REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Public Hearing
June 26, 2007

Honorable Mayor and
Members of the City Council

Title: Convenience Recycling Facilities (M06-058)

Location/Council District: Citywide

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** approving the Environmental Exemption per the California Environmental Quality Act. Section 15061 (b) (3); and 2) adopt an **Ordinance** amending sections 17.24.16.010 and 17.24.050 of Title 17 of the Sacramento City Code (The Zoning Code) relating to small recyclable collection container facilities.

Contact: Jason Hone, Junior Planner, (916) 808-5749; Sandra Yope, Senior Planner, (916) 808-7158

Presenters: Jason Hone, Junior Planner

Department: Development Services

Division: Current Planning

Organization No: 4881

Description/Analysis

Issue: At the request of Councilmember Hammond, the Law and Legislation Committee directed staff to draft an ordinance revising the development and operational standards pertaining to small recyclable collection container facilities. The ordinance was to address the following issues: the ease with which stolen scrap metal could be exchanged for cash; noise generating activities adjacent to residential uses; and undesirable facility appearance, cleanliness, and design.

Staff coordinated with officials from the California Department of Conservation, City staff from Solid Waste and Code Enforcement, and Officers from the City Police Department in order to develop an ordinance that would both address the issues and be compatible with California state law. Staff also obtained input through outreach with our industry partners in the development of this ordinance. The attached proposed ordinance is a result of that collaboration and will modify allowed materials, facility locations, material handling and design standards. A comparison of the current and amended Zoning Code is provided in Attachment 1.

Policy Considerations: California state law requires that a convenience zone

be served by a certified recycler who accepts glass, plastic and metallic CRV materials. In many cases, convenience zones are served by small recyclable collection container facilities located in parking lots. This ordinance does not interfere with state mandates associated with convenience zones or solid waste diversion. This proposed ordinance is consistent with the City's Strategic Plan Focus Areas of public safety and sustainability and livability.

Committee/Commission Action: On February 20, 2007 the Law and Legislation Committee, by a vote of three ayes, directed staff to draft an ordinance to modify the Zoning Code related to small recyclable collection container facilities. The Law and Legislation Committee directed staff to go directly to the full City Council with the proposed ordinance for adoption. The proposed ordinance was presented to the City Planning Commission on May 24, 2007, and was approved by a vote of 8 ayes and 1 absent to recommend approval and forward to City Council.

Environmental Considerations: The proposed ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3).

Rationale for Recommendation: Approving this ordinance will establish new standards for small recyclable collection container facilities that will address the negative issues often associated with such facilities.

Financial Considerations: None.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: _____
David Kwong
Planning Manager

Approved by: _____
William Thomas
Director of Development Services

Recommendation Approved:

for Ray Kerridge
City Manager

Table of Contents:

	Report	Pg	1
Attachments			
1	"Before and After" Zoning Code Comparison Table	Pg	4
2	Background	Pg	5
3	Resolution – CEQA Exemption	Pg	11
4	Ordinance Amending Sections 17.16.010 and 17.24.050 Redlined	Pg	12
5	Ordinance Amending Sections 17.16.010 and 17.24.050	Pg	22
6	PowerPoint Presentation for June 26, 2007 Public Hearing	Pg	30

ATTACHMENT 1

"Before and After" Comparison Table

This table demonstrates how the amended Zoning Code will address the identified issues regarding small recyclable collection container facilities.

Issue	Current Zoning Code	Amended Zoning Code
Scrap Metal	• Can accept "glass bottles, metals, plastic containers and papers"	• **NEW:** Can accept only "post consumer recyclable containers comprised of glass, plastic, or metal and commonly found in household generated waste" • **NEW:** Explicitly states "shall not accept scrap metals"
Facility Noise	• Hours limited to 9:00 AM to 7:00 PM (within 100' of residential) • No power-driven processing equipment	• Hours limited to 9:00 AM to 7:00 PM (within 100' of residential) • No power-driven processing equipment • **NEW:** Transfer glass bottles inside structure or w/ sound baffles (within 100' of residential) • **NEW:** Process only for volume reduction and only inside enclosed structure • **NEW:** Exempt battery powered compactors and reverse vending machines from "power-driven processing equipment"
Facility Location	• Not located within required setback • Allowed in SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S) • In conjunction with existing commercial or community service use	• Not located within required setback • Allowed in SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S) • In conjunction with existing commercial or community service use • **NEW:** At least 25' from residential • **NEW:** Must serve a State defined "Convenience Zone" (typically the 1/2 mile radius of a full service market with more than $2 million in annual sales)
Facility Cleanliness	• Maintained free of litter • Mobile facilities swept at the end of each day • Shall not leave materials outside when attendant is not present	• Maintained free of litter • **NEW:** All convenience facilities swept at the end of each day • Shall not leave materials outside when attendant is not present
Facility Design	• Facility shall not impair existing required landscaping of primary use	• Facility shall not impair existing required landscaping of primary use • **NEW:** Design and color of the facility shall be compatible with the existing use on the site • **NEW:** Improvements may be required to ensure compatibility, including but not limited to landscaping, screening, trailer skirting, and parking lot improvements

