



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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

Long Beach, CA 90802

(562) 570-6194 FAX (562) 570-6068

November 5, 2015

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

## RECOMMENDATION:

Approve a Conditional Use Permit (CUP) request for a truck container storage yard at 1439 Cota Avenue within the General Industrial (IG) district and accept Categorical Exemption 15-144. (District 1)

APPLICANT: TJ Trucking Group, LLC  
1625 E. 6<sup>th</sup> Street  
Long Beach, CA 90802  
(Application 1508-20)

## DISCUSSION

The subject property contains three warehouse buildings totaling 11,910 square feet in area located on a 43,232-square-foot lot comprised of ten underlying parcels. The property has a zoning designation of General Industrial (IG) and a General Plan Land Use District designation of General Industry (LUD 9G) (Exhibit A – Location Map). The property is located south of Cowles Street, between Seabright Avenue and Cota Street, and primary access to the lot is taken from Seabright Avenue. Although the site is currently occupied by the Long Beach Police Department, they will vacate the site by October 31, 2015.

The applicant is requesting approval of a Conditional Use Permit (CUP) to operate a truck container storage yard and trucking operation (Exhibit B – Plans & Photos). As part of the change in use from a warehouse to a trucking use, the applicant will convert the warehouse areas within buildings 2 and 3 (as shown on the plot plan) to truck chassis parking spaces. The proposed change of use from warehouse to trucking requires approval of a CUP prior to licensing and operation in industrial zoning districts, along with conformance to special development standards (Section 21.45.150 and 168).

To conform with special development standards for truck yard uses – identified in Sections 21.45.150 and 21.45.168 of the Zoning Regulations – the applicant is required to repave and restripe parking stalls, add new perimeter landscaping and 8-foot-tall fences, utilize a minimum of 300 square feet of office space, provide access to restroom facilities for employees and guests, and incorporate parking lot lighting, along with improving on-site queuing and circulation. These required improvements are included as conditions of approval (Exhibit C – Conditions of Approval).

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The applicant has agreed to complete the site improvements required to comply with the special development standards for the proposed trucking use. The applicant is proposing at this time to remove the existing chainlink fences abutting the building on the corner of Cota Avenue and Cowles Street, and to remove the mature trees at the rear of the lot to allow for better on-site truck circulation. Other standards required will be met before issuance of a City business license.

Both the General Plan and Zoning Regulations intend for truck yard operations at sites that fit the profile of the subject property. The site's adjacency to the Port of Long Beach, rail facilities, and Interstate 710 lends compatibility to freight uses, and the site operation would not impact adjacent uses in the area (Exhibit D – Findings). Staff therefore recommends approval of the requested CUP, as conditioned.

**PUBLIC HEARING NOTICE**

Public Hearing Notices were distributed on October 13, 2015, in accordance with the provision of the Zoning Ordinance. Planning staff has received no testimony – written or otherwise – as of the writing of this report.

**ENVIRONMENTAL REVIEW**

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption 15-144 was issued (Exhibit E – Categorical Exemption).

