

## Agenda Report

January 12, 2015

**TO:** Honorable Mayor and City Council  
**FROM:** Planning & Community Development  
**SUBJECT: ZONING CODE AMENDMENT TO PMC 17.50.220 (RECYCLING FACILITIES)**

### **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the proposed amendments to the Zoning Code are categorically exempt from the California Environmental Quality Act under §15308 - Actions by Regulatory Agencies for Protection of the Environment;
2. Adopt the Findings of Consistency with the General Plan (Attachment A);
3. Approve the proposed Zoning Code Amendments as contained in this report; and
4. Conduct first reading of "AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE) TO RECYCLING FACILITIES."

### **ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE:**

On November 3, 2014, the Economic Development and Technology Committee recommended additional development standards to include enclosure of recycling facilities and waste disposal plan for liquid waste. These are included in the staff recommendation.

### **PLANNING COMMISSION RECOMMENDATION:**

On January 8, 2014, the Planning Commission recommended that the City Council adopt the staff's recommendations regarding amending the Zoning Code to add additional development standards and permit review for recycling facilities with the additional requirement that landscaping and screening requirements be applied to recycling facilities.

### **ENVIRONMENTAL ADVISORY COMMISSION RECOMMENDATION:**

On December 17, 2013, the Environmental Advisory Commission (EAC) recommended that the City Council approve the proposed code amendments.

### **EXECUTIVE SUMMARY:**

In response to issues raised with regard to the operation and maintenance of recycling facilities in Pasadena, in 2013, the City Council adopted a moratorium prohibiting the expansion and replacement of recycling facilities in the City. Some of the issues included noise, litter/debris, aesthetics and water quality. Additionally, staff was directed to conduct community outreach and explore options for amendments to the existing zoning regulations governing these facilities. There are four recycling facilities currently operating in the City; all are located within existing parking lots of shopping centers and all were developed prior existing zoning regulations.

In 1986, the State passed the California Beverage Container and Litter Reduction Act. The Act was recently amended in 2012. Through the Act, the State has established convenience zones for recycling beverage containers throughout the state. A convenience zone is defined as an area within a half mile radius of a supermarket with gross annual sales of at least \$2 million. A recycling center must be located within every convenience zone. If this requirement is not met, then all dealers (e.g. grocers, drug stores, liquor stores, etc.) that sell California Redemption Value (CRV) products within that zone must redeem the containers on their premises or be subject to a State fine of \$100 per day.

In 1989, Pasadena adopted standards for recycling facilities in the City. However, at this time, the impact of the recycling operations is greater than anticipated. As proposed, the amendments would:

1. Add new development standards applicable to recycling facilities;
2. Add new operational standards applicable to recycling facilities;
3. Require all existing and new facilities to obtain a Conditional Use Permit and comply with new operational standards.

### **BACKGROUND:**

#### *Moratorium*

On March 11, 2013, the City Council adopted an ordinance which imposed a temporary moratorium on the establishment of new, the expansion or modification of existing, and the resumption of discontinued legal non-conforming recycling facilities. In addition, the City Council: 1) asked staff to determine whether or not State law requires that recycling facilities be permitted in the City, and; 2) provided specific guidance to staff to amending existing regulations. The moratorium is effective until March 11, 2015.

## **PUBLIC PARTICIPATION:**

As directed by the City Council, staff has conducted numerous public meetings regarding this issue to solicit input from the community and City Commissions.

### *Community Meeting*

On October 15, 2013, planning staff hosted a community meeting to hear community concerns regarding the operation of recycling facilities. Issues raised included:

- Noise (trucks, dumping of cans and bottles, etc.)
- Odors
- Trash, litter
- Environmental concerns (dumping/cleaning of bins into gutter and storm drains)
- Criminal activity/public safety issues
- Public urination/defecation and other such activity
- Blight (visual, i.e., rusted, unattractive bins; abandoned shopping carts; etc.)
- Increased traffic/parking challenges
- Hours of operation

### *Environmental Advisory Commission*

On November 18, 2013, staff presented the initial staff recommendation to the EAC. The discussion at the meeting centered on how staff addressed resident concerns raised at the October 2015 meeting. The commission voted to approve the staff recommendation.

### *Planning Commission*

On January 8, 2014, staff presented the staff recommendation to the Planning Commission. After much discussion, the commission asked staff to investigate enclosure of the facilities and screening techniques. The commission voted to approve the staff recommendation.

### *Economic Development and Technology Committee*

Staff presented the issue to EdTech at its meetings of June 11, 2014, September 10, 2014 and November 3, 2014. Staff updated the Committee on the status of the zoning code amendment. Additionally, staff was requested to continue its dialogue with the State in order to answer the following two questions (See Attachment D, letter from State):

- Question 1: "Does a recycling facility moved inside a market satisfy the convenience zone requirements set forth by State Law?"

Answer 1: In-store reverse vending machines (RVMs) or in-store staff operated recycling centers do satisfy the requirement to a recycling center within a convenience zone.

- Question 2: “Does a curbside recycling program meet the requirements for serving convenience zones?”

Answer 2: Curbside recycling programs are not certified recycling centers and do not redeem empty CRV containers, therefore they do not meet the requirements of serving a convenience zone.

Based on these answers, in addition to the regulatory changes proposed by the Planning Commission, the EdTech Committee recommended: 1) enclosure of the recycling facilities; 2) a requirement for a liquid waste management plan; and 3) increased distance separation from sensitive uses and property lines.

#### *California Grocers Association and RePlanet*

On December 17, 2014, staff met with representatives of the California Grocers Associate (CGA) and the recycling center operator RePlanet. In addition, a letter from the CGA was received by staff (Attachment E). Issues raised by the CGA include:

1. The potential creation of unserved convenience zones resulting in a penalty of \$36,500 to retailers in said convenience zone;
2. Operational challenges of handling and processing recycling materials within a supermarket – materials that may have been contaminated with any number of communicable germs from contact with humans, house pets, rodents, and/or insects.
3. Locating a recycling facility inside a grocery store would simply bring all of the community’s concerns regarding recycling facilities inside the store.
4. The inconvenience to consumers resulting from in-check stand redemption.

Issues raised by the recycling center operator include:

1. Potential loss of additional parking at the shopping centers to accommodate the expanded footprint of the recycling facility;
2. Cost of building and permitting an enclosure;
3. The enclosures would be non air-conditioned spaces, potentially intolerable spaces for customers during warm days.
4. Concerns for a reduced level of customer service due compliance with structural enclosure requirements;
5. The enclosures would be an attractive nuisance for graffiti and vandalism;
6. The new standards may result in financial penalties to the supermarkets if land use restrictions prevent the siting or operation of a recycling center.

## **EXISTING ZONING REQUIREMENTS:**

The Zoning Code defines recycling facilities as follows:

1. **Small Collection Recycling Facilities.** A recycling center of 500 square feet or less for the deposit or drop-off of recyclable materials. These uses include mobile recycling units and reverse vending machines.
2. **Large Collection Recycling Facilities.** A recycling center over 500 square feet for the drop-off or deposit of recyclable materials. These uses include mobile recycling units and reverse vending machines collectively over 500 square feet.

Small collection recycling facilities are allowed by Minor Conditional Use Permit in most general commercial and industrial districts within the City and all the specific plan areas with the exception of the North Lake and Fair Oaks/Orange Grove and the Lincoln Avenue Specific Plans.

Large collection recycling facilities are allowed by Conditional Use Permit within the EPSP D1-CG and IG, and EPSP d2 CG and IG Zones of the East Pasadena Specific Plan. No large facilities currently exist in the City.

There are currently specific development standards in the Zoning Code for recycling facilities. The existing recycling facility chapter of the Zoning Code is attached to this report as Attachment B. This proposed Zoning Code Amendments would add additional standards that would be applied to both small and large recycling facilities.

