

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
CPC-2024-2303-CA	ENV-2024-2389-CE	CD 15 – McOsker
RELATED CASE NOS.:	COUNCIL FILE NO:	PROCEDURAL REGULATIONS:
<input checked="" type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.) <input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.)
PROJECT ADDRESS / LOCATION:		
<p>The Proposed Trucking-Related Use Regulations Ordinance applies to all zones within the Geographic Project Area in the Wilmington-Harbor City Community Plan Area (CPA), bounded by the following: Sepulveda Boulevard and Lomita Boulevard on the north, Alameda Street on the east, Western Avenue on the west, and the jurisdictional boundary with the Port of Los Angeles on the south (generally Harry Bridges Boulevard), except the industrial area east of Alameda Street and the Wilmington Industrial Park area generally located south of G Street, east of Quay Avenue, south of D Street and Lakme Avenue.</p>		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
City of Los Angeles 200 N. Spring Street Los Angeles, CA 90012	N/A	N/A
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jessica Alvarado	(213) 978-1221	jessica.alvarado@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
<input checked="" type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i> Code Amendment (CA)		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		

ITEMS APPEALED:			
<input checked="" type="checkbox"/> N/A			
ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> T Conditions <input checked="" type="checkbox"/> Proposed Ordinance <input type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List (both Word and PDF) <input checked="" type="checkbox"/> Interested Parties List <input type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
NOTES / INSTRUCTIONS:			
Please create Council File. <input type="checkbox"/> N/A			
CITY COUNCIL NOTICE TIMING:	NOTICE LIST (SELECT ALL):	NOTICE PUBLICATION:	
<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input checked="" type="checkbox"/> N/A / None <input type="checkbox"/> Other:	<input type="checkbox"/> Owner <input type="checkbox"/> Applicant <input type="checkbox"/> Adjacent/Abutting <input type="checkbox"/> 100' radius <input type="checkbox"/> 300' radius <input type="checkbox"/> 500' radius <input type="checkbox"/> Neighborhood Council <input type="checkbox"/> Interested Parties <input type="checkbox"/> Other:	<input type="checkbox"/> 10 days <input type="checkbox"/> 15 days <input type="checkbox"/> 24 days <input checked="" type="checkbox"/> N/A / None <input type="checkbox"/> Other:	
FISCAL IMPACT STATEMENT:			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>*If determination states administrative costs are recovered through fees, indicate "Yes."</small>			
PLANNING COMMISSION:			
<input checked="" type="checkbox"/> City Planning Commission (CPC)		<input type="checkbox"/> North Valley Area Planning Commission	

<input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission	<input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission
PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
May 9, 2024	6 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
N/A	N/A
COUNCIL TIME TO ACT:	TIME TO ACT START:
<input type="checkbox"/> 30 days <input type="checkbox"/> 45 days <input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 75 days <input type="checkbox"/> 90 days <input type="checkbox"/> 120 days <input type="checkbox"/> N/A / None <input type="checkbox"/> Other:	<input type="checkbox"/> Appeal Filing Date <input type="checkbox"/> Received by Clerk <input type="checkbox"/> Last Day to Appeal <input type="checkbox"/> N/A / None <input type="checkbox"/> Other:
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant II	May 14, 2024



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAY 14, 2024

Case No.: CPC-2024-2303-CA

Council District: 15 – McOsker

CEQA: ENV-2024-2389-CE

Plan Areas: Wilmington – Harbor City

Project Location:

The Proposed Trucking-Related Use Regulations Ordinance applies to all zones within the Geographic Project Area in the Wilmington-Harbor City Community Plan Area (CPA), bounded by the following: Sepulveda Boulevard and Lomita Boulevard on the north, Alameda Street on the east, Western Avenue on the west, and the jurisdictional boundary with the Port of Los Angeles on the south (generally Harry Bridges Boulevard), except the industrial area east of Alameda Street and the Wilmington Industrial Park area generally located south of G Street, east of Quay Avenue, south of D Street and Lakme Avenue.