ATTACHMENT 2

Background Information

City of Sacramento code delineates four types of recycling facilities: 1) Small recyclable collection container facilities; 2) Minor facilities; 3) Major facilities; and 4) Greenwaste facilities. This classification system is based on the types and volume of materials handled. The code specifies development and operational standards for each type of facility. The proposed ordinance will amend development and operational standards for small recyclable collection container facilities.

Councilmember Hammond requested that staff investigate and report back to the Law and Legislation Committee on modifications to the current design standards, site criteria and allowed materials related to small recyclable collection container facilities. On February 20, 2007, staff delivered a discussion paper to the Law and Legislation Committee that explored those issues and offered preliminary strategies to address specific concerns. The specific concerns noted in the February 20th Law and Legislation Committee discussion paper included:

- the ease with which stolen scrap metal could be exchanged for cash;
- noise generating activities adjacent to residential uses; and
- undesirable facility appearance, cleanliness, and design.

The discussion paper recommended the following initial strategies: limiting small recyclable collection container facilities to the collection of CRV materials only; prohibiting any form of on site processing; and requiring basic compatibility of design and colors with the primary use. The Law and Legislation Committee directed staff to draft an ordinance that would amend the zoning code respectively.

Staff coordinated with officials from the California Department of Conservation, City staff from Solid Waste and Code Enforcement, and Officers from the City Police Department in order to vet the initial strategies introduced in the discussion paper and to develop an ordinance.

State officials identified potential conflicts in the initial strategies of: 1) allowing only CRV materials; and 2) prohibiting any form of on-site processing. State officials noted that allowing only CRV materials would be too restrictive and would prevent the collection of other common household recyclables such as plastic milk and water containers. Such a narrow definition could jeopardize mandated diversion requirements that the City must adhere to. It would also unnecessarily complicate the ability of individuals to bring commingled recyclable materials to a convenience recycling facility. Secondly, it was determined that prohibiting all forms of processing (e.g. prohibiting crushing bottles and cans) would dramatically increase truck trips for the collection of materials, thus generating more carbon and other detrimental environmental effects. Staff has included various measures in the proposed amendments aimed at addressing noise while still allowing limited processing necessary for volume reduction. The language allowing battery powered compactors is an example of this compromise. Staff

conducted a site visit to observe a demonstration of a battery operated compactor at a NexCycle small recyclable collection container facility at 6231 Fruitridge Road. The compactor was located inside the facility and the noise generated was negligible compared to ambient background noise. Staff also observed that the compactor was less audible than the traffic passing on Fruitridge Road. Failing to modify these initial strategies could lead to unintended consequences. Therefore, the resulting ordinance includes a broader definition of allowed materials, explicitly prohibits scrap metal and allows for limited onsite compaction in order to reduce truck trips.

The proposed ordinance seeks a compromise in order to address neighborhood concerns without driving small recycling collection facilities out of business in the City of Sacramento, or coming into conflict with State mandates.

Proposed Ordinance – Description and Analysis

The proposed ordinance will amend the Zoning Code affecting small recyclable collection container facilities as follows:

Section 17.16.010 will be amended to:

- rename "small recyclable collection container facilities" to "convenience recycling facilities" and define them as being located in a convenience zone and certified by the California Department of Conservation under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code §14500 et seq.) and adhering to the development standards in section 17.24.050(41)(e); and

- include definitions of "process", "reverse vending machine", and "scrap metal" under recycling related definitions.

The definition and name of small recyclable collection container facilities was amended to support the original intention that these types of facilities serve convenience zones and are intended for the collection of post consumer household recyclables, primarily (but not exclusively) CRV materials. The new terms were defined because they are used in the amended language of the development standards in section 17.24.050(41).

Section 17.24.050(41) development standards for convenience recycling facilities will be amended to:

- Change the name of small recyclable collection container facilities to "convenience recycling facilities" and require that they be located in a convenience zone and certified by the California Department of Conservation under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code §14500 et seq.).

