



City of Huntington Beach Planning Department

**STAFF REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning  
**BY:** Ricky Ramos, Senior Planner ~~RP~~  
**DATE:** March 10, 2009

**SUBJECT:** **MITIGATED NEGATIVE DECLARATION NO. 06-006/CONDITIONAL USE PERMIT NO. 06-030/VARIANCE NO. 08-011 (Rainbow Disposal)**

**APPLICANT:** Richard Harlow, 1742 Main St., Huntington Beach, CA 92648

**PROPERTY/  
BUSINESS**

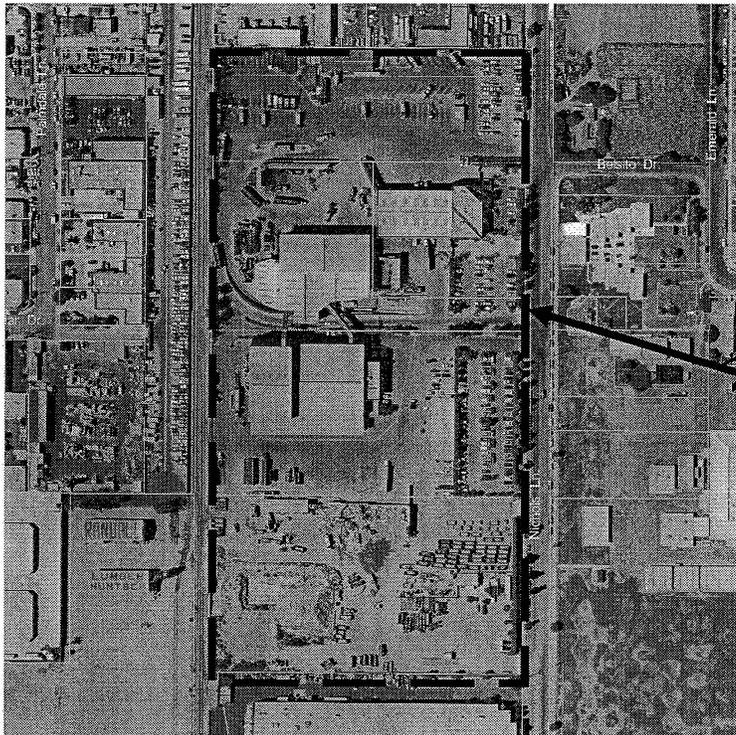
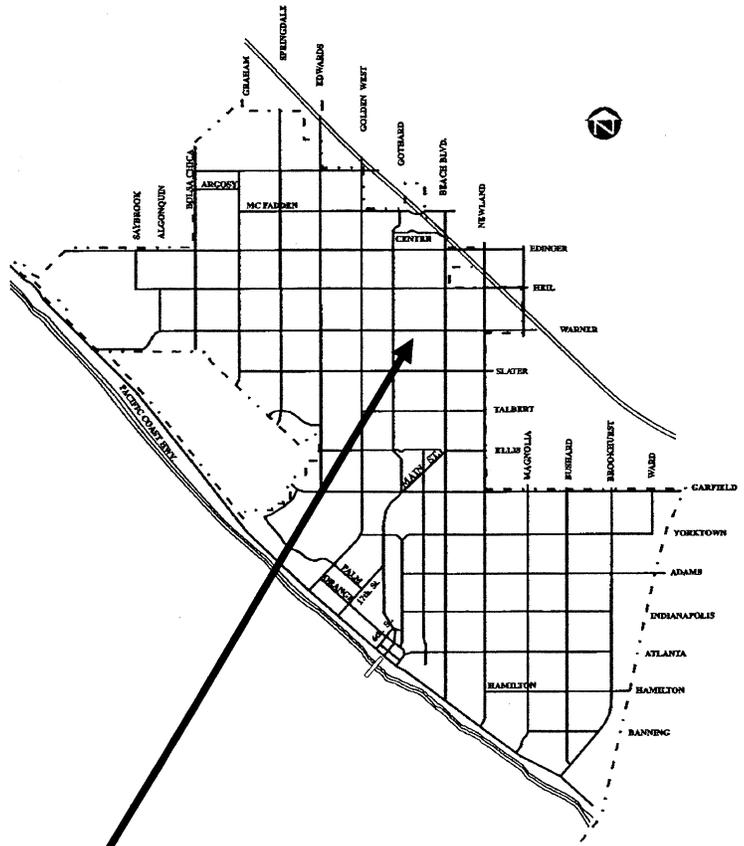
**OWNER:** Jerry Moffatt, Rainbow Disposal, 17121 Nichols St., Huntington Beach, CA 92647

**LOCATION:** 17121 Nichols St., 92647 (west side of Nichols, south of Warner Ave.)

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**STATEMENT OF ISSUE:**

- ◆ Mitigated Negative Declaration No. 06-006 request:
  - Analyze the potential environmental impacts associated with the project.
- ◆ Conditional Use Permit No. 06-030 request:
  - Construct a phased addition of 193,150 square feet of new building area to the Rainbow Disposal facility.
  - Improve and enclose several functions that currently occur outdoors to reduce noise and odor, and improve water quality.
  - Increase Rainbow Disposal's capacity from the current 2,800 tons per day (TPD) to 4,000 TPD to accommodate anticipated demand.
- ◆ Variance No. 08-011 request:
  - Permit a building height of 50 feet measured from the top of the highest adjacent curb along Nichols Street (i.e. datum) to the roof peak/top of parapet in lieu of the maximum permitted height of 42 feet to the roof peak and 46 feet to the top of the parapet for transfer stations 1 and 2 as well as the secondary recycling building.
- ◆ Staff's Recommendation: Approve Mitigated Negative Declaration No. 06-006, Conditional Use Permit No. 06-030, and Variance No. 08-011 with modifications based upon the following:



**PROJECT  
SITE**

**VICINITY MAP**  
**MITIGATED NEGATIVE DECLARATION NO. 06-006/**  
**CONDITIONAL USE PERMIT NO. 06-030/VARIANCE NO. 08-011 (Rainbow Disposal)**

- The proposed project will enhance compatibility with the surrounding area by enclosing several functions that are currently occurring outdoors inside buildings thereby reducing noise and odor, as well as improving water quality.
  - The proposed buildings are adequately buffered from the surrounding area by significant setbacks and dense landscaping along the street frontage that effectively screens the site.
  - The additional traffic generated by the project will not cause any of the intersections analyzed to exceed the adopted city standard of Level of Service D and can be adequately accommodated by the street system.
  - The project, which is in substantial conformance with the Urban Design Guidelines and recommended for approval by the Design Review Board, will enhance the appearance of the property by replacing outdoor operations with modern buildings that incorporate a uniform design, facades articulated with architectural elements and details, and varied setbacks for visual interest.
  - The circulation pattern will be safe and efficient with the proposed master plan by providing separate drive aisles for different services to avoid conflicts.
  - The project is consistent with the General Plan Land Use designation of Industrial for the site and its goals, objectives, and policies.
  - There are special circumstances applicable to Rainbow Disposal that justify the variance to height for transfer station 1, transfer station 2, and the secondary recycling building. Without the variance the applicant will not be able to construct the subject buildings with the interior clearance that is necessary for their operations which would deprive them of privileges enjoyed by other properties in the same zone classification.
  - The variance is in conformance with General Plan goals, objectives, and policies pertaining to mitigating noise and other operational impacts on surrounding uses as well as providing adequate solid waste collection for existing and future development.
- ◆ Staff's Suggested Modifications:
- Conditional Use Permit No. 06-030 and Variance No. 08-011
- Transfer Station 1, Transfer Station 2, and Secondary Recycling shall incorporate elements from the existing bin repair and storage building such as glass block or similar translucent material and concrete block columns.
  - The parapet wall for the Secondary Recycling building shall be reduced in height to match the peak of the roof.

**RECOMMENDATION:**

Motion to:

A. "Approve Mitigated Negative Declaration No. 06-006 with findings and mitigation measures (Attachment No. 1);"

B. "Approve Conditional Use Permit No. 06-030 and Variance No. 08-011 with findings and suggested conditions of approval (Attachment Nos. 1 and 2)."

## **ALTERNATIVE ACTION(S):**

The Planning Commission may take alternative actions such as:

- A. “Approve Mitigated Negative Declaration No. 06-006, Conditional Use Permit No. 06-030, and Variance No. 08-011 as proposed with findings and suggested modified conditions of approval.”  
*(Applicant’s Request)*
- B. “Deny Mitigated Negative Declaration No. 06-006, Conditional Use Permit No. 06-030, and Variance No. 08-011 with findings for denial.”
- C. “Continue Mitigated Negative Declaration No. 06-006, Conditional Use Permit No. 06-030, and Variance No. 08-011 and direct staff accordingly.”

## **PROJECT PROPOSAL:**

Mitigated Negative Declaration No. 06-006 is a request to analyze the potential environmental impacts associated with the project pursuant to Chapter 240 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).

Conditional Use Permit No. 06-030 is a request to permit an addition of 193,150 square feet of new building area to the approximately 17 acre Rainbow Disposal facility pursuant to HBZSO Section 212.04 (IG and IL Districts; Land Use Controls, Major Utilities) and Section 212.04(M) (Additional Provisions – development within 300 feet of a residential zone).

The proposed expansion includes the following:

- 75,800 square foot addition to the existing 25,500 square foot transfer station 1;
- New 68,400 square foot transfer station 2;
- New 30,500 square foot secondary recycling building;
- 5,392 square foot addition to the existing 9,700 square foot office;
- Enclosure of existing 13,058 square foot Material Recovery Facility (MRF) canopy; and
- A proposed increase in Rainbow Disposal’s capacity from the current 2,800 tons per day (TPD) to 4,000 TPD to accommodate anticipated demand.

