ORDINANCE NO. 188287

An ordinance to add Subdivision 36 to Subsection A of Section 12.22 of Article 2 of Chapter I 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 I 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 an 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) The facility is surrounded by 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

three (3) feet, shall be provided on the exterior side of the frontage wall.

(iv) A minimum of three (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 (adopted pursuant to 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 amendment to the City's Zoning Ordinance, which regulates Trucking-Related Uses within the Geographic Project Area.

(c) **Definitions.** The following terms and phrases shall be used to construe, and be limited to only construing, this Subdivision 36:

(1) **Electric Vehicle Charging Facility, Large Vehicles.** Any fueling station dedicated to providing electric vehicle charging for large vehicles. Large vehicles include vehicles possessing three (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.** The area of the Wilmington-Harbor City Community Plan, 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 (Harry Bridges Boulevard), except the industrial area east of Alameda Street and the Wilmington Industrial Park area located south of G Street, east of Quay Avenue, south of D Street and Lakme Avenue.

(3) **Sensitive Use.** A residential use, a medical use, a school use, or any open space and indoor/outdoor recreational uses, which include, but are not limited to, skate parks, playgrounds, gymnasiums, fitness centers, sports courts, and athletic fields.

(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. Trucking Terminal does not include commercial uses of land such as grocery or retail stores with loading docks.

(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 this Chapter or any ordinance adopted under this Chapter. And nothing in this Subsection is intended to prohibit any use not explicitly prohibited by this Subsection.

Sec. 2. Any project which has received a hardship exemption under Ordinance No. 187,552 prior to this ordinance becoming effective shall be exempt from the prohibition in Section 1.

Sec. 3. **SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that

any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 4. **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 as supported by the administrative record. 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. For all these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 5. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: One copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By _____
KATHRYN C. PHELAN
Deputy City Attorney

Date June 21, 2024

File No. 24-0555

M:\

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted.

Shana Bonstin
_____
VINCENT P. BERTONI, AICP
Director of Planning

Date June 21,2024

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

June 25, 2024

Ordinance Passed _____

Approved 06/26/2024

Ordinance Published: 07/01/2024
Ordinance Effective Date: 07/01/2024