

APPROVED

MEMORANDUM

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DATE: JULY 15, 2010

TO: CRA/LA BOARD OF COMMISSIONERS

FROM: CHRISTINE ESSEL, CHIEF EXECUTIVE OFFICER

RESPONSIBLE PARTIES: DAVID RICCIETELLO, REGIONAL ADMINISTRATOR
LEN BETZ, PROJECT MANAGER
KAREN YAMAMOTO, SENIOR PLANNER

SUBJECT: ADOPTION OF NEGATIVE DECLARATION AND A DESIGN FOR DEVELOPMENT ESTABLISHING DEVELOPMENT AND DESIGN CONTROLS FOR RECYCLING CENTERS AND PALLET YARDS IN THE CENTRAL INDUSTRIAL REDEVELOPMENT PROJECT AREA
DOWNTOWN REGION (CD 9 AND 14)

RECOMMENDATION

That the CRA/LA Board of Commissioners:

1. Adopt a Resolution making a finding of no significant effect on the environment and adopting a Negative Declaration for the Design for Development; and
2. Adopt a Resolution approving the Design for Development Establishing Development and Design Controls for Recycling Centers and Pallet Yards in the Central Industrial Redevelopment Project Area ("Project Area") (see Attachment C, Location Map).

SUMMARY

The proposed action comprises Phase 1 of a 3-phased Design for Development for the Central Industrial Redevelopment Area. The proposed Design for Development proposes development and design controls that govern any future walk-in recycling centers and pallet yards in the Project Area; as such, they will assist current City code enforcement efforts in maintaining proper recycling and pallet yard services without causing a burden on the City and the Project Area. Since adoption of the Central Industrial Redevelopment Plan ("Plan") on November 15, 2002, there have been numerous proposals to locate and operate recycling centers and pallet yards randomly within the Project Area, and actual build-out of the facilities, some without proper City permitting. The random establishment of recycling centers and pallet yards increases the potential for adverse environmental impacts on schools and parks, as well as on the residences and commercial businesses that continue to grow in certain areas of the Project Area. These adjacent uses are subject to being adversely affected by the noise, odor, dust, and pest impacts of some recycling center and pallet yard operations, as

identified in Section 1.c. of the Report to Council for plan adoption of the Project Area in November 2002. Service vehicles (including forklifts) impact traffic flow as well as endanger pedestrians in the vicinity.

The proposed development and design controls will only apply to future recycling and pallet yard operations, and will not apply to existing operations, unless they are enlarged.

Staff has worked with the Central Industrial Community Advisory Committee (CAC), as well as with the Council District 14, and the Central City East Association (CCEA) in developing the proposed Design for Development.

The public notice for the proposed action appeared in both the Los Angeles Daily News and Downtown News on June 28, 2010 and July 5, 2010.

RE

December 4, 2008 – Presentation of the status of the Design for Development made to the Strategic Initiatives Committee.

SOURCE OF CRA/LA FUNDS

No CRA/LA funds are required for this action.

PROGRAM AND BUDGET IMPACT

This action is consistent with the current adopted FY2011 Budget and Work Program. Sufficient funds exist to make any legally-required State ERAF payments in FY11. There is no impact on the City's General Fund as a result of this action.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA), and State and CRA/LA Guidelines pursuant thereto, CRA/LA staff caused to be prepared an Initial Study and Negative Declaration for the proposed project. The Initial Study and Negative Declaration were made available to the public for review and comment for a 21-day period from June 16, 2010 through July 6, 2010. No written comments have been received.

The development and design controls contained in the Design for Development were revised after Negative Declaration was released for public review. The following revisions were made to the development and design controls:

- Pallet yards and recycling facilities would be prohibited from being located within 1,000 feet of a residential use or zone;
- The development and design control that would require pallet yards and recycling facilities within 1,000 feet of a residential use or zone to operate only between 8:00 a.m. and 5:00 p.m. Monday through Friday was eliminated; and

- The development and design controls for non-industrial land uses were removed.

Under Section 15073.5 of the CEQA Guidelines, recirculation of the Negative Declaration is not required since the revisions would not create new, avoidable significant environmental effects; the revisions would not be necessary to mitigate an avoidable significant effect; the revisions would not require mitigation measures or project revisions to reduce the environmental effect to insignificant; and the revisions make insignificant modifications to the Initial Study/Negative Declaration.