### *Convenience Zones*

Under State law regarding recycling, a "convenience zone" is the area within a one-half mile radius of a supermarket in which a recycling facility must be located. A "Supermarket" is defined as a full-line, self-service retail store with gross annual sales of two million dollars, or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

There are four convenience zones in Pasadena. There are five additional markets that are located on parcels over two acres but do not have gross sales over two million dollars. If their sales gross over the established benchmark, they could potentially be defined as convenience zones by the State. Additionally, it is possible to have multiple supermarkets in one convenience zone.

Currently, there are four recycling facilities operating within the City, one in each of the convenience zones. All four operating recycling facilities were established prior to the City's current requirement to obtain a Minor Conditional Use permit and are considered to be legal non-conforming uses. The Zoning Code allows a non-conforming use to be continued and maintained, provided that there is no addition, alteration, or enlargement

of the use. A fifth facility located at the Food 4 Less at 1329 N. Lake Avenue was closed in 2013.

*Existing Facilities*

The four existing facilities are classified as small facilities because they are less than 500 square feet in area and are not located within an enclosed structure because of their “small” size. Currently there are no large facilities operating in the City. These small recycling facilities are established in supermarket parking lots in the convenience zone they serve. The existing recycling facilities are listed below.

<b>TABLE 1 Recycling Facilities Located in the City of Pasadena</b>			
<b>Council District</b>	<b>Operator</b>	<b>Host Supermarket</b>	<b>Address</b>
†3	NexCycle	Vons	665 N. Fair Oaks Avenue
*5	rePlanet	Food 4 Less	1329 N. Lake Avenue
5	rePlanet	Ralphs	160 N. Lake Avenue
†2	NexCycle	Vons	1390 N. Allen Avenue
4	rePlanet	Ralphs	3601 E. Foothill Boulevard

† RePlanet and NexCycle merged in 2014. NexCycle facilities are in the process of being rebranded and refurbished as RePlanet facilities.

\* Closed in 2013.

**PROPOSED AMENDMENTS:**

The Council directed staff to determine whether or not recycling facilities must be permitted to operate within the City or if the curbside recycling program met the need for recycling. The curbside recycling program does not satisfy convenience zone requirements because the City does not pay consumers the CRV value of the materials they are recycling. Under State law, if a convenience zone is not served with a recycling facility, it would result in the requirement to allow consumers to redeem recyclable materials in line at an open check stand at any supermarket in the underserved convenience zone. Alternatively, supermarkets would be subject to a daily fine of \$100/day.

The proposed amendments to existing rules would augment the applicable regulations for both large and small collection facilities. The proposed development standards address separation requirements, circulation, collection of materials, water quality, permit requirements, and nonconforming status. These amendments would not change the underlying zoning of the location of the recycling facility, nor would they change which zones recycling facilities may be established. In addition, all new and existing recycling facilities would be required to apply for and obtain a Conditional Use Permit (CUP).

### *CUP Required for All Recycling Facilities*

Currently, none of the four recycling facilities in the City are operating under a CUP and therefore do not have any operational conditions of approval that must be followed. The proposed amendment would require all existing and proposed facilities (small and large) to be established through a CUP and to become compliant with the new standards within six months of their effective date or be subject to abatement.

### *New Regulations*

In addition to the proposal of requiring a CUP for all recycling facilities (existing and any new), the following new regulations are proposed:

- **Enclosure** – Recycling facilities could either be relocated within the footprint of the host supermarket or build an enclosure to contain the sorting area and weighing area. *This standard would reduce noise associated with these uses and also result in a more aesthetically compatible use.*
- **Separation from Public Right-of-Way** - Recycling facilities shall be no closer than 30 feet to the public right-of-way. *This standard would reduce the prominence of recycling facilities in their respective parking lots when viewed from the public right of way and reduce the perception of blight. As proposed, on a case by case basis, this requirement could be reduced to address existing improvements or other unusual circumstances of proximity proved that the recycling facility is not less than 20 feet from the right-of-way.*
- **Separation from Sensitive Uses** – Each facility would be required to be a minimum of 200 feet from residential zoned property. Based on exceptional circumstances related to the size and/or shape of an individual parcel or the existing improvements on the property, this distance could be reduced to no less than 150 feet as part of the CUP process. *This standard would protect sensitive uses against noise impacts.*
- **Obstructions to Vehicular or Pedestrian Circulation** - Recycling facilities shall not be allowed to obstruct pedestrian or vehicular circulation. *It is critical that drive aisles be kept clear of trash bins, customer queuing, and trash receptacles for safety for pedestrians walking to, from, and by the facility and cars passing through the respective parking lots.*
- **Owner/Operator Identification** - The recycling facility shall be clearly marked with the name and telephone number of the operator during business hours and when closed. *Pasadena's facilities are currently marked during operating hours, but contact information is not clear or visible when the facilities are closed.*
- **Materials of Collection Bins** - The recycling facility shall use receptacles that are constructed and maintained with durable waterproof and rust proof material, covered

when not attended, and secure from unauthorized entry. *Secure and well maintained facilities may potentially deter graffiti, vandalism, and the perception of blight.*

- **No Outside Storage** - All recyclable materials shall be stored in receptacles or in the mobile recycling unit vehicles, and shall not be left outside of receptacles when the attendant is not present. *This standard will ensure that the facilities are run in an orderly fashion taking steps to prevent accumulation of debris and materials outside of collection receptacles.*
- **Refuse Bins Available** - There shall be a minimum of one trash container (separate from the trash container required for the principal use) located near the facility. *Staff observed that none of the facilities had containers to contain unrecyclable materials and other refuse generated by the recycling facilities. Having a trash bin for use of the facility and customer's refused materials would facilitate maintaining a cleanly appearance around the facility and reduce the perception of blight.*
- **Identification of Allowed Materials** - Recycling facilities shall accept only CRV materials including glass, aluminum and plastic. Items shall be presorted and shall include non-hazardous materials. The operator shall post a notice to alert patrons of accepted materials and the presorting requirement. *To avoid confusion regarding what materials are recyclable and to reduce the incidence of abandonment of unrecyclable materials at the site, operators will be required to post a sign indicating what materials are accepted by said facility. Also, presorting recyclables by patrons will ensure that they do not linger at the site for long periods of time.*
- **Water Quality** - Recycling facilities shall provide containers with no perforations, mesh, or holes to allow customers to place any residual liquids from CRV containers prior to placing in transferring and weighing area. *This standard is intended to address dumping of waste fluids in the storm drains and gutters.*
- **Waste Management Plan** – In consultation with the Department of Public Works, all application will require a waste management plan describing how the facilities will reduce, collect and dispose of all liquid waste generated from the use. *This standard is intended to address dumping of waste fluids in the storm drains and gutters. The plan will be reviewed and approved by the Department of Public Works as part of the CUP process.*
- **Litter/Debris Removal Plan** – A litter/debris removal plan is required to be submitted in conjunction with all CUP applications and shall be incorporated into conditions of approval.
- **Nonconforming Facilities** - Small and large collection recycling facilities which are lawfully in existence at the time of adoption of these regulations and which are not in compliance are considered nonconforming and shall be removed or brought into compliance with said regulations within six months. *This standard would bring*



*existing facilities under the control of a conditional use permit and conditions of approval.*

In addition to the above *new* standards, the following *existing* standard is proposed to be revised:

- **Hours of Operation** – The hours of operation for all facilities are proposed to be revised from 7:00 a.m. to 6:00 p.m. seven days a week to 8:00 a.m. to 5:00 p.m. from Monday through Saturday. *The California Beverage Container Recycling and Litter Reduction Act requires that certified recycling facilities operate at least 30 hours per week with a minimum of five hours of operation occurring during periods other than from Monday to Friday, from 9:00 a.m. to 5:00 p.m. The proposed changes to the hours of operation would reduce the early morning/evening hours of operation while still complying with state law.*

### **CONCLUSION:**

The proposed Zoning Code amendment addressing recycling facilities is a two-pronged approach based on significant public input. The first prong is the requirement that all facilities obtain a CUP through a formal public hearing. The second prong of the amendment includes revised operational and development standards that are intended to address issues associated with noise, odor, aesthetics and the environmental safety of the facility. During the CUP process, each facility would be required to adhere to the new regulations and also address site specific concerns that could be identified through the public hearing process.

