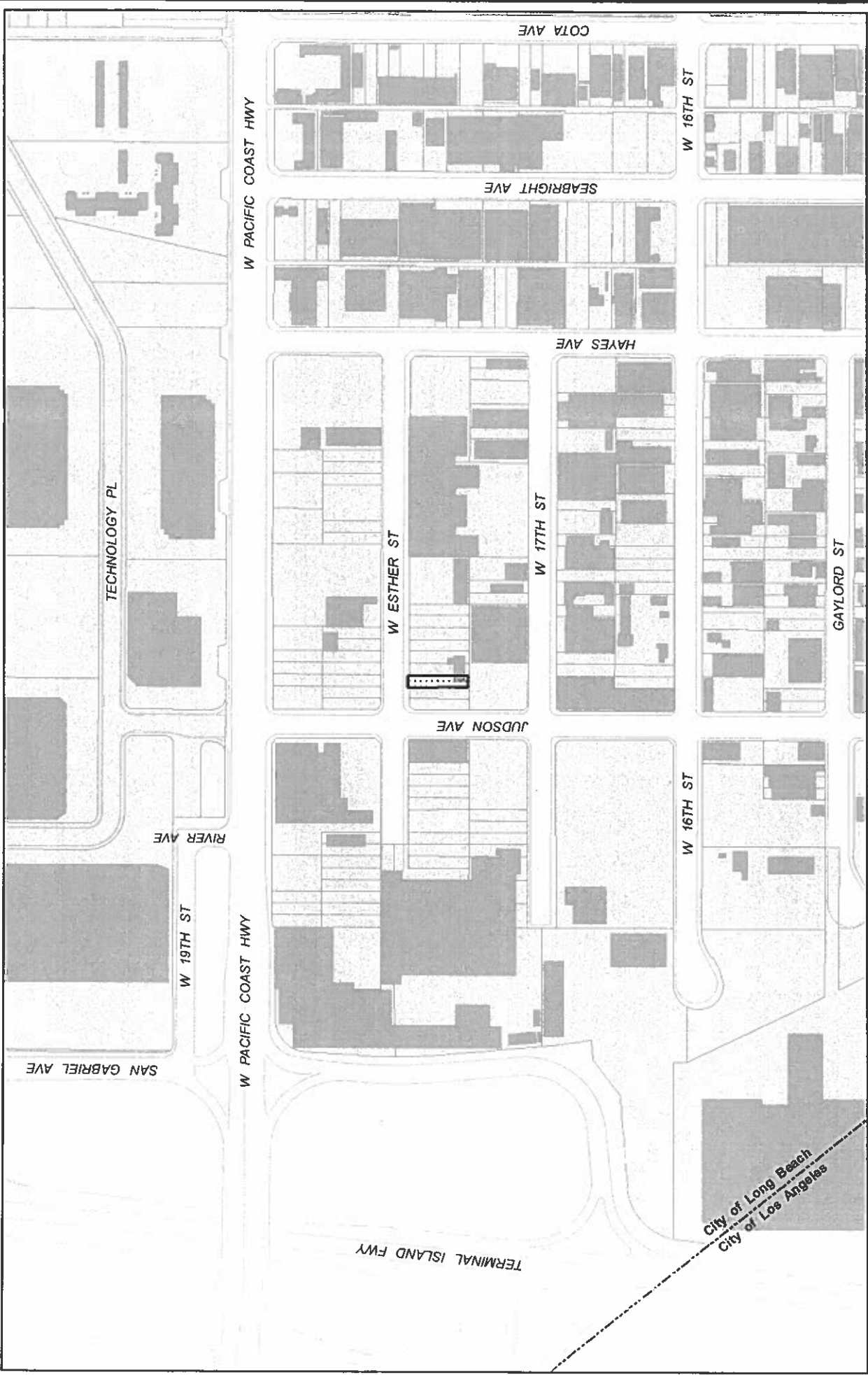
Respectfully submitted,

  
DEREK BURNHAM  
PLANNING ADMINISTRATOR

  
AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AB:DB:CC

- Attachments:
- Exhibit A – Location Map
  - Exhibit B – Plans & Photos
  - Exhibit C – Findings & Conditions
  - Exhibit D – Categorical Exemption 12-040



