PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☒ SUPPORT Project/Proposal

AGENDA ITEM # 1 Date 7-24-95

☐ OPPOSE Project/Proposal

Council File # 92 0846

Phone No. 818 768 1181

Name Nick Pavlich

Address 9100 Laurel Cyn

City Sun Valley Zip Code 91352

Representing Weedfree Organics

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # (1) Date 7/25/95

Council File # _____

Phone No. _____

Name Doug Walters

Address 12000 Vista Del Mar

City Playa Del Rey Zip Code 90293

Representing Bureau of Sanitation/Hyperion

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 1 Date 7/25/95

Council File # 92-0846

Phone No. 580-1073

Name Lupe Vela

Address Integrated Solid Waste Management Office

City Los Angeles, Rm 580 Zip Code 90012

Representing Bureau of Sanitation

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☑ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☑ SUPPORT Project/Proposal AGENDA ITEM # 1 Date 7/25/95

☐ OPPOSE Project/Proposal Council File # 92-0846

Phone No. 580-1073

Name Josephine Gonzalez

Address Env. Affairs Dept

City Zip Code

Representing EAD - LEA

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☑ SUPPORT Project/Proposal AGENDA ITEM # 1 Date 7/25/95

☐ OPPOSE Project/Proposal Council File # 92-0846

Phone No. 818-344-2320

Name David C. ISAAC

Address 17230 Knapp St.

City Northridge Zip Code 91325

Representing Re-Sets

☑ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

MEMORANDUM TO FILE

PLACE IN FILES

DEC 2 9 2005

DEPUTY

DATE: 12-21-05

COUNCIL FILE NO.: 92-0846

RE: EXPIRED COUNCIL FILE

This memorandum notes the expiration of the accompanying Council file/contents; the file is deemed terminated (received and filed) and the subject matter contained herein is closed. No other action is forthcoming.

Pursuant to Council action of September 13, 2005, all Council files pending before the City Council, which have not been placed on a Council or Committee agenda for consideration for a period of two years or more, are deemed received and filed (CF 05-0553). City Clerk, Council File Index Section: 213.978.1044

BARBARA GREAVES
Legislative Assistant

cc: Index Section

reports/cfexpire.wpd

FORM GEN 160 (REV. 6-80)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

- CORRECTED COPY -

DATE: **July 24, 1995**

TO: **MEMBERS OF PLANNING AND LAND USE MANAGEMENT COMMITTEE AND ENVIRONMENTAL QUALITY AND WASTE MANAGEMENT COMMITTEE**

FROM: **LUPE MA VELA, PROGRAM MANAGER**
INTEGRATED SOLID WASTE MANAGEMENT OFFICE
BUREAU OF SANITATION

RE: **COMMENTS ON ITEM 1: PROPOSED ORDINANCE CF 92-0846/CPC 92-0351 CA GREEN WASTE RECYCLING FACILITIES ALLOWED BY RIGHT IN M2 SUBJECT TO CERTAIN CONDITIONS**
(JULY 24, 1995 COMMITTEE MEETING, ROOM 340 CH, 1:00 P.M.)

The Integrated Solid Waste Management Office fully supports efforts to update the City's zoning code to incorporate siting requirements for green and wood recycling businesses. In 1990 green waste and wood waste represented 23.8 percent of the City's waste stream.

In order to meet the state-mandated AB939 goal of 50 percent diversion by 2000, City Council approved a market-based approach to stimulate local markets under the City's Source Reduction and Recycling Element. This proposed ordinance allowing green waste and wood recycling facilities by right under certain conditions is a positive step towards complying with the City's goals.

ISWMO supports the ordinance's intent as well as the majority of its contents with the exception of the following items that add unnecessary barriers to small businesses and reduces local competition:

- **Equipment**

Since M2 land is at a premium and the city's green waste roll out program is almost in full operation, local recyclers will be required to handle increasing volumes of feedstock in less space and within less time. Limiting equipment will add delays, increase transportation cost to rural areas, and discourage competition. **ISWM0 recommends deleting the phrase, "Not more than two tub grinders shall be located within any area of five acres or less."**

- **72 Hour Turnaround**

Proper composting requires attention to temperature, odor control, source separation of materials, and time for controlled biological decomposition. ISWMO recommends that the 72 hour limit be modified to one week in order to allow composting and curing facilities to produce an aged soil material. Suggested phrasing:

"All materials accepted at the facility shall be chipped and/or removed from the site within *one week* after chipping or grinding."

If you have any questions, please feel free to call me at 213-237-1444.

c: Delwin Biagi, BOS
Harry Sizemore, BOS
Josephine Gonzales, EAD

File: H\HOME\LUPE\GRNWTE.1 (WP51)

CITY OF LOS ANGELES
CALIFORNIA

CITY PLANNING COMMISSION

MARNA SCHNABEL
PRESIDENT
LES HAMASAKI
VICE-PRESIDENT
ROBERT L. SCOTT
SHELLY S. SUZUKI
ANTHONY N. R. ZAMORA

RAMONA HARO
SECRETARY

(213) 485-5071

RICHARD J. RIORDAN
MAYOR

DEPARTMENT OF
CITY PLANNING
ROOM 561, CITY HALL
200 N. SPRING ST.
LOS ANGELES, CA 90012-4801

CON HOWE
DIRECTOR
FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 237-1986
MELANIE S. FALLON
DEPUTY DIRECTOR
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 237-1818
FAX (213) 237-0552

March 8, 1995

Planning and Land Use
Management Committee,
and
Environmental Quality
and Waste Management
Committee
City of Los Angeles
Room 395, City Hall
Stop 160

Council File No. 92-0846
City Plan Case No. 92-0351 CA

Dear Committee Members:

THIS REPORT INCLUDES A PROPOSED ORDINANCE WHICH WOULD PERMIT UNENCLOSED WOOD CHIPPING AND GRINDING ACTIVITIES IN THE M2 ZONE SUBJECT TO CERTAIN CONDITIONS

Ordinance No. 170,054, relating to wood and green waste recycling operations, was adopted by the City Council on September 27, 1994, published on October 13, 1994, and became effective on November 12, 1994. This ordinance, which establishes definitions and performance standards for various wood and green waste recycling and mulching activities, permits wood chipping and grinding in the M2 Zone only within a wholly enclosed building. Open, unenclosed wood chipping or grinding requires conditional use permit approval from the Zoning Administrator, because of possible adverse impacts to surrounding properties, such as noise, dust, etc.

A motion (Chick-Bernson) was introduced on November 23, 1994 to amend the adopted ordinance to allow unenclosed wood chipping and grinding in the M2 Zone by right, subject to specific mitigating conditions. This motion was subsequently referred to staff by the Environmental Quality and Waste Management Committee on November 30, 1994, and the Planning and Land Use Management Committee on January 3, 1995. City Planning Department staff was instructed to, in cooperation with the Bureau of Sanitation and the Bureau of Street Maintenance, Street Tree Division, prepare a proposed ordinance with suitable performance standards and conditions to mitigate potential adverse impacts of the wood chipping and grinding operations.

14a

Recyclable and made from recycled waste.

The original ordinance was written to require conditional use approval from the Zoning Administrator for open, unenclosed wood chipping or grinding, because of adverse impacts caused by these activities, such as loud noise, dust and air pollution, objectionable odors, etc. Because many M2-zoned properties throughout the City are located in close proximity to residential neighborhoods and other sensitive land uses, there is concern that surrounding properties could be negatively impacted if these activities are not enclosed in a building, unless mitigating conditions suitable for the specific location are established through the conditional use process.

However, the City Council motion to permit unenclosed wood chipping and grinding in the M2 Zone by right, subject to a series of standard mitigating conditions, reflects a concern that the cost and uncertainty of the conditional use process could discourage some wood and green waste recycling businesses from locating within the City. Therefore, staff was instructed to reexamine the issue and draft a proposed ordinance to permit these uses in the M2 Zone, subject to standard conditions that would mitigate the potential adverse impacts as much as possible.

Pursuant to the request from the City Council committees, a series of meetings was held between staff of the City Planning Department, the Bureau of Sanitation, and the Bureau of Street Maintenance, Street Tree Division. Staff also visited a City wood and green waste recycling facility in Canoga Park, operated by the Street Tree Division. Through these meetings, and in consultation with the Department of Building and Safety, staff has modified the Code amendment proposed in the City Council motion into a proposed ordinance for discussion (Appendix A).

The proposed ordinance (Appendix A) permits open, unenclosed wood chipping and grinding activities in the M2 Zone, as proposed in the City Council motion, subject to a series of standard operating conditions or criteria. The conditions imposed are mostly from the original Council motion, but were partially modified through the series of meetings with the other City agencies. These conditions, as they are written in the proposed ordinance, are believed necessary by staff of all three City departments, to mitigate most of the adverse impacts that would be created by the wood chipping and grinding activities.

Staff added conditions to the proposed ordinance relating to noise and the types and quantity of equipment that can be used. Conditions previously existing in the amendment were modified or made more specific regarding dust control, odor control, vector control, landscaping, hours of operation, signage, and record keeping. Also, the proposed ordinance provides for annual inspections of the wood chipping and grinding businesses by the Department of Building and Safety to continue indefinitely, rather than ending after two years as originally proposed. In the proposed ordinance (Appendix A), conditions or portions

thereof which have been added or modified from the original City Council motion are shown in bold type.

Below is a chart summarizing the wood chipping and grinding uses that are permitted in the M2 Zone under the current Municipal Code and under the proposed new ordinance (Appendix A).

PERMITTED WOOD CHIPPING AND GRINDING USES IN THE M2 ZONE

	Within an Enclosed Building	Open, Unenclosed - Subject to Standard Conditions	Open, Unenclosed - Not In Compliance With Standard Cond
Under Current Municipal Code	Permitted	By Conditional Use to Z.A. Only (*1)	By Conditional Use to Z.A. Only
Under Proposed New Ordinance (Appendix A)	Permitted	Permitted	By Conditional Use to Z.A. Only

*1 - No standard conditions currently exist in the Municipal Code regarding unenclosed wood-chipping and grinding in the M2 Zone.

The Planning Department requests that a joint meeting of the Committees be scheduled as requested by the chairperson of the Environmental Quality and Waste Management Committee, so that this matter may be discussed and the Planning Department instructed accordingly.

Should you have any questions, please contact Cora Smith or Jeff Pool of the Code Studies Section at (213) 237-0117.

Very truly yours,

CON HOWE
Director of Planning

ROBERT JANOVICI
Chief Zoning Administrator

cc: Bureau of Sanitation
Bureau of Street Maintenance,
Street Tree Division
Planning Deputy: C.D. #3
C.D. #6
C.D. #11
C.D. #12
C.D. #14

RJ:JP:WCHIP2.DOC

Attachment

APPENDIX A

PROPOSED ORDINANCE FOR DISCUSSION

An ordinance amending Sections 12.19 A 15, 12.24 C 60, 47.13, 98.0402(e), and 111.05 of the Los Angeles Municipal Code, to permit unenclosed wood chipping and grinding activities in the M2 Zone, subject to certain conditions.

Section 1. Subdivision 15 of Subsection A of Section 12.19 of the Los Angeles Municipal Code is hereby amended to read:

15. Curing, composting and mulching facilities, including all accessory buildings, as well as chipping and grinding facilities when conducted ~~within a wholly enclosed building.~~ in accordance with the following requirements:

(a) Perimeter Fencing. An 8-foot fence or wall shall be erected around the entire perimeter of the site. Appropriate landscaping, **as described in Paragraph (j) of this Subdivision,** shall be required to provide visual screening.

(b) Setback Requirements. A minimum setback of 100 feet between the grinder and the property line shall be required. A setback of 500 feet between the grinder and non-industrial zones shall be maintained.

(c) Equipment. Not more than two grinders shall be located within any area of five acres or less. All fuel-powered equipment shall comply with all applicable standards of the Air Quality Management District. Only tub grinders equipped with safety covers, to prevent foreign materials from being accidentally propelled from the tub, shall be used.

(d) Dust Control. Dust control shall be implemented to prevent impacts on surrounding land uses and shall conform to all applicable requirements of the Air Quality Management District.

(e) Noise Control. Noise levels created by wood chipping and grinding activities shall comply with all applicable requirements of Chapter 11 of the Los Angeles Municipal Code. The maximum noise level at any property line of the site shall not exceed 70 decibels, except where a site adjoins any A or R Zone, where the maximum permitted noise level shall be 50 decibels, pursuant to Section 111.03 of the Los Angeles Municipal Code.

(f) Odor Control. All wood waste and/or green waste recycling uses must comply with all necessary public safety requirements of Section 57.08.01 through 57.08.13 of the Los Angeles Municipal Code. Such uses must not emit any odor or smell that is offensive to adjacent uses and must

further satisfy all necessary requirements as set forth by applicable state, county, and regional agencies. Odor control methods shall include: maintaining proper moisture content; non-usable residual wastes shall be kept in a covered container and shall not remain on-site for more than **72 hours** before proper disposal; contaminated feed stock (food wastes and garbage) shall not be accepted at the facility. **All materials accepted at the facility shall be chipped and/or ground within 72 hours of arrival on the site, and shall be removed from the site within 72 hours after chipping and/or grinding.**

(g) Vector Control. Vector control shall be implemented to prevent impacts on surrounding land uses. A licensed pest control company shall inspect and service the site **on at least a bi-weekly basis. A log of all such inspections shall be maintained, indicating the date and time of the inspection, the status of the premises, and any recommendations made by the inspector.**

(h) Adequate Drainage. Facilities shall maintain adequate drainage in a manner that prevents ponding on-site. All leachates shall be collected, controlled, disposed of with approvals from the appropriate City agency and the California Regional Water Quality Board or be re-used on the site.

(i) Stacking of Materials. Where, pursuant to subparagraph (a) above, the required wall or fence has been erected in an area which adjoins a street **or a non-industrial** zone, no material shall be stored within the enclosed area to a height greater than that of the perimeter wall or fence for a distance of up to 50 feet from such wall or fence, unless the wall or fence is 10 feet or more in height. When the wall or fence is 10 feet or more in height, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of 37 feet from such wall or fence. After the minimum setbacks of either 50 feet or 37 feet have been observed, materials may be stored over the height of such wall or fence up to a maximum of 40 feet.

(j) Landscaping. The property upon which any wood chipping or grinding facility is located shall be landscaped to a minimum distance of five feet, measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress. Further, the site shall be landscaped and maintained in a manner compatible with the surrounding community. **A landscape plan shall be submitted for review and approval by the Department of Public Works, Bureau of Street Maintenance, Street Tree Division, with the appropriate fees paid as required by Section 47.13 of the Los Angeles Municipal Code. A copy of the approved landscape plan shall be kept on the site. The**

Department of Building and Safety shall verify the proper maintenance of all landscaping during annual inspections, as required under Paragraph (n) of this Subdivision.

(k) Hours of Operation. Hours of operation shall not exceed 8 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 6 p.m., Saturday and Sunday.

(l) Signage. Signs displaying the name of the company and/or operator, address, hours of operation, and a telephone number shall be posted at or near the main entrance gate to the recycling facility at all times.

(m) Record Keeping. Accurate daily weight and/or volume records for incoming and outgoing material shall be maintained in a manner and form approved by the enforcement agency. These logs shall be available for review by the Department of Building and Safety during annual inspections.

(n) Annual Inspections. The Department of Building and Safety shall inspect the physical facilities of each wood chipping or grinding use authorized under this Subdivision at least once a year. An annual inspection fee as specified in Section 98.0402(e) of the Los Angeles Municipal Code shall be collected by the Department. An inspection may also be made whenever a complaint or referral is received by the Department concerning a violation of this

Los Angeles Municipal Code by any wood chipping or grinding facility authorized by this Subdivision.

Section 2. Subdivision 60 of Subsection C of Section 12.24 is hereby amended to read:

60. Chipping and grinding facilities in the M2 Zone where ~~such facilities are not conducted within a wholly enclosed building.~~ all requirements of Section 12.19 A 15 are not met.

Section 3. A new Section 47.13 of the Los Angeles Municipal Code is hereby added to read:

SECTION 47.13 LANDSCAPING REQUIRED FOR WOOD CHIPPING AND GRINDING FACILITIES

All wood chipping and grinding facilities existing in the M2 Zone pursuant to Section 12.19 A 15 of the Los Angeles Municipal Code shall be required to provide landscaping as specified below to mitigate visual impacts to the public and the surrounding community.

The property upon which any wood chipping and grinding facility is operated shall be landscaped to a minimum distance of five feet, measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress. Further, the site shall be landscaped and maintained in a manner compatible with the surrounding community.

A landscape plan shall be submitted for review and approval by the Department of Public Works, Bureau of Street Maintenance, Street Tree Division, prior to the establishment of any such facility in the M2 Zone. A fee of $175 shall be collected by the Street Tree Division for each landscape plan review.

Section 4. Section 98.0402(e) of the Los Angeles Municipal Code is hereby amended to add a new fee as follows:

ANNUAL INSPECTION OF WOOD CHIPPING AND GRINDING FACILITY PER SECTION 12.19 A 15(n)	**$200**

Section 5. Paragraph (a) of Section 111.05 of the Los Angeles Municipal Code is hereby amended to read:

(a) The Department of Building and Safety shall have the power and duty to enforce the following noise control provisions of this Code: Section 12.14 A 6(h), Section 12.19 A 4(b)(1), **Section 12.19 A 15(e),** and Section 112.02.

WOODCHIP.doc

3/8/95

PLANNING AND LAND USE MANAGEMENT COMMITTEE

TUESDAY - JANUARY 3, 1995

1:00 P.M. - COUNCIL CHAMBER - ROOM 340 - LOS ANGELES CITY HALL

MEMBERS: COUNCILMEMBER HAL BERNSON, Chairperson
COUNCILMEMBER LAURA CHICK
COUNCILMEMBER RICHARD ALATORRE

Barbara A. Greaves - Legislative Assistant I - 485-5733

FILE NO. | SUBJECT

(1)

92-0846
CPC 92-0351 CA

CONT. FROM 12-6-94 - REFERRED BACK FROM CCL. 11-23-94
Amending Motion (Chick-Bernson) that Ccl. amend Subsection A of Section 12.19 of the L.A.M.C. by adding a new Subdivision 15 and amend Subsection C of Section 12.24 by adding Subdivision 60 as stated in Motion attached to Council file regarding the establishment of definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such material in certain zones, either by right or through conditional use.
(Also referred to Environmental Quality & Waste Management Committee)

DISPOSITION Hold in Cmte → Refer to Plan Staff for report

(2)

94-1811

CONT. FROM 11-15 & 12-6-94
Motion (Goldberg-Bernson) that City Atty. in cooperation with City Engineer be instructed to prepare an ordinance amending Section 67.02 of L.A.M.C. to allow advertising signs in a required dedication under a Revocable Permit issued by City Engineer. Such advertising shall observe all Americans with Disabilities Act (A.D.A.), visibility and safety regulations.

DISPOSITION _____

(3)

94-2093
CPC 94-0120 CA

City Atty. & City Plan. Comsn. transmit draft of ordinance to permit General Plan Boundary determinations without General Plan Amendment procedures.
(Comsn. Vote: 5-0) Cat. Ex.

DISPOSITION _____

FILE NO.	SUBJECT
	(4)
92-0832-S57 CPC 94-0128 IRPO CD 8	City Atty. & City Plan. Comsn. transmit draft of Interim Revitalization Plan Ordinance (IRPO) establishing interim regulations for the issuance of building & demolition permits for certain projects in commercial & industrial areas bounded by Crenshaw, Broadway/Manchester, Vermont/Manchester & Western Corridor CRA Recover Areas, within the Eighth Council District. (Comsn. Vote: 4-0) Cat. Ex.
	DISPOSITION
	(5)
93-0546 CPCs 91-0236 ZC 91-0237 HD CD 5	City Plan. Comsn. transmits zone & height district change from 2-D/1LD/1VL to 1VL for portions of Beverly Blvd., 3rd St., Fairfax Ave., La Cienega Blvd. & La Brea Ave. Applicant: Council's Own Initiative (Comsn. Vote: 4-0) Neg. Dec.
	DISPOSITION
	(6)
90-1156-S16 CPC 94-0318 CD 6	Request for hardship exemption pursuant to Section 14 of Ord. No. 169,239 (Venice Coastal Interim Control) for the proposed construction of a single-family home which surpasses the height restrictions in the existing RD1.5 Zone (height limitation of 30 feet) for the property located at 2811 Ocean Front Walk, within the Venice Planning area. Applicant: Stephen Snipper Cat. Ex.
	DISPOSITION
	(7)
94-1516 CPC 93-0439 AD CD 15	**CONT. FROM 10-4 & 10-18-94** City Plan. Comsn. transmits request for disapproval of detachment of the Gardena High School and Dept. of Water & Power sites located at the NE & SE corners of Normandie Ave. & 182nd St. (Comsn. Vote: 4-0) Cat. Ex.
	DISPOSITION **TO BE CONTINUED TO FEBRUARY 7, 1995**

- - - - -

FILE NO. SUBJECT

(4)

92-0846
CPC 92-0351 CA

REFERRED BACK FROM CCL. 11-23-94
Amending Motion (Chick-Bernson) that Ccl. amend Subsection A of Section 12.19 of the L.A.M.C. by adding a new Subdivision 15 and amend Subsection C of Section 12.24 by adding Subdivision 60 as stated in Motion attached to Council file regarding the establishment of definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such material in certain zones, either by right or through conditional use.
(Also referred to Environmental Quality & Waste Management Committee)

DISPOSITION CONT. JAN. 3rd

- - - - -

*** REVOCATION APPEALS ***
(Items 5-6)

(5)

94-1855
BZA 5016
ZA 94-0181 RV
CD 4

TIME LIMIT FILE - 1-1-95 - SCHEDULED IN CCL. 12-14-94
Appeal by Jess Underberg, property owner, from the entire determination of the Board of Zoning Appeals in sustaining the decision of the Zoning Administrator pursuant to Municipal Code Section 12.21-A.15 (discontinuance of a nuisance commercial use), the past operation of a recycling facility (dba Hollywood Recycling located at 711-717 Cahuenga Boulevard) in the CM-1VL Zone, has constituted a public nuisance, has resulted in repeated nuisance activities and has endangered the safety of persons residing in the surrounding area. The Zoning Administrator's action imposed corrective conditions.
Applicant: City of Los Angeles
(Office of Zoning Administration)
(Bd. Vote: 4-0) Cat. Ex.

DISPOSITION

PLANNING AND LAND USE MANAGEMENT COMMITTEE

TUESDAY - DECEMBER 6, 1994

1:00 P.M. - COUNCIL CHAMBER - ROOM 340 - LOS ANGELES CITY HALL

MEMBERS: COUNCILMEMBER HAL BERNSON, Chairperson
COUNCILMEMBER LAURA CHICK
COUNCILMEMBER RICHARD ALATORRE

* REVOCATION APPEALS - ITEMS 5-6 *
** PARCEL MAP APPEAL - ITEM 7 **

Barbara A. Greaves - Legislative Assistant I - 485-5733

FILE NO.	SUBJECT
	(1)
90-1682 CPC 91-0209 ICO CD 11	City Atty. & Dir. of Plan. transmits draft Ordinance providing interim regulations on the issuance of building permits for the construction of multi-family residential buildings in excess of certain height and bulk regulations on residentially zoned lots in the Brentwood-Pacific Palisades District Plan area. Gen. Ex.
	DISPOSITION_____
	(2)
94-0685	**CONT. FROM 5-24 & 9-27-94 -** **RE: MOTION (CHICK-BERNSON-BRAUDE)** Dir. of Plan. transmit recommendations for integrating techniques of "Crime Prevention Through Environmental Design (CPTED). **(Also referred to Public Safety Committee)**
	DISPOSITION_____
	(3)
94-1811	**CONT. FROM 11-15-94** Motion (Goldberg-Bernson) that City Atty. in cooperation with City Engineer be instructed to prepare an ordinance amending Section 67.02 of L.A.M.C. to allow advertising signs in a required dedication under a Revocable Permit issued by City Engineer. Such advertising shall observe all Americans with Disabilities Act (A.D.A.), visibility and safety regulations.
	DISPOSITION_____

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries relative to this matter refer to File No.