Several functions that currently occur outdoors will be improved and enclosed, reducing noise and odor, and improving water quality. New dust and odor control systems will be constructed in addition to an existing storm water treatment system. The site is presently developed with 114,657 square feet of building area and 34,458 square feet of canopies. The project may be phased over a 10 year period and at buildout the site will have a total of 307,807 square feet of building area and 21,400 square feet of canopies.

Variance No. 08-011 is a request to permit transfer station 1, transfer station 2, and the secondary recycling building at a building height of up to 50 feet measured from the top of the highest adjacent curb

along Nichols Street (i.e. datum) to the roof peak/top of parapet in lieu of the maximum permitted height of 42 feet to the roof peak and 46 feet to the top of the parapet pursuant to HBZSO Chapter 241.

A variance was previously granted which allowed a portion of the Material Recovery Facility at a height of 55 feet. A variance is being requested for three of the new structures because Rainbow Disposal requires building interiors that are unobstructed (without any support columns) and with a minimum 31 foot vertical clearance to allow for trucks and equipment to operate. To meet these requirements a truss with a certain slope must be used to support the roof which results in a sloped roof and additional height. Lastly, while the site will be graded to provide the minimum slope needed to provide proper drainage, the resulting building slab height is still anticipated to be up to three feet higher than the datum. The combination of the required interior vertical clearance, sloped roof, and slab height results in the increased building height.

Rainbow proposes to expand the facility in a manner that will allow ongoing operations during construction and buildout. These new buildings and operations will enable Rainbow to continue to process curbside recyclables, construction and demolition (C&D) debris, green waste and commercial municipal solid waste (MSW), and to do so while improving environmental conditions around the plant as compared to current operations. The construction phasing is anticipated as follows:

- Rainbow will construct a three-sided, roofed structure and a transfer tunnel with two load-out ports at the location of transfer station 2. A concrete pad for the complete building will also be constructed. This operation will handle only C&D debris and green waste initially, and will be designed and operated to meet the South Coast Air Quality Management District's (SCAQMD) Rule 1133 (Chipping & Grinding Operations).
- After the facility reaches a weekly average of 2,800 TPD, transfer station 2 will be fully enclosed to handle MSW and other materials. The building will be designed to meet all new and more stringent environmental regulations, including SCAQMD Rule 410 (odor management).
- After the facility reaches a weekly average of 3,300 TPD, transfer station 1 will be remodeled, expanded, and fully-enclosed.
- When advanced recycling technology becomes feasible, Rainbow will construct a secondary recycling building to house the new, innovative recycling systems, that are currently in development, and which may be required to meet future State recycling mandates.
- The corporate office will also be expanded and the existing MRF canopy will be enclosed should the need arise.

The proposed project will continue to provide the following services:

- MSW transfer and load out;
- Green material chipping & grinding and recycling;
- Source-separated recyclable material sorting, processing and recycling;
- Mixed waste sorting, processing, and recycling;
- Construction and demolition (C&D) debris sorting and recycling; and
- Recyclable material load out.

The project also includes a reconfiguration of existing parking lots to provide 166 standard parking stalls, 74 truck stalls, and 10 transfer truck stalls. Hours of operation would be consistent with existing operations: materials acceptance (commercial and general public) 6:00 a.m. to 6:00 p.m. daily and material processing/loading/maintenance 24 hours a day.

The applicant has indicated that the request is necessary for the following reasons (Attachment No. 4):

- To allow construction of new buildings to house operations;
- To expand capacity to meet future increases in waste stream tonnages;
- To provide guaranteed, long-term recycling and waste transfer services for the City of Huntington Beach;
- To enhance recycling opportunities and overall diversion percentage;
- To enhance environmental controls related to air quality, stormwater runoff, noise, litter and other areas; and
- To have facilities, processes and plans in place to service the needs of the City of Huntington Beach for the next 20 years.

**Background:**

In 1981 the Board of Zoning Adjustment approved Administrative Review No. 81-9 to permit the expansion of the facility from 1.8 acres to 4.6 acres.

In 1982 the Board of Zoning Adjustment approved Administrative Review No. 82-12 to permit a change in the circulation from the previously approved site plan.

In 1983 the Board of Zoning Adjustment approved Administrative Review No. 83-13 to permit an addition to a transfer station building.

In 1984 the Board of Zoning Adjustments approved Negative Declaration No. 84-9 and Administrative Review No. 84-17 to permit an increase in tonnage from 1,200 to 1,500 TPD.

In 1990 the Planning Commission approved Negative Declaration No. 90-43, Conditional Use Permit No. 90-46, and Conditional Exception No. 90-49 to permit the operation of a household and hazardous materials collection station and a reduction in required landscaping from 8 to 6.8 percent.

In 1990 the Zoning Administrator approved Environmental Assessment No. 90-7 and Administrative Review No. 90-2 to permit an increase in tonnage from 1,500 to 2,000 TPD.

In 1991 the Planning Commission approved Negative Declaration No. 91-30, Conditional Use Permit No. 91-42, and Conditional Exception No. 91-41 to add 13,300 square feet to the existing transfer station, construct a 37,900 square foot materials recovery facility (MRF) and increase capacity from 2,000 to 2,800 TPD. The approval allowed a portion of the MRF at a height of 55 feet in lieu of 40 feet and a reduction in overall landscaping to 3.8 percent.

In 1999 the Zoning Administrator approved Entitlement Plan Amendment No. 99-3 to permit the establishment of a household and hazardous waste exchange program in conjunction with the existing hazardous waste collection facility.

In 2003 the Zoning Administrator approved Tentative Parcel Map No. 2003-156 to consolidate five lots into one ±17 acre parcel.

**ISSUES:**

**Subject Property And Surrounding Land Use, Zoning And General Plan Designations:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	I-F2-d (Industrial – Max Floor Area Ratio 0.5 – Design Overlay)	IG (General Industrial)	Rainbow Disposal
North, South, and West of Subject Property:	I-F2-d	IG	Industrial
East of Subject Property (across Nichols Street):	P(RL) (Public with underlying Residential Low Density), OS-P (Open Space-Park), RM-15 (Residential Medium Density – Max. 15 du/ac)	PS (Public-Semipublic), OS-PR (Open Space-Parks and Recreation), RM (Residential Medium Density)	Oakview Elementary School, Residential

**General Plan Conformance:**

The General Plan Land Use Map designation on the subject property is I-F2-d (Industrial – Max Floor Area Ratio 0.5 – Design Overlay). The proposed project is consistent with this land use designation, the maximum floor area ratio, and the design standards of subarea 9D. The project conforms to the goals, objectives, and policies of the City’s General Plan as follows:

A. Land Use Element

Policies LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

Policies LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules (Table LU-2a and 2b).

Policy LU 12.1.4: Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and be compatible with existing uses. (I-LU 1, I-LU 4, I-LU 5, and I-LU 10)

Policy LU 12.1.5: Require that new and recycled industrial structures and sites be designed to convey visual interest and character and to be compatible with adjacent uses, considering the: a.) use of multiple building masses and volumes to provide visual interest and minimize the visual sense of bulk and mass; b.) architectural design treatment of all building elevations; c.) use of landscaping in open spaces and parking lots, including broad landscaped setbacks from principal peripheral streets; d.) enclosure of storage areas with decorative screening or walls; e.) location of site entries to minimize conflicts with adjacent residential neighborhoods; and f.) mitigation of noise, odor, lighting, and other impacts.

Policy LU 12.1.8: Require that heavy industrial uses incorporate landscape setbacks, screening walls, berms, and/or other appropriate elements that mitigate visual and operational impacts with adjacent land uses.

The proposed phased expansion will address the future needs of the City and surrounding communities. The project will enclose several functions that are currently conducted outdoors which together with new dust and odor control systems will reduce noise and odor, and improve water quality. The proposed structures have been reviewed and are recommended for approval by the Design Review Board. They incorporate design, colors, and materials consistent with the existing structures for a unified theme and compatibility with the area. The site includes large landscape planters with dense landscaping along the street frontage and includes significant setbacks for the proposed structures to provide a buffer for the adjacent uses.

B. Urban Design Element

Objective UD 2.2.1: Require landscape and architectural buffers and screens around oil production facilities and other utilities visible from public rights-of-way.

C. Utilities Element

Objective U 4.1: Ensure an adequate and orderly system for the collection services and the disposal of solid waste to meet the demands of new and existing development in the City.

Policies U 4.1.1: Maintain adequate solid waste collection for commercial, industrial, and residential developments in accordance with state law.

Objective U 4.2: Recycle solid waste to reduce the amount of bulk which must be disposed in area landfill, to conserve energy resources, and to be consistent with the provisions of the California Integrated Waste Management Act of 1989 (AB939).

The proposed modernization of the Rainbow Disposal facilities will provide long term recycling and waster transfer services for the City and surrounding communities. It will enable Rainbow and the City to meet the requirements of AB939.

D. Noise Element

Goal N 1: Ensure that all necessary and appropriate actions are taken to protect Huntington Beach residents, employees, visitors, and noise sensitive uses from the adverse impacts created by excessive noise levels from stationary and ambient sources.

Objective N 1.2: Prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors, and noise sensitive uses of Huntington Beach.

Objective N 1.4: Minimize noise spillover or encroachment from commercial and industrial land uses into adjoining residential neighborhoods or “noise-sensitive” uses.

Policies N 1.4.2: Require that the loading and shipping facilities of commercial and industrial land uses abutting residential parcels to be located and designed to minimize the potential noise impacts upon residential parcels.

The project will enclose several functions that are currently conducted outdoors which would reduce noise. The loading/unloading areas are oriented away and setback a significant distance from sensitive uses.

