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November 4, 2026

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Dear Honorable Members:

PROPOSED INTERIM CONTROL ORDINANCE ON LARGE COLD STORAGE WAREHOUSING AND DISTRIBUTION USES IN INDUSTRIAL AREAS OF THE BOYLE HEIGHTS COMMUNITY PLAN AREA; COUNCIL FILE 26-0906-S10 - UPDATED STAFF REPORT WITH UPDATED RECOMMENDATIONS

On September 16, 2026 the City Council approved a motion in response to the Lineage Warehouse Fire requesting the Department of City Planning (DCP), with the assistance of the Department of Building and Safety (LADBS), and in consultation with the City Attorney, to prepare and present an Interim Control Ordinance (ICO) to prohibit the issuance of any demolition, building, use of land, grading, and any other applicable permits or certificates of occupancy for large cold storage warehousing and distribution uses within close proximity of residential neighborhoods and sensitive uses, such as but not limited to, parks, schools, day care centers, and libraries, in the Boyle Heights Community Plan area (Boyle Heights CPA).

Background

On June 17, 2026, the Lineage Warehouse Fire broke out in the Boyle Heights CPA at a large cold storage warehouse operated by Lineage. The Lineage Warehouse Fire demonstrated that large cold storage warehousing and distribution buildings and uses have the potential to cause significant harm to the community during incidents of industrial disaster, emergency events, and hazard cleanup, especially when in close proximity to sensitive uses. The subsequent months-long cleanup process has exposed residents and sensitive uses within the Boyle Heights CPA

and surrounding communities to continuous public health and safety hazards, including but not limited to, smoke, chemicals, toxic fumes, putrid odors, polluted water runoff, and vermin infestations. Some air quality impacts were experienced at a regional level. There are currently 9 sites with cold storage warehouse facilities operating within the Boyle Heights CPA.

Purpose of the Boyle Heights CPA ICO

As proposed, the ICO would prohibit the issuance on a ministerial or discretionary basis, of any new permits, approval or clearances for the construction, alteration, remodel, addition, expansion, restoration, change of use to, building of previously existing or new large cold storage warehousing and distribution uses, including issuance of certificates of occupancy in industrial areas of the Boyle Heights CPA (Exhibit B). Given the scale of the Lineage Warehouse Fire incident, it is critical that all pending investigations into the cause of the fire can proceed without interference. The completion of investigation and analysis of the Lineage site by DCP, LADBS, and other departments or outside parties, and the resulting recommendations to establish a new review and approval process of large cold storage warehousing and distribution uses in response to direction issued by Mayor Karen Bass Emergency Executive Order No. 3 remain pending. DCP has been collecting and evaluating information for the case file, related to the public health, economic, and environmental impacts caused by the Lineage Warehouse Fire, as documented by the public record, news media reports, local air quality monitoring data, and any other pertinent information. The ICO would allow for the timely completion of these investigations and reports, while providing for the immediate and ongoing protection of the public peace, health, safety, and welfare of the Boyle Heights community, until any potential subsequent recommended changes to existing zoning, building, and/or fire code regulations for the usage and operation of large cold storage warehousing and distribution buildings, can be considered.

Recommended Actions

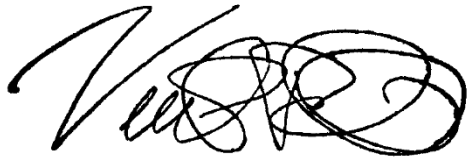
The City Council may adopt the ICO, which would be in effect for 45 days, with possible extensions under state law (California Government Code § 65858), or until appropriate zoning, building, and/or fire code regulations have been considered by the City, whichever occurs first. After the initial 45 days, the City Council by resolution may extend the provisions of the ordinance for a 10-month and 15-day period, which can be further extended to an additional year, or alternatively for a 22-month and 15-day period, with a four-fifths vote of the legislative body. No additional extensions are permitted beyond the total two year limit under state law.

DCP recommends that the City Council take the following actions to establish an ICO on large cold storage warehousing and distribution uses within areas zoned for hybrid industrial, light industrial, and industrial uses within the Boyle Heights CPA:

1. NOTE AND FILE the Department of City Planning (DCP) report dated November 4, 2026.
2. APPROVE the proposed Boyle Heights Community Plan Area Interim Control Ordinance (ICO), set forth as Exhibit A of this report, including the Findings set forth in Exhibit B of the report.
3. INSTRUCT the City Attorney to prepare and present a draft ICO including the environmental clearance.