Respectfully submitted,



JEFF WINKLEPLECK  
CURRENT PLANNING OFFICER



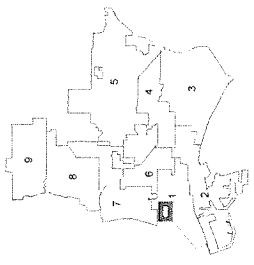
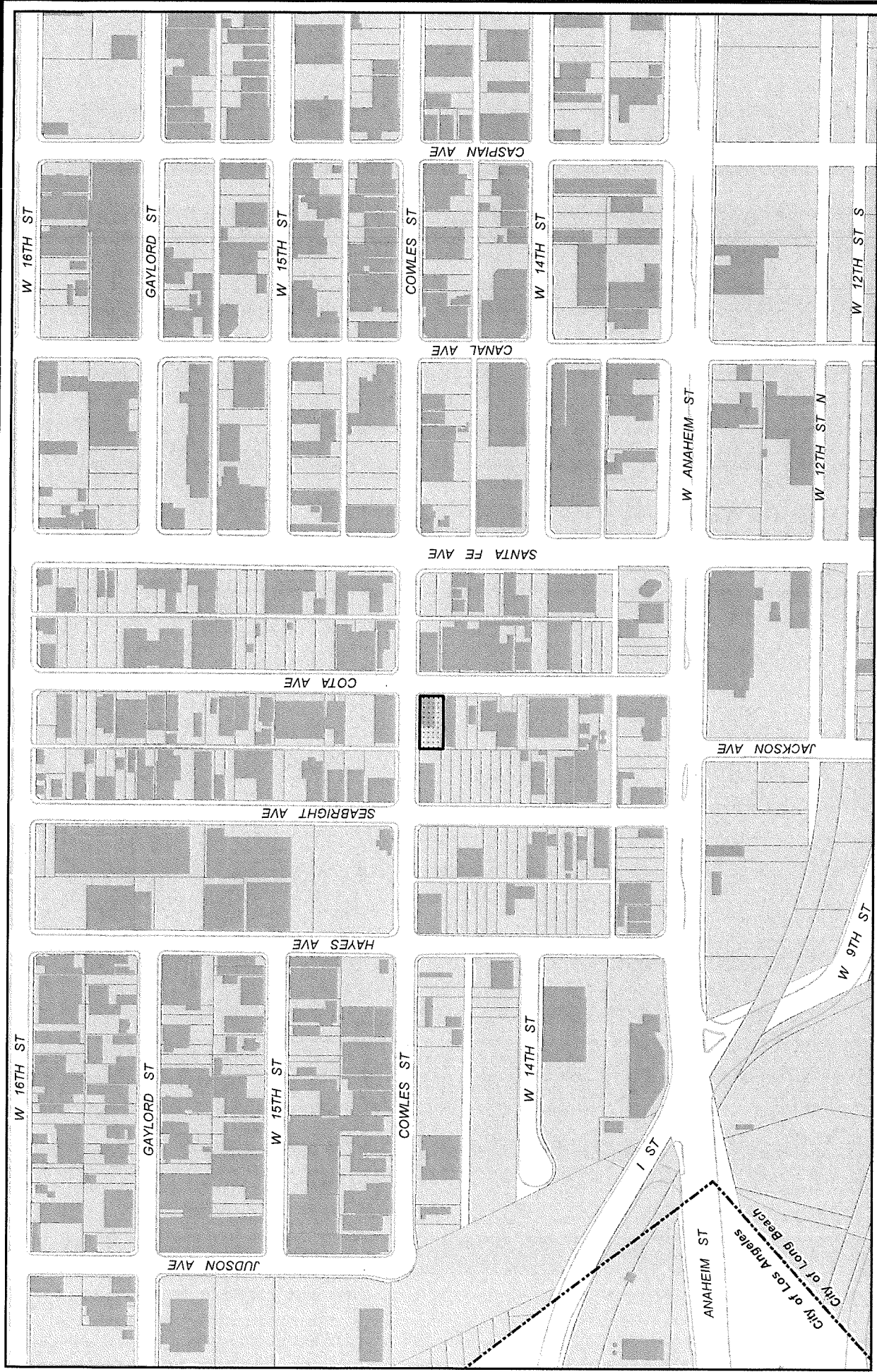
LINDA F. TATUM, AICP  
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP  
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LT:JW:sv

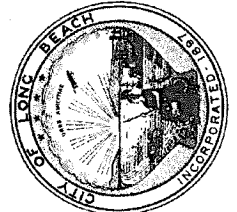
- Attachments:
- Exhibit A – Location Map
  - Exhibit B – Plans & Photos
  - Exhibit C – Conditions of Approval
  - Exhibit D – Findings
  - Exhibit E – Categorical Exemption



# Exhibit A



**Subject Property:**  
 1439 Cota Ave  
 Application No. 1508-20  
 Council District 1  
 Zoning Code : IG



## CONDITIONS OF APPROVAL

1439 Cota Avenue  
Application No. 1508-20  
November 5, 2015

1. This Conditional Use Permit approval is for a trucking yard, which consists of outdoor shipping and freight storage containers and ancillary indoor truck chassis storage in the General Industrial (IG) zoning district.
2. This approval and all development rights hereunder shall terminate one year from the effective date (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date) of this permit unless construction 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 approval 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 or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
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 or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.

### Special Conditions:

5. A five-foot-wide landscaping strip shall be provided along the full extent of the truck yard's two major street frontages (Seabright Avenue and Cowles Street). These landscaped areas shall consist of drought tolerant tree and shrub plantings and be outfitted with an irrigation system set to an electronic or solar time clock.
6. Existing site perimeter fencing shall be removed and replaced with an eight-foot-tall wrought iron fence or CMU wall located behind the required five-foot landscape setback. Barbed wire and razor wire shall be prohibited at the site, and chain link fencing shall be restricted to the site's interior.
7. The existing chain link fences abutting the building on the corner of Cowles Street and Cota Avenue shall be removed and the building repainted to the satisfaction of the Director of Development Services.

