

Article X. Unclassified Uses.

Sec. 44-87. Generally.

All of the following, and all matters related thereto, are declared to be uses possessing characteristics of such unique and special form as to make impractical their being included automatically in any classes of use as set forth in the various classifications defined in this chapter, and the authority for the location and operation thereof shall be subject to and permitted only after first obtaining a conditional use permit in the manner prescribed in article XII of this chapter, and is required by this section.

All land use decisions made with regard to an application for a hazardous waste facility shall be consistent with the approved Los Angeles County hazardous waste management plan.

The uses referred to above in this section are as follows:

- (a) Airports, heliports and landing fields.
- (b) Repealed by Ord. No. 599.
- (c) Repealed by Ord. No. 599.
- (d) Repealed by Ord. No. 599.
- (e) Repealed by Ord. No. 599.
- (f) Establishments or enterprises involving large assemblages of people or automobiles as follows; except, that these uses are specifically excluded from all "R" zones:
  - (1) Amusement parks
  - (2) Boxing and wrestling arenas
  - (3) Circuses, carnivals or fairgrounds
  - (4) Golf driving ranges
  - (5) Labor camps
  - (6) Open-air theaters
  - (7) Race tracks and rodeos
  - (8) Stadiums
- (g) Hospitals and sanitariums; except, that they are specifically excluded from the "R-1", "C-M", "M-1," and "M-2" zones.
- (h) Institutions for treatment of alcoholics; except, that these uses are specifically excluded from the "R" zones and the "M-1" and "M-2" zones.
- (i) Repealed by Ord. No. 599.
- (j) Mental hospitals; except, that they are specifically excluded from the "R" zones and the "M-1" and "M-2" zones.
- (k) Repealed by Ord. No. 599.

- (l) Booster stations or transmission pipelines, or conversion plants with the necessary buildings, apparatus or appurtenances incident thereto of public utilities or utilities operated by mutual agencies; except, that these uses are specifically excluded from the "R-1" zones, but permitted in the "M-1" and "M-2" zones without review.
- (m) Radio or television transmitters, commercial.
- (n) Repealed by Ord. No. 599.
- (o) Animal hospitals, kennels and veterinary offices; except, that these uses are specifically excluded from the "R-1", "R-2", "R-3", "R-4" and "C-3" zones.
- (p) Repealed by Ord. No. 625.
- (q) Hazardous waste facilities (for purposes of this section the terms "Hazardous Waste Facility" shall be defined as set forth in California Health and Safety Code Section 25117.1.) subject to the following conditions:
  - (1) Any person, firm or corporation which stores, transports or otherwise handles hazardous waste shall apply for a Conditional Use Permit. Every application for a hazardous waste facility project shall be made in writing to the Director of Community Development and accompanied by a filing fee. The application shall include, but not be limited to the following information:
    - a. Name and address of the applicant.
    - b. Evidence that the applicant is the owner of the premises involved or that it has written permission of the owner to make such application.
    - c. A project analysis, plot plan, and development plan drawn in sufficient detail to clearly describe the following:
      - 1. Physical dimensions of the property and structures, both existing and proposed;
      - 2. Location of existing and proposed structures;
      - 3. Setbacks and landscaping;
      - 4. Parking and circulation;
      - 5. Ingress and egress;
      - 6. Drainage patterns;
      - 7. Storage and processing areas;
      - 8. Vicinity map which indicates, at a minimum, proximity of the project to schools, parks, and other community facilities;

9. Vicinity map which indicates proximity of the project to residential uses, hospitals, and other immobile populations;
10. The distance from the project property line to the nearest adjacent structures, and a description and location of such structures;
11. Proximity to flood and earthquake fault zones;
12. Topographic description of the property and surrounding area;
13. Preliminary geological study of the property and surrounding area which comprehends as deep of a soils analysis as there are known aquifers, regardless of the potability of those aquifers;
14. Proximity to all ground water supplies, rivers, and aquifers;
15. Existing and proposed utilities which service or will be required to service the facility;
16. Identification of all waste water, treated and untreated, generated by the proposed facility and the method and place of final discharge;
17. An analysis of visual, noise, and any olfactory impacts associated with the project and recommended mitigation measures;
18. An analysis of all anticipated air quality impacts associated with the project and proposed mitigation measures to ensure no degradation of air quality in the area;
19. Identification of any rare or endangered species of plant or animals within the project site and recommended impact mitigation measures;
20. Identification of the amounts (in tons), sources, and types of hazardous wastes to be treated, stored, or disposed of at the proposed facility; the ultimate disposition of the wastes, and anticipated life of the facility. This information shall be based on an actual survey of the industries to be served and, thereby, be representative of the wastes that will be processed at the facility;
21. A risk assessment which analyzes, in detail, all probabilities of accidents or spills at the site.