For questions regarding this report, please contact Kiran Rishi, Principal City Planner, at kiran.rishi@lacity.org in the Department of City Planning.

Sincerely,



VINCENT P. BERTONI, AICP
Director of Planning

VPB:SMMB:kr:ug:ap:eg:og

Exhibits
Exhibit A: Draft Boyle Heights Community Plan Area Interim Control Ordinance (ICO)
Exhibit B: Findings

Exhibit A: Draft Boyle Heights Large Cold Storage Warehousing and Distribution Uses Interim Control Ordinance (ICO)

ORDINANCE NO._____

An Interim Control Ordinance adopted as an urgency measure pursuant to California Government Code Section 65858, prohibiting the issuance of any construction, alteration, remodel, addition, expansion, restoration or building, change of use, use of land, or other applicable permits, approvals, or certificates of occupancy, including any utility service connection, re-energization, or distributed-generation interconnection approval for large cold storage warehousing and distribution uses on all light industrial, industrial, and hybrid industrial zoned properties within the Boyle Heights Community Plan area.

WHEREAS, the proposed Interim Control Ordinance (ICO) is intended to regulate light industrial, industrial, and hybrid industrial zoned properties located within the Boyle Heights Community Plan area (Boyle Heights CPA), which is a part of the Land Use Element of the General Plan of the City of Los Angeles;

WHEREAS, the Lineage Warehouse Fire erupted on June 17, 2026 at a large-scale cold storage facility operated by Lineage Inc. located at 1400 South Los Palos Street, 3820 Los Palos Street, 3875 Noakes Street, 3780 E. Union Pacific Avenue, and/or 3820 E. Union Pacific Avenue (Assessor Parcel No. 5192001002) and the subsequent months-long cleanup process, has exposed the Boyle Heights CPA and surrounding communities to continuous public health and safety hazards including but not limited to smoke, chemicals, toxic fumes, putrid odors, polluted water runoff, and vermin infestations;

WHEREAS, Mayor Karen Bass declared a local emergency on July 10, 2026 and subsequently issued three Emergency Executive Orders to facilitate response and recovery operations regarding the Lineage Warehouse Fire;

WHEREAS, the ongoing environmental crisis created by the Lineage Warehouse Fire, of which the cause of the fire is still under multiple investigations, has highlighted the public health and safety impacts of hazards that may occur in large-scale cold storage facilities containing millions of pounds of perishable food products that can produce ammonia as a byproduct of decomposition, in close proximity to homes, schools, daycare facilities, parks, recreation centers, houses of worship, and hospitals;

WHEREAS, residential areas and other sensitive uses located near large-scale cold storage facilities may be subjected to air quality impacts associated with truck traffic and refrigerant emissions, including but not limited to potential exposure to a common refrigerant used in cold storage warehouses known as anhydrous ammonia during emergency or disaster scenarios, which is toxic and mildly flammable, and known to cause respiratory irritation and exacerbate conditions like asthma, or more severe damage to lungs and eyes, and even death if exposed;

WHEREAS, the Boyle Heights CPA currently contains numerous sites used for a variety of warehousing related uses, including large-scale cold storage facilities;

WHEREAS, people within the Boyle Heights CPA have experienced longstanding environmental justice impacts and expressed concerns for decades, including displacement of residents and pollution from the East Los Angeles Freeway Interchange, and contamination from hazardous industrial uses including the former Exide Technologies battery recycling facility in the neighboring City of Vernon;

WHEREAS, many industrially planned areas of the Boyle Heights CPA currently adjoin or abut existing residential and other sensitive uses;

WHEREAS, the existing zoning, Building Code, Fire Code, and other regulations, including those related to water, power, fire suppression, and solar panel systems that govern the usage and operation of large-scale cold storage facilities and distribution uses are undergoing multiple investigations, inspections, and review;

WHEREAS, the Department of City Planning is in the process of researching, evaluating, and exploring options to apply discretionary review for the usage and operation of large-scale cold storage facilities, for the immediate and ongoing protection of the public peace, health, safety, and welfare of the Boyle Heights community, including the application of environmental review under the California Environmental Quality Act for future projects; and