To address the water quality concerns for all facilities, conditions of approval would be site specific based on consultation with the Department of Public Works. In some cases, an application may be conditioned to use the sanitary sewer system of the host supermarket or build permanent drainage infrastructure for residual fluid collection and disposal.

### **ENVIRONMENTAL ANALYSIS:**

The adoption of the Zoning Code Amendments have been determined to be exempt from the California Environmental Quality Act under Class 8 §15308 - Actions by Regulatory Agencies for Protection of the Environment. Class 8 consists of action taken by regulatory agencies, as authorized by state and local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. The adoption of the Zoning Code Amendments is an action designed to protect the environment.

**COUNCIL POLICY CONSIDERATION:**

State law requires supermarkets to establish convenience zones for the recycling of certain materials. Local jurisdictions may draft development standards and establish a review process for each facility within its municipal boundaries. The recommended zoning code amendments are within the regulatory powers of cities within the State of California. The zoning code amendments will address operational and environment impacts around recycling facilities and ensure they operate in a safe and sanitary manner with minimal disruption to the public and adjacent uses.

**FISCAL IMPACT:**

The proposed amendment is not anticipated to result in a significant impact to the City's General Fund. Existing and new recycling facilities will be subject to the review and approval of a Conditional Use Permit. Permitting and application fees collected will recover a portion of the costs incurred from staff for the required project review.

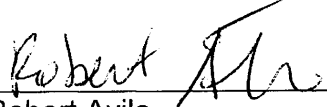
Respectfully submitted



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VINCENT P. BERTONI, AICP  
Director of Planning & Community  
Development Department

Prepared by:



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Robert Avila  
Planner

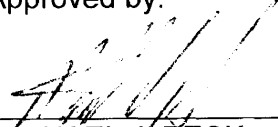
Concurred by:



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Laura F. Dahl  
Senior Planner

Approved by:



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MICHAEL J. BECK  
City Manager

Attachments: (5)

- Attachment A - Findings
- Attachment B - PMC 17.50.220 (existing regulations)
- Attachment C - Proposed Ordinance
- Attachment D - Letter from the State
- Attachment E - Correspondence from the California Grocers Association

## ATTACHMENT A FINDINGS

### FINDINGS:

The Code requires that prior to the approval of a Zoning Code Amendment, the following findings must be made:

1. *The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan* in that well regulated small and large collection recycling facilities are consistent with Land Use Element Objective 18 (Improved Environment) which states that the City will improve the quality of the environment for Pasadena and the region as a matter of public policy. The proposed zoning code amendment would empower the City to better regulate the establishment and operation of recycling facilities. Furthermore, the proposed zoning code amendment would promote environmental stewardship and urban sustainability in accordance with the City Council's endorsement of the "2005 United Nations Green Cities Declaration and Urban Environmental Accords," the City's adopted environmental charter, and such other related environmental policies as adopted by the city council by permitting recycling facilities to operate in a cleaner, more neighborhood friendly manner.
2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City* in that the proposed zoning code amendment brings uniformity to the entitlement process for small and large collection recycling facilities. The proposed amendment requires a public hearing during the review process to establish such facilities in the City. Furthermore, the mailing radius is expanded to include additional stake holders in the entitlement process for such facilities. The proposed zoning code amendment is consistent with Land Use Element Objective 26 (Information) by ensuring that clear, understandable information to encourage more citizen involvement in the recycling center entitlement process is presented to the Pasadena community.

**ATTACHMENT B**  
**PMC 17.50.220 (RECYCLING CENTERS)**

**A. Small collection facilities.**

1. **Applicable facilities.** The facility shall only be established in conjunction with a commercial, community, or public facility.
2. **Permit requirements.** The location and type of the facility on the site shall be subject to the approval of a Minor Conditional Use Permit issued in compliance with Section 17.61.050.
3. **Location.** The facility shall be located on a site that is a minimum of two acres.
  - a. As close as possible to the main structure they are intended to serve; and
  - b. At least 150 feet from the nearest residential use.
4. **Limitation on number.** There shall be no more than one facility for each site.
5. **Size of facility.** The maximum height of the bins, boxes, and/or containers shall be reviewed through the Minor Conditional Use Permit process.
6. **Materials of construction.** The facility shall be constructed and maintained with durable waterproof and rustproof material, and the bins, boxes, or containers shall be covered and contained in such a manner that they do not present a danger to the public health, safety or welfare.
7. **Site maintenance.** The site shall be kept clean and maintained in a litter-free condition at all times.
8. **Identification of allowed materials.** The facility shall be clearly marked to identify the type of materials to be deposited.
9. **Signs.** Signs shall be reviewed during the Minor Conditional Use Permit process and shall comply with Chapter 17.48 (signs).

**B. Large collection facilities.**

1. **Permit requirements.** The location and type of the facility on the site shall be subject to the approval of a Conditional Use Permit issued in compliance with Section 17.61.050.
2. **Location.** The facility shall be located:
  - a. Within an enclosed structure; and
  - b. At least 100 feet from the nearest residential use.
3. **Storage requirements.**
  - a. All storage of material shall be in sturdy containers or enclosures with tightfitting covers, which are secured and maintained in good condition, or shall be baled or pelletized.
  - b. The depositing of materials on the ground is prohibited.
  - c. Storage containers for flammable material shall be constructed of nonflammable material.

d. Oil storage shall be in containers approved by the Fire and Health Departments.

4. **Performance standards.** The facility shall comply with the environmental performance standards of Section 17.40.090.
5. **Identification and signs.** The facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation. Identification and information signs shall meet the sign standards for the zoning district in which the facility is located.
6. **Allowable materials.** Recyclable materials shall be presorted and shall include no hazardous materials.
7. **Hours of operation.** The hours of operation shall be limited to 7:00 a.m. to 6:00 p.m.
8. **Maintenance.** The site shall be maintained free of litter and any other unsanitary materials and shall be cleaned of debris on a daily basis. The facility shall be maintained free from rodents at all times.

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS PROVISIONS OF TITLE 17 (THE ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO ADD NEW DEVELOPMENT AND OPERATIONAL STANDARDS APPLICABLE TO RECYCLING FACILITIES AND TO REQUIRE EXISTING AND NEW FACILITIES TO OBTAIN CONDITIONAL USE PERMITS.**

The People of the City of Pasadena ordain as follows:

**SECTION 1.** This ordinance, due to its length and corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

**“Summary**

“Ordinance No. \_\_\_\_\_ amends various provisions of Title 17 (the Zoning Code), as required by state law, to revise an existing classification entitled “Recycling Facilities,” and amends the land use tables to allow this use by conditional use permit within the Commercial Office (CO), Commercial Limited (CL), Commercial General (CG) and Industrial General (IG) Zone Districts. Recycling Facilities provide for the collection of recycling materials including glass, metal, paper products and other materials as may be determined by the zoning administrator. This use includes mobile recycling units, reverse vending machines and small and large collection facilities. Location and operational standards are also established.

Ordinance No. \_\_\_\_\_ shall take effect 30 days from its publication.”

