

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.