OXNARD INDUSTRIAL ZONING STUDY

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DMJM

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PLANNING § ARCHITECTURE § ENGINEERING § SYSTEMS § ECONOMICS

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INTRODUCTION

The Oxnard Industrial Zoning Study described in this Report was assigned by the City of Oxnard, California to the consulting firm of Daniel, Mann, Johnson, & Mendenhall on March 15, 1972. The need for the study was an outgrowth of DMJM's consulting services to the City of Oxnard Redevelopment Agency in the preparation of the Central Oxnard Industrial Redevelopment Plan.

In the course of designing a plan for the redevelopment of the Central Industrial District, it became apparent that the City's industrial development standards and zoning were in need of review and analysis. Since the City has planning and zoning control over all land use, it was recognized that up-to-date industrial standards were needed to upgrade industrial development throughout the City.

This study explores contemporary methods and techniques for industrial development, including trends toward performance standards, zoning ordinance amendments, and industrial development covenants and restrictions being utilized elsewhere to maintain a high standard of industrial improvements and environmental quality. The study also addresses itself to existing industrial land use and zoning throughout the Oxnard Planning Area. It correlates existing with projected needs for industrial land in terms of population and employee density.

A. SUMMARY AND CONCLUSIONS

1. The analysis of performance standards for industrial zoning revealed that while the concept of performance standards in an ideal sense is desirable, practical application, implementations and monitoring are difficult and expensive. In order for industrial performance standards to be completely effective in the City of Oxnard, surrounding jurisdictions would also have to adopt comparable standards.

2. The current status of environmental, planning and zoning legislations and litigation is such that specific standards applied at this time may have to be drastically altered in the near future. The impact of the recently passed Coastal Initiative is the most pertinent example of this factor for the City of Oxnard.

3. The City of Oxnard General Plan provides for eight industrial areas. One of the existing industrial areas - Wagon Wheel - will be phased out.[I/] The Statham Park Industrial Area will be consolidated into the Central District Industrial Area.

4. The City of Oxnard General Plan indicates a total of 9,365 acres of land for industrial use within the outlined planning area (See Figure I). Using a standard of 12 acres of industrial

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I/ Oxnard General Plan Report.

land per 1,000 people, [II] this land area could meet the industrial and employment needs of a population of 780,000.

5. The City of Oxnard has 3,308 acres of land presently zoned for industrial development within the outlined planning area. Using a standard of 12 acres of industrial land per 1,000 people, this amount of zoned industrial land could accommodate a total of 275,000 people within the next 50 years (to 2020).

6. The City of Oxnard has 1,1331 acres of land presently in actual industrial use. Over a ten year period (1960 - 1970) within the Oxnard Planning Area, the average absorption rate of land in actual industrial use is approximately 5-10 acres per year.[III] Assuming this average absorption rate as a norm for future actual industrial land use, the existing zoned industrial land could serve the community's needs for 100 - 130 years.

7. At the present rate of industrial land development (approximately 40 acres per year)[IV] it would take to the year 2246 to use up all the industrial land shown in the General Plan; and to the year 2022 for all the land presently zoned for industry throughout the Planning Area. The Oxnard Planning Area has a more than sufficient industrial land reserve in relation to present demand and past absorption rates.

II/ See Appendix D, point number 1.

III/ Land Utilization and marketability study Industrial Park NDP Area No. 2, Ashton Associates.

IV/ Oxnard Industrial Committee.

8. At a minimum of 10 employees per acre, [V/] in order to meet the General Plan industrial employment projections, 4,400 acres would be required for industrial use by the year 2000. This figure is well below the 9,365 advocated for industrial use by the General Plan.

9. The Ventura County General Plan (1963) calls for industrial development in areas which generally corresponds to the industrial areas provided for in the Oxnard and Port Hueneme General Plan. The Ventura County Plan, though, does not advocate as extensive industrial development as outlined in the Oxnard General Plan.

10. The City of Oxnard should thoroughly evaluate the past and present growth patterns and critically examine the amount of land zoned and planned for industrial use in order to appropriately forecast industrial growth and change in context with community policy with regard to population increase and environmental quality.

V/ See Appendix D, Point No. 2.

B. PERFORMANCE STANDARDS FOR INDUSTRIAL DEVELOPMENT

1. Introduction

The concept of "Performance Standard" as a positive means of regulating the use of land has evolved from a growing dissatisfaction with the negative, prohibitive character of conventional zoning to perform the same function.

Conventional Zoning until recent years has been considered to be the "workhorse of planning". Receiving legislative and judicial sanction long before comprehensive planning, zoning has been blamed for many of the ills of urban life today. The application of traditional zoning regulations to land development over the past few decades has resulted in, among other things:

- The rigid, inflexible categorization or lists of many otherwise compatible land uses (These lists are obsolete, incomplete, and misdirected.)
- Population control and income segregation, by density
- Visual monotony in commercial, residential and industrial development.

In terms of industrial development, comparisons can be made of the differences between traditional zoning and performance standards. Traditional zoning arbitrarily excludes and segregates industrial uses, without regard to measurements or standards. "Heavy" industrial uses are generally not permitted in "Light" industrial or other zones.

On the other hand, performance standards speak directly to the effects that are in need of control, and the limits of acceptability that are desired. In this sense, performance standards are the logical refinement of the older, traditional zoning concepts. The goal of performance standards is to provide output measures in critical areas which assure health, safety, welfare and compatibility. The aims of traditional zoning practice have been the same, but the process or means whereby permitted uses have been listed are ineffective in achieving the goals of quality development.

The idea of "performance standards" as a measure of quality in community development is becoming increasingly attractive. The development of performance standards reflect the evolving technology and land demands of industry; the inadequacy or lack of objectivity in ordinary industrial land use controls; and a desire to give up the inflexible descriptions of present building materials and building methods. Performance standards foster the harmony of different land use mixes and the application of new scientific knowledge to enhance the environment.

Performance standards imply that any use of land can be permitted in a community, provided it meets the standards for performance and environmental quality. Hitherto incompatible uses can be permitted to exist side by side if they can meet the new standards. In an ideal sense, standards for population and residential density; building intensity; open space; noise, odor, heat, glare, vibration; traffic; parking; etc., can be applied without relationship to any list of permitted or prohibited uses. Any use which conforms to the standards in any designated district would be acceptable for development.

Performance standards substitute a quantitative measurement of effect for the qualitative description of that effect used in the past. Terms such as "limited", "substantial", "objectionable", "offensive" are no longer adequate to describe a given situation. Performance standards establish definite measurements to determine the effects of a particular use within predetermined limits, and therefore is permissible in a particular zone. VI/ Performance standards provide techniques to judge an industry in terms of its impact on the surrounding environment. They measure what an industrial activity does, rather than what it is. A plant which can meet the standards of acceptability established in the zoning regulations may then occupy a space in that zone regardless of the nature of the operation.

VI/ Robert B. Garrabrant, "Performance Standards for Industrial Zoning: An Appraisal," Urban Land (June, 1956), p. 3.

Under performance standards, no plant is either acceptable or unacceptable on the basis of its stated use alone.

Briefly and concisely, the advantages of performance standards are that they:

a. Substitute quantitative measures for subjective qualitative judgments.

b. Reduce the use of arbitrary lists of prohibited industries.

c. Represent a positive method of controlling industry by assuming that all industry is potentially acceptable, providing that performance standards are met.

d. Can be adjusted to meet objectives of the community. Industries which promote the goals of the General Plan can actively be sought.

e. Promote industrial development because the existence of performance standards is an indicator of a favorable community attitude toward industry.

f. Are more adaptable to modern technology because, unlike rigid lists, performance standards are able to adjust to new technological advances, new products, new materials, and new plants.

It is conceivable that all major cities will adopt performance standards as a basis for zoning in the next few years.[VII] Because performance standards lead to the demise of arbitrary and unwise use-lists, the standards are not only for larger cities. Performance standards are also for smaller and medium size towns and cities that want to attract industry but fear industrial nuisances.[VIII]

Firm, but realistic performance standards in all towns and cities can: [IX]

a. Assure proper use and appropriate improvement and development of an area;

b. Protect surrounding landowners in residential and commercial areas from health impairment and property depreciation;

c. Protect the owners of plant sites against improper use of other plant sites that will depreciate the value of their property;

VII/ "Industrial Zoning and Beyond: Compatibility Through Performance Standards", Journal of Urban Law, Vol. 46: 723, p. 764.

VIII/ Ibid.

IX/ H. E. Bovay, Jr. "Environment Standards for Bayport," Paper #4813 Journal of American Planning and Development Division, American Society of Civil Engineers. XVI, UPI May, 1966, 35-46.

d. Guard against the building of improper or unsuitable structures;

e. Assure adequate and reasonable development of property;

f. Encourage the construction of attractive improvements;

g. Secure and maintain proper setbacks from streets and adequate free space between structures; and

h. Provide for a high type and quality of improvements on the property.

2. Problems with Performance Standards

a. Technical Problems

In the case of the derivation of standards, the evidence regarding harmful and deleterious effects of certain items like air pollution and noise has not been entirely researched and determined. In fact, it can be expected that certain performance standards may never be achieved. Some of the other problems with performance standards are:

(1) Acceptable outputs are affected by geographical and climatic conditions.

2) Acceptable outputs are variable by location of the use in question relative to other uses.

3) There are synergistic effects which are not currently measurable among the various environmental offenders.

4) The consolidation of industrial uses may create a condition of intensified pollution ultimately forcing the users to be financially impacted by stricter controls.

5) Technology may afford some "counter-action" mechanism whereby emission standards can be raised.

b. Implementation Problems (Monitoring and Enforcement)

The other area of extreme difficulty regarding performance standards is implementation. To be effective as controls, performance standards must be reliably measurable, consistently monitored and enforced over a period of thime. This requires that:

1) Levels of acceptability be ascertained;

2) Instruments are available for sensing;

3) Variation in amount of emittent is not so great as to make any one measure meaningless;

4) The whole mechanism, including the manpower for regular monitoring and reporting is "financially" feasible.

c. Government Involvement and Jurisdiction

The administration problems relative to levels of government involved in the question of industrial controls are numerous. If the problem of control is divided into two areas; (1) the establishment of physical development standards, and (2) performance standards regarding emissions, some clarity is introduced. Physical development standards can easily be regulated by local government. It is generally accepted that local jurisdictional control over physical development standards is a functional requirement of good government.

Who should regulate performance standards for emissions is less obvious. Because emissions (i.e., smog) generated by one city, county, and in some instances even states, affects neighboring jurisdictions, questions arise as to which or what type of agency is responsible for regulation. Support has been voiced for county, regional, state, and even national standards and regulation. The problem

of what level of government should be responsible for the implementation of environmental standards is of continuing concern.

3. Legal Aspects

There is adequate legislative basis for performance standards. There appear to have been no cases which question whether a state's land use legislation actually authorizes performance standards. Legal problems and court cases have related to the adequacy of a particular standard and the property of its application in a given case. The issues have been similar to those legal questions raised in traditional zoning cases.

In the first reported American case involving performance standards (International Harvester Company v. Zoning Appeals Board of City of Chicago, 1963), the State Appellate Court wrote of the City's performance standards "... these standards were meant to be conditions precedent as well as subsequent. They are conditions precedent in that there must be a satisfactory showing by the applicant that the proposed use will conform with these standards before the permit is granted. They are conditions subsequent in that the use, if granted, must continue to observe these standards and the applicant may be penalized if violations occur." X/

X/ International Harvester Co. v. Zoning Board of Appeals, City of Chicago, 43. Ill. App. 2d 440, 193 N.E. 2d856 (1963)

Other courts have held performance standards invalid only for want of proper standards for control of noise, smoke, etc. XI/

Since the first case, court cases involving performance standards have generally revolved around the following problems and issues:

a. The reasonableness of the standard, whether it is an appropriate exercise of police power.

b. The ability to qualify standards grounded on scientific data (this presupposes a valid technical method).

c. The existence of the traditional or "primitive" performance standards in the same ordinance without an understanding of its validity by the municipality.

d. The courts willingness to consider the practical effects of performance standards.

e. The question of appropriate remedies for violators of the performance standard codes.

For the most part, courts have had to make arbitrary decisions about performance standards. In order to fulfill

XI/ Kernville Realty Corp. V. Board of Zoning Appeals, Briarcliff Manor, 265 N.Y.S. 2d522 (1965).

the aim of performance standards, therefore, there must first be an acceptable and valid scientific means of measuring the physical phenomena. Secondly, there must be a scientifically known and acceptable level of the phenomena which adversely affects human beings or their affairs in some way. XII/

4. Scientific Aspects

a. Noise

The techniques of measurement available today are relatively sophisticated. Relationships between the level and quality of noise on one hand and the resulting physical and psychological effects, on the other hand, have been greatly clarified.

Noise of sufficient intensity can be harmful to health and lead to temporary or permanent loss of hearing or other ill effects. But the noise levels encountered in zoning problems are more typically an annoyance than a health threat.

Noise can be measured in terms of frequency (pitch) and sound pressure, both of which must be specified simultaneously in any standard. The rhythmic or

XII/ Erwin E. Schulze "Performance Standards in Zoning", Journal of the Air Pollution Control Association, X (April 1960), 156-160.

intermittent nature will also affect the degree to which it is found to be irritating or disruptive.

Primary measures of noise have been known for years. Among the more recent accomplishments in defining and measuring noise is a scale that employs an average of decibel readings in three octave bands that can be used as a guide in determining permissible limits of background noise in terms of interference with speech.

In setting noise standards, it must be remembered that noise from the industrial activity itself can be less objectionable than the noise from the vehicular traffic generated by the activity.

b. Vibrations

Theories have been evolved in the laboratory based on empirical tests. These studies may provide scientific valid rules for experimentation, testing, and analysis. It is a significant and large step, however, from the laboratory to performance standards. Controls on vibration measure the effect on the environment beyond the lot line, and setbacks of a substantial distance from lot lines on all sides are generally needed to reduce the impact of vibration on adjacent uses and activities.

c. Air Pollution

The problems of setting air pollution standards is complicated by the synergistic effect that different pollutants reacting with one another may have effects which may not ensue separately. For purposes of zoning, complications result from the fact that even though air pollutant incidence tends to decrease with distance, pollutants are not nearly so localized as noise.

Measurements of smoke are generally made by comparing the blackness or opacity of plume from a source with a standard device called a "Ringelmann" chart.

Particulate pollution is measured in term of emissions of particles of a given diameter over a specific period. Various corrections are introduced for factors that affect the concentration or dispersion of particles.

Toxic gas can be measured by various chemical means. The unit usually used is the concentration in parts per million. Depending on the effects of pollution, toxic gas may be regulated or entirely prohibited.

d. Odors

The established criteria are dilution tests of volumes of air at lot lines. The significant point here, though, is the procedure and method of testing. Safeguards to avoid psychological factors, health variables, etc. are necessary. Means of detection and methods of establishing levels themselves must be established.

Obvious emissions may be controlled by establishing acceptable quantities of offensive odors measured in ounces per cubic feet of air. Even though the measurement of odors is not well advanced, inspectors can be trained to detect the pervasiveness of odors, classify them by category, and estimate their intensity.

The Chicago Zoning Ordinance, 1961, controls the emissions of noxious odors by prohibiting odors detectable at any point along the lot lines when diluted in the ratio of one volume of noxious, odorous air to four or more volumes of clean air.

e. Glare and Heat

Glare and heat can be controlled by providing that any operation producting intense glare or heat shall be performed within an enclosure so as not to create a public nuisance or hazard.

f. Fire and Explosive Hazards

The storage, utilization, or manufacture of flammable materials may be restricted to buildings that are completely enclosed by noncombustible exterior walls. Buildings housing flammable materials should be required to have greater building setbacks.

g. Radiation Hazards

Radiation materials in excess of certain limits should not be assembled if the quantity of materials exceed established limits.

h. Discharge of Industrial Waste

Industrial waste should either be decomposed on the site or hauled away. The waste and contamination should not go beyond the lot lines.

i. Electromagnetic Interference

Any electric machine can cause electromagnetic interference. There is, however, equipment that is able to control the unacceptable environmental condition. Therefore electromagnetic interference should not prevail beyond the lot lines.

5. Administration and Enforcement of Performance Standards

Performance standards are difficult to both prepare and administer. Without proper administration, adoption of performance standards would most likely lessen the protection offered by conventional zoning ordinances.

The administration of performance standards is composed of two parts: (a) the evaluation of a proposal before construction, and (b) the enforcement of standards once the activity is in operation.

a. The Evaluation of a Proposal before Construction

(1) Delegate the authority to the Zoning Administrator. This is rarely done probably because it would require a degree of versatility and expertise that is not often found in such an office.

(2) Farm out various aspects of the evaluation to those municipal departments which have the necessary expertise. In the City of Columbus, Ohio, the plans and specifications for every proposed industrial use are reviewed by the Division of Air Pollution, the Fire Protection Bureau, the Division of Traffic Engineering, the Zoning Division, and the Division of Building Regulations.