Applicant: City of Los Angeles

At its meeting of **May 9, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following Code Amendment:

Amendments to Section 12.22.A of the Los Angeles Municipal Code (LAMC) to establish use regulations for trucking related uses, to apply to parcels within the defined Geographic Project Area, located in the Wilmington-Harbor Community Plan. The Proposed Ordinance would address trucking-related concerns by prohibiting truck uses, including, but not limited to, truck storage, truck parking, trucking terminals, and trucking yards, as the primary uses of the land. Electric Vehicles Charging Facility (EVCF), Large Vehicles are exempted from the prohibition if additional development regulations are met.

1. **Recommended** that the City Council **determine**, based on the whole of the administrative record, that the Proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), 15308 (Class 8), and no exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
2. **Approved and Recommended** that the City Council **adopt** the Proposed Ordinance;
3. **Adopted** the Staff Recommendation Report as the Commission's Report on the subject; and
4. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Cabildo
Second: Choe
Ayes: Diaz, Lawshe, Newhouse, Zamora
Absent: Gold, Mack, Noonan

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and not appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Proposed Ordinance, Findings

cc: Shana M. M. Bonstin, Deputy Director
Michelle Singh, Principal City Planner
Jessica Alvarado, City Planner

ORDINANCE NO. _____

An ordinance to add Subdivision 36 to Subsection A of Section 12.22 of Article 2 of Chapter 1 of the Los Angeles Municipal Code to regulate new or expanded trucking-related uses in the Wilmington-Harbor City Community Plan Area.

**THE PEOPLE OF THE CITY OF LOS ANGELES DO
ORDAIN AS FOLLOWS:**

Section 1. Subdivision 36 is added to Subsection A. of Section 12.22 of Article 2 of Chapter 1 of the Los Angeles Municipal Code to read as follows:

36. **Trucking-Related Uses.** Notwithstanding anything to the contrary in Article 2 of this Chapter, within the Geographic Project Area, Trucking-Related Uses shall be prohibited as provided below:

(a) **Use Regulations.**

(1) Prohibition. This Subdivision prohibits the issuance of all permits and certificates of occupancy associated with the establishment or the expansion of all Trucking-Related Uses as a primary use. This prohibition shall not apply to a Electric Vehicle Charging Facility, Large Vehicle, which complies with the development standards in Subparagraph (2).

(2) Electric Vehicle Charging Facility, Large Vehicle. In the Geographic Project Area, Electric Vehicle Charging Facility, Large Vehicle uses shall be subject to the following development standards:

- (i) The use shall not be within 200 feet of a Sensitive Use or within 200 feet of a Residential or an Agricultural zoned parcel.
- (ii) A minimum 3.5-foot high concrete or masonry wall that has a minimum thickness of 8 inches along any lot line abutting a street. Walls shall not include chain link, barbed wire, or concertina. No wall may be constructed of tires, junk, leaves or other discarded materials.
- (iii) A minimum 4-foot landscaped buffer shall be required at the frontage lot line with a minimum of 20 perennial plants including shrubs, vines, succulents, grasses and ferns every 50-feet with a minimum height at maturity of 3 feet, shall be provided on the exterior side of the frontage wall.
- (iv) A minimum of 3 trees with a minimum 15 gallon container size and a minimum caliper of one inch at the planting (or the standard specified by the American Standard for Nursery Stock) shall be required for every 50-feet of the frontage lot line.
- (v) Trees shall be planted on the exterior side of the required frontage wall.
- (vi) Design and install of irrigation systems pursuant to Guidelines BB- Irrigation Specification of Section 12.41 B.2 of the LAMC.

(b) **Expiration.** The Ordinance shall expire upon the effective date of the adoption of a comprehensive update to the Wilmington-Harbor City Community Plan or other land use

regulatory controls which regulates Trucking-Related Uses within the Geographic Project Area.