Zoning Compliance:

This project is located in the IG (General Industrial) zoning district and complies with the requirements of that zone with the exception of the variance to building height concurrently requested. In addition, a list of City Code Requirements, Policies, and Standard Plans of the Huntington Beach Zoning and Subdivision Ordinance and Municipal Code has been provided to the applicant (Attachment No. 7) for informational purposes only.

By code the parking requirement for Major Utilities like Rainbow is as specified by the conditional use permit and based on the specific needs of the use. The parking requirement includes parking for employees per shift, visitors, and company vehicles. The applicant submitted a parking study included as an attachment to Mitigated Negative Declaration No. 06-006. The study included a survey of total parking demand on an hourly basis for a week in February 2006 and accounted for vehicular parking on site and on the street as well as company vehicle parking on site. The findings of the study are summarized below:

Phase	Parking Provided	Parking Required Based on Study	Surplus
Current	283 spaces existing	256 spaces	27 space surplus
Buildout	250 spaces proposed  (166 standard spaces, 74 truck spaces , and 10 transfer truck spaces)	233 spaces	17 space surplus

The study concludes that Rainbow will continue to have a surplus of parking even at buildout. The reduction in parking demand at buildout is a result of a projected reduction of at least 25 employees per shift and a reduction of eight fleet trucks. Because the parking study relies on pooling all proposed parking spaces (i.e. standard spaces, truck spaces, and transfer truck spaces) to meet the demand, staff is recommending a condition that all parking spaces (including truck spaces) must be made available to employees to account for times when employee and visitor parking exceed the 166 standard spaces proposed.

**Urban Design Guidelines Conformance:**

The proposed project, as enhanced by conditions, is in substantial conformance with the Urban Design Guidelines, Chapter 7 (Industrial). It incorporates the following features consistent with the Guidelines:

- Consistent design, colors, and materials applied on the buildings for a unified theme;
- Building facades articulated with architectural elements and details;
- Project meets or exceeds the standard of quality set in the area;
- Varied setbacks provided;
- Buffering provided with increased setbacks from all property lines as well as intensified landscaping along the street frontage;
- Main office building has an entrance that is readily identified and served by a defined pedestrian pathway;
- Convenient public access and visitor parking provided; and
- Loading and service areas will have separate access and circulation, and are located to minimize visibility.

**Environmental Status:**

Staff has reviewed the environmental assessment and determined that no significant impacts are anticipated as a result of the proposed project that could not be mitigated to a level of insignificance. Subsequently, Negative Declaration No. 06-006 (Attachment No. 5 ) was prepared with mitigation measures pursuant to Section 240.04 of the HBZSO and the provisions of the California Environment Quality Act (CEQA) with the following supplemental reports:

- 1) Geotechnical Assessment Report – The report concludes that the project is feasible from a geologic and geotechnical standpoint with the implementation of the recommendations outlined in the report.

- 2) Air Quality Assessment Report – The report concludes that project emissions during construction and long-term operations, with mitigation measures, would not result in an air quality impact and/or significant health risk to adjacent sensitive receptors and would not exceed Air Quality Management District emission thresholds.
- 3) Traffic Impact Analysis – The analysis indicates that the proposed project is anticipated to generate 574 new trips (Passenger Car Equivalents) on an average day. The study analyzed six intersections that are most impacted by Rainbow Disposal (Warner/Goldenwest, Warner/Gothard, Warner/Nichols, Warner/Beach, Slater/Gothard, Slater/Nichols) and concludes that additional traffic from the proposed project will not cause any of the intersections analyzed to exceed the adopted City Standard of Level of Service D.
- 4) Parking Analysis – As noted in more detail in the Zoning Compliance section of this staff report, the parking analysis concludes that Rainbow will continue to have a surplus of parking even at buildout.
- 5) Acoustical Analysis – The analysis found that the proposed project, which will enclose certain operations currently occurring outdoors inside new buildings, will result in a reduction in the noise levels and that the site will comply with the terms of the City's Noise Ordinance.

The Planning Department advertised draft Negative Declaration No. 06-006 for thirty (30) days commencing on November 20, 2008 and ending on December 19, 2008. Comments were received from the Orange County Health Care Agency, Caltrans, Department of Toxic Substances Control, California Integrated Waste Management Board, Air Quality Management District, and the Environmental Board. A response to the comments and errata have been included with this staff report (Attachment No. 6).

*Environmental Board Comments:*

The Environmental Board was notified of the Negative Declaration. On December 29, 2008, the Environmental Board provided a letter (Attachment No. 6) identifying the following comments:

- The Mitigated Negative Declaration [Section IX, c)] should include a detailed discussion of the emergency procedures for Oak View School and their other neighbors should a hazardous material/waste discharge occur.
- Consideration should be given to incorporation of Green Building (LEED) measures in the project with respect to proposed new construction.
- Level of Service (LOS) D at Warner and Beach is an area of concern. An investigation should be included to see if there any measures available to improve traffic flow in light of the project's additional 574 average daily trips.
- The Board is interested in obtaining information from Rainbow Disposal on reasons and rationale for the increase in per capita waste generation rates it uses in this document. We believe an analysis should be included with discusses potential measures the City and Rainbow could take to reduce that rate.

Prior to any action on Conditional Use Permit No. 06-030 and Variance No. 08-011, the Planning Commission must first review and act on Mitigated Negative Declaration No. 06-006. Staff, in its initial study of the project, is recommending that the Negative Declaration be approved with findings and mitigation measures.

**Coastal Status:** Not applicable.

**Redevelopment Status:** Not applicable.

**Design Review Board:**

On December 11, 2008 the Design Review Board reviewed the design, colors, and materials for the proposed project and recommended approval to the Planning Commission with the following conditions which have been incorporated in the suggested conditions of approval:

- To provide additional visual interest, the building elevations for Transfer Station 1, Transfer Station 2, and Secondary Recycling shall incorporate elements from the existing bin repair and storage building such as glass block or similar translucent material and concrete block columns.
- To provide a vertical offset in relation to Transfer Station 2, the parapet wall for the Secondary Recycling building shall be reduced in height to match the peak of the roof.
- The final design of the MRF canopy enclosure shall be approved by the Planning Department.

The applicant concurs with these conditions except for the second condition above which they would prefer to delete so that they can maintain the parapet wall height for the Secondary Recycling building as proposed for a uniform appearance and to ensure that their operations will not be impacted.

**Subdivision Committee:** Not applicable.

**Other Departments Concerns and Requirements:**

The Building and Safety, Public Works, Fire, and Planning Departments have reviewed the request and identified applicable code requirements. The Code Requirements letter was transmitted on December 23, 2008 and is attached for informational purposes. The Police Department reviewed the request and suggested the following conditions which are also included as Attachment No. 2 to this report:

- Public and private areas should be clearly designated and defined through signs and physical barriers.
- All areas that allow access to the public shall be monitored through 24 hour recorded surveillance cameras (and saved for 30 days). Areas of public access should be in visual access of Rainbow employees at all times.
- At minimum, install cameras (if not already installed) at entrances to facility, transfer station, hazardous waste site, compressed natural gas filling station and individual fuel tanks.

The applicant has reviewed and does not object to the suggested conditions of approval.

**Public Notification:**

Legal notice was published in the Huntington Beach/Fountain Valley Independent on Thursday, February 26, 2009 and notices were sent to property owners of record (*and tenants*) within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department’s Notification Matrix), applicant, and interested parties. As of March 2, 2009, no communication supporting or opposing the request has been received.

**Application Processing Dates:**

**DATE OF COMPLETE APPLICATION:**

September 6, 2008

**MANDATORY PROCESSING DATE(S):**

Mitigated Negative Declaration (MND) – April 4, 2009 (reflects additional 30 days from original March 5, 2009 deadline due to suspension of time while applicant was providing information for Response to Comments).

Conditional Use Permit/Variance – Within 60 days of MND adoption.

Mitigated Negative Declaration No. 06-006 and Conditional Use Permit No. 06-030 were filed July 25, 2006 and deemed complete on September 6, 2008. Variance No. 08-011 was filed on November 26, 2008.

**ANALYSIS:**

The primary issues for the Planning Commission to consider in conjunction with this request include compatibility with the surrounding land uses, overall project design and site layout, and the proposed variance to building height. A discussion of these issues follows below.

**Land Use Compatibility**

Rainbow Disposal is an established use appropriately located in an industrial zone. It is compatible with the various industrial uses surrounding the project site to the north, south, and west. To the east, across Nichols Street are a school and residential uses. The proposed project will enhance compatibility with the surrounding area by enclosing several functions that are currently occurring outdoors inside buildings. The proposed buildings include significant setbacks from surrounding properties particularly from the sensitive uses to the east where the front setbacks for the proposed buildings range from a minimum of 88 feet up to 300 feet. The front setback also includes an existing large planter with two rows of trees that effectively screen the site.

While the increase in capacity from 2,800 to 4,000 TPD will increase traffic in the area, the traffic analysis indicates that the traffic will not cause any of the intersections analyzed to exceed the adopted city standard of Level of Service D and can be adequately accommodated by the street system. In addition to the air quality improvements resulting from the applicant’s proposal to enclose existing outdoor functions

inside buildings, an Air Quality Assessment Report completed for the project also concludes that project emissions during construction and long-term operations, with mitigation measures, would not result in an air quality impact and/or significant health risk to adjacent sensitive receptors and would not exceed Air Quality Management District emission thresholds. Moreover, Rainbow Disposal has started to convert its truck fleet to compressed natural gas to further improve air quality. Finally, the Acoustical Analysis for the project found that the proposed project will result in a reduction in the noise levels and that the site will comply with the terms of the City's Noise Ordinance. Based on these points, the proposed master plan will improve compatibility with and will not be detrimental to the area.