**SECTION 2.** Pasadena Municipal Code, Title 17, Article 2, Chapter 17.24, Section 17.24.030, TABLE 2-5 - ALLOWED USES AND PERMIT REQUIREMENTS

FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS is amended as shown in Exhibit 1, attached hereto and incorporated by this reference.

**SECTION 3.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.26, Section 17.26.030, TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS SPECIAL PURPOSE ZONING DISTRICTS is amended as shown in Exhibit 2, attached hereto and incorporated by this reference.

**SECTION 4.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.30, Section 17.30.030, TABLE 3-1 - ALLOWED USES AND PERMIT REQUIREMENTS FOR CD ZONING DISTRICTS is amended as shown in Exhibit 3, attached hereto and incorporated by this reference.

**SECTION 5.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.31, Section 17.31.040, TABLE 3-3 - ALLOWED USES AND PERMIT REQUIREMENTS FOR EAST COLORADO SPECIFIC PLAN (ECSP) ZONING DISTRICTS is amended as shown in Exhibit 4, attached hereto and incorporated by this reference.

**SECTION 6.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.32, Section 17.32.050, TABLE 3-5 - ALLOWED USES AND PERMIT REQUIREMENTS EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D1 DISTRICTS is amended as shown in Exhibit 5, attached hereto and incorporated by this reference.

**SECTION 7.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.32, Section 17.32.050, TABLE 3-6 - ALLOWED USES AND PERMIT REQUIREMENTS EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D2 AND D3 DISTRICTS is amended as shown in Exhibit 6, attached hereto and incorporated by this reference.

**SECTION 8.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.33,



Section 17.33.040, TABLE 3-13 - ALLOWED USES AND PERMIT REQUIREMENTS FAIR OAKS/ORANGE GROVE RM-16, RM-12, PS, AND OS DISTRICTS is amended as shown in Exhibit 7, attached hereto and incorporated by this reference.

**SECTION 9.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.33, Section 17.33.040, TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS FAIR OAKS/ORANGE GROVE CL, C-2, AND C-3 DISTRICTS is amended as shown in Exhibit 8, attached hereto and incorporated by this reference.

**SECTION 10.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.36, Section 17.36.050, TABLE 3-16 - ALLOWED USES AND PERMIT REQUIREMENTS FOR WEST GATEWAY SPECIFIC PLAN (WGSP) ZONING DISTRICTS is amended as shown in Exhibit 9, attached hereto and incorporated by this reference.

**SECTION 11.** Pasadena Municipal Code, Title 17, Article 3, Chapter 17.37, Section 17.37.040, TABLE 3-18 - ALLOWED USES AND PERMIT REQUIREMENTS FOR LINCOLN AVENUE SPECIFIC PLAN (LASP) ZONING DISTRICTS is amended as shown in Exhibit 10, attached hereto and incorporated by this reference.

**SECTION 12.** Pasadena Municipal Code, Title 17, Article 5, Chapter 17.50 is amended by revising Section 17.50.220 entitled, Recycling Facilities to read as follows:

“17.50.220 - Recycling Facilities

A. Small collection facilities.

1. Applicable facilities. The facility shall only be established in conjunction with a commercial, community, or public facility.

2. Permit requirements. The location and type of the facility on the site shall be subject to the approval of a **Conditional Use Permit** ~~Minor Conditional Use Permit~~ issued in compliance with Section 17.61.050.
3. Location. The facility shall be located on a site that is a minimum of two acres.
  - a. As close as possible to the main structure they are intended to serve; and
  - b. At least 150 feet from the nearest residential use.
4. Limitation on number. There shall be no more than one facility for each site.
5. Size of facility. The maximum height of the bins, boxes, and/or containers shall be reviewed through the ~~Minor~~ Conditional Use Permit process.
6. Materials of construction. The facility shall be constructed and maintained with durable waterproof and rustproof material, and the bins, boxes, or containers shall be covered and contained in such a manner that they do not present a danger to the public health, safety or welfare.
7. Site maintenance. The site shall be kept clean and maintained in a litter-free condition at all times.
8. Identification of allowed materials. The facility shall be clearly marked to identify the type of materials to be deposited.

9. Signs. Signs shall be reviewed during the ~~Minor~~ Conditional Use Permit process and shall comply with Chapter 17.48 (signs).

B. Large collection facilities.

1. Permit requirements. The location and type of the facility on the site shall be subject to the approval of a Conditional Use Permit issued in compliance with Section 17.61.050.
2. Location. The facility shall be located:
  - a. Within an enclosed structure; and
  - b. At least 100 feet from the nearest residential use.
3. Storage requirements.
  - a. All storage of material shall be in sturdy containers or enclosures with tightfitting covers, which are secured and maintained in good condition, or shall be baled or pelletized.
  - b. The depositing of materials on the ground is prohibited.
  - c. Storage containers for flammable material shall be constructed of nonflammable material.
  - d. Oil storage shall be in containers approved by the Fire and Health Departments.
4. Performance standards. The facility shall comply with the environmental performance standards of Section 17.40.090.
5. Identification and signs. The facility shall be clearly marked with the name and phone number of the facility operator and the hours of

operation. Identification and information signs shall meet the sign standards for the zoning district in which the facility is located.

6. Allowable materials. Recyclable materials shall be presorted and shall include no hazardous materials.
7. Hours of operation. The hours of operation shall be limited to 8:00 a.m. to 5:00 p.m., Monday through Saturday.
8. Maintenance. The site shall be maintained free of litter and any other unsanitary materials and shall be cleaned of debris on a daily basis. The facility shall be maintained free from rodents at all times.

C. **Standards for all facilities**

1. **Sorting areas enclosed. Recycling facilities shall be located within the footprint of the host retailer or within an attached or free standing enclosure to contain the sorting and queuing areas.**
2. **Separation from Public Right-of-Way - Recycling facilities shall be no closer than 10 feet to the public right-of-way.**
3. **Separation from residential uses. Each facility shall be evaluated to determine the appropriate separation from residential uses but not less than 150 feet.**
4. **Obstructions to Vehicular or Pedestrian Circulation. Recycling facilities shall not obstruct pedestrian or vehicular circulation.**
5. **Materials of Collection Bins. The recycling facility shall use receptacles that are constructed and maintained with durable waterproof and rust**

proof material, covered when not attended, and secure from unauthorized entry.

6. No Outside Storage. No materials shall be stored or placed in a manner so as to cause a public nuisance. All recyclable materials shall be stored in receptacles or in the mobile recycling unit vehicles, and shall not be left outside of receptacles when the attendant is not present.
7. Refuse Bins Available. There shall be a minimum of one trash container (separate from the trash container required for the principal use) located within 10 feet of the facility.
8. Identification of Allowed Materials. Recycling facilities shall accept only glass, metals, plastic containers, papers and reusable items. Items shall be presorted and shall include non-hazardous materials. The operator shall post a notice to alert patrons of accepted materials and the presorting requirement.
9. Water Quality. Recycling facilities shall provide facilities and containers without perforations, mesh, or holes for liquid disposal, and shall require customers to dispose of any residual liquids from CRV containers prior to placing such containers in transferring and weighing areas.
10. Waste Management Plan. The applicant shall submit a waste management plan describing how the facility will dispose of liquid waste for review and approval by the Zoning Administrator. At all times while the facility is in existence, the applicant shall comply with the approved Waste Management Plan.

11. Litter/Debris Removal Plan. The applicant shall submit a litter/debris removal plan describing how solid waste will be removed from the site for review and approval by the Zoning Administrator. At all times while the facility is in existence, the applicant shall comply with the approved Litter/Debris Removal Plan.
12. Nonconforming Facilities. Small and large collection recycling facilities which are lawfully in existence as of March 1, 2015 and which are not in compliance herewith are considered nonconforming and shall be removed or brought into compliance with said regulations by September 1, 2015.”

