

ORDINANCE NO. 2233

AN INTERIM URGENCY ORDINANCE TO AMEND TITLE 19 OF THE
CHULA VISTA MUNICIPAL CODE TO ACCOMMODATE THE REQUIREMENTS
FOR PROVIDING RECYCLING FACILITIES MANDATED BY AB 2020
(THE BOTTLE BILL)

WHEREAS, in order to comply with new state law, it is necessary for
the City of Chula Vista to adopt this ordinance.

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Section 19.58.340 is hereby added to the Chula
Vista Municipal Code to read as follows:

19.58.340 Recycling collection centers.

Recycling collection centers may be permitted within any commercial
or industrial zone which is also located within a convenience zone identified
by the State of California Department of Resources, under the provisions of
the California Beverage Container Recycling and Litter Reduction Act of
1986. Establishment of such centers shall comply with the following:

1. Reverse vending machines with a combined area of no more than
150 square feet and a height of no more than 8 feet total may
be permitted as an accessory use subject to site plan approval
by the Planning Department.
2. Reverse vending machines which exceed the requirements outlined
in 1 above, collection bins, mobile recycling units, and other
small collection facilities occupying an area of no more than
300 square feet may be permitted as an accessory use subject to
approval of a conditional use permit granted by the Zoning
Administrator.
3. Recycling collection centers with a combined area of over 300
square feet may be permitted as an accessory or primary use
subject to the approval of a conditional use permit granted by
the Planning Commission, and with approval of an application
for site plan and architectural review by the Design Review
Committee.
4. The premises of all recycling collection centers shall be kept
free of all litter and debris, and all recyclable articles
removed prior to any storage container reaching capacity.
Approval of a site plan or conditional use permit may be
revoked by the permitting authority upon presentation of
evidence that a recycling collection center is not maintained
in a safe and sanitary manner.

SECTION II: That Section 19.34.030 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.34.030 Conditional uses.

The following uses shall be permitted in the C-N zone, provided a conditional use permit is issued in accordance with the provisions of Section 19.14.060:

- A. Automobile service stations, in accordance with the provisions of Section 19.58.280;
- B. Sale of beer or other alcoholic beverages for consumption on the premises only where the sale is incidental to the sale of food;
- C. Electrical substations and gas regulator stations, subject to the provisions of Section 19.58.140;
- D. Unclassified uses, see Chapter 19.54;
- E. Roof-mounted satellite dishes subject to the standards set forth in Section 19.30.040.
- F. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION III: That Section 19.32.030 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.32.030 Conditional uses.

Conditional uses in the C-B zone include:

- A. Automobile rental agencies;
 - . Electrical substations and gas regulator stations, subject to the provisions of Section 19.58.140;
- C. Social and fraternal organizations, subject to the provisions of Section 19.58.100;
- D. Theaters;
- E. Bowling alley, dance hall, roller skating rink and plant nurseries, subject to the provisions of Section 19.58.040;
- F. Furniture upholstering shops;
- G. R-3 residential use above the ground floor as regulated in the R-3 zoning district, provided that R-3 yard requirements may be modified where appropriate;
- H. Building height in excess of three and one-half stories when adjacent to any R or C-O zone;
- I. Knitting and weaving shops;
- J. Unclassified uses, see Chapter 19.54;
- K. Automobile service stations, subject to the provisions of Section 19.58.280.
- L. Roof-mounted satellite dishes subject to the standards set forth in Section 19.30.040.
- M. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION IV: That Section 19.30.040 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.30.040 Conditional uses.

Conditional uses permitted in the C-O zone include:

- A. R-3 residential uses, as regulated therein;
- B. Public and quasi-public uses appropriate to the district, such as professional, business and technical schools of a public service type, but not including corporation yards, storage or repair yards and warehouses;
- C. Day nurseries, schools and studios for arts and crafts, photography, music, dance and art galleries, in accordance with the provisions of Section 19.58.220;
- D. Commercial parking lots and parking garages, in accordance with the provisions of Sections 19.62.010 through 19.62.130;
- E. Radio and television broadcasting, excluding towers;
- F. Restaurants;
- G. Electric substations and gas regulators, subject to the provisions of Section 19.58.140;
- H. Plant nurseries and the sale of related hardware items; provided, they are clearly incidental and secondary to the plant nursery. Plant nurseries shall be allowed only on the peripheral areas of the C-O zone, so as not to disrupt the continuity of the professional and administrative office land uses;
- I. Unclassified uses, see Chapter 19.54.
- J. Roof-mounted satellite dishes subject to the following standards or conditions:
 - 1. These dishes shall be screened, using appropriate matching architectural materials or parapet walls.
 - 2. Dishes shall be of a neutral color, match the building or as otherwise approved by the City.
 - 3. A building permit shall be required.
 - 4. No advertising material shall be allowed on the satellite dish antenna. Satellite dish antenna containing advertising material shall be considered a sign.
- K. Recycling collection centers, subject to the provisions of Section 19.59.340.