(3) Utilize a consultant when the evaluation cannot be done by municipal agencies.

(4) Make the issuance of building permits contingent upon certification of the application by a registered engineer and/or an architect that the proposed use meets the applicable standards. This is a frequently used method, and is now employed by New York City and Chicago.

This method, though, has its disadvantages. It presupposes that every registered engineer and architect is competent in his understanding of performance standards. It has also been charged that this method constitutes an abdication of responsibility by the city.

b. Enforcement

The enforcement of performance standards is probably beyond the scope and capacity of a Zoning Administrator. Often other city departments must be relied on. Enforcement, though, may be deterred by the absence of a carefully graduated sequence of notices, warnings, and fines, and/or by the fact that industrial uses in violation of the performance standards become nonconforming uses and are permitted to exist unregulated by the performance standards.

c. Expense

Adequate and accurate monitoring equipment necessary to properly enforce performance standards can be very expensive for one jurisdiction to purchase outright. Personnel expense can also be substantial in terms of both time and salary. The use of specialized consultants to enforce and monitor performance standards is a possible alternative to self implementation. An areawide approach to performance standard application is desirable in terms of both effectiveness and expenses, where monitoring and enforcement expenses could be shared by several jurisdictions. Any application of performance standards should be thoroughly researched in a financial context before application by the City.

C. EXISTING AND POTENTIAL INDUSTRIAL DEVELOPMENT

1. The Oxnard Planning Area

The City of Oxnard, California, possesses a unique combination of advantages for the development of industry, with its concomitant benefits of tax base, employment and purchasing power. The City is located in one of Ventura County's most dynamic growth areas. Its Planning Area is approximately 67 square miles in size, most of which covers a great portion of the flat, agricultural Oxnard Plain. The City has direct access to the Pacific Ocean, a deep water port at Port Hueneme, the Ventura Freeway, the Ventura Marina, the Ventura County Airport and the Southern Pacific Railroad. It is close to such major military facilities as Pt. Mugu, and Pt. Hueneme Naval Engineering Command Schools and operations.

Two other local governments have planning and zoning control over portions of the Oxnard Planning Area. These are the County of Ventura, and the City of Port Hueneme. Together with the City of Oxnard, these three governmental entities should coordinate their industrial portion and development activities in order to upgrade and enhance the capability of the Planning Area to attract and provide jobs, while conserving the area's unique environmental quality.

2. Existing Population and Industrial Land Allocation Standards

a. Existing Population

The 1972 permanent population of the Oxnard Planning Area has been estimated as follows:

City of Oxnard	80,000
City of Port Hueneme	16,000
Unincorporated Areas (Ventura County)	19,000
Total	115,000

b. Industrial Land Standards

At the standard ratio of 12 acres of industrial land per 1,000 population, the 115,000 people in the Planning Area could support 1,380 acres of industrial land. The amount of land in industrial use at this time is 1,331 acres, leaving about a 49 acre reserve for additional growth. While this is not sufficient to accommodate future needs if General Plan forecasts are reached, it indicates the close relationship which has evolved between population growth and industrial land needs in the Planning Area. (See Figure I.)

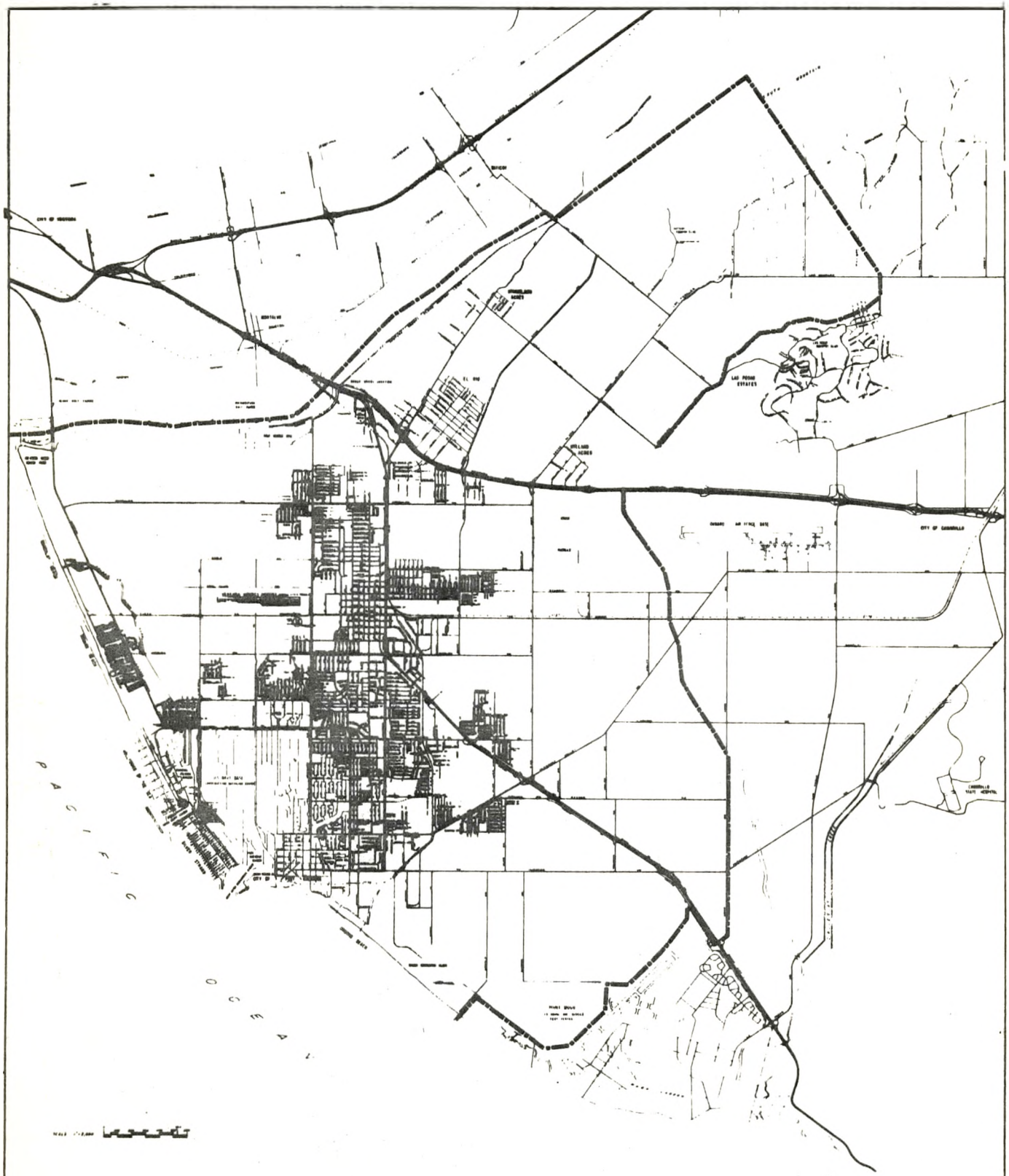


FIGURE 1
PLANNING AREA BOUNDARY

OXNARD PLANNING AREA
VENTURA COUNTY, CALIFORNIA

SOURCE: VENTURA COUNTY PLANNING DEPARTMENT, DMJM PLANNING

Another method of forecasting industrial land requirements is by estimating the relation of jobs to population growth.

3. Existing Industrial Land Use

The 1,331 acres of existing industrial land use in the eight industrial areas of the Oxnard Planning Area are shown in Table I. Figure II shows the distribution of these uses. The following is a brief description of each area:

a. Central Area (380 acres) Statham Park Industrial Area (32 acres)

The Central Industrial Area, including the Statham Industrial Park (412 acres presently in use) is adjacent to the Central Business District. Access is provided by Oxnard Boulevard (State Highway One) and the Southern Pacific Railroad. This area will be also served by the Rt. 1 East Bypass Freeway and the Rt. 257 West Bypass Freeway.

b. Port Hueneme (72 acres) and Ormond Beach Industrial Areas (165 acres)

The Port Hueneme and Ormond Beach Industrial Areas are both in the southern part of the Planning Area. Access to these two areas is provided by the

TABLE I

EXISTING INDUSTRIAL LAND USE AND ZONING

OXNARD PLANNING AREA
VENTURA COUNTY, CALIFORNIA

Industrial Areas	Acreage In General Plan	Acreage Zoned	Acreage Presently Used
Central Area	820	560	380
*Ventura County Airport Area	1,000	165	145
**Statham Industrial Park	-0-	85	32
*Ormond Beach Industrial Area	4,540	1,020	165
*City of Port Hueneme (adjacent area)	175***	155	72
Wagon Wheel Area	-0-	33	32
*East Industrial Area	2,330	775	130
*Vineyard Industrial Area	500	515	375
Total	9,365 acres	3,308 acres	1,331 acres

*All or portions of these existing or planned industrial areas are completely or partially under the planning and zoning control of other jurisdictions than the City of Oxnard.

**Figures reflect the fact that the Oxnard General Plan has consolidated the Statham Industrial Park into the Central Industrial Area.

***The 175 acres includes the 40.7 acres under the jurisdiction of the City of Port Hueneme and the 47 acres under the jurisdiction of the City of Port Hueneme Harbor Department. The remainder of this planned industrial area is outside the incorporated limits of the City of Port Hueneme.

Source: City of Oxnard, Planning Department, June, 1972.

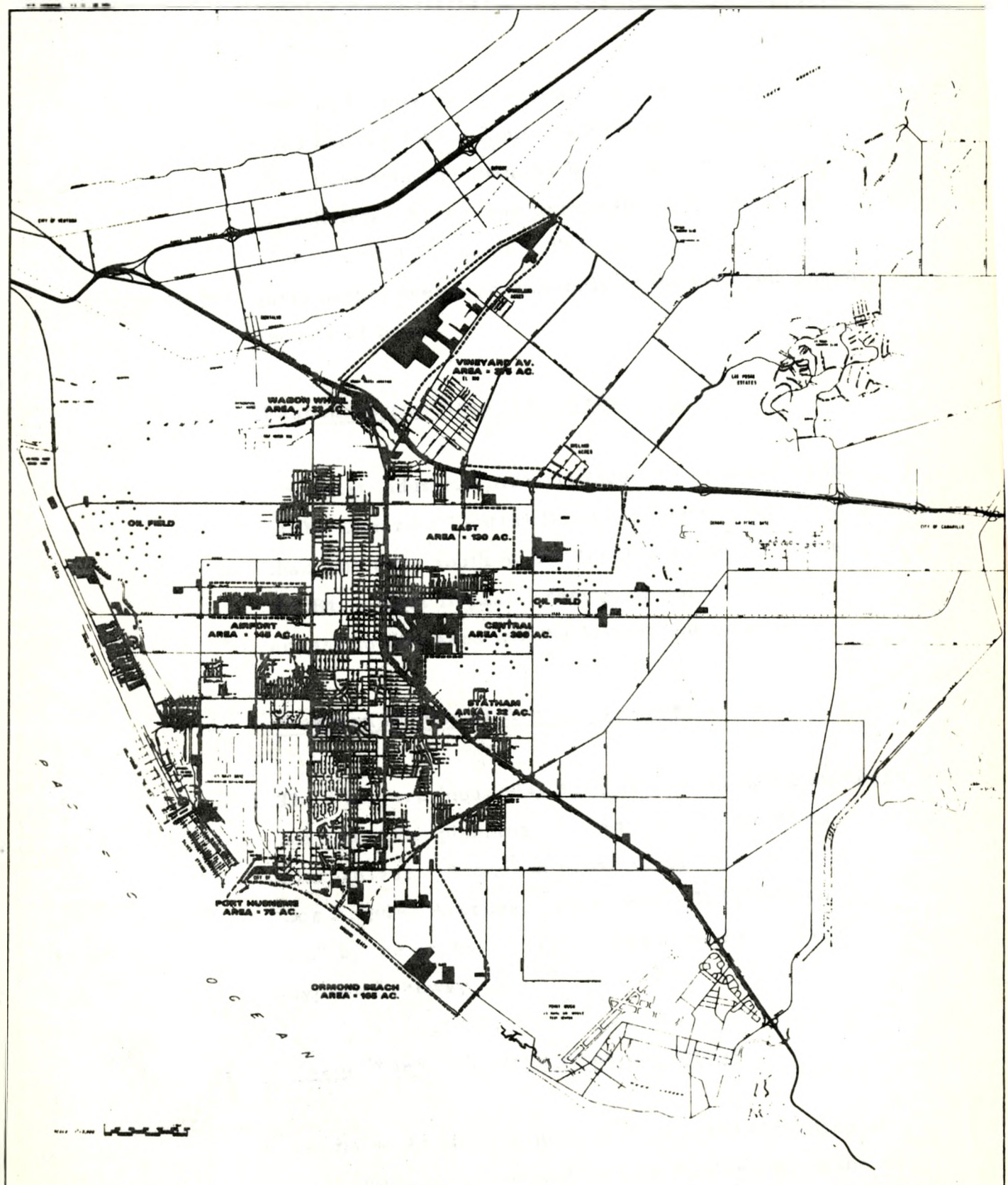


FIGURE II
EXISTING INDUSTRIAL LAND USE

OXNARD PLANNING AREA
VENTURA COUNTY, CALIFORNIA

SOURCE: CITY OF OXNARD PLANNING DEPARTMENT, JUNE 1972

Ventura County Railroad spur tracks, Hueneme Road and the future Route 34 Freeway. Both the Port Hueneme and Ormond Beach industrial areas benefit from their close proximity to the facilities of the Port of Hueneme. The City of Oxnard has jurisdiction over a portion only of the Ormond Beach Industrial Area.

c. East Industrial Area (130 acres)

The East Industrial Area is located to the northeast of the Oxnard's Central Business District and is less than one mile south of the Ventura Freeway. When the Rt. 1 East Bypass Freeway is constructed, access to this area will be further enhanced.

d. Vineyard Industrial Area (375 acres)

The Vineyard Industrial Area is located in the northern portion of the planning area adjacent to the Santa Clara River. Access is provided by Vineyard and Los Angeles Avenues. This area will be served both by the proposed 118 Freeway and Rt. 1 East Bypass Freeway.

e. Wagon Wheel Industrial Area (32 acres)

To the south of the Vineyard Area, at the junction of the Ventura Freeway and Oxnard Boulevard, is the

32 acre Wagon Wheel Industrial Area. This area is to be phased out of industrial use, and is being proposed for more compatible commercial recreation and freeway related uses. XIII/

f. Ventura County Airport (145 acres)

The Airport Industrial Area which includes the Ventura County Airport is located adjacent to and north of Fifth Street approximately 1.25 miles west of the Central Business District. The General Plan also calls for an increase of industrial activity which will be related to and supportive of aviation activities. The City's policy of limiting the airport to general aviation use prevents its growth for international jet service. Because of the Airport's close-in location, community concern over noise, traffic congestion and accident potential has grown in recent years. Special concern needs to be given, however, to utilization of existing Airport buildings and facilities which can generate necessary employment opportunities without violating reasonable performance standards for their use.

g. Observations on the Quality of Existing Industrial Land Use in the Planning Area

Field inspection of existing industrial land use in the Oxnard Planning Area shows a scattered pattern of

XIII/ Oxnard City Planning Department.

industrial activities operating under a wide variety of development standards. Industrial activities are carried out on parcels of varied sizes, none of which appears to be developed to high industrial park standards. Many incompatible uses have penetrated the industrial areas, and vice versa. Industrial standards are inadequate; monitoring of existing standards could be improved.

4. Existing Industrial Zoning

a. Population Support of Existing Industrial Zoning

The present pattern of industrial use as shown in Figure II demonstrates the dispersed character of industrial land use in the Planning Area. As indicated by the industrial land use figure of 1,331 acres, the Oxnard Planning Area is nearly utilizing a standard percentage of industrial land relative to its population. And given the standard that industrial use should be zoned for a minimum of 50 years growth,XIV/ the amount of already zoned industrial land, 3,308 acres, could accommodate a population of approximately 275,000 in that time.

Another approach may be taken to this analysis: Presently approximately 90 percent of the Oxnard

XIV/ See Appendix D.