- (c) **Definitions.** The following terms and phrases when used in this Subdivision 36., shall be construed as provided in the following definitions. The following definitions shall be limited to construing only this Subdivision.
- (1) **Electric Vehicle Charging Facility, Large Vehicles.** Any fueling station dedicated to providing electric vehicle charging for large vehicles. Large vehicles include vehicles possessing 3 or more axles, such as trailer trucks, construction vehicles, and motor homes. Electric Vehicle Charging Facility, Large Vehicle, does not include electric vehicle charging stalls within a parking area serving another use or uses;
 - (2) **Geographic Project Area.** Wilmington-Harbor City Community Plan Area, bounded by the following: Sepulveda Boulevard and Lomita Boulevard on the north, Alameda Street on the east, Western Avenue on the west, and the jurisdictional boundary with the Port of Los Angeles on the south (generally Harry Bridges Boulevard), except the industrial area east of Alameda Street and the Wilmington Industrial Park area generally located south of G Street, east of Quay Avenue, south of D Street and Lakme Avenue;
 - (3) **Sensitive Use.** Any use containing residential, medical centers, schools, or any open space and recreational uses shall be considered a Sensitive Use;
 - (4) **Truck Parking (Parking of Trucks).** A building, structure, or principal use of land used to park freight trucks, freight truck trailers, or the associated equipment/accessories, including, but not limited to, storage of chassis, container stackers, cranes, and forklift trucks;
 - (5) **Trucking-Related Uses.** Uses where a building, structure or principal use of land relates to the use, operation, service or storage of freight trucks and freight truck operations. Trucking-Related Uses include but are not limited to, Truck Parking, Truck Storage, Trucking Terminal, Trucking Yard, Electric Vehicle Charging Facility, Large Vehicle, and similar uses.
 - (6) **Truck Storage (Commercial Vehicle Storage).** A building, structure, or principal use of land used to store freight trucks, freight truck trailers, or the associated equipment/accessories, including, but not limited to, storage of chassis, container stackers, cranes, and forklift trucks;
 - (7) **Trucking Terminal.** A building, structure, or principal use of land where freight trucks dock to unload/ load and transport goods, and which may include the storage of freight trucks or truck trailers or associated equipment/accessories, including, but not limited to, chassis, container stackers, cranes, and forklift trucks;
 - (8) **Trucking Yard.** A building, structure or principal use of land used to store freight trucks, freight truck trailers or the associated equipment/ accessories including but not limited to chassis, container stackers, cranes, and forklift trucks and may include a maintenance yard.
- (d) Nothing in this Subsection is intended to allow any uses, not otherwise allowed under Chapter 1 or any ordinance adopted under Chapter 1. And nothing in this Subsection is

intended to prohibit any use not explicitly prohibited by this Subsection.

Sec. 2. Severability. If any section, subsection, sentence, clause, phrase, or application of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or application of the remaining sections, subsections, sentences, clauses, phrases or applications of this Ordinance, which shall remain in full force and effect. This adopted Ordinance and each and every section, subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional. The courts are hereby authorized to reform the provisions of this Ordinance in order to preserve the maximum permissible effect of each section, subsection, sentence, or clause herein.

Sec. 3. Urgency. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: permanent measures are needed for the immediate protection of residential areas from adverse impacts such as noise, dust, visual and air quality impacts, and increased truck traffic through residential streets caused by the establishment of trucking-related uses near residential neighborhoods. This ordinance will prevent potentially irreversible negative impacts on the community resulting from the expansion or establishment of additional Trucking-Related Uses. This ordinance is necessary to protect the public safety, health, and welfare of the Wilmington and Harbor City communities and prevent further impacts to them, pending adoption of the Community Plan Update. For all these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

FINDINGS

General Plan/ City Charter Findings

City Charter Section 556. In accordance with City Charter Section 556, the subject ordinance is in substantial conformance with the purposes, intent, and provisions of the City's General Plan, in that the ordinance seeks to improve the physical environment by imposing a prohibition on the issuance of all permits and certificate of occupancy associated with the establishment of new, or expansion of existing trucking-related uses, including but not limited to truck parking, truck storage, trucking terminal and trucking yard uses.

The Proposed Trucking-Related Uses Ordinance is consistent with the current Community Plan, in that it discourages incompatible and noxious industrial uses (i.e., freight trucks) near residential neighborhoods and sensitive uses as an effort to protect residents from air pollution, and adverse health and environmental impacts. In addition, the Proposed Ordinance supports cleaner uses like "Electric Vehicle Charging Facility, Large Vehicles" when distanced away from residential areas and buffered with landscaping. The Proposed Ordinance also supports industrial uses (i.e., truck parking and storage) in appropriate industrial areas east of Alameda Street and the Wilmington Industrial Park south of G Street, east of Quay Avenue, south of D Street and Lakme Avenue. These industrial areas are closer to the ports and freeway infrastructure. In particular, the Proposed Ordinance would further the intent and purpose of the following relevant goals and objectives of the current Community Plan:

Objective 1-3. Eliminate incompatible and non-conforming uses from existing residential neighborhoods, to preserve the residential character of these neighborhoods and protect residents from adverse environmental impacts caused by such uses.

