

RESOLUTION

TO CITY CLERK FOR PLACEMENT ON NEXT  
REGULAR COUNCIL AGENDA TO BE POSTED

#51

WHEREAS, on June 29, 2022, the Council adopted an Interim Control Ordinance (ICO), **Ordinance No. 187552 (Council File No. 22-0321)**, and became effective on July 6, 2022, to temporarily prohibit the issuance of all permits and certificates of occupancy associated **with the establishment or the expansion of all trucking-related uses**, including but not limited to, truck parking, truck storage, trucking yard and trucking terminal on all industrial land in the Wilmington-Harbor City Community Plan Area, except for the area east of Alameda Street and the Wilmington Industrial Park area located south of G Street and east of Broad Avenue; and

WHEREAS, the trucking-related uses ICO is effective for 45 days and **will expire on August 20, 2022**; and pursuant to Government Code Section 65858, the Council may by **Resolution extend the provisions of this ordinance for 10 months and 15 days period**, which can be further extended to an additional year from the effective date of this ordinance so long as the Council makes required findings; and

WHEREAS, the adoption of Ordinance No. 187552, was necessary to protect the public health, safety, and welfare of the residential neighborhoods in the Wilmington-Harbor City Community Plan Area, from adverse impacts caused by trucking related uses; and the ICO prevents potentially irreversible negative impacts on the community resulting from the expansion or establishment of additional trucking-related uses, pending adoption of appropriate regulatory controls that regulate these uses; and

WHEREAS, the Planning Department is in the process of developing new zones that seek to prohibit trucking related uses in the targeted areas that are adjacent to residential neighborhoods, however, **more time is necessary to conduct this work, as such an extension of Ordinance No. 187552 for 10 months and 15 days is necessary**; and

WHEREAS, **the following are the required findings to extend the provisions of the Ordinance No. 187552 for 10 months and 15 days**: The extension is necessary to protect the threat to the public safety, health, and welfare of the residents in the ICO area, from the expansion or creation of new trucking-related uses, pursuant to the requirements of Government Code Section 65858; and

WHEREAS, on July 25, 2022 a report was filed by the Planning Department pursuant to Government Code Section 65858(d) and Council has adopted the report as its own describing the measures that have been taken thus far toward the adoption of permanent land use regulatory controls, **and Interim Control Ordinance No. 187552 will expire on August 20, 2022, unless this first 10 months and 15 days extension if adopted**;

**NOW, THEREFORE, BE IT RESOLVED**, that by adoption of this Resolution, **the Council hereby extends the provisions of Ordinance No. 187552** imposing temporary interim regulations prohibiting the issuance of all permits and certificates of occupancy associated **with the establishment or the expansion of all trucking-related uses on all industrial land in the Wilmington-Harbor City Community Plan Area**, except for the area east of Alameda Street and the Wilmington Industrial Park area located south of G Street and east of Broad Avenue; **for an extension period of 10 months and 15 days**, inasmuch as the appropriate City agencies and officials are exercising due diligence and actively working towards the adoption of the appropriate permanent land use regulatory controls.

JUL 29 2022

PRESENTED BY:

JOE BUSCAINO  
Councilmember, 15<sup>th</sup> District

SECONDED BY:

ORIGINAL