

CONDITIONAL USE PERMIT FINDINGS

**2952 E. 14th Street
App. No. 2203-30 (CUP22-008)
Date: May 19, 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 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 project consists of a request for the establishment and operation of a coffee roasting facility with accessory retail and coffee bar located at 2952 E. 14th Street. The coffee roasting component of the business is categorized under Standard Industrial Code (SIC) Major Group 20, for Food and Kindred Products Manufacturing. More specifically, SIC No. 2095 is the classification for Coffee Roasting (establishment primarily engaged in roasting coffee, and in manufacturing coffee concentrates and extracts in powdered, liquid, or frozen form, including freeze-dried). The project site is located within the Light Industrial (IL) zoning district. The establishment of any business that falls under SIC Major Group 20 triggers the requirement for a Conditional Use Permit. The site is approximately 56,000 square-feet and consists of a multi-tenant industrial condominium complex among two buildings totaling approximately 48,473 square feet. Within the industrial condominium complex, the coffee roasting facility will occupy a tenant space of approximately 5,275 square feet.

The General Plan's Land Use Element, adopted in December 2019, designates the project site as the Neo-Industrial (NI) Placetype. The NI PlaceType encourages the location and retention of restricted light industrial activities associated with innovative start-up businesses and creative design offices in engineering, sciences, technology, media, education, and information industries. It can be considered a commercial manufacturing hybrid zone for promoting new products on behalf of the creative class. The Land Use Element also states that this PlaceType promotes low-intensity uses adjacent to low-density residential uses and medium-intensity uses adjacent to industrial uses. Where new developments are inserted in the NI PlaceType, office and commercial uses rather than industrial and manufacturing operations should abut residential neighbors.

One of the citywide goals identified in the Land Use Element is to accommodate strategic growth and change (Goal No. 3 of the Land Use Element). Under this goal, the City aims to encourage this growth within strategic locations while preserving existing neighborhoods. Map LU-20 of the Land Use Element identifies the subject site as a target for one of the eight major areas of change that are the focus of the land use concept: "Convert industrial edges to Neo-Industrial uses". While the project site consists of existing structures, those structures have

undergone recent renovations to redevelop and revitalize an aging site. The site consists of two, one-story industrial buildings that were built in 1946 and 1957 to accommodate a general millwork business. The buildings were remodeled in 2018 and industrial condominiums were recorded to allow for ownership opportunities.

The proposed project consists of the establishment of a coffee-roasting facility with accessory retail and coffee bar within one of the tenant spaces that has been vacant for several years. It supports the citywide goal of strategic growth and change by specifically addressing Strategy No. 7 – to “implement the major areas of change identified in this Land Use Plan (Map LU-20).” In particular, LU Policy 7-2 encourages the conversion of outdated and underutilized manufacturing and industrial site to Neo-Industrial uses, particularly those adjacent to residential areas. The project site is a prime example of an underutilized industrial site that has the opportunity to employ a Neo-Industrial use by combining a restricted light industrial use such as coffee roasting with a retail and small commercial component.

The proposed facility is consistent with the NI PlaceType’s categorization as a commercial manufacturing hybrid zone, promoting the development of new products on behalf of the creative class, near residential areas. The closest residential properties are approximately 200 feet away from the project site. Also, the proposed accessory retail and coffee bar is consistent with the NI PlaceType’s intent in supporting industrial uses by allowing commercial uses such as retail stores and eating and drinking establishments

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

In accordance with the California Environment Quality Act (CEQA) and the CEQA Guidelines, a Categorical Exemption (CE 22-034) was prepared for this project. The project is exempt per Section 15301 – Existing Facilities as it involves the occupation of an existing industrial condominium space with a new coffee-roasting use with accessory retail and coffee bar.

The proposed use is not anticipated to be detrimental to the surrounding community. All activities associated with coffee roasting will be done within the existing building. The Applicant intends to operate coffee-roasting and associated manufacturing functions from 8:00 a.m to 5:00 p.m., Monday through Friday, with main roasting activity limited to no more than four hours per day. The remainder of the manufacturing functions will consist of packing activities and the coordination of shipping and freight. The Applicant also intends to process approximately 300 pounds of product per hours.

