



Legislation Details (With Text)

File #: 2017-206 **Version:** 1 **Name:**

Type: Discussion **Status:** Agenda Ready

File created: 3/20/2017 **In control:** City Council

On agenda: 4/4/2017 **Final action:**

Title: CONSIDER RESOLUTION NO. 17-047, AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1615U ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1615U TO ALLOW FILING AND PROCESSING OF PLANS AND PERMITS NECESSARY TO OPERATE A NEW LOGISTICS FACILITY ON SITE LOCATED AT 23610 BANNING BOULEVARD (CITY COUNCIL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit No. 1 - Ordinance No. 17-1615U, 2. Exhibit No. 2 - Letter from L. Ryan 3-23-17, 3. Exhibit No. 3 - RESO 17-047 Watson on Banning

Date	Ver.	Action By	Action	Result
4/4/2017	1	City Council		

Report to Mayor and City Council

Tuesday, April 04, 2017

Discussion

SUBJECT:

CONSIDER RESOLUTION NO. 17-047, AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1615U ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1615U TO ALLOW FILING AND PROCESSING OF PLANS AND PERMITS NECESSARY TO OPERATE A NEW LOGISTICS FACILITY ON SITE LOCATED AT 23610 BANNING BOULEVARD (CITY COUNCIL)

I. SUMMARY

On March 21, 2017, the City Council adopted Interim Urgency Ordinance No. 17-1615U for 45-day temporary moratorium on the establishment, expansion, or modification of truck yards, logistics facilities, hazardous materials or waste facilities, container storage, and container parking, (Exhibit No. 1). Section 6 of this Ordinance allows the City Council to make exceptions to the application of this Ordinance. On March 23, 2017, Mr. Lance Ryan, Executive Vice President/Chief Operating Officer of Watson Land Company filed a request to make an exception to this ordinance to allow filing and processing of all applicable

applications and/or permits necessary to allow a new tenant to move into the building, (Exhibit No. 2). The new tenant stores and distributes water dispensers, plywood, and general household goods. Hazardous material will not be stored on the site other than commonly used materials for cleaning and maintenance, batteries, fuels, and lubricants used in its equipment.

If the City Council determines to allow an exception pursuant to Section 6, such applications and/or permits may be filed and processed in accordance with the City's regulations and authority, and any other applicable laws, ordinances and regulations. Staff recommends adoption of Resolution No. 17-047 approving Watson Land Company's request, (Exhibit No. 3).

II. RECOMMENDATION

WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 17-047, "ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1615U ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1615U TO ALLOW FILING AND PROCESSING OF PLANS AND PERMITS NECESSARY TO OPERATE A NEW LOGISTICS FACILITY ON SITE LOCATED AT 23610 BANNING BOULEVARD."

III. ALTERNATIVES

TAKE such other action as the City Council deems appropriate, consistent with the requirements of the law.

IV. BACKGROUND

Section 6 of Ordinance No. 17-1615U states that the City Council may allow exceptions to the application of this Ordinance, if the City Council determines any of the provisions included in Section 6.A. 1 through 8 apply to the request. Staff has determined that provisions of Section 6.A.3. apply to this request. Section 6.A.3. of Interim Urgency Ordinance states:

"If an existing building is empty on the effective date of this Ordinance, or a tenant moves out of an existing building during the effective period of this Ordinance, and the property or facility owner wishes to have a new tenant or new use, provided the Council makes the following findings: the new use is permitted or conditionally permitted in the zone; the City Council deems the proposed new use or new tenant to be consistent with the purposes of this Ordinance and the General Plan; and the proposed new use or new tenant will not be in conflict with the contemplated general plan update, any specific plan or zoning code update that the City Council is considering or studying or intends to study."

Staff has determined the following for the said project:

- It is a permitted use in the Manufacturing Heavy (MH) zone;
- The new tenant is consistent with the purposes of this Ordinance and the

General Plan as the area is an existing industrial park and the property is zoned MH;

- The proposed new use or the new tenant will not be in conflict with the contemplated general plan update, any specific plan or zoning code update that the City Council is considering or studying or intends to study.

The permits and applications will be reviewed by staff when they are submitted to ensure compliance all applicable City codes.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. Ordinance No. 17-1615U. (pgs. 4-16)
2. Letter from Mr. Mr. Lance Ryan, dated March 23, 2017. (pg. 17)
3. Resolution No. 17-047. (pgs. 18-20)

Prepared by: Saied Naaseh, Planning Manager