**SECTION 5.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
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 \_\_\_\_\_ 2015, by

the following vote:

AYES:

NOES:

ABSENT:

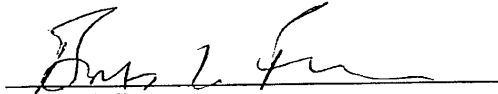
ABSTAIN:

Date Published:

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Mark Jomsky  
City Clerk

Approved as to form:

A handwritten signature in black ink, appearing to read "Brad L. Fuller", is written over a horizontal line.

Brad Fuller  
Assistant City Attorney

**TABLE 2-5 - ALLOWED USES AND PERMIT REQUIREMENTS  
FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	CO	CL, CL-2	CG	IG	

**SERVICES - (CONTINUED) (7, 9)**

Personal improvement services	—	P (8)	P (8)	P (8)	
Personal services	—	P (8)	P (8)	P (8)	
Personal services, restricted	—	—	C (8)	C (8)	17.50.200
Printing and publishing	—	C (8)	P (8)	P (8)	
Printing and publishing, limited	C	P	P	P	
Public maintenance & service facilities	—	—	C (2)	C (2)	
Public safety facilities	C (2)	C (2)	C (2)	C (2)	
Sexually oriented business	—	—	P	—	17.50.295
Vehicle services - Vehicle equipment repair	—	—	C (8)	C (8)	17.50.360
Vehicle services - Washing and detailing	—	—	C (8)	C (8)	17.50.290
Vehicle services - Washing and detailing, small-scale	—	P	P	P	17.50.290

**INDUSTRY, MANUFACTURING & PROCESSING USES (7, 9)**

Commercial growing area	—	P	P	P	17.50.180
Industry, restricted	—	—	C (8)	C (8)	
Industry, restricted, small scale	—	P	P	P	
Industry, standard	—	—	—	P (8)	
<del>Recycling centers - Small collection facilities</del>	<del>MC</del>	<del>MC</del>	<del>MC</del>	<del>MC</del>	<del>17.50.220</del>
<u>Recycling centers - Small collection facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.50.220</u>
Recycling centers - Large facilities	—	—	C (8)	C (8)	17.50.220
Research and Development - Non-offices	C (8)	C (8)	P (8)	P (8)	17.50.240
Wholesaling, distribution, & storage	—	—	C (8)	P (8)	
Wholesaling, distribution, & storage, small-scale	—	—	P	P	

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Allowed subject to the development standards of the RS-6 district, Section 17.22.040.
- (4) The maximum interior or exterior area in which support services are offered or located shall not exceed 250 sq. ft.
- (5) A club, lodge, or private meeting hall established prior to September 9, 1996, shall be a permitted (P) use.
- (6) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (7) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (8) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. of gross floor area. See Section 17.61.050.J for additional requirements.
- (9) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on a lot. This shall apply to new uses or uses which expand by more than 30 percent of gross floor area.



**TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS  
FOR SPECIAL PURPOSE ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE		Specific Use Standards
	OS	PS, PS-1	
<b>INDUSTRY, MANUFACTURING &amp; PROCESSING USES</b>			
Commercial growing area	C (5)	—	
<del>Recycling - Small collection facilities</del>	<del>MC</del>	<del>MC</del>	<del>17.50.220</del>
<u>Recycling - Small collection facilities</u>	<u>C</u>	<u>C</u>	<u>17.50.220</u>
<b>TRANSPORTATION, COMMUNICATIONS &amp; UTILITY USES</b>			
Accessory antenna array	P	—	
Heliports	—	C	
Transportation terminals	—	C	
Utility, major	C	C	
Utility, minor	P	P	
Wireless telecommunications facilities, major	—	C	17.50.310
Wireless telecommunications facilities, minor	—	MC	17.50.310
Wireless telecommunications facilities, SCL	—	P	17.50.310

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Limited to accessory facilities of a principal use.
- (3) Limited to facilities accessory to an open space. An accessory use shall not occupy more than 5% of the open area.
- (4) Horticultural or nursery uses shall not replace a park, golf course, or recreational use.
- (5) Permanent structures prohibited.

**TABLE 3-1 - ALLOWED USES AND PERMIT REQUIREMENTS  
FOR CD ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE						Specific Use Standards
	CD-1	CD-2	CD-3	CD-4	CD-5	CD-6	

**SERVICES (Continued)**

Printing and publishing, limited*	P	P	P (11)	P	P	P	
Public safety facilities	C	C	C	C	C	C	
Vehicle services - washing and detailing, small-scale	P	P	P (11)	P	P	P	17.50.290
Vehicle services - washing and detailing, temporary	P	P	P (11)	P	P	P	17.50.290

**INDUSTRY, MANUFACTURING AND PROCESSING USES**

Industry, restricted	C (13)	C (13)	—	C (13)	—	C (13)	
Industry, restricted, small scale	P	P	—	P	—	P	
Industry, standard	—	—	—	—	—	C (13)	
<del>Recycling - small collection facilities</del>	<del>MC</del>	<del>MC</del>	<del>MC (11)</del>	<del>MC</del>	<del>MC</del>	<del>MC</del>	<del>17.50.220</del>
<u>Recycling - small collection facilities</u>	<u>C</u>	<u>C</u>	<u>C (11)</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.50.220</u>
Research and development - non-offices (13)	P	P	C (11)	P	P	P	17.50.240

**TRANSPORTATION, COMMUNICATIONS, AND UTILITY USES**

Alternative fuel/recharging facilities	C	C	C (11)	C	C	C	
Accessory antenna array	P	P	P	P	P	P	

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
  - (2) Permitted within the Ford Place/Fuller Seminary Precinct.
  - (3) See Figure 3-4 - Central District Housing/Ground Floor Map for additional restrictions on residential uses.
  - (4) Permitted within the Arroyo Corridor Transition Precinct.
  - (5) Conditionally Permitted within 350 feet from the south curb line of Corson Street.
  - (6) Conditionally Permitted within the West Downtown Transit Village Precinct.
  - (7) Conditionally Permitted within the Civic Center Core Precinct.
  - (8) Permitted within the Playhouse South/Green Street Precinct.
  - (9) Conditionally Permitted within the Arroyo Entrance Corridor Precinct.
  - (10) Not Permitted within the Arroyo Entrance Corridor Precinct.
  - (11) In the Walnut Street Urban Village Precinct, this use is permitted only when within 140 feet north or south of Walnut Street.
  - (12) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
  - (13) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements. Projects within the Central District Transit-Oriented Development Area (Figure 3-5) shall meet the requirements of 17.50.340.
  - (14) Allowed only as part of a mixed-use project when 140 feet south or north of Walnut Street.
  - (15) Allowed only south of Green Street and west of Arroyo Parkway.
- \* Qualifies as a pedestrian-oriented use.