- Require facilities to be placed at least twenty-five (25) feet from any property zoned or occupied for residential use in addition to the existing language that they not be located in a required setback.

- Change allowed materials from "glass bottles, metals, plastic containers and papers" to "post consumer recyclable containers comprised of glass, plastic, or metal and commonly found in household generated waste."

- Specify that the facility owner/operator shall not accept scrap metals.

- Allow materials to be processed on site only within an enclosed structure and only to the extent necessary for volume reduction to accommodate the collection schedule.

- Excepting reverse vending machines and battery-powered compactors from the existing restriction on "power-driven processing equipment."

- Require convenience recycling facilities to be swept at the end of each day.

- Require collection schedules to occur during a facility's operating hours or between dawn and dusk, whichever is more restrictive.

- Require that transferring glass bottles from one container to another at a facility within one hundred (100) feet of a property zoned or occupied for residential use must be done while utilizing sound baffles or other acoustical shielding.

- Require illumination of facilities that have operating hours between dusk and dawn.

- Require that the design and color of the facility shall be compatible with the existing commercial use or community service facility on the site.

The proposed amendments address the initial issues presented to the Law and Legislation Committee on February 20, 2007. Those initial issues were:

- the ease with which stolen scrap metal could be exchanged for cash;
- noise generating activities adjacent to residential uses; and
- undesirable facility appearance, cleanliness, and design.

Scrap Metal Theft and Public Safety

The initial strategy of limiting materials to CRV containers was considered as a means by which to limit small recyclable collection container facilities to bottles and cans only. However, in consultation with State officials from the Department of Conservation, staff learned that such a narrow guideline could create unintended and undesired consequences. The language in the proposed amendment addresses the initial strategy to increase public safety by restricting scrap metal while providing enough flexibility to ensure that the recycling of common household waste is not discouraged.

The additional language requiring illumination also contributes to public safety.

Noise
Certain activities at small recyclable collection container facilities adjacent to residential uses can become a nuisance due to excessive noise levels. The initial strategy of prohibiting any form of processing was intended to reduce noise levels. However, because such a prohibition would drastically affect the collection schedule, requiring many more truck trips, staff is proposing alternative amendments. Those amendments include the language requiring that processing occur only within an enclosed structure, the 25 foot minimum buffer from residential property, utilization of sound baffles or acoustical shielding when transferring glass bottles, and the limitations on collection schedules.

Undesirable Facility Appearance, Cleanliness and Design
Undesirable facility appearance, cleanliness, and design is addressed with the requirement that facilities be swept at the end of each business day and the language requiring that the design and colors of the facilities be compatible with the primary use.

California State Law
California state law requires a convenience zone to be served by a certified recycler who accepts glass, plastic and metallic CRV materials. A convenience zone is typically a half-mile radius circle with the center point originating at a supermarket that meets the following definitions based on California Public Resources Code §14509.4 and §14562.5: supermarket is identified in the Progressive Grocer Marketing Guidebook; supermarket gross annual sales are $2 million or more; and supermarket is considered a "full-line" store that sells a line of dry groceries, canned goods, or non-food items and perishable items. In most cases, convenience zones are served by small recyclable collection container facilities located in parking lots. This ordinance avoids being overly restrictive which could create conflict with California state law. This ordinance does not interfere with state mandates associated with convenience zones or solid waste diversion.

General Plan Update Vision and Guiding Principles
While the general plan is being updated, the City Council has adopted a vision for the future of the City as well as several guiding principles to help achieve this vision. Guiding principles that the proposed zoning code amendment complies with include:

1. Utilize sustainable development and land use planning practices that provide for the needs of existing residents and businesses while preserving choices for future generations.

2. Foster safe neighborhoods through good community and environmental design that promotes a mix of uses, active streets, improved air quality, and security.

3. Promote livable and well-designed neighborhoods that are walkable and complete, with a mix of uses and services to support improved health and the

needs of families, youth, seniors, and a growing population.

The proposed zoning code amendment will allow convenience recycling facilities to meet the needs of existing residents while providing a service that is fundamental to sustainability. The amendment enhances public safety by prohibiting the collection of scrap metal at such facilities, thus decreasing possible venues for transactions in stolen materials. The amendment also allows convenience recycling facilities to utilize battery operated compaction equipment, thus decreasing the number of truck trips, reducing congestion, and improving air quality. Finally, by requiring basic design standards, establishing minimum distances from residential uses, and limiting noise generating activities, this amendment promotes livable and well-designed neighborhoods.