WHEREAS, to safeguard the public peace, health, safety, and welfare of the residents in the Boyle Heights community, the City proposes the urgent establishment of an ICO to prohibit the issuance of any permit for the construction, alteration, remodel, addition, expansion, restoration or building, change of use, use of land, or other applicable entitlement, including approvals for new or modified utility service connections, service re-energization, distributed-generation interconnections, or increases in onsite electrical generation or energy storage capacity, associated with large-scale cold storage warehousing and distribution uses within close proximity of residential neighborhoods or sensitive uses, such as but not limited to, homes, schools, daycare facilities, parks, recreation center, houses of worship, and hospitals as the Department of City Planning, Los Angeles Fire Department, Los Angeles Department of Water & Power, and Los Angeles Department of Building & Safety continue to study potential land use and other regulatory changes.

NOW, THEREFORE,

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

Section 1. **RECITALS**. The foregoing recitals are true and correct and incorporated herein by reference.

Sec. 2. **DEFINITIONS**. The following words and phrases, whenever used in this ordinance, shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in Section 12.03 of Chapter I of the Los Angeles Municipal Code (LAMC) and Sec. 14.3. (Glossary) of Chapter 1A of the LAMC.

A. **Large Cold Storage Warehousing and Distribution Uses:** Any site with greater than 20,000 square feet of cumulative cold storage warehousing and distribution square footage on the property, that is artificially refrigerated to a temperature of 45 degrees Fahrenheit or below, and primarily used for the high volume storage of cold goods for sale in large quantities primarily to businesses, or the storage of products intended for consolidation and distribution to manufacturers, wholesalers, retailers, or end users. The use does not include any use in the Public and Institutional, Open Space & Recreation, or General Commercial use category, and does not apply to any use that is accessory to or incidental to another primary use in the use categories listed above or in the Heavy Commercial use category.

B. **Sensitive Use:** Any permitted use in the residential use group, a civic facility use, a social services use, a hospital use, a school use, a community assembly use, or any use in the open space and recreation use category, as defined in Chapter 1A of the LAMC.

Sec. 3. **EXEMPTIONS.** The following are exempted from the prohibitions stated in this ICO, in order to protect the public welfare and safety.

A. Permits for routine building and electrical maintenance; mechanical maintenance or upgrades; tenant improvements for square footage of the site that is not dedicated to cold storage; or permits that improve fire, life, health, safety features on the site.

B. Permits, approvals, or clearances required by the City or a regulatory agency, for an operator to fulfill an order to comply and that is necessary to protect public welfare, health, and safety.

Sec. 4. **FINDINGS**. The foregoing recitals are true and correct and incorporated herein by reference.

A. The interim measure is essential to prevent further adverse impacts resulting from the construction, alteration, remodel, addition, expansion, restoration or building, change of use, use of land, or other applicable permit, approval or clearance necessary for use of new Large Cold Storage Warehousing and Distribution Uses, which if unregulated can reduce, degrade or deteriorate the quality of life of residents within the Boyle Heights CPA. The Lineage Warehouse Fire demonstrated that Large Cold Storage Warehousing and Distribution Uses have the potential to cause significant harm to the community in industrial disaster, emergency, or hazard clean up scenarios, especially when in close proximity to Sensitive Uses. Further, this interim measure is essential to prevent further adverse impacts from the installation of extensive solar arrays on large buildings, as the Lineage Warehouse Fire demonstrated the logistical challenges to firefighting on a roof of this scale. The ongoing investigations into the cause of the Lineage Warehouse Fire may identify opportunities to improve the Zoning Code, Building Code, and Fire Code review and approval process for Large Cold Storage Warehousing and Distribution Uses and large solar arrays, and recommend policy changes for City Council

consideration to ensure that future similar developments do not cause disproportional harm to nearby residents, communities, and businesses, particularly Sensitive Uses. Allowing for the construction, alteration, remodel, addition, expansion, restoration or building of previously existing or new Large Cold Storage Warehousing and Distribution Uses near Sensitive Uses within the Boyle Heights CPA before investigations have been completed and new regulatory controls have been considered may create safety risks similar to the June 2026 Lineage Warehouse Fire. Therefore, there is an urgent need for local regulatory action to protect the public peace, health, safety, and welfare.