**TABLE 3-3 - ALLOWED USES AND PERMIT REQUIREMENTS FOR ECSP ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE							Specific Use Standards
	ECSP CG-1	ECSP CG-2	ECSP CL-3	ECSP CG-3	ECSP CG-4	ECSP CG-5	ECSP CG-6	

**INDUSTRY, MANUFACTURING & PROCESSING USES (Continued) (7, 8, 9)**

Industry, restricted, small-scale	—	—	—	C	C	C	C	
Recycling - Small collection facility	—	MC	MC	MC	MC	MC	MC	17.50.220
<u>Recycling - Small collection facility</u>	—	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.50.220</u>
Research and development - Non-offices	—	C (4)	C (4)	P (4)	P (4)	C (4)	P (4)	17.50.240
Wholesaling, distribution and storage	—	—	—	—	—	—	C (4)	
Wholesaling, distribution and storage, small scale	—	—	—	—	—	—	C	

**TRANSPORTATION, COMMUNICATIONS & UTILITY USES**

Alternative fuel/recharging facilities (4, 7, 8, 9)	C	C	C	C	C	C	C	
Accessory antenna arrays	P	P	P	P	P	P	P	
Communications facilities (4, 7, 8, 9)	C	C	—	C	C	C	C	
Commercial off-street parking (7, 9)	MC	MC	MC	MC	MC	MC	MC	
Heliports	C	—	—	—	—	—	—	
Transportation terminals	—	—	C	—	—	—	C	
Utility, major	C	C	C	C	C	C	C	
Utility, minor	P	P	P	P	P	P	P	
Vehicle storage (4, 7, 8)	—	—	—	—	—	—	C	
Wireless telecommunications facilities - Minor	MC	MC	MC	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities - Major	C	C	C	C	C	C	C	17.50.310
Wireless telecommunications facilities, SCL	P	P	P	P	P	P	P	17.50.310

**TRANSIT-ORIENTED DEVELOPMENT**

Transit-oriented development (4, 7)	—	—	P	—	—	—	P	17.50.340
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**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Mixed-use projects and multi-family housing permitted only within 1/4 mile of light rail platform.
- (3) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (4) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.
- (5) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (6) A use established on a site greater than two acres after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (7) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (8) If within 300 feet of an R District this use shall be limited to 10 one-way truck trips by large trucks per day per six-day work week. This restriction shall apply to new uses and uses that expand by more than 30 percent of the gross floor area. This restriction shall not apply if the site or the adjacent R District is within 500 feet of a freeway.
- (9) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each lot. This restriction shall apply to new uses or uses that expand by more than 30 percent of the gross floor area.

**TABLE 3-5 - ALLOWED USES AND PERMIT REQUIREMENTS  
EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D1 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY D1 ZONE				Specific Use Standards
	CO	CL	CG	IG	

**INDUSTRY, MANUFACTURING & PROCESSING USES (Continued) (3, 10)**

Recycling - Small collection facilities	MC	MC	MC	MC	17.50.220
<u>Recycling - Small collection facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>17.50.220</u>
Recycling - Large collection facilities	—	—	C (4)	C (4)	17.50.220
Research & development - Non-office	C (4)	C (4)	P (4)	P (4)	17.50.240
Wholesaling, distribution, & storage	—	—	C (4)	P (4)	
Wholesaling, distribution, & storage, small-scale	—	—	P	P	

**TRANSPORTATION, COMMUNICATIONS & UTILITY USES**

Accessory antenna array	P	P	P	P	
Alternative fuel/recharging facilities (3, 4, 10)	—	C	C	C	
Commercial off-street parking (3)	C	C	C	C	
Communications facilities (3, 4, 10)	—	—	P	P	
Heliports	—	—	C	C	
Transportation terminals	—	—	C	C	
Utility major	C	C	C	C	
Utility minor	P	P	P	P	
Vehicle storage (3, 4, 10)	—	—	C	C	
Wireless telecommunications facilities, major	C	C	C	C	17.50.310
Wireless telecommunications facilities, minor	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities, SCL	P	P	P	P	17.50.310

**Notes:**

- (1) See Chapter 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.
- (5) Auto dismantling is not permitted.
- (6) Limited to accessory facilities of a principal use.
- (7) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (8) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (9) A minor conditional use permit is required to establish a new use. An existing use is a permitted (P) use.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each site. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor area.

**TABLE 3-6 - ALLOWED USES AND PERMIT REQUIREMENTS  
EAST PASADENA SPECIFIC PLAN (EPSP) SUBAREA D2 AND D3 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE							Specific Use Standards
	Subarea d2					Subarea d3		
	CO	CL	CG	IG	PS	CO	CG	

**SERVICES - CONTINUED (3, 10)**

Sexually oriented businesses	—	—	P	—	—	—	P	17.50.295
Vehicle services - Washing/detailing	—	C (4)	C (4)	C (4)	—	—	—	17.50.290
Vehicle services - Washing/detailing, small scale	—	P	P	P	P	—	P	17.50.290

**INDUSTRY, MANUFACTURING & PROCESSING USES (3, 10)**

Commercial growing area	—	P	P	P	—	—	P	
Industry, restricted	—	—	C (4)	P (4)	—	—	C (4)	
Industry, restricted, small-scale	—	P	P	P	—	—	—	
Industry, standard	—	—	—	P (11)	—	—	—	
<del>Recycling - Small collection facilities</del>	<del>MC</del>	<del>MC</del>	<del>MC</del>	<del>MC</del>	<del>—</del>	<del>MC</del>	<del>MC</del>	<del>17.50.220</del>
<u>Recycling - Small collection facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>—</u>	<u>C</u>	<u>C</u>	<u>17.50.220</u>
Recycling - Large collection facilities	—	—	C (4)	C (4)	—	—	—	17.50.220
Research & development - Non-office	C (4)	C (4)	P (4)	P (4)	—	C (4)	—	17.50.240
Wholesaling, distribution & storage	—	—	C (4)	P (4)	—	—	C (4)	
Wholesaling, distribution & storage, small-scale	—	—	C	P	—	—	C	

**TRANSPORTATION, COMMUNICATIONS & UTILITY USES**

Accessory antenna array	P	P	P	P	—	P	P	
Alternative fuel/recharging facilities (3, 4, 10)	—	C	C	C	—	—	C	
Commercial off-street parking	C (3)	C (3)	C (3)	C (3)	—	C (3)	C (3)	
Heliports	—	—	C	C	C	—	C	

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on sites greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Use subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (4) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.
- (5) Limited to accessory facilities of a principal use.
- (6) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (7) A club or lodge established prior to September 9, 1996, is a permitted (P) use.
- (8) A Minor Conditional Use Permit is required to establish a new use. An existing use is a permitted (P) use.
- (9) Limited to sites south of Foothill Boulevard.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each site. This restriction shall apply to new uses or uses which expand by more than 30 percent of gross floor.
- (11) Auto dismantling is not permitted.

**TABLE 3-13 - ALLOWED USES AND PERMIT REQUIREMENTS  
FAIR OAKS/ORANGE GROVE RM-16, RM-12, PS, AND OS DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	FGSP -				
	RM-12	RM-16	PS	OS	

**INDUSTRY, MANUFACTURING & PROCESSING USES**

Commercial growing areas	C	C	—	C (4)	
<del>Recycling - Small collection facility</del>	—	—	MC	MC	17.50.220
<u>Recycling - Small collection facility</u>	—	—	<u>C</u>	<u>C</u>	<u>17.50.220</u>

**TRANSPORTATION, COMMUNICATIONS & UTILITY USES**

Accessory antenna array	—	—	—	P	
Utility, major	C(2)	C(2)	C	C	
Utility, minor	P	P	P	P	
Wireless telecommunications facilities, major	—	—	C	—	17.50.310
Wireless telecommunications facilities, minor	MC	MC	MC	—	17.50.310
Wireless telecommunications facilities, SCL	—	—	P	—	17.50.310

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses on a site greater than two acres that was established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (3) Limited to accessory facilities of a principal use.
- (4) A horticultural or nursery use shall not replace a park or outdoor commercial recreation use.
- (5) Two units on a lot shall meet the development standards of the RM-12 district, Section 17.22.040, except as shown in Table 3-15.
- (6) A single-family use shall meet the development standards of the RS-6 district, Section 17.22.040, except as shown in Table 3-15.
- (7) Limited to buildings designated as a landmark or listed individually in the National Register of Historic Places.