Compliance of Existing Small Recycling Collection Container Facilities

The proposed ordinance will require that, no later than December 31, 2008, existing small recyclable collection container facilities come into compliance with the amended development standards for convenience recycling facilities in section 17.24.050(41). Existing small recyclable collection container facilities that can not meet the amended development standards must apply for the appropriate special permit to operate as a minor or major facility. If unable to meet the criteria for a minor or major facility, the facility owner/operator would need to apply for a variance pursuant to title 17.216 of the City Code.

Community/Neighborhood Outreach and Comments

An informational workshop was held on April 23, 2007 at the Oak Park Community Center. Staff announced the workshop via mail and email to recycling operators within Sacramento City limits, business organizations, community and neighborhood organizations, and additional parties identified by Councilmember Hammond.

At the workshop, staff discussed requiring sound baffles or other acoustical shielding when transferring glass bottles from one container to another. A recycler in attendance expressed concern that they were not aware of any specific devices for that purpose. Upon further investigation, and conversations with additional recyclers and state officials, it is apparent that there is currently no widely accepted readily-available technology or industry standard for the baffling of this type of noise associated with glass bottles. Consequently, the proposed ordinance will require that (when within 100 feet of residentially zoned or occupied property) the transferring of glass bottles from one container to another shall occur within an enclosed structure or shall utilize sound baffles or other acoustical shielding. The proposed ordinance further addresses noise concerns by requiring that material processing for volume reduction occur within an enclosed structure. These measures will limit some of the noise associated with recycling. In addition to limitations on operating hours, and setbacks from residential property, staff feels that this is a reasonable approach.

A representative of Councilmember Fong attended the April 23rd workshop. The

representative indicated that some residents in proximity to small recyclable collection container facilities had concerns about noise, cleanliness, and loitering. While loitering is a matter of enforcement of existing laws, the proposed ordinance will address neighborhood concerns regarding site aesthetics and noise.

Staff attended a meeting of the Area 1 Neighborhood Advisory Group on April 16, 2007 and presented the proposed changes. Comments were consistent with those expressed by the representative of Councilmember Fong at the April 23rd workshop.

Staff also attended a May 21st meeting of the Area 2 Leadership Group. At that meeting a member of the community asked if code violation penalties could be directed back to code enforcement rather than the General Fund. The concern was stated that Code Enforcement is understaffed and would need more resources in order to enforce the code changes.

Notice of Hearing

As required by section 17.208.010 of the City Code, notice of the June 26, 2007 public hearing has been given by publication. Additionally, notice of the public hearing has been mailed to recycling operators within City of Sacramento limits as obtained from the California Department of Conservation, Division of Recycling.

ATTACHMENT 3

RESOLUTION NO.

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (ZONING CODE AMENDMENT RELATING TO SMALL RECYCLABLE COLLECTION CONTAINER FACILITIES M06-058)

BACKGROUND

A. The City of Sacramento's Environmental Planning Services has reviewed the ordinance relating to small recyclable collection container facilities and has determined the proposal is exempt from review under the California Environmental Quality Act as follows:

1. The proposal is exempt under the following provisions of the California Environmental Quality Act (CEQA) Guidelines: Section 15061 (b) (3);

2. The factual basis for the finding of exemption is as follows:

   Exemption 15061 (b) (3) consists of an activity covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. However, specific projects requiring entitlement approval will be brought back to the Zoning Administrator for authorization to proceed with actual construction/development plans of the proposed project. At the time of final action, appropriate CEQA environmental review documentation will also be completed for each specific project and brought forward to the Zoning Administrator.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council has reviewed and considered the Environmental Planning Services determination of exemption and the comments received at the meeting on the Project and determines that the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

ATTACHMENT 4

Redlined
ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AMENDING SECTIONS 17.16.010 AND 17.24.050 OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO RECYCLING FACILITIES (M06-058)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Section 17.16.010 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Section 17.16.010 is amended by amending the definition of "recycling facility" to read as follows:

"Recycling facility" means a facility for the acceptance of recyclable materials from the general public, other recycling facilities, local government agencies, and other business enterprises. The site is used for the collection, short-term storage of, processing and transfer of recycled materials having a residual solid waste of ten (10) percent or less of nonputrescent material requiring transport to a land fill. A recycling facility may use portable or permanent equipment to chip, crush, grind, or process recyclable waste products.