SECTION V: That Section 19.36.030 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.36.030 Conditional uses.

Conditional uses in the C-C zone include:

- A. Car washes, subject to the provisions of Section 19.58.060;
- B. Skating rinks, subject to the conditions of Section 19.58.040;
- C. Signs in excess of maximum as established in Section 19.36.040 of this chapter;
- D. Automobile rental and towing service;

- E. Billiard parlors;
- F. Bowling alleys, subject to the provisions of Section 19.58.040;
- G. Social and fraternal organizations (nonprofit), subject to the provisions of Section 19.58.100;
- H. Trailer rentals;
- I. Veterinarian clinic, subject to the provisions of Section 19.58.050;
- J. Unclassified uses, See Chapter 19.54;
- K. Automobile service stations, subject to the provisions of Section 19.58.280;
- L. Recycling collection centers, subject to the provisions of Section 19.58.340

SECTION VI: That Section 19.38.030 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.38.030 Conditional uses.

The following uses may be permitted in the C-V zone subject to the issuance of a conditional use permit subject to the findings set forth in Section 19.14.060:

- A. Car washes, subject to the provisions of Section 19.58.060;
- B. Automobile service stations and towing service, subject to the provisions of Section 19.58.280;
- C. Bait and tackle shops, including marine sales, supplies and rentals;
- D. Bars or night clubs;
- E. Commercial parking lots and parking garages, subject to the provisions of Sections 19.62.010 through 19.62.130;
- F. Commercial recreation facilities, subject to the conditions of Section 19.58.040, as follows:
 - 1. Bowling alley,
 - 2. Miniature golf course,
 - 3. Billiard hall,
 - 4. Skating rink;
- G. Public stables, subject to the provisions of Section 19.58.310;
- H. Artists' supply and materials stores;
- I. Clothing sales (new);
- J. Unclassified uses, See Chapter 19.54.
- K. Roof-mounted satellite dish subject to the standards set forth in Section 19.30.040.
- L. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION VII: That Section 19.40.030 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.40.030 Conditional uses.

Conditional uses in a C-T zone include:

- A. Used car lots and motorcycle sales and repair, subject to the provisions of Section 19.58.070;
- B. Trailer and equipment sales and rental establishments and towing service;

- C. Drive-in theaters, subject to the provisions of Section 19.58.120, and provided that the screen shall be so located and designed that it is not visible from adjacent thoroughfares, and said screen shall be set back not less than one hundred feet from any street or thoroughfare;
- D. Automobile service stations, garages for major and minor repairs, as defined herein, and car-washing establishments, subject to the provisions of Sections 19.58.060 and 19.58.280;
- E. Carpenter shop, electrical, plumbing or heating shops;
- F. Dancehalls, subject to the provisions of Section 19.58.040;
- G. Truck and trailer service, including major repair;
- H. Building material sales yard, not including concrete mixing;
- I. Automobile storage, contractor's equipment storage yard, or storage, sale and rental of equipment commonly used by contractors;
- J. Signs in excess of maximum, as established in Section 19.40.040;
- K. Bait and tackle shops;
- L. Commercial recreation facilities (outdoor);
- M. Upholstery shops;
- N. Automobile paint and body shops;
- O. Wholesale bakeries;
- P. Laundries, except industrial; and cleaning and dyeing plants;
- Q. Used clothing sales;
- R. Lumberyards;
- S. Radiator repair shops;
- T. Unclassified uses, see Chapter 19.54;
- U. Knitting and weaving shops;
- V. Cardrooms;
- W. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION VIII: That Section 19.48.150 is hereby added to the Chula Vista Municipal Code to read as follows:

19.48.150 Recycling collection centers.

Recycling collection centers may be permitted within commercial or industrial areas, subject to the provisions of Section 19.58.340.

SECTION IX: That Section 19.42.040 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.42.040 Conditional uses.

Conditional uses permitted in an I-R zone include:

- A. Retail commercial uses necessary to serve the I-R zone;
- B. Manufacture of pharmaceuticals, drugs and the like;
- C. Building height in excess of three and one-half stories or forty-five feet;
- D. Unclassified uses, as set forth in Chapter 19.54.
- E. Roof-mounted satellite dishes subject to the standards set forth in Section 19.30.040.
- F. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION X: That Section 19.44.040 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.44.040 Conditional uses.