**TABLE 3-14 - ALLOWED USES AND PERMIT REQUIREMENTS  
FAIR OAKS/ORANGE GROVE CL, C-2, AND C-3 DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE					Specific Use Standards
	FGSP -					
	CL-1a	CL-1b	C-2	C-3a, b, d	C-3c	

**INDUSTRY, MANUFACTURING & PROCESSING USES (2, 9, 10)**

Industry, restricted, small scale (3, 8)	P	P	P	P	P	
Industry, standard (3)	—	—	— (8)	—	—	
<del>Recycling - Small collection facility</del>	MC	MC	MC	MC	MC	17.50.220
<u>Recycling - Small collection facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	17.50.220
Research & development - Non-office	C (8)	C (8)	P	C (8)	C (8)	17.50.240
Wholesaling, distribution, & storage (3)	—	—	C	—	—	
Wholesaling, distribution, & storage, small-scale	P	P	P	P	P	

**TRANSPORTATION, COMMUNICATIONS & UTILITY USES**

Accessory antenna array	P	P	P	P	P	
Communications facility (2, 3, 9, 10)	—	—	P	P	P	

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (3) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.
- (4) Uses on a site greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (5) A club or lodge established prior to September 9, 1996 is a permitted (P) use.
- (6) Alcohol sales is limited to sales for on-site consumption that is accessory to a principal use such as a restaurant. Alcohol sales in conjunction with the following uses is prohibited: nightclubs (commercial entertainment) and billiard parlors (commercial recreation - indoor).
- (7) Vehicle/equipment repair is limited to uses which provide limited services such as oil changes, window tinting, replacement of air filters, installation of car stereos and alarms, and other related services. All repairs shall occur within an enclosed building, overnight parking or storing of vehicles receiving services shall be within an enclosed building.
- (8) An industrial use established prior to December 29, 2002, is a permitted (P) use.
- (9) If within 300 feet of an R District this use shall be limited to 10 one-way truck trips by large trucks per day per 6-day work week. This restriction shall apply to new uses and uses that expand by more than 30 percent of the gross floor area. This restriction shall not apply if the site or the adjacent R District is within 500 feet of a freeway.
- (10) No more than five large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each lot. This restriction shall apply to new uses or uses which expand by more than 30 percent of the gross floor area.
- (11) The residential component of a work/live unit shall be counted as part of the allowable density.
- (12) In C-3d multi-family housing is permitted.
- (13) Fair Oaks Ave: allowed on the west side, south of Orange Grove Bl. and allowed on both sides, north of Orange Grove Bl., Orange Grove Bl.: allowed on both sides, west of Fair Oaks Ave. Incidental maintenance is not allowed.
- (14) Two units on a lot shall meet the development standards of the RM-12 district, Section 17.22.040, except as shown in Table 3-15.
- (15) A single-family use shall meet the development standards of the RS-6 district, Section 17.22.040, except as shown in Table 3-15.

**TABLE 3-16 - ALLOWED USES AND PERMIT REQUIREMENTS  
FOR WGSP ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Specific Use Standards
	WGSP -1A	WGSP -1B	WGSP -1C	WGSP -2	
<b>SERVICES</b>					
Adult Day-Care - General	C	C	C	—	
Adult Day-Care - Limited	P	P	P	P	
Charitable institutions	C	C	C	—	
Child day-care centers	P	P	P	—	17.50.080
Child day-care - Large care home, 9 to 14 persons	P	P	P	P	17.50.080
Child day-care - Small care home, 1 to 8 persons	P	P	P	P	
Filming, long-term	C	C	C	C	
Filming, short-term	P	P	P	P	
Life/care facilities	C	C	C	C	17.50.120
Laboratories	C	—	C	—	
Lodging - Bed and breakfast inns	C	C (4)	C (3) (7)	—	17.50.140
Lodging - Hotels, motels	C	C (4)	C (3) (7)	—	17.50.150
Medical services - Extended care	C	C	C	—	
Personal improvement services	—	—	P (3)	—	
Personal services	—	—	P (3)	—	
Printing and publishing, limited	—	—	P	—	
Public safety facilities	C	C	C	C	
Vehicle services - Washing and detailing, small-scale	—	—	P	—	17.50.290

**INDUSTRY, MANUFACTURING & PROCESSING USES**

<del>Recycling - Small collection facilities</del>	—	—	MC	—	<del>17.50.220</del>
<u>Recycling - Small collection facilities</u>	—	—	<u>C</u>	—	<u>17.50.220</u>

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) The maximum area (either interior or exterior) in which support services are offered or located shall not exceed 250 sq. ft.
- (3) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. of gross floor area. See Section 17.61.050.J for additional requirements.
- (4) Use shall not be located more than 120 feet from the Green Street property line.
- (5) Food sales are limited to the block bounded by Colorado Boulevard, St. John, Green Street, and Terrace Drive.
- (6) Vehicle services - sales and leasing is allowed with Conditional Use Permit approval only in the portion of this Subdistrict north of Colorado Boulevard. Vehicle services - vehicle/equipment repair is permitted only when accessory to vehicle/equipment sales and leasing.
- (7) Lodging uses are not allowed south of Colorado Boulevard and east of Terrace Drive.



**TABLE 3-18 - ALLOWED USES AND PERMIT REQUIREMENTS  
LASP ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE					Specific Use Standards
	LASP -					
	RM-16	CL	CG-1	CG-2	PS	

**INDUSTRY, MANUFACTURING & PROCESSING USES (Continued) (5, 6)**

Recycling - Small collection facility	—	MC	MC	MC	—	17.50.220
Recycling - Small collection facility	—	<u>C</u>	<u>C</u>	<u>C</u>	—	<u>17.50.220</u>
Research & development - Non-office	—	C	C	P	—	17.50.240

**TRANSPORTATION, COMMUNICATIONS & UTILITY USES**

Alternative fuel/recharging facilities	—	—	—	—	C	—
Accessory antenna array	—	P	P	P	—	—
Communications facility (2, 5)	—	—	—	C	C	—
Commercial off-street parking	—	C	C	C	—	—
Utility, major	C	C	C	C	C	—
Utility, minor	P	P	P	P	P	—
Vehicle storage	—	—	—	—	C	—
Wireless telecommunications facilities, major	—	C	C	C	C	17.50.310
Wireless telecommunications facilities, minor	—	MC	MC	MC	MC	17.50.310
Wireless telecommunications facilities, SCL	—	P	P	P	P	17.50.310

**Notes:**

- (1) See Section 17.80.020 for definitions of the listed land uses.
- (2) Conditional Use Permit approval required for new construction exceeding 25,000 sq. ft. See Section 17.61.050.J for additional requirements.
- (3) Two units on a lot shall meet the development standards of the RM-12 district, Section 17.22.040.
- (4) A single-family use shall meet the development standards of the RS-6 district.
- (5) Uses subject to limitations on hours of operation. See Section 17.40.070 (Hours of Operation).
- (6) No more than two large trucks (except trucks associated with vehicle services - sales and leasing) shall be stored on each lot. This restriction shall apply to new uses or uses which expand by more than 30 percent of the gross floor area.
- (7) Uses on a site greater than two acres that were established after June 30, 1985, shall require a zone change to PS (Public, Semi-Public).
- (8) A club or lodge established prior to September 9, 1996 is a permitted (P) use.
- (9) This use is permitted only when accessory to another use and located within a building.
- (10) A minor conditional use permit is required to establish this use on the ground floor.
- (11) See 17.37.050 for restrictions on retail sales.
- (12) Allowed only as an accessory use to restaurants (excluding fast food and formula fast food restaurants) and food sales. Food sales uses shall be a minimum of 30,000 sq. ft., and the alcohol sales area shall occupy no more than 2.5% of the gross floor area.
- (13) The maximum interior or exterior area in which support services are offered or located shall not exceed 250 sq. ft.
- (14) In LASP-CG-2, laboratories are not permitted on the ground floor of a building.