BACKGROUND

Due to the diversity and complexity, as well as size, of the Project Area, the Design for Development is being undertaken in three phases. The subject action is the first of the three-phase overall Design for Development, establishing development and design controls for recycling centers and pallet yards; Phase 2 will establish design guidelines for the area east of Alameda Street; and Phase 3 will establish design guidelines for the area west of Alameda Street. Phases 2 and 3 have not as yet been developed. It is anticipated that all three phases will be completed in FY2012. Phases 2 and 3 will be brought to the Board for consideration.

Project Area Objectives

Adoption of the Design for Development establishing development and design controls for recycling centers and pallet yards in the Central Industrial Redevelopment Project Area would effectuate the goals and objectives of the Central Industrial Redevelopment Plan ("Plan"), including:

- Establish urban design and development standards promoting compatibility among commercial, industrial and residential uses;
- A high quality of life for those who live and work in the Project Area;
- Elimination of conditions of blight and deterioration within the Project Area;
- A safe and secure environment for businesses, residents and visitors.
- Creation of an attractive and pleasant environment in the Project Area;
- Enhancement of the aesthetic quality of the Project Area; and
- A healthy industrial environment which generates and attracts new private investment to increase job opportunities, property values and tax revenues;

CRA/LA Strategic Plan

The proposed action would be keeping with the strategic objectives outlined in the CRA/LA's Strategic Plan, particularly those pertaining to:

- 1.2 – supporting and attracting businesses
- 1.3 – growing key sectors (e.g., cleantech)

- 1.4 – employing innovative economic development strategies
- 2.2 – greening and beautifying our neighborhoods

May 2010 Urban Land Institute Recommendations for the Clean Tech Corridor

The proposed action is consistent with the draft recommendations made by the recent Urban Land Institute (ULI) National Advisory Service Panel on the Clean Tech Corridor, which stipulated that in order to grow and support a quality residential and industrial environment for a “clean tech” industry to thrive, the current aesthetic quality of the Project Area should be cleaned up and enhanced.

Recycling Centers and Facilities

The Los Angeles Zoning Code defines Recycling Collection or Buyback Center as “a facility where Recyclable Materials are deposited or redeemed for monetary value, and which may include baling or crushing operations for the purposes of efficiency of storage and transfer (volume reduction), but shall not include sorting or processing activities for other than temporary storage purposes.” Recyclable materials include cans, bottles, papers and plastic.

The current zoning provisions which regulate the use and operation of recycling centers and facilities (Sections 12.21.A.18 – Recycling Centers and Facilities and 12.21.A.19 – Areas for Collecting and Loading Recyclable Materials) were adopted by the City Council on August 13, 1997, under Ordinance 171681. According to the City, these provisions were adopted in response to problems in many communities Citywide wherein recycling centers have created “serious noxious impacts” to nearby residential and commercial uses. Problems included noise from crushing, grinding or shredding of recyclable materials, breaking of glass, objectionable odors, spillage of recyclable materials, infestation by insects or rodents, the presence of trash, rubbish, debris, etc., including some trash or other materials blowing or being carried off the site and onto public sidewalks and streets, and neighboring properties, exhaust fumes, dust, etc. from machinery processing recyclable materials, heavy vehicular traffic.

The City indicates that these factors “...give many recycling centers [and surrounding areas] an unsightly visual appearance, and create noxious environmental impacts and blight in the surrounding community. The problems become particularly acute when a recycling facility is located in close proximity to residential properties.”

Recycling centers and facilities have become randomly established in the Project Area, creating actual or potential negative impacts to the surrounding areas which support residential, commercial and institutional uses. In addition, these facilities, with little or no design or development controls, cause the affirmation impacts and blight. The facilities are often in deteriorated condition, with little or no upkeep and maintenance, serving as grounds for rodents, insects and bacteria to develop.

Pallet Yards

The Los Angeles Zoning Code currently considers pallets as "used empty secondhand wooden boxes and crates" and pallet yards as "open air storage of used materials", and provides for minimum design standards and operations in Sections 12.19.A and 12.21.1.

Pallets, tiered square wood or plastic flat structures that support the transport of goods while being lifted by a forklift or other jacking device, and allowing for the efficient handling, shipping and storage of goods. Pallets are generally used in the operation of various industries in the Project Area.

Needing very little in terms of site requirements, these pallet yards become established in parking lots or vacant property, with little regard to adjacent uses. Pallet yards have become randomly established throughout the Project Area, often locating adjacent to or in close proximity to residences and commercial establishments, as well as to schools, parks. These facilities are often in deteriorated condition, with pallets piled high above any fencing, creating an eyesore and the appearance of blight in the area, as well as raising public safety concerns.