### Design and Layout

The project, which is in substantial conformance with the Urban Design Guidelines and recommended for approval by the Design Review Board, will enhance the appearance of the property by replacing outdoor operations with modern buildings. The proposed structures incorporate the same design, colors, and materials found on the existing buildings for a consistent appearance. The project, as proposed and modified by a condition acceptable to the applicant, will have facades articulated with architectural elements and details and varied setbacks for visual interest.

The street frontage is already densely landscaped to provide visual screening where the property is most visible. Both the main office building and visitor parking areas are conveniently located and easily accessible by the public. The project will maintain convenient vehicular parking areas while locating truck parking areas away from the street frontage to reduce visibility. The circulation pattern continues to be safe and efficient with the proposed master plan by providing separate drive aisles for different services to avoid conflicts. New loading and service areas will be located to minimize visibility. Based on these features, the overall site design and layout will be compatible with and enhance the area

### Variance

Staff supports the request to permit transfer station 1, transfer station 2, and the secondary recycling building to exceed the maximum permitted height in the zoning district because there are special circumstances applicable to the subject property that justify the request. Rainbow Disposal is a unique use with special operational requirements. Without the variance the applicant will not be able to construct the subject buildings with the interior clearance that is necessary for their operations which would deprive them of privileges enjoyed by other properties in the same zone classification. The applicant's proposal to enclose several functions that are currently occurring outdoors will only improve compatibility with the area and is necessary to preserve the enjoyment of one or more substantial property rights.

In addition, Rainbow Disposal is located on a very large site which gives them the opportunity to locate the subject structures in the middle of the site away from surrounding properties. The proposed transfer station 1, transfer station 2, and secondary recycling building are all setback a significant distance from the property lines so as not to be detrimental to the area. The subject structures are setback from 170 ft. to 300 ft. from the front property line away from sensitive uses which well exceeds the required minimum setback of 30 feet. In addition, the site includes large landscape planters with dense landscaping along the street frontage to provide a buffer for the adjacent uses. Moreover, the rear setback ranges from 60 ft. to 100 ft. and side setback from 27.5 ft. to 270 ft. which exceed the required minimum setback of zero. The

granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification

A previous variance to height has been granted to the applicant to allow a portion of the existing Material Recovery Facility at a height of 55 feet after giving consideration to their unique operational needs and size of the property. Variances to height have also been granted to other utility uses under an identical zone classification because of unique circumstances. Therefore, the applicant's request will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification.

Lastly, the granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of I-F2-d (Industrial – Max Floor Area Ratio 0.5 – Design Overlay) on the subject property which permits the use. In addition, the variance will allow Rainbow Disposal to enclose several outdoor functions thereby improving noise, odor, and water quality conditions in conformance with General Plan goals, objectives, and policies pertaining to mitigating noise and other operational impacts on surrounding uses as well as providing adequate solid waste collection for existing and future development.

#### **SUMMARY:**

Staff recommends that the Planning Commission approve Mitigated Negative Declaration No. 06-006, Conditional Use Permit No. 06-030, and Variance No. 08-011 subject to conditions based on the following:

- The proposed project will enhance compatibility with the surrounding area by enclosing several functions that are currently occurring outdoors inside buildings thereby reducing noise and odor, as well as improving water quality.
- The proposed buildings are adequately buffered from the surrounding area by significant setbacks and dense landscaping along the street frontage that effectively screens the site.
- The additional traffic generated by the project will not cause any of the intersections analyzed to exceed the adopted city standard of Level of Service D and can be adequately accommodated by the street system.
- The project, which is in substantial conformance with the Urban Design Guidelines and recommended for approval by the Design Review Board, will enhance the appearance of the property by replacing outdoor operations with modern buildings that incorporate a uniform design, facades articulated with architectural elements and details, and varied setbacks for visual interest.
- The circulation pattern will be safe and efficient with the proposed master plan by providing separate drive aisles for different services to avoid conflicts.
- The project is consistent with the General Plan Land Use designation of Industrial for the site and its goals, objectives, and policies.
- There are special circumstances applicable to Rainbow Disposal that justify the variance to height for transfer station 1, transfer station 2, and the secondary recycling building. Without the variance the applicant will not be able to construct the subject buildings with the interior clearance that is necessary for their operations which would deprive them of privileges enjoyed by other properties in the same zone classification.

- The variance is in conformance with General Plan goals, objectives, and policies pertaining to mitigating noise and other operational impacts on surrounding uses as well as providing adequate solid waste collection for existing and future development.

**ATTACHMENTS:**

1. Suggested Findings and Conditions of Approval
2. Police Department Suggested Conditions of Approval dated December 11, 2008
3. Site Plan, Floor Plans and Elevations dated December 11, 2008
4. Project Narratives dated December 22 and December 31, 2008
5. Negative Declaration No. 06-006 (Includes Environmental Checklist and initial Mitigation Measures only.) *Appendices previously provided and not attached due to size. Available at [www.surfcity-hb.org/Government/Departments/Planning/PJB/eac/EAC.cfm](http://www.surfcity-hb.org/Government/Departments/Planning/PJB/eac/EAC.cfm)*
6. Response to Comments, Errata to the Negative Declaration, and Comment Letters from the Orange County Health Care Agency, Caltrans, Department of Toxic Substances Control, California Integrated Waste Management Board, Air Quality Management District, and the Environmental Board
7. Code Requirements Letter dated December 23, 2008 (for informational purposes only)
8. Mitigation Monitoring and Reporting Program
9. Vehicle Trips By Hour and Type

SH:HF:RR:lw

## **ATTACHMENT NO. 1**

### **SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL**

#### **NEGATIVE DECLARATION NO. 06-006/ CONDITIONAL USE PERMIT NO. 06-030/ VARIANCE NO. 08-011**

#### **SUGGESTED FINDINGS FOR APPROVAL - NEGATIVE DECLARATION NO. 06-006:**

1. Negative Declaration No. 06-006 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Negative Declaration, Conditional Use Permit No. 06-030, and Variance No. 08-011.
2. Mitigation measures, incorporated into the attached conditions of approval, avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures relating to geology, air quality, and noise have been identified. In addition, though not required by the analysis, a precautionary mitigation measure relating to hazardous materials has been included.
3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated through the conditions of approval for Conditional Use Permit No. 06-030 and Variance No. 08-011 will have a significant effect on the environment.

#### **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-030:**

1. Conditional Use Permit No. 06-030 for the establishment, maintenance and operation of the Rainbow Disposal phased addition consisting of 193,150 square feet of new building area (75,800 square foot addition to the existing 25,500 square foot transfer station 1; new 68,400 square foot transfer station 2; new 30,500 square foot secondary recycling building; 5,392 square foot addition to the existing 9,700 square foot office; enclosure of existing 13,058 square foot Material Recovery Facility (MRF) canopy) and proposed increase in capacity from the current 2,800 tons per day (TPD) to 4,000 TPD to accommodate anticipated demand will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project, as proposed and modified by conditions, will allow Rainbow Disposal to construct buildings that will house several functions that are currently occurring outdoors thereby reducing noise and odor, and improving water quality. The proposed structures incorporate the same design, colors, and materials found on the existing buildings for a consistent appearance. The project provides significant setbacks from surrounding properties particularly from the sensitive uses to the east across Nichols Street where the front building setbacks range from a minimum of 88 feet to 300 feet and include a large planter with dense landscaping. The traffic study for the project indicates that the additional traffic resulting from the increase in capacity to 4,000 TPD can be adequately

accommodate by the street system and will not cause any of the intersections analyzed to exceed the adopted city standard of Level of Service D.

2. The conditional use permit will be compatible with surrounding uses because several functions that are currently occurring outdoors will be enclosed within buildings thereby improving compatibility with the area. The new structures will be consistent with the appearance of the existing structures and will be buffered from surrounding properties by significant setbacks and dense landscaping along the street frontage. Although the increase in capacity will generate additional traffic, Rainbow Disposal has started to convert its truck fleet to compressed natural gas to improve air quality.
3. The proposed project will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance as well as any specific condition required for the proposed use in the district in which it would be located, except for any variances approved concurrently. The project meets or exceeds all minimum development standards including, but not limited to, floor area ratio, setbacks, and parking.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of I-F2-d (Industrial – Max Floor Area Ratio 0.5 – Design Overlay) on the subject property including maximum floor area ratio and the design standards of subarea 9D. In addition, it is consistent with the following goals, objectives, and policies of the General Plan:

A. Land Use Element

Policies LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

Policies LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules (Table LU-2a and 2b).

Policy LU 12.1.4: Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and be compatible with existing uses. (I-LU 1, I-LU 4, I-LU 5, and I-LU 10)

Policy LU 12.1.5: Require that new and recycled industrial structures and sites be designed to convey visual interest and character and to be compatible with adjacent uses, considering the: a.) use of multiple building masses and volumes to provide visual interest and minimize the visual sense of bulk and mass; b.) architectural design treatment of all building elevations; c.) use of landscaping in open spaces and parking lots, including broad landscaped setbacks from principal peripheral streets; d.) enclosure of storage areas with decorative screening or walls; e.) location of site entries to minimize conflicts with adjacent residential neighborhoods; and f.) mitigation of noise, odor, lighting, and other impacts.

Policy LU 12.1.8: Require that heavy industrial uses incorporate landscape setbacks, screening walls, berms, and/or other appropriate elements that mitigate visual and operational impacts with adjacent land uses.