92-0846
(file transmitted)

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

November 30, 1994

Honorable Hal Bernson
Chair, Planning and Land Use Management Committee
Room 237, City Hall

Dear Councilmember Bernson:

At its meeting of November 30, 1994, the Environmental Quality and Waste Management Committee considered the Amending Motion (Chick-Bernson) that Council amend Subsection A of Section 12.19 of the L.A.M.C. by adding a new Subdivision 15 and amend Subsection C of Section 12.24 by adding Subdivision 60 as stated in Motion regarding the establishment of definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such material in certain zones, either by right or through conditional use.

The Committee recommended that the Planning Department, with the assistance of the City Administrative Officer, revisit this matter and report back in approximately 60 days with recommendations relative to what type of ordinance is recommended in order to ensure a balance of recycling and land-use issues. Basically, the Committee requested that the Planning department look at ways that business development could be stimulated and City recycling goals could be met while continuing to meet the Planning Department's overall mandates.

In accordance with dual referral procedures, the subject Council file is hereby transmitted to your Committee.

Respectfully yours,

Konrad Carter

Konrad Carter
Legislative Assistant
Environmental Quality and Waste Management Committee

cc: Councilmember Chick
Attn: Diana Brueggemann
memoplum

14

Recyclable and made from recycled waste.

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries relative to this matter refer to File No.

92-0846

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

7

Environmental Quality and Waste Management
Committee Clerk (with file)
Planning and Land Use Management Committee Clerk

RE: ESTABLISHING THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES, EITHER BY RIGHT OR THROUGH CONDITIONAL USE

At the meeting of the Council held November 22, 1994, the attached Motion (Chick - Bernson) was referred to the Planning and Land Use Management Committee for consideration. At its meeting of November 23, 1994, the Council reconsidered said motion and referred it to the Environmental Quality and Waste Management and Planning and Land Use Management Committees for consideration.

Elias Martinez

City Clerk
bs

steno\920846

Recyclable and made from recycled waste.

NOV 22 1994 - REFERRED BACK TO PLUM COMTE

NOV 23 1994 - Reconsidered - REFERRED to PLUM & EQWM Comts.

92-0846

EQWM Comt Clk (w/file)
PLUM Comt Clk

RE: ESTABLISHING THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES, EITHER BY RIGHT OR THROUGH CONDITIONAL USE

at the mtg of the ccl held 11-22-94, the attached Mo (chick-bernson) was referred to the PLUM Comt for consideration. at its mtg of 11-23-94, the ccl reconsidered said mo and referred it to the EQWM & PLUM Comts for consideration.

MOTION

284

The City Council is considering an ordinance that would update the City's Zoning Code to address the recycling of green and wood materials. Overall, the ordinance represents a balanced approach to a pressing recycling and land-use issue. However, the ordinance needs fine-tuning in one area. As proposed, this ordinance would require chipping and grinding operations in an M2 zone to go through a costly and expensive conditional use permit procedure unless they are enclosed within a structure.

Four City agencies -- the Integrated Solid Waste Management Office, the Bureau of Sanitation, the Environmental Affairs Department, and the Mayor's Office of Economic Development -- have all expressed concern that this requirement may impede establishment of green and wood recycling facilities in the M2 zone.

At the Planning and Land Use Management Committee hearing on this ordinance in May, several private sector representatives and environmental organizations also expressed concern about the ordinance's requirements for chipping and grinding in the M2 zone. In order to meet the mandates of AB 939, the City must encourage green and wood recycling businesses. Yet, because the size and nature of these operations makes it infeasible to enclose these operations in a building, the ordinance in effect requires a CUP for all green and wood chipping in the M2 zone.

I, THEREFORE, MOVE that the City Council amend Subsection A of Section 12.19 of the Los Angeles Municipal Code by adding a new Subdivision 15 and amend Subsection C of Section 12.24 by adding Subdivision 60 thereto to read:

Sec. 2.

15. Curing, composting and mulching facilities, including all accessory buildings, as well as chipping and grinding facilities when these chipping and grinding facilities are conducted in accordance with the limitations hereafter specified:

a. Perimeter fencing - An 8-foot fence or wall shall be erected around the entire perimeter of the site. If a chain link fence is used, appropriate landscaping shall be required to provide visual screening. If this condition is not met, the initiation of the CUP process shall be required.

b. Setback Requirements - A minimum setback of 100 feet between the grinder and the property line shall be required. A setback of 500 feet between the grinder and non-industrial zones shall be maintained. If these conditions are not met, initiation of the CUP process shall be required.

c. Dust Control - Dust control shall be implemented to prevent impacts on surrounding land uses.

d. Odor Control - All wood waste and/or green waste recycling uses must comply with all necessary public safety requirements of Section 57.08.01 through 57.08.13 of the Los Angeles Municipal Code. Such uses must not emit any odor or smell that is offensive to adjacent uses and must further satisfy all necessary requirements as set forth by applicable state, county, and regional agencies. Odor control shall be implemented to prevent impacts on surrounding land uses. Odor control methods shall include: maintaining proper moisture content; non-usable residual wastes shall be kept in a covered container and shall not remain on site for more than 1 week before proper disposal; contaminated feed stock (food wastes and garbage) shall not be accepted at the facility. Chipping operations must remove processed and unprocessed materials from the site in a timely manner in order to prevent composting.

-- more --

e. Vector Control - Vector control shall be implemented to prevent impacts on surrounding land uses. A licensed pest control company should inspect and service the site on a regular basis.

f. Adequate Drainage - Facilities shall maintain adequate drainage in a manner that prevents permanent ponding on site. All leachates shall be collected, controlled, disposed of with approvals from the appropriate City agency and the California Regional Water Quality Board or be re-used on site.

g. Aesthetics - The site shall be landscaped and maintained in a manner compatible with the surrounding community. Where, pursuant to subparagraph (a) above, the required wall or fence has been erected in an area which adjoins a street, no material shall be stored within the enclosed area to height greater than that of the perimeter wall or fence for a distance of up to 50 feet from such wall or fence, unless the height of the wall or fence is 10 feet or more. When the height of the wall or fence is 10 feet or more, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of 37 feet from such wall or fence. After the minimum setbacks of either 50 feet or 37 feet have been observed, materials may be stored over the height of such wall or fence up to a maximum of 40 feet.

h. Landscaping - The property upon which any use enumerated in this Subdivision is conducted shall be landscaped to a minimum distance of five feet measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress.

i. Hours of Operation - Hours of operation shall be tailored to and be compatible with adjoining uses.

j. Signage - Signs displaying the name of the company and/or operator, address and hours of operation shall be posted at or near the main entrance gate to the recycling facility at all times.

k. Record Keeping - Accurate daily weight and/or volume records for incoming and outgoing materials shall be maintained in a manner and form approved by the enforcement agency. A log of special occurrences and a log of complaints should also be kept on a regular basis.

l. Monitoring Program - The Department of Building and Safety shall enforce the conditions listed in this ordinance by means of annual inspections for the first two years of operation, with inspection fees to cover the costs of inspection. At the end of the first two years, inspections at a facility will cease unless complaints have been registered regarding the facility's operations.

Sec. 3

60. Chipping and grinding facilities in the M2 zone where the requirements in Section 12.19, Subsection A, paragraph 15 are not met.

PRESENTED BY: Laura Chick
LAURA CHICK, Councilmember, Third District

SECONDED BY:

September 20, 1994

SEP 20 1994 - Continued to NOV. 22, 1994
& IN THE INTERIM REFERRED TO PLUM COMTE

FILE NO. 92-0846

TO THE COUNCIL OF THE CITY OF LOS ANGELES

Your PLANNING AND LAND USE MANAGEMENT Committee

reports as follows:

PUBLIC COMMENTS: YES

GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE to establish the recycling of green and wood waste materials in certain zones, either by right or through conditional use.

Recommendations for Council action:

1. FIND that this action is generally exempt from CEQA pursuant to Article III, Section 2(m) of the City's Guidelines.

2. ADOPT FINDINGS of the City Planning Commission.

3. PRESENT and ADOPT accompanying ORDINANCE, approved by the Director of Planning, amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish the recycling of green and wood waste materials in certain zones either by right or through conditional use. (Ordinance reviewed by the Department of Building and Safety and the Integrated Solid Waste Management Office of the Department of Public Works)

   The proposed ordinance will clarify the legal status of wood and green waste recycling, which is not specifically regulated by the Municipal Code at present, leaving its status open to interpretation. Adoption of the ordinance would result in all of the currently existing wood and green waste recycling businesses within the City to have legally-existing status.

   [Note: There are currently ten (10) such businesses. All of them are legally existing. Six (6) of them are located in the M-3 Zone; three (3) are in the M-2 Zone; one has been granted a variance.]

CPC 92-0351 CA

SUMMARY

On May 24, 1994 the Planning and Land Use Management Committee held 1 1/2 hour hearing regarding an ordinance transmitted by the City Attorney and Director of Planning amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish the recycling of green and wood waste materials in certain zones either by right or through conditional use.

The provisions of said ordinance were described by staff members of the City Planning Department, Mayor's Office, Integrated Solid Waste Management Office - Board of Public Works, the Environmental Affairs Department and Biosolids Management - Bureau of Sanitation.

FILE NO. 92-0846

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PLANNING AND LAND USE MANAGEMENT Committee

reports as follows:

Seven interested persons including industry representatives (Natural Resources Defense Council; Landfill Alternatives Save Environmental Resources; and Green Waste Recyclers), supported or partially supported the ordinance. Photos were submitted. Concerns were expressed regarding some of the restrictive conditions in said ordinance which could effect the possible closing of small businesses, a requirement for enclosed buildings, unnecessary use of the conditional use procedure and some language ambiguity in the ordinance. They suggested the performance standards be established for such operations.

Following further discussion, the Chairperson of the Committee felt that existing businesses which are operating legally and causing no problems should be grandfathered in the ordinance and that said ordinance be adopted as soon as possible. Amendments could then be considered later. A motion was introduced to amend the ordinance to grant legally-existing status to all existing wood and green waste operations which have not generated complaints from the community.

The Vice Chair of the Committee felt that a staff level meeting should be held in early June for additional input with the industry/interested persons to review some of the concerns raised during their testimony, and therefore she requested an approximate one month delay. Comments expressed by the Director of the Integrated Management Office suggesting changes to the policies set forth in the ordinance could be considered at the same time.

Subsequently, the City Planning Department held a meeting between several different City departments and private operators; a report dated June 9, 1994 was prepared and submitted to the Committee. In a follow-up response requested by the P&LUM Committee, the City Planning Department prepared a new report dated August 24, 1994 containing the results of research by City Planning Department staff regarding the zoning and legal status of existing wood and green waste recycling operations in the City of Los Angeles.

The ordinance will also allow flexible regulation to encourage wood and green waste recycling as much as possible, while preventing adverse impacts to residential properties from the recycling operations.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

Hal Bernson

Laura Chick

AE1:ys
9-6-94
Enc: CPC 92-0351 CA
Ordinance

ORD
ADOPTED
SEP 27 1994
LOS ANGELES CITY COUNCIL

DEPT & FINDINGS
ADOPTED
SEP 20 1994
LOS ANGELES CITY COUNCIL

GEN EXEMPT APPROVED
SEPT. 27, 1994

#920846

ORD IN ADDITION AMENDING MD CONT. TO NOV. 22, 1994

AGENDA NO. 28 YES: 11 NO: 0 ABS: 4 09/20/94 TIME: 11 44 07

BERNSON.....YES	CHICK.....YES	GALANTER.....YES	GOLDBERG.....YES
HERNANDEZ....YES	HOLDEN.....YES	RIDLEY-THOMASYES	SVORINICH....YES
WACHS.....YES	YAROSLAVSKY..YES	FERRARO.....YES	ALARCON.....ABS
ALATORRE.....ABS	BRAUDE.....ABS	WALTERS.....ABS	

REPT & FINDINGS ADOPTED - GEN EXEMPT APPROVED - ORD OVER ONE WEEK TO SEPT. 27, 1994 - IN ADDITION AMENDING MO. CONT. TO 11-22-94 W IN THE INTERIM

REFERRED TO PLUM COMTE

ORD ADOPTED

AGENDA NO. 9-11 YES: 12 NO: 0 ABS: 3 09/27/94 TIME: 10 50 25

ALARCON.....YES	BERNSON.....YES	BRAUDE.....YES	CHICK.....YES
GALANTER.....YES	GOLDBERG.....YES	HERNANDEZ....YES	RIDLEY-THOMASYES
SVORINICH....YES	WACHS.....YES	YAROSLAVSKY..YES	FERRARO.....YES
ALATORRE.....ABS	HOLDEN.....ABS	WALTERS.....ABS	

PLANNING AND LAND USE MANAGEMENT COMMITTEE

SUGGESTED NOTIFICATION OF COUNCIL ACTION

Council File No. 92-0846

____	Applicant/Appellant/Owner	Representative
____	_____	_____
	_____	_____
	_____	_____
	_____	_____

____ Council Member(s) _____

____ Planning Commission (w/file)

✓ Director of Planning

____ Board of Zoning Appeals
(all BZA & ZA cases)

✓ Office of Zoning Administration
(all BZA & ZA cases)

____ Planning Department - PPR Unit
(window cases)

✓ Planning Dept. - Neighborhood Planning Section
(specific plans, ICOs, plan amendments)

____ Advisory Agency, Room 655
(TR & PM map appeals)

____ Department of Telecommunications
(all zoning cases)

____ Bureau of Engineering, Land Development & Mapping Division
Attn: Louie Yamanishi (generally most cases)

____ Department of Transportation, Traffic/Planning Sections
(generally most cases)

✓ Department of Building & Safety c/o Zoning Coordinator
(all zoning & BL cases)

____ Bureau of Street Lighting, "B" Permit Section
(all zoning cases)

____ Water and Power Department

✓ Fire Department
(all zoning & hillside cases)

✓ Police Department
(beer & wine, adult entertainment & similar cases)

____ Community Development Department

✓ City Attorney, Attn: Marjorie Hamano Currier

____ City Administrative Officer

✓ Office of the Mayor (w/file) 9 ORD

✓ Dept Public Works - Integrated Solid Waste Mgmt. Office, Attn: Joan Edwards, Dir.

✓ Environmental Affairs Dept.

✓ Bur. of Sanitation - Biosolids Mgmt., Attn: Ray Kearney, Manager

____ _____

See Sheet attached

CITY OF LOS ANGELES
CALIFORNIA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries relative to this matter refer to File No.
92-0846

RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

FILED

OCT 20 1994

ELIAS MARTINEZ, City Clerk
By _____, Deputy

92-0351-CA

RETD. PLAN

October 14, 1994

(For additional notifications see file)

Director of Planning
Office of Zoning Administration
Planning Department,
Neighborhood Planning Section
Department of Building and Safety
c/o Zoning Administrator
Fire Department
Police Department

City Attorney,
Attn: Marjorie Hamano Currier
Department of Public Works,
Integrated Solid Waste Mgmt Office
Attn: Joan Edwards, Director
Environmental Affairs Department
Bureau of Sanitation, Biosolids Mgmt
Attn: Ray Kearney, Manager

RE: ESTABLISHING DEFINITIONS OF TERMS RELATING TO THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS AND TO PROVIDE FOR THE RECYCLING OF SUCH MATERIAL IN CERTAIN ZONES, EITHER BY RIGHT OR THROUGH CONDITIONAL USE

At the meetings of the Council held **September 20 and 27, 1994,** the following actions were taken:

Attached report adopted	09-20-94
" motion " ( )	
" resolution " ( )	
Ordinance adopted	09-27-94
Ordinance Number	170054
Publication date	10-13-94
Effective date	11-13-94
Mayor approved	10-07-94
Mayor failed to act - deemed approved	
Findings adopted	09-20-94
Negative Declaration adopted	
Categorically exempt	
Generally exempt	09-20-94
EIR certified	
Tract map approved for filing with the County Recorder	
Parcel map approved for filing with the County Recorder	
Bond approved is No. _____ of Contract	
Agreement mentioned therein is/are No. _____ of contracts	

Elias Martinez

City Clerk
mr

Recyclable and made from recycled waste.

Mayor's Time Stamp

RECEIVED
'94 OCT -3 P2:33

TIME LIMIT FILES
ORDINANCES

City Clerk's Time Stamp

FILED
CITY CLERK'S OFFICE
'94 OCT -3 P2:29
CITY CLERK
BY
DEPUTY

COUNCIL FILE NUMBER 92-0846 COUNCIL DISTRICT

COUNCIL APPROVAL DATE September 27, 1994 LAST DAY FOR MAYOR TO ACT 10-13-94

ORDINANCE TYPE: __ Ord of Intent __ Zoning __Personnel __ General

__ Improvement X LAMC __ LAAC __ CU or Var Appeals - CPC No 92-0351 CA

SUBJECT MATTER: Amending Sections 12.03, 12.19 and 12.24 to establish definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such materials in certain zones either by right or through conditional use.

RECOMMENDATIONS:	APPROVED	DISAPPROVED
PLANNING COMMISSION	X	
DIRECTOR OF PLANNING	X	
CITY ATTORNEY	X	
CITY ADMINISTRATIVE OFFICER		
PLANNING AND LAND USE MANAGEMENT COMMITTEE	X	

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO: 10-7-94

*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 29

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR 10-11-94 ORDINANCE NO. 170054

DATE PUBLISHED 10-13-94 DATE POSTED EFFECTIVE DATE 11-13-94

ORD OF INTENT: HEARING DATE ASSESSMENT CONFIRMATION

shells\ordtime

ORDINANCE NO. 170054

An ordinance amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such materials in certain zones either by right or through conditional use.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. Section 12.03 of the Los Angeles Municipal Code is hereby amended by adding the following definitions in proper alphabetical sequence to read:

AGRICULTURAL WASTE. All plant materials generated from the growing and harvesting of agricultural crops, vegetables and fruits.

CHIPPING/GRINDING FACILITY. Any facility which temporarily stores and/or processes source-separated green waste and/or wood waste by means of chipping, grinding, mixing and/or screening to produce a material of varying particle size. The material produced by the above described processes may be used as ground cover, biofuel, wood chips, animal bedding, worm food or other similar uses. This definition shall not include any chipping and/or grinding of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

COMPOSTING FACILITY. Any facility which processes source-separated organic materials to a stabilized state through controlled biological decomposition where the resultant material is beneficial to plant growth or soil structure when used as a soil amendment. Materials may initially be chipped, shredded, and/or screened on site prior to being composted. Composting may be conducted in an in-vessel system or in the open, such as windrow composting or aerated static pile composting. This definition shall not include any composting of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

CURING FACILITY. Any composting facility, as defined by this Code, where additional and/or final biological stabilization is attained after most of the readily metabolized material has been decomposed, and where no chipping, grinding, or screening of material takes place. This definition shall not include any curing of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

GREEN WASTES. All yard trimmings and/or leaves, grass clippings, agricultural wastes and vegetative landscaping materials generated from the maintenance of yards, parks or other similar facilities.

IN-VESSEL COMPOSTING. A process in which compostable material is enclosed in a drum, silo or similar structure where the environmental conditions are controlled and the compostable material is aerated and mechanically agitated. This process allows for accelerated decomposition.

LEACHATES. Any liquid which has come into contact with or percolated through composting or curing materials and contains extracted or dissolved substances therefrom, or any other liquid which has been generated by the decomposition process.

MULCH. A woody vegetative material used as a nonnutritive ground cover to control erosion, improve water retention and retard weed growth.

MULCHING FACILITY. Any facility which receives, temporarily stores and processes primarily source-separated carbonaceous wood waste and/or yard trimmings into a mulch. Examples of such materials include clean wood waste, tree and shrub trimming, leaves and other high carbon, low nitrogen material which decompose at a slow rate and have little leachate or odor-causing potential. Processing of such materials is achieved by chipping and screening to attain a uniform particle size and may include limited aging of the material to achieve a desired appearance. This definition shall not include any mulching of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

WINDROW COMPOSTING. The process in which compostable material is placed in elongated piles or windrows which are mechanically turned or aerated to encourage decomposition and to reduce odors.

WOOD WASTES. Any untreated and/or unpainted wood material such as pallets, plywood and other construction related scrap lumber, stumps and tree trimming.

Sec. 2. Subsection A of Section 12.19 of the Los Angeles Municipal Code is hereby amended by adding a new Subdivision 15 thereto to read:

. . .
. . .
. . .

15. Curing, composting and mulching facilities, including all accessory buildings, as well as chipping and grinding facilities when conducted within a wholly enclosed building.

Sec. 3. Subsection C of Section 12.24 of the Los Angeles Municipal Code is hereby amended by adding a new Subdivision 60 thereto to read:

60. Chipping and grinding facilities in the M2 zone where such facilities are not conducted within a wholly enclosed building.

Sec. 4. Subsection C of Section 12.24 of the Los Angeles Municipal Code is hereby amended by adding a new Subdivision 61 thereto to read:

61. The following green waste and/or wood waste recycling uses in the A1 and A2 zones when conducted in accordance with the limitations hereafter specified:

(a) Types of uses:

(1) Chipping/grinding facility.

(2) Composting facility.

(3) Curing facility.

(4) Mulching facility.

(b) Limitations:

(1) Notwithstanding any provision of Sections 12.05 and 12.06, the uses set forth in Paragraph (a) of this Subdivision shall be conducted wholly within an enclosed building, or where deemed appropriate by the Zoning Administrator, within an area which is completely enclosed by a solid wall or solid fence which is at least 8-feet in height with necessary solid gates of like height.

(2) Where, pursuant to subparagraph (1) above, the required wall or fence has been erected in an area which adjoins a street, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of up to 50 feet from such

wall or fence, unless the height of the wall or fence is 10 feet or more in height. When the height of the wall or fence is 10 feet or more, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of 37 feet from such wall or fence. After the minimum setback of either 50 feet or 37 feet have been observed, materials may be stored over the height of such wall or fence as determined by the Zoning Administrator.

(3) The property upon which any use enumerated in this Subdivision is conducted shall be landscaped to a minimum distance of five feet measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress.

(4) Hours of operation shall be tailored to and be compatible with adjoining uses.

(5) Signs displaying the name of the company and/or operator, address and hours of operation shall be posted at or near the main entrance gate to the recycling facility at all times.

(6) Wood waste and/or green waste recycling activities under this Subdivision shall not exceed the noise level set forth in Section 111.03 of this Code as measured from any point on adjacent property which is located in any "A," "R," "C," "P" or "M" zone.

(7) All wood waste and/or green waste recycling uses must comply with all necessary public safety requirements of Section 57.08.01 through 57.08.13 of the Los Angeles Municipal Code. Such uses must not emit any odor or smell that is offensive to adjacent uses and must further satisfy all necessary requirements as set forth by applicable state and county agencies.

(8) No standing water shall be allowed to accumulate anywhere on the site.

(9) All leachates shall be collected, controlled, disposed of and shall not be allowed to remain at the site at any time.

(10) The minimum lot area requirements set forth in Sections 12.05 and 12.06 of the Los Angeles Municipal Code shall be complied with for any chipping and grinding, composting, curing or mulching facility located in the A1 or A2 zone.

(11) In addition to the findings otherwise required by this Section, before granting an approval the Zoning Administrator shall find that adequate safeguards are provided to control impacts resulting from residual waste materials, airborne transmission of dust particles, or debris from stockpiles, storage areas or roadways located on the premises.