# Exhibit A

**Subject Property:**  
2170 W Esther St  
Application No. 1205-26  
Council District 1  
Zoning Code : IG



## CONDITIONAL USE PERMIT FINDINGS

2170 W. Esther Street

App. No. 1205-26

July 19, 2012

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. 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 subject site has a General Plan land use designation of LUD #9G General Industry, which was established to maintain a strong industrial employment component in the City's economic base by accommodating a diverse range of businesses which employ many different processes, creating a wide variety of products. The proposed trucking land use is consistent with the allowable uses in LUD #9G, subject to the approval of a Conditional Use Permit and meeting special standards for trucking related uses. The proposed trucking office/yard is located on Esther Street in an industrial district with no residential properties in the surrounding area.

The zoning designation for the subject site is IG General Industrial. The emphasis of this zoning district is on traditionally heavy industrial and manufacturing uses. This district allows trucking facilities with a Conditional Use Permit and requires that all trucking uses comply with Performance Standards in Section 21.33.090 of the City of Long Beach Municipal Code. In addition, this trucking land use must comply with the Special Development Standards for Truck Terminal and Truck Yard Facilities provided in Section 21.45.168 of the City of Long Beach Municipal Code and the Special Conditions for Industrial use specified in Section 21.52.410 of the City of Long Beach Municipal Code.

The proposed trucking land use involves the storage of container trucks used to collect both hazardous and non-hazardous waste from various client locations and transport the waste materials to a permitted treatment storage disposal facility. This trucking use will not involve the storage, handling, transfer or repackaging of any hazardous materials on the subject site. This land use will comply with the noise, hours of operations, light and glare, and materials and waste containment requirements of the Performance Standards. This trucking use will comply with the storage, Clean Truck Program, maintenance, landscaping, lighting, fencing, and truck queuing, circulation, paving and grading requirements of Section 21.45.168. This trucking use will also comply with the Special Conditions for Industrial uses in that it will not adversely affect the

surrounding uses nor pose adverse health risks to persons working and living in the surrounding area; it would comply with the Performance Standards in Section 21.33.090 of the Municipal Code; it would not adversely impact surrounding residential neighborhoods (there are no residential neighborhoods in the surrounding area); it would not involve hazardous waste treatment, disposal or transfer at the subject site.

The subject site is not within any special planning district, specific plan or overlay zoning district. The subject site is not located in the Coastal Zone.

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

With the conditions of approval incorporated, the use will not be detrimental to the surrounding community. The conditions of approval reinforce Special Development Standards for trucking related uses, which require screening, landscaping and sufficient ingress and egress to a trucking facility, as well as addressing potential negative impacts from the proposed use. Approval of the requested Conditional Use Permit will enable the City to enforce conditions and address potential nuisances that may arise in the future.

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

Certain industrial uses identified in Chapter 21.33 (Industrial Uses) 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:

**Performance standards Section 21.33.090**

A. Purpose. The performance standards established in this Section are intended to ensure that industrial/manufacturing uses operate in a manner that protects the public health and safety, and which does not produce adverse impacts on nearby properties nor the community at large. The standards in this Section apply to all industrial/manufacturing districts. The Director of Development Services shall be authorized to interpret the performance standards.

B. Standards May Be Changed. Ongoing scientific and technological advances related to the identification and measurement of impacts require

that these performance standards remain up to date. These standards may be modified from time to time as required by technological changes.

- C. Noise Standards. All uses and activities shall comply with the noise regulations contained in Chapter 8.80 (Noise) of the City of Long Beach Municipal Code.

