



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

May 17, 2012

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Concur with the Planning Administrator's Classification of Use determination, and receive and file for final action as follows: find that trucking and general warehousing uses, as referenced in the Douglas Aircraft Planned Development (PD-19) District, be defined according to the Interpretation of Ordinance. (District 5)

APPLICANT: The Boeing Company
 c/o Deborah Stanley
 2201 Seal Beach Boulevard
 Seal Beach, CA 90740
 (Application No. 1203-30)

DISCUSSION

The applicant is requesting a Classification of Use determination to provide clarity regarding allowed and prohibited uses within the Douglas Aircraft Planned Development (PD-19 District). A portion of PD-19 is located on the east side of Lakewood Boulevard and consists of a 52-acre parcel north of Conant Street and a 25-acre parcel south of Conant Street (Exhibit A – Location Map). The 52-acre parcel on the site of the former Boeing 717 manufacturing facility consists of several structures including the existing hangers consisting of a 575,000-square-foot building and a 434,200-square-foot building. Conceptual plans have been submitted and incorporate the renovation and development of several new and existing industrial buildings located at the former Boeing 717 site and Lot D.

A Classification of Use determination is requested to provide a definitive interpretation of prohibited uses within PD-19, based on the most recent ordinance amendment. On December 13, 2011, City Council adopted ORD-11-0029 amending PD-19 to allow permanent uses of former interim uses. Some of the uses are regulated in accordance with the standards of the General Industrial (IG) zone. However, the PD-19 amendment included language prohibiting certain uses that would otherwise be allowed by right, or through discretionary review. These prohibited uses are listed from 1 to 15 on page five of the amended ordinance (Exhibit B – ORD-11-0029). They are referenced by their Standard Industrial Classification (SIC) Code, with the exception of "Trucking" and "General Warehouse and Storage." In providing clarity to the identification of Trucking and General Warehouse and Storage, staff has taken the position that these uses are defined

as being the primary function of the entire operation. Establishments in which the primary function is the transport of third-party goods/products to and from other businesses are considered "Trucking" uses. Likewise, establishments in which the primary function is the storage of goods/products on behalf of third parties for 72 hours or more is considered "General Warehouse and Storage" uses.

The Planning Administrator has prepared a written interpretation on this subject to clarify and classify prohibited industrial uses within the PD-19 District (Exhibit C - Interpretation of Ordinance for Classification of Use Proceeding). Staff requests the Planning Commission concur with this determination of interpretation. This interpretation will then apply to the uses and all future inquiries regarding PD-19 uses. Staff has prepared the required findings and presents them to the Commission for approval (Exhibit D – Findings).

PUBLIC HEARING NOTICE

Public hearing notices were distributed on April 30, 2012, as required by the Long Beach Municipal Code. No responses have been received as of the date of preparation of this report.

Respectfully submitted,

for Jill Griffiths
DEREK BURNHAM
PLANNING ADMINISTRATOR

Amy J. Bodek
AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:PG:CJ

P:\Planning\PC Staff Reports (Pending)\2012\2012-05-17\3855 Lakewood PD-19 Classification of Use – Staff Report – 1203-30

Attachments: Exhibit A – Location Map
 Exhibit B – ORD-11-0029
 Exhibit C – Interpretation of Ordinance for Classification of Use
 Proceeding
 Exhibit D – Findings

