

ORDINANCE NO. 2256

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING SECTION 10.44.080 (EFFECT OF PERMISSION TO LOAD OR UNLOAD) OF CHAPTER 10.44 (LOADING AND UNLOADING ZONES), OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE HAWTHORNE MUNICIPAL CODE, AND MAKING A FINDING THAT THIS AMENDMENT IS TO NOT A “PROJECT” IN COMPLIANCE WITH CEQA

WHEREAS, the Hawthorne Municipal Code limits loading and unloading activities at curbside loading zones to no more than 20 minutes; and

WHEREAS, the purpose of loading zone time limits is to ensure regular availability of loading zones for multiple commercial uses in the vicinity; and

WHEREAS, the nature of commercial deliveries has undergone considerable transition over the past two decades, and

WHEREAS, the demand for curbside loading zones is lower now that many retail and office businesses receive stock and supplies via third party delivery companies (i.e. FedEx, UPS) or online distributors (i.e. Amazon, Office Depot), which make multiple deliveries per day rather than scheduled regular deliveries of consolidated orders; and

WHEREAS, the delivery companies and online distributors make quick stops to deliver packages, and rarely use loading zones if it will leave the delivery vehicle pointed in a direction that is not toward their next delivery stop; and

WHEREAS, there are other businesses for which 20 minutes is not enough time to load and unload supplies; and

WHEREAS, many commercial locations do not have a loading zone on the property; and

WHEREAS, to accommodate such businesses, the City desires to have the flexibility to post longer loading times than just 20 minutes during certain times of the day; and

WHEREAS, the City endeavors to accommodate certain businesses that desire or need longer loading times where it will not create a hardship on other surrounding businesses; and

WHEREAS, the City Council of the City of Hawthorne wishes to now adopt this ordinance to permit the Public Works Director to ease loading time restrictions in specific designated curbside loading zones where it furthers the City’s objective to facilitate economic development.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAWTHORNE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Hawthorne hereby incorporates by reference all the recitals herein.

SECTION 2. Section 10.44.080 (Effect of Permission to Load or Unload), of Chapter 10.44 (Loading and Unloading Zones), of Title 10 (Vehicles and Traffic) of the City of Hawthorne Municipal Code is hereby amended as follows (additions underlined):

§ 10.44.080 Effect of Permission to Load or Unload.

- A. Permission herein granted to stop or stand a vehicle for purposes of loading or unloading of materials shall apply only to commercial vehicles and shall not extend beyond the time necessary therefor, and in no event for more than ~~twenty minutes~~ the posted time limit, or 20 minutes where a time limit is not posted, except as otherwise limited herein.
- B. The loading or unloading of materials shall apply only to commercial deliveries, also the delivery or pickup of express and parcel post packages and United States mail.
- C. Permission herein granted to stop or park for purposes of loading or unloading passengers shall include the loading or unloading of personal baggage, but shall not extend beyond the time necessary therefor and in no event for more than three minutes.
- D. Within the total time limits above-specified, the provisions of this section shall be enforced so as to accommodate necessary and reasonable loading or unloading but without permitting abuse of the privileges hereby granted.

SECTION 3. Any provision of the City of Hawthorne Municipal Code or appendices there inconsistent with the provisions of this Chapter, to the extent such inconsistencies and no further, are hereby repealed or modified to the extent necessary to affect the provisions of this Chapter.

SECTION 4. CEQA. The City Council hereby concurs with staff's determination and hereby finds that the adoption of this ordinance is a type of organizational activity involving the administration of the City that does not have the possibility to have a direct or indirect effect on the environment and is therefore exempt from review under the California Environmental Quality Act (CEQA), pursuant to Title 14, California Code of Regulations, Section 15379(b)(5). In addition, the actions taken by this ordinance are not a "project" under CEQA because the ordinance does not involve any commitment to a specific project, which may result in a potentially significant physical impact on the environment and is also exempt from CEQA pursuant to the "common sense" exemption because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Title 14, California Code of Regulations, Section 15061(b)(3).

SECTION 5. SEVERABILITY. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. CITY CLERK. The City Clerk shall attest to the adoption of this ordinance and shall cause this ordinance to be posted in the manner required by law.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect 30 days after passage thereof.

SECTION 8. Publication. The City Clerk is directed to forward a copy of this ordinance to General Code, LLC, 781 Elmgrove Road, Rochester, NY 14824.

PASSED, APPROVED AND ADOPTED this 22nd day of April, 2025.

ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:

DAYNA WILLIAMS-HUNTER, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM:

ROBERT KIM, City Attorney
City of Hawthorne, California