The conditions of approval include a requirement for compliance with this provision (Condition #34).

- D. Hours of Operation Standards. Between the hours of 10:00 p.m. and 7:00 a.m., industrial businesses shall discontinue operations that produce noise levels at the nearest residential district or hospital property line higher than those permitted under Chapter 8.80 (Noise) of the Municipal Code.

There are no residential districts or hospitals in the surrounding area and therefore this standard does not apply.

- E. Light and Glare Standards. All lighting, reflective surfaces, or any other source of illumination shall not produce adverse effects on public streets or on any other parcel. Lights shall be shielded at lot lines so as not to be directly visible from any adjoining residential district.

The conditions of approval include a requirement to install and maintain security lighting in the subject site that will be directed away from adjoining properties (Condition #28). There are no residential districts in the surrounding area.

- F. On-Site Containment of Materials and Waste. No material or waste shall be deposited on a property in such a form or manner that it may be transferred off the property by natural causes or forces such as wind or rain. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors only in closed containers approved by the Director of Development Services.

No hazardous waste or materials will be stored, handled, transferred or repackaged on-site. In addition, the conditions of approval include a requirement for compliance with this provision (Condition #6).

### **Special Development Standards Section 21.45.168**

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

- A. 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.

The trucking land use will comply with the provisions of Section 21.52.140 as provided below. This proposed land use does not involve any commercial automotive repair or service activities. Repair activities would be limited to the minor maintenance repair of trucks stored on the subject site and would comply with the applicable provisions of Section 21.45.150. The site includes an office building over 300 square feet in area with restroom facilities.

- B. 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.

Truck containers will be stored on the subject site but will not be stacked atop one another. No storage areas would be located in any required corner cutoff areas.

- C. 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.

The conditions of approval include a requirement that all trucks shall comply with the Clean Truck Program (Condition #8).

- D. 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).

As a condition of approval, 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 (Condition #24).

- E. 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 subject site is currently improved with a two-story office building that includes restroom facilities. In addition, the conditions of approval include

a requirement to provide adequate guest and employee restroom facilities (Condition #17).

F. Landscaping.

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

The property is not located along a regional and major arterial street, and therefore this requirement does not apply.

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

As a condition of approval, the applicant is required to provide a five-foot-wide landscaping strip along Judson Avenue and planter boxes on Esther Street (Condition #16).

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

The property is not located near residentially zoned properties. This standard does not apply.

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

All landscaping areas will be conditioned to provide a permanently irrigated landscaping area with an electronic or solar powered time clock. (Condition #16)

- G. 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.

New lighting is required as a condition of approval, to be provided in a relatively even pattern to the satisfaction of the Director of Development Services (Condition #28).

H. Fencing.



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

The conditions of approval include a requirement for a decorative fence along both street frontages (Condition #9).

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

This standard does not apply since no residentially zoned properties are adjacent to the subject site.

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

The property currently has chain link fences with barbed wire along both street frontages and the southern interior property line. The conditions of approval include a requirement prohibiting all chain link, barbed wire and razor wire fencing (Condition #9).

#### I. Truck Queuing, Circulation, Paving and Grading.

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

The subject site will provide one-way in and one-way out street access from Esther Street. The existing curb-cut on Judson Avenue will be abandoned to allow for equipment storage containers and truck parking spaces. Trucks will back into the spaces to allow for safe visibility during egress in a forward direction (Condition #7). Adequate interior site circulation area will be provided for guest and employee vehicle parking spaces.

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

The existing curb-cut on Esther Street is 30 feet in width.

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

Trucks will back into the spaces to allow for safe visibility during egress in a forward direction. As a condition of approval, trucks would not be permitted to back out onto the public street (Condition #7).

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

There are no alleys abutting the subject site and the conditions of approval includes a prohibition of any loading unloading of any materials or trailers on the site (Condition #6).