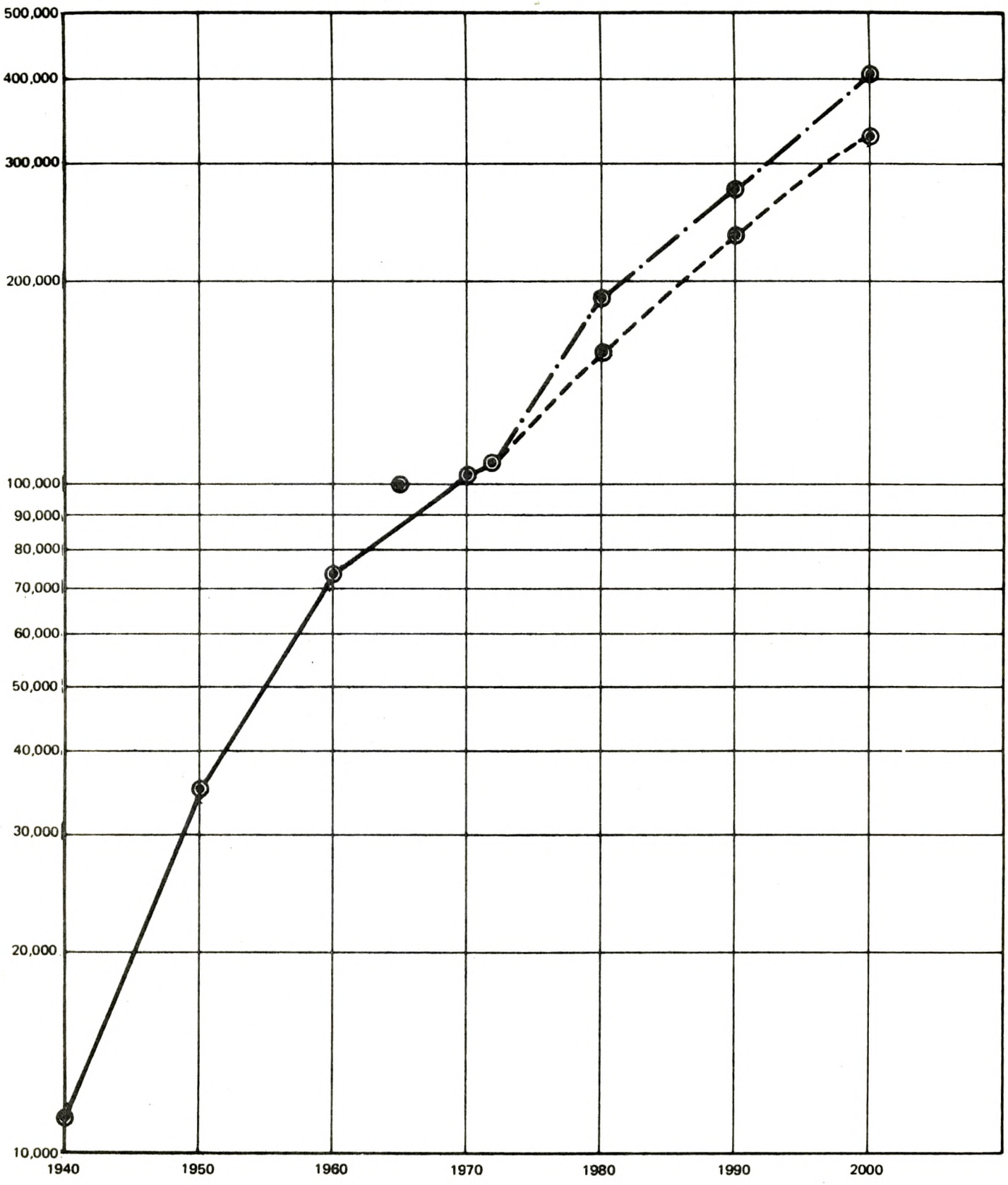
Planning Area population resides with the Cities of Oxnard and Port Hueneme. The population of both cities is 96,000. The two cities cover an area of approximately 17,500 acres. Given that the Oxnard Planning Area is approximately 43,000 acres and that the ratio of population density remains the same, we may deduce that the balance of the area, 25,500 acres will absorb 139,700 people. The industrial space requirements for the total Oxnard Planning Area, therefore, is 3,000 acres. There is a reserve of 300 acres zoned for industrial use. With the assumed population forecasts shown in Graph I, by the year 2000 the Oxnard Planning Area will have a population of 400,000 and will demand no more than 4,800 industrial acres.

b. Distribution Pattern

Existing Industrial Zoning is distributed throughout the Planning Area as shown in Figure III. It generally follows the pattern of existing industrial land use, but covers almost 2-1/2 times more area.

c. Industrial Zoning Ordinance Standards

(1) City of Oxnard



Source: DMJM Planning, State of California, Department of Finance, Ventura County Planning, U.S. Census.

FIGURE . PROJECTION OF POPULATION, OXNARD PLANNING AREA, VENTURA COUNTY, CALIFORNIA

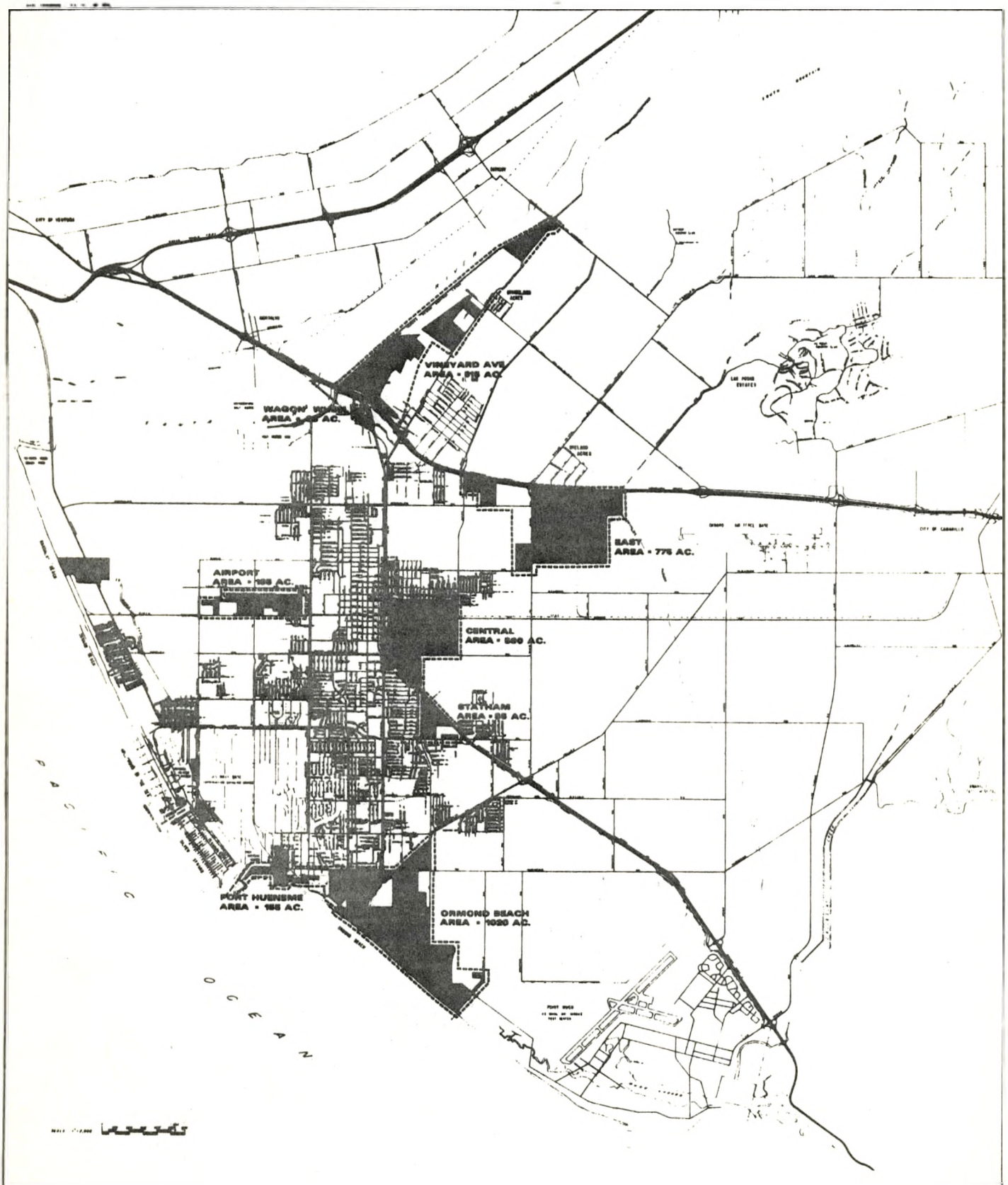


FIGURE III
EXISTING INDUSTRIAL ZONING

OXNARD PLANNING AREA
VENTURA COUNTY, CALIFORNIA

SOURCE: CITY OF OXNARD PLANNING DEPARTMENT, JUNE 1972

The City of Oxnard Zoning Ordinance presently permits industrial development to occur in three zoning districts:

M-1: Light Manufacturing Zone - wholesale business, storage buildings, construction plants, food products manufacturers, sheet metal shops, etc.

M-2: Heavy Manufacturing Zone - cement, concrete manufacturing, junk yards, glue manufacturing, gas manufacturing, railroad repair shops, etc.

M-3: Heavy Manufacturing, Group Housing Zone - all uses permitted in M-2 Zone plus housing facilities for 100 or more male industrial or agricultural workers.

(2) City of Port Hueneme

The City of Port Hueneme presently permits industrial development to occur in three zoning districts:

M-1: Light Manufacturing Uses - warehouse, boat building, truck repairing, fuel, fuel yards, equipment storage, etc.

M-2: Heavy Manufacturing and Industrial Uses -

textile manufacturing, sheet metal shops, petroleum storage, cleaning plants, bottling plants, etc.

H: Harbor Related Uses - as defined by Div. 3, Part 3 of Harbors and Navigation Code, State of California.

(3) Ventura County Zoning

The County of Ventura presently permits industrial development to occur in three zoning districts:

M-1: Light Industrial, Industrial Park, highly restrictive.

M-2: Medium Light Industrial Development.

M-3: Heavy General Industrial Development.

Generally, the M-1 District is designed as an operative industrial park area where a broad range of use is permitted if firms wish to abide by the strict site development and operation performance standards. The M-2 District consists of the same uses as in M-1 plus other quasi-industrial and service commercial activities. M-2 standards are designed to permit latitude in site utilization while still observing reasonable performance standards.

The basic difference between the M-1 and M-2 Districts, in addition to some differences in uses, is the permitted mode of operation of the activity in site use and operational performance for conceivably the same type of activity. The County's M-3 District is designed to be exclusively for manufacturing and related activities. Certain high performance, precision activities must show at the time of public hearing that the normally accepted operation privileges expected to occur in the M-3 District will not adversely affect their operations.

Evolution clauses in the Ventura County Zoning Ordinance for industrial use, in some cases, provide for the reasonable expansion or evolution of lighter into heavier industrial uses within the same zoning district. This change is permitted provided that the industrial use is still, by some means, meeting the lighter standards.XV/

An example of the "evolution" feature is shown in Section 8141-1.2.3 of the ordinance, which permits establishments engaged in the manufacturing of airframes

XV/ Ventura County Zoning Ordinance, Sections 8141-1.2.12 and 8141-2.2.8.

in the M-1 Zone. Natural evolution of the product could result in the production of a more sophisticated airframe requiring the use and manufacture of a plastic or resin as allowed in Section 8141-3.6.3 of the M-3 Industrial Ordinance. The new use would then be permitted in the M-1 Zone under the evolution clause.

5. Proposed Industrial Land Use in the Oxnard Planning Area General Plan

a. Planned Industrial Land in the General Plan

Figure I shows that 9,365 acres of industrial land are indicated in the Oxnard Planning Area General Plan. Figure IV shows the distribution of this acreage among six major industrial areas. These six areas imply the consolidation and unification of existing with proposed new industrial development into areas which can be well-served by transportation facilities and utilities; would be of sufficient size to achieve economies of scale in development; and would

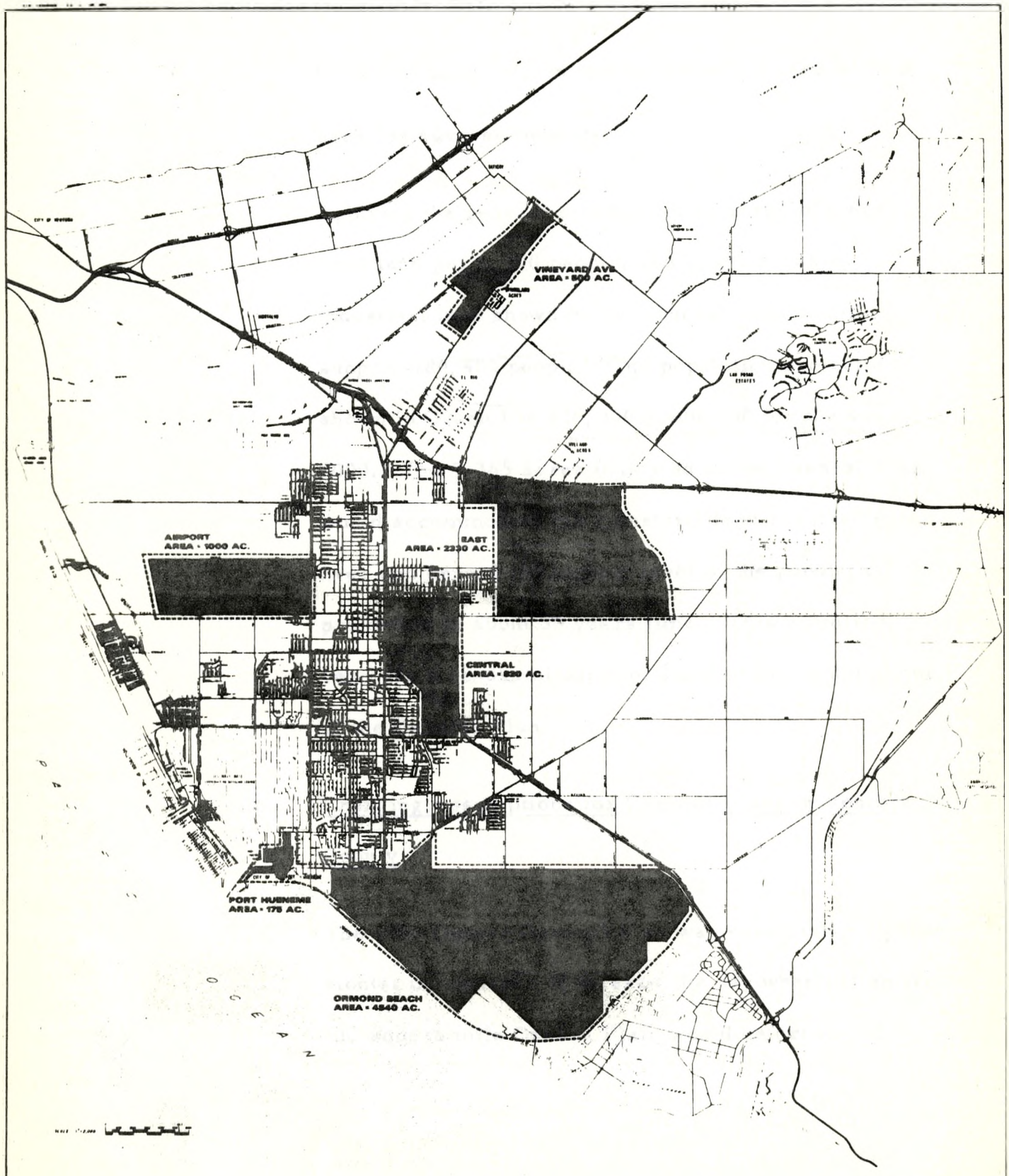


FIGURE IV
PROPOSED INDUSTRIAL LAND USE

OXNARD PLANNING AREA GENERAL PLAN
VENTURA COUNTY, CALIFORNIA

SOURCE: CITY OF OXNARD PLANNING DEPARTMENT, JUNE 1972

be functionally related to non-industrial uses without creating adverse impacts.

Applying the general standard of 12 acres of industrial land per 1,000 people, the 9,365 acres of industrial land shown in the General Plan could support 780,400 people. The population projection shown in Graph I is 325,000 - 400,000 for the year 2000. The 9,365 acres indicated in the General Plan would accommodate the industrial land requirements over and beyond the highest level of the population projection in about 30 years time. This condition requires a re-examination of some of the assumptions of the General Plan.

b. Changing Assumptions for General Plans in Ventura County

The 1969 Oxnard General Plan was essentially expansionist in concept. It foresaw the day when the entire 300 square mile Oxnard Plain would be urbanized,

with urban and municipal services extended as needed from the City and other municipal agencies. All County territory in the Planning Area would logically become a part of the City of Oxnard. At that time, the Planning Area's projected 1970 population was placed between 195,000 and 253,000. April, 1972 population estimates made by the Ventura County Planning Department, however, placed the Planning Area's population at 115,000.

In light of changing expectations and attitudes about urban growth, especially in Ventura County, a new look is needed at the assumptions and policies for growth upon which all pre-1970 plans and zoning have been adopted in the County:

- The Ventura County Board of Supervisors recently enacted a policy of encouraging urban growth to occur only in such proximity to existing cities as to make annexation acceptable by the Local Agencies Formation Commission.