Goal 3. Provide sufficient land for a variety of industrial uses with maximum employment opportunities which are safe for the environment and the workforce, and which have minimal adverse impact on adjacent residential uses.

Object 3-1. To provide locations for future industrial development and employment which are convenient to transportation facilities and compatible with surrounding land use.

This Proposed Ordinance is also consistent with the Wilmington-Harbor City Community Plan (Update), in that it will prohibit further establishment or expansion of trucking-related uses within the Plan Area, and thereby protect residential areas of the community from adverse health and environmental impacts caused by these uses, pending the solution to these problems. This is consistent with the numerous objectives and policies of the Community Plan to protect residential areas from negative impacts caused by nearby industrial uses.

City Charter Section 558. In accordance with City Charter Section 558, the Proposed Ordinance is in substantial conformance with public necessity, convenience, general welfare and good zoning practice in that it provides protections to the Wilmington and Harbor City communities by regulating

the establishment of new or expansion of existing trucking-related uses within the proposed Geographic Project Area until appropriate land use regulatory controls become effective.

The Proposed Ordinance is consistent with the intent of the General Plan and other plans in that it will further improve the physical environment of the Wilmington and Harbor City communities by imposing regulatory measures on the establishment of trucking-related uses. Program 18 of the General Plan Framework is to "amend the Zoning Ordinance to implement the policies and standards of the General Plan" and enacting regulations on the establishment of all trucking-related uses would help decrease the potential adverse impacts on the Wilmington-Harbor City Community Plan Area and would allow the Wilmington-Harbor City Community Plan Update to be finalized.

The Health and Wellness Element (Health Element) of the General Plan Goal 1 calls for "Los Angeles, [to be] a leader in health and equity." In addition, Objective 1.3 calls for the "promotion of healthy communities by focusing on prevention, interventions, and by addressing the root causes of health disparities and inequities in Los Angeles." This is further expanded upon by Objective 1.5 directing such intervention to utilize existing tools, practices, and programs to "improve Angelenos' health and well-being by incorporating a health perspective into land use, design, policy, and zoning decisions." The City strives for "an environment where life thrives" stated in Goal 5. Objective 5.1 calls for "reducing air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health." Objective 5.2 further supports the need for "reducing negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions." The subject uses create an environment that does not support the City's goals of health and equity. The proposed regulations of trucking-related uses prevents intensification of health disparities and inequities.

In order to achieve state and local objectives, allowance of EVCF for Large Vehicles in suitable industrial areas will encourage cleaner trucking-related uses and reduce air pollution. The Proposed Ordinance will exempt EVCF from the trucking-related use prohibition and include distancing and development standards. Distancing and development requirements ensure residents are protected from any potential impacts created by the EVCF use. The Proposed Ordinance is compliant with AB1236, which requires cities to develop a streamlined permitting process for EVCF charging installation. The Proposed Ordinance ensures regulations are in place to protect the communities that may see the high level of demand and increase of new EVCF infrastructure, due to the industrial areas close proximity to the Port of LA. Future amendments (CF 22-0120-S1) to the Electric Vehicle Charging Facilities use and definitions are anticipated through the Department's citywide Electric Vehicle Charging work program. The proposed regulatory measures are necessary to prevent further expansion until the Community Plan adoption is finalized.

The Housing Element (2021-2029) of the General Plan Goal 3 promotes "healthy, livable, and sustainable, and resilient communities" with Objective 3.2 which directs the City to "promote sense of place, promote health, foster community belonging, and promote racially and socially inclusive neighborhoods." This is further expanded upon by Policy 3.1.4 which calls for the City to "minimize exposure to features that may result in negative health or environmental impacts." The proposed regulations of trucking-related uses would allow the City to promote the above-stated goal, objective, and policy by continuing to guide growth and development that meets the needs of current and future

residents, including the ability to live in neighborhoods without trucking-related uses that have a demonstrated record of disrupting quality of life.