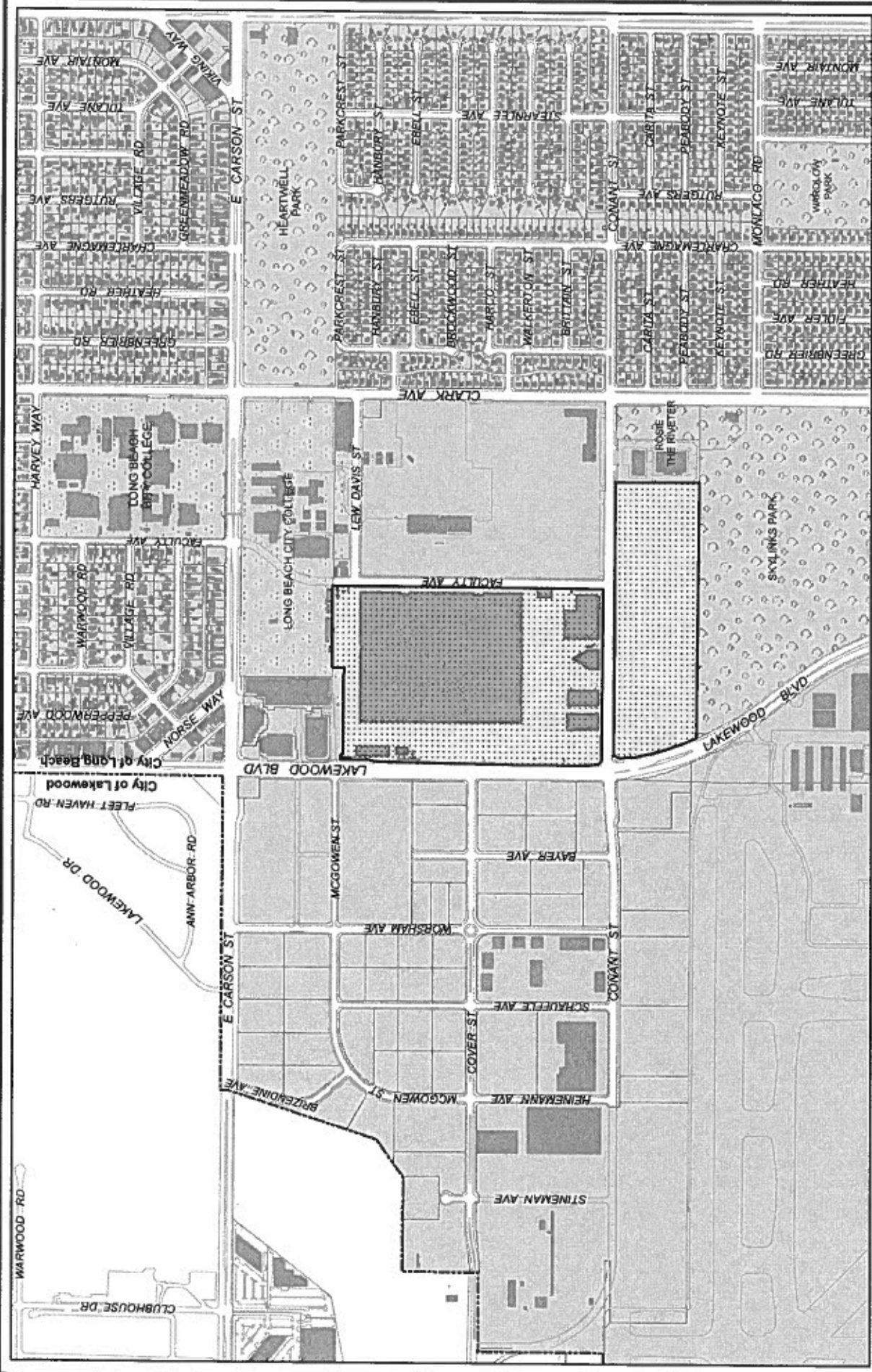


Exhibit A



Subject Property:
 3855 Lakewood Blvd
 Application No. 1203-30
 Council District 5
 Zoning Code : PD-19



ORDINANCE NO. ORD-11-0029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING AND RESTATING THE DOUGLAS AIRCRAFT PLANNED DEVELOPMENT DISTRICT (PD-19)

WHEREAS, the Douglas Aircraft Planned Development District (PD-19) established by Ordinance No. C-6255, adopted on May 20, 1986, and amended by Ordinance No. C-6357, adopted March 10, 1987, Ordinance No. C-6596, adopted April 25, 1989, Ordinance No. C-6784, adopted August 28, 1990, Ordinance No. C-6915, adopted August 6, 1991, by Ordinance No. C-7957, adopted December 21, 2004, and by Ordinance No. ORD-08-0001, adopted January 8, 2008, is hereby amended and restated in its entirety to read as follows:

Section 1. Use District Map. Those portions of Parts 16, 17 and 24, of the Use District Map for the City of Long Beach which are applicable to the subject Planned Development District (PD-19) are attached hereto as Exhibit "A" and this by reference made a part of this ordinance and a part of the official Use District Map.