The proposed phased expansion will address the future needs of the City and surrounding communities. The project will enclose several functions that are currently conducted outdoors which together with new dust and odor control systems will reduce noise and odor, and improve water quality. The proposed structures have been reviewed and are recommended for approval by the Design Review Board. They incorporate design, colors, and materials consistent with the existing structures for a unified theme and compatibility with the area. The site includes large landscape planters with dense landscaping along the street frontage and includes significant setbacks for the proposed structures to provide a buffer for the adjacent uses.

B. Urban Design Element

Objective UD 2.2.1: Require landscape and architectural buffers and screens around oil production facilities and other utilities visible from public rights-of-way.

C. Utilities Element

Objective U 4.1: Ensure an adequate and orderly system for the collection services and the disposal of solid waste to meet the demands of new and existing development in the City.

Policies U 4.1.1: Maintain adequate solid waste collection for commercial, industrial, and residential developments in accordance with state law.

Objective U 4.2: Recycle solid waste to reduce the amount of bulk which must be disposed in area landfill, to conserve energy resources, and to be consistent with the provisions of the California Integrated Waste Management Act of 1989 (AB939).

The proposed modernization of the Rainbow Disposal facilities will provide long term recycling and waster transfer services for the City and surrounding communities. It will enable Rainbow and the City to meet the requirements of AB939.

D. Noise Element

Goal N 1: Ensure that all necessary and appropriate actions are taken to protect Huntington Beach residents, employees, visitors, and noise sensitive uses from the adverse impacts created by excessive noise levels from stationary and ambient sources.

Objective N 1.2: Prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors, and noise sensitive uses of Huntington Beach.

Objective N 1.4: Minimize noise spillover or encroachment from commercial and industrial land uses into adjoining residential neighborhoods or “noise-sensitive” uses.

Policies N 1.4.2: Require that the loading and shipping facilities of commercial and industrial land uses abutting residential parcels to be located and designed to minimize the potential noise impacts upon residential parcels.

The project will enclose several functions that are currently conducted outdoors which would reduce noise. The loading/unloading areas are oriented away and setback a significant distance from sensitive uses.

**SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 08-011:**

1. The granting of Variance No. 08-011 to permit transfer station 1, transfer station 2, and the secondary recycling building at a building height of up to 50 feet measured from the top of the highest adjacent curb along Nichols Street (i.e. datum) to the roof peak/top of parapet in lieu of the maximum permitted height of 42 feet to the roof peak and 46 feet to the top of the parapet will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. Variances to height have been granted to other utility uses under an identical zone classification. A variance was previously granted to Rainbow Disposal which allowed a portion of the Material Recovery Facility at a height of 55 feet in consideration of their unique use and operational needs.
2. Because of special circumstances applicable to the subject property, including size, topography, and a unique use with special operational requirements, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. Rainbow Disposal is proposing to enclose several functions that are currently occurring outdoors thereby improving conditions. The variance is necessary because Rainbow Disposal requires building interiors that are unobstructed (without any support columns) and with a minimum 31 foot vertical clearance to allow for trucks and equipment to operate. To meet these requirements a truss with a certain slope must be used to support the roof which results in a sloped roof and additional height. While the site will be graded to provide the minimum slope needed for proper drainage, the resulting building slab height is still anticipated to be up to three feet higher than the datum. The combination of the required interior vertical and horizontal clearances, sloped roof, and slab height results in the increased building height. The variance is necessary to allow Rainbow Disposal the same privileges enjoyed by other properties in the vicinity and under identical zone classification to construct buildings that are of a sufficient height to accommodate their operations.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights because it will allow Rainbow Disposal to construct buildings that are of a sufficient height to accommodate their unique operational requirements. The variance will also allow Rainbow Disposal to enclose certain outdoor operations thereby improving conditions for the neighborhood.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The proposed transfer station 1, transfer station 2, and secondary recycling building are all setback a significant distance from the property lines so as not to

be detrimental to the area. The subject structures are setback from 170 ft. to 300 ft. from the front property line away from sensitive uses which well exceeds the required minimum setback of 30 feet. In addition, the site includes large landscape planters with dense landscaping along the street frontage to provide a buffer for the adjacent uses. Moreover, the rear setback ranges from 60 ft. to 100 ft. and side setback from 27.5 ft. to 270 ft. which exceed the required minimum setback of zero.

5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of I-F2-d (Industrial – Max Floor Area Ratio 0.5 – Design Overlay) on the subject property which permits the use. In addition, the variance will allow Rainbow Disposal to enclose several outdoor functions thereby improving noise, odor, and water quality conditions in conformance with General Plan goals, objectives, and policies pertaining to mitigating noise and other operational impacts on surrounding uses as well as providing adequate solid waste collection for existing and future development.

**SUGGESTED CONDITIONS OF APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 06-006/CONDITIONAL USE PERMIT NO. 06-030/VARIANCE NO. 08-011:**

1. The site plan, floor plans, and elevations received and dated December 11, 2008 shall be the conceptually approved design with the following modifications:
  - a. The building elevations for transfer station 1, transfer station 2, and secondary recycling shall incorporate elements from the existing bin repair and storage building such as glass block or similar translucent material and concrete block columns. **(DRB)**
  - b. The parapet wall for the secondary recycling building shall be reduced in height to match the peak of the roof. **(DRB)**
  - c. The final design of the MRF canopy enclosure shall be approved by the Planning Department. **(DRB)**
2. Prior to issuance of grading permits, the applicant shall demonstrate compliance with the following:
  - a. The construction foreman shall submit a signed affidavit to the Public Works Department that states that he/she will comply with the following restrictions: All equipment will have sound-control devices that are no less effective than those provided on the original equipment. No equipment will have an unmuffled exhaust. The contractor will implement appropriate additional noise mitigation measures, including, but not limited to, changing the location of stationary construction equipment, turning off idling equipment, rescheduling construction activity, notifying the adjacent school in advance of construction work, and installing acoustic barriers around stationary construction noise sources. **(Mitigation Measure NOI-1)**
  - b. All new structures and site preparation (i.e., grading, trenching, fill, etc.) shall be designed and constructed in accordance with the geotechnical recommendations presented in the January 16, 2006 Geotechnical Assessment Report and any addendum thereto prepared for the project. Rainbow shall submit building plans for review and approval to the City of Huntington Beach

Building and Safety Department and shall submit and gain approval of utility plans with the Public Works Department prior to issuance of a grading permit. **(Mitigation Measure GEO-1)**

- c. The applicant shall demonstrate and note on the plans that for each phase of the project, the project will not disturb more than 1-acre per day. **(Mitigation Measure AQ-1)**
- d. The following types of measures are required on construction equipment (including on-road trucks): **(Mitigation Measure AQ-2)**

- 1) Use diesel oxidation catalyts and catalyzed diesel particulate traps.
- 2) Maintain equipment according to manufacturers' specifications.
- 3) Restrict idling of construction equipment to a maximum of 5 minutes when not in use.
- 4) Install high-pressure fuel injectors on construction equipment vehicles.
- 5) Equipment Tier Specifications:

All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- e. The calculation of fugitive dust (PM<sub>10</sub>) from unmitigated proposed project earth-moving activities assumes a 75% reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure proposed project compliance with SCAQMD Rule 403. The following measures, at minimum, must be part of the contractor Rule 403 dust control plan: **(Mitigation Measure AQ-3)**

- 1) Active grading sites shall be watered one additional time per day beyond that required by Rule 403;
- 2) Contractors shall apply approved nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas;
- 3) Construction contractors shall provide temporary wind fencing around sites being graded or cleared;
- 4) Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code;
- 5) Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off tires of vehicles and any equipment leaving the construction site;

- 6) The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed; and
  - 7) Trucks hauling materials such as debris or fill shall be fully covered while operating off the proposed project property.
3. Prior to submittal for building permits, one set of project plans revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department.
4. Prior to issuance of building permits, all new structures and site preparation (i.e., grading, trenching, fill, etc.) shall be designed and constructed in accordance with the geotechnical recommendations presented in the January 16, 2006 Geotechnical Assessment Report and any addendum thereto prepared for the project. Rainbow shall submit building plans for review and approval to the City of Huntington Beach Building and Safety Department and shall submit and gain approval of utility plans with the Public Works Department prior to issuance of a grading permit. **(Mitigation Measure GEO-1)**
5. The use shall comply with the following:
  - a. Because the parking study received by the City of Huntington Beach on Aug. 7, 2008 relies on pooling all parking spaces to meet Rainbow Disposal's parking needs, all parking spaces (including truck spaces) shall be made available to employees at all times.
  - b. A minimum of 256 parking spaces shall be maintained at all times as noted in the parking study received by the City of Huntington Beach on Aug. 7, 2008 and attached to Mitigated Negative Declaration No. 06-006. Once the number of employees is reduced by at least 25 per shift as is anticipated in the master plan, 250 parking spaces shall be maintained and made available at all times as noted on the conceptually approved plans (166 regular spaces, 74 truck spaces, 10 transfer truck spaces).
  - c. Permitted hours of operation are as follows: Material Acceptance (commercial and general public) – between 6 a.m. and 6 p.m., daily; Material Processing, Loading, and Maintenance – 24 hours a day, daily.
  - d. Only the uses described in the narratives dated December 22 and December 31, 2008 shall be permitted.
6. If any hazardous materials not previously addressed are identified and/or released to the environment at any point during the construction process, operations in the contaminated area shall cease immediately. The contractor shall notify the City of Huntington Beach Fire Department immediately of any such findings. Upon notification of the appropriate agencies, a course of action would be determined subject to the approval of the by the City of Huntington Beach Fire Department. **(Mitigation Measure HAZ-1)**

7. The development services departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
8. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.



