

# Planning Commission Study Session

## Introduction to Proposed Industrial Zoning Regulations

March 19, 2019

# Background

- **2012** – Numerous odor complaints about Carlton Forge Works (CFW)
- **2013-14** – South Coast Air Quality Mgmt. Dist. (SCAQMD) began air monitoring; CFW installed controls, reducing nickel & hexavalent chromium emissions
- **2016** – Elevated levels of hexavalent chromium emissions from multiple sources (Paramount/Compton) were measured; persisting odors from multiple sources, including CFW

# Background

- SCAQMD began extensive & unprecedented air monitoring in the City in October 2016
  - ▣ Air monitors, including 5 purchased by the City, have been placed in the industrial area & at/near schools
  - ▣ Monitoring continues
    - Since October 2016, thousands of air samples have been taken
  - ▣ City, SCAQMD, Health Dept, and other government agencies had weekly phone call updates from November 2016 through January 2018

# Background

- In response to high levels of hexavalent chromium in the air, the City Council created the Air Quality Sub Committee
  - Sub Committee met monthly from December 2016 to October 2017
  - Sub Committee tasked with revising the City's industrial zoning regulations
- Changes that are proposed from the Sub Committee are sweeping and represent the most significant change to the industrial zoning regulations in decades

# City Authority

- City has authority over land use & zoning regulations
  - ▣ Land use decisions and zoning regulations are powerful tools
    - The City can prohibit businesses that may not be environmentally friendly
  - ▣ City does not have authority over air quality
- SCAQMD has authority over air quality enforcement

# Summary of Sub Committee Recommendations

- Performance standards for metal related businesses
- Performance standards for all businesses in the industrial zones
- Administrative permit for metal related businesses
- Public noticing
- General development standards
- Prohibited and CUP uses
- Uses made nonconforming by zoning revisions
- Comments from outside of the Sub Committee recommendations

# Performance Standards – “Metal” Companies

- Provide public notice board during construction
  - ▣ Provide complete transparency to the public
  - ▣ Public stays aware of any expansion
- Maintain permits from SCAQMD & all relevant agencies
  - ▣ Ensures that businesses are abiding by all laws/regulations
- Building resiliency/environmental sustainability provisions for new construction
- Exterior wall sign identifying businesses
  - ▣ Through the Sub Committee meetings we learned that not all businesses have signs identifying the name of the business

# Performance Standards – “Metal” Companies

- Recommend certification from International Standardization Organization (ISO) or equivalent regarding environmentally sustainable practices & organization
- Annual public tours
- Comply with housekeeping & best management practices of SCAQMD & other relevant government agencies
- Require best Available Control Technology/Lowest Achievable Emission Rate equipment, if required by the SCAQMD
  - Example – new filtration equipment



# Performance Standards – “Metal” Companies

- Days/hours – mitigate impacts on surrounding uses & infrastructure
  - ▣ Example – no 2:00 am deliveries if residential is located nearby
- Annual inspections to verify approved structures, operations, & equipment have not changed and that no expansion has taken place

# Performance Standards – General

- Similar to metal related businesses & applies to all industrial businesses
  - ▣ Obtain all relevant permits & approvals from government agencies
  - ▣ Comply with all relevant laws & regulations

# Performance Standards – General

- Health risk assessment (HRA) – required if Air Quality category in EIR is “potentially significant impact” or “less than significant with mitigation”
  - ▣ Provides an in depth look at air quality characteristics
  - ▣ Prepare in accordance with the State Office of Environmental Health Hazard Assessment (OEHHA)

# Administrative Permit – “Metal” Companies

- In lieu of “retroactive CUPs”
  - ▣ Many companies began operating before the requirement of a CUP
  - ▣ Legally, the City cannot require a retroactive CUP
- Administrative Permit will allow the City to impose conditions
- Applies to legally established businesses

# Administrative Permit – “Metal” Companies

- Applications due within 1 year of ordinance adoption
- Purpose – inventory of equipment, materials, uses; incorporate conditions
- Appealable
- Revocable

# Public Noticing

- Expand mailed noticing from 300 feet (State law minimum) to 500 feet for new CUPs & other public hearings
- Notify tenants in addition to property owners
- Notices to include site plan & elevations/renderings as relevant
  - ▣ Provides transparency to the public

# Development Standards - General

- Applies to properties in the M-1, M-2, & industrial PD-PS zones
- Applies to new buildings & additions to existing buildings
- Applies to businesses seeking a CUP

# Development Standards - General

- Introduce landscaped setbacks to provide a buffer to surrounding properties from noise, dust, & pollution
  - Side setback of 5 feet
  - Rear setback of 10 feet
  - Landscaping to consist of trees & other plant material



# Development Standards - General

- Building height reduced from 85 feet to 55 feet to reduce bulking of structures
- Reduce maximum floor area ratio to 2 ½ times the property area to reduce bulking of structures
- These measures better integrate buildings to the surrounding area
- Less of an impact to the surrounding area