Section 2. Establishment of the Douglas Aircraft Planned Development District (PD-19). By this amendment to the Use District Map, the Douglas Aircraft Planned Development District is hereby re-established in Parts 16, 17 and 24 as designated on the attached amendment to Parts 16, 17 and 24. The following Development and Use Standards are hereby adopted and by this reference made a part of the official Use District Map:

//
//
//
//

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DOUGLAS AIRCRAFT PLANNED DEVELOPMENT DISTRICT
PLANNED DEVELOPMENT PLAN (PD-19)

The intent of this Planned Development Plan is to establish guidelines for the use and development of the Douglas Aircraft facility and for the protection of the Long Beach Environment.

This Planned Development Plan shall consist of the Land Use Plan as designated by the Use District Maps, Use and Development Standards set forth herein and by reference made a part hereof. All development proposals shall be reviewed by the Development Services Department Site Plan Review Committee or by the Planning Commission for Site Plan Review to assure consistency with this Planned Development Plan and to assure high quality design and site planning. No deviation from these development standards shall be permitted unless it is found to be consistent with the intent of this plan.

DEVELOPMENT REVIEW PROCEDURES

A. The property owner shall submit a Master Site Plan for Planning Commission approval prior to approval of the first phase or, for projects where the first phase of a new development has already begun, prior to the approval of the building permits for the next building. Such Master Site Plan shall identify the location of each building to be built on the site, the area of the building and the use of each building. The Master Site Plan shall also indicate the overall design character of the site, including unifying architectural and landscape design themes.

B. Each development increment shall be reviewed for Site Plan Review by the Site Plan Review Committee. No building permit shall be issued for any building on the site until a Site Plan Review has been approved, or conditionally approved, and all conditions satisfied. Site Plan Review shall review each building project for consistency with the PD requirements and the Master Site Plan, functionality of building layout, consistency with detailed zoning standards and architectural and landscape architectural

1 quality.

2 C. In addition to the required plot plan, floor plan, elevations and
3 landscape plan, the application for Site Plan Review shall contain an estimate of the
4 peak-hour trips to be generated by the proportion of the full development requested with
5 the application and identification of the Transportation Demand Management (TDM)
6 measures to be taken to reduce the peak-hour trips.

7 D. In the submission of individual buildings for Site Plan Review, it is
8 recognized that the building sizes may be changed, building locations redistributed or the
9 mix of uses adjusted to meet changing user demands. However, the architectural
10 landscaping and overall design character of the site shall be in substantial conformance
11 to the original Master Site Plan and the intensity of development as measured in trips
12 shall not be changed except by the procedure described later in this PD. Substantial
13 conformance shall be determined by Site Plan Review.

14 **GENERAL USE STANDARDS**

15 1. Uses.

16 a. The use of the Douglas Aircraft Planned Development District
17 shall include those uses listed below. Further, new development of the site shall be
18 limited to such intensity of development as is equal to no more than 5503 vehicle trips to
19 and from the site in the peak hour between 4:00 p.m. and 6:00 p.m. and implementation
20 of a Transportation Demand Management Plan that has the goal of reducing exiting work
21 trips in the evening peak hour by twenty percent.

22 Purpose: To establish allowable uses in accordance with the following
23 principles:

24 Property owners should receive a fair economic return on their properties
25 during the continual use period.

26 Allowable uses should not have significant impacts on adjacent residential
27 neighborhoods or on adjoining uses.

28 Uses should not have significant visual impacts.

1 Allowable uses should not have significant security and safety impacts and
2 should not encourage criminal activity, nor create areas of potentially significant criminal
3 activity.

4 Landscaping: The applicant/property owner shall maintain vines or other
5 landscaping for screening purposes along the south property line of the subject site
6 adjacent to Conant Street to the satisfaction of the Director of Development Services.

7 New Construction: Allowable uses are as set forth below and are limited to
8 the reuse of the existing buildings, aircraft hangars and modular buildings except for
9 equipment buildings necessary for operation of the allowable uses as approved by the
10 Director of Development Services. No demolition of existing permanent aircraft hanger
11 buildings will be allowed prior to appropriate environmental review and clearance.
12 Demolition and replacement of modular buildings and auxiliary buildings with the same
13 square footage and permitted uses will be allowed. The potentially historic resource, the
14 "Fly DC Jets" sign, shall be retained in place, protected and maintained as is. Except as
15 provided above, no new construction rights have been granted or approved under this
16 ordinance unless undertaken pursuant to the development review procedures set forth
17 herein.

18 Procedures: Uses are permitted in accordance with the following list which
19 indicates uses permitted (Y), not permitted (N), permitted as an Administrative Use
20 Permit (AP), permitted as a Conditional Use Permit (CUP), subject to all development
21 review and other procedures and conditions set forth for such uses in this ordinance.

