



# City of Rialto

## Legislation Text

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For the Planning Commission Meeting of December 9, 2020

TO: Honorable Chairman and Planning Commissioners

APPROVAL: Karen Peterson, Acting Community Development Director

FROM: Daniel Rosas, Associate Planner

**Conditional Development Permit No. 2020-0021 & Precise Plan of Design No. 2020-0031:** A request to establish a small collection recycling facility within the parking lot area of an existing retail center located at 151 West Base Line Road (APN: 0127-311-19) within the Community Shopping Center (C-1A) zone. The proposed project qualifies as a Class 3 Exemption (Environmental Assessment Review No. 2020-0025) pursuant to the California Environmental Quality Act (CEQA).

**APPLICANT:**

Sunset Recycling, 13523 Gilmore Street, Van Nuys, CA 91401.

**LOCATION:**

The project site consists of one (1) parcel of land (APN: 0127-311-19) located at 151 West Base Line Road [refer to the attached Location Map (**Exhibit A**)].

**BACKGROUND:**

*General Plan Designations*

<b><i>Location</i></b>	<b><i>General Plan Designation</i></b>
Site	Community Commercial
North	Community Commercial
East	Community Commercial
South	Residential 6
West	Community Commercial / Residential 21

*Zoning and Land Use*

<b>Location</b>	<b>Zoning</b>	<b>Existing Land Use</b>
Site	Community Shopping Center (C-1A)	In-line retail and drive-thru fast food near intersection
North	Community Shopping Center (C-1A)	In-line retail with free-standing drive-thru pads along street frontage
East	Community Shopping Center (C-1A)	fast food restaurant pads
South	Single-Family Residential (R-1B)	Single-family neighborhood
West	Community Shopping Center (C-1A) & Multi-Family Residential (R-3)	Commercial retail & Apartments

### *Site Characteristics*

The project site is a 9.1-acre commercial shopping center bounded on the north by Base Line Road and to the east by Riverside Avenue. To the north of the site, across Base Line Road, is an existing retail shopping center. To the east of the project site, across Riverside Avenue, is a free-standing fast-food restaurant and a drive-thru fast-food restaurant. To the south is an existing single-family neighborhood. To the west is partially a continuation of retail and partially multi-family apartment development.

### *Entitlement Requirements*

Pursuant to Chapter 18.108.030B - Regulations of Recycling Facilities, the operation of a small collection recycling facility within the C-1A zone requires a Conditional Development Permit, and the applicant has applied for a Conditional Development Permit ("CDP No. 2020-0021").

Additionally, pursuant Chapter to 18.65.010, the installation of a small collection recycling facility requires a Precise Plan of Design approval, and the applicant has also applied for a Precise Plan of Design ("PPD No. 2020-0031").

## **ANALYSIS/DISCUSSION:**

### *Project Proposal & Site Design*

The applicant, Mr. Artashes Balyan, proposes to establish a small collection recycling facility to be known as Sunset Recycling (Sunset).

Small collection facilities are defined by the Rialto Municipal Code as facilities "which occupy an area of not more than 500 square feet and may include Kiosk type units."

According to the applicant's site plan (**Exhibit B**), the project will be a 493-square foot facility consisting of a 17-foot by 8-foot customer kiosk with two 21-foot by 8-foot material containers located approximately 76 feet west of Riverside Avenue right-of-way in the northeast corner of the shopping center.

### *Operations*

The facility will operate Monday through Sunday from 8:00 a.m. to 5:00 p.m. and include the following activities:

- Collection of California Redemption Value (CRV) aluminum cans, plastic and glass bottles. The collected materials are weighed on a scale and purchased from the public by the pound in accordance with the State and County weights and Measures regulations;
- Storage of collected materials within two roll-off material containers (approximately 8 feet wide by 8 feet tall by 21 feet long); and,
- Shipping of collected materials during operating hours to a processing facility, as needed.

The applicant currently operates several recycling facility locations in the region and is experienced in the management of these types of facilities.

