



# City of Rialto

## Legislation Details (With Text)

<b>File #:</b>	PC-19-822	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Agenda Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	8/2/2019	<b>In control:</b>		Planning Commission	
<b>On agenda:</b>	8/14/2019	<b>Final action:</b>			
<b>Title:</b>	Conditional Development Permit No. 2019-0017: A request to allow the operation of a tire recycling processing facility within an existing 19,200 square foot industrial building located at 1450 N. Fitzgerald Avenue (APN: 0264-212-29) within the Employment (EMP) zone of the Renaissance Specific Plan. This project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Exhibit A - Location Map.pdf, 2. Exhibit B - Site Plan.pdf, 3. Exhibit C - Notice of Exemption.pdf, 4. Exhibit D - Draft Resolution for CDP No. 2019-0017.pdf, 5. Exhibit E - Project Statement from the Applicant.pdf				

Date	Ver.	Action By	Action	Result
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For the Planning Commission Meeting of August 14, 2019

TO: Honorable Chairman and Planning Commissioners  
APPROVAL: Robb Steel, Assistant CA / Director of Development Services  
FROM: Daniel Casey, Senior Planner

**Conditional Development Permit No. 2019-0017:** A request to allow the operation of a tire recycling processing facility within an existing 19,200 square foot industrial building located at 1450 N. Fitzgerald Avenue (APN: 0264-212-29) within the Employment (EMP) zone of the Renaissance Specific Plan. This project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

### **APPLICANT:**

Titan Tire Recycling, Inc., 8585 Banana Avenue, Fontana, CA 92335.

### **LOCATION:**

The project site consists of one (1) parcel of land (APNs: 0264-212-29) located at 1450 N. Fitzgerald Avenue (Refer to the attached Location Map (**Exhibit A**)).

### **BACKGROUND:**

#### *Surrounding General Plan Land Use Designations*

<b>Location</b>	<b>General Plan Designation</b>
Site	Specific Plan with a Specific Plan Overlay (Renaissance SP)
North	Specific Plan with a Specific Plan Overlay (Renaissance SP)
East	Specific Plan with a Specific Plan Overlay (Renaissance SP)
South	Specific Plan with a Specific Plan Overlay (Renaissance SP)
West	Specific Plan with a Specific Plan Overlay (Renaissance SP)

### *Surrounding Zoning Designations*

<b>Location</b>	<b>Zoning</b>
Site	Employment (EMP)
North	Employment (EMP)
East	Employment (EMP)
South	School (S)
West	Low Density Residential (LDR)

### *Site Characteristics*

The project site is mostly rectangular in shape and 2.83 acres in size. Developed in 1981, the project site contains an existing 19,200 square foot metal industrial building, paving, perimeter fencing, and landscaping along the frontage of the property (**Exhibit B**). Previous users of the site include paving contractors and traffic striping contractors.

### *Surrounding Area*

The project site is bound by Fitzgerald Avenue on the east. To the north of the project site is an approximately 3.08 acre vacant parcel of land, and to the east, across Fitzgerald Avenue, are several industrial buildings, including a newly constructed 20,938 square foot concrete tilt-up industrial building. To the south is an approximately 4.87 acre vacant parcel of land, and to the west is an approximately 3.92 acre vacant parcel of land.

## **ANALYSIS/DISCUSSION:**

### *Project Proposal*

Titan Tire Recycling, Inc., the applicant, proposes to operate a tire recycling processing facility within the existing 19,200 square metal industrial building located at 1450 N. Fitzgerald Avenue. The applicant currently operates the business at 8585 Banana Avenue in Fontana, CA and proposes to relocate the business to Rialto on a larger site with a larger building than currently possessed.

### *Entitlement Requirements*

Per Table 3-2 (General Permitted Uses) of the Renaissance Specific Plan, the operation of a recycling facility of any kind within the Employment (EMP) zone of the Renaissance Specific Plan is subject to the approval of a Conditional Development Permit by the Planning Commission. The applicant complied with this requirement and filed a Conditional Development Permit application on July 11, 2019.

### *Operations*

The applicant proposes to operate the business from 5:00 a.m. to 4:00 p.m., Monday through Friday, and will employ approximately thirty (30) people to facilitate the operation. The applicant's operation will include the collection of used tires, the processing of used tires, and the export of scrap tire material. All collection of tires will occur off-site at various customer locations throughout the region. The applicant will dispatch five (5) box vans throughout the day to collect tires and return them to the project site. Upon arrival to the project site, the box vans will back up into the building, whereby staff will begin to unload the tires directly inside the building. The tire recycling process begins by loading tires onto a conveyor belt that feeds the tires into a series of grinding machines that gradually grind down the tires into small bits of rubber that are then carried by conveyor belt and unloaded into containers for export by the applicant's nine (9) tractor-trailers. All recycling processing will occur within the building.