Sec. 5 .....The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles SEP 20 1994 and was passed at its meeting of SEP 27 1994

Approved OCT 07 1994

CITY CLERK

BY _____
Deputy

Approved as to Form and Legality

APR 22 1994

JAMES K. HAHN, City Attorney,

_____
ACTING Mayor

By _____
MARJORIE HAMANO CURRIER
Deputy City Attorney

File No. C.F. No. 92-0846
CPC No. 92-0351

City Clerk Form 23

Pursuant to Sec. 97.8 of the City Charter approval of this ordinance recommended by the City Planning Commission

APR 7 1994

See attached report

_____
Director of Planning

63

PLANNING AND LAND USE MANAGEMENT COMMITTEE

TUESDAY - NOVEMBER 15, 1994

1:00 P.M. - COUNCIL CHAMBER - ROOM 340 - LOS ANGELES CITY HALL

MEMBERS: COUNCILMEMBER HAL BERNSON, Chairperson
COUNCILMEMBER LAURA CHICK
COUNCILMEMBER RICHARD ALATORRE

* CERTIFICATE OF APPROPRIATENESS HPOZ APPEAL - ITEM 13*

Barbara A. Greaves - Legislative Assistant I - 485-5733
Aram A. Elmassian - Legislative Assistant II - 485-5707

FILE NO.	SUBJECT
	(1)
94-1811	Motion (Goldberg-Bernson) that City Atty. in cooperation with City Engineer be instructed to prepare an ordinance amending Section 67.02 of L.A.M.C. to allow advertising signs in a required dedication under a Revocable Permit issued by City Engineer. Such advertising shall observe all Americans with Disabilities Act (A.D.A.), visibility and safety regulations.
	DISPOSITION _____
	(2)
92-0846 CPC 92-0351 CA	**REFERRED BACK FROM CCL. 9-20-94** Amending Motion (Chick-Bernson) that Ccl. amend Subsection A of Section 12.19 of the L.A.M.C. by adding a new Subdivision 15 and amend Subsection C of Section 12.24 by adding Subdivision 60 as stated in Motion attached to Council file regarding the establishment of definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such material in certain zones, either by right or through conditional use.
	DISPOSITION Cont TO 12-6-94
	(3)
91-0673 92-1211 CPCs 91-0226 CA 92-0378 CA	City Atty., Dir. of Plan. & City Plan. Comsn. transmit Ord. amending Section 91.0303 of L.A.M.C. by requiring the withholding of a building permit for a residential building composed of two or more residential rental units under certain circumstances. Gen. Ex.
	DISPOSITION _____

FILE NO.	SUBJECT
	(4)
92-1161-S1 CPCs 91-0259 PPR 91-0255 ZC/GPA 91-0257 HD CD 1	**CONT. FROM PRIOR MTGS. & 10-18-94** Mayor, City Plan. Comsn., Dir. of Plan. & General Plan Advisory Board transmit proposed Plan amend. from High Medium Density Housing to Highway Oriented Commercial and concurrent zone & height district change from R4-1 to (T)(Q)C2-2D for the property located at 555 W. Sunset Blvd., bet. Hill Place and Teed Street, within the Central City North Community Plan area - Periodic Plan Review - Geographic Area No. 2 (Central and Southern) - Window 38. (Comsn. Vote: 4-0) MND
	DISPOSITION_____
	(5)
94-0435 CPC 90-0474 ZC CD 2 TT No. 34567	City Plan. Comsn. transmits proposed Ord. changing zone, incident to subdivision, from A2-1 and A1-1-K to (T)RA-1-K for property located at 10900 Wentworth St. (Comsn. Vote: 3-0) EIR
	DISPOSITION_____
	(6)
93-1538-S3 CPC 94-0178 HE CD 6	Request for hardship exemption pursuant to Section 14 of Ord. No. 169,239 (Venice Coastal Interim Control) for the proposed construction of 25 apartment unit project with 44 on-site parking spaces on a .72 acre site (composed of four lots), zoned [T][Q]CM-1, for the property located at 345-363 Fourth Ave. Parking, height deviations, and development on four (4) consolidated lots are part of the requested hardship exemption. MND Applicant: Venice Community Housing Corp./ David Kramer
	DISPOSITION_____
	(7)
92-2420 CPCs 93-0363 ZC/SP 93-0362 HD CD 11	City Plan. Comsn. transmits Ord. changing zone & height district changes from P-2D & C4-2-D to (T)[Q]C4-1L for the property located at 21901-21949 Ventura Blvd. at Topanga Canyon Blvd. (City Plan. Comsn. concurrently approved a Plan Amendment to the Canoga Park-Winnetka-Woodland Hills District Plan on 11-11-94). Applicant: Council's Own Initiative MND
	DISPOSITION_____

- - - - -

92-0846 - Recycling

Liz Hill
15526 Cerise Ave.
Gardena, CA 90249

Ramiro Ornelas
13294 De Foe Ave.
Sylmar, CA 91342

Maribel Marin
Natural Resources Defense Council
6310 San Vicente Blvd.
Los Angeles, CA 91307

Roger La Chapelle
9090 Laurel Canyon
Sun Valley, CA 91352

Lynne Plambeck
LASER
23942 Lyons Ave. Ste. 103-353
Newhall, CA 91321-2444

Wayne Tsuda &
Josephine Gonzalez
Environmental Affairs Dept.
Rm. 1500, City Hall

Steve MacDonald
Mayor's Office

Nick Pavicll
9100 Laurel Canyon
Sun Valley, CA 91331

ntrod 7-25-95

Mel Wilson
9017 Reseda Blvd., #107
Northridge, CA 91324

Joan Edwards, Director
Integrated Solid Waste Mgmt. Office
Dept. of Public Works
Rm. 365, City Hall

Ray Kearney, Manager
Biosolids Management
Dept. of Public Works
Bur. of Sanitation
Ste. 1400, CHE

David Isaac
18119 Rancho St.
Tarzana, CA 91356

Ann Kinzle
18645 Sherman Way
Reseda, CA 91335

Don Schultz
Van Nuys Homeowners Assoc.
P.O. Box 3528
Van Nuys, CA 91407

920846.lab

Council File No. 92-0846

CPC No. 92-0351 CA

Re: Ordinance to regulate wood and green waste recycling.

mailed 9-6-94 mp

is scheduled for **City Council** on **Tuesday, September 20, 1994**

in the Council Chamber, Room 340, 200 N. Spring Street, Los Angeles, City

FILE NO. 92-0846

TO THE COUNCIL OF THE CITY OF LOS ANGELES

Your PLANNING AND LAND USE MANAGEMENT Committee

reports as follows:

PUBLIC COMMENTS: YES

GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE to establish the recycling of green and wood waste materials in certain zones, either by right or through conditional use.

Recommendations for Council action:

1. FIND that this action is generally exempt from CEQA pursuant to Article III, Section 2(m) of the City's Guidelines.

2. ADOPT FINDINGS of the City Planning Commission.

3. PRESENT and ADOPT accompanying ORDINANCE, approved by the Director of Planning, amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish the recycling of green and wood waste materials in certain zones either by right or through conditional use. (Ordinance reviewed by the Department of Building and Safety and the Integrated Solid Waste Management Office of the Department of Public Works)

   The proposed ordinance will clarify the legal status of wood and green waste recycling, which is not specifically regulated by the Municipal Code at present, leaving its status open to interpretation. Adoption of the ordinance would result in all of the currently existing wood and green waste recycling businesses within the City to have legally-existing status.

   [Note: There are currently ten (10) such businesses. All of them are legally existing. Six (6) of them are located in the M-3 Zone; three (3) are in the M-2 Zone; one has been granted a variance.]

CPC 92-0351 CA

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries relative to this matter refer to File No.

92-0846

CITY OF LOS ANGELES
CALIFORNIA

RICHARD J. RIORDAN
MAYOR

Office of
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Pat Healy
Chief Legislative Assistant

CPC 92-0351 CA

September 22, 1994

Planning and Land Use Management Committee Clerk

At the meeting of the Council held September 20, 1994, motion was adopted that Amending Motion (Chick - Bernson) relative to establishing the recycling of green and wood waste materials in certain zones, either by right or through conditional use BE CONTINUED TO November 22, 1994 and in the INTERIM REFERRED TO Planning and Land Use Management Committee for further consideration.

Elias Martinez

City Clerk
bem

steno\920846

Recyclable and made from recycled waste.

PLANNING AND LAND USE MANAGEMENT COMMITTEE
Report/Communication for Signature

Council File Number 92-0846

Committee Meeting Date 5-24-94

Council Date 9-20-94

COMMITTEE MEMBERS	YES	NO	ABSENT
COUNCIL MEMBER BERNSON, Chair	✓		
COUNCIL MEMBER CHICK	✓		
COUNCIL MEMBER ALATORRE			✓

Remarks

Aram A. Elmassian, Legislative Asst. II ♦♦ Telephone 485-5707

Barbara Greaves, Legislative Asst. I ♦♦♦♦♦ Telephone 485-5733

FILE NO. 92-0846

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PLANNING AND LAND USE MANAGEMENT Committee

reports as follows:

PUBLIC COMMENTS: YES

GENERAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE to establish the recycling of green and wood waste materials in certain zones, either by right or through conditional use.

Recommendations for Council action:

1. FIND that this action is generally exempt from CEQA pursuant to Article III, Section 2(m) of the City's Guidelines.

2. ADOPT FINDINGS of the City Planning Commission.

3. PRESENT and ADOPT accompanying ORDINANCE, approved by the Director of Planning, amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish the recycling of green and wood waste materials in certain zones either by right or through conditional use. (Ordinance reviewed by the Department of Building and Safety and the Integrated Solid Waste Management Office of the Department of Public Works)

   The proposed ordinance will clarify the legal status of wood and green waste recycling, which is not specifically regulated by the Municipal Code at present, leaving its status open to interpretation. Adoption of the ordinance would result in all of the currently existing wood and green waste recycling businesses within the City to have legally-existing status.

   [Note: There are currently ten (10) such businesses. All of them are legally existing. Six (6) of them are located in the M-3 Zone; three (3) are in the M-2 Zone; one has been granted a variance.]

CPC 92-0351 CA

SUMMARY

On May 24, 1994 the Planning and Land Use Management Committee held 1 1/2 hour hearing regarding an ordinance transmitted by the City Attorney and Director of Planning amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish the recycling of green and wood waste materials in certain zones either by right or through conditional use.

The provisions of said ordinance were described by staff members of the City Planning Department, Mayor's Office, Integrated Solid Waste Management Office - Board of Public Works, the Environmental Affairs Department and Biosolids Management - Bureau of Sanitation.

FILE NO. 92-0846

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your PLANNING AND LAND USE MANAGEMENT Committee

reports as follows:

Seven interested persons including industry representatives (Natural Resources Defense Council; Landfill Alternatives Save Environmental Resources; and Green Waste Recyclers), supported or partially supported the ordinance. Photos were submitted. Concerns were expressed regarding some of the restrictive conditions in said ordinance which could effect the possible closing of small businesses, a requirement for enclosed buildings, unnecessary use of the conditional use procedure and some language ambiguity in the ordinance. They suggested the performance standards be established for such operations.

Following further discussion, the Chairperson of the Committee felt that existing businesses which are operating legally and causing no problems should be grandfathered in the ordinance and that said ordinance be adopted as soon as possible. Amendments could then be considered later. A motion was introduced to amend the ordinance to grant legally-existing status to all existing wood and green waste operations which have not generated complaints from the community.

The Vice Chair of the Committee felt that a staff level meeting should be held in early June for additional input with the industry/interested persons to review some of the concerns raised during their testimony, and therefore she requested an approximate one month delay. Comments expressed by the Director of the Integrated Management Office suggesting changes to the policies set forth in the ordinance could be considered at the same time.

Subsequently, the City Planning Department held a meeting between several different City departments and private operators; a report dated June 9, 1994 was prepared and submitted to the Committee. In a follow-up response requested by the P&LUM Committee, the City Planning Department prepared a new report dated August 24, 1994 containing the results of research by City Planning Department staff regarding the zoning and legal status of existing wood and green waste recycling operations in the City of Los Angeles.

The ordinance will also allow flexible regulation to encourage wood and green waste recycling as much as possible, while preventing adverse impacts to residential properties from the recycling operations.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

Hal Bernson

Laura Chick

AE1:ys
9-6-94
Enc: CPC 92-0351 CA Ordinance

ORD
ADOPTED
SEP 27 1994
LOS ANGELES CITY COUNCIL

#920846

DEPT & FINDINGS
ADOPTED
SEP 20 1994
LOS ANGELES CITY COUNCIL

-2-

GEN EXEMPT APPROVED
SEPT. 27, 1994

ORD IN ADDITION OVER ONE YR. AMENDING MO CONT. TO NOV. 22, PP

Item #28

#28

RECEIVED
SEP 20 1994

CORCalifornia Organic Recycling Council
4395 Gold Trail Way, Loomis, CA 95650 (916) 652-4450 Fax (916) 652-0250

Date: September 20, 1994

To: Los Angeles City Council

From: David L. Hardy, President
California Organic Recycling Council

Re: Proposed Green Waste Ordinance Amendment

The California Organic Recycling Council (CORC) represents over 600 wood and green waste generators, processors and consumers state wide. Our members recycle over 3.5 millions tons a year We are writing to the Council today to encourage the adoption of the proposed amendments to the City's Zoning Code to incorporate Land Use requirements for green and wood recycling businesses.

The current City Zone Code places unrealistic requirements on green and wood recycling businesses. An enclosed facility renders a potential operation infeasible both technically and economically. This is the reason the largest city in the State has no significant green and wood recycling facilities to date. This fact is inconsistent with the aggressive style instituted by the City in meeting the demands of AB939. The reason for this inconsistency is clear, the current City Zone Code creates to much uncertainty both business and expense wise.

The proposed amendments eliminate the above mentioned risks and protects the long term interest of the City. All items identified in the amendments provide a realistic framework in which to open a new business. The amendment operational requirements are consistent with the key points addressed by the Integrated Waste Management Board under the green and wood recycling regulations. In addition, the City retains the right to require all operators to process a CUP in the event their performance is unsatisfactory. This is a fair and reasonable approach which respects the needs and right of all parties.

Thank you for inviting our response to the proposed amendments. We are anxious to continue our involvement in establishing the City as leader in developing new businesses and meeting the goals of AB939.

Sincerely,

David L. Hardy
President

DATE: 9-20-94 COUNCIL ITEM NO. 28

PLEASE PRINT

PERSONS SEATED AT CENTER TABLE TO ANSWER QUESTIONS

AND PROVIDE INFORMATION TO COUNCIL MEMBERS

	NAME	TITLE	ORGANIZATION
1.	CORA SMITH	CITY PLANNER	CITY PLANNING
2.	Joan Edwards	Director, ~~ESD/MO~~	ISD/MO/Dept of Public Works
3.	STEVE MACDONALD	Director of Business Dev	MAYOR'S OFFICE
4.	JOE MATUNICIO	Program Mgr. solid waste	EA Dept
5.	Drew Soares	Sanitation Assist Director	
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

CRIMINAL BRANCH
(213) 485-5452
—
CIVIL BRANCH
(213) 485-6370
—
WRITER'S DIRECT DIAL
NUMBER (213) 237-0165
FAX: (213) 485-8899

REPORT NO. R94-0293
8/31/94

REPORT RE:

GREEN AND WOOD WASTE ORDINANCE

The Honorable Planning And Land
Use Management Committee
Los Angeles City Council
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

(Council File No. 92-0846 transmitted herewith.)

Honorable Members:

The subject ordinance establishes the recycling of green and wood waste materials in certain zones either by right or through conditional use. At the hearing of May 24, 1994, the Committee requested that the draft ordinance be revised to include a grandfather clause to allow the continued operation of currently existing wood and green waste businesses.

Pursuant to this request, the Planning Department conducted a search of all such currently existing operations. As set forth in their report dated August 24, 1994, there are currently ten (10) such businesses. All of them are legally existing. Six (6) of them are located in the M-3 zone; three (3) are in the M-2 zone; one has been granted a variance.

Based on the foregoing, there is no need to revise the draft ordinance to include a grandfather clause since all ten currently existing wood and green waste businesses would continue to have legally existing status.

Very truly yours,

JAMES K. HAHN, City Attorney

By Marjorie Hamano Currier
MARJORIE HAMANO CURRIER
Deputy City Attorney

MHC:pe
(213) 237-0165

FILED
CITY CLERK'S OFFICE
9-1-94
'94 ~~AUG 32~~ A9:59

CITY CLERK

BY. _____ DEPUTY

CITY OF LOS ANGELES
CALIFORNIA

CITY PLANNING COMMISSION

MARNA SCHNABEL
PRESIDENT
LES HAMASAKI
VICE-PRESIDENT
ROBERT L. SCOTT
SHELLY S. SUZUKI
ANTHONY N. R. ZAMORA

RAMONA HARO
SECRETARY

(213) 485-5071

RICHARD J. RIORDAN
MAYOR

DEPARTMENT OF
CITY PLANNING
ROOM 561, CITY HALL
200 N. SPRING ST.
LOS ANGELES, CA 90012-4801

CON HOWE
DIRECTOR
FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
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MELANIE S. FALLON
DEPUTY DIRECTOR
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 237-1818
FAX (213) 237-0552

August 24, 1994

Planning and Land Use
Management Committee
City of Los Angeles
Room 395, City Hall
Stop 160

Council File No. 92-0846
City Plan Case No. 92-0351 CA

Dear Committee Members:

THIS REPORT CONTAINS THE RESULTS OF RESEARCH BY CITY PLANNING DEPARTMENT STAFF REGARDING THE ZONING AND LEGAL STATUS OF EXISTING WOOD AND GREEN WASTE RECYCLING OPERATIONS IN THE CITY OF LOS ANGELES, AS RELATED TO A PROPOSED ORDINANCE TO REGULATE WOOD AND GREEN WASTE RECYCLING

Background

The proposed ordinance, which would permit the recycling of green and wood waste materials in certain zones either by right or through conditional use, was approved by the City Planning Commission on April 14, 1993, and presented to your committee on May 24, 1994. At that meeting, a motion was introduced to amend the ordinance to grant legally-existing status to all existing wood and green waste operations which have not generated complaints from the community. Pursuant to this motion, the City Planning Department, in conjunction with the City Attorney and the Department of Building and Safety, researched the existing wood and green waste recycling businesses currently operating in the City of Los Angeles.

Through meetings with the Department of Building and Safety, staff has learned that, in the absence of any separate definition or regulation in the Municipal Code, wood and green waste recycling businesses are considered to be a "recycling center or site", and are thus considered a permitted use beginning in the MR2 Zone pursuant to Section 12.18 B 3(d) of the Code. Staff research has found ten (10) wood and green waste recycling businesses currently in operation in the City. The zones these facilities are located in and their legal status, both at the current time and under the proposed ordinance, are summarized below.

- Six (6) wood and green waste recycling businesses are located in the M3 Zone, where the use has been and will continue to be permitted by right. These facilities are legal and will not be affected by the proposed ordinance.

- There are three (3) wood and green waste recycling businesses currently operating in the M2 Zone. These facilities have been permitted by right in the past, but under the new ordinance wood chipping and grinding will be subject to conditional use approval unless fully enclosed within a building. The facilities not enclosed and existing prior to the effective date of the ordinance will have deemed approved conditional use status, and as such, may continue indefinitely as currently existing.

- One wood and green waste recycling business is located in the A2 Zone, but is operating legally under a variance. Therefore, this facility will not be affected by the proposed ordinance.

Recommendation

The proposed ordinance will clarify the legal status of wood and green waste recycling, which is not specifically regulated by the Municipal Code at present, leaving its status open to interpretation. Adoption of the ordinance would result in all of the currently existing wood and green waste recycling businesses within the City to have legally-existing status. The ordinance will also allow flexible regulation to encourage wood and green waste recycling as much as possible, while preventing adverse impacts to residential properties from the recycling operations. It is therefore recommended that the proposed ordinance be promptly adopted with no changes, as previously approved by the City Planning Commission.

Very truly yours,

CON HOWE
Director of Planning

ROBERT JANOVICI
Chief Zoning Administrator

cc: City Attorney

RJ:JP:PLUM794.DOC

VAN NUYS HOMEOWNERS ASSOCIATION
P. O. Box 3528, Van Nuys, CA 91407 • Telephone # (818) 786-9344

June 21, 1994

Planning and Land Use
Management Committee
City of Los Angeles
Room 395, City Hall
Stop 160

Council File No. 92-0846
CPC NO. 92-0351 CA

Dear Committee Members:

Our organization is in favor of the proposed ordinance to establish the recycling of green and wood waste materials in certain zones, either by right or by conditional use permit.

However, our particular area of concern, is that the Zoning Administrator is removed from overseeing the process and the liberal interpretation of the by right process in certain zones.

We feel that the most important issues pertaining to this proposed ordinance, are minimum required setbacks from residential or other sensitive uses, days and hours of operation and noise limitations.

We **STRONGLY** feel that the ordinance, as approved by the City Planning Commission, can be best served through the oversight and under the jurisdiction of the Zoning Administrator.

Sincerely,

Don Schultz
President

rec'd 6-23-94 yp

CITY OF LOS ANGELES
CALIFORNIA

CITY PLANNING COMMISSION

MARNA SCHNABEL
PRESIDENT
LES HAMASAKI
VICE-PRESIDENT
ROBERT L. SCOTT
SHELLY S. SUZUKI
ANTHONY N. R. ZAMORA

RAMONA HARO
SECRETARY

(213) 485-5071

RICHARD J. RIORDAN
MAYOR

DEPARTMENT OF
CITY PLANNING
ROOM 561, CITY HALL
200 N. SPRING ST.
LOS ANGELES, CA 90012-4801

CON HOWE
DIRECTOR
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MELANIE S. FALLON
DEPUTY DIRECTOR
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 237-1818
FAX (213) 237-0552

June 9, 1994

Planning and Land Use
Management Committee
City of Los Angeles
Room 395, City Hall
STOP 160

Council File No. 92-0846
City Plan Case No. 92-0351 CA

Dear Committee Members:

THIS REPORT CONTAINS COMMENTS FROM A MEETING BETWEEN REPRESENTATIVES OF SEVERAL DIFFERENT CITY DEPARTMENTS AND PRIVATE OPERATORS OF WOOD AND GREEN WASTE RECYCLING BUSINESSES, REGARDING A PROPOSED ORDINANCE TO ESTABLISH THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES EITHER BY RIGHT OR BY CONDITIONAL USE PERMIT.

Background

The proposed ordinance, which would establish the recycling of green and wood waste materials in certain zones either by right or through conditional use was approved by the City Planning Commission on April 15, 1993, and presented to your committee on May 24, 1994. This ordinance establishes definition of terms pertaining to wood and green waste, permits composting, curing and mulching by right in the M2 Zone, and the grinding and chipping of wood by right in the M2 zone provided that the activity is within a fully enclosed building. The ordinance further provides for wood grinding and chipping, composting, curing and mulching through a conditional use permit to the Zoning Administrator in the A1 and A2 zones, and also chipping and grinding in the M2 Zone if not within a fully enclosed building.

The Bureau of Sanitation, Office of Integrated Solid Waste Management, Environmental Affairs Department, and many private operators of wood recycling businesses favor allowing the unenclosed chipping and grinding of wood by right in the M2 zone. Arguments made in support of this position include that the recycling of wood and green waste is important to the City and its individual communities, particularly in light of the goals for solid waste diversion established by AB 939, that M3-zoned land is in very short supply in the City and particularly in the communities best suited for wood recycling businesses, that obtaining an M3-zoned site, where these uses would be permitted by right, or applying for a conditional use permit in the M2 zone is difficult and prohibitively expensive for wood recycling businesses, and that there are other

uses permitted by right in the M2 zone which are more intensive than wood chipping and grinding.