5. Areas utilized for the parking of trucks shall 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 6-inch compacted road base, over compacted grade to ninety percent (90%) relative compaction, to the satisfaction of the Director of Development Services.

The conditions of approval include this requirement (Condition #11).

6. The site shall be graded to drain in accordance with City's NPDES requirements and adequate catch basins shall be provided to screen runoff from the site.

The project improvements include provision of three site drains with filter boxes. If/when grading occurs onsite it will be required to meet NPDES requirements to the satisfaction of the Director of Development Services (Condition #12).

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

No auto repair business is proposed as part of this land use. On-site vehicle repairs would be limited to minor maintenance repair work on trucks stored at the subject site (Condition #15).

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

As a condition of approval, no dumping of any kind shall be allowed onsite (Condition #14).

## Special Conditions – Industrial uses Section 21.52.410

- A. The proposed use, and the sitting 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.

With incorporated conditions of approval, the use will not be detrimental to the surrounding community. The conditions of approval reinforce Special Development Standards for trucking related uses, which require screening, landscaping and sufficient ingress and egress to a trucking facility, and address potential impacts from the proposed use.

- B. 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 of the City of Long Beach Municipal Code.

The conditions of approval address all applicable requirements of these Municipal Code Sections.

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

No loading or unloading will occur on-site and there are no residential properties in the surrounding area.

- D. 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 day care facility, any hospital or convalescent home, any church or similar facility, or any public assembly use.

The subject site is not located within 2,000 feet of a residential zone, hotel or motel, school, hospital or church.

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.

The subject site is not located within 100 feet of an earthquake fault or fault hazard zone. The site is located in a flood hazard zone (Zone A) but the proposed land use does not involve the on-site treatment, disposal or transfer of hazardous waste, and the conditions of approval

include a prohibition of these activities, so therefore this requirement does not apply to this project.

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.

The Seismic Safety Element identifies the site and surrounding properties as an area with significant liquefaction potential. However, the proposed land use does not involve the on-site treatment, disposal or transfer of hazardous waste, and the conditions of approval include a prohibition of these activities, so therefore this requirement does not apply to this project.

## CONDITIONS OF APPROVAL

2170 W. Esther Street

App. No. 1205-26

July 19, 2012

1. This Conditional Use Permit approval allows, in addition to the other uses permitted in the IG zoning district, a trucking operation with night watchman's quarters. This approved land use shall continuously maintain and staff a night watchman's quarters as part of the land use operations.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless operation of this truck dispatching facility land use is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date).
4. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality of quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.
5. The applicant shall comply with the requirements of Section 21.52.410 of the City of Long Beach Municipal Code regarding trucking yards, to the satisfaction of the Director of Development Services.
6. No loading or unloading of any materials or trailers shall be allowed as part of this trucking land use. No material or waste shall be deposited on a property in such a form or manner that it may be transferred off the property by natural causes or forces such as wind or rain. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors only in closed containers approved by the Director of Development Services.
7. All trucks shall be permitted to back into the site but shall not be permitted to back into a street from the project site.
8. All trucks, as defined in the Clean Truck Program, utilized for trucking business operations shall comply with the Clean Truck Program.

