

Addition of Section 18.12.190 – Remediation Systems

Section 18.12.190. Remediation systems.

- A. Permitted by Right; Exception. Remediation systems may be permitted by right in any zone, subject to compliance with the standards of this section and all other applicable local, state, and federal laws and regulations. Notwithstanding the foregoing, a remediation system shall require approval of a conditional use permit where the proposed remediation system does not comply with one or more of the development and design standards of this section, or where deviations from such standards are requested.
- B. Development and Design Standards. Remediation systems shall comply with the following development and design standards:
1. The remediation system shall be temporary in nature and shall remain on the property only for such period as necessary to complete remediation activities, as determined by the applicable regulatory agency with jurisdiction over the remediation effort.
 2. The remediation system, including all associated equipment, shall not exceed eight feet in height or one hundred fifty square feet in site area, and shall be located so as to avoid prominent visibility from the public right-of-way, as determined by the director or designee.
 3. The remediation system shall be located and operated so that it does not obstruct required parking spaces, drive aisles, pedestrian walkways, accessible paths of travel, fire lanes, building exits, or emergency access areas.
 4. The remediation system shall be screened from public view by a view-obscuring enclosure, wall, fence, gate, or combination of landscaping and screening materials approved by the director or designee. Chain link fencing, with or without slats, shall not satisfy this requirement.
 5. The area surrounding the remediation system shall be maintained in a clean, orderly, and safe condition at all times.
 6. Upon completion of remediation activities, or upon direction of the agency with jurisdiction over the remediation effort, the property owner and/or business operator shall promptly remove all remediation equipment and shall restore the affected area of the site to its prior condition or to another condition approved by the director or designee.
- C. Permitting and Operational Requirements. Remediation systems shall comply with the following permitting and operational requirements:

1. The property owner and/or business operator shall obtain all permits and approvals required by any agency with jurisdiction over the remediation system, including, but not limited to, the Orange County Health Care Agency, the South Coast Air Quality Management District, and the city's building division, as applicable.
 2. The remediation system shall comply with Chapter 9.32 (Noise Control) of this code at all times. Prior to operation of the remediation system or final inspection, whichever occurs first, the property owner and/or business operator shall provide the planning division with a post-installation noise analysis prepared by a licensed professional verifying that the noise output complies with Chapter 9.32. If the noise analysis identifies noncompliance, the property owner and/or business operator shall implement the necessary mitigation measures prior to commencement or continuation of remediation activities.
 3. A sign shall be posted on-site prior to operation of the remediation system identifying the name and telephone number of the responsible contact person in the event of an emergency. The sign shall remain in place for the duration of remediation activities.
 4. If requested by the planning division, the property owner and/or business operator shall provide copies of any progress reports submitted to or required by the agency with jurisdiction over the remediation effort on a quarterly basis.
- D. Additional Information. The director or designee may require additional site plan information, operational details, or technical documentation necessary to verify compliance with this section.