Christine Essel
Chief Executive Officer

By



Calvin E. Hollis, Chief Operating Officer
Real Estate and Economic Development

There is no conflict of interest known to me, which exists with regard to any CRA/LA officer or employee concerning this action.

Attachment A – Environmental Resolution
Attachment B – Resolution
Attachment C – Location Map
Attachment D – Design for Development

ATTACHMENT A

ENVIRONMENTAL RESOLUTION

RESOLUTION NO. 7404

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, CALIFORNIA, MAKING A FINDING OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT AND ADOPTING A NEGATIVE DECLARATION FOR THE PROPOSED DESIGN FOR DEVELOPMENT (PHASE 1) ESTABLISHING DEVELOPMENT CONTROLS IN THE CENTRAL INDUSTRIAL REDEVELOPMENT PROJECT

WHEREAS, the Community Redevelopment Agency of the City of Los Angeles, California (CRA/LA) proposes to adopt a Design for Development (Phase 1) establishing development controls in the Central Industrial Redevelopment Project (proposed project); and

WHEREAS, in compliance with the California Environmental Quality Act of 1970, as amended, and State and local guidelines adopted pursuant thereto, CRA/LA prepared an Initial Study of the environmental effects of the proposed project; and

WHEREAS, based on the findings of said Initial Study, a proposed Negative Declaration for the proposed project was prepared; and

WHEREAS, said Negative Declaration was made available for review and comment from June 16, 2010 through July 6, 2010 pursuant to said statutes and guidelines; and

WHEREAS, the CRA/LA Board of Commissioners has reviewed and considered the information contained in said Initial Study and Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED by the Community Redevelopment Agency of the City of Los Angeles, California as follows:

1. The CRA/LA Board of Commissioners hereby certifies that the Negative Declaration prepared for the proposed project has been prepared and circulated in compliance with the California Environmental Quality Act of 1970, as amended, and State and local guidelines adopted pursuant thereto.
2. The CRA/LA Board of Commissioners further certifies that the information contained in said Negative Declaration has been reviewed and considered by the CRA/LA Board of Commissioners.
3. The CRA/LA Board of Commissioners hereby finds and determines that approval or implementation of the proposed project will not have a significant effect on the environment because of the mitigation measures set forth in said Negative Declaration.
4. The CRA/LA Board of Commissioners hereby adopts the Negative Declaration prepared for the proposed project.

5. The CRA/LA Board of Commissioners instructs staff to prepare and file a Notice of Determination with respect to the CRA/LA Board of Commissioner's findings and approval of the proposed project as required by *Public Resources Code*, §§21108(a), 21115(a); *14 Cal Code Regulations* §§ 15075(a) and 15094(a).
6. The CRA/LA Records Department, located at CRA/LA, 354 South Spring Street, 5th floor, Los Angeles 90013 is the custodian of the documents and materials, which constitute the record upon which the CRA/LA Board of Commissioner's decision is based.

ADOPTED: July 15, 2010

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES

ATTACHMENT B

Resolution No. 7505

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, CALIFORNIA ADOPTING A DESIGN FOR DEVELOPMENT ESTABLISHING DEVELOPMENT AND DESIGN CONTROLS FOR RECYCLING CENTERS AND PALLET YARDS IN THE CENTRAL INDUSTRIAL REDEVELOPMENT PROJECT AREA

WHEREAS, the Community Redevelopment Agency of the City of Los Angeles, California ("CRA/LA") is engaged in the redevelopment and revitalization of the Central Industrial Project ("Project Area") pursuant to the Central Industrial Redevelopment Plan adopted by the City Council of the City of Los Angeles by Ordinance No. 174978 on November 15, 2002 ("Redevelopment Plan"); and

WHEREAS, Section 105 of the Redevelopment Plan for the Project Area commits the CRA/LA to eliminate and prevent the spread of blight and deterioration, in accordance with the Redevelopment Plan and the Annual Work Program of the Project Area; and

WHEREAS, Section 105 commits the CRA/LA to promote a healthy industrial environment which generates and attracts new private investment to increase job opportunities, property values and tax revenues in the Project Area; and

WHEREAS, Section 105 commits the CRA/LA to encourage a safe and secure environment for businesses, employees, residents and visitors, and which is sustainable by the Central Industrial community as a whole; and

WHEREAS, Section 105 commits the CRA/LA to effectuate a project area that projects a positive image to business operators, residents, employees, visitors and investors; and