8. The site, including all landscaped areas, parking areas, walls, structures, and adjacent rights-of-way, 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.
9. Truck repair operations at the site are prohibited. Furthermore, no trucks parked or stored at the site shall be used as a source of parts.
10. A minimum 300-square-foot office area within the existing two-story office building, and a restroom facility shall be required for the trucking operation. Adequate signage shall be placed in the truck yard area directing employees and guests to the facilities.
11. No more than two (2) containers shall be stacked atop one another on the project site.
12. The Director of Development Services, in coordination with the Department of Public Works, reserves the right to require enlargement of the site's ingress/egress points to a width deemed suitable for more efficient site access.
13. Lighting in the truck yard area shall be provided in accordance with the provisions of Section 21.41.259, Parking Areas—Lighting, and conform with California Title 24 Energy requirements.
14. All drayage trucks associated with truck yard operations shall comply with the provisions of the Clean Truck Program.
15. The site shall maintain adequate on-site maneuvers of any truck used for the business, and shall require such trucks to enter and exit the site in a forward direction, thereby avoiding backing from or into a public street.
16. No loading or unloading of any materials or trailers shall be allowed within the public right-of-way; such activities shall occur only within the subject truck yard area.
17. All paved areas, drive aisles and parking areas shall be maintained in a useable condition to the satisfaction of the Director of Development Services. When new paving is required, all truck drive aisles and parking 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 of five- inch- (5") thick asphalt paving over six-inch compacted road base, over compacted grade to ninety percent (90%) relative compaction, to the satisfaction of the Director of Development Services. All re-paving shall be conducted in a manner that minimizes dust.
18. When site grading is required, the site shall be graded to drain in accordance with the City's NPDES requirements. Adequate catch basins shall be provided to screen

runoff from the site.

19. Dumping of tires, oil, transmission fluids, filters, or any other hazardous materials is strictly prohibited. The on-site treatment and/or transfer of hazardous waste shall also be prohibited.
20. Existing mature trees located at the rear of the property shall be donated to a local nursery or replanted within the proposed landscaping buffers.

**Standard Conditions:**

21. 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, which are a part thereof. These specific requirements must be recorded with all title conveyance documents at the time of closing escrow.
22. 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.
23. The Director of Development Services is authorized to approve minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. All major modifications shall be reviewed by the Planning Commission, and any associated costs involved in a Planning Commission review shall be the responsibility of the project applicant.
24. Compliance is required with these Conditions of Approval as long as this use is on site. As such, the site shall be available for periodic reinspection, conducted at the discretion of city officials, to verify that all conditions of approval are being met. The property owner shall reimburse the City for the inspection cost as per special building inspection specifications established by City Council.
25. The applicant shall defend, indemnify, and hold harmless the City of Long Beach and its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, and employees to attack, set aside, void, or annul the approval of the City of Long Beach concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.

## CONDITIONAL USE PERMIT FINDINGS

1439 Cota Avenue  
Application No. 1508-20  
November 5, 2015

*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:*

**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 carries a General Plan Land Use District (LUD) designation of 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.

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 proposed shipping container storage yard and indoor truck chassis storage operation at the subject site would require compliance with all applicable zoning regulations pertaining to trucking-related uses.

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

In recognition of the use's potential to have detrimental operational impacts on the surrounding community, Special Development Standards, applicable to all trucking-related uses, have been adopted. As conditioned, the truck yard under this permit will be in compliance with all such regulations to safeguard against unwanted impacts.



**THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.**

*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 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.**

The subject site is located in a heavily industrial area of southwest Long Beach that's 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 subject permit's conditions of approval.

**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 and 21.45.168 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. As conditioned, the truck yard would operate in a manner that would not adversely affect surrounding uses or pose adverse health risks to persons working or living in the area. 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 truck 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

Truck yard operations at the site, as conditioned, will 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 legalized trucking 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).**

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.

**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 contains a two-story office building that will be used for the proposed trucking operations.

**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. As such, a five-foot-wide landscaping buffer between the street property lines and proposed perimeter fencing will be incorporated into final plans. 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 truck yard area's existing chain link perimeter fencing will be removed and replaced with an 8-foot-0-inch-tall wrought iron fence with a mesh backing. 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 Seabright Avenue, Cowles Street, and Cota Avenue. 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. The site abuts no alleyways, and all loading and unloading activities would occur on-site in designated areas.

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, areas utilized for the parking of trucks will be surfaced with a minimum six-inch-thick reinforced concrete over compacted grade to ninety percent relative compaction; or a minimum five-inch-thick asphalt paving over 6-inch compacted road base, over compacted grade to ninety percent relative compaction, to the satisfaction of the Director of Development Services. Furthermore, 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.

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.



# EXHIBIT E

## CITY of LONG BEACH NOTICE of EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU  
333 W. OCEAN BLVD., 5<sup>TH</sup> FLOOR, LONG BEACH, CA 90802  
(562) 570-6194 FAX: (562) 570-6068  
lbds.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- 15-144

Project Location/Address: 1439 COTA AVE

Project/Activity Description: New Trucking Containers and Chassis Storage Yard.

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

Applicant Name: TJ Trucking Group LLC

Mailing Address: 1625 E 6<sup>th</sup> St, Long Beach CA 90802

Phone Number: 562-244-9306 Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1508-20 Planner's Initials: SV

Required Permits: Conditional use Permit

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: New trucking industrial land use in an existing building located in an industrial zoning district.

Contact Person: Craig Chalfant Contact Phone: 562-570-6368

Signature: [Signature] Date: 10/23/15