- Pressures to conserve environmental quality and hold off rapid, uncontrolled urban growth are mounting daily. Residents of the County have become deeply aware of the County's great natural beauty and are pulling hard in the opposite direction of "growth" and "progress", actions which will deter both rapid population

growth, and industrial land absorption. It is doubtful whether the Oxnard Planning Area will have 500,000 to 750,000 people in 30 years, considering changing attitudes and policies enacted in reaction to the devastating impacts of uncontrolled growth upon environmental quality.

More and more concessions are being demanded of developers to help pay their own way and share in the long term costs of public services needed to accommodate the improvements they bring into the community. This in turn is slowing down the pace of urbanization; introducing delays in the approval of applications for zoning and land subdivisions; and in effect is slowing down the absorption of all planned uses of land.

In July of 1973, all zoning in California counties and cities will have to be made "consistent" with their General Plans. Communities which have an abundance of over-zoned, under-utilized commercial, high density residential and industrial lands will be required by law to bring these lands into a better relationship with General Plans. If the General Plans are re-drawn to reflect zoning patterns which are not consistent with reasonable forecasts of population and

urban growth, much difficulty will ensue, mainly in terms of public services delivery, utilities and community facility planning, programming and financing.

c. Industrial Land Absorption and Development in the Planning Area

For the past several years, the rate of industrial land sales in the Oxnard Planning Area has been in a range between 40 and 300 acres per year. Major corporations have been buying large parcels of "industrial" land for either their own use, for leasing, or resale purposes at a later date. Present industrial land ownership and use conditions are such that much of land zoned for industrial use is in fact lying fallow or being used for agriculture. Since industrial absorption rates do not adequately depict development rates, a more significant fact is that industrial use rates have been approximately 40 acres per year for the last several years.

Should this situation continue, or in fact worsen, XVI/ especially zoning in conformance with the General Plan, substandard industrial and non-industrial developments could take place in these areas. A dispersed pattern of undesirable developments would be hard to control and compatibility with the surrounding environment would be difficult to ensure. A

XVI/ It should be recognized that the 40 industrial acre increase per year may be the peak of industrial use expansion.

better use of these over-zoned industrial lands would be to maintain them in productive agricultural use as "industrial reserves".

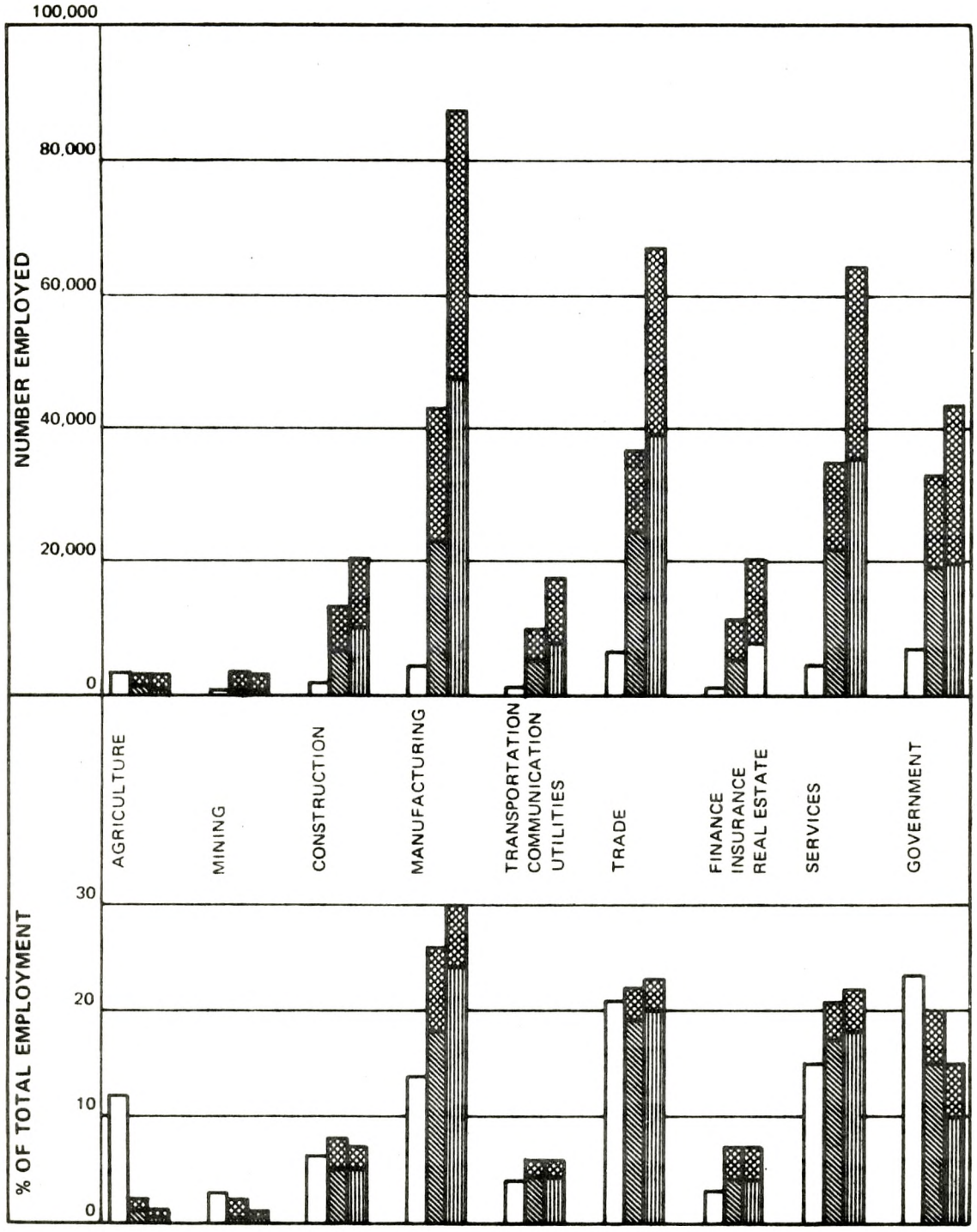
The goal, therefore, should be toward consolidation of industrial use, and planning and zoning, which reflects a realistic appraisal of both industrial land use and absorption. This action would be advantageous for the users of industrial space, as well as for the community and its objectives for environmental quality.

6. Employment Projections/Industrial Land Needs

Figure V "Projections of Employment" graphs projections of employment for the Oxnard and Port Hueneme study area in both absolute terms and as a percentage of total employment in 1965, 1985 and 2000. The graph shows that manufacturing jobs can reach 24,000 by 1985, and 44,000 by 2000.

Employee density in manufacturing areas is another method of projecting industrial land needs. The number of manufacturing jobs estimated for the Oxnard Planning Area could be translated into industrial land requirements as follows:

Forecast Year	Manufacturing Jobs	Industrial land Needs in Terms of Employee Density (Jobs Per Acre)		
		10/acre	20/acre	30/acre
1985	24,000	2,400	1,200	800
2000	44,000	4,400	2,200	1,467



Source: Oxnard 2000 General Plan, "Basis for Planning," City of Oxnard, 1969.

1965 ACTUAL

1985 PROJECTION

2000 PROJECTION

RANGE OF PROJECTION

FIGURE V. PROJECTION OF EMPLOYMENT, OXNARD PLANNING AREA, VENTURA COUNTY, CALIFORNIA

The above figures demonstrate that even if the projected 1985 figure of 24,000 industrial employees was realized, at a minimum of ten employees per acre, 2,400 acres would be in industrial use. This is less than one-third of the 9,365 acres set aside for industrial activities in the Oxnard General Plan. Using the minimum figure of ten employees per acre and the maximum projection of 44,000 industrial employees by the year 2000, the land needs of the Oxnard Planning Area would be 4,400 acres or slightly more than one-half of the 9,365 acres set aside in the Plan. Therefore, even when the General Plan population projections are related to a minimum number of employees per acre, the maximum number of industrial acres needed is not even near what is planned.

D. RECOMMENDATIONS

This study has demonstrated that the City of Oxnard should take steps to upgrade the quality of industrial development in the City, and that industrial land use projections in the City's General Plan are much greater than expected need. There are two major ways by which the City can upgrade its industrial development. These are:

1. Establish and implement Industrial Performance Standards; or

2. Incorporate environmental standards into each of the Industrial Districts in the Zoning Ordinance.

As outlined previously, performance standards can have many advantages over traditional zoning criteria. However, they are extremely expensive and difficult to implement and monitor. On the other hand, the addition of manageable environmental standards to the industrial zone classifications could also achieve desirable results. Such standards could be designed into the ordinance as development criteria and would eliminate much of the time, expense and difficulty of implementing performance standards.

It would be desirable for the City of Oxnard to apply industrial performance standards if surrounding jurisdictions could do the same. An area-wide uniform set of performance standards, properly applied and monitored, could achieve dramatic results in protecting environmental quality. By proportionally sharing the cost of monitoring the standards, such a program would be more economically feasible for each jurisdiction. The City should support such a program in the Oxnard Plain Area.

Until this is done, however, the City can provide area leadership in industrial environmental quality by incorporating manageable environmental standards into its industrial zoning classifications. Such standards would serve as a positive base for implementation of specific performance standards in the future.

DMJM recommends that the City of Oxnard undertake the following program for industrial development:

1. The Zoning Ordinance should be amended to add general environmental standards for industrial uses. A section outlining general environmental quality standards to be universally applied in each industrial zoning district should be added to the ordinance. These standards should be

consistent with Environmental Impact Statement guidelines and the Conservation Element of the General Plan. The recommended criteria and ordinance amendments in Appendix A of this report can be monitored by existing environmental agencies or be certified by project architects or engineers. Such criteria would establish important environmental parameters in which industrial development could occur. When area-wide performance standards could be applied, this would be a step in the right direction.

2. Amend the City's General Plan to make proposed industrial land use consistent with realistic industrial growth and population projections. As indicated in this study, the Oxnard General Plan indicates over twice as much industrial land use as may be needed to meet long-range growth projections. The General Plan should be re-evaluated to reduce industrial use projections to a reasonable quantity. Conforming existing industrial development and the most appropriate industrial expansion areas should remain in the General Plan. Those lands having the best drainage and most fertile soil should be considered for permanent agricultural uses.

3. Amend the Zoning Ordinance to add an "Industrial-Reserve" classification. In conjunction with the General Plan industrial use reduction outlined above, those areas having the best proximity to utilities and transportation services should be "protected" by an "Industrial Reserve" zoning classification. This classification should be applied to those areas that are not expected to be needed for industrial growth within 10 to 15 years, but are appropriate for long term needs. This will assure that adequate industrial land will be available in the best locations to meet growth projections, and will provide for more positive implementation of the revised General Plan. See Appendix "A" for a draft of this suggested amendment.

4. Amend the appropriate Industrial District Sectional Maps to reflect the changes to the General Plan and Zoning Ordinance outlined above. Official zoning maps must also be amended in compliance with California law requiring zoning and general plans to be consistent with one another, by July 1, 1973.

Using the Oxnard Planning Staff draft of the three industrial zone classifications as a base, a model Industrial Zoning Ordinance incorporating the recommendations listed above is shown in Appendix A. The staff drafts already incorporate the philosophy and policies of the City's General Plan, and are much more comprehensive than the existing ordinance in terms of related uses, effect on neighborhood zones and aesthetics considerations. Additionally, the "Planned Development" (additive) Zone in the existing ordinance provides an extra measure of design control both from an environmental and aesthetic point of view, and should be used in conjunction with the industrial classifications wherever possible. If properly enforced, the Non-Conforming Use section of the Oxnard Zoning Ordinance will complement the proposed industrial zoning program.

The General Plan revisions and zone changes recommended by the Consultant should be reviewed by the City staff at local work sessions, and public hearings before the City Planning Commission and City Council. The guidelines recommended herein can be further refined and adapted to local conditions by the City Staff, considering their knowledge of the City's General Plan and zoning policies. These decisions, as well as those required by the addition of environmental standards to the industrial zones, will require that the City make

subjective evaluations on these matters, but at this point in time, this program should provide efficient and workable results.

M-1 RESEARCH, ADMINISTRATION, AND LIMITED MANUFACTURING ZONE

SECTION 00-01. PURPOSE

A zone where selected research, administrative and manufacturing uses may be located next to, and with protection from, commercial and residential areas. Proper safeguards are established for the abutting land uses, and for any and all other uses such as residential, retail commercial, and industrial not compatible with the uses intended for this district.

SECTION 00-02. USES PERMITTED

The following regulations shall apply in the M-1 Research, Administration, and Limited Manufacturing Zone, unless otherwise provided in this chapter:

The following principal uses only are permitted in this zone:

Administrative or executive offices of commercial, financial or industrial establishments.

Scientific research and experimental development laboratories.

Engineering, industrial design and other professional offices.

The assembly of electrical equipment and appliances, electronic instruments and devices such as television and radio equipment.

The manufacture, processing and packaging of pharmaceuticals, drugs, toiletries and cosmetics, except soap.

Television and radio broadcasing studios.

Manufacture of scientific, optical, medical, dental and drafting instruments, orthopedic and medical appliances, watches and clocks, precision instruments, musical instruments, cameras and photographic equipment, except film.

Blueprinting, photo copying, film processing, printing, engraving, and lithographing.

Business service establishments such as electronic computer facilities and addressing service.

The manufacturing, assemblying, compounding, packaging, and processing of articles or products from the following previously prepared materials:

Asbestos

Bristles

Bone

Canvas

Cellophane

Cloth

Cork

Feathers

Felt

Fibre

Fur

Glass

Hair

Horns

Leather (excluding any etching, burning or other odorous operations)

Paints (excluding any boiling process)

Paper

Plastics (excluding any melting or odorous processes)

Shells

Textiles

Tobacco

Yarn

Manufacturing, compounding, processing, canning, or packaging of products such as:

Bakery goods

Candy and soft drinks

Dairy products

Food products (excluding fish and meat products, garlic, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils)

Manufacture of ceramic products, such as pottery, figurines and small glazed tile, utilizing only previously pulverized clay, and provided that kilns are fired only by electricity or gas.

Manufacture and assembly of electrical equipment and supplies, such as coils, condensers, lamps, switches, wire and cable assembly.

Electric distribution substations, electric transmission substations and public utility buildings.

Manufacture of cutlery, hardware, hand tools and kitchen utensils.

Mattress manufacture, repair, rebuilding and covering.

Telephone district offices.

Warehouses.

Production of precious or semi-precious metals or stones (excluding the dressing, grinding or cutting of metals or stones.)

Production of investment castings.

The processing and packaging of seeds.

And similar uses as listed in the supplementary list of land uses adopted by the Planning Commission. Where question arises as to the suitability of a particular use, the Planning Commission shall provide the interpretation as provided in Section 00-00 of this chapter.

The zone is intended to insure an industrial park atmosphere within a controlled environment. It provides for the erection of industrial buildings and functionally related uses which will be pleasing in appearance, free from objectionable effects, and which will harmonize with surrounding land uses.

SECTION 00-03. ACCESSORY BUILDINGS AND USES

The following accessory uses are permitted in the M-1 Zone:

Storage buildings incidental to a permitted use.

Employee recreational facilities and play areas.

Commercial sales and service incidental to a principal permitted use.

Facilities for resident night watchman or caretaker.

Coffee shop, restaurant, cafe or cafeteria, operated in conjunction with a permitted use for exclusive convenience of persons employed upon the premises, for which all access is obtained from within the plant.

Other accessory uses and buildings customarily appurtenant to a permitted use as determined by the Planning Director.

SECTION 00-04. RELATED USES

The following uses are permitted only if their location is approved by the Planning Commission as provided in Section 34-146 to 34-157.1:

Restaurants, cafes or cafeterias, service stations and other commercial conveniences and services which the Commission, after deliberation and study, finds are needed to serve the M-1 Zone, will not interfere with the industrial park atmosphere and operation, and are in conformance with the General Plan and other adopted standards.

SECTION 00-05. ENVIRONMENTAL STANDARDS

All uses permitted or allowed to operate within the M-1 Zone shall comply with the following environmental protection standards:

Aesthetics

All development, including new construction, expansion, and/or remodeling, shall be designed to be compatible with the natural environment and surrounding uses and structures. Any applicable section of the Municipal Code relating to the planning, design, landscaping or erection of a structure or site improvements shall be used to achieve this objective.

Appearance

The Commission may require a design with orientation to sun and wind with provision for special treatment of buildings, structures and layouts of open spaces to provide a development without unsightly, undesirable or obnoxious appearance.

Landscaping

The Commission may require landscaping to enhance the appearance of development in the M-1 Zone. Areas designated for landscaping shall be maintained in a flourishing condition.

Air Pollution

Any activity, operation, or device which causes, or tends to cause, the release of air contaminants into the atmosphere shall comply with the rules and regulations of the Ventura County Air Pollution Control District (APCD). A certificate of compliance from that agency may be required prior to issuance of an occupancy permit by the City.

Glare

No activity shall be permitted which causes light or glare to be transmitted or reflected in such concentrated quantities as to be detrimental or harmful to the use of surrounding properties or streets.