# HUNTINGTON BEACH POLICE DEPARTMENT

## PROJECT IMPLEMENTATION RECOMMENDED CONDITIONS OF APPROVAL

**DATE:** December 11, 2008  
**PROJECT NAME:** Rainbow Disposal  
**PLANNING APPLICATION NO:** 2006-0180  
**ENTITLEMENTS:** ENVIRONMENTAL ASSESSMENT NO. 2006-006/CONDITIONAL USE PERMIT NO. 2006—030  
**DATE OF PLANS:** August 7, 2008  
**PROJECT LOCATION:** 17121 Nichols St.  
**PROJECT PLANNER:** Ricky Ramos, Senior Planner  
**PLAN REVIEWER:** Jan Thomas  
**TELEPHONE/E-MAIL:** 949.348.8186/jckthomas@cox.net

**PROJECT DESCRIPTION:** EA – To analyze the potential environmental impacts associated with the proposed project. CUP - To allow a phased expansion of the existing transfer station and material recovery facility (MRF) to include approximately 193,150 square feet of new building area including two transfer stations, a secondary recycling building, office, and enclosure of existing MRF canopy. Rainbow's capacity is proposed to increase from the current 2,800 tons per day (TPD) to 4,000 TPD in a manner that would allow ongoing operations during construction. In addition, several functions that currently occur outdoors will be improved and enclosed, reducing noise and odor.

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The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

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### Recommended conditions of approval:

Public and private areas should be clearly designated and defined through signs and physical barriers.

All areas that allow access to the public shall be monitored through 24 hour recorded surveillance cameras (and saved for 30 days). Areas of public access should be in visual access of Rainbow employees at all times.

At minimum, install cameras (if not already installed) at entrances to facility, transfer station, hazardous waste site, compressed natural gas filling station and individual fuel tanks.

Recommendations to enhance the quality of the project:

Plant and maintain landscaping to allow a window of visibility from three feet up from the ground to seven feet up from the ground. For example, ground cover and shrubs should not exceed three feet in height, and the tree canopies should not hang lower than three feet from the ground. This helps to maintain a line of sight from the Rainbow office to visitors entering the facility and using the grounds.

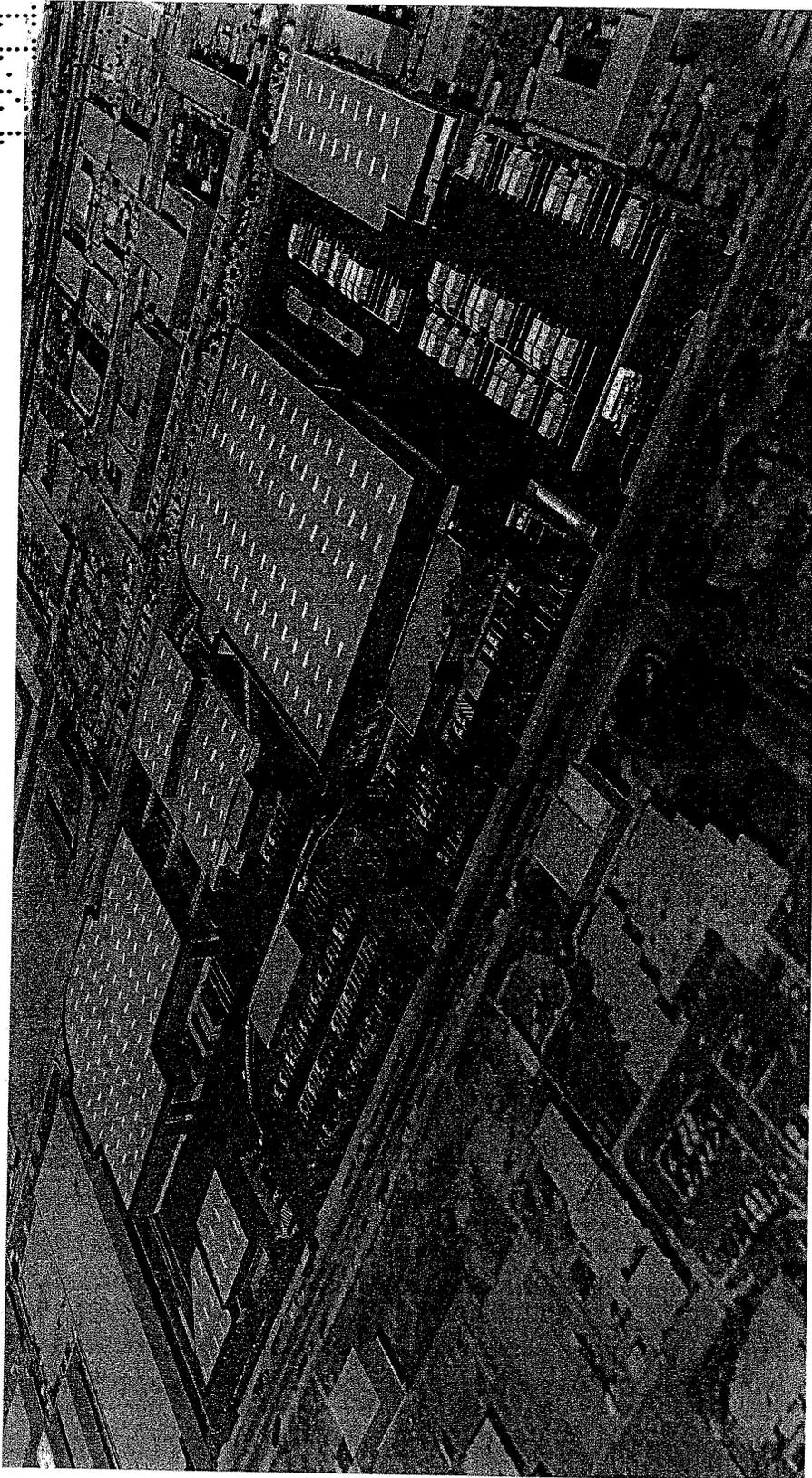
To better understand the scope of potential terrorist/explosive risks in this facility, I consulted with Fire Department Development Specialist, Lee Caldwell. He identified three areas of concern. The following three areas were identified as potential high risk areas desirable for terrorist or explosive opportunities.

- 1) Hazardous Waste Site
- 2) Compressed natural gas filling station
- 3) Individual Fuel Tanks

Special attention should be paid to securing the areas listed above. Some security measures include:

- 24 hour video surveillance
- Physical barriers keeping the public away from these areas.
- Lighting 24/7
- Signs clearly stating the rules of that area.





MASTER PLAN FOR  
**RAINBOW DISPOSAL**  
HUNTINGTON BEACH, CALIFORNIA

MASTER SITE PLAN  
JUN 8 1978  
40 JUL 2 2001



12.1.00

RECD

ALLOWED PER CODE

REQUESTED VARIANCE





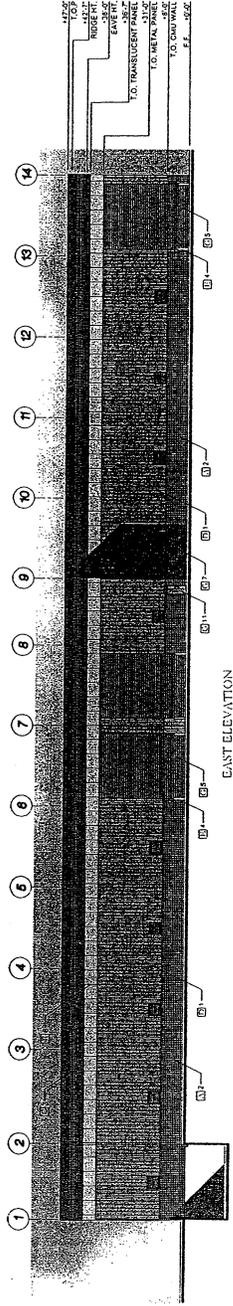


**KEYNOTES**

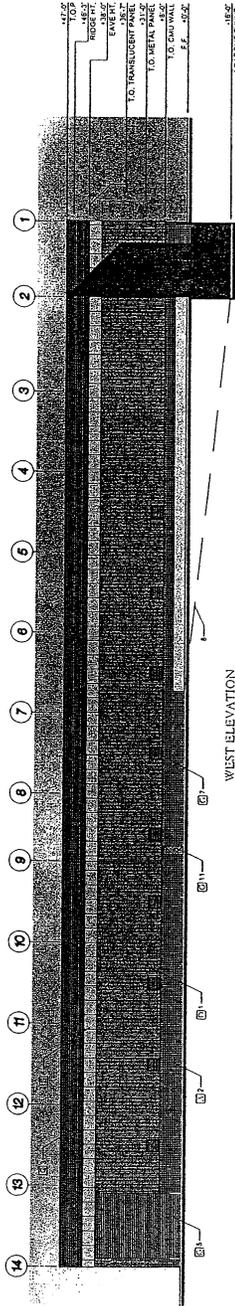
1. METAL WALL PANEL
2. SINGLE BORDING TRYPHY CONCRETE BLOCK
3. CORRUGATED METAL PANEL TO MATCH EXISTING
4. BOLLARD
5. BRUSHED ALUMINUM RISER & FLOOR
6. TRANSLUCENT PANEL
7. GRAY METAL COVER
8. RAMP
9. EXISTING CHAIN WALL
10. EXISTING CHAIN LINK FENCE
11. MANSOOR