WHEREAS, Section 522 establishes the Project Area objective to create an attractive and pleasant environment, giving consideration to good design, open space and other amenities to enhance the aesthetic quality of the Project Area; and

WHEREAS, Sections 522 and 525 provide that the work of the Agency includes the overall administration of the Project Area and authorizes the CRA/LA to adopt a Design for Development as the CRA/LA statement of objectives and policy for development; and

NOW, THEREFORE, BE IT RESOLVED BY THE THE BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, CALIFORNIA, AS FOLLOWS:

The CRA/LA adopts the Design for Development Establishing Development and Design Controls for Recycling Centers and Pallet Yards in the Central Industrial Redevelopment Project Area attachments.

ADOPTED: July 15, 2010

INDUSTRIAL SUPPORT USES

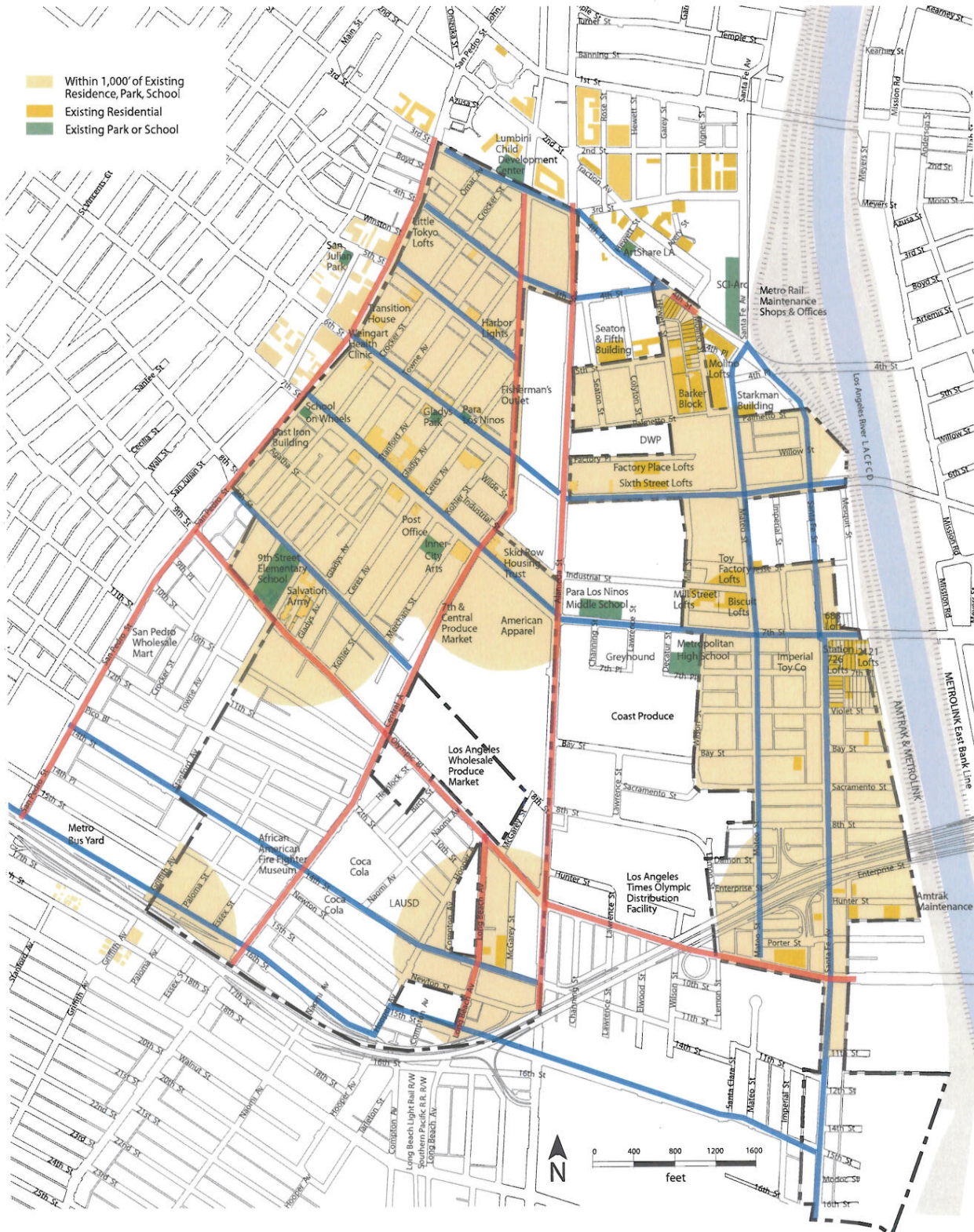


Figure 2 Major and Secondary Highways along which driveways accessing pallet yards and recycling material sorting and process facilities may not be located and areas of the Central Industrial Area within 1,000 feet of residential zones and uses, schools, and parks (for illustrative purposes only; areas will change over time as residential uses change) where pallet yards and recycling material sorting and processing facilities must comply with standards 3. and 4..