The proposed Rialto location will require State approval as a Certified Recycling Center. A condition of approval has been included in the resolution requiring the operator to provide evidence of all necessary permits and certificates to operate as a recycling facility prior to the start of operations.

#### *Land Use Compatibility & Zoning Consistency*

The project and the surrounding properties to the north, east and partially west are located within the General Plan land use designation of Community Commercial (CC). This land use designation provides for retail, office, and service-oriented business activities that serve the local community.

The project is consistent with the Community Shopping Center (C-1A) zone and the surrounding land uses and Section 18.108 of the Rialto Municipal Code (Recycling Facilities), the proposed project is consistent with all requirements as shown in the comparison table below:

<b>Criteria</b>	<b>Requirement</b>	<b>Provided</b>	<b>Meets Code</b>
Site size	<u>2 acre</u> min.	9+ acre	Yes
Facility size	500 <u>sq.ft.</u> max.	493 <u>sq.ft.</u>	Yes
Distance from residential zone	50 ft. min.	400+ ft.	Yes
Distance from street right-of-way	50 ft. min.	76+ ft	Yes
Storage screening	enclosed building or 6-foot high wall	enclosed building	Yes

In addition, the following operational conditions are recommended to ensure the recycling facility

operates in a safe and clean manner and are included in the draft resolution of approval:

- The collection of materials shall be limited to glass, aluminum, plastic containers, papers and reusable household items
- The operator shall display a notice stating that after-hours donation of recyclable materials is prohibited.
- The operator shall maintain the facility free of litter and any other undesirable materials and cleaned of loose debris on a daily basis.
- Installation of surveillance and alarm systems required.
- Pursuant to business and profession codes recyclable items brought to the subject location in a shopping cart or laundry cart shall not be accepted.
- The operator shall display a sign for the facility to include the name and phone number of the facility operator and hours of operation.
- The use of power-driven processing equipment outside of the enclosed building is prohibited.
- All drive aisles shall be kept clear of free of obstruction at all times.
- The operator shall provide a quarterly report to the director of public works identifying the type and amount of materials recycled by the facility during the quarter which will assist the city in determining the amount of solid waste diverted from its waste stream as required by the California Integrated Waste Management Act of 1989 (AB 939)

With the successful implementation of the recommended conditions of approval, the project is not anticipated to have a negative impact. There are no sensitive land uses near the project site and the anticipated amount traffic or noise generated by the project will be consistent with the surrounding businesses. The project is anticipated to be a benefit to the community as a convenient recycling service for the surrounding area filling a void at this intersection left by the bankruptcy and closure of Replanet.

### **GENERAL PLAN CONSISTENCY:**

The project is consistent with the following goals of the Land Use Element and Economic Development Element of the Rialto General Plan:

**Goal 2-34:** Achieve waste recycling levels that meet or exceed State mandates. Achieve maximum waste recycling in all sectors of the community: residential, commercial, industrial, institutional, and construction

**Goal 3-1:** Strengthen and diversify the economic base and employment opportunities and maintain a positive business climate.

### **ENVIRONMENTAL IMPACT:**

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303, New Construction or Conversion of Small Structures. Class 3 allows for the exemption for the construction and location of small facility structures. The project proposes to install and occupy a 493-square foot collection facility within an existing parking lot area. A Notice of Exemption form is attached to agenda report (**Exhibit C**).

**PUBLIC NOTICE:**

The City mailed public hearing notices for the proposed project to all property owners within 1,000 feet of the project site published the public hearing notice in the *San Bernardino Sun* newspaper, and posted the public hearing notices on the property and in three other locations as required by State law.

**RECOMMENDATION:**

It is recommended that the Planning Commission:

- Adopt the attached Resolution (**Exhibit D**) to approve Conditional Development Permit No. 2020-0021 and Precise Plan of Design 20-0031 to allow the development of a small collection recycling facility, subject to the findings and conditions therein.