



AGENDA REPORT

Department: Planning
Prepared by: Sophia Depew, Assistant Planner
Meeting Date: Tuesday, December 2, 2025
Approved by: Alejandro Hernandez, Interim City Manager

SUBJECT:

Public Hearing – Appeal of a Planning Commission Denial of a Conditional Use Permit for a Proposed Recycling Center to be Located at 1240 East Plaza Boulevard.

RECOMMENDATION:

Staff Recommended Approval of the CUP to the Planning Commission and Recommends Affirming the Appeal and Adopting the Resolution Entitled: “Resolution of the City Council of the City of National City, California, Determining that the Project is Categorical Exempt from the California Environmental Quality Act (CEQA) under Class 1 of The CEQA Guidelines Section 15301 (Existing Facilities) and Approving a Conditional Use Permit for a Recycling Center to be Located at 1240 E Plaza Boulevard.”

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

On October 20, 2025, the Planning Commission recommended denial of the CUP by the following vote:

Ayes: Armenta, Castle, Gogue, Quinones Nays: Miller, Valenzuela Absent: Sanchez

EXPLANATION:

Executive Summary

The applicant is proposing a mobile recycling center to be located behind the Smart & Final grocery store within the shopping center. The recycling center will consist of three mobile recycling containers. The business will operate from 9:00 a.m. to 5:00 p.m. Monday through Saturday. The facility proposes to recycle aluminum cans, glass, and plastic bottles.

Planning Commission Action

Planning Commission held a public hearing on October 20, 2025 and denied the request for a CUP based on the finding in the attached Planning Commission Resolution No. 2025-15. The applicant has appealed the decision of the Planning Commission and is thereby afforded the opportunity to present their appeal to the City Council. The requested action by City Council is to either uphold or reverse the decision of the Planning Commission (grant or deny the appeal request). One public comment in opposition of the project was provided at the Planning Commission Public Hearing.

Site Characteristics

The proposed recycling center is located within a large shopping center, behind the Smart & Final grocery store. The area of the facility is primarily accessible from an entrance off of ‘N’ Avenue that leads to the back of the shopping center. No screening of the facility is proposed since the

facility is proposed in an area not easily visible from neighboring properties. While there are single-family homes located south of the proposed recycling center, the homes are separated by a substantial grade change and therefore the project area is not visible from any of the homes.

Proposed Use

The applicant proposes to install a mobile recycling center consisting of two 18-foot by 8-foot and one 8-foot by 5-foot prefabricated steel containers. The facility will be located behind the Smart & Final grocery store in an area accessible from either end of the shopping center. The proposed operating hours are 9:00 a.m. to 5:00 p.m. Monday through Saturday. An attendant will be on-site while in operation. The facility proposes to recycle aluminum cans, glass, and plastic bottles. California Redemption Value (CRV) payments will be provided in cash by the operators of the facility.

Analysis

The facility, as proposed, is consistent with Land Use Code section 18.30.170 – Recycling Collection Facilities. It is less than 350 square feet in area and more than 50 feet from a residential zone.

The State (Department of Resources Recycling and Recovery - CalRecycle) requires that a “convenience zone” have access to a recycling facility. A convenience zone is defined as an area within a one-mile radius of a supermarket with more than \$2 million in annual sales. According to the State, National City has 10 such zones (see table). The other primary recycling location currently servicing National City is located at 1320 East 30th Street (Food 4 Less) which is in Chula Vista.

Market Name	Market Address	Zone Status
Seafood City Supermarket	1420 E Plaza Blvd	Hold
Smart & Final	1220 E Plaza Blvd	Hold
Grocery Outlet	3446 Highland Ave	Served
Foodland IGA Supermarket	303 Highland Ave	Hold
Manila Seafood Oriental Market	2220 E Plaza Blvd	Exempt
Carnival Supermarket	1750 E 8th St	Hold
Food 4 Less	1320 E 30th St	Served
Vallarta Supermarkets 36	901 Euclid Ave	Exempt
El Super	3007 Highland Ave	Served
Walmart Supercenter	1200 Highland Ave	Hold

The Smart & Final is considered a convenience zone. The zone is currently on hold, which indicates that the zone was once served, but there is no longer a recycling center in the zone. The status may change to unserved or exempt, depending on the proximity to new or existing recycling facilities. Currently, there are no operating recycling centers within the Smart & Final Convenience zone, so it is considered unserved. If approved, the recycling center could serve multiple convenience zones if they are within half a mile of the project.

One concern about recycling centers is the potential for the accumulation of litter, including materials dropped off after hours. In an effort to avoid this situation, a condition has been included that requires that the area be maintained in a clean condition at all times, including sweeping at the end of the day. Furthermore, a condition of approval is included in the draft resolution for the applicant to post signage prohibiting material left after hours.

Police Department

The Police Department provided comments regarding the proposed recycling center. The comments included concerns over increased traffic, the high crime rate, and propensity for trash accumulation.

Conditions of approval for the CUP are intended to alleviate these concerns. The business is only operating during daytime hours, the site shall be swept and cleared of litter at the end of each day, containers shall be locked when not in use and emptied on a regular basis, (once to twice a week). Additionally, there is a condition requiring that no recyclable material be accepted from persons transporting the material in an unconventional fashion – such as shopping carts and similar non-motorized carrying devices, which are often discarded afterwards.