# Development Standards - General

- Eliminate outdoor work
- Development fee
  - ▣ Not immediate
  - ▣ Pending nexus study
- Air monitoring may be addressed by AB 617 provisions
  - ▣ AB 617 provides cap and trade money to help cities monitor & improve air quality
  - ▣ Could help with inspection costs

# Uses

- Prohibited uses
- Uses permitted with a CUP
- Uses made nonconforming by Zoning Code revisions

# Industrial Uses – Changed to Prohibited

- Examples - prohibited uses:
  - ▣ Blast furnace
  - ▣ Coke oven
  - ▣ Boiler manufacturing
  - ▣ Drop forge or drop hammer
  - ▣ Grinding shops
    - Does not apply to businesses who do ancillary grinding
  - ▣ Heat treatment plants

# Industrial Uses – Changed to Prohibited

- Examples - prohibited uses:
  - ▣ Chromium plating or electroplating
  - ▣ Anodizing
  - ▣ Metal forging
    - No new Weber Metals or Carlton Forge
  - ▣ Sheet metal shops
  - ▣ Welding shops
    - Does not apply to businesses who do ancillary welding

# Industrial Uses – Changed to Prohibited

- Prohibited uses - continued:
  - ▣ Manufacture of paint, oil, turpentine, varnish
  - ▣ Oil refinery
    - No new refinery would be permitted
  - ▣ Storage, processing, or refining of petroleum products
  - ▣ Manufacture of ready-mix concrete & concrete products
  - ▣ Manufacture of plastics
    - Assembly of pre-manufactured plastic materials OK.

# Industrial Uses – Changed to CUP

- CUP is for uses that have unique characteristics, & may involve noise, fumes, odor and vibration
  - ▣ CUPs reviewed by the Planning Commission (public hearing)
- Uses moved from permitted category to CUP category:
  - ▣ Machine shops
  - ▣ Manufacture of pharmaceuticals
  - ▣ Planing mills
  - ▣ Stone monument works
  - ▣ Manufacture of soap
  - ▣ Manufacture of soda
  - ▣ Electrical distribution and transmission substations

# Uses Made Nonconforming

- Businesses made nonconforming by this ordinance:
  - ▣ May continue to operate
    - City may not shut down legal nonconforming businesses
  - ▣ Can expand with a CUP from the Planning Commission
    - Must meet all requirements of the Municipal Code
    - Must meet all Federal & State environmental regulations
    - Must meet any applicable SCAQMD requirements/regulations
    - Emissions control equipment must be Best Available Control Technology or Lowest Achievable Emissions Rate, if required by the SCAQMD



# Discussion – Possible Changes

- Previous slides represent the Air Quality Sub Committee recommendations
- Other changes to consider
  - ▣ Prohibited uses
    - Use of paint containing chrome
  - ▣ Uses to require CUPs
    - Boat building
    - Cabinet shop or carpenter shop
    - Carpet and rug cleaning plants

# Discussion – Possible Changes

- Uses to require CUP
  - ▣ Ceramic tile manufacture
  - ▣ Clothes cleaning plants/laundries
  - ▣ Cosmetics manufacture
  - ▣ Rubber, fabrication from finished rubber
  - ▣ Textile manufacture, processing or treatment

# Discussion – Possible Changes

- M-1 – eliminate “Laundries” or “Clothes cleaning plants”
- Combine M-1 & M-2 CUP introductory language
  - ▣ Provides a better description as to why a CUP is required

# Discussion – Possible Changes

- Compliance inspections – clarify “City of Paramount staff” (Community Development & Public Safety) to conduct compliance inspections
- Pollution control – broaden “Air pollution control” to “Pollution control” & include soil & water

# Discussion – Possible Changes

- Health risk assessment (HRA) language based on impacts to air quality & based on requirements of Office of Environmental Health Hazard Assessment (OEHHA)
- Broaden to include impacts to soil and/or base requirements on DTSC

# Discussion – Possible Changes

- Waste, garbage, trash regulation – add hazardous waste disposal
  - ▣ Example – waste from a doctor’s office
  - ▣ Comply with all relevant enforcement agencies for disposal
- M-2 – “Punch press over 20 tons - **with no perceptible vibration**” – clarify to mean not perceptible beyond property line

# Discussion – Possible Changes

- Reorder M-1 & M-2 sections for consistency
- Provide definitions
- Include warehouse/distribution as a use & set parameters for permitting
- Include early suppression fast response (ESFR) pumping system as permitted for fire sprinkler pumping
  - Potential confusion for other types of pumping systems, such as petroleum pumping
- Plastics – allow heating of polystyrene pellets

# Next Steps

- Provide input for proposed ordinance
- City Attorney will complete review
- Complete environmental review
- Planning Commission to review Zoning Ordinance Text Amendment (ZOTA) No. 8 & make recommendation to City Council
- City Council to review ZOTA No. 8 & adopt ordinance



# Planning Commission Study Session

## Introduction to Proposed Industrial Zoning Regulations

March 19, 2019