The City Planning Department favors permitting wood chipping and grinding by right in the M2 zone only within a fully enclosed building, otherwise through a conditional use permit to the Zoning Administrator. The Department maintains this position because many M2-zoned areas throughout the City are located in relatively close proximity to residential and other sensitive land uses. As wood chipping and grinding is an activity which generates significant noise and dust, there is concern that sensitive uses on other nearby properties could be adversely impacted by the daily activity. By requiring conditional use approval for unenclosed chipping and grinding in the M2 zone, the Municipal Code will allow the Zoning Administrator to determine whether there are any sensitive land uses nearby which could be negatively impacted by this activity, and, if so, to impose conditions to protect those uses.

The ordinance, as approved by the City Planning Commission, permits wood chipping and grinding by right in the M2 zone only within an enclosed building. Open, unenclosed grinding and chipping in the M2 zone would require conditional use approval by the Zoning Administrator.

This proposed ordinance was presented to the Planning and Land Use Management Committee on May 24, 1994. After hearing testimony from staff of the City Planning Department and other City agencies, and from several private operators of wood and green waste recycling businesses, the Committee took two actions. First, the proposed ordinance, as it is currently written, was approved, with modification as it relates to existing establishments.

Second, in an attempt to resolve the disagreement regarding whether unenclosed wood chipping and grinding should be permitted by right in the M2 zone, the Committee requested City Planning staff to meet with representatives of Integrated Solid Waste Management, Bureau of Sanitation, Environmental Affairs Department, and private recycling operators. The purpose of this meeting was to determine if there are performance standards which could be imposed on unenclosed wood chipping and grinding facilities that could mitigate most potential adverse impacts, thus enabling these activities to be permitted by right in the M2 zone, subject to those conditions.

The requested meeting was held on June 2, 1994, with representatives from the City Planning Department, Environmental Affairs, Integrated Solid Waste, Bureau of Sanitation, and some private operators. No overall consensus was reached. Integrated Solid Waste Management and most of the private wood recycling operators still favor allowing unenclosed chipping and grinding of wood by right in the M2 zone. The City Planning Department still favors permitting these activities in the M2 zone only within a fully enclosed building, except through conditional use approval by the Zoning Administrator. However, several possible performance standards were discussed for open, unenclosed wood chipping and grinding facilities, which may help to mitigate adverse impacts to surrounding properties. These potential performance standards are discussed below.

1. Minimum required setback from residential or other sensitive uses

A minimum distance of 500 to 750 feet from any residential property would be required. This requirement could also apply to other sensitive land uses such

as hospitals, schools, etc. Providing a substantial distance between the wood chipping/grinding facility and nearby residential and other sensitive uses should help to lessen adverse impacts to these properties, particularly from noise and odor.

2. Fencing or screening

An fence, wall, and/or landscaping would be required around some or all sides of the recycling site. To mitigate against noise and dust, as well as visual impacts, a wall of solid material such as concrete block or wood would be needed. If only visual impacts and trespassing are to be prevented, this could be accomplished with a chain link fence and landscaping. The buffer could be required around all sides of the property, or only on those sides facing residential or other sensitive uses. Because many of the wood recycling businesses are on sites of several acres or more, the requirement of fences, walls or other buffers could involve substantial expense to the operators. In addition, for businesses located in areas which are completely industrial, this requirement (and the related expense) would be largely unnecessary. However, this determination can only be made as needed on an individual, case-by-case basis, such as through the conditional use process.

3. Restricting the days and hours of operation

This was discussed; but no specific days and hours of operation were agreed upon by all parties. One operator suggested Monday through Saturday from 7:00 a.m. to 6:00 p.m. Ideally, this would eliminate adverse noise impacts to nearby residential uses during the evening and night hours. However, early morning operations could still be troubling to some residents, particularly on Saturday. Also, restricting operating times will not prevent impacts to other types of sensitive uses, such as hospitals and schools.

4. Requiring sprinklers to prevent the spread of dust

Most of the wood recycling operators present agreed that the spread of dust can be largely controlled through the use of water sprinklers on the property. This has proven effective on all but exceptionally windy days. Several of the operators indicated that they do not perform chipping and grinding operations during periods of high wind, as the spread of dust cannot be controlled at such times. Provisions in the Los Angeles Municipal Code could require the use of water sprinklers with unenclosed wood chipping and grinding facilities, and require that these activities be stopped when winds exceeding a specified speed are blowing. However, the requirement to stop operations on windy days would be difficult or impossible to enforce.

5. Noise limitations

Provisions of the Los Angeles Municipal Code could require that noise generated by wood or green waste recycling activities not exceed the noise level set forth in Section 111.03 of the Code, as measured from any point on adjacent property

which is located in any A, R, C, P, or M zone. A provision identical to this is already contained in the ordinance as it relates to the A1 and A2 zones.

Recommendation

All of the possible performance standards discussed above could help to mitigate adverse impacts of unenclosed wood chipping and grinding operations on other nearby properties. However, the adverse impacts that would likely occur, and the potential for successful mitigation of these impacts, will vary significantly on a site-by-site basis, depending on the size and nature of the operation, and the type and proximity of surrounding land uses. In addition, many of the performance standards would be very costly and/or difficult for the recycling business operators to comply with, and for well-located recycling facilities they may be unnecessary.

The City Planning Department continues to feel very strongly that, because of the close proximity of M2-zoned land to a variety of land uses throughout the City, all wood chipping and grinding operations proposed in the M2 zone that are not within fully enclosed buildings need to be reviewed on a case-by-case basis by conditional use permit. This will enable the Zoning Administrator to study what the exact uses are that are near each proposed site, and what the potential adverse impacts could be. The Administrator can then impose conditions as necessary to protect any sensitive land uses located nearby. For well-located sites where these activities are unlikely to adversely impact anyone, this also permits the Zoning Administrator to not impose conditions or performance standards which are unnecessary at that site, and which would pose a substantial expense to the operator. The City Planning Department believes that this is the best means to ensure the viability of wood and green waste recycling activities that are important to the City, while minimizing adverse impacts to other uses, and avoiding the imposition of costly performance standards on recycling facilities where they are not necessary. Therefore, it is recommended that no changes be made to the ordinance as approved by the City Planning Commission.

Very truly yours,

CON HOWE
Director of Planning

ROBERT JANOVICI
Chief Zoning Administrator

RJ:JP:PLUM694.DOC

FORM GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

CITY ATTORNEY
LAND USE/ENVIRONMENT
RECEIVED
MAY 31 1994

DATE: May 26, 1994

TO: City Attorney
Attention: Marjorie Currier/Claudia Culling

FROM: Aram A. Elmassian, Legislative Assistant II
Planning and Land Use Management Committee
City Clerk's Office

SUBJECT: GREEN AND WOOD WASTE ORDINANCE - COUNCIL FILE NO. 92-0846

On May 24, 1994, the Planning and Land Use Management Committee held a 1 1/2 hour hearing regarding an ordinance transmitted by the City Attorney and Director of Planning amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish the recycling of green and wood waste materials in certain zones either by right or through conditional use.

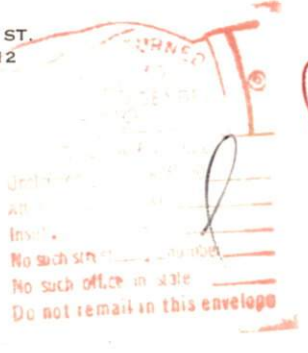
After representatives of the industry and City staff members presented their view/comments, the Chairperson of the Committee recommended that the subject ordinance be revised to include a grandfather clause for those businesses (approximately 8) which are now operating legally, if no problems have occurred.

Please return the file and new ordinance as soon as possible. In the meantime, I will prepare the Council Committee report.

AEl:ys

920846m

RETURN IN FIVE DAYS TO
OFFICE OF
CITY CLERK
RM. 395, 200 N. SPRING ST.
LOS ANGELES, CA 90012



Planning



Nick Pavicll
9100 Laurel Canyon
~~Sun Valley~~, CA 91331
Pacoima

"AN EQUAL EMPLOYMENT OPPORTUNITY—
AFFIRMATIVE ACTION EMPLOYER"

SPEAKER CARDS

PLUM COMTE

5-24-94

CF 92-0846

NO. 55 CLASP 6 x 9

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☒ OPPOSE PARTIAL Project/Proposal

AGENDA ITEM # 3 Date 5/24/94

Council File # 92-0231

Phone No. 818 349-2737

Name MEL WILSON

Address 9017 RESEDA BL #107

City NR Zip Code 91324

Representing GREEN WASTE RECYCLERS

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

DID NOT SPEAK

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date 5-24-94

Council File # 92-0846

Phone No. 818 364-1278

Name RAMIRO ORNELAS

Address 13294 De Foe AV

City Sylmar CA. Zip Code 91342

Representing SCIF

☐ Applicant ☑ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☒ SUPPORT Project/Proposal AGENDA ITEM # 3 Date 5/24/94

☐ OPPOSE Project/Proposal Council File # 92-0846

Phone No. 934-6900

Name Maribel Marín

Address 6310 San Vicente Blvd.

City Los Angeles Zip Code 91307

Representing Natural Resources Defense Council

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☒ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☑ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 3

Date 24 May 94

Council File # 92-0846

Phone No. 818 768 6722

Name Roger LaChapelle

Address 9090 Laurel Canyon

City Sun Valley Zip Code 91352

Representing Self - PLC Organics

☐ Applicant ☑ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☒ Neutral - would like some additions

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date 5-24-94

Council File # 92-0846 CPC 92-0351 CA

Phone No. 818 845-7682

Name Lynne Plambeck on behalf of LASER (Landfill Alternatives Save Environmental Resources)

Address 23742 Lyons Ave Ste 103-355

City Newhall Zip Code 91321-2444

Representing

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date _____

Council File # _____

Phone No. _____

Name Wayne Tsuda & Josephine Gonzalez

Address Environmental Affairs Dept.

City _____ Zip Code _____

Representing EAD LA City

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date 5-25-94

Council File # 93-0846

Phone No. 485-6154

Name Steve MacDonald

Address City Hall Room 2001

City LA Zip Code

Representing Mayor's Office

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☒ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☒ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date 5-24-94

Council File # 92-0846

Phone No. 818 768 1181

Name Nick Pavich

Address 9100 Laurel Cyn

City Sun Valley Zip Code 91331

Representing Self

☐ Applicant ☒ Property Owner(s) ☐ Assoc. ☐ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☒ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date 5-24-94

Council File # 92-0846

Phone No.

Name Joan Edwards, Director

Address Integrated Solid Waste Mgmt Office, City of Los Angeles

City Zip Code

Representing Integrated Solid Waste Mgmt Office, City of LA

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☒ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

PLANNING & LAND USE MANAGEMENT COMMITTEE SPEAKERS

☐ SUPPORT Project/Proposal

☐ OPPOSE Project/Proposal

AGENDA ITEM # 3 Date 5-24-94

Council File # 92-0846

Phone No. 310-648-5360

Name RAY KEARNEY, MANAGER

Address BIOSOLIDS MANAGEMENT
PUBLIC WORKS, SANITATION

City _____ Zip Code _____

Representing _____

☐ Applicant ☐ Property Owner(s) ☐ Assoc. ☒ Other

☐ Appellant ☐ Surrounding Property Owner(s) ☐ Organization

I WISH TO BE HEARD BEFORE THE CITY COUNCIL

AGENDA ITEM NO. 3 TODAY'S DATE 5/24/94

I am speaking FOR [X] AGAINST [ ] the Agenda Recommendation

COUNCIL FILE NO.: 920846 CPC 920351 CA

SUBJECT: green & wood waste materials

Name: David C. Isbx

Street: 18119 Rancho St Tor Zone

City: Torzone

Telephone: 818 708 8091

Are you speaking on your own behalf? YES [X] NO [ ]

If NO, and you are being compensated to speak for or represent someone other than yourself, please disclose who you are representing:

Name:

Street:

City:

(over)

What relationship do you have with the person you are speaking for or representing? (Check as many as apply)

[ ] Lobbyist for person. [ ] Employee of the person.

[ ] Attorney for person. [ ] Other:_____.

Are you registered as a Lobbyist with the City Ethics Commission?*

YES [ ] NO [ ]

* Any questions about the City's Lobbying Law should be directed to the City Ethics Commission at (213) 237-0310. You may also go to the Commission Office at 201 N. Los Angeles Street, L.A. Mall, Suite 2, Los Angeles, CA 90012.

PLEASE GIVE THIS CARD TO ONE OF THE TWO POLICE OFFICERS AT THE FRONT OF THE COUNCIL ROOM WELL BEFORE YOUR ITEM IS TO BE HEARD BY THE CITY COUNCIL.

DID NOT SPEAK

I WISH TO BE HEARD BEFORE THE CITY COUNCIL

AGENDA ITEM NO. 3 TODAY'S DATE 5-24-94

I am speaking FOR [X] AGAINST [ ] the Agenda Recommendation

COUNCIL FILE NO: 92-0846 CPC 92-0351 CA

SUBJECT: Green & Wood Waste materials

Name: ANN KINZLE

Street: 18645 SHERMAN WAY

City: RESEDA CA. 91335

Telephone: 818) 345-1920

Are you speaking on your own behalf? YES [ ] NO [X]

If NO, and you are being compensated to speak for or represent someone other than yourself, please disclose who you are representing:

Name:

Street:

City:

(over)

What relationship do you have with the person you are speaking for or representing? (Check as many as apply)

[ ] Lobbyist for person. [ ] Employee of the person.

[ ] Attorney for person. [ ] Other: Friend.

Are you registered as a Lobbyist with the City Ethics Commission?*

YES [ ] NO [X]

* Any questions about the City's Lobbying Law should be directed to the City Ethics Commission at (213) 237-0310. You may also go to the Commission Office at 201 N. Los Angeles Street, L.A. Mall, Suite 2, Los Angeles, CA 90012.

PLEASE GIVE THIS CARD TO ONE OF THE TWO POLICE OFFICERS AT THE FRONT OF THE COUNCIL ROOM WELL BEFORE YOUR ITEM IS TO BE HEARD BY THE CITY COUNCIL.

ZONING AMENDED ORDINANCE 12.24

OBJECTIVE: PROMOTE RECYCLING
PROMOTE SMALL BUSINESS
SAVE THE ENVIRONMENT
SAVE DUMP SPACE

PROBLEMS WITH RECYCLING: OVER ABUNDANCE OF END PRODUCTS
NO CASH INCENTIVES
LACK OF DROP OFF AND PICKUP LOCATIONS
PROFITABLITY FOR BUSINESS

AMENDED ZONING ORDINANCE 12.24 WILL CAUSE:
LESS RECYCLING
LESS OF SMALL BUSINESSES
LESS EMPLOYEES
LESS DUMPING SPACE AT LANDFILLS
HIGHER DUMPING COST
COST TO THE CITY DO TO PERSONS DUMPING ON CITY STREETS

SMALL BUSINESS PROBLEMS:
COST OF CUP: UP TO $10,000.00
TIME AND PROPERTY: Because most small business have to lease property and most property owners will no wait for CUP (90 days to 1 Year)
LACK OF M3 PROPERTIES
LACK OF CITY SUPPORT: City of Los Angeles has given contacts to Big Business only, paying them between $21.80 to $29.78 per ton for disposal. Where other Cities in the county only pay $8.80 to $12.10 per ton for disposal.

NEW TECHNOLOGY: Is open space area's usage because of equipment and cost of doing business

HISTORY: Zoning ordinance on dry and green wood waste was started in the late 40's due to waste haulers wanting control of trash flow. Dumps were cheap and there was a low demand for end product. Most important there was a lack of ENVIRONMENTAL CONCERNS. When AB 939 passed the door opened for small business to get into the waste stream which large business dislikes. So the push is on to get small business out.

Rec'd 5-24-94
Plan Comm

3

ORDINANCE 12.24 FAVORS LARGE BUSINESS

FAVORS LARGE BUSINESS:

CENTRAL LA TRANSFER: Which is a BFI company with a LA City contract. Located west of down town LA on M 3 property.

BRADLEY LANDFILL: Which is a WASTE MANAGEMENT company located in Sun Valley on M 3 property.

REGENESIS: Which is a BKK owned company located in the City of Willington on M 3 property.

COMMUNITY RECYCLING: Which is owned by Crown Disposal with a LA City contract. Located in Sun Valley on M 3 property.

MILESTONE ENERGY: Which is located in Sun Valley on M 3 property.

CAUSE PROBLEMS TO SMALL BUSINESS:

PLC ORGANIC'S: Which takes in dry and green wood waste and makes soil amendments with horse manure started 1986 and wood fines. Located on M 2 property in Sun Valley.

WEEDFREE ORGANIC'S: Which takes in and sells the same products as PLC and is located in Sun Valley on M 2 property.

ORNELAS GRINDING: Which is a small minority business which grinds dry and green wood waste is located in Mission Hills on M 1 property.

MISCELLANEOUS: Nurseries, land clearing and demolition contractors that do wood grinding.

CAUSE PROBLEMS TO THE CITY OF LOS ANGELES:

PARKS AND RECREATION: Which has 5 tub grinders in use on A-1 thur M-3 properties.

DEPARTMENT OF WATER AND POWER: Which has 1 tub grinder.

SUGGESTIONS:

ZONING: M-1, M-2, M-3 by rite with set backs if close to residential properties.
A-1 A-2 buy CUP on parcels less then 10 Acres with quick permiting and reduced cost.

REGULATING: Annual inspections

PERMITING: Local Goverment need to work with business with fast track permits opposed to penalizing and taxing them to death. We need business to grow and stay in Los Angeles.

We need to protect our Environment and increase our recycling needs

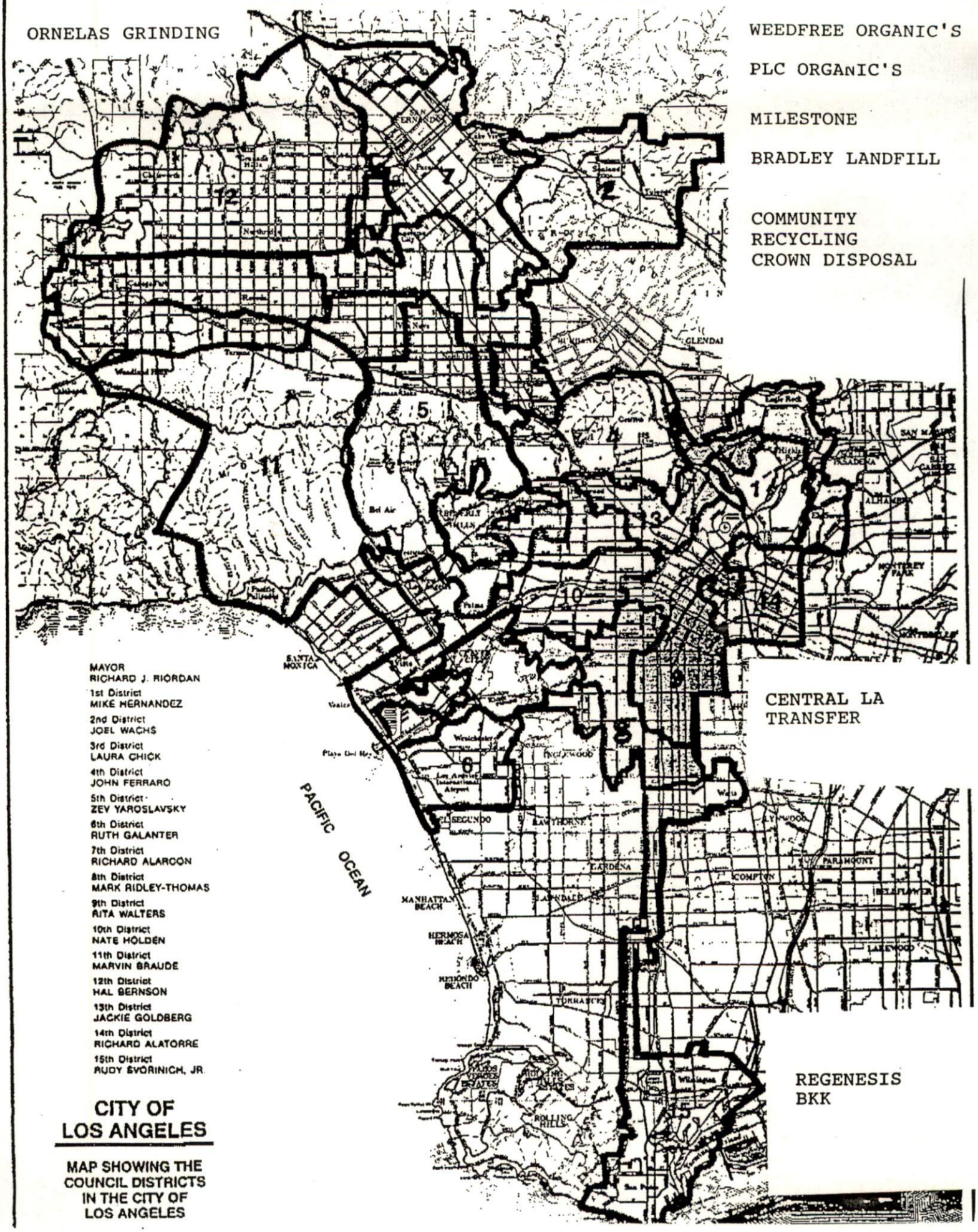
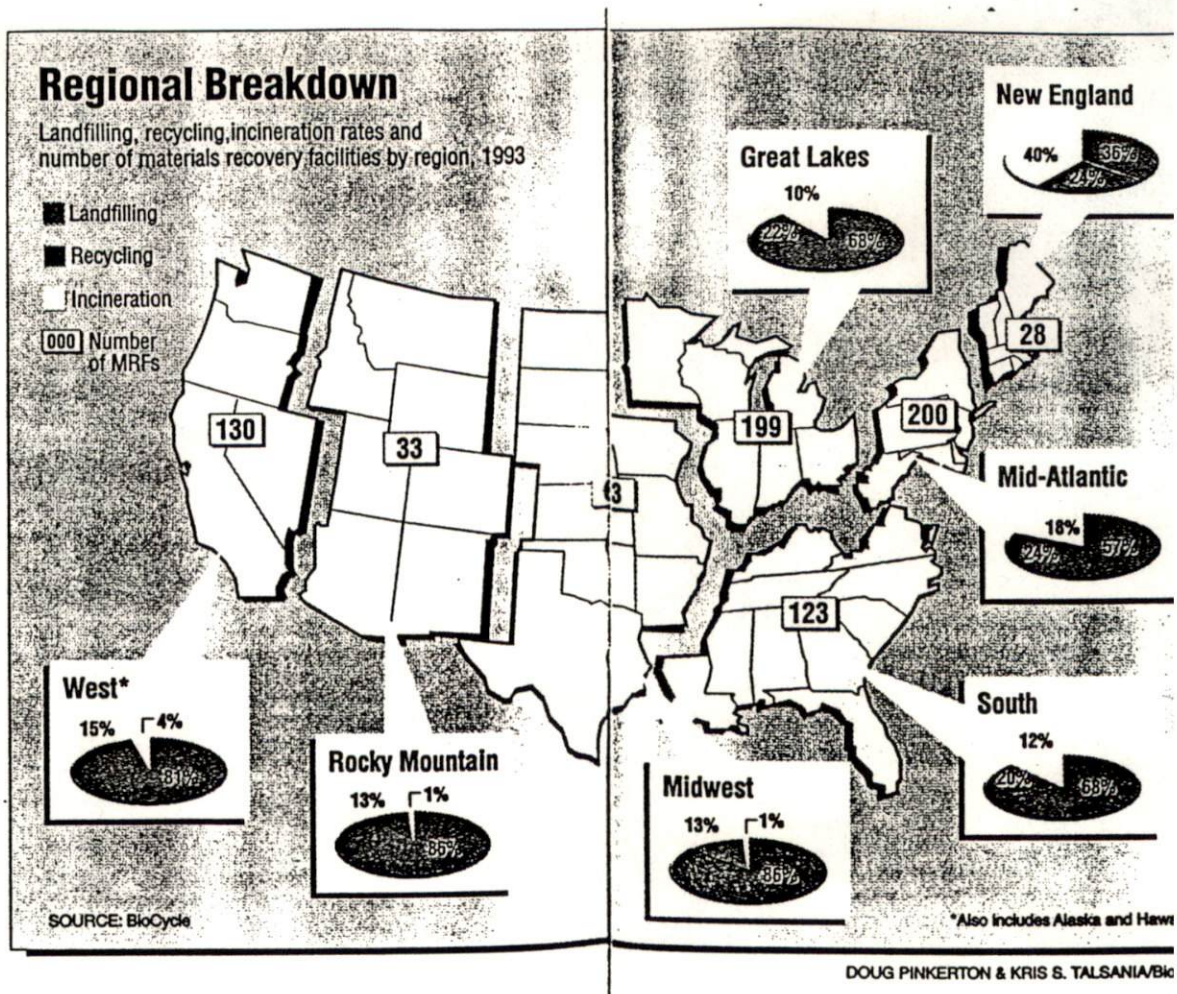
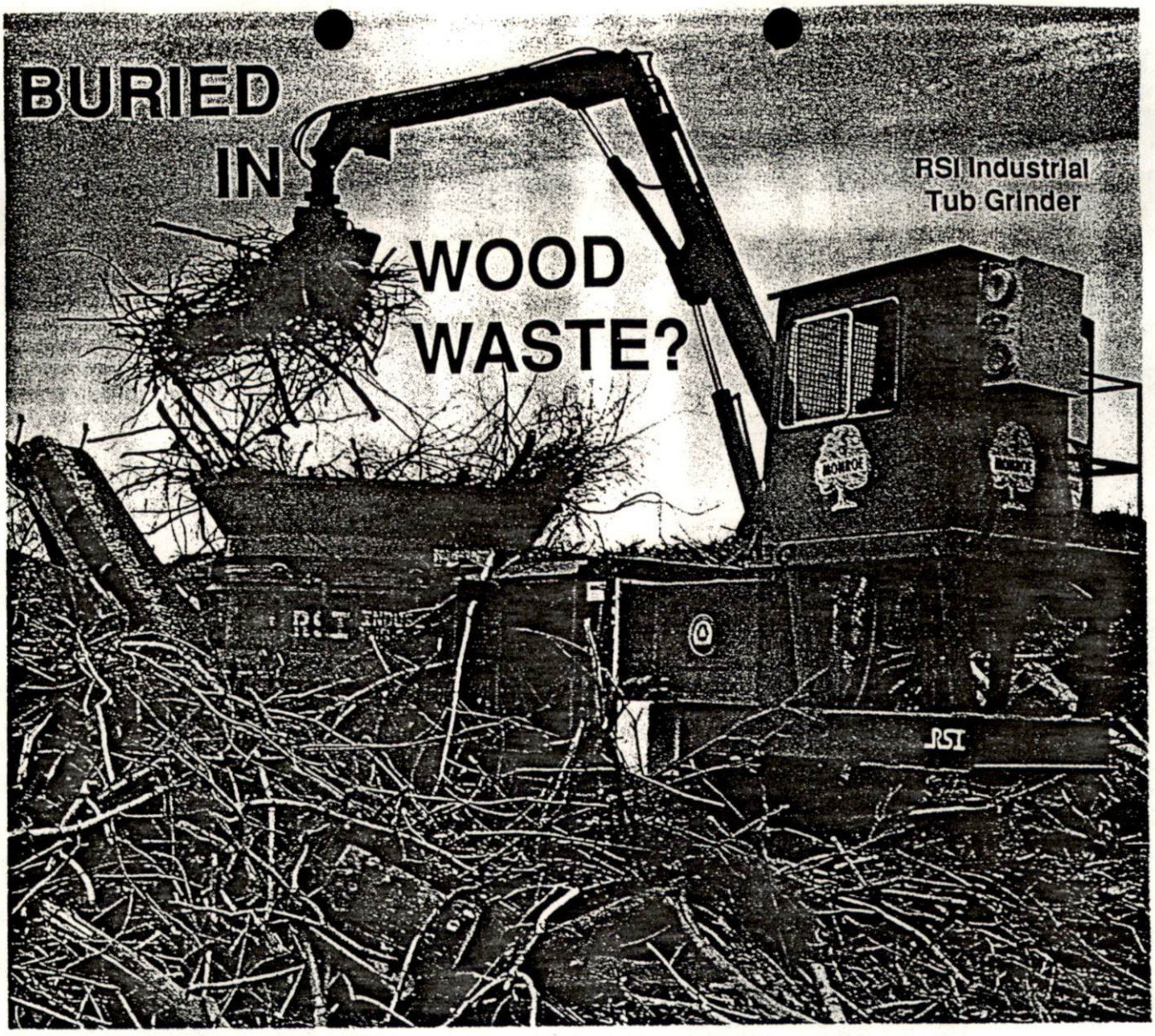