B. The ICO will temporarily protect the public peace, health, safety, and welfare of residents within the Boyle Heights CPA, as shown within the Interim Control Ordinance (ICO) Boundaries map in Section 6 of this ordinance.

C. The ICO will prevent the construction, alteration, remodel, addition, expansion, restoration, or building of previously existing or new Large Cold Storage Warehousing and Distribution Uses on a ministerial or discretionary basis, including the issuing of applicable permits, approvals or clearances.

D. The ICO will prevent the installation of new or expanded solar photovoltaic systems, energy storage installations, electrical service upgrades, and utility interconnection serving Large Cold Storage Warehousing and Distribution uses, including the issuing of the applicable electrical permits.

E. The City Council finds this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15061, Subdivision (b)(3), because adoption of the ordinance will not result in a directly or reasonably foreseeable indirect physical change in the environment and has no potential for resulting in a significant effect on the environment as the ordinance will maintain the status quo. Additionally, this ordinance is exempt from the City's CEQA Guidelines pursuant to Article II Section 2 (m) in that it is only a temporary measure until appropriate land use regulatory controls are established and will not result in any impacts on the physical environment.

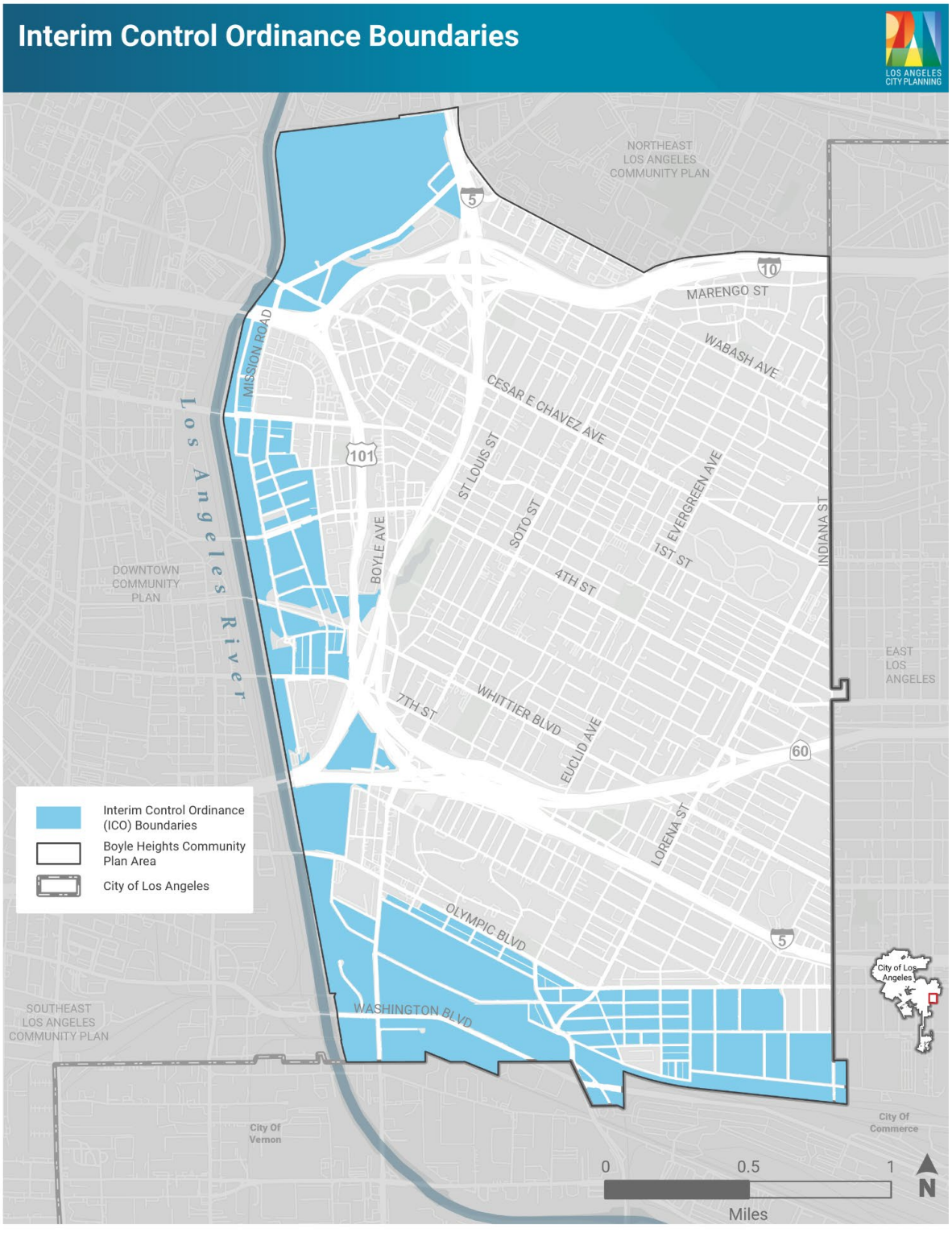
Sec. 5. **PROHIBITION**. Notwithstanding any provision of the LAMC to the contrary, for a period of 45 days from the effective date of this ordinance, or as extended resulting in a maximum effective period of 2 years, or until the ordinance is expressly terminated, the issuance of permits, approvals, or clearances listed below as subsections A, B, C, are prohibited. The ordinance may be terminated expressly by ordinance early and before its expiration date upon the consideration and effectuation of any subsequent recommended changes that govern the usage and operation of Large Cold Storage Warehousing and Distribution Uses within the area covered by this ordinance, and as shown on the map identified in Section 6. Until such time the ordinance expires or is terminated, whichever comes first, the issuance of the following permits, approvals, or clearances are prohibited:

A. No ministerial or discretionary permits, approvals for building permits, use of land permit, grading permits, certificates of occupancy, shall be issued for the construction, alteration, remodel, building, addition, change of use, use of land, or any other applicable permits, approvals or certificate of occupancy necessary for a Large Cold Storage Warehousing and Distribution Use of any kind or for any existing building(s) used as a Large Cold Storage Warehousing and Distribution Use within the Interim Control Ordinance Boundary in the Boyle Heights CPA, as shown on the map identified in Section 6.

B. No ministerial or discretionary permits, approvals for building, use of land, grading, certificates of occupancy, water, power or electrical systems, including but not limited to any solar panel systems shall be issued for the demolition, construction, alteration, remodel, addition, expansion, restoration or building, change of use or use of land, or any other applicable entitlement necessary for a Large Cold Storage Warehousing and Distribution Uses at the site of the large-scale cold storage facility operated by Lineage Inc., located at 1400 South Los Palos Street, 3820 Los Palos Street, 3875 Noakes Street, 3780 E. Union Pacific Avenue, and/or 3820 E. Union Pacific Avenue (Assessor Parcel No. 5192001002), that was damaged in the Lineage Warehouse Fire.

C. To the extent consistent with state law, no ministerial permits or approvals for new power or electrical systems related to solar panel systems and arrays for Large Cold Storage Warehousing and Distribution Uses within the ICO boundary, as shown on the map identified in Section 6, shall be issued.

Sec. 6. **INTERIM CONTROL AREA**. The provisions of this ordinance shall apply to all properties zoned with Industrial 2 (I2), Industrial 3 (I3), Industrial-Mixed (IX5), and Industrial-Mixed 6 (IX6) Use Districts within the Boyle Heights CPA, as shown on the following Interim Control Ordinance Boundaries map.


Interim Control Ordinance Boundaries
LOS ANGELES CITY PLANNING
NORTHEAST LOS ANGELES COMMUNITY PLAN
MARENGO ST
WABASH AVE
CESAR E CHAVEZ AVE
MISSION ROAD
Los Angeles River
ST LOUIS ST
SOTO ST
EVERGREEN AVE
INDIANA ST
BOYLE AVE
1ST ST
4TH ST
DOWNTOWN COMMUNITY PLAN
EAST LOS ANGELES
7TH ST
WHITTIER BLVD
EUCLID AVE
LORENA ST
OLYMPIC BLVD
WASHINGTON BLVD
SOUTHEAST LOS ANGELES COMMUNITY PLAN
City Of Vernon
City Of Commerce
City of Los Angeles
Interim Control Ordinance (ICO) Boundaries
Boyle Heights Community Plan Area
City of Los Angeles
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Sec. 7. **EXTENSION OF REGULATIONS**. The City Council may by resolution extend the provisions of this ordinance for a 10-month and 15-day period, which can be further extended to an additional year, or alternatively the ordinance may be extended once for a 22 month and 15 day period from the effective date of this ordinance, so long as the City Council makes the following findings: That the extension is necessary to protect the threat to the peace, health, safety, and welfare of the residents in the ICO area, from the construction, alteration, remodel, addition, expansion, restoration or building, change of use, use of land, or other applicable entitlement necessary for a Large Cold Storage Warehousing and Distribution Uses, pursuant to the requirements of Government Code Section 65858.

