

**CONDITIONAL USE PERMIT
FINDINGS**

**1403 Seabright Avenue
Application No. 2102-23 (MOD21-001)
June 3, 2021**

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 subject site carries a General Plan PlaceType of Industrial. This PlaceType allows 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 PlaceType.

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.

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 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 impacts. Conditions of approval require compliance with Special Development Standards for trucking-related uses and include property perimeter screening, office, and restroom requirements, and truck queuing and circulation standards are in place to prevent adverse impacts on surrounding uses

3. 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:

A. 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.

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 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:

C. 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

Major auto repair operations at the site are prohibited. Furthermore, no vehicles parked or stored on-site shall be used as a source of parts. Only minor repair services are allowed. As conditioned, allowed minor repairs shall occur only between the hours of seven (7:00) a.m. and ten (10:00) p.m.

D. 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.

Conditions have been incorporated to comply with the location and stacking of storage containers.

E. 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.

F. 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).

Conditions placed require that 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.

Conditions further require that all areas visible from public rights-of-way shall be kept clean and orderly in compliance with the provisions of the property maintenance ordinance, Chapter 8.76 of the Municipal Code. Additionally, all broken, cracked, depressed or damaged curbs and sidewalks shall be repaired and no vehicle or equipment repair use shall allow dirt, grime, oil or any chemicals to drain across the public sidewalk or alley in a manner which stains or discolors the sidewalk or alley.

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.

G. 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 proposed use is expressly conditioned to operate only in conjunction with the adjacent trucking use where such office and restroom facility is proposed under application no. 1908-38. A restrictive covenant to that effect is conditioned on this application to meet this finding.

H. 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.

I. 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.

J. FENCING.

Conditions of approval have been added to provide required fencing along the perimeter of the site.

K. TRUCK QUEUING, CIRCULATION, PAVING AND GRADING.

The truck yard, as proposed, will have access points from the street with a 40-foot-wide approach. 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 major 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.

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.

This project does not meet the thresholds stipulated in section 21.45.400 to be subject to the Green Building Standards. Therefore, this finding is not applicable.