Traffic

The facility is not anticipated to significantly increase traffic to and from the site as customers will likely also be shopping at the shopping center. The applicant intends to use temporary traffic control devices to ensure efficient circulation during operation. Furthermore, no parking spaces are located in the area of the proposed facility, therefore none are being removed. The facility is also to be located clear of any required parking lot aisles, and does not impinge on any backup areas. There will be an employee on-site during operating hours that will ensure customers do not block any required access to the shopping center or the abutting right-of-way (N Avenue).

Noise

Noise issues related to recycling center are regulated by the Land Use Code. Noise levels for the project shall not exceed sixty dBA as measured at the property line of residentially zoned property, and not to exceed sixty-five dBA in any instance. Recycling centers are also required to be 50 feet from residentially zoned properties. The proposed recycling center is located over 50 feet from the nearest single-family residence as is separated by a substantial grade change. Since the proposed business is located within one hundred feet of residential zone, the business can only operate between 9:00 a.m. to 7:00 p.m. daily. The applicant has proposed operating hours from 9:00 a.m. to 5:00 p.m. Monday through Saturday. Additionally, the recycling center is not permitted to use any power-driven processing equipment, which will limit the noise created on site.

Mailing

All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for a CUP application. Notice of this public hearing was sent to 141 occupants and owners. No public comment has been received as of the writing this report.

Department Comments

Comments were provided by the Building Division and the Engineering, Fire, and Police Departments. All comments have been incorporated as conditions of approval for the CUP. Adherence to building and fire codes have also been addressed in the Conditions of Approval.

Findings for Approval

The following are the required findings in the attached draft resolution:

1. Allowable Use: Recycling Centers are a conditionally-allowed use in the Major Mixed-Use District (MXD-2) zone, and conditions of approval will ensure the proposed recycling center will meet all requirements as contained in NCMC §18.30.170 – Recycling collection facilities. Additionally, the recycling facility is located within an unserved convenience zone, which means use is allowed in the convenience zone, as identified by the State.

2. General Plan Consistency: Mobile recycling centers are permitted uses, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. In addition, a Mobile recycling center is consistent with the Major Mixed-Use District zone land use designation and there are no Specific Plans affecting this location.
3. Compatibility, LUC, Traffic: The mobile recycling center will be in compliance with the City's LUC and all applicable building and fire codes. There is adequate area on-site for a mobile recycling facility in accordance with the LUC requirements and the facility does not remove any parking spaces. In addition, the proposed mobile recycling center, subject to the conditions of approval, meets all requirements for such uses outlined in the Land Use Code, as discussed above.
4. Suitability: The site has sufficient access to a major street that is adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since the use is expected to generate a minimal amount of additional traffic for the Smart & Final shopping center, as many of the customers will also shop at the center.
5. No Nuisance: Nuisance issues related to mobile recycling centers are usually related to noise, traffic, and litter. The business operates during daytime hours, the site shall be swept and cleared of litter at the end of each day, containers shall be locked when not in use and emptied on a regular basis, the business is located in an area separate from residences that will not interfere with parking or circulation for the shopping center.
6. California Environmental Quality Act (CEQA): The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The reason for the exemption is that the use is proposed within an existing shopping center, the use is ancillary and does not include the addition of any permanent structures, and the use is similar to other commercial uses in the area, which are permitted in Major Mixed-Use District zone.

Finding for Denial

There is one finding for denial as follows:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because it would contribute to increased traffic, crime, and litter.

Conditions of Approval

Conditions of Approval are included that address comments from the Police, Fire, and Engineering Departments. Additional conditions are included related to adherence to California Building and Fire Codes and the City's Land Use Code.

Summary

As previously mentioned, the project area complies with all operation and design standards for mobile recycling centers found in Section 18.30.170 of the Land Use Code. The project is located within an unserved Convenience Zone as identified by the State, and the project is not visible from any residences.

Options

1. Find the project exempt from CEQA under Class 1 of the CEQA Guidelines Section 15301 and approve 2025-19 CUP, subject to the conditions included in the Resolution, or other conditions, and based on the findings included in the Resolution, or other findings to be determined by the City Council; or,
2. Find the project not exempt from CEQA and/or deny 2025-19 CUP based on the attached findings, or findings to be determined by the City Council; or,
3. Continue the item to a specific date in order to obtain additional information.

FINANCIAL STATEMENT:

An application fee of \$3,700 was paid with the submittal of the subject CUP. Fees are anticipated to cover the cost of staff review time and processing of the permit. An appeal fee of \$1,500 was paid with the submittal of the appeal.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Balanced Budget and Economic Development

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Existing Facilities. CCR 15301(c).

PUBLIC NOTIFICATION:

The Agenda Report was posted at least 72 hours before the Regular Meeting date and time, and 24 hours before a Special Meeting in accordance with the Ralph M. Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

- Exhibit A – Planning Commission Resolution 2025-15
- Exhibit B – Overhead
- Exhibit C – Applicants Plans
- Exhibit D – Public Hearing Notice
- Exhibit E – CalRecycle Certificate
- Exhibit F – Appeal Letter
- Exhibit G – Draft Council Resolution AFFIRMING Appeal
- Exhibit H – Draft Council Resolution DENYING Appeal