ORNELAS GRINDING
WEEDFREE ORGANIC'S
PLC ORGANIC'S
MILESTONE
BRADLEY LANDFILL
COMMUNITY
RECYCLING
CROWN DISPOSAL
CENTRAL LA
TRANSFER
REGENESIS
BKK
PACIFIC OCEAN
MAYOR
RICHARD J. RIORDAN
1st District
MIKE HERNANDEZ
2nd District
JOEL WACHS
3rd District
LAURA CHICK
4th District
JOHN FERRARO
5th District
ZEV YAROSLAVSKY
6th District
RUTH GALANTER
7th District
RICHARD ALARCON
8th District
MARK RIDLEY-THOMAS
9th District
RITA WALTERS
10th District
NATE HOLDEN
11th District
MARVIN BRAUDE
12th District
HAL BERNSON
13th District
JACKIE GOLDBERG
14th District
RICHARD ALATORRE
15th District
RUDY SVORINICH, JR.
CITY OF
LOS ANGELES
MAP SHOWING THE
COUNCIL DISTRICTS
IN THE CITY OF
LOS ANGELES

Table 3. Yard trimmings composting programs (by state)

State	Number
Alabama	12
Alaska	0
Arizona	15
Arkansas	20
California	20
Colorado	5
Connecticut	78
Delaware	2
Dist. of Columbia	1
Florida	20
Georgia	115
Hawaii	6
Idaho	12
Illinois	93
Indiana	128
Iowa	26
Kansas	35
Kentucky	31
Louisiana	3
Maine	52
Maryland	10
Massachusetts	275
Michigan	125
Minnesota	400
Mississippi	8
Missouri	80
Montana	13
Nebraska	15
Nevada	0
New Hampshire	89
New Jersey	192
New Mexico	2
New York	200
North Carolina	88
North Dakota	15
Ohio	123
Oklahoma	2
Oregon	20
Pennsylvania	300
Rhode Island	23
South Carolina	25
South Dakota	15
Tennessee	12
Texas	80
Utah	1
Vermont	19
Virginia	22
Washington	18
West Virginia	0
Wisconsin	165
Wyoming	3
Total	**3,014**





With Morbark Equipment, It's All in a Day's Work!

All day...every day... Morbark equipment is built for the rigorous job of wood waste reduction for recycling and composting applications. Whether you need to process large stumps, land clearing debris, brush, pallets, ties, demolition debris, yard waste...any kind of organic material, Morbark equipment is proven and tested from coast to coast. We have the equipment to fit your application and budget.

NEW! **RSI Commercial Tub Grinder**

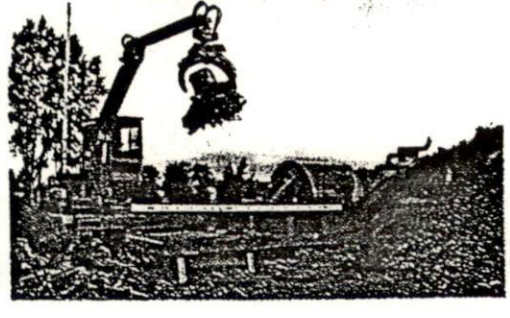


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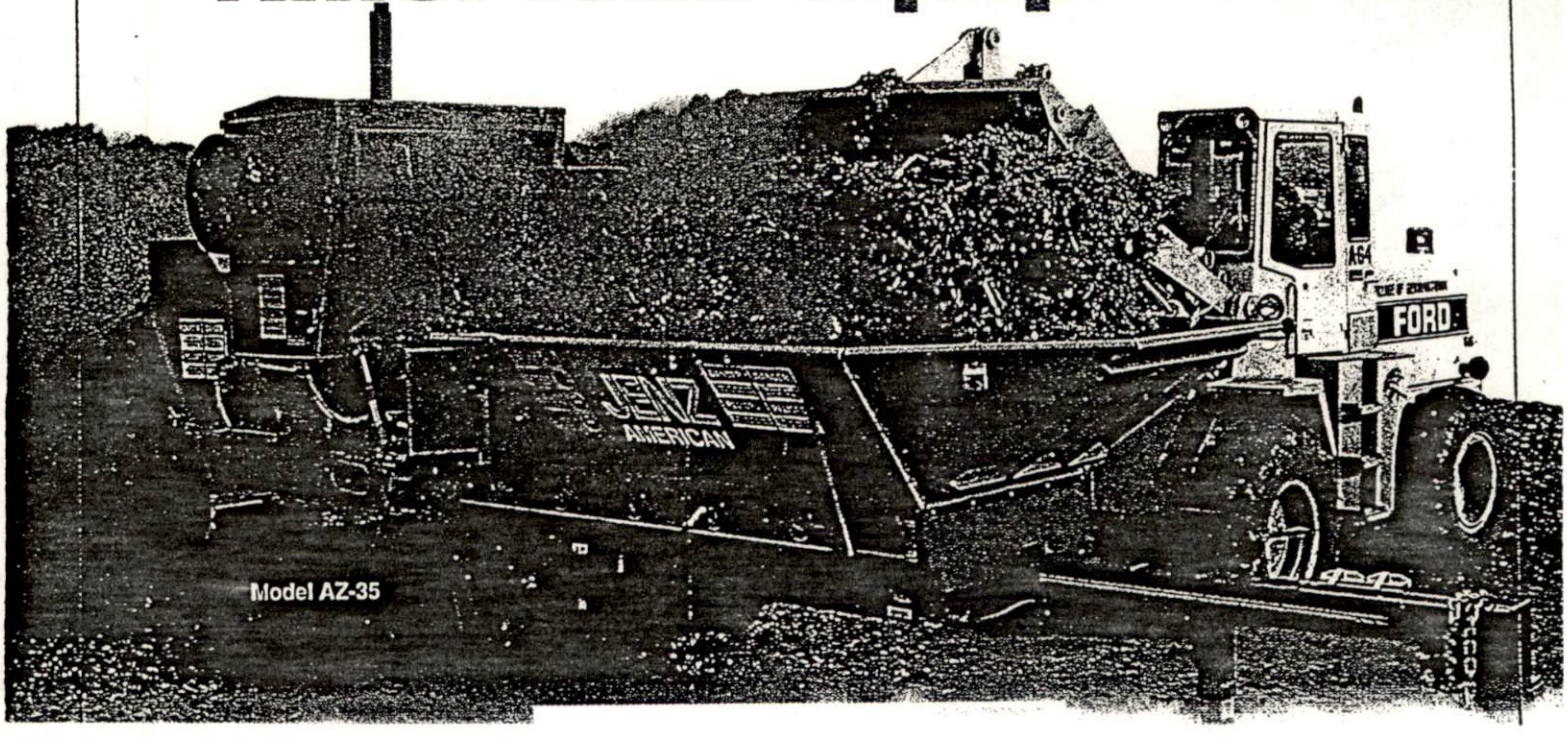
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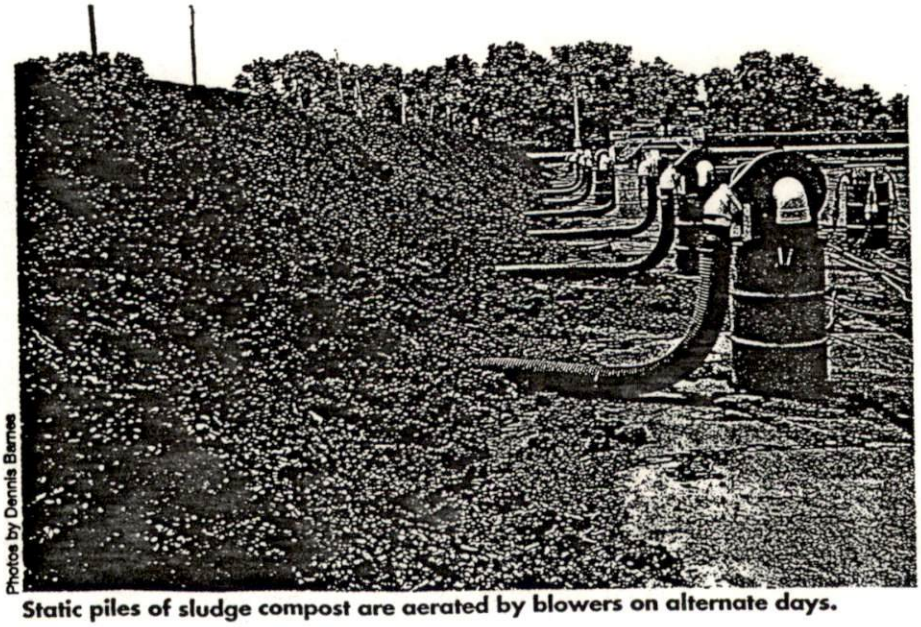
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Waste Recycler
U.S. Patent No. 4,736,781



Dispose of yard debris fast with quality Jenz American Equipment





Photos by Dennis Barnes

Static piles of sludge compost are aerated by blowers on alternate days.

PLC Organics




TROJAN
1900
TROJAN
TROJAN




TROJAN

Natural Resources
Defense Council

6310 San Vicente Blvd., Suite 250
Los Angeles, CA 90048
213 934-6900
Fax 213 934-1210

May 23, 1994

Councilman Hal Bernson, Chair
Planning and Land Use Management Committee
City Hall, Room 237
200 N. Spring Street
Los Angeles, CA 90012

RE: **COMMENTS REGARDING DRAFT GREEN AND WOOD WASTE RECYCLING ORDINANCE**

Dear Councilman,

I am writing to you on behalf of the Natural Resources Defense Council (NRDC), regarding the draft green and wood waste recycling ordinance. NRDC is concerned that requiring green waste facilities to be enclosed or to obtain a conditional use permit in the M2 zone will deter the timely development of needed composting infrastructure because it will increase the time and cost of constructing such facilities. In addition, this requirement is unfair because it is not applied equally to other industrial uses allowed in the M2 zone having similar impacts. NRDC would like to recommend measures to mitigate the impacts of green and wood waste recycling without creating barriers or disincentives for recyclers.

NRDC is a national non-profit environmental organization supported by more than 170,000 members and contributors dedicated to conservation of our natural resources. NRDC seeks enactment and effective implementation of laws and regulations that ensure that discharge, management and disposal of wastes generated in the United States do not threaten the public health or the environment.

NRDC has been following the City's progress in planning and implementing recycling programs for the purpose of achieving the State mandated diversion goals of 25% by 1995 and 50% by 2000. We believe that the City of Los Angeles has developed one of the most comprehensive and effective plans for achieving the required diversion goals. The City has developed proactive strategies for demolition debris and commercial/industrial waste recycling that are models for other cities in the state and has adopted such policies as the Recycled Products Purchasing Preference Ordinance that further confirms its commitment towards waste reduction and recycling. These programs and policies have allowed the City to achieve outstanding commercial and industrial diversion rates (approximately 21% and 60% respectively) which preserves our landfill space and saves businesses money from

avoided disposal costs. Making it easy for Los Angeles businesses to reduce or recycle their waste and facilitating the development of recycling infrastructure is the key to the success of the City's Source Reduction and Recycling Element. The draft green and wood waste recycling ordinance before you today would represent a step backward in the City's great record of promoting and facilitating sustainable waste management strategies.

Green and wood waste represent up to 25% of the City's waste stream. Its volume and the ease with which it can be collected and processed make it a ideal target for diversion by the City and private enterprise. However, because there is such little value added in the end product, the cost effectiveness of processing/composting this material can be quickly reduced by increasing permitting and capital costs. Increasing the cost and the difficulty of siting composting/processing facilities is exactly what the City's draft green and wood waste recycling ordinance will accomplish. The draft provisions seem aimed at creating restrictions rather than mitigating impacts of, or providing guidance for the best development of green and wood waste recycling facilities. NRDC would like to recommend that the draft ordinance be revised to be more in line with the existing provisions of the City's M2 zone.

The City's M2 zone contains many provisions that guide the development of the permissible uses which can readily be applied to green and wood waste recycling. These existing guidelines are more equitable and seem more sound for purposes of mitigating impacts than the blanket requirement for enclosing all chipping and grinding of green waste. This zone provides guidelines that mitigate for open-air activities which generate noise, dust and are unsightly that could also apply to the chipping and grinding of green and wood waste.

In the M2 zone, activities that crush, smash, bale or reduce metal are restricted to specific noise levels (Sec. 12.19 A 4(b) 1). If a use is not within a wholly enclosed building, then the use must be enclosed with a solid masonry wall or fence not less than eight feet in height with solid gates of equal height (Sec. 12.19 A 4(b) 2). If the use is enclosed by a wall or fence, no material shall be stored to a height greater than the height of the enclosing wall or fence (Sec. 12.19 A 4(b) 3). For uses enclosed by a fence or wall, all property adjacent to any street is landscaped to a minimum depth of two feet (Sec. 12.19 A 4(b) 5).

In addition to these existing limitations for M2 zone uses, the City could add further setback requirements or noise and dust control measures without creating the disincentives of the currently proposed draft ordinance. Limitations could be tiered to correspond with the size of the operation similar to what the State is doing with regards to permitting of composting facilities. They have recognized that the size of a facility has a lot to do with its impacts to the surrounding community. The City's requirements should also take size into account when applying restrictions and considering the extensive research which the State has conducted in this field, it would be advantageous to use the State's guidelines in developing City provisions. In any case, it is not fair to have one set of guidelines which apply to only certain M2 uses while having an entirely different set for other M2 uses (especially when they conduct similar activities).

NRDC believes that the draft ordinance should be revised to incorporate the above concerns. The draft ordinance also needs to clarify the issue of temporary and mobile operations. How

will these uses be affected by the ordinance? What about existing operations in the M2 zone? Will they be required to enclose their operations? These are vital issues which must be addressed. Presently, the draft ordinance does not present a clear picture of how these operations will be affected.

NRDC urges the Planning and Land Use Management Committee not to approve the draft green and wood waste recycling ordinance as written. The Planning Department should be asked to review and consider the above recommendations and to address the issues we raise. As is, the draft ordinance does not adequately respond to the diversion needs of the City and only complicates the development process for would-be recyclers. NRDC is willing to work with the Planning Department to address any of the issues or recommendations we have raised. Thank you for your time and consideration.

Sincerely,

Maribel Marin

Maribel Marin
Senior Research Associate

Liz Hill

213 847 3054 FAX

LASER

Landfill Alternatives Save Environmental Resources

Participating Organizations:

Communities United for Safe Trash Management
Foundation for the Preservation of the Santa Susana Mountains
Friends of Caballero Canyon
Friends of Pico Canyon
Friends of Towsley Canyon
Kagel Canyon Civic Association
Mothers and Others Against the Dump
North Valley Coalition
Ridge Trail Park Trust
Santa Clarita Citizens' Transportation Association
Santa Clarita Civic Association
Santa Clarita Oak Conservancy
Santa Clarita Organization for Planning the Environment
Santa Clarita Valley Canyons Preservation Committee
Santa Susana Mountain Park Association
Save Our Sylmar

Founding Members:

Ed Ayres
Glenn Bailey
Rona Berger
Allan Cameron
Frank Cox
Mary Edwards
Jan Hinkston
Ann Irvin
Vera Johnson
Jill Klajic
Marsha McLean
Arlene Mead
Chip Meyer
Mike Ormsby
Karen Pearson-Hall
Lynne Plambeck
Sue Vila
Rob Zapple
Anne Ziliak

5-23-94

Mr. Hal Bernson
Planning and Land Use Committee
City of Los Angeles

Re: Draft Green and Wood Waste Recycling Ordinance

Dear Mr. Bernson:

We were pleased to see the City revising its zoning ordinances to include composting operations so that operators of these very much needed businesses may function. The regrettable events which occurred with the Christmas tree recycler last year should not be allowed to re-occur. We strongly support the City's efforts to find a proper zoning category for these operations.

We do have several concerns about the ordinance as it is currently written. First, it should not put undue hardship on temporary operations such as Christmas Tree chipping by requiring CUPs in any currently allowed designation. The nuisance clauses in this ordinance should be enough to cover temporary operations. Mobile units should be specifically excluded so as not to be construed to come under the ordinance.

Size should be a consideration in requiring a CUP or enclosure of the facility. A small operation would be adequately covered by the nuisance clauses of this ordinance. Requiring a CUP or enclosure discourages low margin, small operations because of the cost. These, in fact, may be the very ones that you would wish to encourage as they will locate close to sources and probably employ more people cumulatively than a single large operation. It is indeed prudent to consider enclosure or a CUP for a large operation as such an operation would probably have to be monitored for leachate control anyway. A daily tonnage threshold for this could be established. This record keeping would also be helpful to compiling statistics necessary for AB939 purposes. Existing operations should be grandfathered in if they have been operating compatibly with their neighbors.

23942 Lyons Avenue, Suite 103-353 • Newhall, CA 91321-2444 • (818) 845-7652

Printed on recycled paper

We hope the City will make every effort to encourage this type of business by keeping the red tape to a minimum. We believe it will be both conducive to job creation while at the same time reducing the need for new landfills.

Sincerely,

Lynne A. Plambeck
Chair

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

CRIMINAL BRANCH
(213) 485-5452
—
CIVIL BRANCH
(213) 485-6370
—
WRITERS' DIRECT DIAL
NUMBER (213) 237-0165
FAX: (213) 485-8899

REPORT NO. R94-0141
4/22/94

REPORT RE:

AMENDMENTS TO SECTIONS 12.03, 12.19 AND 12.24 OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES EITHER BY RIGHT OR THROUGH CONDITIONAL USE

The Honorable City Council
of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

(Council File No. 92-0846 and CPC File 92-0351 transmitted herewith.)

Honorable Members:

Pursuant to the instructions of the City Council's Planning and Land Use Management Committee, this Office has prepared and transmits, approved as to form and legality, a draft of ordinance on the above-described subject matter. This ordinance has been approved by the Director of Planning on behalf of the City Planning Commission with a recommendation that it be adopted.

Pursuant to Council Rule 38, a copy of the subject ordinance was transmitted to the Department of Building and Safety and the Integrated Solid Waste Management Office of the Department of Public Works.

Attached to this report are Rule 38 comments received from the Integrated Waste Management Office of the Department of Public Works. The comments suggest changes to the policies set forth in the ordinance. The Planning Department does not wish to make the suggested changes.

FILED
CITY CLERK

'94 APR 25 P4:56

CITY CLERK

BY _____
DEPUTY

The Director of Planning advises that the City Guidelines for Implementation of the California Environmental Quality Act ("CEQA") designates the subject ordinance as exempt from the provisions of CEQA under Article III, Section 2(m). If the City Council concurs therewith, it should adopt this finding when adopting the ordinance.