In accordance with the requirements of Rule 201 and 202 of the South Coast Air Quality Management District (AQMD), the establishment of a coffee roasting facility (and ancillary equipment installed therein) requires a permit from AQMD, including subsequent source testing to ensure compliance. While the project site is in close proximity to a public park and neighboring residential communities, the

proposed use is of a mild intensity in comparison to other uses allowed (by right or discretionarily) within the IL district. The most intensive impacts anticipated from operational activities are truck traffic associated with shipping functions and the diffusion of odors resulting from the coffee-roasting process.

The applicant has provided information regarding specific equipment that will be used to mitigate odors emanating from the roasting of coffee. The equipment is subject to the review and approval of AQMD. Furthermore, several conditions of approval are included to require compliance with any special development standards stipulated in Sections 21.52.410 and 21.33.090 of the Long Beach Municipal Code (LBMC). In addition to odor control, they include compliance with noise standards, hours of operation, and proper storage and disposal of any hazardous wastes that produced on-site.

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

Chapter 21.52.410 states that the following conditions shall apply to all industrial uses requiring a Conditional Use Permit:

A. The proposed use, and the siting 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 applicant proposes to establish a coffee roasting facility with accessory retail and coffee bar. The facility will consist of three main components: roasting/packaging; warehousing/shipping; and retail/coffee bar. All activities will take place within an existing building, with no spillover anticipated to off-site areas adjacent to the facility. The facility will not store or produce any hazardous materials that would pose adverse health risks. Several conditions of approval are included to ensure public health, safety and welfare.

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 (Performance Standards) of this Title:

1. 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.

All activities will be done on the interior of the existing tenant space. Activities are not expected to exceed the noise generation limits imposed in Chapter 8.80 (Noise) of the LBMC. Per Chapter 8.80 of the LBMC, the project site is located within District 1 of the Noise District Map. The maximum noise levels allowed in District 1 are as follows: 7:00 a.m. to 10:00 p.m. – 50 decibels; 10:00 p.m. to 7:00 a.m. – 45 decibels. As stated in Section 8.80.150, noise levels cannot **exceed**:

1. 50 decibels / 45 decibels (night) for a cumulative period of more than

thirty (30) minutes in any hour; or

2. 55 decibels / 50 decibels (night) for a cumulative period of more than fifteen (15) minutes in any hour; or
3. 60 decibels / 55 decibels (night) for a cumulative period of more than five (5) minutes in any hour; or
4. 65 decibels / 60 decibels (night) for a cumulative period of more than one (1) minute in any hour; or
5. 70 decibels / 65 decibels (night) for any period of time.

Conditions of Approval are incorporated to ensure compliance with the noise ordinance.

2. **Hours of Operation Standards – Between the hours of ten (10:00) p.m. and seven (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.**

As conditioned, noise levels exceeding 45 decibels during the hours of 10:00 p.m. and 7:00 a.m. are not anticipated from outdoor activities.

3. **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.**

As conditioned, any exterior lighting will be shielded so as not to be directly visible from adjoining residential districts. The nearest residential district is approximately 200 feet away from the project site and is not in direct visual alignment.

4. **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 Planning and Building.**

The proposed use will not produce any hazardous materials or waste.

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

As conditioned, loading/unloading shall be limited to the hours of 7:00 a.m. to 10:00 p.m. to correlate with the time frame in which noise levels should not exceed 70 decibels to the nearest residential district or hospital. While the nearest residential district is 200 feet from the project site, as conditioned, the applicant will be required to submit an operation plan detailing any truck routes used for loading and unloading to and from the site. This operation plan shall be submitted prior to the issuance of any building permits, to the satisfaction of the Director of Development Services.

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 daycare facility, any hospital or convalescent home, any church or similar facility, or any public assembly use.**
- 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.**
- 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 proposed use is a coffee roasting facility and would not be involved in hazardous waste treatment, hazard waste disposal, or hazardous waste transfer. Therefore, the preceding requirements are not applicable to this project.

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

The project is limited to tenant improvements and does not involve construction of new floor area; therefore, the Green Building Standards are not applicable.