DESIGN FOR DEVELOPMENT CENTRAL INDUSTRIAL REDEVELOPMENT PROJECT AREA

RECYCLING FACILITIES AND PALLET YARDS

Objective. Provide appropriately designed recycling facilities and pallet yards in proximity to the industries they serve in a manner that does not conflict with or comprise the primary uses in each district or conflict with nearby residential uses.

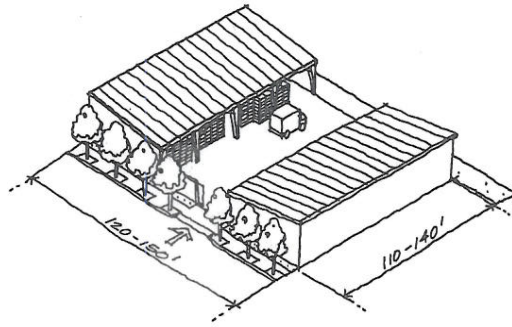
Pallet yards and recycling facilities are allowed in the Central Industrial Redevelopment Project Area provided they conform to all applicable provisions of the Zoning Code (LA DBS summary is attached) and the following standards.

1. To reduce traffic conflicts and visibility, they may not front on or have a driveway on a Major or Secondary Highway.
2. To accommodate queuing and reduce traffic conflicts, vehicular access to a pallet yard and recycling facility (i.e., driveways), shall be located at least 150 feet from an intersection.
3. Pallet yards and recycling facilities may not be located within 1,000 feet of a residential use or zone, a school or a park.
4. The minimum site area shall be 15,000 square feet to allow for off-street loading/unloading.
5. Pallet yards shall be enclosed in a structure or, if approved by CRA/LA, include side sheds with an open area between, as illustrated in Figure 1.
6. Open yards shall be surrounded by an 8-foot high building wall on interior property lines and an open fence with a 5-foot wide landscaped setback between the wall and the back of sidewalk along all street frontages.
7. The required setbacks shall be landscaped with drought-tolerant trees, tall shrubs and vines, including *Ficus repens* (Creeping Fig) planted at least 8 feet on center along the wall.
8. The landscaped setback shall be irrigated with an automatic irrigation system that includes a smart controller. Use of buried in-line drip irrigation is recommended to reduce water waste.

Figure 1 Illustrative Design of Pallet Yards by Size.

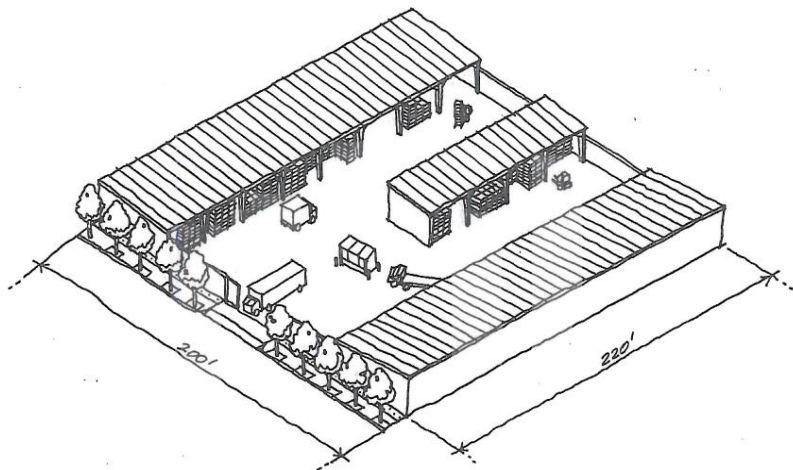
Small Pallet Yard

16,000 sf site example
Built on several small parcels typical in the older districts
Double-loaded service yard
Pre-fabricated metal shed structures provide weather protection and visual screening
Where alley occurs at rear property line, another access gate can be provided
Solid fence, gate or wall along perimeter
Public sidewalk has street trees in cast iron grates and landscaped setback