Sec. 8. **HARDSHIP EXEMPTION**. The City Council, acting in its legislative capacity and by resolution, may grant hardship exemptions from any or all of the provisions of this ordinance in cases of extreme hardship duly established to the satisfaction of the City Council. An application for hardship exemption shall be filed with the City Clerk on forms provided by the Department of City Planning.

Sec. 9. **RETROACTIVE EFFECTIVE DATE.** This ordinance shall take effect immediately upon passage, but its provisions shall be deemed fully retroactive and shall apply to any permit applications, development plans or commercial operations commenced, submitted, or pending on or after June 17, 2026. Any actions taken in compliance with prior rules between that date and the enactment of this ordinance are hereby superseded to the extent they conflict with the provisions herein.

Sec. 10. **SEVERABILITY**. If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 11. **APPLICABILITY OF THE ZONING CODE**. The regulations of this ordinance are in addition to those set forth in the planning and zoning provisions of Chapter I and Chapter 1A of the LAMC and any other ordinances adopted by the City Council, and do not contain any rights not otherwise granted under the provisions and procedures contained in those Chapters or other ordinances. All ordinances, parts of ordinances, or the LAMC, including but not limited to Section 16.03 A. of Chapter I of the LAMC that are in conflict with this ordinance are hereby superseded insofar as they do so conflict.

Sec. 12. **URGENCY CLAUSE**. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health, safety, and welfare set forth in this ordinance. For these reasons, this ordinance shall become effective upon publication pursuant to California Government Code Section 65858.Sec. 13. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Gov. Code Section 65090, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Exhibit B: Findings

Government Code Section 65858 Findings

In accordance with state Government Code Section 65858, the proposed Interim Control Ordinance (ICO) is necessary to address the current, immediate, and ongoing threat to public peace, health, safety, and welfare. Following the June 17, 2026 start of the Lineage Warehouse Fire in Boyle Heights, residents in Boyle Heights, Vernon, Commerce, East Los Angeles, and other parts of the region were subjected to significant air quality impacts, odors and toxins from rotting food, flies, and vermin. Residents experienced respiratory and other health symptoms resulting from the fire and byproducts from the rotting of food, leading to increased hospital and doctor's visits in the community. The City and outside parties are continuing their investigations into the cause and challenges of the scale and difficulty of combating the Lineage Warehouse Fire, and the role of large cold storage facilities and roof mounted solar array in the fire and subsequent impacts. While the City investigates this emergency and evaluates how to prevent and reduce impacts through changes to codes and regulations in response to the investigation findings, it is necessary to pause issuance of permits for large cold storage warehousing and distribution uses in the Boyle Heights neighborhood to protect public peace, health, safety, and welfare.

Residential areas and other sensitive uses located near large cold storage warehousing and distribution uses may be subjected to air quality an-*d noise impacts associated with truck traffic and refrigerant emissions, and could experience potential exposure to a common refrigerant used in cold storage warehouses known as anhydrous ammonia during emergency or disaster scenarios, which is toxic and mildly flammable. This chemical is known to cause respiratory irritation and exacerbate conditions like asthma, or more severe damage to lungs and eyes, and even death if exposed. Given the scale and magnitude of the Lineage Warehouse Fire, several on-going concerns remain about the potential risk of any other similar disasters involving ammonia or other refrigerants, particularly involving the risk of mass organic decomposition, which presents potentially significant health and safety risks to nearby residents and other sensitive uses before any new regulatory safeguards are instituted. Further, once the initial fire that posed an immediate threat to nearby residential areas was extinguished, the resulting ongoing public health emergency of rotting food led to the release of ammonia, a byproduct of decaying food. Flies and vermin attracted to the site exacerbated the public health emergency for nearby residents. The removal of the decaying food took 54 days of around the clock work once cleanup began, while residents continue to deal with increased odors and noise impacts, flies and vermin, truck use, traffic and air quality impacts related to the removal of decomposing food for nearby residents.

