

Ordinance Fact Sheet

TO: CITY COUNCIL **DATE:** February 23, 2009
FROM: CITY ATTORNEY
SUBJECT: ORDINANCE TO ADD TO THE ZONING CODE REGULATIONS
REGARDING DONATION COLLECTION FACILITIES

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE), TO ADD NEW REQUIRMENTS FOR DONATION COLLECTION FACILITIES

PURPOSE OF ORDINANCE

This ordinance implements the direction given by Council on September 15, 2008, to draft regulations regarding those donation collection facilities commonly made up of unstaffed collection bins. Extra time to process this ordinance was taken so that it would come before the Council at the same time as the Series III amendments.

REASON WHY LEGISLATION IS NEEDED

This legislation is needed to address issues related to potential nuisance conditions at collection bin sites, including overflowing bins, bins falling into disrepair, and potential conflicts with uses on a site and placement of bins.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the proposed ordinance.

FISCAL IMPACT

This ordinance is likely not to have any fiscal impacts.

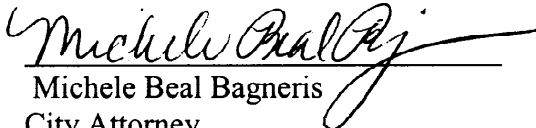
MEETING OF 02/23/2009

AGENDA ITEM NO. 8.A.1.

ENVIRONMENTAL DETERMINATION

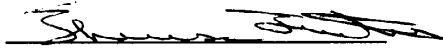
An Initial Study and Negative Declaration was adopted for this ordinance, pursuant to the California Environmental Quality Act.

Respectfully submitted,



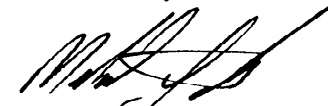
Michele Beal Bagneris
City Attorney

Prepared by:



Theresa E. Fuentes
Assistant City Attorney

Concurred by:



Michael J. Beck
City Manager

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE), TO ADD NEW REQUIRMENTS FOR DONATION COLLECTION FACILITIES

The People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code, Title 17, Article 5 is amended by adding a new section as follows:

“17.50.085 - Donation Collection Facilities

A. Applicability. A Zoning Permit shall be required for existing and proposed donation collection facilities. The Zoning Administrator shall review and approve an application if it is in compliance with these standards.

B. Location. Only one facility per site is allowed. The facility shall be located:

1. Only in a commercial, industrial, or PS district;

2. Only as an accessory use to a commercial, industrial or public, semi-public use; and

3. A minimum of 500 feet from a recycling facility or another donation collection facility. The separation between such facilities shall be measured in a straight line, without regard to intervening structures, from the closest part of one facility to the closest part of the other facility.

C. Setbacks. The facility shall be setback a minimum of 150 feet from a residential district boundary and shall be located at least 25 feet from a street property line.

D. Maintenance. The site shall be kept clean, maintained in a litter-free condition and checked daily. The property owner shall ensure that any graffiti or materials that are left outside of the facility are removed within 24 hours.

E. Violations. A facility that does not comply with the ongoing requirements of this section shall be given notice of the violation, and ordered to comply with these standards within 10 days of the notice. If the facility does not come into compliance with these standards within the 10 day period, the Zoning Permit shall be revoked.”

SECTION 2. Pasadena Municipal Code, Title 17, Article 8, Chapter 17.80, Section 17.80.020 is amended by:

a. By amending the following definition:

“Charitable Institutions (land use). A not-for-profit use that distributes or facilitates the giving of goods and services for the relief of the needy. This use classification includes soup kitchens, regularly staffed drop-off facilities for clothing and household goods and food banks.”

b. By adding the following new definition in the proper alphabetical sequence:

“Donation Collection Facilities. A bin used for the collection of donated materials, including household goods and clothing. Such facilities are not regularly staffed with employees. Any such facility that is regularly staffed with employees shall be classified as a charitable institution.”

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 4. This ordinance shall take effect 30 days from its publication.

Signed and approved this _____ day of _____, 2009.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2009, by the following vote:

AYES:

NOES:

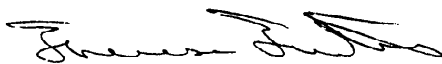
ABSENT:

ABSTAIN:

Date Published:

Mark Jomsky, CMC
City Clerk

Approved as to form:



Theresa E. Fuentes
Assistant City Attorney