22 For uses requiring a CUP or an AUP, approval must be obtained in
23 accordance with the CUP/AUP procedure of the Zoning Regulations as set forth in
24 Section 21.25 of the Long Beach Municipal Code.

25 A. Uses consistent with the General Industrial (IG) zoning district –
26 Y/CUP (i.e. if a use requires a CUP/AUP under the IG zone, then it would require a
27 CUP/AUP), with the following exceptions, which shall not be allowed:

28 Manufacturing Uses:

- 1 1. 261 – Pulp Mills
- 2 2. 262 – Paper Mills
- 3 3. 263 – Paperboard Mills
- 4 4. 281 – Industrial Inorganic Chemicals
- 5 5. 285 – Paints, Varnishes, Lacquers, Enamels, and Allied
- 6 Products
- 7 6. 286 – Industrial Organic Chemicals
- 8 7. 287 - Agricultural Chemicals
- 9 8. 289 – Miscellaneous Chemical Products
- 10 9. 291 – Petroleum Refining
- 11 10. 295 – Asphalt Paving and Roofing Materials
- 12 11. 299 – Miscellaneous Products of Petroleum and Coal (SIC
- 13 Codes 2992 & 2999)
- 14 12. 492 – Gas Production and Distribution
- 15 13. Major Groups 40-47, 49 – Transportation, Electric, Gas, and
- 16 Sanitary Services.
- 17 14. Trucking.
- 18 15. General Warehouse and Storage.
- 19 B. Communications services (i.e. SIC Codes 4812, 4813, 4822, 4841) –
- 20 Y. Communications services such as Radio and Television broadcasting stations (Group
- 21 483) and Freestanding cellular and personal communication services shall require a
- 22 CUP.
- 23 C. Indoor recreation uses – CUP.
- 24 D. Entertainment production uses (e.g., movie studio, including
- 25 production, distribution, education and other related movie and entertainment uses), with
- 26 accessory food, cafeteria and retail uses (such accessory uses not exceeding 20,000
- 27 square feet in the aggregate) – Y.
- 28 b. The type and intensity of development indicated above is

1 determined by a specified number of trips per hour in the period of 4:00 p.m. to 6:00 p.m.
2 This number is calculated by multiplying the area in each use by the traffic generation
3 rates as established in the most current edition of the Trip Generation Manual of the
4 Institute of Traffic Engineering. The number of trips generated by this calculation shall be
5 reduced by the Traffic Demand Management Plan's trip reduction. The resulting figure is
6 then compared to the permitted peak-hour trips.

7 c. Other combinations or amounts of the uses permitted in this
8 PD, which generate an equal or lesser number of trips per hour in the peak hours, may
9 be substituted for this use allocation, provided that a revised Master Site Plan is
10 approved by the Planning Commission. In calculating the number of trips utilized, all new
11 development within this PD after January 1, 1986, shall be included.

12 d. Changes in the number of trips allocated may be
13 accomplished in the following ways:

14 (1) Increased development intensity through transfer of
15 trips.

16 Trips may be transferred between the Airport Area Planned Development
17 District PD-19: Douglas Aircraft; PD-23: Douglas Center; PD-12: Long Beach Airport
18 Terminal Area; PD-13: Atlantic Aviation; PD-18: Kilroy Airport Center; PD-9: Airport
19 Business Park; PD-15: Long Beach Business Park; PD-27: Willow Street Center; and
20 PD-28: Pacific Theaters) provided that:

21 (a) Not more than twenty percent (20%) of the originally
22 authorized trips are added to the receiving PD;

23 (b) The Director of Public Works finds that the transfer will
24 have no significant detrimental effect upon traffic operations in the Airport Area;

25 (c) The transfer is implemented by approval by the
26 Planning Commission of an amendment to both Master Site Plans to reallocate and
27 document the revised number of trips;

28 (d) Notice of the Planning Commission hearing for the

1 amendment to the Master Site Plans is sent to all owners and lessees, with an interest
2 recorded on the Tax Assessor's rolls, in the Airport Area Planned Developments.

3 2. Road Improvements.