Medium Pallet Yard

1 acre site example
Built on much larger parcel in newer district or assembled from many lots in older districts
Provides two double-loaded service yards to accommodate more traffic
Pre-fabricated metal shed structures organized for maximum site efficiency
Maintains single access point that can accommodate two trucks passing



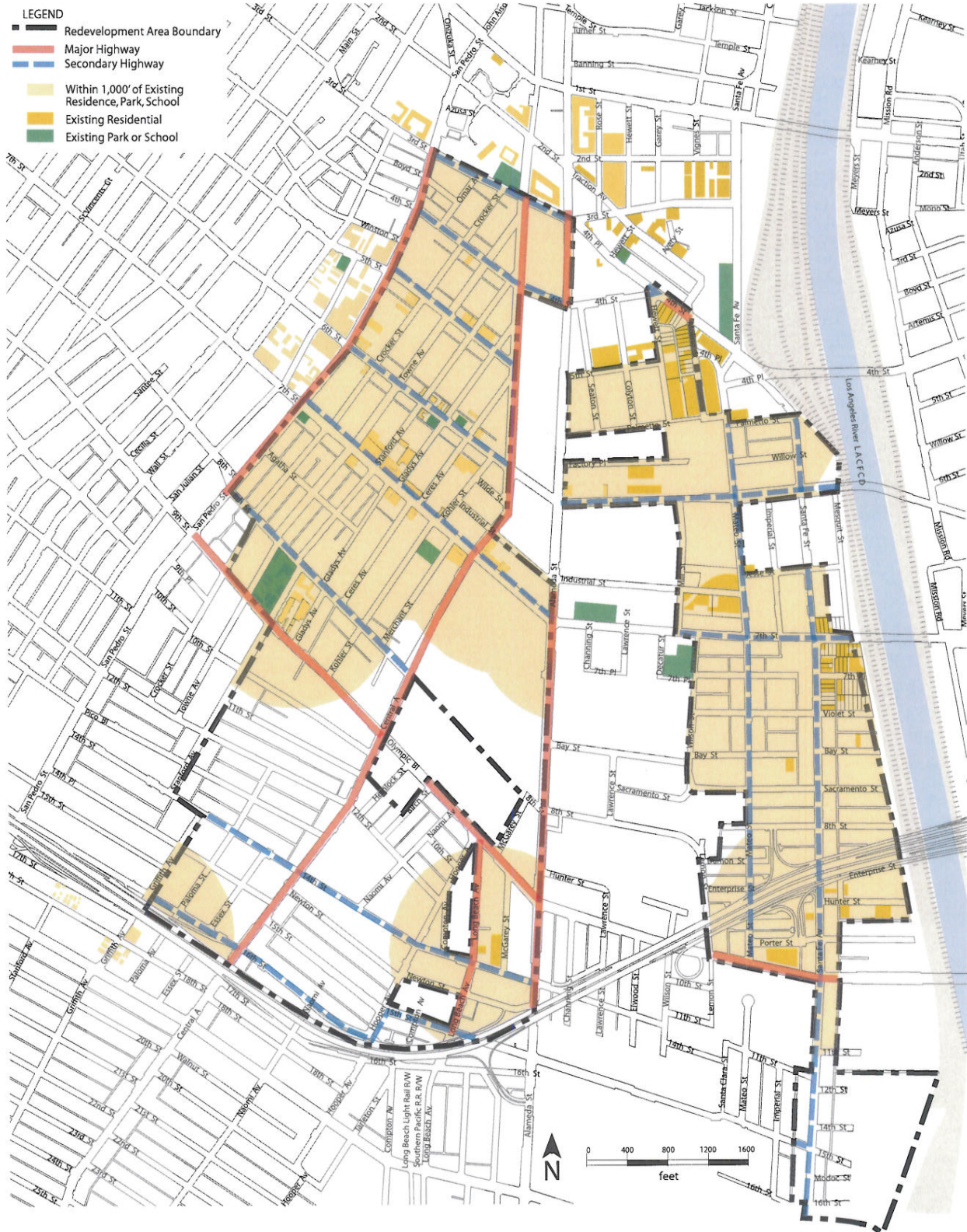


Figure 2 Major and Secondary Highways along which driveways accessing pallet yards and recycling material sorting and process facilities may not be located and areas of the Central Industrial Area within 1,000 feet of residential zones and uses, schools, and parks (for illustrative purposes only; areas will change over time as residential uses change) where pallet yards and recycling material sorting and processing facilities must comply with standards 3. and 4.