

**CONDITIONAL USE PERMIT FINDINGS**  
**6157 Long Beach Boulevard**  
**Application No. 2009-15 (CUP20-014)**  
**February 17, 2022**

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 along with staff analysis are presented below 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 site has a Neighborhood-Serving Centers or Corridors – Low (NSC-L) General Plan Land Use Element (LUE) PlaceType, which allows low-rise, low-density residential uses and low-intensity commercial uses. This LUE PlaceType is intended to help meet consumers daily needs for healthy goods and services. The proposed treatment plant promotes a number of Long Beach General Plan Goals. The project is intended will help retrieve groundwater from the proposed water well, which after filtration, will help provide clean drinking water to nearby consumers. As designed, the project is consistent with the Water Resource Goals within the Conservation Element of the General Plan, which is intended to “develop a comprehensive City-wide water supply and management program which utilizes water from all sources including groundwater”.

The applicant, California Water Service Company (Cal Water) requests approval for the construction of an onsite water well and the operation of a water treatment facility (DOM 301) on a vacant 16,268-square-foot parcel, which has been determined to require a Conditional Use Permit (CUP) in the CCA zoning district. The Zoning Ordinance establishes that certain uses due to the nature of the use require an individual review by way of a conditional use permit to determine if whether the use proposed is compatible or through the imposition of conditions may be made compatible (LBMC 21.25.201). Land Use Table 32-1 of the Long Beach Municipal Code establishes that electrical distribution stations may be permitted within the CCA Zoning District with a Conditional Use Permit. Although, the proposed project is a privately operated water well which is not a listed use, the Zoning Administrator determined that could be considered within the CCA zone subject to a Conditional Use Permit as it is a low-intensity use providing a utility similar to an electrical substation (LBMC Section 21.10.045).

The site will be equipped with a, 16-foot high, 66,000-gallon backwash tank, a 940-square-foot treatment system with a covered structure, a 700-square-foot structure that will consist of a chemical room and mechanical room, two (2) onsite parking stalls, a well with an enclosure and other related equipment. Offsite improvements include the installation of, 2,250 feet of distribution mains and 1,950 feet of well collection main conveyance pipelines would also be constructed in the Long Beach Boulevard, Victoria Street, and Barclay Street rights-of-way to link two nearby existing water wells, DOM 272 and DOM 297, to the proposed treatment plant.

By utilizing groundwater, this would enhance local supply reliability and reduce reliance on purchased water sources that are subject to curtailment or interruption. Specifically, SWP water is subject to cutbacks in response to available snowpack in northern California on a year-to-year basis. SWP water supply may also become completely unavailable should a major disaster compromise the aqueduct system that travels from northern to southern California. The construction of the new water well and the collection and distribution mains would also improve supply reliability and help meet emergency water demands (e.g., fire flows). Therefore, the proposed project would maximize local groundwater supply, reduce supply variability during dry years, and provide water availability for fire and essential services in the event of a major disaster. This project also helps meet the goal 2.2 of the Open Space and Recreation: Element, which is established to “protect and wisely-manage groundwater recharge areas and groundwater aquifers.”

To further help reduce water runoff, the scope of work will include repaving the site to collect surface water runoff in a drain inlet, which will flow into the City’s stormwater system along Long Beach Boulevard. Furthermore, any excess groundwater pumped from the well during routine maintenance would also discharge into the proposed storm drain inlet. This will help meet LUE Policy 20-11, which is established to, “Coordinate with other agencies to reduce stormwater runoff by capturing runoff for groundwater recharge, irrigation and recycling purposes.”

As designed, the water treatment facility and the related right-of-way improvements meets all zoning regulations pertaining to setbacks, height, on site landscaping and building height. Wrought iron fencing and landscaping is proposed within front setback area along Long Beach Boulevard, as well as the northern and western property lines of the site to help visually buffer the water well facility from the residential uses, while also capturing water runoff. These onsite design treatments will help enhance the visual character of Long Beach Boulevard, which will meet the intent of Urban Design Element Policy UD 19-5, which is set to “Provide shade trees to match the existing species to reinforce neighborhood identity, to add greenscape for texture, shade and overall visual character, and to create a uniform streetscape. Maintain consistent wall and fence treatment along the street edge”.

During construction activities, the installation of a temporary 16-foot high sound barrier to minimize sound impacts associated with the drilling as well and construction of the facility. As conditioned, additional site improvements will require the applicant to replace the existing block walls that abut the residential uses along the northerly and westerly property lines with an eight (8) foot high block wall, which will provide further visual screening and sound mitigation for the adjacent residential uses. Such conditions and improvements are consistent with Policy UD 14-4 of the Urban Design Element which is intended to “Protect neighborhoods from the encroachment of incompatible activities or land uses that may have negative impacts on the residential living environment”. Although no parking was required for this use as it will be virtually operated, two (2) parking spaces are provided on site, providing parking for the inspectors who will visit the site daily. Furthermore, the project once completed, will improve the urban fabric and scenic quality of the site compared to the existing site conditions, which is currently an undeveloped parcel. This development will meet

Urban Design Policy UD 15-1, which encourages “new projects to repair the urban fabric where it has eroded”.

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

In accordance with the California Environment Quality Act (CEQA) and the CEQA Guidelines, an Initial Study / Mitigated Negative Declaration (IS/MND03-21) was prepared for this project (Attachment G – Mitigated Negative Declaration 03-21 & Attachment H – MND Appendices List). The IS/MND finds that by implementing identified mitigation measures related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, transportation and tribal cultural resources, the project will not result in significant effects to the environment (Attachment I – Mitigation Monitoring Program).

The mitigation measures include the installation of a temporary 16-foot high sound barrier to minimize sound impacts associated with the drilling as well and construction of the facility. All noise control barrier walls are required to be designed to preclude structural failure due to such factors as winds, shear, shallow soil failure, earthquakes. Prior to permit issuance of right-of-way improvements, approval of a Traffic Management Plan (TMP) will be required by the Public Works Traffic Engineer. Such TMP will include measures such as construction signage, limitations on timing for lane closures to avoid peak hours, temporary striping plans, and the need for a construction flag person to direct traffic during heavy equipment use, which is established to further promote public safety while the project is completed.

Furthermore, several conditions of approval (many of which are mitigation measures imposed from the IS/MND) are included to further ensure that the use and development of the site is not detrimental to the surrounding community.

**3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR SPECIFIC CONDITIONAL USE, ASSISTED IN CHAPTER 21.52**

In addition to the above findings, Section 21.52.226 states that the following Conditions shall apply to all electrical substations in nonresidential districts:

**A. All facilities shall be screened from public view by an attractive wall or fence.**

As proposed and conditioned, the project includes the installation of an 8-foot-high wrought iron fence along the southern property line that fronts Long Beach Boulevard and the westerly property line abutting the private driveway also visible from Long Beach Boulevard. Attractive landscaping will be installed along the front yard setback area to further contribute to the attractiveness and screening for this use. An 8-foot block wall will also be constructed along the northern and western property lines that abut the light industrial and residential uses.

**4. The related development approval, if applicable, is consistent with the green building standards for public and private development, as listed in Section 21.45.400.**

Section 21.45.400 specifies specific types of projects that require compliance with green building standards. The proposed building area is only 700 square feet and does not meet the minimum 50,0000 square feet of gross floor for non-residential buildings threshold triggering compliance. Therefore, Section 21.45.400 of the Municipal Code is not applicable.