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 15-59, SACRAMENTO, CALIFORNIA 95814 • (916) 324-8598 • WWW.CALRECYCLE.CA.GOV

September 26, 2014

Mr. Robert Avila  
City of Pasadena  
175 N Garfield Avenue  
Pasadena, CA 91101

Dear Mr. Avila,

**Assumption 1 – from City of Pasadena: A recycling facility moved into a market would not satisfy the convenience zone requirements:**

**CalRecycle Response:** There are no Division of Recycling regulations prohibiting a recycling center from becoming operational *inside* a supermarket or other beverage dealer. Applicants are certified at the address where they apply. Therefore, in-store reverse vending machines (RVMs) or in-store staff-operated recycling centers satisfy the requirement to have a recycling center within a convenience zone.

**Assumption 2 – from City of Pasadena: The curbside recycling programs do not satisfy the requirement for convenience zones:**

**CalRecycle Response:** This is correct. Curbside recycling programs do not meet the requirements for serving convenience zones because they are not certified recycling centers and do not redeem empty CRV containers. This is found in **PRC 14571 (a)** "Except as otherwise provided in this chapter, there shall be at least one certified recycling center or location within every convenience zone that accepts and pays the refund value, if any, at one location for all types of empty beverage containers and is open for business during at least 30 hours per week with a minimum of five hours of operation occurring during periods other than from Monday to Friday, from 9:00 a.m. to 5:00 p.m."

Here is the location where you can find the Beverage Container and Litter Reduction Act: <http://www.calrecycle.ca.gov/Publications/Documents/1478/20131478.pdf>

Sincerely,

A handwritten signature in black ink, appearing to read "Walt Simmons", with a horizontal line underneath.

Walt Simmons, Supervisor  
Convenience Zone Unit





November 26, 2014

Honorable Mayor Bill Bogaard  
Pasadena City Council  
100 N. Garfield Ave.  
Pasadena, CA 91109

**RE: CRV recycling policy in the City of Pasadena**

Dear Mayor Bogaard:

On behalf of the California Grocers Association, and its member companies, I write to express significant concern with the proposed zoning code amendments to modify the standards for the "Recycling Facility" land use classification. It is my understanding that the council will be making a decision regarding the placement of existing CRV recycling facilities in Pasadena at a council meeting in mid-December. Relocating recycling facilities entirely inside grocery stores would pose a significant health risk to your residents who shop at affected locations. We respectfully ask that you take into consideration our industry's operational concerns and instead consider other recommendations that do not involve moving recycling facilities inside grocery stores.

The California Grocers Association is a non-profit, statewide trade association representing the retail food industry since 1898. CGA represents approximately 500 retail member companies, many of which do business in Los Angeles. Collectively our members operate more than 6,000 retail food stores in California. Those outlets represent the breadth of diversity of California's retail food industry and include traditional supermarkets, convenience stores, wholesale merchandisers, and independent supermarkets. Many of CGA's member companies proudly serve the City of Pasadena, its residents, and visitors to the community.

In 2013, the City Council adopted a moratorium on the expansion or replacement of existing recycling facilities, or establishment of new facilities. Most recently we have become aware that the City Council is now considering making another policy decision restricting recycling facilities which could have potential negative impacts to retailers – requiring recycling facilities to either be:

1. located entirely indoors; or
2. moved a minimum of 30-feet from any public street or alley and a minimum of 15 feet from any property line. It is anticipated that an increased distance would ameliorate potential noise impacts with the added benefit of reducing potential aesthetic impacts. The minimum distances could be increased on a case-by-case review of specific projects.

California state law has defined a convenience zone (CZ) as a one-half mile radius around every grocery store. Every CZ is required to have a certified CRV redemption recycling within its boundaries. If a CZ is "unserved," meaning there is no CRV recycling center within the CZ, the grocery store creating the CZ and retailers selling CRV products within the CZ are required to pay \$100 per day to the state as a penalty, which equals \$36,500 a year. For our member companies, that is a significant cost burden that must be passed on to consumers through reductions in service and/or higher prices for items. Local restrictions that limit a grocery store's ability to be served by a CRV recycling center can have devastating impacts.

The other option for grocery stores trying to comply with state law when a CZ is unserved is for those stores to redeem cans and bottles inside the store. This option would undoubtedly create significant public health concerns. There would be operational challenges faced by stores when customers bring used containers into licensed food facilities – containers that may have been contaminated with any number of communicable germs from contact with humans, house pets, rodents, and/or insects.

For consumers, moving CRV recycling centers inside grocery stores means they would be forced to shop for their bread, produce, dairy and other items side by side with people who are carrying bags of recyclables – again, dirty containers that have come into contact with a number of contaminants, have foul odor, and are leaking onto the floor. Your residents deserve a clean and safe environment that is free of contamination to buy food for their families. As cited on the January 8<sup>th</sup>, 2014 Staff Report (Attachment C) to the Planning Commission, locating a recycling facility inside a grocery store would simply bring all of the community's concerns regarding recycling facilities inside the store. Moreover, this option would go against the General Plan, which calls for any *“proposed amendment to not be detrimental to the public interest, health, safety, convenience, or general welfare of the city.”*

We respectfully ask the Pasadena City Council to take into consideration the fact that grocery stores need to retain opportunities that allow flexibility to locate CRV recycling facilities within the Convenience Zone, which include allowing operations to exist separate from permanent buildings. We welcome an opportunity to discuss with the City specific concerns raised and ways to address them without the unfortunate consequence of having recycling centers be moved inside grocery stores.

Sincerely,



LAURA PERALTA  
Director, Southern California Local Government Relations

cc: Mayor Bill Bogaard  
Members, Pasadena City Council  
Mr. Michael Beck, City Manager, City of Pasadena  
Mr. Vincent P. Bertoni, Director, Planning & Community Development, City of Pasadena  
Mr. Robert Avila, Planner, Planning & Community Development, City of Pasadena



*Culture, Commerce and Community in the Heart of Pasadena*

December 17, 2014

Honorable Mayor Bogaard & City Council Members  
City of Pasadena  
100 N Garfield Avenue  
Pasadena, California 91109

**Subject: New Standards for Recycling Facilities**

Dear Honorable Mayor Bogaard & City Council Members:

The Playhouse District Association Board of Directors has discussed and voted to support measures to place new regulations on recycling facilities which will reduce the negative impacts of the centers in Pasadena neighborhoods and in the Playhouse District.

The Playhouse District Board of Directors is supportive of the types of regulations proposed by staff which would do the following:

- Separating the recycling facilities from the public right-of-way with a distance requirement.
- Maintaining vehicular and pedestrian circulation when placing a recycling facility in the parking lot.
- Listing the owner/operators identification on the exterior of the recycling facility.
- Regulating the collection bin materials, storage, and maintenance.
- Restricting the outdoor signage for the recycling centers.
- Requiring a minimum of one refuse bin to be placed near recycling facility dedicated for trash only.
- Listing of the allowed recyclable materials and presorting requirements.
- Proper disposing and storage of liquids to insure waste fluids do not enter storm drains or gutters.
- Requiring all existing facilities to conform with the regulations of the new recycling facilities standards.

The PDA is in favor of new standards for recycling facilities. This action to clean up a use that has been mostly unregulated and has at times, created a neighborhood nuisance would increase the quality of life in the Playhouse District and other Pasadena neighborhoods.

Sincerely,

A handwritten signature in black ink, appearing to read "William Chu", with a horizontal line underneath.

William Chu  
Chair

cc: Michael Beck, City Manager  
Vince Bertoni, Planning Director  
Mark Jomsky, City Clerk