

# Light Processing Facilities Urgency Ordinance

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**Application:** Zoning Ordinance Amendment (ZOA) No. 2021-01

**Address & Council Ward:** Citywide

**Description:** Urgency ordinance to amend Sections 41-472 and 41-472.5 of Chapter 41 of the Santa Ana Municipal Code (SAMC) to require a conditional use permit (CUP) for light processing (recycling) facilities in the Light Industrial (M-1) zoning district.

**Recommendation:** Approve ZOA No. 2021-01 to adopt an Urgency Ordinance to amend Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code (SAMC) to require a CUP for Light Processing Facilities in the M-1 zoning district.

# Background

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- On January 19, 1988, the City Council adopted Ordinance NS-1946, adding Article XIV to Chapter 41 of the Santa Ana Municipal Code (SAMC) to regulate recycling facilities and implement the California Beverage Container Recycling & Litter Reduction Act
- A subsequent ordinance, Ordinance NS-2333, was adopted on October 6, 1997 to update and bring the City's existing recycling regulations to be consistent with State law
- The ordinances established a regulatory framework to define, allow, and regulate recycling facilities and related uses in Santa Ana
- Processing facilities are where recyclable materials are bailed, compacted, flattened, grinded and crushed, sorted, shredded, cleaned, and remanufactured

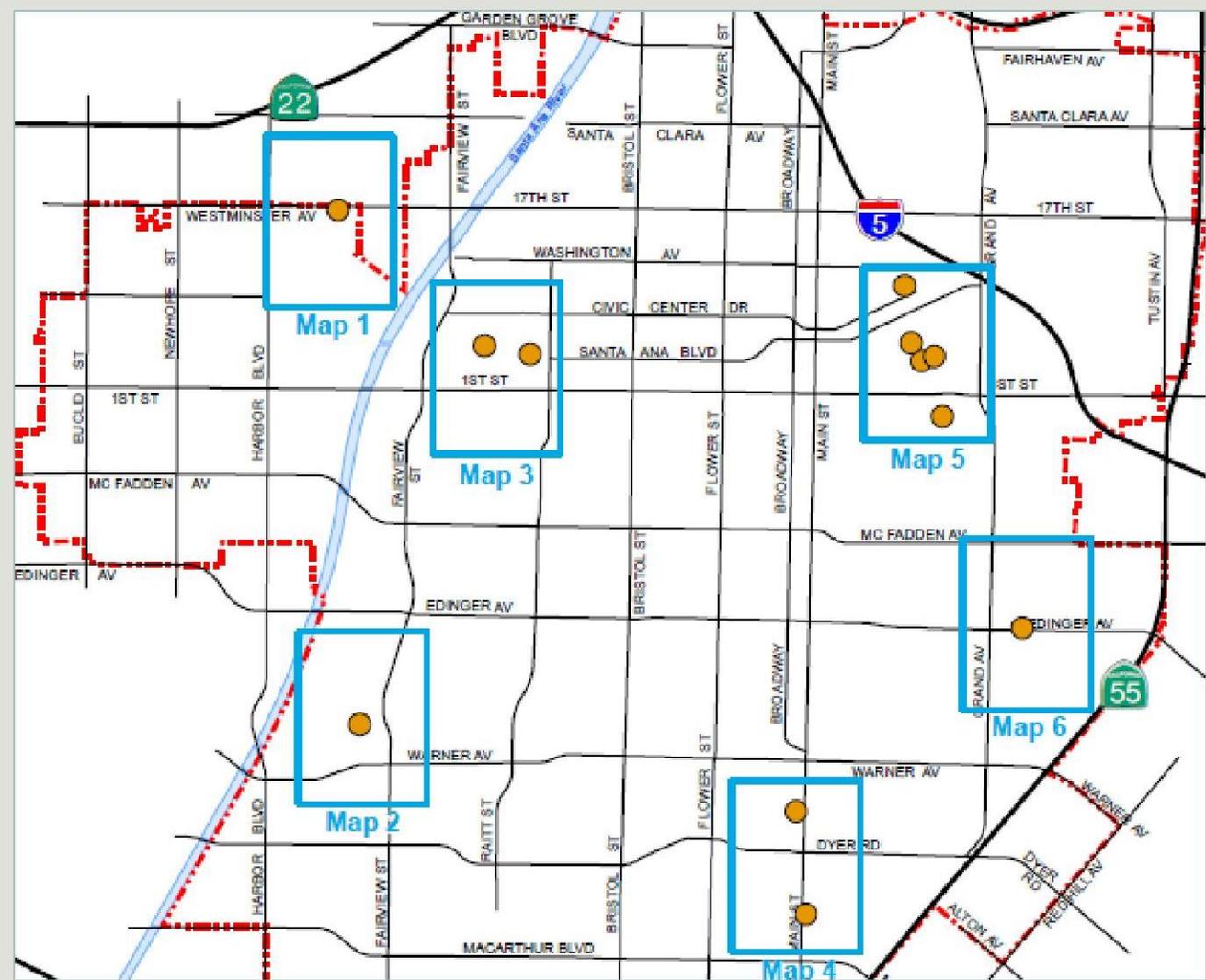
# Background

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- There currently exist 12 light processing facilities in the City
  - 11 are within 1,000 feet of property zoned or used for residential purposes
  - 6 are located in the Light Industrial (M-1) zoning district
  - Remaining locations are in the Heavy Industrial (M-2) zoning district or have non-conforming status in other zoning districts
- Detailed maps provided in staff report illustrate locations in Santa Ana

## Processing Facilities in Santa Ana

- Orange dots on map represent locations in Santa Ana (12 total)
- Large concentration (5 of 12) located inside and near Transit Zoning Code mixed-use areas
- 2 additional locations located in mixed-use areas near Artesia Pilar neighborhood



# Analysis

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- Light processing facilities are currently a “by-right” use in the industrial zoning districts
- Such facilities may not abut properties zoned or used for residential purposes, but many are located in close proximity to residential areas, including in the Delhi, Logan, Cornerstone Village, Lacy, French Park, Artesia Pilar, Casa Bonita, and other residential properties near Harbor Mixed-Use Transit Corridor Specific Plan (SP-2), Santa Anita, and Mar-Les neighborhoods
- Urgency ordinance would amend the Zoning Code to require a CUP for light processing facilities

# Analysis

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- Absence of a CUP requirement:
  - Does not allow the City to evaluate each submitted application for consistency with surrounding properties and neighborhoods, as well as the General Plan
  - Recommend approval or denial of such applications subject to discretionary review
  - Does not allow for conditions of approval to be added if a request is approved
- Proposed amendment would allow Planning Commission and City Council to:
  - Evaluate each CUP request for consistency with Zoning Code, General Plan, and neighborhood compatibility
  - Impose conditions of approval to ensure compatible and un-impactful operations of such facilities with surrounding properties and neighborhoods.

# CEQA and Fiscal Impact

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- Pursuant to the California Environmental Quality Act (“CEQA”) and the state CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review pursuant to California Code of Regulations section 15061(b)(3), which is applicable if it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.
- Notice of Exemption will be filed upon adoption of this ordinance.
- There is no fiscal impact associated with this project.

# Next Steps

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- Prepare staff report and permanent ordinance for Planning Commission consideration (tentatively May 24, 2021)
- Present permanent ordinance to City Council consideration (tentatively June 15, 2021)

# Staff Recommendation

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Approve ZOA No. 2021-01 to adopt an Urgency Ordinance to amend Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code (SAMC) to require a conditional use permit (CUP) for Light Processing Facilities in the Light Industrial (M-1) zoning district.