4 a. Based upon detailed traffic studies and analyses of existing
5 and projected future growth in the Long Beach Airport Area, the City has determined that
6 existing development as of 1986 was adequately served by the existing road system in
7 the area generally at level of service "D" or better. The City has further determined that
8 development since 1986 and projected to full build-out of the area will not generate traffic
9 which cannot be accommodated on the existing road system while maintaining level of
10 service "D".

11 b. A periodic re-evaluation of the Airport Area Planned
12 Development District for the traffic situation may be deemed necessary by the Director of
13 Public Works to ensure that the roadway system is accommodating the trips generated
14 by the PD-19.

15 c. As the number of trips utilized in the analysis assumes a
16 twenty percent (20%) reduction in the standard number of trips per square foot of use,
17 that if found through evaluation that the roadway system is not accommodating the traffic
18 demand, the Director of Public Works could require the development to participate in the
19 Long Beach Airport Area Traffic Reduction Association or similar Transportation Demand
20 Management (TDM) program or organization, which is designated to reduce exiting work
21 vehicular traffic generation during the evening peak hour by at least twenty percent
22 (20%). The TDM program must contain provisions that mandate the implementation of
23 the TDM program by all subsequent owners and tenants of the improvements.

24 d. The program must include specific measures, which in the
25 judgment of the Director of Public Works, are likely to meet the twenty percent reduction
26 goal, and a monitoring program with an annual report on the success of the program
27 which will be filed with the City by the developer or any successor-in-interest. This
28 monitoring program shall include the submittal of total employment figures and first shift

1 employment figures for Douglas Aircraft on a quarterly basis; it shall also include an
2 annual report on exiting vehicle trips during the peak-hour period.

3 e. As a further consideration of Site Plan Review approval, for
4 each building, prior to issuance of a building permit, each development shall be required
5 to provide for all on- and off-site improvements necessary to access and serve that
6 development, including repairing or replacing damaged, deteriorated or missing curbs,
7 gutters, sidewalks, street trees, street lights and roadways, and providing all other
8 improvements necessary as required through Site Plan Review, to provide access to the
9 site.

10 GENERAL DEVELOPMENT STANDARDS

11 1. Building Height.

12 No height limits shall apply except those mandated by the Federal Aviation
13 Administration. Buildings shall be limited to a height that is necessary to meet production
14 demands. Where production demands dictate the construction of tall buildings adjacent to
15 public rights-of-way, such buildings shall be designed not to be visually imposing on
16 adjacent properties. The design shall be controlled through the use of building materials,
17 facade treatments, finish, and landscaping.

18 2. Building Setbacks and Other Standards Not Specified By This 19 Planned Development Ordinance.

20 The minimum setbacks shall be as specified by the IG (General Industrial)
21 zoning districts of the Long Beach Zoning Regulations.

22 3. Accessory and Temporary Structures.

23 No portable buildings, trailers, or other similar structures shall be permitted
24 without prior written approval of the Department of Development Services. Temporary
25 structures as construction trailers and temporary offices may be approved by the Director
26 of Development Services during construction only.

27 4. Signs.

28 No off-premises signs shall be constructed, installed or maintained. Any

1 signs, banners or like displays which may be placed in or upon any building or structure
2 so that they are visible from the outside, except those approved by the Department of
3 Development Services according to the Zoning Regulations, shall be permitted.

4 5. Landscaping.

5 The landscape plan shall emphasize the use of trees and berms in the
6 setback area where new development is adjacent to a minor, secondary, or major
7 highway. Where tall buildings front such rights-of-way, care shall be taken in choosing
8 tree species to mitigate impacts on adjacent properties.

9 6. Screening.

10 Areas used for parking, storage, trash or loading shall be screened,
11 modulated or interrupted from view from the streets or adjacent properties to the
12 satisfaction of the Director of Development Services. All screening shall be designed and
13 maintained to allow security surveillance.

14 7. Sidewalks.

15 Sidewalks shall be provided in locations and lengths satisfactory to the City
16 Engineer as specified during Site Plan Review. An interior walkway system shall be
17 provided throughout the development to encourage access to and from public
18 transportation. Sidewalks shall be a minimum of five feet (5') in width except adjoining the
19 curb where they shall be a minimum of six feet (6') in width.

20 8. Architectural Standards.

21 The architecture shall be coordinated in style and use of materials. Where
22 large buildings face public right-of-way, care shall be taken through the use of building
23 materials and color to mitigate impacts on adjacent properties.

