

DRAFT CONDITIONS OF APPROVAL

The applicant or successor in interest shall meet the following conditions:

General

1. **Site Plan Consistency.** The site plan, elevations, and building section drawings submitted for building permits shall substantially conform to plans submitted with this application stamped "Received at Hearing, _____, 20XX", except as modified herein.
2. **Project Description.** The project consists of [project description].
3. **Indemnification.** The permittee/owner shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Pasadena, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this approval Conditional Use Permit #_____. The City will promptly notify the permittee/owner of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
4. **Compliance with City Code Requirements.** The applicant or successor in interest shall meet all applicable code requirements of all City Departments at all times the facility is in operation.
5. **Incorporation of Decision Letter into Building Plans.** The Hearing Officer's Decision Letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process that may be required for this project.
6. **Approval of Final Plans.** Final elevations, including materials of construction, shall be submitted to and approved by the Zoning Administrator within 60 days of the effective date of this entitlement and prior to issuance of any building, construction or other development permits that may be required for this project.
7. **Inspections.** The proposed project, Activity Number **PLN20XX-XXXXX** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact the case planner, [case planner] at (626) 744-[extension] to schedule an inspection appointment time.
8. **Waste Management Plan.** The applicant or successor in interest shall comply with the requirements of the attached Waste Management Plan dated _____. The Waste Management Plan shall describe how the facilities will reduce, collect and dispose of all liquid waste generated from the use. The Waste Management Plan shall include, but not limited to, the following: 1) storage and disposal methods for solid and liquid waste materials; 2) liquid waste spill response control measures, and 3) placement of solid and liquid waste receptacles.
9. **Litter/Debris Removal Plan.** The applicant or successor in interest shall comply with the requirements of the attached Litter/Debris Removal Plan dated _____. The Litter/Debris Removal Plan shall include, but not be limited to, the following: 1)

litter/debris monitoring schedule; 2) storage and disposal methods for litter/debris; and 3) cleaning procedure (i.e. sweeping, pressure wash) and schedule. The plan must include the area within a 200 ft. radius of the recycling facility and be reviewed and approved by the Department of Public Works in order for the application to be considered complete.

10. **Discontinuance.** In the event that the use hereby permitted ceases operation for a period of 12 months or more, this approval shall be come null and void per Chapter 17.64.080 (Discontinuance).
11. **Licensing.** At all times during the conduct of the use(s) allowed by this permit, the use(s) shall maintain and keep in effect valid licensing from appropriate local, state and/or federal agencies as required by law. Should such required licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.
12. **Loitering.** The applicant or successor in interest shall adequately patrol the area within 200 feet of the facility in an effort to prevent loitering or persons about the premises during business hours.
13. **Best Management Practices.** The applicant or successor in interest shall implement Best Management Practices (BMPs) to prevent discharge of pollutants into storm drain systems.
14. **Conformance for Existing Facilities.** The applicant shall bring non-conforming facilities into compliance with this entitlement within 60-days of the approval of this entitlement.
15. **Storage.** The outside storage of recyclable materials is not allowed. All materials shall be stored within the approved collection facility and locked during non-business hours.
16. **Non-Interference.** Any activities related to the operation of the facility shall not impair traffic flow, diminish the required parking spaces, or obstruct public sidewalks, alleys, and/or other public ways.
17. **Health Hazards.** The operator of the facility is required to maintain appropriate vector-control to monitor for and minimize any rodent or vermin infestation.
18. **Noise.** The facility shall comply with the noise standards outlined in Chapter 9.36 of the Pasadena Municipal Code.

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19. **Hours of Operation.** Operating hours for the recycling facility shall be limited to Monday through Saturday from 9:00 am – 4:00 pm. At least one employee shall be present at the facility during its hours of operation.
20. **Change Out of Storage Containers.** Change out of storage containers shall only occur within the approved hours of operation.
21. **Business License.** The applicant or successor in interest shall obtain a business license for the establishment and operation of the recycling facility.
22. **Property Maintenance.** The facility and its surrounding area within 200 feet of the facility shall be maintained and left in a clean and sanitary condition free of litter and other

undesirable materials on a daily basis. All graffiti shall be removed within 48 hours. In addition, the grounds must be kept free of spills and/or patches of water or liquid waste.

23. **Accepted Materials.** The facility shall accept California Redemption Value (CRV) materials only, which are limited to glass, aluminum cans, and/or plastic containers. The facility shall not accept non-CRV materials including, but not limited to, miscellaneous paper stock, used clothing and furniture, or hazardous household or business waste.
24. **Materials Handling.** All compacting, flattening, grinding, crushing, and/or glass breaking activities shall occur within the trailer or vestibule in compliance with all applicable health and safety laws.
25. **Prohibited Materials.** The use of chain-link fencing or razor wire in the design of a facility or related support facilities is prohibited.
26. **Screening Plan.** The facility shall be screened as indicated on the plans submitted with this application stamped "Received at Hearing, _____, 20XX", except as modified herein. The site shall be maintained in accordance with the approved plan at all times the facility is in existence.
27. **Signs.** The signs on the façade of the facility and containers shall substantially conform to plans submitted with this application stamped "Received at Hearing, _____, 20XX", except as modified herein.
28. **Technical Analysis.** The Planning & Community Development Director may require the applicant to provide an authorization to permit the City to hire an independent, qualified consultant to evaluate any technical aspect of the proposed use, including but not limited to issues involving noise and odors. Any authorization for this purpose shall include an agreement by the applicant to reimburse the City for all reasonable costs associated with the consultation. Any proprietary information disclosed to the City or the consultant is deemed not to be a public record, and shall remain confidential and not to be disclosed to any third party without the express consent of the applicant, unless otherwise required by law.
29. **Noncompliance.** Failure to comply with any condition of approval imposed as a condition of this approval may result in revocation of this entitlement subject to procedures outlined in Chapter 17.78.090 (Permit Revocation or Modification).

ATTACHMENT B 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 C
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.