Very truly yours,

JAMES K. HAHN, City Attorney

By Marjorie Hamano Currier
MARJORIE HAMANO CURRIER
Deputy City Attorney

MHC:pe
(213) 237-0165

Transmittal

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish definitions of terms relating to the recycling of green and wood waste materials and to provide for the recycling of such materials in certain zones either by right or through conditional use.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. Section 12.03 of the Los Angeles Municipal Code is hereby amended by adding the following definitions in proper alphabetical sequence to read:

AGRICULTURAL WASTE. All plant materials generated from the growing and harvesting of agricultural crops, vegetables and fruits.

CHIPPING/GRINDING FACILITY. Any facility which temporarily stores and/or processes source-separated green waste and/or wood waste by means of chipping, grinding, mixing and/or screening to produce a material of varying particle size. The material produced by the above described processes may be used as ground cover, biofuel, wood chips, animal bedding, worm food or other similar uses. This definition shall not include any chipping and/or grinding of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

COMPOSTING FACILITY. Any facility which processes source-separated organic materials to a stabilized state through controlled biological decomposition where the resultant material is beneficial to plant growth or soil structure when used as a soil amendment. Materials may initially be chipped, shredded, and/or screened on site prior to being composted. Composting may be conducted in an in-vessel system or in the open, such as windrow composting or aerated static pile composting. This definition shall not include any composting of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

CURING FACILITY. Any composting facility, as defined by this Code, where additional and/or final biological stabilization is attained after most of the readily metabolized material has been decomposed, and where no chipping, grinding, or screening of material takes place. This definition shall not include any curing of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

GREEN WASTES. All yard trimmings and/or leaves, grass clippings, agricultural wastes and vegetative landscaping materials generated from the maintenance of yards, parks or other similar facilities.

IN-VESSEL COMPOSTING. A process in which compostable material is enclosed in a drum, silo or similar structure where the environmental conditions are controlled and the compostable material is aerated and mechanically agitated. This process allows for accelerated decomposition.

LEACHATES. Any liquid which has come into contact with or percolated through composting or curing materials and contains extracted or dissolved substances therefrom, or any other liquid which has been generated by the decomposition process.

MULCH. A woody vegetative material used as a nonnutritive ground cover to control erosion, improve water retention and retard weed growth.

MULCHING FACILITY. Any facility which receives, temporarily stores and processes primarily source-separated carbonaceous wood waste and/or yard trimmings into a mulch. Examples of such materials include clean wood waste, tree and shrub trimming, leaves and other high carbon, low nitrogen material which decompose at a slow rate and have little leachate or odor-causing potential. Processing of such materials is achieved by chipping and screening to attain a uniform particle size and may include limited aging of the material to achieve a desired appearance. This definition shall not include any mulching of green waste and/or wood waste conducted for noncommercial, nonprofit purpose.

WINDROW COMPOSTING. The process in which compostable material is placed in elongated piles or windrows which are mechanically turned or aerated to encourage decomposition and to reduce odors.

WOOD WASTES. Any untreated and/or unpainted wood material such as pallets, plywood and other construction related scrap lumber, stumps and tree trimming.

Sec. 2. Subsection A of Section 12.19 of the Los Angeles Municipal Code is hereby amended by adding a new Subdivision 15 thereto to read:

. . .
. . .
. . .

15. Curing, composting and mulching facilities, including all accessory buildings, as well as chipping and grinding facilities when conducted within a wholly enclosed building.

Sec. 3. Subsection C of Section 12.24 of the Los Angeles Municipal Code is hereby amended by adding a new Subdivision 60 thereto to read:

60. Chipping and grinding facilities in the M2 zone where such facilities are not conducted within a wholly enclosed building.

Sec. 4. Subsection C of Section 12.24 of the Los Angeles Municipal Code is hereby amended by adding a new Subdivision 61 thereto to read:

61. The following green waste and/or wood waste recycling uses in the A1 and A2 zones when conducted in accordance with the limitations hereafter specified:

(a) Types of uses:

(1) Chipping/grinding facility.

(2) Composting facility.

(3) Curing facility.

(4) Mulching facility.

(b) Limitations:

(1) Notwithstanding any provision of Sections 12.05 and 12.06, the uses set forth in Paragraph (a) of this Subdivision shall be conducted wholly within an enclosed building, or where deemed appropriate by the Zoning Administrator, within an area which is completely enclosed by a solid wall or solid fence which is at least 8-feet in height with necessary solid gates of like height.

(2) Where, pursuant to subparagraph (1) above, the required wall or fence has been erected in an area which adjoins a street, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of up to 50 feet from such

wall or fence, unless the height of the wall or fence is 10 feet or more in height. When the height of the wall or fence is 10 feet or more, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of 37 feet from such wall or fence. After the minimum setback of either 50 feet or 37 feet have been observed, materials may be stored over the height of such wall or fence as determined by the Zoning Administrator.

(3) The property upon which any use enumerated in this Subdivision is conducted shall be landscaped to a minimum distance of five feet measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress.

(4) Hours of operation shall be tailored to and be compatible with adjoining uses.

(5) Signs displaying the name of the company and/or operator, address and hours of operation shall be posted at or near the main entrance gate to the recycling facility at all times.

(6) Wood waste and/or green waste recycling activities under this Subdivision shall not exceed the noise level set forth in Section 111.03 of this Code as measured from any point on adjacent property which is located in any "A," "R," "C," "P" or "M" zone.

(7) All wood waste and/or green waste recycling uses must comply with all necessary public safety requirements of Section 57.08.01 through 57.08.13 of the Los Angeles Municipal Code. Such uses must not emit any odor or smell that is offensive to adjacent uses and must further satisfy all necessary requirements as set forth by applicable state and county agencies.

(8) No standing water shall be allowed to accumulate anywhere on the site.

(9) All leachates shall be collected, controlled, disposed of and shall not be allowed to remain at the site at any time.

(10) The minimum lot area requirements set forth in Sections 12.05 and 12.06 of the Los Angeles Municipal Code shall be complied with for any chipping and grinding, composting, curing or mulching facility located in the A1 or A2 zone.

(11) In addition to the findings otherwise required by this Section, before granting an approval the Zoning Administrator shall find that adequate safeguards are provided to control impacts resulting from residual waste materials, airborne transmission of dust particles, or debris from stockpiles, storage areas or roadways located on the premises.

Sec. 5 The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of .....

, City Clerk,

By ....., Deputy.

Approved .....

....., Mayor.

Approved as to Form and Legality

APR 2 2 1994

JAMES K. HAHN, City Attorney,

By Marjorie Hamano Currier
MARJORIE HAMANO CURRIER
Deputy City Attorney

File No. C.F. No. 92-0846
CPC No. 92-0351

City Clerk Form 23

...suant to Sec. 97.8 of the City Charte...
...proval of this ordinance recommende...
...r the City Planning Commission

APR 7 1994

See attached report

...Director of Plannin...

CITY OF LOS ANGELES
CALIFORNIA

CITY PLANNING COMMISSION

MARNA SCHNABEL
PRESIDENT
LES HAMASAKI
VICE-PRESIDENT
ROBERT L. SCOTT
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(213) 485-5071

RICHARD J. RIORDAN
MAYOR

DEPARTMENT OF
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CITY ATTORNEY
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APR 12 1994

April 1, 1994

CITY PLAN CASE NO. 92-0351 CA
COUNCIL FILE NO. 92-0846

The Honorable James K. Hahn
City Attorney
Room 1800, City Hall East
STOP 140

Attention: Marjorie Hamano Currier
Deputy City Attorney

SUBJECT: AN ORDINANCE AMENDING SECTIONS 12.03, 12.19 AND 12.24 OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS ON CERTAIN ZONES EITHER BY RIGHT OR THROUGH CONDITIONAL USE.

Dear Mr. Hahn:

On April 15, 1993, the City Planning Commission approved an ordinance amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to establish definition of terms pertaining to green and wood waste materials and facilities, to permit composting, curing, mulching by right in the M2 Zones; grinding and chipping by right only when enclosed within a building; and by the conditional use procedure in the A1 and A2 Zones.

Subsequently, the City Attorney prepared a final draft of an ordinance (attached).

The language contained in this ordinance (attached) is essentially and substantially the same as the ordinance approved by the City Planning Commission on April 15, 1993.

Recyclable and made from recycled waste.

Environmental Impact

The subject ordinance has been determined by the Environmental Review Section of the Planning Department to be exempt from the California Environmental Quality Act under Article III, Section 2, Subsection (m) of the Los Angeles City California Environmental Quality Act Guidelines.

Findings

On the basis of the foregoing, I find:

1. In accordance with Charter Section 96.5(5) that the proposed ordinance (Appendix A) is in substantial conformance with the purpose, intent and provisions of the City's General Plan in that it promotes the policies set forth for the City's Air Quality Element in that it will achieve the goals of the 1990 adopted policy of the city which calls for increased efforts to recycle a greater proportion of the City's trash and urban refuse through various programs of diverting trash from flowing into landfills to recycling centers.

2. In accordance with Charter Section 97.2(1)(a), that the proposed ordinance is directly related to the General Plan and will not adversely affect any Specific Plans or any other plans being prepared by the Planning Department. This ordinance will fulfill a goal of the City's Community Plans, an element of the General Plan, as well as assist in the implementation of the City's Air Quality Element by promoting good zoning practices and hence establishing concrete provisions in the Los Angeles Municipal Code which would encourage the recycling of greater proportion of the City's urban refuse and trash.

3. In accordance with Charter Section 97.2(1)(b), that this ordinance is in substantial conformance with the public necessity, convenience, general welfare and good zoning practice in that it will expand the current limited scope of the Planning and Zoning Code and provide for the establishment of provisions which would encourage more recycling activities and hence enable the City to implement AB 939 as mandated by State legislation, which requires that the City of Los Angeles reduce the amount of trash flowing into landfills by 25 percent and by 50 percent by the years 1995 and 2000, respectively.

Charter Section 97.8

For the foregoing reasons and as provided under the authority of Charter Section 97.8 and City Plan Case No. 13505-A, I find that my action conforms with all applicable portions of the General

Plan, Specific Plans and with the April 15, 1993 action of the City Planning Commission, which is the latest action of the Commission on this matter. I, therefore, approve the ordinance and recommend that it be adopted by the City Council.

Very truly yours,

CON HOWE
Director of Planning

FRANKLIN P. EBERHARD
Deputy Director of
Project Planning

signoff.doc

CITY OF LOS ANGELES
CALIFORNIA

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DEPARTMENT OF PUBLIC WORKS
INTEGRATED SOLID WASTE MANAGEMENT OFFICE
365, CITY HALL
LOS ANGELES, CA 90012
JOAN EDWARDS
DIRECTOR
(213) 237-1444

CITY ATTORNEY
LAND USE/ENVIRONMENT
RECEIVED
MAR 1994

DATE: 3/29/94

TO: Marjorie Hamano Currier, Deputy City Attorney
Office of the City Attorney

FROM: Joan Edwards, Director
Integrated Solid Waste Management Office

RE: Comments on draft green and wood waste recycling ordinance

This letter is in response to a request for comments under Rule 38 on a draft ordinance concerning zoning requirements for green and wood waste recycling. While the original purpose of the ordinance was to increase the availability of sites for green and wood waste recycling, the real possibility exists that it will result in the opposite effect by discouraging the use of M2 land for this purpose.

Over the last two years, my staff has been involved in the development of this ordinance, providing information to Planning staff about green waste recycling and composting, and putting staff in contact with existing green waste recyclers. Throughout the process, we have been and continue to be strongly opposed to one provision that was included in the draft ordinance by Planning Department management. This provision is the requirement that any business conducting outdoor chipping or grinding in the M2 zone obtain a CUP. As we have maintained in discussions with Planning since this issue arose, the requirement is illogical in light of other activities that are permitted outdoors by right in the M2 zone, which include concrete crushing and grinding and auto dismantling. As we have also maintained, by discouraging the use of M2 land, this requirement promises to severely restrict the ability of the City to meet State recycling mandates under AB 939, and will increase waste disposal costs for Los Angeles businesses and government agencies by reducing alternative recycling opportunities.

M2 zones are the best option for green and wood waste recycling businesses. They are more plentiful and more affordable than heavy-industrial M3 zones, and they are certainly more evenly distributed throughout the city than the agricultural zones

a:LH:rule38

concentrated in the San Fernando Valley. To require that chipping and grinding be enclosed in an M2 zone would not only add logistical complications, but would obviously add major expense to any business attempting to locate in these zones. Green waste recycling businesses are often small operations, with thin profit margins. The requirement to construct a building would no doubt create an insurmountable economic obstacle for many of these small businesses. If the City is indeed trying to encourage small business, in what MUST be a growing sector if we are to comply with State law, this certainly isn't the way to do it. What this requirement *will* do is restrict green waste recycling opportunities to large waste management companies.

The ordinance has other serious implications beyond the obvious deterrent to commercial recycling in M2 zones. Although the ordinance does specify that processing for nonprofit, noncommercial uses is excluded, many questions remain about the types of facilities that could be construed to be restricted by the ordinance. For instance, the City annually contracts with recycling operators to mulch Christmas trees with portable chippers at locations throughout the City. Is this practice to be banned except in *enclosed* M2 or M3 locations? Clearly, the contractor will have little incentive to bother applying for a CUP for a temporary activity. What about the mobile chippers of all sizes that many tree and landscape maintenance companies use in the course of servicing their customers, including the City of Los Angeles? Could this activity also be banned under the ordinance, and with what implications for yet another segment of the small business community, and with what increase in costs for their customers? For that matter, how might the City's own chipping activities be affected, like those performed by Public Works' Street Tree Maintenance Division? Does the exemption for "noncommercial, nonprofit" processing specifically permit *commercial establishments* who want to re-use, rather than dispose of, their green waste on site to conduct the processing on site? For instance, can a nursery collect green wastes generated from their commercial operations, process it and re-use it on their site? Can a large hotel or apartment complex chip the green waste generated on their grounds for re-use as mulch?

What about any green waste recyclers who may already have been successfully recycling on M2 land? According to the Planning Code section 12.23, "non-conforming uses" that existed prior to a new regulation are permitted to remain as long as they were legally operating before. But could an existing green waste recycler on M2 land be considered to be operating 'illegally' by virtue of the fact that the zoning code did not previously address this type of business? And would the operator therefore have to face the expense and uncertainty of a CUP application?

We have suggested to Planning that certain operational standards, including a specified setback from sensitive uses, be set in the M2 zone which, if complied with, would allow the green waste recycling business to operate outdoors by right. Perhaps in light of the Mayor's efforts to streamline City operations and reduce unnecessary expenses, this issue can be reconsidered. Surely it is easier and more efficient in the long run to set operational standards for outdoor M2 processing than to require a CUP in every situation. The blanket

requirement for a CUP not only drains the resources of the Planning Department; it also no doubt discourages many potential operators from trying to open a green waste recycling business (there is, after all, no guarantee that a CUP will be granted, although thousands of dollars are required to apply). And where facilities are constructed, processing costs will increase and competition decrease, as a result of the removal of most small businesses from this activity.

One option that we recommend is an approach that has been used to an increasing extent in other jurisdictions also grappling with siting and permitting of recycling facilities. This approach, called "tiering", recognizes that different environmental impacts result from different sizes of recycling operations. For instance, the State has indicated its intent to exempt from permit requirements those green waste composting facilities that process less than a specified amount of material. Perhaps the city could follow suit by allowing "by-right" green waste recycling if volumes processed fall under a certain quantity and specified operating standards are followed. Again, such a use seems no more offensive than concrete crushing or auto dismantling. More to the point, it could also reduce time and resources spent by Planning on review of CUP applications, encourage the development of a sorely-needed business sector, and facilitate the City's compliance with ambitious State recycling mandates.

I understand that your office cannot address all of the issues raised in this letter. However, I would greatly appreciate your clarification on those questions raised above regarding the variety of operations which might be construed to be legally impacted by (or exempted from) the draft ordinance. Because this draft may be scheduled to go before the Planning and Land Use Management Committee in the next few weeks, I would appreciate your response as soon as possible. Thank you for your assistance on these questions, and for your previous input in earlier clarifications of the draft.

cc: Bob Janovici, Office of the Zoning Administrator
Cora Smith, Code Studies

a:LH:rule38

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

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(213) 485-5452
—
CIVIL BRANCH
(213) 485-6370
—
WRITER'S DIRECT DIAL
NUMBER (213) 237-0165
FAX: (213) 485-8899

March 25, 1994

Ms. Joan Edwards, Director
Integrated Solid Waste Management Office
Department of Public Works
Room 500, City Hall East
200 North Main Street
Los Angeles, California 90012

Attention: Joan Satt

Re: AN ORDINANCE AMENDING SECTIONS 12.03, 12.19 AND 12.24 OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES EITHER BY RIGHT OR THROUGH CONDITIONAL USE

(CF 92-0846 and CPC 92-0351 not transmitted herewith)

Dear Ms. Edwards:

This Office has prepared and transmits for your review and comment pursuant to Council Rule 38 a draft of an ordinance pertaining to the above-described subject matter. The draft ordinance incorporates clarifying changes which were made after discussions with the staff from the Planning Department and Department of Public Works. In addition, certain definitions of terms have been deleted as they were found to be unnecessary.

After you have reviewed the draft ordinance, please forward your comments directly to this Office.

Very truly yours,

Marjorie Hamano Currier

MARJORIE HAMANO CURRIER
Deputy City Attorney

MHC:pe

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

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FAX: (213) 485-8899

March 25, 1994

The Honorable City Planning Commission
of the City of Los Angeles
Room 550, City Hall
200 North Spring Street
Los Angeles, California 90012

Attention: Cora Smith

Re: AN ORDINANCE AMENDING SECTIONS 12.03, 12.19 AND 12.24 OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES EITHER BY RIGHT OR THROUGH CONDITIONAL USE

(CF 92-0846 and CPC 92-0351 not transmitted herewith)

Honorable Members:

Pursuant to the instructions of the City Council, this office has prepared and transmits for your action a draft of an ordinance regarding the above described subject matter. The attached draft ordinance incorporates clarifying changes which were made after discussions with the staff from the Planning Department and Department of Public Works. In addition, certain definitions of terms have been deleted as they were found to be unnecessary.

Specific findings need to be made setting forth the justification for the provisions contained in the ordinance before it can be adopted. Therefore, please have a member of your staff contact this office so we may discuss such findings in detail.

The Director of Planning acting pursuant to Section 97.8 of the City Charter may act on your behalf in this matter so long as he finds that his action conforms with all applicable portions of the general plan and with all applicable specific plans or with your latest action on this matter. The Director should also comply with the requirements of Charter Sections 96.5(5), 97.2(1)(a), and 97.2(1)(b), and with the requirements of the California Environmental Quality Act.

Please transmit this matter to this office at your earliest convenience in order that we may transmit it to the City Council.

Very truly yours,

Marjorie Hamano Currier

MARJORIE HAMANO CURRIER
Deputy City Attorney

MHC:pe

JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

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FAX: (213) 485-8899

March 25, 1994

Mr. Warren O'Brien, General Manager
Department of Building and Safety
Room 405, City Hall
200 North Spring Street
Los Angeles, California 90012

Re: AN ORDINANCE AMENDING SECTIONS 12.03, 12.19 AND 12.24 OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH THE RECYCLING OF GREEN AND WOOD WASTE MATERIALS IN CERTAIN ZONES EITHER BY RIGHT OR THROUGH CONDITIONAL USE

(CF 92-0846 and CPC 92-0351 not transmitted herewith)

Dear Mr. O'Brien:

This Office has prepared and transmits for your review and comment pursuant to Council Rule 38 a draft of an ordinance pertaining to the above-described subject matter. The draft ordinance incorporates clarifying changes which were made after discussions with the staff from the Planning Department and Department of Public Works.

After you have reviewed the draft ordinance, please forward your comments directly to this Office.

Very truly yours,

Marjorie Hamano Currier

MARJORIE HAMANO CURRIER
Deputy City Attorney

MHC:pe

CITY OF LOS ANGELES
CALIFORNIA

CITY PLANNING COMMISSION

THEODORE STEIN, JR.
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FERNANDO TORRES-GIL
VICE-PRESIDENT
LYDIA H. KENNARD
DAVID W. LOUIE
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APR 29 1993

James Kenneth Hahn, City Attorney
City of Los Angeles
1800 City Hall East

Attention Claudia McGee-Henry

CITY PLAN CASE NO. 92-0351 CA

COUNCIL FILED NO. 92-0846

Transmitted herewith is a draft of an ordinance, prepared pursuant to Council instruction of May 26, 1992, amending the Los Angeles Municipal Code by establishing a definition of terms pertaining to green and wood waste materials and facilities, to permit composting, curing, mulching by right in M2 zones; grinding and chipping by right only when enclosed within a building; and by the conditional use procedure in the A1 and A2 zones.

On April 15, 1993, following a public hearing the City Planning Commission adopted the attached report and findings of Planning Department staff as its report and findings and recommended adoption of the proposed ordinance (Appendix A) by the City Council.

These actions wre taken by the following vote:

Moved:	Louie
Seconded:	Kennard
Ayes:	Stein
No:	Neiman
Absent:	Torres-Gil

Ramona Haro

Ramona Haro, Secretary
City Planning Commission

RH:pb

Recyclable and made from recycled waste.

APPENDIX A

PROPOSED ORDINANCE FOR DISCUSSION

An ordinance amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to add definitions and to provide for conditional use permit for the processing of recyclable green wood waste source separated materials provided that certain standards and criteria are met.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS

Section 1. Section 12.03 of the Los Angeles Municipal Code is here by amended by adding the following definitions in proper alphabetical sequence, to read:

Agricultural Waste - All plant materials generated from the growing and harvesting of crops, vegetables. For purposes of this definition, this term does not include wood wastes, animal wastes, biosolids, or garbage.

Chipping/Grinding Facility - Any facility which temporarily stores and/or processes source-separated green and/or wood waste

by means of chipping, grinding, mixing and/or screening to produce a material of varying particle size. For purpose of this definition, the finished product shall be used as ground cover, biofuel, wood chips, animal bedding, worm food, or other similar uses.

Chippers - Includes all machinery operated to process the chipping and/or grinding of green and wood waste materials for the purpose of composting, curing and mulching.

Composting Facility - Any facility which processes source-separated organic materials through controlled biological decomposition to a stabilized state at which no further decomposition occurs. Materials may initially be chipped, shredded, and/or screened on site prior to being composted. Composting may be conducted in an in-vessel system or in the open such as in windrow composting. The facility may contain no more than 40,000 cubic yards or 12,000 tons of feedstock at any given time. Excluded from this definition is any non-commercial green and/or wood waste composting on backyard sites or institutional sites.

Curing Facility - Any composting facility where additional biological stabilization is attained, and no chipping, grinding, or screening of material takes place.

Feedstock - Any material(s) that may be supplied throughout the composting process, in manner and form, that is consistent with the facilities design.

Green Wastes - All yard trimmings and/or leaves, grass clipping, agricultural wastes and vegetative landscaping material generated from the maintenance of yards, parks, or other facilities.

In-vessel Composting - Any process in which compostable material is enclosed in a drum, silo, or similar structure where the environmental conditions are controlled. During this process the compostable material is aerated, off-gassed and mechanically agitated.

Leachates - Include any liquid which has come into contact with or percolated through composting or curing materials and has extracted or dissolved substances therefrom, or any liquid which is generated by the decomposition process.

Mulch - Any product used as a non-nutritive ground cover to control erosion, improve water retention and retard weed growth.

Mulching Facility - Any facility which receives, temporarily stores and processes into a mulch source-separated, primarily carbonaceous wood waste and/or yard trimmings. Processing is achieved by chipping and screening to achieve a uniform particle size and/or aging. Examples of materials accepted include clean

wood waste, tree and shrub trimming, leaves and other high carbon, low nitrogen material which decompose at a slow rate and have little leachate or odor-causing potential.

Windrow - The process in which compostable material is placed in elongated piles. The piles or "windrows" are mechanically turned periodically to speed up the decomposition process and reduce odors.

