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May 3, 2023

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: City Council

Dear Honorable Members:

**REPORT RELATIVE TO EXTENSION OF TRUCKING-RELATED USES INTERIM
CONTROL ORDINANCE; CF 22-0231**

On June 29, 2022, the City Council adopted an Interim Control Ordinance (Ordinance No. 187552, effective 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 Ave. The Ordinance was initially effective for 45 days. On August 5, 2022, the ICO was extended for 10 months and 15 days. The Ordinance is set to expire on June 11, 2023. Pursuant to Government Code Section 65858, the City Council may further extend the Interim Control Ordinance for an additional 1 year. Ten days prior to the expiration of the Interim Control Ordinance or any extension, the City Council shall issue a written report describing the measures being taken to alleviate the conditions which led to its adoption.

Background

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 (CPA) from adverse impacts caused by Trucking-Related Uses. This ordinance 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.

The City Council adopted Council File 22-0231 (Buscaino-Harris-Dawson) and the Interim Control Ordinance (ICO) became effective on July 6, 2022. The Interim Control Ordinance was adopted in response to a motion introduced by City Council on March 1, 2022. The motion instructed the Department of City Planning, in consultation with the City Attorney, to prepare an Interim Control Ordinance as an immediate temporary measure to prohibit the issuance of any demolition, building, grading, and any other applicable permits to prevent the establishment of new, or expansion of existing truck parking, open storage and container storage 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. The Planning Department expanded the ICO boundary to include Harbor City (area west of I-110) due to its proximity to the Port of Los Angeles and high level of interest for trucking-related uses to locate and operate in the Harbor City community; inclusion in the ICO will prevent the trucking-related uses from sprawling out into other parts of the plan area. The Wilmington Industrial Park area south of G Street and east of Broad Avenue is excluded from the ICO boundary; it is a solid pocket of industrial land located close to the Port of Los Angeles and the Port of Long Beach with direct connection to active rail lines and easy accessibility to nearby freeways and truck routes. The Wilmington Industrial Park is a suitable industrial area to permit trucking-related uses.

The Wilmington-Harbor City CPA is located near the harbor and the Port of Los Angeles and Port of Long Beach. Due to its location, the Wilmington and Harbor City communities face extreme impacts stemming from the Ports and port-related industries, including trucking-related uses. These adverse impacts have spilled into residential neighborhoods and public rights-of-way. The unprecedented crisis at the Ports due to the impact of the global pandemic on the supply chain is causing further expansion of these uses into new locations that abut sensitive residential areas. Trucking-related uses perpetuate longstanding negative health and environmental impacts on the community, including visual blight and noise from truck idling on public streets and unpermitted stacking of cargo containers near residential neighborhoods, and create negative health and environmental impacts to the community.

Since the adoption of Ordinance No.187552, the Department has continued its work to complete the tasks necessary to adopt the Wilmington-Harbor City Community Plan Update. Planning staff is in the process of finalizing new zones that will address the establishment, and/or enlargement of trucking-related uses near residential areas. New land use designations and zoning will determine the appropriate permission levels (prohibited, by-right or Conditional Use Permit) and use standards such as distance separation, screening, and enclosure requirements for all trucking-related uses. Through extensive community outreach, Planning identified important land use issues impacting the area, the community plan update process has provided the Planning Department the opportunity to address community concerns regarding incompatible land use patterns and draft the necessary changes to zoning regulations. The draft goals, policies, and implementation programs of the Wilmington- Harbor City Community Plan Update seek to protect residential areas from adverse impacts caused by nearby heavy or incompatible industrial uses. The proposed Plan will establish a

Hybrid Industrial land use designation in select areas to create a physical buffer between residential and heavy industrial areas to mitigate health, environmental and nuisance issues that arise from the existing incompatible land use patterns.

As mentioned, Planning staff is in the process of releasing proposed new zones for public input. Generally, the proposed new zones seek to prohibit trucking-related uses in targeted areas that are adjacent to residential neighborhoods. It is anticipated that the Wilmington-Harbor City Community Plan will proceed through the adoption process this year. An extension of the Interim Control Ordinance is necessary to allow the Planning Department appropriate time to finalize the new zoning and permanent regulatory measures and take the Community Plan through the adoption process.

Recommended Actions

Although the Department has continued its efforts as outlined above, more time is necessary to conduct this work. The additional one year is necessary to protect against the ongoing current and immediate threat to the public health, safety, and welfare. Therefore, the Department recommends adoption of an extension of Ordinance No. 187552 for an additional one year which requires a four-fifths vote. Furthermore, the Department recommends the approval of this report as the Council's own adopted report which herein describes the measures taken to alleviate the conditions which led to the adoption of Ordinance No. 187552 and thereby satisfying the requirements of Government Code Section 65858.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



Shana M.M. Bonstin
Deputy Director

VPB:SMMB:HUL:RC:ja