9. Decorative fencing consisting of solid metal/aluminum interlocking slats shall be provided along the entire length of both street frontages on Esther Street and Judson Avenue, including a security gate at the Esther Street curb-cut, to the satisfaction of the Director of Development Services. All fencing on the project site shall comply with Chapter 21.43 (Fences and Garden Walls) of the City of Long Beach Municipal Code. Chain link fencing at property lines is permitted only along the southern and eastern interior property lines. No barbed wire, razor wire, or vinyl screening on any fencing shall be permitted.
10. A parking plan shall be submitted and approved, prior to installation/placement of landscaping, paving, and striping. The number of on-site parking spaces, paving, striping shall comply with Chapter 21.41 (Off-Street Parking and Loading Requirements) of the Long Beach Municipal Code. Areas designated for employee and customer parking shall not be used for truck storage. Wheel stops shall be provided for all on-site parking spaces.
11. The entire project site surface (including all parking/circulation areas and all truck storage areas) shall 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.
12. When site grading is required, all grading 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.
13. All re-paving shall be conducted in a manner that minimizes dust.
14. Dumping of tires, oil, transmission fluids, filters, or any other hazardous materials is strictly prohibited.
15. Auto repair services are not allowed as part of this trucking operation land use, with the exception of minor maintenance repair (e.g., fluid change) for the trucks.
16. A minimum five-foot- (5') wide landscape buffer shall be provided along the Judson Avenue street frontage, with the types and number of planting species provided to the satisfaction of the Director of Development Services. Planter boxes with palm trees shall be provided along the Esther Street frontage to the satisfaction of the Director of Development Services. Landscaping shall be provided and maintained in accordance with Chapter 21.42 (Landscaping Standards) of the Long Beach Municipal Code, specifically Section 21.42.050. The existing tree stump in the landscaping area at the corner of Esther Street and Judson Avenue shall be removed. All landscaped areas shall be permanently irrigated with a twenty-four hour, seven day a week electronic or solar powered time clock.

17. The existing office building shall be maintained in good condition and repainted as necessary to the satisfaction of the Director of Development Services. The applicant shall provide accessible office and restroom facilities large enough to accommodate employees and guests.
18. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements must be recorded with all title conveyance documents at the time of closing escrow.
19. Compliance is required with these Conditions of Approval as long as this use is on the subject site. As such, the site shall be available for periodic re-inspections, conducted at the discretion of City officials, to verify compliance with all conditions of approval. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council.
20. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions must be printed on the site plan or a subsequent reference page.
21. The Director of Development Services is authorized to make minor modifications to the approved project design plans or to any of the conditions of approval if such modifications do not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Site Plan Review Committee or the Planning Commission, respectively.
22. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
23. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.
24. The property 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).
25. Any graffiti found on-site must be removed within 24 hours of its appearance.
26. Energy conserving equipment, lighting, and construction features shall be utilized in this project.

27. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
28. Security lighting shall be provided to the satisfaction of the Long Beach Police Department. All lighting, reflective surfaces, or any other source of illumination shall not produce adverse effects on public streets or on any other parcel. Lights shall be shielded and directed downward to prevent lighting spillover onto neighboring properties. Prior to the issuance of a building permit, the applicant shall submit landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations. For more information, contact Sgt. David Marander at (562) 570-5767.
29. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
30. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
31. The existing freestanding sign at the corner of Esther Street and Judson Avenue shall be repainted and maintained in good condition to the satisfaction of the Director of Development Services.
32. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
  - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
  - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
  - c. Sundays: not allowed
33. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
34. All uses and activities for this land use shall comply with the noise regulations contained in Chapter 8.80 (Noise) of the City of Long Beach Municipal Code.



35. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.



# NOTICE of EXEMPTION from CEQA

DEPARTMENT OF DEVELOPMENT SERVICES  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
tbds.longbeach.gov

TO:  Office of Planning & Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: Department of Development Services  
333 W. Ocean Blvd, 5<sup>th</sup> Floor  
Long Beach, CA 90802

L.A. County Clerk  
Environmental Fillings  
12400 E. Imperial Hwy. 2<sup>nd</sup> Floor, Room 2001  
Norwalk, CA 90650

Categorical Exemption CE- 12040

Project Location/Address: 2170 W. Esther St

Project/Activity Description: Establishment of a truck dispatching facility

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1205-26

Planner's Initials: \_\_\_\_\_

Required Permits: \_\_\_\_\_

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15301, Class 1, Existing Facilities

Statement of support for this finding: Minor alterations to existing private structures and facilities.

Contact Person: Craig Chalfant

Contact Phone: 562-570-6369

Signature: [Handwritten Signature]

Date: 7/19/12