



<p>TOPIC: Equivalency Determination for a Private Off-site Wastewater Treatment Facility known as Santa Clara Waste Water Treatment Facility located at 815 Mission Rock Road, unincorporated area of Santa Paula (Non-Coastal Zoning Ordinance Section 8105-5, Use Matrix)</p>	<p>ORIGINAL: March 17, 2021</p> <p>REVISED: N/A</p>	<p>POLICIES AND INTERPRETATIONS POLICY NO. 2021-1</p> <p>Dave Ward, AICP Director</p>
--	---	---

TO: Planning Division Staff

FROM: Dave Ward, AICP
Planning Director

The Planning Director has the authority to interpret the regulations and standards in the Non-Coastal Zoning Ordinance (NCZO) pursuant to Section 8101-4.10 - Interpretation. In this case, there is an existing privately-owned off-site wastewater treatment facility (known as Santa Clara Waste Water Treatment Facility) that was established and approved in the 1950s, but there is currently no line item for this specific use in the use matrix of the NCZO. For this reason, a Planning Director equivalency determination is warranted.

Analysis

According to the proposed project description under Application No. PL15-0106, the Environmental Health Division has determined that the facility is considered a “Centralized Waste Treatment” facility (CWT) as set forth in the Code of Federal Regulations 40 CFR Part 437, which means “...any facility that treats (for disposal, recycling or recovery of material) any hazardous or non-hazardous industrial wastes, hazardous or non-hazardous industrial wastewater, and/or used material received from off-site. ‘CWT facility’ includes both a facility that treats waste received exclusively from off-site and a facility that treats wastes generated on-site as well as waste received from off-site[...].”(40 CFR Part §437.2(c)). The NZCO does not currently contain this specific use in the use matrix and, therefore, the Planning Director must determine the most equivalent use to the wastewater treatment facility as listed in the use matrix of the NCZO. The uses specifically listed under Wastewater/Sewage Treatment Facilities under NCZO section 8105-5 are:

- Individual sewage disposal systems;
- On-site wastewater treatment facility; and,
- Community wastewater treatment facility.

Planning Director Determination

After reviewing the definitions of each of these terms and discussing them with the Environmental Health Division, the Planning Director finds that the most equivalent use to a CWT in the NCZO is a community wastewater treatment facility, which is defined as:

“A wastewater treatment plant that treats liquid waste which is received from off of the plant site. Such facilities include public agency-owned plants and privately-owned plants and may include accessory biosolids composting operations.”

Section 8105-5 (use matrix) indicates that a community wastewater treatment facility in the General Industrial Zone (M3) requires a Board of Supervisors-approved Conditional Use Permit.