CITY COUNCIL AGENDA REPORT

MEETING DATE: DECEMBER 7, 2010 ITEM NUMBER:

SUBJECT: REQUEST FOR COUNCIL AUTHORIZATION OF ZONING CODE AMENDMENT FOR RECYCLING AND COLLECTION FACILITIES

DATE: NOVEMBER 17, 2010

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: KIMBERLY BRANDT, AICP, DIRECTOR

FOR FURTHER INFORMATION CONTACT: KIMBERLY BRANDT, 714 754 5270
kbrandt@ci.costa-mesa.ca.us

RECOMMENDATION:

Pursuant to Planning Commission's recommendation, direct staff to initiate a Zoning Code amendment to modify existing regulations of recycling and collection facilities.

BACKGROUND:

Request to Initiate Code Amendment

The request was originally initiated by Commissioner Steve Mensinger for City Council authorization of a Zoning Code amendment to:

- Further define "recycling and collection facilities for nonhazardous materials" and associated review permitting requirements and
- Promote reverse vending collection and other types of best available technologies.

On November 12, 2010, Planning Commission directed staff to seek Council authorization of the Code amendment.

ANALYSIS:

Existing Zoning Code Provisions

The Zoning Code currently defines "recycling and collection facilities" as follows:

> **"Recycling and collection facility.** A building or enclosed space used for the collection and processing of recyclable materials for preparation for shipment, or to an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning or remanufacturing."

Since the incorporation of this term in the Zoning Code more than 20 years ago, there is new technology available for collecting materials, especially plastic, aluminum cans, and glass with California Redemption Value. It may be appropriate to include additional definitions in the Zoning Code to recognize best available technology, such as "Reverse Vending Collection".

Additionally, the Zoning Code requires approval of a minor conditional use permit for "recycling and collection facilities for nonhazardous materials" in the following zones (see Attachment 1-Land Use Matrix).

- C1 (Local Business District)
- C2 (General Business District)
- C1-S (Shopping Center)
- MG (General Manufacturing)
- MP (Industrial Park)
- PDI and PDC (Planned Development)

Purpose of Code Amendment

As part of this Zoning Code amendment study, the City may consider a more stringent review process, such as requiring a conditional use permit for these facilities and perhaps further restricting which zoning districts the facilities can locate in.

Additionally, other specific types of recycling facilities can be identified in the City's land use matrix, e.g., "reverse vending collection", with perhaps a less stringent level of review than "recycling and collection facilities for nonhazardous materials".

In summary, a Zoning Code amendment may accomplish the following:

- Create new definitions that make distinctions between the various types of recycling facilities: a small-scale neighborhood recycling facility, a large-scale recycling/collection center, and a reverse vending collection facility.

- Prohibit or require a Conditional Use Permit for large-scale recycling and collection facilities in certain zones, with the Planning Commission as the review authority

- Require a Minor Conditional Use Permit for small-scale recycling and collection facilities or reverse vending machine facilities in certain zones, with the Zoning Administrator as the review authority.

Please note that the suggestions listed above are not intended to be exhaustive.

CONCLUSION:

Should Council authorize staff to initiate this code amendment for recycling and collection facilities, staff will conduct additional research for review and consideration by both the Planning Commission and City Council.

Kimberly Brandt

KIMBERLY BRANDT, AICP
Development Services Director

Attachment: Costa Mesa Zoning Code-Land Use Matrix excerpt

cc: City Manager
Assistant City Manager
City Attorney
City Clerk
Public Services Director
Transportation Svs. Manager
Chief of Code Enforcement
Staff (4)
File (2)

File: 120710RecyclingZoningCode	Date: 111910	Time: 11:00 a.m.

ATTACHMENT 1

TABLE 13-30
CITY OF COSTA MESA LAND USE MATRIX

LAND USES	ZONES																				
	R1	R2MD	R2HD	R3	AP	CL	C1	C2	C1S[1]	TC[1]	MG	MP	PDRLD[1]	PDRMD[1]	PDRHD[1]	PDRNCM[1]	PDC[1]	PDI[1]	I&R[1]	I&RS[1]	P
116. Off-street parking lots and structures, incidental uses within	•	•	•	•	MC	MC	MC	MC	MC	MC	MC	MC	•	•	•	MC	MC	MC	MC	MC	MC
117. Oil fields; Oil wells (see CHAPTER XIV, OIL DRILLING)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
118. Pawn shops	•	•	•	•	•	C	C	C	C	•	•	•	•	•	•	•	•	•	•	•	•
119. Photocopying; Blueprinting and related services	•	•	•	•	•	P	P	P	P	P	P	P	•	•	•	•	P	P	•	•	•
120. Photofinishing laboratories	•	•	•	•	•	•	•	•	•	•	P	P	•	•	•	•	•	P	•	•	•
121. Photofinishing stores	•	•	•	•	•	P	P	P	P	P	•	•	•	•	•	•	P	P	•	•	•
122. Photography: Commercial	•	•	•	•	P	P	P	P	P	P	MC	MC	•	•	•	•	P	MC	•	•	•
123. Photography: Portrait studio	•	•	•	•	P	P	P	P	P	P	•	•	•	•	•	•	P	MC	•	•	•
124. Physical fitness facilities	•	•	•	•	•	•	C	C	C	C	C	C	•	•	•	•	C	C	•	•	•
125. Printing and publishing	•	•	•	•	•	•	MC	P	MC	MC	P	P	•	•	•	•	P	P	•	•	•
126. Recording studios	•	•	•	•	•	•	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	•	•	•
127. Recycling and collection facilities for nonhazardous materials	•	•	•	•	•	MC	MC	MC	MC	•	MC	MC	•	•	•	•	MC	MC	MC	MC	•
128. Research and development laboratories	•	•	•	•	C	C	C	P	C	C	P	P	•	•	•	•	•	P	•	•	•

1. Uses proposed in this zone are subject to verification of consistency with the adopted master plan. Uses not specified in the master plan, could be allowed, subject to the review process indicated in this matrix, if the proposed use is determined to be compatible with the adopted master plan.
2. This use is subject to the requirements of the referenced Municipal Code article or section.
3. If residential uses exist, accessory uses shall be permitted.
4. For the purposes of this table, the symbols in the non-shaded areas shall have the following meaning: C - Conditional Use Permit; MC - Minor Conditional Use Permit; P - Permitted; • - Prohibited