24 Buildings designed with reflective glass having a reflection gradient of .15 or
25 more shall submit reflection studies showing sun and reflection glare patterns and their
26 effect on ground and air transportation. Such studies shall be submitted with each
27 proposed structure to be processed for Site Plan Review. Mirrored reflective glass shall
28 not be used as a major facade element.

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 9. The developer shall provide any on-and-off-site improvements
2 necessary to service the development as specified by the Director of Public Works.
3 Offsite improvements necessary to serve each development shall be installed or provided
4 for with each development prior to the issuance of a Certificate of Occupancy. The
5 developer shall replace any public improvement damaged as a result of development of
6 the site.

7 10. Parking.
8 Parking standards shall be those specified by the Zoning Regulations of the
9 Long Beach Municipal Code.

10 11. Notice of Site Plan Review.
11 Notice of any Site Plan Review given pursuant to the requirements of the
12 Douglas Aircraft Planned Development District (PD-19) procedures and standards shall
13 be given by mailing a notice of the time and place of such review to all property owners
14 within three hundred feet of the property included within the project for the Site Plan
15 Review.

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

20 //
21 //

22
23
24
25
26
27
28

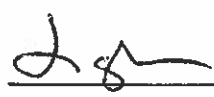
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of December 13, 2011 by the following vote:

Ayes: Councilmembers: Lowenthal, DeLong, O'Donnell,
Schipske, Andrews, Johnson,
Gabelich, Neal.


Noes: Councilmembers: None.

Absent: Councilmembers: Garcia.