The scale of the buildings, its operations and the chemicals involved created complex firefighting conditions, and until potential regulations can be evaluated to minimize these challenges for similar developments, permits for large cold storage warehousing and distribution uses need to be paused. In addition, while the cause of the fire remains undetermined, the initial Los Angeles Fire Department investigation report dated August 25, 2026 indicates the likely fire origin was on the roof, where there is a solar array of approximately 12,400 solar panels. While investigations continue to determine the cause of the fire and any role the solar array may have had in the fire, it is important to pause permits for new solar arrays on large cold storage warehousing and distribution uses in Boyle Heights, to evaluate if the scale of the building and the solar arrays together played a role in the scale of this emergency.

Based on the entirety of the administrative record, there is a current and immediate threat to the public health, safety, or welfare exists, and that any approval of permits, clearances and approvals

that would be otherwise required in order to comply with existing zoning ordinances for large cold storage warehousing and distribution uses (as defined in the ICO) would result in a continued threat to public health, safety, or welfare. Until the City is able to complete its investigations and determine if additional regulatory safeguards should be adopted by the City Council to reduce the risks associated with this type of use, which would greatly improve the City's ability to effectively combat a similar complex fire of this scale and magnitude in the future and reduce potential impacts on nearby residential neighborhoods and sensitive uses, including but not limited to parks, schools, day care centers, and libraries, this ICO is necessary to prohibit issuance of any permits, clearances or approvals for large cold storage warehousing and distribution uses in Boyle Heights.

General Plan/Charter Findings

City Charter Section 556.

In accordance with City Charter Section 556, the subject proposed ICO is in substantial conformance with the purposes, intent, and provisions of the City's General Plan, in that the ICO seeks to improve the physical environment by imposing a temporary prohibition on the issuance of all permits, approvals, clearances and certificates of occupancy associated with the demolition of existing, rebuilding of previously existing, expansion of existing, building of new, and change of use to large cold storage warehousing and distribution uses.

This proposed ICO is consistent with the Boyle Heights Community Plan, in that it will temporarily prohibit the demolition of existing, rebuilding of previously existing, expansion of existing, building of new, and change of use to large cold storage warehousing and distribution uses within industrial areas of the Boyle Heights Community Plan area (Boyle Heights CPA), and thereby protect residential areas and sensitive uses within the Boyle Heights CPA from adverse health and environmental impacts caused by these uses, pending the solution to these problems. This is consistent with the goals and policies of the Boyle Heights Community Plan to protect residential areas and sensitive uses from negative impacts caused by nearby industrial uses.

Boyle Heights Community Plan - Goals and Policies

LU Goal 23
Industrial land uses are sited and designed in a manner that prioritizes the health and safety of local residents.

LU 23.1
Ensure that industrial land uses are safe for human health and the environment through proper containment of pollutants and mitigation of potential health risks.

LU 23.2
Promote the phasing out or relocation of facilities used for the handling of potentially hazardous chemicals or toxic substances near residential uses and schools, and discourage any further expansion of existing facilities.

LU 23.3
Encourage upgrades to streets and alleys in industrial areas to include features that help infiltrate and treat contaminated runoff through the application of Best Management Practices for stormwater treatment.

LU 23.5
Discourage potentially disruptive or hazardous industrial uses along streets that serve as boundaries between industrial areas and residential neighborhoods.

LU 23.6
Ensure that all new or rehabilitated industrial facilities permitted in conjunction with or near a residential use incorporate the appropriate screening, landscaping, and enclosure provisions necessary for preventing exposure to activities that generate odor, noise, dust, smoke, gas, fumes, cinder, or refuse matter.

City Charter Section 558.

In accordance with City Charter Section 558, the subject proposed ICO is in substantial conformance with public necessity, convenience, general welfare and good zoning practice in that it will serve to protect residents and sensitive uses within the Boyle Heights CPA by temporarily prohibiting the issuance of all permits and certificates of occupancy related to the demolition of existing, rebuilding of previously existing, expansion of existing, building of new, and change of use to large cold storage and warehousing uses within the proposed ICO boundaries area until appropriate zoning, building, and/or fire code regulations are considered by the City.