Conditional uses permitted in an I-L zone include:

- A. Machine shop and sheet metal shop;
- B. Service stations, subject to the conditions in Section 19.58.280;
- C. Steel fabrication;
- D. Restaurants, delicatessens and similar uses;
- E. Drive-in theaters, subject to the conditions of Section 19.58.120;
- F. Major auto repair, engine rebuilding and paint shops;
- G. Commercial parking lots and garages;
- H. Plastic and other synthetics manufacturing;
- I. Building heights exceeding three and one-half stories or forty-five feet;
- J. Unclassified uses as set forth in Chapter 19.54;
- K. Trucking yards, terminals and distributing operations;
- L. The retail sale of such bulky items as furniture, carpets and other similar items;
- M. Retail distribution centers and manufacturers' outlets which require extensive floor areas for the storage and display of merchandise, and the high-volume, warehouse-type sale of goods and, retail uses which are related to and supportive of existing, on-site retail distribution centers of manufacturers' outlets. Conditional use permit applications for the establishment of retail commercial uses, covered by the provisions of this subsection, shall be considered by the city council subsequent to its receipt of recommendations thereon from the planning commission.
- . Roof-mounted satellite dishes subject to the standards set forth in Section 19.30.040.
- O. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION XI: That Section 19.46.040 of the Chula Vista Municipal Code is hereby amended to read as follows:

19.46.040 Conditional uses.

Conditional uses in an I district include:

- A. Motels;
- B. Restaurants;
- C. Service stations, subject to the provisions of Sections 19.58.280;
- D. The retail sale of such bulky items as furniture, carpets and other similar items;
- E. Retail distribution centers and manufacturers' outlets which require extensive floor areas for the storage and display of merchandise, and the high-volume, warehouse-type sale of goods and, retail uses which are related to, and supportive of existing, on-site retail distribution centers or manufacturers' outlets. Conditional use permit applications for the establishment of retail commercial uses, covered by the

provisions of this subsection, shall be considered by the city council subsequent to its receipt of recommendations thereon from the planning commission;

- F. The following uses covered by this subsection, shall be considered by the city council subsequent to its receipt of recommendations thereon from the planning commission:
 - 1. Brewing or distilling of liquor, or perfume manufacture,
 - 2. Meat packing,
 - 3. Large scale bleaching, cleaning and dyeing establishments,
 - 4. Railroad yards and freight stations,
 - 5. Forges and foundries,
 - 6. Automobile salvage and wrecking operations, and industrial metal and waste rag, glass or paper salvage operations; provided, that all operations are conducted within a solid screen not less than eight feet high, and that materials stored are not piled higher than said screen;
- G. Any other use which is determined by the commission to be of the same general character as the above uses;
- H. Unclassified uses, as provided in Chapter 19.54.
- I. Roof-mounted satellite dishes subject to the standards set forth in Section 19.30.040.
- J. Recycling collection centers, subject to the provisions of Section 19.58.340.

SECTION XII: That Section 19.70.017 is hereby added to the Chula Vista Municipal Code to read as follows:

19.70.017 Recycling collection centers.

Notwithstanding the provisions of the commercial and industrial use regulations specified in Sections 2300 through 2585 of the Ordinance with respect to recycling collection centers, recycling collection centers which are located within a convenience zone identified by the State of California Department of Resources, under the provisions of the California Beverage Container Recycling and Litter Reduction Act of 1986, shall comply with the following:

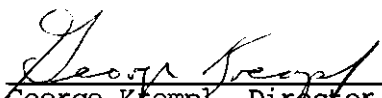
- 1. Reverse vending machines with a combined area of no more than 150 square feet and a height of no more than 8 feet total may be permitted as an accessory use subject to site plan approval by the Planning Department.
- 2. Reverse vending machines which exceed the requirements outlined above, collection bins, mobile recycling units, and other small collection facilities occupying an area of no more than 300 square feet total may be permitted as an accessory use subject to approval of a minor use permit granted by the Zoning Administrator.
- 3. Recycling collection centers with a combined area of over 300 square feet may be permitted as an accessory or a primary use subject to the approval of a major use permit granted by the Planning Commission, and with approval of an application for site plan and architectural review by the Design Review Committee.

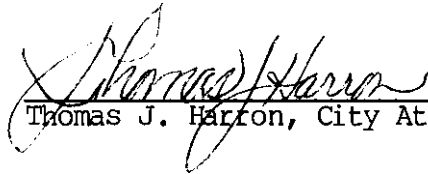
4. The premises of all recycling collection centers shall be kept free of all litter and debris, and all recyclable articles removed prior to any storage container reaching capacity. Approval of a site plan or conditional use permit may be revoked by the permitting authority upon presentation of evidence that a recycling collection center is not maintained in a safe and sanitary manner.

SECTION XIII: This ordinance shall be effective from October 13, 1987 upon its first reading and adoption if passed by at least four (4) affirmative votes of the City Council as an interim ordinance and an emergency measure for a period of 90 days and shall be brought back for consideration as a permanent ordinance at the end of the 90-day period.

Presented by

Approved as to form by


George Krempf, Director of
Planning


Thomas J. Harron, City Attorney

3439a

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD October 13, 19 87, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD October 13, 19 87, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : Malcolm, McCandliss, Cox, Moore, Nader
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : None

Gregory R. Cox
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of ORDINANCE NO. 2233, and that the same has not been amended or repealed.

DATED _____



City Clerk