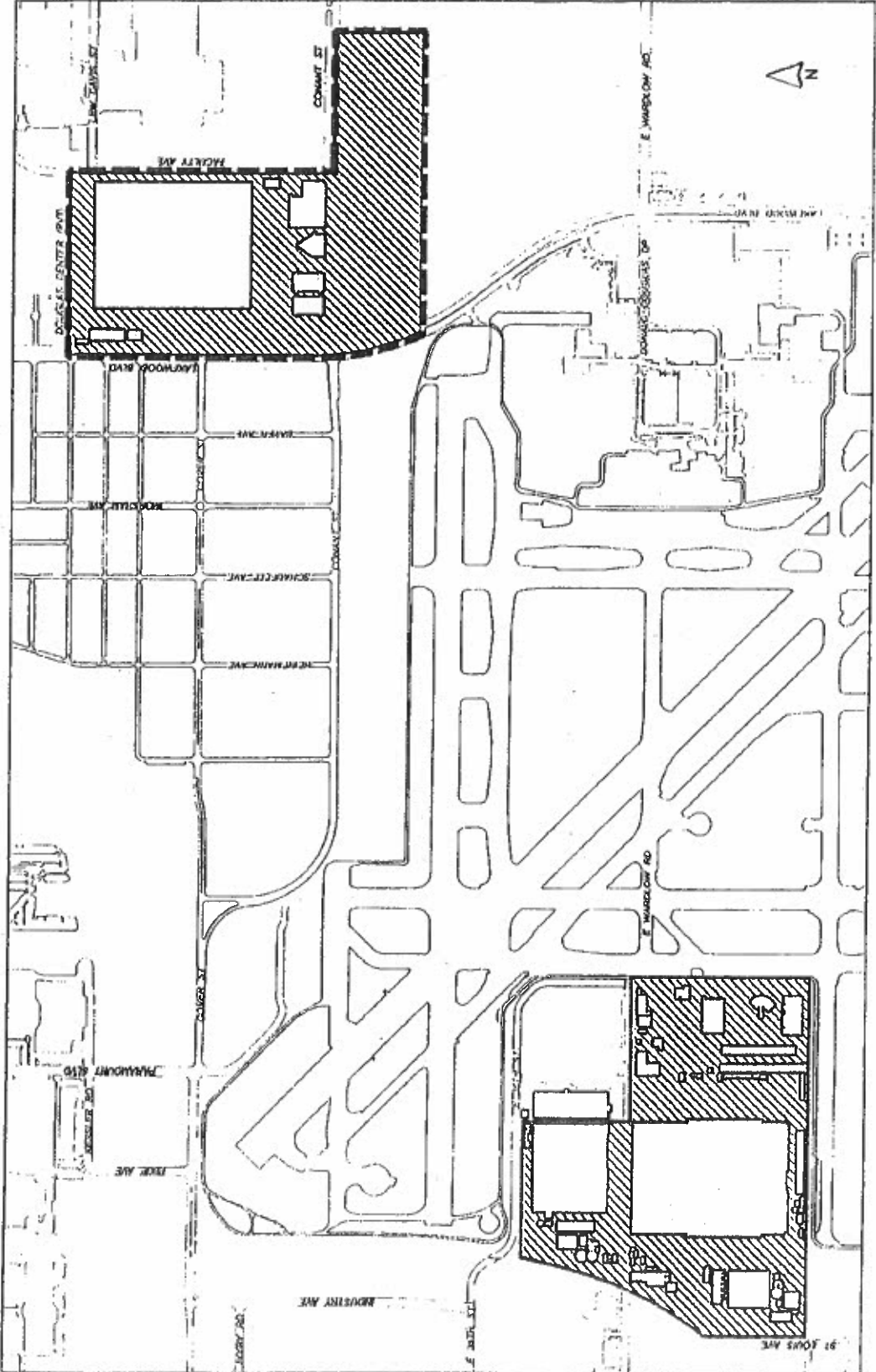
City Clerk

Approved: 12/14/11
(Date)



Mayor

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664



PD - 19

AMENDMENT TO A PORTION OF PART 16, 17, & 24 OF THE USE DISTRICT MAP



Date: May 19, 2012
To: Chair and Members of the Planning Commission
From: Derek Burnham, Planning Administrator
Subject: Interpretation of Ordinance for Classification of Use Proceeding

This memorandum serves to clarify and classify allowable and prohibited industrial uses within the Douglas Aircraft Planned Development District (PD-19), as amended by ORD-11-0029, adopted by the City Council on December 14, 2011. The PD-19 zoning district encompasses the North East corner of Lakewood Boulevard and Conant Street, and the South East Corner of Lakewood Boulevard and Conant Street (Exhibit A – Location Map).

As set forth in Section 1A of the General Use Standards of the PD-19 Ordinance, industrial uses that are permitted within the General Industrial (IG) zone are also permitted within PD-19, and industrial uses that require a Conditional Use Permit (CUP) or an Administrative Use Permit (AUP) in the IG zone would also require a CUP or an AUP within PD-19. Conversely, Section 1A also indicates that certain manufacturing uses (whether requiring a CUP/AUP or allowed by right in the IG zone) are not allowed within PD-19, and are numbered 1-15. On the whole, these prohibited uses are identified by their Industry Group Number, which serves to classify uses in a very specific manner.

However, although Trucking (#14) and General Warehouse and Storage (#15) both fall within the category of "Major Groups 40-47" (#13), they are identified separately. Therefore, it is necessary to specifically clarify the uses pertaining to Trucking and General Warehouse and Storage that will be prohibited in PD-19. Certain industrial uses that contain accessory components of trucking and warehousing and storage are classified separately from primary trucking and warehousing uses.

In the context of prohibited uses within PD-19, Trucking shall be defined with the following characteristics:

- Establishments engaged in furnishing trucking or transfer services without storage for freight generally weighing more than 100 pounds.
- Establishments engaged in furnishing "over-the-road" trucking services or trucking services and storage services, including household goods either as common carriers or under special or individual contracts or agreements.
- Establishments engaged in furnishing both trucking and storage services, including household goods.

Trucking activities ancillary to the uses permitted in PD-19 are not excluded. For example, a company primarily engaged in the manufacturing, wholesale or retail trade of goods is not precluded from shipping or receiving goods or components of such goods via truck transportation.

In the context of prohibited uses within PD-19, General Warehouse and Storage shall be defined as establishments engaged in the warehousing and storage of goods on behalf of third parties.

These categories of warehousing and storage uses, in which the primary component of the operation is to store products on behalf of third parties for a duration of 72 hours or greater, for later shipment for third parties, are prohibited in PD-19. Warehousing of goods, parts and/or materials by an establishment or affiliate engaged in manufacturing, wholesale trade and retail trade is allowed under PD-19.

In accordance with Chapter 21.27 of the Long Beach Municipal Code, when uses are established legally, the property on which they are established has vested rights to continue operation of that use. If it later becomes a "Nonconformity", due to an alteration in zoning regulations, the following is applicable, as set forth in section 21.27.020 and 21.27.090:

Nonconformities, as defined in chapter 21.15 of this title, may continue to be used and maintained in accordance with the provisions of this chapter. The use and maintenance is permitted as a result of vested rights obtained through the legal establishment of the nonconforming use or structure so long as the use is operated and maintained in such a manner as not to be a nuisance, a blighting influence or a direct and substantial detriment to the rights of adjoining, abutting or adjacent uses.