City Charter Section 253. In accordance with City Charter Section 253, the Proposed Ordinance contains an Urgency Clause for the immediate preservation of the public peace, health, and safety, and is effective upon publication. Permanent measures are needed for the immediate protection of residential areas from adverse impacts such as noise, dust, visual and air quality impacts, and increased truck traffic through residential streets caused by the establishment of trucking-related uses near residential neighborhoods. This ordinance will prevent potentially irreversible negative impacts on the community resulting from the expansion or establishment of additional Trucking-Related Uses. Many of these Trucking-Related Uses are currently located in areas adjoining residential areas, including public rights-of-way along residential streets. The Wilmington and Harbor City community have felt the burden of these impacts. The communities experience large drayage trucks driving at high rates of speed down residential streets and non-truck routes, with little regard for the safety of the community. Many of these Trucking-Related Uses are visually unattractive, involve trucks idling on public streets, and result in the unpermitted storage/stacking of cargo containers near residential areas. All of this creates negative safety, health and environmental impacts to the community far worse than previously experienced. In many instances, trucking operations spill over into the public right-of-way with trucks, containers and chassis parked on local streets, as well as on properties not approved for this type of use. Without these proposed regulations, these unpermitted activities will increase as additional trucking-related businesses are expanded or established. Without appropriate planning and policy measures this type of development could continue to undermine the objectives of the Wilmington-Harbor City Community Plan. This ordinance is necessary to protect the public safety, health, and welfare of the Wilmington and Harbor City communities and prevent further impacts to them, pending adoption of appropriate regulatory measures that regulate these uses. For all these reasons, Urgent implementation of this ordinance is necessary to prevent irreversible and incompatible development of many more subject uses that are inconsistent with the protection and enhancement of neighborhoods and would further impact public health and environmental conditions in the Wilmington and Harbor City communities.

California Environmental Quality Act (CEQA) Findings

The Proposed Ordinance consists of amendments to LAMC Chapter 1, Section 12.22 A (Exceptions). Amendments include regulations for trucking-related uses in the Wilmington-Harbor CPA. The Proposed Ordinance prohibits the issuance of all permits and certificates of occupancy associated with the establishment or the expansion of all trucking-related primary uses, including, but not limited to, truck parking, truck storage, trucking yard and trucking terminal on industrial zones in the Wilmington-Harbor CPA. The Proposed Ordinance provides an exemption to Electric Vehicle Charging Facility, Large Vehicle subject to development standards.

The Proposed Ordinance is consistent with CEQA Guidelines, Article 19, Section 15061(b)(3), Common Sense Exemption that “applies only to projects which have the potential for causing a significant effect on the environment.” Continuance of trucking-related uses will further expand the over concentration of trucking activities and impact the surrounding residents and adversely impact

the environment. The Proposed Ordinance does not increase environmental impacts, instead it reduces impacts that are caused by trucking activities.

Department of City Planning staff concludes the Proposed Ordinance is exempt from the California Environmental Quality Act of 1970 (CEQA), pursuant to Article 19, Section 15308, Class 8, “consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.”

State of California CEQA Guidelines, Article 19, Section 15308, Class 8 *“consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.”*

In anticipation of the ICO expiration and expected rise in demand for trucking-related uses due to port-related activities and goods movement, the proposed amendments will ensure necessary measures are in place to protect the environment and residents in Wilmington-Harbor CPA. The CPA is directly adjacent to the Ports of Los Angeles and Long Beach, where over the decades there has been a proliferation of trucking uses in the community. Wilmington and Harbor City experiences large drayage trucks driving at high rates of speed down residential streets and non-truck routes, with little regard for the safety of the community. Oftentimes, these trucking uses are visually unattractive, involve trucks idling on public streets, and result in the unpermitted storage/stacking of cargo containers near residential areas. All of this creates negative safety, health and environmental impacts to the community far worse than previously experienced prior to the pandemic at the Ports. In many instances, trucking operations spill over into the public right-of-way with trucks, containers and chassis parked on local streets, as well as on properties not approved for this type of use.

Without these amendments, the establishment of new or expansion of existing trucking-related uses could continue to impact the safety and environmental conditions of the residential and commercial areas in Wilmington and Harbor City resulting in potentially irreversible adverse impacts on the community. Thus, the use of Categorical Exemption Class 8 from the State CEQA Guidelines for the Proposed Ordinance is appropriate as the regulations placed upon the subject use is necessary for the protection of the environment and will prevent any further impacts associated with the establishment of such uses.