Fire and Explosion Hazards

The use or storage of flammable or explosive materials shall at all times comply with the Fire Prevention Code adopted by the City of Oxnard, and all other applicable ordinances and regulations.

Odors

The odorous matter released from any operation or activity shall not exceed detectable concentrations beyond building lines measured either at ground level or habitable elevation.

Particulate Matter (Windborne dust)

The outdoor storage of materials susceptible to releasing windborne dust across lot lines is prohibited. All roads within a lot or parcel of land shall be hard-surface paved. Fugitive sources of dust shall be sealed or controlled to minimize or eliminate such dust release.

Liquid or Solid Wastes

No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted, except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

Noise

Noise resulting from any operation or activity shall be confined within the building area from which it is generated. Intermittent noise may be prohibited between the hours of 10:00 P.M. and 7:00 A.M.

Vibration

Ground transmitted vibration shall be confined within the building from which the vibration is generated.

Fissionable, Radioactivity or Electrical Disturbance

No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewerage systems, and no activities shall be permitted which emit electrical disturbance affecting the operation at any point of any equipment other than that of the creator of such disturbance.

SECTION 00-06. HEIGHT PERMITTED

No building hereafter erected or structurally altered in excess of ten (10') feet in height shall be located less than the distance of its height from the property line. In no case shall such a building exceed thirty-five (35') feet unless the height is approved by the Planning Commission as provided in Section 34-146 to 34-157.1.

SECTION 00-07. FRONT YARD

There shall be a front yard of ten (10) percent of the depth of the lot. Such front yard need not exceed ten (10') feet on a minor or collector street and twenty-five (25') feet on a minor or major thoroughfare which, except for visitors' parking, necessary drives and walks, and permitted identification sign, shall be landscaped but otherwise remain clear and unobstructed and shall not be used for loading or unloading of freight.

SECTION 00-08. SIDE YARD

None required except for street side yards which shall be a minimum of ten (10') feet which, except for necessary drives, walks and permitted identification sign, shall be landscaped but otherwise remain clear and unobstructed.

SECTION 00-09. REAR YARD

None required.

SECTION 00-10. OFF-STREET PARKING

As provided in Section 34-5.

SECTION 00-11. PROPERTY DEVELOPMENT STANDARDS

No industrial parcel shall be created in the M-1 Zone unless it has a minimum lot area of 25,000 square feet, a minimum average lot width of one hundred (100') feet, a minimum lot depth of one hundred fifty (150') feet, and a maximum ratio of lot depth to lot width of 2-1/2:1.

SECTION 00-12. SIGNS

Signs shall be permitted as provided in Section 00-00.

M-2 LIGHT INDUSTRIAL ZONE

SECTION 00-01. PURPOSE

A zone to provide stable and sound industrial development by fostering and protecting an environment exclusively for industrial uses developed subject to regulations necessary to insure environmental protection.

SECTION 00-02. USES PERMITTED

The following regulations shall apply in the M-2 Light Industrial Zone unless otherwise provided in this chapter:

The following principal uses only are permitted in this zone:

Any use permitted in the M-1 Zone.
Assaying.
Advertising structures, manufacture and maintenance.
Automobile body and fender works.
Automobile painting.
Awning shop.
Bakery goods manufacturing.
Blacksmith shop.
Book bindery.
Bottling plant.
Brush manufacturing.
Cabinet shop (except planing mill).
Carpet manufacture, cleaning, and dyeing.
Cigar or cigarette factory.
Clothing manufacturing.

Cosmetics manufacturing.

Dairy products manufacturing.

Distributing plant.

Drugs manufacturing.

Dye works.

Electric generator and motor manufacturing.

Electric sign manufacturing.

Electric appliance assembly.

Film laboratory.

Food products manufacture.

Furniture assembling.

Kennel, dog and cat.

Machine shop (excluding punch presses over 20 ton capacity, drop hammers and automatic screw machines).

Musical instrument manufacturing.

Novelty manufacturing.

Shoe manufacturing.

Warehouse.

Manufacturing, compounding, processing, canning, or packaging of products such as:

Abrasives.

Aluminum products.

Aircraft and aircraft accessories.

Asbestos.

Automobiles, trucks and trailers.

Automotive accessories and parts.

Boats.

Bricks.

Burial vaults and caskets.

Candles.

Canvas.

Carpets and rugs.

Cement products.

Chalk.

Clay pipe and clay products.

Composition wallboard.

Glass, but excluding blast furnaces.

Glazed tile.

Graphite and graphite products.

Hemp products.

Ink.

Jute products.

Linter.

Metal foil.

Metal products.

Missiles and missile components, excluding explosive fuels.

Motors and generators.

Oakum products.

Paraffin products.

Plastics.

Porcelain products.

Pulp goods.

Pumice.

Putty.

Railroad equipment.

Rubber products.

Sisal products.

Starch and dextrine.

Steel products.

Stone products.

Structural steel products.

Tile.

Wire and wire products.

SECTION 00-03. ACCESSORY BUILDINGS AND USES

The following accessory uses are permitted in the M-2 Zone:

Storage buildings incidental to a permitted use.

Employee recreational facilities and play areas.

Commercial sales and service incidental to a principal permitted use.

Facilities for resident night watchman or caretaker.

Coffee shop, restaurant, cafe or cafeteria, operated in conjunction with a permitted use for exclusive convenience of persons employed upon the premises, for which all access is obtained from within the plant.

Other accessory uses and buildings customarily appurtenant to a permitted use as determined by the Planning Director.

SECTION 00-04. RELATED USES

The following uses are permitted only if their location is approved by the Planning Commission as provided in Section 34-146 to 34-157.1:

> Restaurants, cafes or cafeterias, service stations and other commercial conveniences and services which the Commission, after deliberation and study, finds are needed to serve the M-2 Zone, will not interfere with the industrial atmosphere and operation, and are in conformance with the General Plan and other adopted standards.

SECTION 00-05. ENVIRONMENTAL STANDARDS

All uses permitted or allowed to operate within the M-2 Zone shall comply with the following environmental protection standards:

Air Pollution

Any activity, operation, or device which causes, or tends to cause, the release of air contaminants into the atmosphere shall comply with the rules and regulations of the Ventura County Air Pollution Control District (APCD). A certificate of compliance from that agency may be required prior to issuance of an occupancy permit by the City.

Particulate Matter (Windborne dust)

The outdoor storage of materials susceptible to releasing windborne dust across lot lines is prohibited. All roads within a lot or parcel of land shall be hard-surface paved. Fugitive sources of dust shall be sealed or controlled to minimize or eliminate such dust release.

Liquid or Solid Wastes

No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted, except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

Noise

Noise resulting from any operation or activity shall be confined within the parcel from which it is generated. Intermittant noise may be prohibited between the hours of 10:00 P.M. and 7:00 A.M.

Vibration

Ground transmitted vibration shall be confined within the parcel from which the vibration is generated.

Fissionable, Radioactivity or Electrical Disturbance

No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewerage systems, and no activities shall be permitted which emit electrical disturbance affecting the operation at any point of any equipment other than that of the creator of such disturbance.

Glare

No activity shall be permitted which causes light or glare to be transmitted or reflected in such concentrated quantities as to be detrimental or harmful to the use of surrounding properties or streets.

Fire and Explosion Hazards

The use or storage of flammable or explosive materials shall at all times comply with the Fire Prevention Code adopted by the City of Oxnard, and all other applicable ordinances and regulations.

Odors

The odorous matter released from any operation or activity shall not exceed detectable concentrations beyond parcel lines measured either at ground level or habitable elevation.

Aesthetics

All development, including new construction, expansion, and/or remodeling, shall be designed to be compatible with the natural environment and surrounding uses and structures. Any applicable section of the Municipal Code relating to the planning, design, landscaping or erection of a structure or site improvements shall be used to achieve this objective.

SECTION 00-06. HEIGHT PERMITTED

No building hereafter erected or structurally altered shall exceed fifty-five (55') feet, and no building in excess of ten (10') feet in height shall be located less than the distance of its height from the property line.

SECTION 00-07. FRONT YARD

There shall be a front yard of ten (10') feet minimum for main and accessory buildings which, except for landscaping, necessary drives and walks, permitted identification sign, and parking, shall remain clear and unobstructed and shall not be used for loading or unloading of freight.

SECTION 00-08. SIDE YARD

None required except for street side yards which shall be a minimum of ten (10') feet which, except for landscaping, necessary drives and walks, permitted identification signs, and parking, shall remain clear and unobstructed and shall not be used for loading or unloading of freight.

SECTION 00-09. REAR YARD

None required.

SECTION 00-10. OFF-STREET PARKING

As provided in Section 34-5.

SECTION 00-11. PROPERTY DEVELOPMENT STANDARDS

No industrial parcel shall be created in the M-2 Zone unless it has a minimum lot width of one hundred (100') feet, a minimum lot depth of one hundred fifty (150') feet, and a maximum ratio of lot depth to lot width of 2-1/2:1.

SECTION 00-12. SIGNS

Signs shall be permitted as provided in Section 00-00.

M-3 HEAVY INDUSTRIAL ZONE

SECTION 00-01. PURPOSE

A zone to provide for those industrial uses generally considered to be intensive and unattractive in selected locations, and where appropriate, to apply suitable conditions of operation, such as to protect abutting industrial uses, adjacent commercial and residential uses, and the general public from detrimental effects.

SECTION 00-02. USES PERMITTED

The following regulations shall apply in the M-3 Heavy Industrial Zone unless otherwise provided in this chapter:

The following principal uses only are permitted in this zone:

Any use permitted in the M-2 Light Industrial Zone, provided, however, that no building, structure, or portion thereof shall be hereafter erected, structurally altered, converted or used for any use permitted in a residential zone, except accessory buildings which are incidental to the use of land and such exceptions permitted under Section :

Acetylene gas manufacture or storage.
Alcohol manufacture.
Ammonia, bleaching powder or chloride manufacture.
Asphalt manufacture or refining.
Automobile wrecking, if conducted wholly within a building.
Blast furnace or coke oven.

Boiler works.

Brick, tile or terra cotta manufacture.

Chemical manufacture.

Concrete or cement products manufacture.

Cotton gin or oil mill.

Fish smoking, curing or canning.

Iron or steel foundry or fabrication plant and heavyweight casting.

Lamp black manufacture.

Oilcloth or linoleum manufacture.

Oil drilling and production of oil, gas or hydrocarbons.

Ore reduction.

Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.

Paper and pulp manufacture.

Petroleum pumping and wholesale storage.

Planing mill.

Plastics manufacture.

Potash works.

Pyroxyline manufacture.

Quarry or stone mill.

Railroad repair shop.

Rock, sand or gravel distribution: rock, sand or gravel excavating or crushing, subject to conditions and methods of operation to be approved by the Planning Commission.

Rolling mill.

Rubber or gutta-percha manufacture or treatment.

Salt works.

Saw mill.

Soap manufacture.

Sodium compounds manufacture.

Stove or shoe polish manufacture.

Tar distillation or tar products manufacture.

However, none of the following uses shall be permitted unless the location and mode of development is approved by the Planning Commission as provided in Sections 34-146 to 34-157.1:

Acid manufacture.

Automobile wrecking area.

Cement, lime, gypsum or plaster of Paris manufacture.

Distillation of bones.

Drop forge, industries manufacturing forgings with power hammers.

Explosives, manufacture or storage.

Fat rendering, except as an incidental use.

Fertilizer manufacture.

Fish reduction.

Garbage, offal or dead animal reduction or dumping.

Gas manufacture or storage.

Glue manufacture.

Junk, including the storage, sorting, collecting, or bailing of rags, paper, iron, cast-off or salvage material.

Petroleum refining.

Smelting of tin, copper, zinc or iron ores.

Stock yards or feeding pens.

Slaughter of animals.

Tannery or the curing or storage of raw hides.

SECTION 00-03. ACCESSORY BUILDINGS AND USES

The following accessory uses are permitted in the M-3 Zone:

Storage buildings incidental to a permitted use.

Employee recreational facilities and play areas.

Facilities for resident night watchman or caretaker.

Coffee shop, restaurant, cafe or cafeteria, operated in conjunction with a permitted use for exclusive convenience of persons employed upon the premises, for which all access is obtained from within the plant.

Other accessory uses and buildings customarily appurtenant to a permitted use as determined by the Planning Director.

SECTION 00-04. RELATED USES

The following uses are permitted only if their location is approved by the Planning Commission as provided in Section 34-146 to 34-157.1:

Restaurants, cafes or cafeterias, service stations and other commercial conveniences and services which the Commission, after deliberation and study, finds are needed to serve the M-3 Zone, will not interfere with the industrial atmosphere and operation, and are in conformance with the General Plan and other adopted standards.

SECTION 00-05. ENVIRONMENTAL STANDARDS

All uses permitted or allowed to operate with the M-3 Zone shall comply with the following environmental protection standards:

Air Pollution

Any activity, operation, or device which causes, or tends to cause, the release of air contaminants into the atmosphere shall comply with the rules and regulations of the Ventura County Air Pollution Control District (APCD). A certificate of compliance from that agency may be required prior to issuance of an occupancy permit by the City.

Particulate Matter (Windborne dust)

The outdoor storage of materials susceptible to releasing windborne dust across lot lines is prohibited. All roads within a lot or parcel of land shall be hard-surface paved. Fugitive sources of dust shall be sealed or controlled to minimize or eliminate such dust release.

Liquid or Solid Wastes

No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted, except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

Noise

Noise resulting from any operation or activity shall be confined within the zone or industrial district boundaries from which it is generated. Intermittant noise may be prohibited between the hours of 10:00 P.M. and 7:00 A.M.

Vibration

Ground transmitted vibration shall be confined within the Zoning District from which the vibration is generated.

Fissionable, Radioactivity or Electrical Disturbance

No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewerage systems, and no activities shall be permitted which emit electrical disturbance affecting the operation at any point of any equipment other than that of the creator of such disturbance.

Glare

No activity shall be permitted which causes light or glare to be transmitted or reflected in such concentrated quantities as to be detrimental or harmful to the use of surrounding properties or streets.

Fire and Explosion Hazards

The use or storage of flammable or explosive materials shall at all times comply with the Fire Prevention Code adopted by the City of Oxnard, and all other applicable ordinances and regulations.

Odors

The odorous matter released from any operation or activity shall not exceed detectable concentrations beyond the Zoning District boundaries measured either at ground level or habitable elevation.

Aesthetics

All development, including new construction, expansion, and/or remodeling, shall be designed to be compatible with the natural environment and surrounding uses and structures. Any applicable section of the Municipal Code relating to the planning, design, landscaping or erection of a structure or site improvements shall be used to achieve this objective.

SECTION 00-06. HEIGHT PERMITTED

No building hereafter erected or structurally altered shall exceed seventy (70') feet, and no building in excess of ten (10') feet in height shall be located less than the distance of its height from the property line. In no case shall such a building exceed thirty-five (35') feet unless the height is approved by the Planning Commission as provided in Section 34-146 to 34-157.1.

SECTION 00-07. FRONT YARD

None required.

SECTION 00-08. SIDE YARD

None required.

SECTION 00-09. REAR YARD

None required.

SECTION 00-10. OFF-STREET PARKING

As provided in Section 34-5.

SECTION 00-11. PROPERTY DEVELOPMENT STANDARDS

No industrial parcel shall be created in the M-3 Zone unless it has a minimum lot area of three (3) acres, a minimum lot width of three hundred (300') feet, and a minimum lot depth of three hundred (300') feet.

SECTION 00-12. SIGNS

Signs shall be permitted as provided in Section 00-00.

M-R INDUSTRIAL RESERVE ZONE

SECTION 00-01. PURPOSE

A zone to reserve the most appropriate land to accommodate long range industrial development for which existing demand is minimal. Land within this classification is deemed to be suitable for industrial uses, but not yet needed for such development. Location, access to transportation and utilities, soil and geologic conditions, and environmental considerations shall be evaluated before placing this classification on any property.

SECTION 00-02. USES PERMITTED

The following regulations shall apply in the M-R Industrial Reserve Zone, unless otherwise provided in this chapter:

(Note: The City should establish specific uses and standards for this zone classification consistent with applicable City policies and procedures. The Consultant recommends that agricultural uses be predominant in this zone. Temporary recreational, open space, or easily relocated residential and commercial uses could be permitted subject to specific conditions. Other sections of the Municipal Code, such as parking and sign criteria will have to be modified accordingly.)

APPENDIX B

EXAMPLES OF PERFORMANCE STANDARDS

Following are a few examples of performance standards from the following cities: Bayport, Texas; Fremont, California; and Los Angeles, California.

Bayport

Environmental standards for Bayport were developed by the Bayport Industrial Association. The standards were developed by industry, not only in the interest of industry, but more importantly in the public interest. The standards are realistic and progressive. They are administered by the Industrial Association, and they should continue to contribute to the good relationship with adjacent residential areas and the entire community.

