



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

February 16, 2017

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption 16-262 and approve a Conditional Use Permit (CUP) to allow the operation of a 24-hour trucking dispatch and container storage yard, consisting of a new 1,026-square-foot office and eleven truck and four employee/guest parking spaces at 1438 W. 14th Street within the General Industrial (IG) district. (District 1)

APPLICANT: John Cataldo
835 Mission Street
South Pasadena, CA 91030
(Application 1611-01)

DISCUSSION

The subject site, a 20,000-square-foot parcel located at the southwest corner of 14th Street and Harbor Boulevard, has a zoning designation of General Industrial (IG) and a General Plan Land Use Designation of General Industry (LUD 9G) (Exhibit A – Location Map). The site is leased by GB Trucking Incorporated, who seeks to operate a 24-hour commercial truck relay station for temporary trailer, container, and truck storage to facilitate trucking and container drayage operations from the Ports of Long Beach and Los Angeles (Exhibit B – Plans & Photos). Trucking uses require approval of a Conditional Use Permit (CUP) prior to licensing and operation in Industrial zoning districts.

Although, the subject site has housed a diesel truck yard operation for approximately 20 years, staff discovered that the previous use was in operation without a business license or a CUP. Planning staff identified the need for a CUP (and business license) when the prior tenant sought approval of a permit to resurface the site's parking area.

A number of improvements to the site are proposed as part of the CUP request to bring the project into compliance with code requirements. In addition to the new 1,026-square-foot, one-story office, new paving and striping for eleven 10-foot-6-inch x 35-foot truck parking stalls, perimeter landscaping and new fencing will be installed on the perimeter of the site. Other special development standards for truck yard uses – identified in Sections 21.45.150 and 21.45.168 of the Zoning Regulations – have been conditioned as part of project approvals (Exhibit C – Conditions of Approval). These include a mandatory on-site

The General Plan and Zoning Regulations intend for truck yards to be located/operated 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. Furthermore, the site is far enough away from residential uses that site operations would cause no significant disturbance (Exhibit D – Findings). Staff therefore recommends approval of the requested CUP, as conditioned.

A total of 236 Public Hearing notices were distributed on January 31, 2017, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption 16-262 was issued (Exhibit E – Categorical Exemption).

Linda F. Jatum

Approach

AJB:LFT:CT: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:
1438 W 14th St
Application No. 1611-01
Council District 1
Zoning Code : IG



CONDITIONS OF APPROVAL

1438 W. 14th Street

Application No. 1611-01

February 16, 2017

1. This Conditional Use Permit approval is for a 24-hour trucking dispatch and container storage yard, consisting of a new 1,026-square-foot office and eleven truck and four employee/guest parking spaces.
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 street front, and along both side property lines. 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 wrought iron fencing along the front property line shall not contain sheet metal screening.
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. Shipping containers stored on the project site shall not be stacked more than two high.
11. 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.
12. 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.
13. All drayage trucks associated with truck yard operations shall comply with the provisions of the Clean Truck Program.
14. 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.
15. 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.
16. 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 6-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.
17. 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.
18. 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.

Standard Conditions:

19. 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.

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 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.
22. 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.
23. 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

1438 W. 14th Street
Application No. 1611-01
February 16, 2017

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 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 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.

A new 1,026-square-foot office will be constructed on the site. The office will contain a restroom that will be available for employees and guests.

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. 14th Street is classified as collector streets. As such, a five-foot- (5') 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 wrought iron perimeter fencing will be relocated behind the proposed landscaping areas. Mesh backing will be added to the relocated fencing along the side and rear property lines. No mesh sheet metal screening will be provided along the front property line. 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 from the alley and a 28-foot-wide approach along 14th Street. 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. 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- (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. 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.



NOTICE of EXEMPTION from CEQA

EXHIBIT E

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

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

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

☒ L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy., Room 1201
Norwalk, CA 90650

Project Title: CE- TRUCK/CONTAINER STORAGE

Project Location/Address: 1438 W. 14TH ST. LONG BEACH, CA 90813

Project Activity/Description: THE PROPERTY WILL BE USED AS A COMMERCIAL TRUCK RELAY STATION, FOR TEMPORARY TRAILER, CONTAINER AND TRUCK STORAGE TO FACILITATE CORE TRUCKING AND CONTAINER DRAYAGE OPERATION FOR PORT OF LONG BEACH AND SAN PEDRO.

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

Applicant Name: NATHAN BATTLE, JOHN CATALDO, INC.

Mailing Address: 835 MISSION ST. SOUTH PASADENA, CA 91030

Phone Number: 626 799 4400

Applicant Signature: Nathan Battle

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1611-01 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 15303 New Construction or Conversion of Small Structures

Statement of support for this finding: CLASS 3, A OFFICE NOT EXCEEDING 2,500 Square feet in size is exempt.

Contact Person: Steven Balder

Contact Phone: 562-570-6571

Signature: [Signature]

Date: 1/26/2017