22. Emergency Response Plan which contains, at a minimum, the following information:
- (i) That the proposed plan is consistent with any and all applicable County and regional emergency response plans and all City, County, State and Federal regulatory requirements regarding emergency response procedure.
  - (ii) Detailed procedures to be employed at the time of emergency for each and every type of chemical substance and emergency, including contingency procedures.
  - (iii) Anticipated impacts on local fire, police, and medical services.
  - (iv) Names, home and business addresses, and home and business telephone numbers of all management personnel at the facility, if known, and a detailed description of uncontrolled release and emergency situation reporting procedures.
- (2) All applications for specified hazardous waste facility projects, as defined in Section 25199.1(m) of the California Health and Safety Code must follow the procedures set forth in Health and Safety Code Section 25199 et seq., Public Resources Code Section 21000-21177 and Government Code Section 65920 et seq.
- (3) All applications for hazardous waste facility projects which are not specified hazardous waste facility projects shall follow the procedures set forth herein, in addition to Public Resources Section 21000-21177 and Government Code Section 65920 et seq.
- (4) All hazardous waste facilities shall meet the following criteria:
- a. Hazardous waste facilities shall be permitted only in the M-2 (Heavy Industrial) zone. No facility shall be permitted within 2,000 feet of permanent residential structures, hospitals, or schools. A separation greater than 2,000 feet may be required if determined necessary by a risk assessment.
  - b. No hazardous waste facility shall be placed within 200 feet of any known active earthquake faults.
  - c. No hazardous waste facility shall be placed within 200 feet of a river, reservoir, supply well, or major aquifer recharge area.
  - d. No hazardous waste facility shall be constructed in any area identified as a flood hazard area.
  - e. All facilities shall locate in areas where fire departments are able to immediately respond to hazardous materials accidents and where demonstrated emergency response times are deemed acceptable by the Director of Public Safety and the local County Fire Department Official. In addition, hazardous materials accident response services at the facility may be required based on the type of wastes handled or the location of the facility.

- f. All facilities shall avoid locating in areas of potential rapid geologic change unless containment structures are designed, constructed, and maintained to preclude failure as a result of such changes.
  - g. Facilities generating waste waters shall be located in areas with adequate sewer capacity and treatment capability to accommodate the expected waste water discharge.
  - h. All facilities shall be prohibited in areas of recreation, cultural, or aesthetic value as determined by the Director of Community Development.
  - i. Facilities shall be located so that distance traveled on City streets is kept to a minimum, and any routes to and from state or interstate divided highways to or from the facility are used primarily by trucks and the number of nonindustrial structures (homes, hospitals, schools, etc.) along such routes is minimal.
- (5) Landscaped setbacks shall be required. The minimum setbacks shall be twenty feet for front yards, ten feet for side yards, and ten feet for rear yards. Landscape plans shall be subject to approval by the Director of Community Development.
  - (6) All hazardous waste facility shall erect a minimum ten foot decorative block fence along the perimeters of the property.
  - (7) Any hazardous waste facility shall comply with the provisions of the California Environmental Quality Act.
  - (8) Not later than one (1) month prior to a public hearing scheduled either by the City or the Governor's Office of Permit Assistance, the applicant shall provide three (3) sets of mailing labels indicating all property owners of record as shown on the latest County Equalized Assessment Roll that lie within a two thousand (2,000) foot radius of the boundary or land owned by the project applicant and three (3) sets of mailing labels indicating all residents, tenants, and businesses within a two thousand (2,000) foot radius of the boundary or land owned by the project applicant.
  - (9) Application filing fees shall be set by resolution of the City Council after consideration of all processing costs of such application, including overhead costs.
  - (10) Notwithstanding the provisions of Article XII of this chapter, after consideration of an application for a Hazardous Waste Facility, the Planning Commission shall recommend to the City Council approval of the application, or deny the application. If the action of the Planning Commission is for denial of the application, such Commission shall, within fourteen days from the date of adoption of its resolution, notify the applicant by forwarding a copy of the resolution to the address shown on the application. If the recommendation of the Planning Commission is for approval of the application, the Planning Commission, within fourteen days of rendering its decision, shall transmit to the City Council complete records of the case. Within sixty days following receipt of the record from the Planning Commission, the City Council shall conduct a duly advertised public hearing on the matter, public notice of which shall be given as provided in Article XIV. (Ord. Nos. 178, 261, 264, 328, 583, 599, 625, 781)

VERSION 10/2007

Sec. 44-88

Sec. 44-90

Sec. 44-88. Yards and open spaces.

The requirements for front and side yards and open spaces applicable to the particular zone in which any use regulated by this article is proposed to be located shall prevail unless in the findings and conditions recited in the resolution dealing with each matter specific exceptions or additions are made with respect thereto. (Ord. No. 178)

Sec. 44-89. Height, floor area and coverage.

The provisions and limitations applying to height, floor area and area coverage applicable to the particular zone in which any unclassified use is proposed to be located shall prevail, unless in the findings and conditions recited in the resolution dealing with each such matter specific exemptions or additions are made with respect thereto. (Ord. No. 178)

Sec. 44-90. Off-street parking and loading space.

The requirements for provision of off-street parking and loading space applicable to the particular use shall prevail for uses regulated by this article unless in the findings and conditions recited in the resolution dealing with each such matter specific exemptions or additional requirements are made with respect thereto. (Ord. No. 178)

(Ord. Nos. 178, 261, 264, 328, 583, 599, 625, 781)