Freemont

The performance standards used by the City of Freemont are very comprehensive, and technical. The use of these standards has eliminated lists of permitted uses in the zone classifications.

Los Angeles

The Industrial Performance Standards for Los Angeles have not yet been officially adopted. They were developed as part of a comprehensive revision of the City's entire Zoning Code. Although the standards are very comprehensive and technical, it is interesting to note that Los Angeles did not eliminate permitted use lists in each of the industrial zoning classifications.

BAYPORT Has Firm Standards

In any modern industrial development, firm but realistic environmental standards are essential for the benefit of all plants within the area and for neighbors in adjacent residential or business areas.

BAYPORT has developed such standards:

To insure proper use and appropriate development and improvement of the area and to protect surrounding landowners in residential and commercial areas from property depreciation and health impairment;

To protect the owners of plant sites within the property described herein against improper use of other plant sites, which will depreciate the value of their property;

To guard against the erection therein of improper or unsuitable structures;

To insure adequate and reasonable development of such property;

To encourage the erection of attractive improvements thereon with appropriate locations on the plant sites;

To secure and maintain proper setbacks from streets and roads and adequate free space between structures;

To provide adequately for a high type and quality of improvements on the property.

I. ENVIRONMENTAL STANDARDS

A. SMOKE AND PARTICULATE MATTER

1. Definitions

Dustfall – The rate at which particulate matter collects in an open jar, usually tons per square mile per month.

Microgram – One-millionth of one gram

Particulate Matter – Material other than water which is suspended in or discharged into the atmosphere in a finely-divided form as a liquid or solid.

Ringelmann Number – The number appearing on the Ringelmann Chart described in the U.S. Bureau of Mines Information Circular 6888 by which the density or equivalent opacity of a smoke emission may be measured.

Smoke – Small gas-borne particles other than water that form a visible plume in the air. For the purpose of this Standard, smoke is further defined as the emission from the combustion of conventional fuels, waste products, or waste materials.

2. Smoke

The emission of smoke having a density or equivalent opacity less than Ringelmann No. 2 shall be permitted at all times. Smoke having a density or equivalent opacity of Ringelmann No. 2 but less than Ringelmann No. 3 shall be permitted for six minutes during any one hour. Smoke having a density or equivalent opacity of Ringelmann No. 3 or greater shall not be permitted except under extraordinary conditions (accidental release, etc.) and such conditions shall be corrected as soon as reasonably possible.

3. Suspended Matter

The emission of particulate matter from any plant which will result in suspended dust concentrations greater than 250 micrograms per cubic meter of air, measured at any point beyond the plant property line, either at ground level or at a habitable elevation, whichever is more restrictive, shall not be permitted. In addition, the emission of particulate matter from any plant in BAYPORT which will result in suspended dust concentrations greater than 100 micrograms per cubic meter of air in residential and commercial areas outside of BAYPORT shall not be permitted. The above figures have reference to a 24-hour sample; one-hour samples shall not exceed three times the 24-hour sample.

4. Dustfall

The emission of particulate matter from any plant which will result in a dustfall greater than 75 tons per square mile per month measured at or beyond the plant property line, either at ground level or habitable elevation, whichever is more restrictive, shall not be permitted. In addition, the emission of particulate matter from any plant in BAYPORT which will result in a dustfall greater than 25 tons per square mile per month in residential and commercial areas outside BAYPORT shall not be permitted. The dustfall figures above are based upon a 30-day, more or less, measurement; 24-hour samples shall not exceed three times the 30-day sample.

5. **Windblown Dust**
   Particulate matter emissions caused by the wind from open storage areas, yards, roads, parking areas, etc., within property lines shall be kept to a minimum by appropriate landscaping, paving, oiling, wetting, or other means.

B. ODOROUS MATTER
Odorous matter is defined as any material, gaseous, liquid or solid, that produces a response in the normal human nose. The release of odorous matter from any plant shall be controlled so as not to become a nuisance or source of discomfort at any point beyond the plant property line.

C. TOXIC MATTER
Toxic matter is defined as any material which is capable of causing injury to living organisms by chemical means when present in relatively small amounts. No activity or operation shall at any time cause the discharge of toxic matter across plant property lines in such concentrations as to be detrimental to or endanger the public health and safety or to cause injury or damage to animals or plants. The discharge of toxic matter from any plant which will result in airborne concentrations over a continuous 8-hour period in excess of 10% of the maximum permissible airborne concentration allowed an industrial worker when measured at or beyond the plant property line, either at ground level or habitable elevation, whichever is more restrictive, shall not be permitted except as specified otherwise in Paragraph D of this Section III hereof for specific substances.

D. SPECIFIC SUBSTANCES
The discharge of the following substances from any plant which will result in airborne concentrations in excess of the amounts shown when measured at or beyond the plant property line, either at ground level or habitable elevation, whichever is more restrictive, shall not be permitted:

SUBSTANCE	PARTS PER MILLION PARTS BY VOLUME	
	1-hour sample	24-hour sample
Carbon Disulfide	1.0	0.15
Carbon Monoxide	100	30
Chlorine	0.5	0.2
Ethylene	5.	0.2
Hydrogen Chloride	1.0	0.5
Hydrogen Sulfide	0.2	0.1
Oxides of Nitrogen	2.0	0.3
Ozone	0.3	0.1
Oxides of Sulfur	2.0	0.3

E. RADIOACTIVE MATERIALS
The manufacture, utilization, and storage of radioactive materials shall comply with the regulations established by the Atomic Energy Commission, the Texas State Department of Health and other authorities having jurisdiction.

F. EXPLOSIVE AND FLAMMABLE MATERIALS
1. The manufacture, transportation, storage, and use of materials or products which decompose by detonation shall be conducted in accordance with the latest National Fire Protection Association Standard No. 495, "Code for Manufacture, Transportation, Storage, and Use of Explosives and Blasting Agents," and the rules and regulations governing explosives promulgated by the State of Texas and other authorities having jurisdiction. Explosive materials not covered by these standards and regulations shall be manufactured, stored or utilized no closer than 100 feet from a property line or 200 feet from the boundary line separating BAYPORT from a residential or commercial area.

2. The manufacture, transportation, utilization, and storage of flammable materials shall be conducted in accordance with generally accepted standards for safety and fire prevention. Such standards shall include the National Fire Codes and the appropriate standards of the American Petroleum Institute, the Manufacturing Chemists Association, and other organizations that promulgate standards of good practice. The storage, utilization, or manufacture of flammable gases or liquids having a flash point below 110°F, shall not be permitted within 200 feet of the boundary line separating BAYPORT from a residential or commercial area except when stored underground or in containers of 5,000 gallons or less above ground. (When flammable gases are stored in the gaseous phase, the above limit in gallons shall be multiplied by 30 to obtain the limit in cubic feet at 14.7 pounds per square inch absolute and 60°F.)

3. Flammable liquids, which may get into the waste system, shall be trapped and contained at a point within the plant boundaries. No flammable liquids shall be permitted in the central waste collection and treatment system for reasons of general safety.

G. NOISE
1. Definitions
   Impact Noise – A short-duration or rapidly changing sound which causes fluctuations of the sound level meter needle in excess of plus or minus two decibels and is therefore incapable of being accurately measured on a sound level-meter.

   Octave Band – A prescribed interval of sound frequencies which permits classifying sound according to its pitch. Octave bands specified are those adopted by the American

Standards Association as "Preferred Frequencies for Acoustical Measurements;" S1.6 – 1960.

Sound Level Meter – An instrument, including a microphone, amplifier, output meter, and frequency weighting network, for the measurement of noise and sound levels in a specified manner.

Sound Pressure Level – The intensity of sound measured in decibels as recorded or indicated on a sound level meter.

Commercial Area – An area with very few single family residences and predominantly occupied by stores, theaters, and light industry, but which may have multi-family residences above street level.

Residential Area – An area with no industry and predominantly occupied by residences, but which may have a few stores and theaters.

2. Sound levels shall be measured with a sound level meter and an associated octave band analyzer, both manufactured in accordance with standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impact noises shall be measured with an impact noise analyzer.

3. Noise emission from any plant shall not cause sound pressure levels greater than those listed in column (1) below, measured at any point beyond the plant property line, either at ground level or at a habitable elevation, whichever is more restrictive. In addition, noise emission from any plant in BAYPORT shall not cause sound pressure levels greater than those listed in column (2) in commercial areas outside of BAYPORT, nor those listed in column (3) in residential areas outside of BAYPORT:

Octave band center frequency (cycles per second)	Sound pressure level (decibels) re: 0.0002 microbar Column (1)	Column (2)	Column (3)
31.5	97	90	83
63	87	77	68
125	78	68	58
250	73	63	52
500	69	58	47
1000	65	55	44
2000	63	50	39
4000	60	48	37
8000	57	46	35
Impact Noises (overall)	97	90	83

For the convenience of those who may wish to use sound level meters calibrated in accordance with American Standards Association Standard Z 24.10 – 1953, the following table shall be considered equivalent to the table listed above:

Octave band frequency (cycles per second)	Sound pressure level (decibels) re: 0.0002 microbar Column (1)	Column (2)	Column (3)
37.5 - 75	89	82	75
75 - 150	81	71	62
150 - 300	74	64	54
300 - 600	69	59	48
600 -1200	66	55	44
1200 -2400	63	53	42
2400 -4800	62	49	38
4800 -9600	59	47	36

H. VIBRATION

1. Definitions

Amplitude – The vibration intensity measured in inches of an earthborne vibration. The amplitude is one-half the total earth displacement, as measured with a three-component measuring system.

Earthborne Vibrations – A cyclic movement of the earth due to energy propagation.

2. The amplitude in inches of earthborne vibrations caused by the plant shall not exceed:

$$0.001 \frac{K}{F} \text{ where}$$

F = the vibration frequency in cycles per second

K = 15 for measurements made within BAYPORT at any point on or beyond the plant property line

K = 3 for measurements made in any residential area outside BAYPORT

Impact vibrations with less than 100 impulses per minute shall be permitted amplitudes of twice those computed above.

I. GLARE

Any operation or activity producing intense glare shall be conducted so that direct and indirect illumination from the source shall not exceed 0.2 foot candle measured in any residential area, either at ground level or habitable elevation, whichever is more restrictive. Flickering and intense sources of light shall be controlled so as not to cause a nuisance across plant property lines.

J. WASTES AND SURFACE DRAINAGE

1. Liquid Wastes

The volume, quality and point of discharge of industrial and domestic waste shall not violate any law or valid regulation of any agency having jurisdiction over the disposal of such wastes. To simplify the overall water pollution control problem and as a convenience to plants locating in BAYPORT, a central waste collection and treatment system is contemplated. Each industrial plant shall have the right to contract with the central waste system, when created and in operation, to collect, treat, and dispose of its liquid wastes.

entitled to be represented in the Association by a designated representative or a designated alternate representative. Each representative shall be entitled to cast in matters affecting the Association a number of votes on behalf of the members represented by him equal to one fiftieth of the number of acres in BAYPORT owned or leased by such member adjusted to the nearest whole number of votes, except that no representative shall be entitled to less than one vote. Where the plant site is leased by an owner to a tenant and the tenant is the entity which is using the plant site, the votes shall be determined at the owner's option to be the tenant's and not the owner's. Friendswood shall have the option of becoming a member of the Association and its representative shall be entitled to cast initially, by virtue of Friendswood's ownership of the land, sixty-six votes minus one fiftieth of the number of acres owned or occupied by industrial plants in BAYPORT, adjusted to the nearest whole number of votes.

Each owner of a service plant or facility in BAYPORT, such as tank farm, waste treatment, water treatment, and utilities and rights-of-way for utilities, drainage, pipe lines, railroads, and roads and all other such facilities shall have the option of becoming a member of the Association, but shall not be entitled to vote on matters relating to the Association nor subject to the provisions of Paragraph C. Financial Support hereof.

Meetings of the Association will be held as needed but not less often than once every quarter. Officers of the Association shall consist of a President, a Vice President, an Executive Secretary and such additional officers as the members of the Association may elect. Such officers shall be elected annually by a majority vote of the members casting a vote at the meeting at which the election is held.

The President shall be the chief executive officer of the Association and shall preside at all meetings of the Association at which he is in attendance. The Vice President shall have and exercise all the powers of the President in the absence of or the inability of the President to act. The Executive Secretary shall keep the records of the Association and shall carry on the business of the Association. The President and Vice President shall serve without compensation or salary other than reimbursement by the Association for reasonable travel expense incurred by them in connection with the business of the Association. The Executive Secretary shall be paid such compensation as the Association may determine is proper.

B. PURPOSE

The purpose of the Association is and shall be the planning, support and execution of programs and projects of mutual benefit and concern to the industrial occupants of BAYPORT. These programs and projects currently include:

1. Administration of BAYPORT Environmental Standards.
2. Formulation and implementation of a preparedness plan when justified.
3. Coordination of industrial fire protection and other protective services when needed.

C. FINANCIAL SUPPORT

Financial support for the programs and projects of the Association shall be provided by the members in an amount and at a time mutually agreed upon.

D. ADMINISTRATION OF ENVIRONMENTAL STANDARDS

The Association shall contract with a qualified independent organization to conduct a continuing monitoring program designed to determine whether the requirements of the Standards are being met when the extent of development of BAYPORT justifies such a program. The representatives of the Association and of its contractors shall not have the right to enter any plantsite except with the permission of the plant manager. The routine results of this monitoring program shall be furnished quarterly to each member of the Association. Each continuing or repeated violation of the Standards shall be reported immediately to each member and its source shall be investigated. As soon as a violation has been investigated and the probable offender identified, all members of the Association and the offending plant shall be notified. If the probable offender cannot be identified, the members of the Association shall be so notified. All reasonable measures shall be taken to correct violations of the Standards.

E. PREPAREDNESS PLAN

The Association shall formulate and implement a preparedness plan for BAYPORT when the extent of development of BAYPORT justifies the existence of such a plan. This plan shall be similar to plans which already exist in other major industrial complexes subject to the normal hazards of fire, explosion, accidental escape of toxic or noxious gases and liquids, and other unforeseen occurrences.

F. PROTECTIVE SERVICES

The Association shall coordinate the availability of industrial fire protection service and other protective services in BAYPORT when such coordination is justified by the extent of development of BAYPORT. Because of the necessarily specialized nature of such services in an industrial complex such as BAYPORT, it is anticipated that each owner of an industrial plant will own, operate and maintain it's own fire fighting equipment and supplies and that

this equipment and supplies plus operating manpower will be made available to each other member of the Association in time of need. The Association shall coordinate the services hereunder with those of applicable governmental authorities, such as by way of example, city police, sheriffs, constables, fire departments, weather bureau and civil defense.

III. GENERAL PROVISIONS

A. EFFECTIVE DATE

This declaration shall be and become effective on the first day of June 1964.

B. TO RUN WITH LAND

The Environmental Standards shall run with the land and shall bind the present owner thereof, its successors and assigns and all parties claiming by, through or under them shall be taken to support, conform to and observe such standards. Friendswood will include in each deed executed by it, which covers land in BAYPORT, an express clause subjecting such land to the provisions hereof, but such land shall nevertheless be subject to the provisions hereof even if such express clause is omitted.

C. FAILURE OF TITLE AND ADDITION OF LAND

Notwithstanding any provision of these Environmental Standards, it is not the purpose or intent of Friendswood to subject any land or interest in land to the terms and provisions hereof if such land or interest in land is not owned by Friendswood or Friendswood does not have the legal right to subject such land to the terms and provisions hereof, unless the owner of such land or interest in land (other than Friendswood) agrees to or ratifies the terms and provisions hereof by executing at any time hereafter an instrument in recordable form to such effect and thereby subjects his land to these Standards.

Additional land (whether owned by Friendswood or others) may be subjected to these Standards at any time or from time to time hereafter with the consent and agreement of such owner or owners and upon the favorable vote of the owners of a majority of the land in BAYPORT. In such event an instrument executed by the owner or owners of such land and by the approving landowners in BAYPORT shall be filed for record evidencing such agreement and describing the additional land subjected to these standards, whereupon the boundaries of BAYPORT shall be extended to include such additional land and the owner or owners thereof shall be subject to and bound by all of the terms.

D. LIFE

Each provision hereof is to run with the land and shall be binding upon Friendswood, its successors and assigns and all persons claiming under them and all subsequent owners of land in BAYPORT and any part of same for a period extending until July 1, 2003. Deeds of conveyance of each property or any part thereof may incorporate these provisions by reference to this declaration, but whether or not such reference is made, each and all of such provisions shall be valid and binding upon the respective grants of the purchasers.