Wood Wastes - Any untreated and/or unpainted material such as pallets, plywood and other construction related scrap lumber, stumps and tree trimmings. For purposes of this definition, wood waste does not include food waste, animal wastes, biosolids, or garbage.

Section 2. A new Subdivision 27 is hereby added to Subsection A of Section 12.19 of the Los Angeles Municipal Code to read:

27. Curing, composting and mulching facilities including all accessory buildings, as well as all chipping and grinding facilities which shall be operated within an enclosed building.

Section 3. New Paragraphs (h) and (i) are hereby added to Subdivision 1.5 of Subsection C of Section 12.24 of the Los Angeles Municipal Code is hereby amended to read:

(h) Chipping/grinding permitted in the M2 zone when such facilities are not within a completely enclosed building.

(i) A Zoning Administrator shall have the authority to permit the following green wood recycling uses in the A1 and A2 zones, when conducted in accordance with the limitations hereafter specified:

(a) Types of uses:

(1) Chipping/grinding facility.

(2) Composting facility.

(3) Curing facility.

(4) Mulching facility.

(b) Limitations:

(1) Notwithstanding any provision of Section 12.05 and 12.06, all of the uses described in Paragraph (a) of this Subdivision shall be conducted wholly within an enclosed building, or enclosed with an 8-foot in height wall as determined appropriate by the Zoning Administrator.

(2) Where a required wall or fence has been erected between the area wherein the use is conducted and a street, no material shall be stored to a height greater than that of such a wall or fence within 50 feet thereof, unless the height

of the wall or fence is 10 feet or more. When the height of such a wall is 10 feet, a minimum setback of 37 feet between the wall and any stored material be observed after which point materials can be stored over the height of said wall.

(3) The Zoning Administrator shall have the authority to determine appropriate applications of Section 12.21 A 4, 5 and 6 to parking areas incidental to these uses.

(4) All the uses enumerated in this Subdivision shall be landscaped to a minimum distance of five feet measured at a right angle from the adjacent street except for those areas necessary for ingress and egress.

(5) Hours of operation of any use as defined in this Subdivision shall be tailored to and balanced with the need of adjoining uses.

(6) Signs displaying the name of the company and/or operator, address and operation hours shall be posted on or near the main entrance gate at all times.

(7) All wood and/or green waste recycling activities under this Subdivision shall not exceed the noise level as set forth in Section 111.03 of this Code as measured from any point adjacent property in any "A," "R," "C," "P' or "M" zone.

(8) All wood and/or green waste recycling uses under this Subdivision must comply with all the necessary Public Safety requirements of Section 57.08.01 through 13 to 14 of the Los Angeles Municipal Code. Such uses must not cause any odor or smell that are offensive to adjacent uses and must further satisfy all necessary permit requirements as set forth by state and local agencies.

(9) No residual water on-site cause contamination shall be permitted.

(10) All leachates shall be collected, controlled, disposed and removed from the site at all times.

(11) In approving a request under this section, the Zoning Administrator shall find that adequate safeguards are provided to control impacts resulting from residual waste materials, airborne transmission of dust particles, or debris from stockpiles, roadways or storage area.

(12) The minimum lot area requirement when located in the A1 or A2 zone shall be maintained for any chipping and/or grinding, composting, curing and/or mulching facility.

Sec. 4 The City Clerk shall certify.....

LOS ANGELES CITY PLANNING DEPARTMENT
STAFF REPORT TO THE CITY PLANNING COMMISSION

COMMISSION MEETING:

CASE/FILE NUMBER: CPC 92-0351 CA

DATE: April 15, 1993
TIME: After 8:30 A.M. *
PLACE: Room 340, City Hall
Council Chambers
Los Angeles, CA

RELATED FILE: CF 92-0846

ENV'L. DOCUMENT: CE 93-0205

_X_ **PUBLIC HEARING** required (or)

COUNCIL DISTRICT: All

__ **Public Hearing** completed or not required (public comment may be taken)

PLAN AREA: All

__ **INFORMATION ONLY**

SUBJECT/REQUEST: Code Amendment

SUBJECT LOCATION: Citywide

SUMMARY/MISC: Proposed ordinance amending Sections 12.03, 12.19 and 12.24 C of the Los Angeles Municipal Code to establish definition of terms pertaining to green and wood waste materials and facilities, to permit composting, curing, mulching by right in the M2 Zones; grinding and chipping by right only when enclosed within a building; and by the conditional use procedure in the A1 and A2 Zones.

RECOMMENDATION: Approval

STAFF, PHONE: Cora Smith, Faisal Roble, Code Studies Section, 237-0116

ADVICE TO PUBLIC: ***The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda.**

Written communications may be <u>mailed</u> to: City Planning Commission, Room 550, City Hall, Los Angeles, CA 90012-4801. It is suggested that letters be received in the Commission office at least 8 days prior to the meeting so that they will be included in the Commissioners' information packets for review.

Los Angeles City Planning Department

Room 561 City Hall

CITY PLAN CASE NO. 92-0351 CA
COUNCIL FILE NO. 92-0846

PUBLIC HEARING DATE: April 15, 1993

TO: HONORABLE CITY PLANNING COMMISSION

FROM: Con Howe
Director of Planning

SUBJECT: AMENDMENT-PROPOSED ORDINANCE (APPENDIX A) AMENDING SECTIONS 12.03, 12.19 AND 12.24 OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH DEFINITION OF TERMS PERTAINING TO GREEN AND WOOD WASTE MATERIALS AND FACILITIES, TO PERMIT COMPOSTING, CURING, MULCHING BY RIGHT IN THE M2 ZONES; GRINDING AND CHIPPING BY RIGHT ONLY WHEN ENCLOSED WITHIN A BUILDING; AND BY THE CONDITIONAL USE PROCEDURE IN THE A1 AND A2 ZONES.

TABLE OF CONTENTS

	Page
SUMMARY AND RECOMMENDATION	2
STAFF REPORT	5
Request	5
Background	5
Discussion	6
Conclusion	9
Environmental Impact	10
APPENDIX A - Proposed Ordinance for Discussion	Attached

SUMMARY AND RECOMMENDATION

The purpose of the subject ordinance is to comply with the requirements of State Assembly Bill 939, adopted in 1989, which mandates the City of Los Angeles reduce its urban waste and trash flowing into landfills by 25 percent; and by 50 percent by the years 1995 and 2000, respectively; its objective is to create favorable zoning regulations for green and wood waste recycling.

The proposed ordinance (Appendix A) would amend Sections 12.03, 12.19 A27 and 12.24 C1.5 of the Municipal Code by establishing provisions to effect the following changes:

1. Definition of terms pertaining to green and wood waste materials as well as related activities and/or facilities.

2. Composting, curing and mulching facilities and/or activities would be permitted by right in the M2 zones. Grinding and chipping operations would only be permitted in the M2 zones by right within an enclosed building.

3. When grinding and chipping operations are not conducted within an enclosed building in the M2 zones, the conditional use procedure would be required.

4. In the A1 and A2 zones, all green and wood waste recycling activities would be permitted by the conditional use procedure through the Zoning Administrator.

Further, the proposed ordinance establishes an additional authority that the Zoning Administrator shall evaluate all required safeguards, conduct a public hearing and subsequently determine the appropriate site for green and wood waste recycling facilities in the M2 and A1 and /or A2 zone, except when such uses are permitted by right in the M2 zones.

ACTION RECOMMENDED BY THE STAFF - The the Commission -

Adopt the staff report as its report on this matter.

Find:

1. In accordance with Charter Section 96.5(5) that the propose ordinance (Appendix A) is in substantial conformance with the propose, intent and provisions of the City's General Plan in that it promotes the policies set forth for the City's Air Quality Element in that it will achieve the goals of the 1990 adopted policy of the city which calls for increased efforts to recycle a greater proportion of the City's trash and

urban refuse through various programs of diverting trash from flowing into landfills to recycling centers.

2. In accordance with Charter Section 97.2(1)(a) that the proposed ordinance is directly related to the General Plan and will not adversely affect any Specific Plans or any other plans being prepared by the Planning Department. This ordinance will fulfill a goal of the City's Community Plans, an element of the General Plan, as well as assist in the implementation of the City's Air Quality Element by promoting good zoning practices and hence establishing concrete provisions in the Los Angeles Municipal Code which would encourage the recycling of greater proportion of the City's urban refuse and trash.

3. In accordance with Charter Section 97.2(1)(6) that this ordinance is in substantial conformance with public necessity, convenience, general welfare and good zoning practice in that it will expand the current limited scope of the Planning and Zoning Code and provide for the establishment of provisions which would encourage more recycling activities and hence enable the City to implement AB 939 as mandated by State legislation, which requires that the City of Los Angeles reduce the amount of trash flowing into landfills by 25 percent and by 50 percent by the years 1995 and 2000, respectively.

4. That the ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) and the City guidelines for the implementation thereof pursuant to Article III, Section 2, Subsection (m) of the Los Angeles City CEQA guidelines

Approve the proposed ordinance and recommend its adoption by the City Council.

CON HOWE
Director of Planning

BY: FRANKLIN P. EBERHARD
Deputy Director of
Project Planning

APPROVED BY:

ROBERT JANOVICI
Chief Zoning Administrator

REVIEWED BY:

CORA SMITH
City Planner

PREPARED BY:

FAISAL ROBLE
Project Coordinator

STAFF REPORT

Request

On May 26, 1992, the Planning and Environmental Committee of the City Council, responding to a motion (Bernson-Holden), instructed the Planning Department, in cooperation with the Integrated Solid Waste Management and the Bureau of Sanitation, to draft an ordinance amending the Los Angeles Municipal Code to site mulching, curing and composting by establishing performance standards and adequate safeguards to protect other adjacent uses through the conditional use procedure. The Committee also instructed staff to report back to its Committee with specific recommendations and findings.

On August 25, 1992, the Committee after brief presentation by staff of the draft ordinance (Appendix A), instructed staff to prepare the necessary report for consideration by the City Planning Commission.

Background

The absence of any clear provisions in the Los Angeles Municipal Code, without which the recycling of green and wood waste materials can not be addressed, is both inconvenient and an impediment to the implementation of both the General Plan and the recently enacted State Assembly Bill 939.

The City of Los Angeles adopted its first zoning ordinance in 1946 to vigorously regulate contemporary urban land use issues, particularly a booming housing construction and a fledgling emergent transportation culture throughout the Southern California basin. However, this particular ordinance did not address many isssues, like the green and wood waste recycling, which at the time did not pose any problems.

Nearly for almost half a century (i.e., 1946 to the present) green and wood waste materials have been treated as merely part of urban refuse, hence they were discarded. One obvious way to do so happened to be to dump all forms of urban refuse into local landfills, most of which are located within the jurisdictions of the City and County of Los Angeles.
The environmental implications upon such landfills are mostly negative.

To avert future environmental problems associated with landfills, policy-makers need to focus on the ways and means to increase the City's proportion of recycling its urban refuse. An integral part to such a policy would include a clear and concrete regulatory provisions for green/wood waste recycling facilities. To date, there are a few facilities in the city. With the exception of those facilities located in M3 zoned properties, almost all the rest of facilities operate after the City has granted them a zone variance permit.

In the face of mounting environmental awareness of the City's residents, decision-makers are compelled to address green and wood waste recycling issues. On February 20, 1992, for example, a Building and Safety Department inspector denied the application to operate the Valley Roll-off recycling center which was located on a property zoned A2. A subsequent appeal to the Board of Zoning Appeals was denied based on a 1952 Zoning Administrator's Interpretation (ZAI No. 1323) of the Code which listed "leaf mold and similar plant material, storage, composting and packing (no garbage, manure or animal droppings) (all grinding operations container within a building)" under the Use List Section of the Los Angeles Municipal Code. Furthermore, the following immediate factors make the revision of the Code feasible:

1. The 1989 enacted State Assembly Bill 939 mandated that the City of Los Angeles reduce the volume of its urban refuse and trash flowing into near-capacity landfills by 25 percent and 50 percent by the years 1995 and 2000, respectively.

2. Green and wood waste alone represent about 25 percent of the City's residential waste flowing to landfills. A program of diversion aiming at this sector will significantly contribute to the City's effort to meet the requirements of AB 939.

Staff believes that it is within this spirit that the City Council instructed staff to draft an ordinance amending the Los Angeles Municipal Code to expand the accommodation of green and wood waste recycling.

DISCUSSION

The general intent of this motion is to primarily implement the California Integrated Solid Waste Management Act of 1989 (AB 939) which mandated the City of Los Angeles to reduce the amount of solid waste flowing to landfills by at least 25 percent and 50 percent by the years 1995 and 2000, respectively. The immediate concern of this motion is, however, to direct staff to draft an ordinance which would assist the City Council to enhance the City's capacity to recycle (i.e., to compost and mulch) more green and wood waste.

In a recent article, the Los Angeles Times reported that "the Bureau of Sanitation, which collects 5,000 tons of household trash daily, is still sending virtually all of it to landfills. Only 3 percent of the total trash stream is being diverted to the recycling program." To be more effective, the City committed itself to a $170 million recycling program in 1990. The proposed ordinance would contribute towards the objectives of this program.

Current Regulations on Recycling

The existing Recycling Ordinance (No. 158,503, effective January 1, 1984) is the main planning tool to implement the City's land use policy pertaining to recycling urban waste and household refuses. Relative to this ordinance are several amendments one of which is the California Beverage Container Recycling and Litter Reduction Act, AB 2020, which mandated the establishment of Recycling Centers within a half-mile of every supermarket that grosses two million dollars or more annually. This amendment did not address green and wood waste materials.

This ordinance also permits by right the collecting and depositing of glass, cans, bottles, newspapers, etc. on sites of not more than 400 square feet in commercial zones. On the other hand, it permits only by conditional use procedure recycling centers or sites for the collection of only glass, bottles, cans, paper and plastic on sites having an area of more than 400 square feet in the C1.5, C2, C5, CM or P zones. However, it is currently being amended to increase the area to be used for the collection of these recyclable materials from 400 square feet to 700 square feet.

Both amendments to the existing ordinance did not address the recycling of green and wood waste materials which are only permitted by right in land designated for manufacturing with the corresponding zone of M3.

Besides green and wood waste, the M3 zone permits the recycling of sludge, oil, trash as well as junk-yard businesses. These uses are incompatible with green and wood waste materials in that green and wood waste materials are usually associated with agricultural uses while the recycling of oil, trash or household refuses are more related to heavy industrial uses. If, when recycling, such materials are lumped and processed together in the same zone, as would happen if the existing ordinance is not further amended, green and wood waste materials could be easily contaminated. When materials or feedstocks are contaminated, recycling becomes difficult or more expensive, and this negatively impacts the City's program.

Therefore, with the absence of any municipal strategy to implement state guidelines or address green and wood waste recycling, the City has so far been critically examining its policy of dumping its green and wood waste materials into existing near capacity landfills.

Requirements of State Assembly Bill 939

There is a growing recognition among policy-makers of the need for a change in policy direction regarding green and wood waste recycling. It is in this context that the enactment of the California Integrated Solid Waste Management Act of 1989, also known as AB 939, points to this direction. This Assembly Bill mandated the City of Los Angeles to reduce the amount of solid waste flowing to landfills by at least 25 percent and 50 percent

by the years of 1995 and 2000, respectively. If the City fails to meet this time table, the Bill subjects the City to a fine of $10,000 per day throughout the period of delinquency.

The purpose of the subject amendment is to enhance the City's capacity to implement that portion of AB 939 which relates to the recycling of green and wood waste generated in the City. The Bureau of Sanitation reported that green and wood waste alone represents 25-30 percent of the 5,000 tons of trash and urban refuse the City discards daily. The proposed ordinance, therefore, would provide for recycling this sector of the City's urban waste.

Land Use Analysis

To craft a set of internally consistent recommendations, staff conducted land use analysis and compared existing land use arrangements with the City's need for recycling green and wood waste; dis-aggregated existing land use designations by zone categories, and finally charted out the availability and affordability of zones (other than the M3) for green and wood waste recycling.

According to a 1991 land use report prepared by the Systems Division of the Planning Department, the land designated for the A zones constitutes about 25 percent (25%) of the City's land the majority of which is located in the San Fernando Valley. This is a significant proportion when compared to a mere 3 percent (3%) for M3. In terms of total acreage of land, A1 and A2 zones together claim about 77,135 acres compared to only 10,400 acres for M3.

Furthermore, the following general observations hold true:

a) Urban properties designated for A1 and A2 zones are large vacant acres of land in remote or agricultural areas of the City, with a minimum lot requirement of five and two acres, respectively. Moreover, such properties are abundant within the City's jurisdiction and are under-utilized. In some district plans, like the north and south San Fernando Valley, the A zones constitute 30 percent to 40 percent (30% - 40%) of the Districts' land. Both of these factors make the A zones the most appropriate zones for green and wood waste recycling. Furthermore, unlike other zones, the A zones are less expensive and more affordable for a nascent industry like that of the green and wood waste recycling industry. Staff believes that, with enough safeguards, the City can reach its target within the specified time provided that the subject amendment is implemented.

b) Staff determined, after consulting with experts in the field, that green and wood waste recycling is less hazardous and less expensive than operating dump sites. For example, a report on green waste management prepared for the City of Oakland,

California, attests to this point. On the other hand, a long-term vision of green and wood waste recycling can bring about an economic growth and help create more jobs in time, especially if the materials to be recycled are treated as another form of raw materials. To date, the City paid about $30 a ton to dump trash in a landfill, and received an average of $20 a ton in 1991.

Also, there is a significant recognition by the City's decision-makers that the policy of dumping urban waste is only a temporary solution to a permanent and more serious environmental challenge, especially when most of the City's dump sites are headed towards a diminishing return of being filled up. Furthermore, environmental advocates have successfully argued that trash or any other refuse dumped in or outside the jurisdiction of the City is as much an environmental hazard as any other form of air pollution.

c) Limiting the City's effort to recycle green and wood waste to only M3 zones has economic dis-incentive in that M3 properties are located in densely populated inner city neighborhoods or in industrial zones. Both of these factors make M3 properties more expensive and less desirable for green and wood waste recycling. This would hinder any private sector's initiative to invest in this industry.

Because M3 zoned properties are scarce and more expensive, any meaningful green and wood waste recycling policy should be able to increase the availability and affordability of land for this particular use. It is this that the subject proposal aims to achieve.

Therefore, as part of the implementation strategy, staff recommends a three pronged strategy: a) All composting, curing and mulching of green and wood waste be permitted in the M2 zone by right as well as chipping and grinding when operated within an enclosed building; b) Chipping and grinding when not located within an enclosed building be permitted in the M2 zone through the conditional use procedure; and c) Chipping and/or grinding, composting, curing and mulching be permitted in the A1 and A2 zones through the conditional use procedure. In both cases, the conditional use procedure requires a discretionary review by a Zoning Administrator and the fulfilment of a set of minimum standards for siting prior to the issuance of any building permit. This process will preclude offensive and incompatible uses to be sited together.

CONCLUSION

After holding a series of meetings with staff members of the Integrated Solid Waste Management Department, Bureau of Sanitation, consultants and members of the industry, staff concludes that the subject code amendment will promote the City's effort to recycle more green and wood waste materials. The

subject proposed ordinance (Appendix A) provides for the utilization of M2 and A zones in appropriate locations for green and wood waste recycling activities through the conditional use permit process. This alternative is financially feasible both for the City and the private sector while at the same time ensuring protection for the residents of the City and the environment.

ENVIRONMENTAL IMPACT

The attached proposed ordinance (Appendix A) is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 2, Subsection (m) of the City of Los Angeles CEQA Guidelines (ordinances which have no impact on physical environment). An exemption was granted on February 10, 1993.

Any project application filed in accordance with the ordinance would be subject to environmental clearance at the time such applications were filed.

repwaste.doc

APPENDIX A

PROPOSED ORDINANCE FOR DISCUSSION

An ordinance amending Sections 12.03, 12.19 and 12.24 of the Los Angeles Municipal Code to add definitions and to provide for conditional use permit for the processing of recyclable green wood waste source separated materials provided that certain standards and criteria are met.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS

Section 1. Section 12.03 of the Los Angeles Municipal Code is here by amended by adding the following definitions in proper alphabetical sequence, to read:

Agricultural Waste - All plant materials generated from the growing and harvesting of crops, vegetables. For purposes of this definition, this term does not include wood wastes, animal wastes, biosolids, or garbage.

Chipping/Grinding Facility - Any facility which temporarily stores and/or processes source-separated green and/or wood waste

by means of chipping, grinding, mixing and/or screening to produce a material of varying particle size. For purpose of this definition, the finished product shall be used as ground cover, biofuel, wood chips, animal bedding, worm food, or other similar uses.

Chippers - Includes all machinery operated to process the chipping and/or grinding of green and wood waste materials for the purpose of composting, curing and mulching.

Composting Facility - Any facility which processes source-separated organic materials through controlled biological decomposition to a stabilized state at which no further decomposition occurs. Materials may initially be chipped, shredded, and/or screened on site prior to being composted. Composting may be conducted in an in-vessel system or in the open such as in windrow composting. The facility may contain no more than 40,000 cubic yards or 12,000 tons of feedstock at any given time. Excluded from this definition is any non-commercial green and/or wood waste composting on backyard sites or institutional sites.

Curing Facility - Any composting facility where additional biological stabilization is attained, and no chipping, grinding, or screening of material takes place.

Feedstock - Any material(s) that may be supplied throughout the composting process, in manner and form, that is consistent with the facilities design.

Green Wastes - All yard trimmings and/or leaves, grass clipping, agricultural wastes and vegetative landscaping material generated from the maintenance of yards, parks, or other facilities.

In-vessel Composting - Any process in which compostable material is enclosed in a drum, silo, or similar structure where the environmental conditions are controlled. During this process the compostable material is aerated, off-gassed and mechanically agitated.

Leachates - Include any liquid which has come into contact with or percolated through composting or curing materials and has extracted or dissolved substances therefrom, or any liquid which is generated by the decomposition process.

Mulch - Any product used as a non-nutritive ground cover to control erosion, improve water retention and retard weed growth.

Mulching Facility - Any facility which receives, temporarily stores and processes into a mulch source-separated, primarily carbonaceous wood waste and/or yard trimmings. Processing is achieved by chipping and screening to achieve a uniform particle size and/or aging. Examples of materials accepted include clean

wood waste, tree and shrub trimming, leaves and other high carbon, low nitrogen material which decompose at a slow rate and have little leachate or odor-causing potential.

Windrow - The process in which compostable material is placed in elongated piles. The piles or "windrows" are mechanically turned periodically to speed up the decomposition process and reduce odors.

Wood Wastes - Any untreated and/or unpainted material such as pallets, plywood and other construction related scrap lumber, stumps and tree trimmings. For purposes of this definition, wood waste does not include food waste, animal wastes, biosolids, or garbage.

Section 2. A new Subdivision 27 is hereby added to Subsection A of Section 12.19 of the Los Angeles Municipal Code to read:

27. Curing, composting and mulching facilities including all accessory buildings, as well as all chipping and grinding facilities which shall be operated within an enclosed building.

Section 3. New Paragraphs (h) and (i) are hereby added to Subdivision 1.5 of Subsection C of Section 12.24 of the Los Angeles Municipal Code is hereby amended to read:

(h) Chipping/grinding permitted in the M2 zone when such facilities are not within a completely enclosed building.

(i) A Zoning Administrator shall have the authority to permit the following green wood recycling uses in the A1 and A2 zones, when conducted in accordance with the limitations hereafter specified:

(a) Types of uses:

(1) Chipping/grinding facility.

(2) Composting facility.

(3) Curing facility.

(4) Mulching facility.

(b) Limitations:

(1) Notwithstanding any provision of Section 12.05 and 12.06, all of the uses described in Paragraph (a) of this Subdivision shall be conducted wholly within an enclosed building, or enclosed with an 8-foot in height wall as determined appropriate by the Zoning Administrator.