The proposed ICO is consistent with the intent of the General Plan and other plans in that it will further improve the physical environment of the Boyle Heights CPA by imposing a temporary prohibition on the establishment of large cold storage and warehousing uses. Program 18 of the General Plan Framework Element is to "amend the Zoning Ordinance to implement the policies and standards of the General Plan" and enacting a temporary prohibition on permit issuance for large cold storage warehousing and distribution uses would help decrease the potential adverse impacts on the Boyle Heights CPA and would allow for adequate time to research and evaluate options to apply discretionary review for any future land use projects for the usage and operation of large cold storage and warehousing uses, as requested in Emergency Executive Order No. 3 issued by Mayor Karen Bass to address the Boyle Heights Recovery & Environmental Justice operations and also requested by a City Council Motion (Council File No. 26-0904-S10). This is consistent with the numerous goals, policies, and programs of the General Plan Framework Element, Plan for a Healthy Los Angeles (A Health, Wellness, and Equity Element of the General Plan), and Safety Element, that protect residential areas from negative impacts caused by nearby industrial uses.

General Plan Framework Element - Policies

3.1.9 Assure that fair treatment of people of all races, cultures, incomes and education levels with respect to the development, implementation and enforcement of environmental laws, regulations, and policies, including affirmative efforts to inform and involve environmental groups, especially environmental justice groups, in early planning stages through notification and two-way communication.

3.14.6 Consider the potential re-designation of marginal industrial lands for alternative uses by amending the community plans based on the following criteria:

c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;

f. Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses;

h. Where existing industrial uses constitute a hazard to adjacent residential or natural areas.

4.1.9 Whenever possible, assure adequate health-based buffer zones between new residential and emitting industries

Plan for a Healthy Los Angeles (A Health, Wellness, and Equity Element of the General Plan) - Policies and Programs

1.5. Plan for Health
Improve Angelenos' health and well-being by incorporating a health perspective into land use, design, policy, and zoning decisions through existing tools, practices, and programs.

5.2. People
Reduce negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions.

Safety Element - Policies

1.2.1: Environmental Justice. In keeping with the Plan for a Healthy LA, build a fair, just and prosperous city where everyone experiences the benefits of a sustainable future by correcting the long running disproportionate impact of environmental burdens faced by low income families and communities of color.

1.2.8: Industrial Emissions and Air Quality Monitoring. In keeping with the Air Quality Element, ensure that every Angeleno can breathe clean, healthy air by addressing air pollution from all sources, with a particular emphasis on prioritizing the health and wellbeing of overburdened families and delivering environmental justice.

3.1.2: Health/Safety/Environment. Develop and establish procedures for identification and abatement of physical and health hazards which may result from a disaster. Provisions shall include measures for protecting workers, the public and the environment from contamination or other health and safety hazards associated with the hazard in addition to abatement, repair and reconstruction programs.

3.1.5: Restoration. Look to the future and rebuild based on the lessons of the past. Prior to a disaster, develop and establish procedures for securing assistance and expediting inspection and permitting activities to facilitate the rapid repair and rebuilding of those parts of the private and public sectors which were damaged or disrupted as a result of the disaster with an added consideration of future safety. Develop and establish procedures to enhance the resilience of buildings and infrastructure that are rebuilt following a disaster. Develop tools to ensure that vulnerable residents and business owners are included in community rebuilding efforts.

Urgency Clause

In accordance with Government Code Section 65858, the proposed ICO contains an Urgency Clause given the current and immediate threat to the public health, safety, or welfare for the reasons stated above, and is effective upon publication. Delaying implementation of this proposed ICO could create irreversible impacts on the public peace, health, safety, and welfare, and incompatible development of many more subject uses, that would not be consistent with the protection and enhancement of neighborhoods and sensitive uses, and would further impact public health and environmental conditions within the Boyle Heights CPA.

California Environmental Quality Act

The City determined that the proposed ICO is exempt from the City's CEQA Guidelines pursuant to Article II Section 2 (m) in that it is only a temporary measure until appropriate land use regulatory controls are established and will not result in any impacts on the physical environment.