E. AMENDMENT

Except for changing the life of these provisions or changing the environmental standards provided for therein, these provisions may be amended at any time by the favorable vote of owners of a majority of the land in BAYPORT. The life of these provisions may be changed only upon the favorable vote of owners of not less than 90 per cent of the lands in BAYPORT. No change in the life of these provisions shall be made within ten years immediately following the effective date of this declaration. The environmental standards may be changed only upon the favorable vote of owners of not less than two-thirds of the lands in BAYPORT. The environmental standards shall not be changed so as to become more restrictive than the standards now in effect.

F. VOTING

In each instance in which a vote is called for herein, if one landowner owns sufficient land to carry the issue being voted upon, the affirmative vote of such landowner shall not serve to carry such issue unless such issue also has the approval of a sufficient number of the remaining landowners to equal the fraction of all the votes required to carry an issue. For example if a two-thirds vote is required to carry an issue and one landowner owns two-thirds or more of the total land, the issue shall not carry unless owners of two-thirds of the remaining land are also in favor of the issue.

G. SEPARABILITY

Invalidity of any of these provisions or any part thereof by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

ARTICLE 19. PERFORMANCE STANDARDS.

Sec. 8-21900. *Prohibition of dangerous or objectionable elements.*

No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare, liquid or solid refuse or wastes; or other substance, condition, or element in such a manner or in such amount as to adversely effect the surrounding area or adjoining premises (referred to herein as "Dangerous or objectionable elements"); provided, that any use permitted or not expressly prohibited by this chapter may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements at the point of the determination of their existence.

Sec. 8-21901. *Performance standards procedure.*

Only those uses specified in the I-R, I-P, and G-I districts as subject performance standards and uses accessory thereto are subject to performance standards procedure specified in sections 8-22600 to 8-22607 of this Code; unless either the building inspector or director of planning has reasonable grounds to believe that the proposed use is likely to violate performance standards, in which event the applicant shall comply with performance standards procedure.

Sec. 8-21902. *Enforcement provisions applicable to other uses.*

Even though compliance with performance standards procedure in obtaining any permit is not required for a particular use, initial and continued compliance with performance standards is required of every use, and provisions for enforcement of continued compliance with performance standards shall be invoked by the building inspector against any use if there are reasonable grounds to believe that performance standards are being violated by such use.

Sec. 8-21903. *Locations where determinations are made for enforcement of performance standards.*

The determination of the existence of any dangerous and objectionable elements shall be made at the location of the use creating the same and at any points where the existence of such elements may be more apparent (herein referred to as "at any point"); provided, however, that the measurements necessary for enforcement of performance standards set forth in section 8-21904, subsections (c), (d), (f), and (i), of this Code, shall be taken at different points in different districts in relation to the establishment or use creating the element being measured (herein referred to as "point of measurement") as follows:

(a) In any district except the G-I district; at the lot line of the establishment or use.

(b) In the G-I district: Five hundred feet from the establishment or use, or at the boundary or boundaries of the district, if closer to the establishment or use, or at any point within an adjacent district, except for a G-I or I-R district.

Sec. 8-21904. *Performance of standard regulations.*

The following performance standard regulations shall apply to all uses of property:

(a) *Fire and explosion hazards.* All activities involving and all storage of flammable or explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices, standard in the industry. Burning of waste materials in open fire is prohibited at any point.

(b) *Fissionable, radioactivity or electrical disturbance.* No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewerage systems, and no activities shall be permitted which emit electrical disturbance affecting the operation at any point of any equipment other than that of the creator of such disturbance.

(c) *Noise.* At the points of measurement specified in section 8-21903, subsections (a) and (b) of this Code the maximum sound pressure level radiated in each standard octave band by any use or facility (other than transportation facilities or temporary construction work) shall not exceed the values for octave bands lying within the several frequency limits given in Table I, after applying the correction shown in Table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association. (American Standard Sound Level Meters for Level Meters for Measurement of Noise and Other Sounds, Z24.3-1944, American Standards Association, Inc., New York N. Y. and American Standards Specifications for an Octave Bank Filter Set for the Analysis of Noise and Other Sounds Z24.10-1953, American Standards Association, Inc., New York, N. Y., shall be used.)

TABLE I

Frequency Range Containing Octave Bands in Cycles per Second	Octave Band Sound Pressure Level in Decibels re 0.0002 dyne/cm^2
20—300	60
300—2400	40
above—2400	30

If the noise is not smooth and continuous and is not radiated between the hours of 10:00 P.M. and 7:00 A.M., one or more of the corrections in Table II shall be applied to the octave band levels given in Table I.

TABLE II

Type of Location of Operation or Character of Noise	Correction in Decibels
1. Daytime operation only	+5
2. Noise source operate less than:	
(a) 20% of any one-hour period	+5
(b) 5% of any one-hour period (Apply one of these corrections only)	+10
3. Noise of impulsive character such as hammering	−5
4. Noise of periodic character such as humming or screeching	−5
5. Property is located in one of the following zoning districts and is not within 500 feet of any R district:	
(a) Any C district or I-R district	+5
(b) Any A district, C-G district, G-I district, or A-F district	+10

(d) *Vibration.* No vibration shall be permitted which is discernible without instruments at the points of measurement specified in section 8-21093, subsections (a) or (b) of this Code.

(e) *Smoke.* No emission shall be permitted at any point from any chimney or otherwise, of visible grey smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringelmann Chart

published by McGraw-Hill Publishing Company, Inc., and copyrighted in 1954 (being a direct facsimile reproduction of a standard Ringelmann Chart as issued by the United States Bureau of Mines), except that visible grey smoke of a shade equal to No. 3 on such chart may be omitted for four minutes in any thirty minutes.

(f) *Odors.* No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air, at the points of measurement specified in section 8-21903, subsections (a) or (b) of this Code, or at the point of greatest concentration. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors, Table III "Odor Thresholds," in Chapter 5, "Air Pollution Abatement Manual," copyrighted in 1951 by Manufacturing Chemists' Association, Inc. Washington, D.C.

(g) *Fly ash, dust, fumes, vapors, gases, and other forms of air pollution.* No emission shall be permitted which can cause any damage to health, animals, vegetation, or other forms of property, or which can cause any excessive soiling, at any point. No emission shall be permitted in excess of the standards specified in Table I, Chapter 5, "Industrial Hygiene Standards, Maximum Allowable Concentrations" of the 'Air Pollution Abatement Manual", copyrighted in 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C. In no event shall any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations, exceed 0.3 grains per cubic feet of the conveying gas at any point. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of five hundred degress Fahrenheit and fifty per cent excess air.

(h) *Glare.* No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, shall emanate from any establishment or use so as to be visible at the points of measurement specified in section 8-22003, subsections (a) or (b). This restriction shall not apply to signs otherwise permitted by the provisions of this chapter.

(i) *Liquid or solid wastes.* No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted, except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.

Article 1-53 PERFORMANCE STANDARDS FOR ZONE ML INDUSTRIAL, LIGHT

Section 1-53.01 Noise

1-53.01.01 Measurement.

Noise shall be measured with a sound level meter, octave band analyzer and impact noise analyzer meeting the standards of the American National Standards Institute (ANSI S1.4-1961 and ANSI S1.11-1966). The instruments shall be set to the flat response weighing scale and the meter to the slow response.

1-53.01.02 Maximum permitted sound levels.

Table I designates the applicable columns in Tables II and III that apply on or beyond adjacent lot lines within the zone and on or beyond appropriate district boundaries. Noises shall not exceed the maximum permitted sound levels in Table II. Where more than one set of sound levels apply, the most restrictive shall govern. Readings may be made at points of maximum noise intensity.

1-53.01.03 Table I

Adjacent Lot Line	Commercial District Boundaries	O, R and SI District Boundaries
C	B	A

1-53.01.04 Table II

The octave band noise levels corresponding to the designations listed in Table I are as follows:

Preferred Center Freq.-Cycles/sec.	Permitted Sound Levels in decibels		
	A	B	C
63	73	75	80
125	63	70	75
250	56	65	70

Preferred Center Freq.-Cycles/sec.	Permitted Sound Levels in decibels		
	A	B	C
500	51	60	65
1000	47	55	60
2000	44	50	55
4000	41	45	50
8000	38	40	45

1-53.01.05 For impact noise levels, the values in Table III shall apply. For the purposes of this ordinance, impact noises shall be considered to be noises whose peak values are more than 3 dB higher than the values indicated on the sound level meter.

1-53.01.06 Table III

Overall	Maximum Permitted Peak Pressure (in dB)		
	A	B	C
Impact	75	85	90

1-53.01.07 Between the hours of 7:00 P.M. and 7:00 A.M., all of the permissible noise levels indicated in the previous tables for residential district boundaries shall be reduced by 10 decibels. If the noise contains pure tone components (hum, whine, whistle, screech, etc.) the limits shall be lowered 5 decibels for any octave band containing such tones. Noises not under the direct control of an industrial operation (such as independent transportation facilities), are excluded from the above limitation.

Section 1-53.02 Vibration

1-53.02.01 Ground transmitted vibration.

Ground transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity or acceleration and frequency simultaneously in three mutually perpendicular directions.

1-53.02.02 Vibration levels, maximum.

Table I designates the applicable columns in Table II that apply on or beyond adjacent lot lines within the zone and on or beyond appropriate district boundaries.

Vibration shall not exceed the maximum permitted particle velocities in Table II. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

1-53.02.03 Table I

Adjacent Lot Line	Commercial District Boundaries	O, R and SI District Boundaries
C	B	A

1-53.02.04 Table II

The maximum particle velocities that correspond to the above designations are as follows:

Maximum Particle Velocity - Inches/Sec.

Vibration	A	B	C
Steady State	0.02	0.05	0.10
Impact	0.04	0.10	0.20

1-53.02.05 Between the hours of 7:00 P.M. and 7:00 A.M. all of the permissible vibration levels indicated in the previous table for residential district boundaries (Column A) shall be reduced by one-half of the indicated values.

Section 1-53.03 Air Pollution

1-53.03.01 Any activity, operation, or device which causes, or tends to cause, the release of air contaminants into the atmosphere shall comply with the rules and regulations of the Los Angeles County Air Pollution Control District. (APCD)

1-53.03.02 Smoke.

The emission of smoke in excess of the shade or equivalent opacity of Ringelmann No. 1 is prohibited.

1-53.03.03 Particulate Matter (Source emissions).

The emission of particulate matter from stacks, vents, chimneys, flues, or openings of any process or operation shall not exceed 0.5 pounds per hour per net acre of property. Combustible refuse incinerators shall be exempt but shall comply with the APCD rules and regulations.

1-53.03.04 Particulate Matter (Windborne dust).

The outdoor storage of materials susceptible to releasing windborne dust across lot lines is prohibited. All roads within a lot or parcel of land shall be hard-surface paved. Fugitive sources of dust shall be sealed or controlled to minimize or eliminate such dust release.

1-53.03.05 Sulfur Oxides.

The emission of sulfur oxides (calculated as SO_2) shall not exceed one pound per hour per net acre of property.

1-53.03.06 Toxic matter.

The emission of toxic matter (other than sulfur oxides) shall not produce ambient air concentrations in excess of 1/30 the Threshold Limit Values for industrial workers as listed by the American Conference of Governmental Industrial Hygienists and adopted by the Los Angeles County Health Department. Measurements shall be at ground level or habitable elevation across lot lines and shall be a 24 hour sample.

If a toxic material is not listed, the applicant shall satisfy the County Health Department that the proposed levels will be safe to the general population.

1-53.03.07 Odorous Matter.

The odorous matter released from any operation or activity shall not exceed the odor threshold concentration beyond lot lines measured either at ground level or habitable elevation.

Section 1-53.04 Radioactive Materials

The storage, utilization, manufacture or transportation of radioactive materials shall be in accordance with the California Administrative Code, Title 17, Public Health. The manufacture, storage or utilization of unsealed radioactive materials shall be limited to one million (10^6) times the quantities listed in 30356 Schedule B of the California Radiation Control Regulations. (Note: A copy of said 30356 Schedule B will be inserted in the appendix of the Code's Final Edition.

Section 1-53.05 Glare

Any operation or activity producing glare shall be conducted or shielded so as not to cause illumination in residential districts in excess of 0.5 foot candle. Flickering or intrinsically bright sources of illumination shall be controlled so as not to be a nuisance in residential districts.

Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

Section 1-53.06 Fire and Explosion Hazards

1-53.06.01 Activities involving the storage, use or manufacture of fire and explosion hazard materials shall be conducted in accordance with the City Fire Code.

1-53.06.02 Corrosive Materials.

The storage, utilization or manufacture of Corrosive materials is permitted, subject to the City Fire Code.

1-53.06.03 Oxidizing Materials.

The manufacture of oxidizing materials is prohibited. The storage or utilization of oxidizing materials in excess of 100 pounds is prohibited.

1-53.06.04 Flammable Gases.

The storage, utilization or manufacture of flammable gases shall not exceed 50,000 standard cubic feet, exclusive of finished products in sealed portable containers. Such portable containers shall be stored in fire resistive structures having an automatic fire extinguishing system, or if stored outdoors, no closer than 40 feet from all lot lines.

1-53.06.05 Flammable Solids.

The storage, utilization or manufacture of active to intense burning flammable solids shall be conducted within spaces having fire resistive construction of no less than two hours and protected with an automatic fire extinguishing system. Outdoor storage of such materials shall be no less than 25 feet from all lot lines.

1-53.06.06 Explosive Materials.

The manufacture of explosive materials is prohibited. The storage or utilization of explosive materials in excess of 10 pounds is prohibited.

1-53.06.07 Flammable Liquids.

The storage of flammable liquids in auto fueling stations shall be exempt from the quantity limitations described below and shall be in accordance with the City Fire Code.

The storage, utilization or manufacture of flammable or combustible liquids shall be permitted in accordance with the following Table I, exclusive of finished products in sealed portable containers. Such portable containers shall be stored in fire resistive structures having an automatic fire extinguishing system, or if stored outdoors, no closer than 40 feet from all lot lines.

The total storage capacity of flammable or combustible liquids shall not exceed those quantities listed as follows:

TABLE I

Storage Capacity of Flammable and Combustible Liquids

Material	Quantity Permitted in Outdoor Storage (gallons)
Flammable Liquid	
Class A and B	2,000
Class C	4,000
Class D	10,000
Combustible Liquid	20,000

1-53.06.08 SUMMARY: TABLE II

Location and Permitted Quantities of Fire and Explosive Hazard Materials in Zone ML.

Material	Manufacture	Utilization and Storage
Corrosive Materials	*Permitted	*Permitted
Oxidizing Materials	Not Permitted	100 lb.
Flammable Gases	50,000 cubic feet	**Standard Cubic Feet
Flammable Solids	*Permitted	*Permitted
Explosive Materials	Not Permitted	10 lb.
Flammable Liquids		
Class A and B	2,000 gal.	2,000 gal.
Class C	4,000 gal.	4,000 gal.
Class D	10,000 gal.	10,000 gal.
Combustible Liquids	20,000 gal.	20,000 gal.

KEY

* In accordance with detailed requirements of this ordinance and the City Fire Code.

** At 70 degrees F and 14.7 psia.

Article 1-55 PERFORMANCE STANDARDS FOR ZONE MG - INDUSTRIAL, GENERAL

Section 1-55.01 Noise

1-55.01.01 Measurement.

Noise shall be measured with a sound level meter, octave band analyzer and impact noise analyzer meeting the standards of the American National Standards Institute (ANSI S1.4-1961 and ANSI S1.11-1966). The instruments shall be set to the flat response weighting scale and the meter to the slow response.

1-55.01.02 Maximum Permitted Sound Levels.

Table I designates the applicable columns in Table II and III that apply on or beyond adjacent lot lines within the zone and on or beyond appropriate district boundaries. Noises shall not exceed the maximum permitted sound levels in Table II. Where more than one set of sound levels apply, the most restrictive shall govern. Readings may be made at points of maximum noise intensity.

1-55.01.03 TABLE I

Adjacent Lot Line	C and ML District Boundaries	O, R and SI District Boundaries
---	B	A

1-55.01.04 TABLE II

The octave band noise level corresponding to the designations listed in Table I are as follows:

Preferred Center Freq.-Cycles/sec.	Permitted Sound Levels in decibels	
	A	B
63	73	75
125	63	70
250	56	65

Preferred Center Freq.-Cycles/sec.	Permitted Sound Levels in decibels	
	A	B
500	51	60
1000	47	55
2000	44	50
4000	41	45
8000	38	40

1-55.01.05 For impact noise levels, the values of Table III shall apply. For purposes of this ordinance, impact noises shall be considered to be those noises whose peak values are more than 3 dB higher than the values indicated on the sound level meter.

1-55.01.06 TABLE III

Overall	Maximum Permitted Peak Pressure (in dB)	
	A	B
Impact	75	85

1-55.01.07 Between the hours 7:00 P.M. and 7:00 A.M., all the permissible noise levels indicated in the previous tables for residential district boundaries shall be reduced by 10 decibels. If the noise contains pure tone components (hum, whine, whistle, screech, etc.) the limits shall be lowered 5 dB for any octave band containing such tones.