(2) Where a required wall or fence has been erected between the area wherein the use is conducted and a street, no material shall be stored to a height greater than that of such a wall or fence within 50 feet thereof, unless the height

of the wall or fence is 10 feet or more. When the height of such a wall is 10 feet, a minimum setback of 37 feet between the wall and any stored material be observed after which point materials can be stored over the height of said wall.

(3) The Zoning Administrator shall have the authority to determine appropriate applications of Section 12.21 A 4, 5 and 6 to parking areas incidental to these uses.

(4) All the uses enumerated in this Subdivision shall be landscaped to a minimum distance of five feet measured at a right angle from the adjacent street except for those areas necessary for ingress and egress.

(5) Hours of operation of any use as defined in this Subdivision shall be tailored to and balanced with the need of adjoining uses.

(6) Signs displaying the name of the company and/or operator, address and operation hours shall be posted on or near the main entrance gate at all times.

(7) All wood and/or green waste recycling activities under this Subdivision shall not exceed the noise level as set forth in Section 111.03 of this Code as measured from any point adjacent property in any "A," "R," "C," "P' or "M" zone.

(8) All wood and/or green waste recycling uses under this Subdivision must comply with all the necessary Public Safety requirements of Section 57.08.01 through 13 to 14 of the Los Angeles Municipal Code. Such uses must not cause any odor or smell that are offensive to adjacent uses and must further satisfy all necessary permit requirements as set forth by state and local agencies.

(9) No residual water on-site cause contamination shall be permitted.

(10) All leachates shall be collected, controlled, disposed and removed from the site at all times.

(11) In approving a request under this section, the Zoning Administrator shall find that adequate safeguards are provided to control impacts resulting from residual waste materials, airborne transmission of dust particles, or debris from stockpiles, roadways or storage area.

(12) The minimum lot area requirement when located in the A1 or A2 zone shall be maintained for any chipping and/or grinding, composting, curing and/or mulching facility.

Sec. 4 The City Clerk shall certify.....

CORCalifornia Organic Recycling Council

CITY PLANNING COMMISSION
AGENDA 4-15-93
ITEM NO. 22

April 9, 1993

RE: Ordinance change for green waste

The City of Los Angeles Planning Commission
Room 550, Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012

Dear Planning Commission,

California Organic Recycling Council (CORC) represents over 300 "clean green" recyclers in the State of California. Upon review of the proposed amendments encompassing additional zone designations for green waste recycling, CORC enthusiastically supports the changes to the Los Angeles Municipal Code.

As we all are aware, AB939 has created enormous pressure on county and city agencies. By amending your city codes, the City of Los Angeles will create an environment attractive to responsible green waste recyclers. Considering 20-25% of the local material is green waste, the City of Los Angeles is taking a significant step towards meeting the requirements of AB 939.

Sincerely,

David L. Hardy
President
California Organic Recycling Council (CORC)

RECEIVED
CITY OF LOS ANGELES
APR 14 1993
CITY PLANNING DEPT.
PLANNING COMMISSION

Copy

COPIES MADE FOR COMMISSION

AGENDA 4-15-93

ITEM NO. 22

SANITATION DIVISION

CITY OF CULVER CITY

9815 WEST JEFFERSON BOULEVARD
P.O. BOX 507,
CULVER CITY, CALIFORNIA 90232-0507

MARK H. GAUERKE
Resource and Sanitation
Manager

(310) 202-5718/5729
FAX (310) 839-6439

April 9, 1993

RECEIVED
CITY OF LOS ANGELES

APR 12 1993

CITY PLANNING DEPT.
PLANNING COMMISSION

Mr. William G. Luddy
City Planning Commission
City of Los Angeles
200 S. Spring St.
Los Angeles, CA 90012-4801

Dear Mr. Luddy,

I would like to comment on City Plan **Case No. 92-0351 CA**, pertaining to green and wood waste materials and facilities, to permit composting, curing, mulching in M2 zones, and grinding and chipping in enclosed buildings in A1 and A2 zones. This public hearing for this case is scheduled for April 15, 1993.

The City of Culver City does all of the waste hauling in the City, both residential and commercial. As part of our efforts to achieve our AB939 goals, we started a residential curbside collection program for yard waste in January, 1991. The program has been tremendously successful, and we currently collect approximately 350 tons per month of yard waste. The collection part has been easy, finding a place to deposit the materials for processing has been quite difficult.

Since cities do not receive full diversion credit for materials that are incinerated, we have always tried to take our materials to a composting facility. However, such facilities are few and far between, and seem to be plagued with permitting problems and other regulations which cause frequent closures.

I urge the City Planning Commission to support the proposed ordinance. As more and more cities start yard waste collection programs, the need for such facilities will be ever increasing.

Sincerely,

Mark H. Gauerke
Resource and Sanitation Manager

MADE FOR COMMISSION
4-15-93
ITEM NO. 22

HAL BERNSON
COUNCILMAN
TWELFTH DISTRICT

City Council
of the
City of Los Angeles
City Hall

ROOM 237
200 N. SPRING ST.
LOS ANGELES 90012-4873
(213) 485-3343

DISTRICT OFFICE
18917 NORDHOFF ST., STE. 18
NORTHRIDGE 91324-3789
(818) 989-8501
(818) 886-5210

April 5, 1993

Honorable Members
Planning Commission
Room 503, City Hall

RECEIVED
CITY OF LOS ANGELES
APR 07 1993
CITY PLANNING DEPT.
PLANNING COMMISSION

RE: Proposed Amendment/LAMC
CPC 92-0351 CA
Hearing Date--April 15, 1993

Dear Members:

I would like to take this opportunity to register my strong support of the above-referenced case, which, I believe, is needed to help fulfill the mandate of AB 939 and reduce the amount of solid waste taken to landfills. Further, establishing criteria for recycling green and wood waste material would certainly benefit the City's recycling program.

I do, however, recommend that one area of the draft ordinance be modified.

As currently proposed, grinding and chipping operations would only be permitted by right in the M2 zone if in an enclosed building. Otherwise, a conditional use permit would be required. I would like to propose that grinding and chipping be allowed by right without an enclosed building if the facility is at least 750 feet away from the nearest residential. In addition, to further protect the community immediately surrounding the facility, I would also like to see the following added into the body of the ordinance:

1) Establish maximun hours of operation:
Weekdays--8:00 a.m. to 8:00 p.m.
Saturday--10:00 a.m. to 8:00 p.m.
Sunday--no earlier than noon to 8:00 p.m.

2) Require all lighting to be shielded

Finally, if the proposed grinding and chipping facility was to be closer than 750 feet away from residential, but wanted to operate without an enclosed building, a conditional use permit would be required.

With the inclusion of the above changes, I would like to once again repeat my endorsement of the amendment and urge its timely adoption. Thank you for your consideration.

Sincerely,

HAL BERNSON
Councilman, 12th District

HB:PW/te

cc: Mr. Mel Wilson
Mel Wilson and Associates
9017 Reseda Boulevard, Suite 107
Northridge, CA 91324

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(Article III, Section 3 — City CEQA Guidelines)

Submission of this form is optional. The form shall be filed with the County Clerk, 111 No. Hill St., Los Angeles, California 90012, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21168(d), the filing of this notice starts a 35-day statue of limitations on Court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statue of limitations being extended to 180 days.

LEAD CITY AGENCY
City Planning Department

COUNCIL DISTRICT
All

PROJECT TITLE
Green and Wood Waste Recycling

LOG REFERENCE
CE 93-0205

PROJECT LOCATION
Citywide

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
Proposed ordinance would amend Sections 12.03, 12.19 and 12.24 C of the Los Angeles Municipal Code to add definitions and to provide for conditional use procedure for the proposing of recyclable green and wood waste source separated materials; provided that certain standards and criteria are met.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON
Faisal Roble

AREA CODE | TELEPHONE NUMBER | EXT.
(213) 237-0117

EXEMPT STATUS: (Check One)

	CITY CEQA GUIDELINES	STATE EIR GUIDELINES
☐ MINISTERIAL	Art. III, Sec. 2b	Sec. 15073
☐ DECLARED EMERGENCY	Art. III, Sec. 2a(1)	Sec. 15071(a)
☐ EMERGENCY PROJECT	Art. III, Sec. 2a(2) & (3)	Sec. 15071(b) & (c)
☐ GENERAL EXEMPTION	Art. III, Sec. 1	Sec. 15060
☐ CATEGORICAL EXEMPTION	Art. VII, Sec. 1	Sec. 15100

Class_____ Category_____ (City CEQA Guidelines)

☒ OTHER (See Public Resources Code Sec. 21080(b) and set forth state and city guideline provision. Art. III Sec. 2 (m)

JUSTIFICATION FOR PROJECT EXEMPTION: Adoption of this ordinance will not have an effect on the physical environment. It is an enabling legislation only, and each project will have its own Environmental Review.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.

SIGNATURE	TITLE	DATE
Faisal Abdi Roble	City Planning Associate	Feb. 10, 1993

FEE: $25.00	RECEIPT NO.	REC'D BY	DATE
0	0	0	0

FORM GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

TO: PLANNING DEPT./COMSN.
ATTN: CORA SMITH

DATE: MAY 27, 1992

RE: CF 92-0846

FROM: ARAM A. ELMASSIAN, LEGISLATIVE ASSISTANT II
PLANNING AND LAND USE MANAGEMENT COMMITTEE

On May 26, 1992, the Planning and Land Use Management Committee considered a Motion (Bernson-Braude) that the Planning Department be directed to prepare a report and an ordinance amending the City's zoning code by establishing performance standards to allow wood and green waste mulching operations to be sited by means of conditional use permit in zones deemed appropriate.

The Committee members approved said Motion and requested that the foregoing be submitted in completed form to the Committee by July 28, 1992.

Aram A Elmassian

M O T I O N

The City of Los Angeles is currently experiencing a 6,000 ton per day shortage in landfill capacity. The diminishing future capacity relates to the rapid expiration of current landfills and entitlements and also the difficulty in finding new locations for siting new facilities.

WHEREAS, wood and green waste represents approximately 25 percent of the City of Los Angeles' waste stream to landfill; and

WHEREAS, the City of Los Angeles is required to reduce the amount of waste sent to landfills by 25 percent by the year 1995 and 50 percent by the year 2000; and

WHEREAS, if this is not accomplished in the prescribed time frame, the City will incur fines of $10,000 per day; and

WHEREAS, the City of Los Angeles' zoning code does not mention the disposal of commercial chipping or mulching of green and wood waste at all; and

WHEREAS, composting and mulching is currently allowed only in the M3 heavy industrial zone; and

WHEREAS, the City of Los Angeles needs to take measures to meet the spirit and requirement of AB 939 in a timely manner.

I, THEREFORE, MOVE that the Planning Department be directed to prepare a report and an ordinance amending the City's zoning code by establishing performance standards to allow wood and green waste mulching operations to be sited by means of conditional use permit in zones deemed appropriate.

PRESENTED BY _____
HAL BERNSON
Councilman, 12th District

SECONDED BY _____

PLANNING and LAND USE MGT.
MAY 08 1992

ELIAS MARTINEZ
City Clerk

J. Michael Carey
Executive Officer

When making inquiries relative to this matter refer to File No.

92-0846

CITY OF LOS ANGELES
CALIFORNIA

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May 11, 1992

PLANNING AND LAND USE MANAGEMENT COMMITTEE

At the meeting of the Council held May 8, 1992, motion (Bernson-Braude) attached to the file, was referred to the PLANNING AND LAND USE MANAGEMENT COMMITTEE.

Elias Martinez

City Clerk
ca

Recyclable and made from recycled waste.

CITY OF LOS ANGELES
CALIFORNIA

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March 8, 1995

Planning and Land Use
Management Committee,
and
Environmental Quality
and Waste Management
Committee
City of Los Angeles
Room 395, City Hall
Stop 160

Council File No. 92-0846
City Plan Case No. 92-0351 CA

Dear Committee Members:

THIS REPORT INCLUDES A PROPOSED ORDINANCE WHICH WOULD PERMIT UNENCLOSED WOOD CHIPPING AND GRINDING ACTIVITIES IN THE M2 ZONE SUBJECT TO CERTAIN CONDITIONS

Ordinance No. 170,054, relating to wood and green waste recycling operations, was adopted by the City Council on September 27, 1994, published on October 13, 1994, and became effective on November 12, 1994. This ordinance, which establishes definitions and performance standards for various wood and green waste recycling and mulching activities, permits wood chipping and grinding in the M2 Zone only within a wholly enclosed building. Open, unenclosed wood chipping or grinding requires conditional use permit approval from the Zoning Administrator, because of possible adverse impacts to surrounding properties, such as noise, dust, etc.

A motion (Chick-Bernson) was introduced on November 23, 1994 to amend the adopted ordinance to allow unenclosed wood chipping and grinding in the M2 Zone by right, subject to specific mitigating conditions. This motion was subsequently referred to staff by the Environmental Quality and Waste Management Committee on November 30, 1994, and the Planning and Land Use Management Committee on January 3, 1995. City Planning Department staff was instructed to, in cooperation with the Bureau of Sanitation and the Bureau of Street Maintenance, Street Tree Division, prepare a proposed ordinance with suitable performance standards and conditions to mitigate potential adverse impacts of the wood chipping and grinding operations.

The original ordinance was written to require conditional use approval from the Zoning Administrator for open, unenclosed wood chipping or grinding, because of adverse impacts caused by these activities, such as loud noise, dust and air pollution, objectionable odors, etc. Because many M2-zoned properties throughout the City are located in close proximity to residential neighborhoods and other sensitive land uses, there is concern that surrounding properties could be negatively impacted if these activities are not enclosed in a building, unless mitigating conditions suitable for the specific location are established through the conditional use process.

However, the City Council motion to permit unenclosed wood chipping and grinding in the M2 Zone by right, subject to a series of standard mitigating conditions, reflects a concern that the cost and uncertainty of the conditional use process could discourage some wood and green waste recycling businesses from locating within the City. Therefore, staff was instructed to reexamine the issue and draft a proposed ordinance to permit these uses in the M2 Zone, subject to standard conditions that would mitigate the potential adverse impacts as much as possible.

Pursuant to the request from the City Council committees, a series of meetings was held between staff of the City Planning Department, the Bureau of Sanitation, and the Bureau of Street Maintenance, Street Tree Division. Staff also visited a City wood and green waste recycling facility in Canoga Park, operated by the Street Tree Division. Through these meetings, and in consultation with the Department of Building and Safety, staff has modified the Code amendment proposed in the City Council motion into a proposed ordinance for discussion (Appendix A).

The proposed ordinance (Appendix A) permits open, unenclosed wood chipping and grinding activities in the M2 Zone, as proposed in the City Council motion, subject to a series of standard operating conditions or criteria. The conditions imposed are mostly from the original Council motion, but were partially modified through the series of meetings with the other City agencies. These conditions, as they are written in the proposed ordinance, are believed necessary by staff of all three City departments, to mitigate most of the adverse impacts that would be created by the wood chipping and grinding activities.

Staff added conditions to the proposed ordinance relating to noise and the types and quantity of equipment that can be used. Conditions previously existing in the amendment were modified or made more specific regarding dust control, odor control, vector control, landscaping, hours of operation, signage, and record keeping. Also, the proposed ordinance provides for annual inspections of the wood chipping and grinding businesses by the Department of Building and Safety to continue indefinitely, rather than ending after two years as originally proposed. In the proposed ordinance (Appendix A), conditions or portions

thereof which have been added or modified from the original City Council motion are shown in bold type.

Below is a chart summarizing the wood chipping and grinding uses that are permitted in the M2 Zone under the current Municipal Code and under the proposed new ordinance (Appendix A).

PERMITTED WOOD CHIPPING AND GRINDING USES IN THE M2 ZONE

	Within an Enclosed Building	Open, Unenclosed - Subject to Standard Conditions	Open, Unenclosed - Not In Compliance With Standard Cond
Under Current Municipal Code	Permitted	By Conditional Use to Z.A. Only (*1)	By Conditional Use to Z.A. Only
Under Proposed New Ordinance (Appendix A)	Permitted	Permitted	By Conditional Use to Z.A. Only

*1 - No standard conditions currently exist in the Municipal Code regarding unenclosed wood chipping and grinding in the M2 Zone.

The Planning Department requests that a joint meeting of the Committees be scheduled as requested by the chairperson of the Environmental Quality and Waste Management Committee, so that this matter may be discussed and the Planning Department instructed accordingly.

Should you have any questions, please contact Cora Smith or Jeff Pool of the Code Studies Section at (213) 237-0117.

Very truly yours,

CON HOWE
Director of Planning

ROBERT JANOVICI
Chief Zoning Administrator

cc: Bureau of Sanitation
Bureau of Street Maintenance,
Street Tree Division
Planning Deputy: C.D. #3
C.D. #6
C.D. #11
C.D. #12
C.D. #14

RJ:JP:WCHIP2.DOC

Attachment

APPENDIX A

PROPOSED ORDINANCE FOR DISCUSSION

An ordinance amending Sections 12.19 A 15, 12.24 C 60, 47.13, 98.0402(e), and 111.05 of the Los Angeles Municipal Code, to permit unenclosed wood chipping and grinding activities in the M2 Zone, subject to certain conditions.

Section 1. Subdivision 15 of Subsection A of Section 12.19 of the Los Angeles Municipal Code is hereby amended to read:

15. Curing, composting and mulching facilities, including all accessory buildings, as well as chipping and grinding facilities when conducted ~~within a wholly enclosed building.~~ in accordance with the following requirements:

(a) Perimeter Fencing. An 8-foot fence or wall shall be erected around the entire perimeter of the site. Appropriate landscaping, **as described in Paragraph (j) of this Subdivision,** shall be required to provide visual screening.

(b) Setback Requirements. A minimum setback of 100 feet between the grinder and the property line shall be required. A setback of 500 feet between the grinder and non-industrial zones shall be maintained.

(c) Equipment. Not more than two grinders shall be located within any area of five acres or less. All fuel-powered equipment shall comply with all applicable standards of the Air Quality Management District. Only tub grinders equipped with safety covers, to prevent foreign materials from being accidentally propelled from the tub, shall be used.

(d) Dust Control. Dust control shall be implemented to prevent impacts on surrounding land uses and shall conform to all applicable requirements of the Air Quality Management District.

(e) Noise Control. Noise levels created by wood chipping and grinding activities shall comply with all applicable requirements of Chapter 11 of the Los Angeles Municipal Code. The maximum noise level at any property line of the site shall not exceed 70 decibels, except where a site adjoins any A or R Zone, where the maximum permitted noise level shall be 50 decibels, pursuant to Section 111.03 of the Los Angeles Municipal Code.

(f) Odor Control. All wood waste and/or green waste recycling uses must comply with all necessary public safety requirements of Section 57.08.01 through 57.08.13 of the Los Angeles Municipal Code. Such uses must not emit any odor or smell that is offensive to adjacent uses and must

further satisfy all necessary requirements as set forth by applicable state, county, and regional agencies. Odor control methods shall include: maintaining proper moisture content; non-usable residual wastes shall be kept in a covered container and shall not remain on-site for more than **72 hours** before proper disposal; contaminated feed stock (food wastes and garbage) shall not be accepted at the facility. **All materials accepted at the facility shall be chipped and/or ground within 72 hours of arrival on the site, and shall be removed from the site within 72 hours after chipping and/or grinding.**

(g) Vector Control. Vector control shall be implemented to prevent impacts on surrounding land uses. A licensed pest control company shall inspect and service the site on at least a bi-weekly basis. A log of all such inspections shall be maintained, indicating the date and time of the inspection, the status of the premises, and any recommendations made by the inspector.

(h) Adequate Drainage. Facilities shall maintain adequate drainage in a manner that prevents ponding on-site. All leachates shall be collected, controlled, disposed of with approvals from the appropriate City agency and the California Regional Water Quality Board or be re-used on the site.

(i) Stacking of Materials. Where, pursuant to subparagraph (a) above, the required wall or fence has been erected in an area which adjoins a street **or a non-industrial** zone, no material shall be stored within the enclosed area to a height greater than that of the perimeter wall or fence for a distance of up to 50 feet from such wall or fence, unless the wall or fence is 10 feet or more in height. When the wall or fence is 10 feet or more in height, no material shall be stored within the enclosed area to a height greater than that of such wall or fence for a distance of 37 feet from such wall or fence. After the minimum setbacks of either 50 feet or 37 feet have been observed, materials may be stored over the height of such wall or fence up to a maximum of 40 feet.

(j) Landscaping. The property upon which any wood chipping or grinding facility is located shall be landscaped to a minimum distance of five feet, measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress. Further, the site shall be landscaped and maintained in a manner compatible with the surrounding community. **A landscape plan shall be submitted for review and approval by the Department of Public Works, Bureau of Street Maintenance, Street Tree Division, with the appropriate fees paid as required by Section 47.13 of the Los Angeles Municipal Code. A copy of the approved landscape plan shall be kept on the site. The**

Department of Building and Safety shall verify the proper maintenance of all landscaping during annual inspections, as required under Paragraph (n) of this Subdivision.

(k) Hours of Operation. Hours of operation shall not exceed 8 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 6 p.m., Saturday and Sunday.

(l) Signage. Signs displaying the name of the company and/or operator, address, hours of operation, and a telephone number shall be posted at or near the main entrance gate to the recycling facility at all times.

(m) Record Keeping. Accurate daily weight and/or volume records for incoming and outgoing material shall be maintained in a manner and form approved by the enforcement agency. These logs shall be available for review by the Department of Building and Safety during annual inspections.

(n) Annual Inspections. The Department of Building and Safety shall inspect the physical facilities of each wood chipping or grinding use authorized under this Subdivision at least once a year. An annual inspection fee as specified in Section 98.0402(e) of the Los Angeles Municipal Code shall be collected by the Department. An inspection may also be made whenever a complaint or referral is received by the Department concerning a violation of this

Los Angeles Municipal Code by any wood chipping or grinding facility authorized by this Subdivision.

Section 2. Subdivision 60 of Subsection C of Section 12.24 is hereby amended to read:

60. Chipping and grinding facilities in the M2 Zone where ~~such facilities are not conducted within a wholly enclosed building.~~ all requirements of Section 12.19 A 15 are not met.

Section 3. A new Section 47.13 of the Los Angeles Municipal Code is hereby added to read:

SECTION 47.13 LANDSCAPING REQUIRED FOR WOOD CHIPPING AND GRINDING FACILITIES

All wood chipping and grinding facilities existing in the M2 Zone pursuant to Section 12.19 A 15 of the Los Angeles Municipal Code shall be required to provide landscaping as specified below to mitigate visual impacts to the public and the surrounding community.

The property upon which any wood chipping and grinding facility is operated shall be landscaped to a minimum distance of five feet, measured at a right angle from the adjacent street, except for those areas which are necessary for ingress and egress. Further, the site shall be landscaped and maintained in a manner compatible with the surrounding community.

A landscape plan shall be submitted for review and approval by the Department of Public Works, Bureau of Street Maintenance, Street Tree Division, prior to the establishment of any such facility in the M2 Zone. A fee of $175 shall be collected by the Street Tree Division for each landscape plan review.

Section 4. Section 98.0402(e) of the Los Angeles Municipal Code is hereby amended to add a new fee as follows:

ANNUAL INSPECTION OF WOOD CHIPPING AND GRINDING FACILITY PER SECTION 12.19 A 15(n)	$200

Section 5. Paragraph (a) of Section 111.05 of the Los Angeles Municipal Code is hereby amended to read:

(a) The Department of Building and Safety shall have the power and duty to enforce the following noise control provisions of this Code: Section 12.14 A 6(h), Section 12.19 A 4(b)(1), **Section 12.19 A 15(e),** and Section 112.02.

WOODCHIP.doc

3/8/95