

ORDINANCE NO. 2014-02

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF SAN JUAN BAUTISTA AMENDING CHAPTER
11-02-050 OF THE SAN JUAN BAUTISTA MUNICIPAL CODE
REGARDING PERMITTED AND CONDITIONAL USES BY ZONING
DISTRICT**

WHEREAS, the Integrated Waste Management Act requires local jurisdictions to implement regulations and programs for waste prevention, recycling and composting to achieve the diversion requirement of the Act; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) encourages cities to develop and implement regulations and programs to encourage recycling; and

WHEREAS, the City of San Juan Bautista maintains a Zoning Ordinance that provides for the orderly administration of land uses within its jurisdiction; and

WHEREAS, the permitted and conditional uses by zoning districts are designated to achieve compatibility through use of properties; and

WHEREAS, the recycling facilities, drop off is an integral part of the objective of the CalRecycle program to promote and reuse materials to meet waste diversion goals; and

WHEREAS, the City has established recycling drop off facilities to be conducted in industrial zoning districts which limits access and availability of residents to promote recycling; and

WHEREAS, the City Council acknowledges that the City's Zoning Code needs to be revised to allow recycling drop off facilities as permitted uses within commercial and mixed use districts and designates recycling process facilities as conditional uses within Industrial districts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Section 11-02-050 of the San Juan Bautista Municipal Code is hereby amended to (1) delete from the listing of "Use (Commercial)" uses "Recycling facility, drop off," and (2) add to the listing of "Use (Commercial)" uses, at the appropriate point in the alphabetical listing therein, "Recycling facility, Processing & Storage" and "Recycling drop-off facility," and (3) add at the foot of the listing of "Use (Commercial)" uses, the reference designation "S – Site Design Review," the additions to read as set out immediately below:

| Use (Commercial) | R1 | R2 | R3 | C | MU | I | P | PF | A |
|--|-----------|-----------|-----------|----------|-----------|----------|----------|-----------|----------|
| Recycling facility, Processing & storage | | | | | | PS | | | |
| Recycling drop-off facility | | | | PS | PS | P | | | |

P – Permitted Use, C – Conditional Use, S – Site Design Review

SECTION 2. Severability. This ordinance is hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the part declared unconstitutional or invalid.

SECTION 3. Effective Date. This ordinance shall go into effect thirty (30) days after the date of its adoption.

THE FOREGOING ORDINANCE was first read at a meeting of the San Juan Bautista City Council on the 15th day of July, 2014, and was adopted at a regular meeting of the San Juan Bautista City Council on the 19th day of August, 2014, by the following vote:

AYES: Moore, Cosio, Lund, Edge, Boch

NOES: None

ABSENT: None

ABSTAIN: None

Andy Moore, Mayor

ATTEST:

Linda G. McIntyre, City Clerk