Noises not under the direct control of an industrial operation (such as independent transportation facilities) are excluded from the above limitation.

Section 1-55.02 Vibration

1-55.02.01 Ground Transmitted Vibration.

Ground transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three mutually perpendicular directions.

1-55.02.02 Vibration Levels, Maximum.

Table I designates the applicable columns of Table II that apply on or beyond adjacent lot lines within the zone, and on or beyond appropriate district boundaries. Vibration shall not exceed the maximum permitted particle velocities in Table II. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

1-55.02.03 TABLE I

Adjacent Lot Line	C and ML District Boundaries	O, R and SI District Boundaries
---	B	A

1-55.02.04 TABLE II

The maximum particle velocities that correspond to the above designations are as follows:

Maximum Particle Velocity in Inches/Second

Vibration	A	B
Steady State	0.02	0.05
Impact	0.04	0.10

1-55.02.05 Between the hours of 7:00 P.M. and 7:00 A.M., all of the permissible vibration levels indicated in the previous table for residential district boundaries (column A) shall be reduced to one-half of the indicated values.

Section 1-55.03 Air Pollution

1-55.03.01 Any activity, operation, or device which causes, or tends to cause, the release of air contaminants into the atmosphere shall comply with the rules and regulations of the Los Angeles County Air Pollution Control District (APCD).

1-55.02.02 Smoke.

The emission of smoke as dark or darker than the shade or equivalent opacity of Ringelmann

No. 1 is prohibited, except once in an 8 hour period, when smoke in excess of Ringelmann No. 1 is permitted for 3 minutes.

1-55.03.03 Particulate Matter (Source Emissions).

The emission of particulate matter from all stacks, vents, chimneys, flues or openings of any process or operation shall not exceed two pounds per hour per net acre of property. Combustible refuse incinerators shall be exempt but shall comply with the APCD rules and regulations.

1-55.03.04 Particulate Matter (Windborne Dust).

The release of windborne dust across lot lines shall not become a nuisance. Open storage piles, unpaved roads, open yards and the like shall be wetted, oiled, planted or covered to eliminate or minimize windborne dust.

Fugitive sources of windborne dust, such as from windows, ventilators, conveyors and the like shall be controlled by closure, collection, or other acceptable methods of good practice.

1-55.03.05 Sulfur Oxides.

The emission of sulfur oxides (calculated as SO_2) shall not exceed 10 pounds per hour per net acre of property.

1-55.03.06 Toxic Matter.

The emission of toxic matter (other than sulfur oxides) shall not produce ambient air concentrations in excess of 1/30th the Threshold Values for industrial workers as listed by the American Conference of Governmental Industrial Hygienists and adopted by the Los Angeles County Health Department.

Measurement shall be at ground level or habitable elevation across lot lines and shall be a 24 hour sample. If toxic material is not listed, the applicant shall satisfy the Los Angeles County Health Department that the proposed levels will be safe to the general population.

1-55.03.07 Odorous Matter.

Odorous matter released from any operation or activity shall not exceed the odor threshold concentration beyond the MG district (except in an MH district) measured either at ground level or habitable elevation.

Section 1-55.04 Radioactive Materials

1-55.04.01 The storage, utilization, manufacture or transportation of radioactive materials shall be in accordance with the California Radiation Control Regulations, California Administrative Code, Title 17, Public Health.

1-55.04.02 The manufacture, storage or utilization of unsealed radioactive materials shall be limited to ten million (10^7) times the quantities listed in 30356 Schedule B of the California Radiation Control Regulations.

(Note: A copy of said 30356 Schedule B will be inserted in the appendix of the Code's Final Edition)

Section 1-55.05 Glare

1-55.05.01 Any operation or activity producing glare shall be conducted or shielded so as not to cause illumination in residential districts in excess of 0.5 foot candle. Flickering or intrinsically bright sources of illumination shall be controlled so as not to be a nuisance in residential districts.

1-55.05.02 Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

Section 1-55.06 Fire and Explosion Hazards

1-55.06.01 Activities involving the storage, use or manufacture of fire and explosive hazard materials shall be conducted in accordance with the City Fire Code.

1-55.06.02 Corrosive Materials.

The storage, utilization or manufacture of corrosive materials is permitted, subject to the provisions of the City Fire Code.

1-55.06.03 Oxidizing Materials.

The manufacture of oxidizing materials is prohibited. The storage or utilization of oxidizing materials in excess of 500 pounds is prohibited.

1-55.06.04 Flammable Gases.

The storage, utilization or manufacture of flammable gases shall not exceed 250,000 standard cubic feet, exclusive of finished products in sealed portable containers. Such portable containers shall be stored in fire resistive structures having an automatic fire extinguishing system, or if stored outdoors, no closer than 40 feet from all lot lines.

1-55.06.05 Flammable Solids.

The storage, utilization or manufacture of active to intense burning flammable solids shall be conducted within spaces having fire resistive construction of no less than two hours and protected with an automatic fire extinguishing system. Outdoor storage of such materials shall be no less than 25 feet from all lot lines.

1-55.06.06 Explosive Materials.

The manufacture of explosive materials is prohibited. The storage or utilization of explosive materials in excess of 100 pounds is prohibited.

1-55.06.07 Flammable Liquids.

The storage of flammable liquids in auto fueling stations shall be exempt from the quantity limitations described below and shall be in accordance with the City Fire Code.

The storage, utilization or manufacture of flammable or combustible liquids shall be permitted in accordance with the following Table I, exclusive of finished products in sealed portable containers. Such portable containers shall be stored in fire resistive structures having an automatic fire extinguishing system, or if stored outdoors, no closer than 40 feet from all lot lines.

The total storage capacity of flammable or combustible liquids shall not exceed those quantities listed as follows:

TABLE I

Storage Capacity of Flammable and Combustible Liquids

Material	Quantity Permitted in Outdoor Storage (Gallons)
Flammable Liquid	
Class A and B	10,000
Class C	20,000
Class D	40,000
Combustible Liquids	100,000

1-55.06.08 SUMMARY - TABLE II

LOCATION AND PERMITTED QUANTITIES OF FIRE AND EXPLOSIVE HAZARD MATERIAL

Material	Manufacture	Utilization & Storage
Corrosive Materials	* Permitted	* Permitted
Oxidizing Materials	Not Permitted	500 lb.
Flammable Gases	250,000 cu. ft.	** Standard Cubic Feet
Flammable Solids	* Permitted	* Permitted
Explosive Materials	Not Permitted	100 lb.
Flammable Liquids		
Class A and B	10,000 gal.	10,000 gal.
Class C	20,000 gal.	20,000 gal.
Class D	40,000 gal.	40,000 gal.
Combustible Liquids	100,000 gal.	1000,000 gal.

KEY

* - in accordance with detailed requirements of this ordinance and the City Fire Code.

** - at 70 degrees F and 14.7 psia.

Article 1-59 PERFORMANCE STANDARDS FOR ZONE MH INDUSTRIAL, HEAVY

Section 1-59.01 Noise

1-59.01.01 Measurement.

Noise shall be measured with a sound level meter, octave band analyzer and impact noise analyzer meeting the standards of the American National Standards Institute (ANSI S1.4 - 1961 and ANSI S1.11 - 1966). The instruments shall be set to the flat response weighting scale, and the meter to the slow response.

1-59.01.02 Maximum permitted sound levels.

Table I below designates the applicable columns in Tables II and III that apply on or beyond adjacent lot lines within the zone and on or beyond the appropriate district boundaries. Noises shall not exceed the maximum permitted sound levels in Table II. Where more than one set of sound levels apply, the most restrictive shall govern. Readings may be made at points of maximum noise intensity along lot lines or district boundaries.

1-59.01.03 TABLE I

Adjacent Lot Line	C and ML District Boundaries	O, R and SI District Boundaries
---	B	A

1-59.01.04 TABLE II

The octave band noise level corresponding to the above designations are presented as follows:

Preferred Center Freq.-Cycles/sec.	Permitted Sound Levels in decibels	
	A	B
63	73	75
125	63	70
250	56	65

Preferred Center Freq.-Cycles/sec.	Permitted Sound Levels in decibels	
	A	B
500	51	60
1000	47	55
2000	44	50
4000	41	45
8000	38	40

1-59.01.05 For purposes of this ordinance, impact noises shall be considered to be those noises whose peak values are more than 3 dB higher than the values indicated on the sound level meter.

For impact noise levels, the values of Table III shall apply.

1-59.01.06 TABLE III

Overall	Maximum Permitted Peak Pressure (in dB)	
	A	B
Impact	75	85

1-59.01.07 Between the hours of 7:00 P.M. and 7:00 A.M., all of the permissible noise levels indicated in the previous tables for residential district boundaries shall be reduced by 10 decibels. If the noise contains pure tone components (hum, whistle, whine, screech, etc.) the limits shall be lowered 5 dB for any octave band containing such tones.

Noises not under direct control of an industrial operation (such as independent transportation facilities) are excluded from the above limitation.

Section 1-59.02 Vibration

1-59.02.01 Ground transmitted vibration.

Ground transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity or acceleration and frequency simultaneously in three mutually perpendicular directions.

1-59.02.02 Vibration levels, maximum permitted.

Table I designates the applicable columns of Table II that apply on or beyond adjacent lot lines within the zone, and on or beyond appropriate district boundaries. Vibration shall not exceed the maximum permitted particle velocities in Table II. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

1-59.02.03 TABLE I

Adjacent Lot Line	C and ML District Boundaries	O, R and SI District Boundaries
---	B	A

1-59.02.04 TABLE II

The maximum particle velocities that correspond to the above designations are as follows:

Maximum Particle Velocity in Inches/Second

Vibration	A	B
Steady State	0.02	0.05
Impact	0.04	0.10

1-59.02.05 Between the hours of 7:00 P.M. and 7:00 A.M., all of the permissible vibration levels indicated in Table II for neighboring residential district boundaries (column A) shall be reduced by one-half of the indicated values.

Section 1-59.03 Air Pollution

1-59.03.01 Any activity, operation or device which causes, or tends to cause, the release of air contaminants into the atmosphere shall comply with the rules and regulations of the Los Angeles County Air Pollution Control District (APCD).

1-59.03.02 Smoke.

The emission of smoke as dark or darker than the shade or equivalent opacity of Ringelmann No. 2 for an aggregate of more than 3 minutes in any one hour is prohibited.

1-59.03.03 Particulate Matter (source emissions).

The emission of particulate matter from all stacks, vents, chimneys, flues or openings of any process or operation shall comply with the rules of the APCD for particulate matter, dust and fumes.

1-59.03.04 Particulate Matter (windborne dust).

The release of windborne dust across district boundary lines shall not become a nuisance to persons or property outside the MH district.

1-59.03.05 Sulfur Oxides.

The emission of sulfur oxides shall comply with the rules of the APCD.

1-59.03.06 Toxic Matter.

The emission of toxic matter (other than sulfur oxides) shall not produce ambient air concentrations in excess of 1/30th the Threshold Limit Values for industrial workers as listed by the American Conference of Governmental Industrial Hygienists and adopted by the Los Angeles County Health Department.

Measurement shall be at ground level or habitable elevation across the MH district boundary line and shall be a 24-hour sample.

If a toxic material is not listed, the applicant shall satisfy the Los Angeles County Health Department that the proposed levels will be safe to the general population.

1-59.03.07 Odorous Matter.

Odorous matter released from any operation or activity shall not exceed the odor threshold concentration when measured in a Residential District, either at ground level or habitable elevation.

Section 1-59.04 Radioactive Materials

1-59.04.01 The storage, utilization, manufacture or transportation of radioactive materials shall be in accordance with the California Radiation Control Regulations, California Administrative Code, Title 17, Public Health.

1-59.04.02 The manufacture, storage or utilization of unsealed radioactive materials shall not be limited except as required in the California Radiation Control Regulations.

Section 1-59.05 Glare

1-59.05.01 Any operation or activity producing glare shall be conducted or shielded so as not to cause illumination in residential districts in excess of 0.5 foot candle. Flickering or intrinsically bright sources of illumination shall be controlled so as not to be a nuisance in residential districts.

1-59.05.02 Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

Section 1-59.06 Fire and Explosion Hazards

1-59.06.01 Activities involving the storage, use or manufacture of fire and explosive hazard materials shall be conducted in accordance with the City Fire Code.

1-59.06.02 Corrosive Materials.

The storage, utilization or manufacture of corrosive materials is permitted subject to the provisions of the City Fire Code.

1-59.06.03 Oxidizing Materials.

The rules and regulations of the City Fire Code for oxidizing materials shall apply.

1-59.06.04 Flammable Gases

The quantity of flammable gases shall be unrestricted except as regulated by the City Fire Code.

Within 100 feet of a residential or commercial district boundary, no flammable gases shall be stored, except in portable containers. Such portable containers shall be stored in fire resistive structures having an automatic fire extinguishing system, or if stored outdoors, no closer than 40 feet from residential or commercial district boundaries.

1-59.06.05 Flammable Solids.

The rules and regulations of the City Fire Code for active to intense burning flammable solids shall apply.

1-59.06.06 Explosive Materials.

The rules and regulations of the City Fire Code for explosive materials shall apply.

1-59.06.07 Flammable Liquids.

The storage of flammable liquids in auto fueling stations shall be exempt from the quantity limitations described in this section and shall be in accordance with the City Fire Code.

The quantity of flammable and combustible liquids shall be unrestricted except as regulated by the City Fire Code.

Within 100 feet of a residential or commercial district boundary, no flammable or combustible liquids shall be stored, except in portable containers. Such portable containers shall be stored in fire resistive structures having an automatic fire extinguishing system, or if stored outdoors, no closer than 40 feet from residential or commercial district boundaries.

1-59.06.08 SUMMARY - TABLE II

LOCATION AND PERMITTED QUANTITIES OF FIRE AND EXPLOSIVE HAZARD MATERIALS

Material	Manufacture	Utilization & Storage
Corrosive Materials	* Permitted	* Permitted
Oxidizing Materials	* Permitted	* Permitted
Flammable Gases	* Permitted	* Permitted
Flammable Solids	* Permitted	* Permitted
Explosive Materials	Not Permitted	* Permitted
Flammable Liquids		
Class A and B	* Permitted	* Permitted
Class C	* Permitted	* Permitted
Class D	* Permitted	* Permitted
Combustible Liquids	* Permitted	* Permitted

* - In accordance with detailed requirements of this ordinance and the City Fire Code.

APPENDIX C

INDUSTRIAL/POPULATION EMPLOYEE RATIOS.

Space requirements for industrial land are usually reserved for a minimum of 50 years future growth.

1. INDUSTRIAL ACREAGE REQUIREMENTS

Forecasting industrial space requirements is determined by employing a standard of 12 ac/1200 population to assess total acreage. This ratio was determined as a proportionate average after study analysis of industrial facilities.

2. INDUSTRIAL EMPLOYMENT REQUIREMENTS

Another method of forecasting industrial space requirements can be determined by employing a standard of 10 employees/acre to assess total acreage. This ratio was determined as a proportional average after study analysis of industrial facilities.

REFERENCES

POPULATION RATIOS

1. Organized Industrial Districts 1954, U.S. Department of Commerce.

2. ULI, Volume 20, No. 5, Denver, Interregional Planning Commission

3. ULI, No. 16, September, 1951

4. ULI Tech. Bulletin No. 41, "Industrial Districts Restudied".

5. Los Angeles County Planning Dept., "A North Los Angeles County General Plan", 1961.

6. Standard Research Institute, Conejo Research & Light Industrial Park.

7. VGA Employment & Population Study of Orange County & Ventura County, 1961.

		Ac/100 Population
8.	Department of Commerce	.20 to .75
9.	Denver Standards Study	1.2
10.	L. A. County Planning Department	.8
11.	33 Satellite Cities*	1.09
12.	11 Urban Areas*	.85
13.	5 Central Cities over 250,000 Pop.	.43
14.	Phoenix Urban Area Land Use Study, 1959	.65
15.	San Bernardino Land Use Study, 1952	.42
16.	Dade County, Florida, Land Use Study, 1960	.26

17. Land Requirements for Industry

A. Total Gross Land Requirements for all Industry — 12 Ac/1,000 Population

*Harland Bartholomew

B. Land Requirements for Light Industry — 2 Ac/1,000 Population

C. Land Requirements for Heavy Industry — 10 Ac/1,000 Population

3. EMPLOYMENT RATIOS

A. Examples: Manufacturing Employees, to other Employees, to Population.

Area or Source	Type Community	Ratio
Urban Land Institute	Hypothetical Community	1:2:7
Conejo Research and Industrial Park	Planned Development	1:1.8:5
Denver Standards Study	Regional Study	1:1:6
Orange County, 1960	Newly Urbanized Area	1:3:14.5
Ventura County, 1960	Agricultural Area	1:10:28
Ventura County, 1980-85	Projected Urbanization	1:3.6:10

APPENDIX D

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