

ORDINANCE NO. 177244

An ordinance amending Sections 12.03, 12.19, 12.20, 12.21 and 12.26 of the Los Angeles Municipal Code to permit and regulate the storage of cargo containers.

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

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding the definitions of "Cargo Container" and "Cargo Container Storage Yard" in proper alphabetical order to read:

CARGO CONTAINER. Any container (refrigerated or non-refrigerated) that permits the temporary storage and protection of cargo, and which may be transported by ship, rail or truck without intermediate loading and unloading of the contents of the container.

CARGO CONTAINER STORAGE YARD. An open-air site or facility, the primary use of which is the keeping of empty cargo containers, and equipment, and may have as accessory uses the storage of container chassis and truck cabs, repair facilities, warehouses and offices associated with the movement or storage of cargo containers. This definition does not include draying, freighting or trucking yards or terminals.

Sec.2. Subsection A of Section 12.19 of the Los Angeles Municipal Code is amended by adding a new Subdivision 16 to read:

16. Cargo container storage yard, when located in whole or in part within the boundaries of the Port of Los Angeles Community Plan area.

Sec.3. Paragraph (a) of Subdivision 6 of Subsection A of Section 12.20 of the Los Angeles Municipal Code is amended by adding a new Subparagraph (6) to read:

(6) Cargo container storage yard, when established and operated in conformance with the standards contained in Section 12.21 A 22 of this Code.

Sec. 4. A new unnumbered subparagraph to precede Subparagraph (1) is added to Paragraph (b) of Subdivision 6 of Subsection A of Section 12.20 of the Los Angeles Municipal Code to read:

(b) Limitations. The uses set forth in Paragraph (a) above, except for cargo container storage yards when established and operated in conformance with the standards contained in Section 12.21 A 22 of this Code, are subject to the following limitations:

Sec. 5. Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended by adding a new Subdivision 22 to read:

22. Cargo Container Storage Yard. Cargo container storage yards may be permitted by right in the M3 Zone. The following standards shall apply to all cargo container storage yards, except those located in whole or in part within the boundaries of the Port of Los Angeles Community Plan Area.

(a) The following provisions apply to the stacking of cargo containers:

(1) The stacking of cargo containers more than 20 feet high shall only be permitted if a structural analysis done by a licensed engineer or architect in the State of California is submitted to and approved by the Los Angeles Department of Building and Safety (LADBS).

(2) Cargo container stacking within 300 feet or less of a residential zone shall be limited to a maximum height of 30 feet. There is no maximum container height limit beyond 300 feet of a residential zone, except as limited by any applicable height limitation and Paragraph (h) (1) below.

(b) Cargo container storage yards shall obtain a "use of land" permit from LADBS for one or more contiguous lots maintained as one site.

(c) The perimeter of each site with a separate "use of land" permit shall be enclosed by a minimum eight-foot high fence or wall.

(1) Fencing may be constructed of chain-link, however fencing adjacent to a Class I or II Major Highway shall also comply with Paragraph (h) (3) below; and

(2) Fencing shall be maintained in good condition and appearance. All walls, fences and other structures shall be maintained free of graffiti; and

(3) Sheet metal shall be prohibited as a fencing material; and

(4) There shall be no requirement to fence each individual lot where multiple lots are maintained as one site under a valid "use of land" permit, including individual lots that may be separated by a

public right-of-way, easement or other land occupied by a revocable permit.

(d) The entire site shall be graded pursuant to Chapter IX of this Code.

(e) All driveways, access ways and parking areas shall be covered with a decomposed granite, crushed gravel or similar material and be treated with dust control methods.

(f) An annual site inspection shall be conducted by LADBS pursuant to Section 12.26 F of this Code.

(g) All containers must be empty and cleaned of any residue which may pose any kind of physical or health risk.

(h) In addition to the above specified requirements, the following conditions shall also apply to sites that are located adjacent to a Class I or II Major Highway. However, for those portions of the site that are separated from the roadway by a grade change of more than ten feet within five feet of the property line, Subparagraphs (2) and (3) of this paragraph shall not apply:

(1) Cargo container stacking shall be limited to a maximum height of 20 feet within 20 feet of the property line adjoining a Class I or II Major Highway. There is no maximum cargo container height limit beyond 20 feet of a Class I or II Major Highway, except as limited by Paragraph (a) above.

(2) A minimum five foot setback shall be provided along the street frontage adjacent to a Class I or II Major Highway. The setback shall be fully landscaped with drought resistant plants, ground cover and trees; with one minimum 15-gallon size tree planted for each 15 linear feet of street frontage and minimum three shrubs for each tree. The entire landscaped area shall be well maintained at all times.

(3) A solid wall or fence shall be required on the street frontage adjacent to a Class I or II Major Highway. The wall or fence shall be located within the required setback, and at the rear of the landscaped area between the landscaping and the use. A chain-link fence with slats and growing vines may be permitted in place of a solid wall or fence.

Sec. 6. The title of Subsection F of Section 12.26 of the Los Angeles Municipal Code is amended to read:

F. Auto Dismantling Yards, Junk Yards, Scrap Metal or Recycling Materials Processing Yards, Recycling Collection and/or Buyback Centers, Recycling Materials Sorting Facilities and Cargo Container Storage Yards.

Sec. 7. Paragraph (e) of Subdivision 1 of Subsection F of Section 12.26 of the Los Angeles Municipal Code is amended to read:

(e) **YARD.** Any automobile or truck dismantling yard, junk yard, scrap metal or recycling materials processing yard or cargo container storage yard or any open storage location where used materials and equipment of any kind, including vehicles, boats, or airplanes, which are inoperable, wrecked, damaged, or unlicensed, *i.e.*, not currently licensed by the Department of Motor Vehicles, are stored or processed.

Sec. 8. The reference to "93.0308" in the last sentence of Subdivision 9 of Subsection F of Section 12.26 of the Los Angeles Municipal Code is amended to read "98.0308."

(114920)

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; one copy on the bulletin board at the Main Street entrance to Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of DEC 14 2005.

FRANK T. MARTINEZ, City Clerk

By Mania Kshemrur
Deputy

Approved JAN 03 2006

[Signature]
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By [Signature]
SHARON SIEDORF CARDENAS
Assistant City Attorney

Pursuant to Charter Section 559, I approve
this ordinance on behalf of the City
Planning Commission and recommend
it be adopted

October 29 2005

see attached report.

Mark Winograd
MARK WINOGRAND
Interim Director of Planning

Date: OCT 31 2005

File No. CF 05-1225; CPC 2005-1081 CA

DECLARATION OF POSTING ORDINANCE

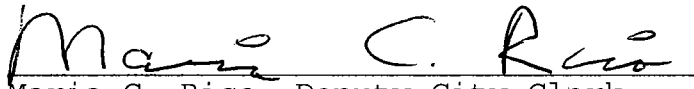
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 177244 - Amending Sections 12.03, 12.19, 12.20, 12.21 and 12.26 of the Los Angeles Municipal Code to permit and regulate the storage of cargo containers - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on Dec. 14, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on Jan. 9, 2006, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the Main Street entrance to Los Angeles City Hall East; 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on Jan. 9, 2006 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9th day of January 2006 at Los Angeles, California.


Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: Feb. 18, 2006 Council File No. 05-1225