**FINISH KEYNOTES**

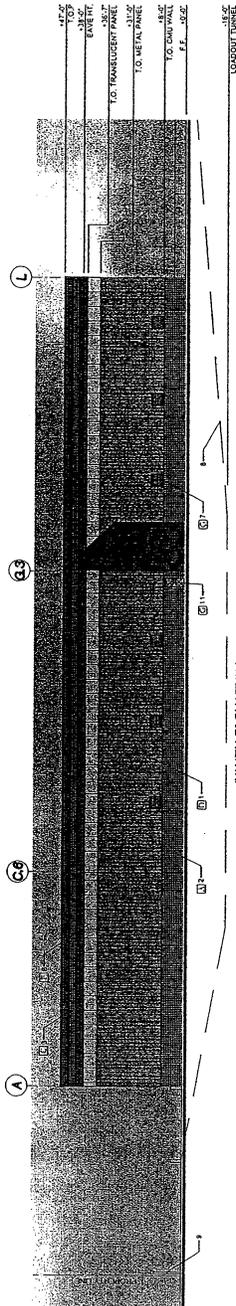
1. POLISHED CONCRETE FLOOR WALL PER DESIGN
2. VERTICAL JOINT ABOVE WINDOW COLOR MATCH KEY TO EXISTING
3. PANEL WALL METAL PANEL COLOR OF BUILDING
4. BRUSHED ALUMINUM RISER & FLOOR
5. METAL PANEL COLOR OF BUILDING EXISTING
6. TRANSLUCENT PANEL TO MATCH EXISTING
7. BRUSHED ALUMINUM RISER & FLOOR
8. POLISHED CONCRETE FLOOR WALL PER DESIGN
9. VERTICAL JOINT ABOVE WINDOW COLOR MATCH KEY TO EXISTING
10. PANEL WALL METAL PANEL COLOR OF BUILDING
11. BRUSHED ALUMINUM RISER & FLOOR
12. METAL PANEL COLOR OF BUILDING EXISTING
13. TRANSLUCENT PANEL TO MATCH EXISTING
14. BRUSHED ALUMINUM RISER & FLOOR
15. POLISHED CONCRETE FLOOR WALL PER DESIGN



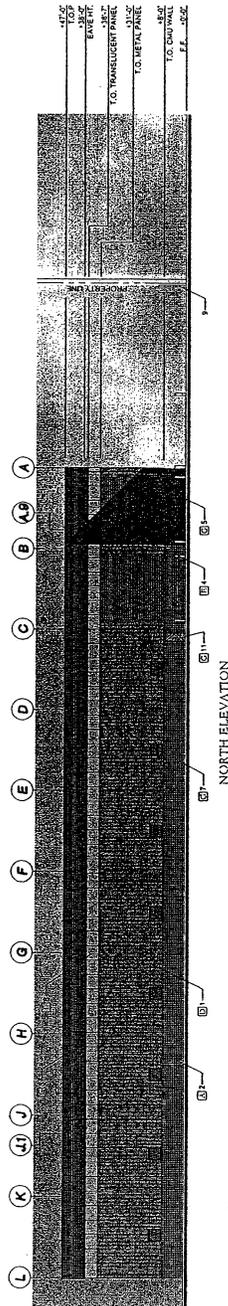
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

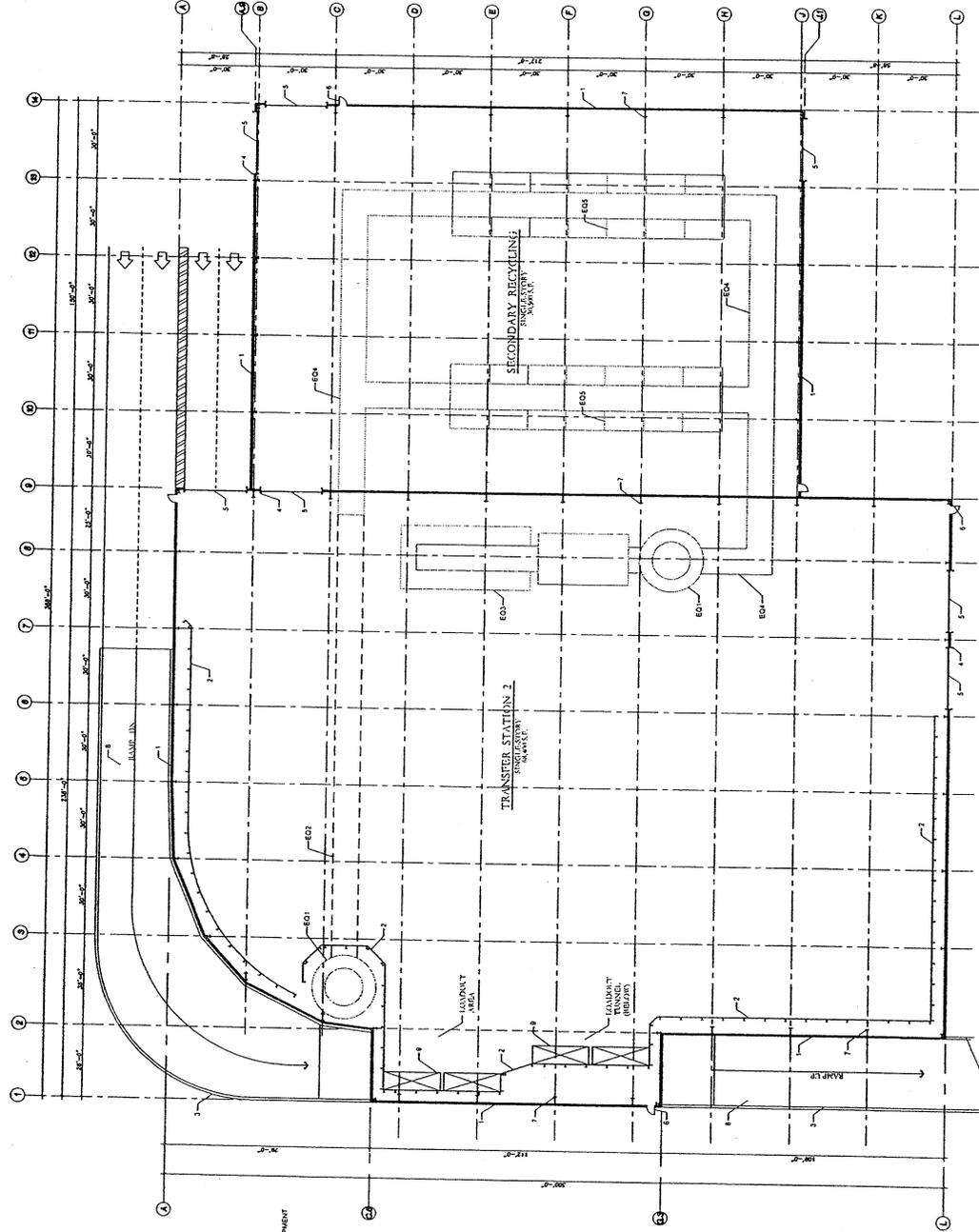

  
 SCALE: 1/4" = 1'-0"
   

  
 ARCHITECTS  
 ENGINEERS  
 PLANNERS  
 CONSULTANTS

TRANSFER STATION 2 & SECONDARY RECYCLING  
**RAINBOW DISPOSAL**  
 HUNTINGTON BEACH, CALIFORNIA

CONCEPTUAL ELEVATIONS  
 JOB # 2024

31100  
31100



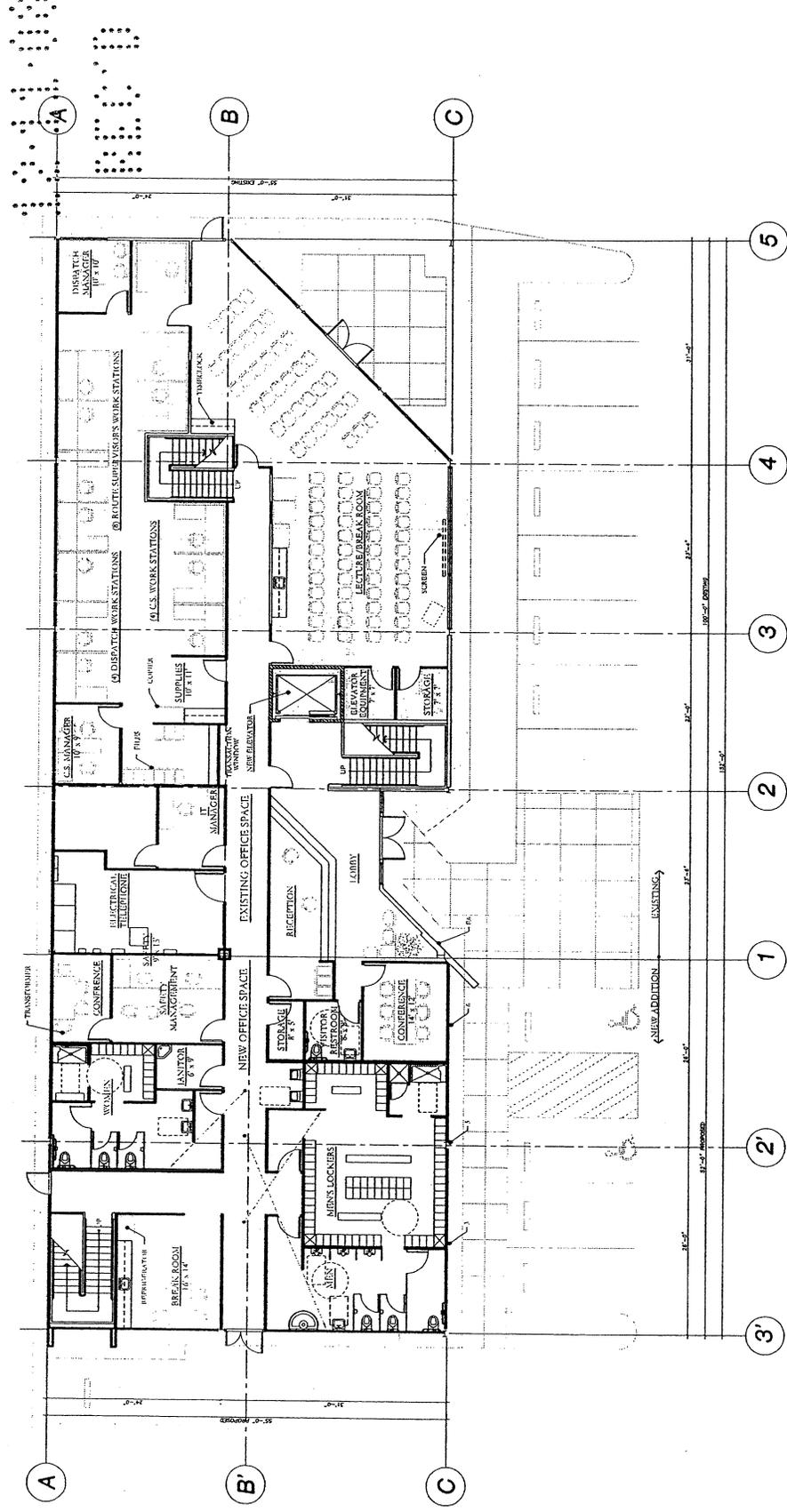
- EQUIPMENT NOTATION
- 1. 12" HIGH CHAIN WALL WITH METAL WALL PANEL ABOVE
  - 2. 12" HIGH STEEL PUSH-WALL
  - 3. RETAINING WALL
  - 4. BOLLARD
  - 5. TRUCK ROLLUP DOOR
  - 6. MAN DOOR
  - 7. STEEL COLUMN
  - 8. CONCRETE RAMP
  - 9. LOADOUT PORT
- EQUIPMENT NOTATION
- E01 GRINDER
  - E02 OVERHEAD CONVEYER
  - E03 INFEED
  - E04 CONVEYOR
  - E05 PROPRIETARY RECYCLING EQUIPMENT