### *Noise*

The Planning Division visited the applicant's current location at 11:00 a.m. on August 1, 2019 to observe the operation and the noise generated by it. Using a decibel meter, staff observed that the operation of the grinding machines produces noise levels up to 80 decibels inside the building. Measurements taken 50 feet outside of the building rendered consistent noise levels of 60-65 decibels.

The vacant land immediately to the west of the project site contains a zoning designation of Low Density Residential (LDR), which permits the construction of single-family residences. For comparison, the building on the project site is setback approximately 55 feet from the westerly property line. In an unmitigated scenario, the operation of the tire recycling processing facility will likely generate noise levels of 60-65 decibels on what may potentially be the rear yards of future residences. According to Exhibit 5.5 (Rialto Noise Guidelines for Land Use Planning), noise levels of 60-65 decibels that occur on properties designated for residential land use are considered conditionally acceptable.

### *Conditions of Approval*

To ensure the reduction of noise levels to acceptable levels, the Planning Division recommends the following conditions of approval for the project:

1. The applicant shall conduct all processing operations within the enclosed building at all times.
2. That applicant shall install and operate all processing equipment on the east end of the building to furthest extent possible. The west side of the building shall only be utilized for the storage/staging of tires to be processed.
3. The applicant shall ensure that all doors remain closed while any machine-driven processing occurs inside the building.
4. The applicant shall not conduct any loading or unloading operations on the west side of the building at any time.
5. The applicant shall allow the installation of a solid masonry wall for noise attenuation purposes along the entire length of the western property line by any future development that occurs on the land immediately to the west of the project site.
6. The applicant shall operate in compliance with Chapter 5 (Safety and Noise) of the General

Plan, Exhibit 5.5 (Rialto Noise Guidelines for Land Use Planning) of the General Plan, Chapter 9.50 (Noise Control) of the Rialto Municipal Code, and Title 24 of the California Health and Safety Code at all times. The applicant shall be responsible, at their sole expense, for the implementation of any future sound-proofing measures necessary to ensure total compliance with the applicable noise sections listed herein.

#### *Land Use Compatibility*

As part of the Renaissance Specific Plan, the project site was developed to accommodate various industrial uses, and maintains an industrial zoning designation which allows for the operation of similar noise generating industrial uses by right. The implementation of the recommended conditions of approval will ensure compatibility with the surrounding area, while the Conditional Development Permit will provide an enforcement mechanism that might not otherwise be available with any other use that is permitted by right.

### **GENERAL PLAN CONSISTENCY:**

The project is consistent with the following goals of the Land Use Element and the 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.

**Goal 3-10:** Minimize the volume of solid waste that enters local and regional landfills.

### **ENVIRONMENTAL IMPACT:**

#### *California Environmental Quality Act*

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities. Class 1 allows for the exemption of a project consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures involving negligible or no expansion of use beyond the existing at the time of the lead agency's determination. The project involves the interior use of an existing building with no expansion, thereby qualifying the project for a Class 1 exemption.

Furthermore, the project (i) by virtue of the location of affected improvements, will not impact a sensitive environmental resource of hazardous or critical concern; (ii) will not have a cumulative impact on the environment through successive projects of the same type, in the same place, over time; (iii) does not have any unusual circumstances that will have a significant effect on the environment; (iv) does not impact a scenic highway; (v) is not located on a hazardous waste site; and (vi) will not adversely impact a historical resource. Accordingly, none of the exceptions to categorical exemptions set forth in the CEQA Guidelines, Section 15300.2, apply to this project.

A completed Notice of Exemption form is attached to agenda report (**Exhibit C**).

### **PUBLIC NOTICE:**

The City mailed a public hearing notice for the proposed project to all property owners within 300 feet of the project site and published the public hearing notice in the *San Bernardino Sun* newspaper as required by State law.

**RECOMMENDATION:**

The Planning Division recommends that the Planning Commission:

- Adopt the attached Resolution (**Exhibit D**) to approve Conditional Development Permit No. 2019-0017 allowing the operation of a tire recycling processing facility within an existing 19,200 square foot industrial building located at 1450 N. Fitzgerald Avenue, subject to the findings and conditions therein.

Attachments:

Exhibit A - Location Map

Exhibit B - Site Plan

Exhibit C - Notice of Exemption

Exhibit D - Draft Resolution for Conditional Development Permit No. 2019-0017

Exhibit E - Project Statement from the Applicant