

November 9, 2021

**R-50**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive and file a report on container stacking and height limit regulations, and approve the City Manager's emergency action to temporarily waive enforcement of Long Beach Municipal Code, Section 21.33.150, for a period of 90 days beginning October 22, 2021, in alignment with the Governor's Executive Order. (Citywide)

**DISCUSSION**

The COVID-19 global pandemic has created a disruption in manufacturing and distribution of goods; specifically, a disruption of port gate operations, driver and chassis shortages, and a shortage of container storage facilities. This has resulted in a national economic emergency that has impacted supply chains especially in our nation's ports, including the City of Long Beach (City) and neighboring port operations.

Except for the Port-related Industrial (IP) Zone that has no stacking limit, the Long Beach Municipal Code (LBMC), Section 21.33.150 (Outdoor Storage and Activities), contains provisions that limit the number and/or height of shipping container storage in the industrial zones and certain Planned Development Districts (PDs) to either two stacked containers or eight feet in height. These provisions, which have been in effect for many years, were established to address the environmental impacts (noise, circulation, air quality, aesthetic, etc.) on the surrounding areas related to excessive storage activities.

Given the current national emergency and the Governor's Executive Order to take necessary steps to provide assistance during this state and national crisis, the City Manager has temporarily waived enforcement of current shipping container stacking and height limits for a period of 90 days, beginning October 22, 2021. During this period, affected operations that are currently permitted and zoned to allow shipping container stacking will be allowed to stack up to four shipping containers without being cited for a Code violation. Properties that wish to stack up to five containers high are required to contact Fire Prevention and Building and Safety Bureaus to ensure the site can safely accommodate the increased height prior to stacking above four containers high.

City staff are conducting an inventory of the existing facilities currently zoned and permitted to stack containers and are monitoring the effectiveness of this solution and the impacts on the surrounding areas during the 90-day period. At the end of this period, staff will provide recommendations to either extend, expand, or discontinue the enforcement waiver as well as provide longer-term solutions, as applicable.

This matter was reviewed by Assistant City Attorney Michael J. Mais and Budget Operations and Development Officer Rhutu Amin on October 29, 2021.

TIMING CONSIDERATIONS

City Council action is requested on November 9, 2021, to approve the City Manager's emergency action to temporarily waive enforcement of LBMC Section 21.33.150, in alignment with the Governor's Executive Order.

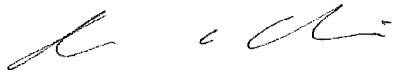
FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

SUGGESTED ACTION:

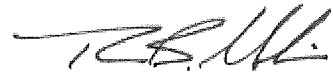
Approve recommendation.

Respectfully submitted,



OSCAR W. ORCI  
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:



THOMAS B. MODICA  
CITY MANAGER