Any building containing a nonconforming use or any nonconforming structure may be repaired and restored to its nonconforming state if the need for repairs or restoration shall be the result of fire, explosion, earthquake, imminent public hazard, acts of terrorism, sabotage, vandalism, warfare or abatement of earthquake hazard in accordance with city regulations. Such restoration shall comply with the following conditions:

A. Level of restoration. *The damaged use or structure may be repaired or rebuilt to the area and footprint of the previous use or structure. Alternatively, the use or structure may be repaired or rebuilt to a more conforming area or footprint.*

B. Additional floor area added. *If during restoration and/or reconstruction additional floor area is added, the use or structure shall abandon its nonconforming status.*

C. Time limit. *The repairs must be commenced within one year of the event causing damage to the use or structure, and the repairs must be diligently pursued until completed.*

FINDINGS

3855 Lakewood Boulevard

Application No. 1203-30

Date: May 17, 2012

Classification of Use

Pursuant to Section 21.10.045 of the Zoning Regulations, if uncertainty arises concerning the content or application of the Zoning Ordinance and its standards, the Zoning Administrator may determine all pertinent facts and interpret the Ordinance, or request the Planning Commission to make such interpretation by means of the Classification of Use procedure. Per Section 21.25.604, a use shall be determined to be permitted in a zone if the following positive findings are made. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings.

The finding from the Zoning Regulations, which must be answered, are presented in bold. Staff's answer to each finding, describing how the project does (positive finding) or does not (negative finding) comply, is below.

1. **PERMITTING THE USE IN THE ZONE WILL CARRY OUT THE INTENT OF THE ZONE;**

The project site is located in the Douglas Aircraft Planned Development District (PD-19). This District is the former site of the Boeing 717 aircraft manufacturing facility. It contains large hangar buildings that have rarely been used since the manufacturing facility was operational. The intent of PD-19 is to allow uses that are consistent with the General Industrial (IG) zone, with the exception of uses such as chemical manufacturing, trucking, general warehousing, storage and the like. The intent of this Classification of Use is to provide clarity regarding the definition of "Trucking" and "General Warehouse and Storage" as indicated in the PD-19 Ordinance. Providing a clear definition of these prohibited uses carries out the intent of PD-19.

2. **PERMITTING THE USE IN THE ZONE WILL CARRY OUT THE GENERAL PLAN, INCLUDING THE LOCAL COASTAL PLAN, WHEN APPLICABLE;**

The project is located in Land Use District (LUD) 7 – Mixed-Use. The intent of LUD 7 is for use in large, vital activity centers, instead of strips long major arterials. Combinations of land uses intended by this district are, for example: employment center, such as retail, offices, medical facilities; higher density residences; visitor-serving facilities; personal and professional services; or recreational facilities.

Providing a clear definition of trucking and general warehouse and storage, and prohibiting those uses within PD-19 is consistent with the goals of the General Plan. This consistency is evident in the intent to allow uses such as offices, medical facilities and professional services. It is anticipated that all future development within PD-19 will feature establishments consisting of light industrial, office, and professional service components, while prohibiting heavy industrial uses that are not intended for LUD 7 – Mixed Use in this Planned Development District.

3. **THE USE IS NOT A USE SPECIFICALLY LISTED AS A PERMITTED, CONDITIONAL OR PROHIBITED USE IN ANOTHER ZONE GENERALLY CONSIDERED TO BE LESS RESTRICTIVE THAN THE ZONE UNDER CONSIDERATION; AND**

The purpose of this Classification of Use is not to determine how a new use is designated, but rather to provide clarity to uses that are already identified and prohibited in the PD-19 Ordinance. The PD-19 Ordinance has been recently amended to specifically prohibit “Trucking” and “General Warehouse and Storage” uses. The Classification of Use is requested to provide distinct and specific definitions to these general terms, as they are listed in the PD-19 Ordinance.

4. **THE USE IS SIMILAR IN SCALE, INTENSITY OF USE AND ENVIRONMENTAL IMPACTS TO USES PERMITTED IN THE ZONE UNDER CONSIDERATION.**

The Classification of Use is requested for the clarification of prohibited uses.