TRANSFER STATION 2 AND SECONDARY RECYCLING  
**RAINBOW DISPOSAL**  
 HUNTINGTON BEACH, CALIFORNIA

CONCEPTUAL FLOOR PLAN  
 07/15/2008





**QUANTITY**

- LECTURE ROOM = 48 SEATS
- TOTAL MEN'S LOCKERS: 77 SPACES + 14 LOCKERS
- TOTAL WOMEN'S LOCKERS: 13 SPACES + 7 TUBS + 14 LOCKERS

**LEGEND**

- PROPOSED WALL
- PROPOSED CONCRETE BLOCK
- ELEVATOR SHAFT
- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE REMOVED
- REMOVED DOOR
- SIGNATURE FOR RESTROOM
- FURNITURE & EQUIPMENT NOT IN CONTRACT
- C.E. CUSTOMER SERVICE

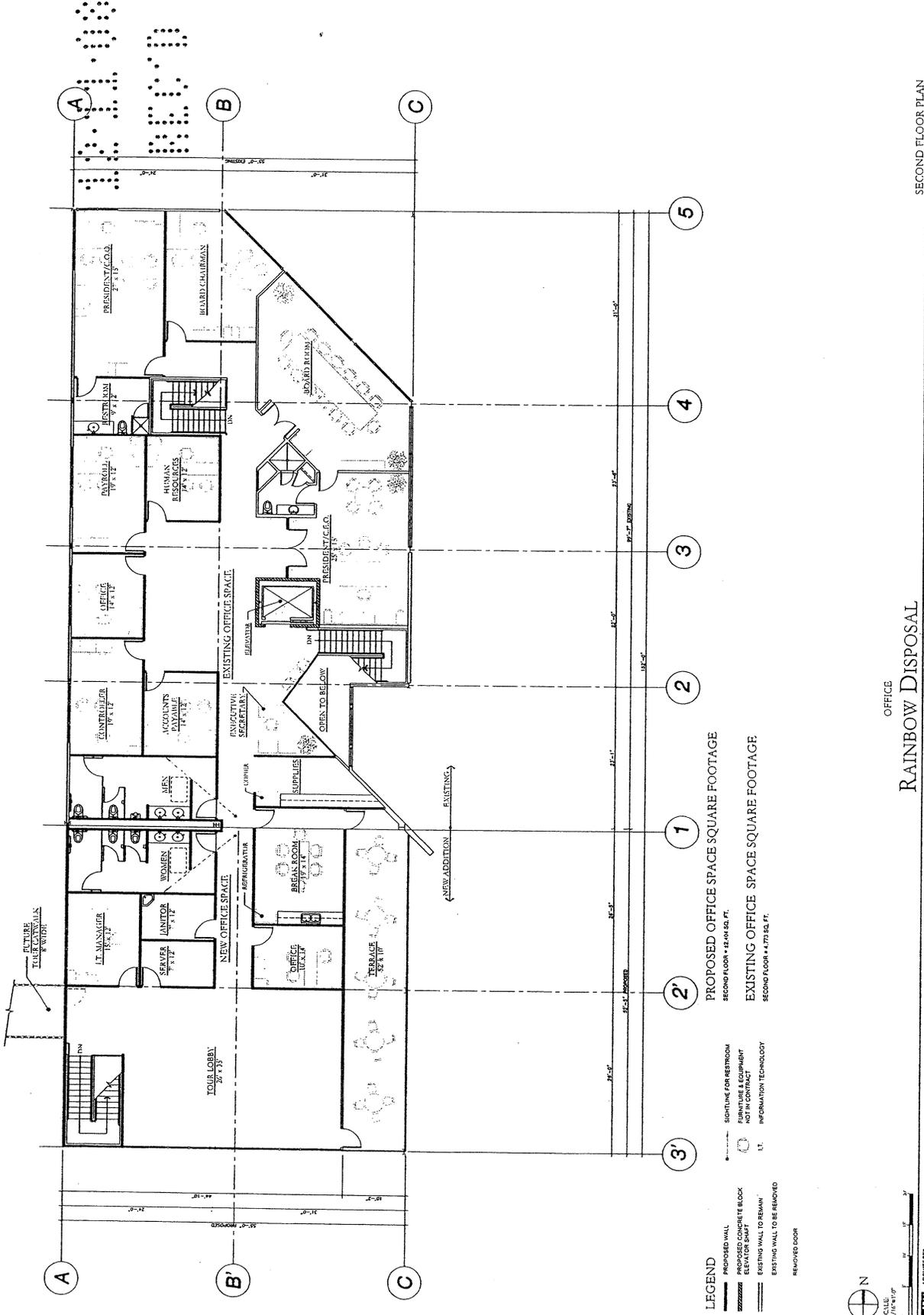
**PROPOSED OFFICE SPACE SQUARE FOOTAGE**  
FIRST FLOOR = 12,803.80 FT.<sup>2</sup>

**EXISTING OFFICE SPACE SQUARE FOOTAGE**  
FIRST FLOOR = 1,773.80 FT.<sup>2</sup>

N  
 SCALE  
 3/16" = 1'-0"  
 ARCHITECTS AND PLANNERS, INC.  
 10000 UNIVERSITY BLVD., SUITE 100  
 HUNTINGTON BEACH, CA 92646  
 (714) 962-1111

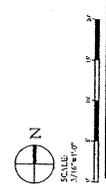
OFFICE  
**RAINBOW DISPOSAL**  
HUNTINGTON BEACH, CALIFORNIA

FIRST FLOOR PLAN  
07 JULY 2008  
JUN 2007



**LEGEND**  
 PROPOSED WALL  
 PROPOSED CONCRETE BLOCK  
 EXISTING WALL TO REMAIN  
 EXISTING WALL TO BE REMOVED  
 REMOVE DOOR  
 SIGHTLINE FOR RESTROOM  
 FURNITURE & EQUIPMENT NOT IN CONTRACT  
 IT INFORMATION TECHNOLOGY

**PROPOSED OFFICE SPACE SQUARE FOOTAGE**  
 SECOND FLOOR = 12,461 SQ. FT.  
**EXISTING OFFICE SPACE SQUARE FOOTAGE**  
 SECOND FLOOR = 4,773 SQ. FT.



ARCHITECTS  
 PLANNERS  
 2011

OFFICE  
**RAINBOW DISPOSAL**  
 HUNTINGTON BEACH, CALIFORNIA

SECOND FLOOR PLAN  
 01/01/2008

# NARRATIVE DESCRIPTION

## RAINBOW DISPOSAL TRANSFER STATION AND MATERIAL RECOVERY FACILITY

March 2007

Revised December 31, 2008

JAN - 5 2009

### PROJECT OVERVIEW

Rainbow Disposal is moving forward to modernize and upgrade its recycling facility to better serve the City of Huntington Beach. This project will enable the Company and the City to not only meet the mandate of Assembly Bill 939, which requires every City in California to recycle at least 50% of their waste, but to ultimately meet the future proposed level of 75%. At the same time, the Company will add new environmental controls to clean the air and stormwater runoff. Some of these include enclosing all recycling and waste handling activities in buildings, adding new dust and odor control systems, and installing innovative stormwater treatment systems.

### Baseline Project

Rainbow Disposal currently operates a Material Recovery Facility (MRF) and transfer station permitted at 2,800 TPD. The facility receives, processes and loads out curbside recyclables, residential and commercial municipal solid waste (MSW), construction and demolition debris (C&D), greenwaste and other materials.

Rainbow is in the process of starting construction of some new buildings and functions that are also included in the baseline project description. These include:

- a new 28,644 sf maintenance facility located on the northwest corner of the property
- a CNG fuel island at the northeast corner of the property off Nichols Street
- a CNG system added to the existing fuel island along with timed filling stations in the existing truck parking area near the north property line
- a new 13,200 sf bin repair shop will front on Nichols Street on the southeast corner of the site. This facility will be designed to maintain the new three-cart curbside recycling system along with the current commercial bins