The categories of recycling facilities used by this title are:

~~1. Small Recyclable Collection Container Facility.~~

~~No special permit is required for a small collection container facility which is a facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of not more than five hundred (500) square feet. Such a facility shall not use power-driven processing equipment. Small collection container facilities are: (a) kiosk type units and "igloo" receptacles; or (b) unattended receptacles placed for the donation of recyclable materials.~~

~~2. Minor Facility.~~

~~A minor facility is one which will require zoning administrator special permit~~

~~approval. This facility is characterized by the operating tonnage per day, material stockpiling, truck trips per day, and site area. A minor facility cannot accept greenwaste. Refer to Section 17.24.050(41) of this title for facility development standards and criteria.~~

~~3. Major Facility.~~

~~A major facility is one which will require planning commission special permit approval. This facility is characterized by the operating tonnage per day, material stockpiling, truck trips per day, and site area. A major facility cannot accept greenwaste. Refer to Section 17.24.050(41) of this title for facility development standards and criteria.~~

1. Convenience Recycling Facility.

A convenience recycling facility is a recycling facility located in a convenience zone and certified by the California Department of Conservation under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code §14500 *et seq.*). Refer to Section 17.24.050(41) of this title for convenience recycling facility development standards and criteria.

2. Minor Recycling Facility.

A minor recycling facility is a recycling facility that is not a major recycling facility and is not a convenience recycling facility. A minor facility cannot accept greenwaste. Refer to Section 17.24.050(41) of this title for facility development standards and criteria.

3. Major Recycling Facility.

A major recycling facility is a facility with an operation involving fifty (50) tons or more of material per day; or that includes on-site stockpiled material of five thousand (5,000) tons or more; or that includes more than fifty (50) truck trips per day; or with a site area that exceeds three acres. A major facility cannot accept greenwaste. Refer to Section 17.24.050(41) of this title for facility development standards and criteria.

4. Greenwaste Facility.

A greenwaste facility is ~~one which will require planning commission special permit approval and~~ a facility that accepts garden, wood, and other organic waste to reprocess into compost, wood chips, or other products. "Chip and ship" or "chip and grind" facilities are included in this type of facility. Such a facility must meet the criteria and standards listed in Section 17.24.050(41) of this title. Facilities which receive greenwaste (garden, wood, or other organic waste) for shipment to another facility for reprocessing or composting are included in this type of facility. Such a facility may use power-driven processing equipment. Refer to Section 17.24.050(41) of this title.

B. Section 17.16.010 is amended by amending the definition of "recycling related definitions" to read as follows:

Recycling Related Definitions.

The following definitions are terms associated with recycling facilities:

1. "Greenwaste" means organic waste generated by landscape, garden or agricultural operations consisting of lawn clippings, tree and shrub prunings, wood, and miscellaneous soil material. This is categorized as material which can be used to process into compost or wood chips for reuse.

2. "Process" means the act of physically altering collected materials, including without limitation crushing cans and breaking glass bottles by hand or with manual or power driven equipment.

3. "Recyclable material" means reusable material, including~~, but not limited to~~ without limitation metals, glass, plastic, paper, concrete and organic material which is intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material.

~~3~~ 4. "Reverse vending machine" means a mechanical device that accepts one or more types of empty CRV beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's refund value.

5. "Solid waste" means any material consisting of inert, putrescible or nonputrescible material generated by residential, commercial, industrial and agricultural uses. Inert materials generally have no active material which can break down into other forms, therefore considered to not decompose. Putrescible materials are capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances because of odors, vectors, gases or other offensive conditions. Nonputrescible materials are not easily decomposed into other matter or decomposed into other materials.

6. "Scrap metals" includes, but is not limited to, materials and equipment commonly used in construction, agricultural operations, irrigation, and electrical power generation and transmission, railroad equipment, automobile parts, oil well rigs, scrap iron, nonferrous materials, copper, stainless steel, and nickel that are offered for sale to any junk dealer or recycler, but does not include household generated waste, or aluminum beverage containers..

C. Except as specifically amended by the amendments to the definitions of "recycling facility" and "recycling related definitions" section 17.16.010 shall remain unchanged and in full force and effect.

SECTION 2. Section 17.24.050 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote 41 of Section 17.24.050 is amended to read as follows:

41. Recycling Facilities.

a. Recycling facilities may be permitted as set forth in the following table. See Section 17.16.010 of this title for applicable definitions. ~~A facility is characterized as a major facility, if any one of the following criteria applies:~~

~~Operation involves fifty (50) tons or more of material per day;~~

~~Operation includes on-site stockpiled material of five thousand (5,000) tons or more;~~

~~Operation includes more than fifty (50) truck trips per day; and~~

~~The site area exceeds three acres.~~

~~All other recycling facilities are characterized as "minor" except the "small recyclable collection container facility." Permitting requirements are outlined in the chart in this section.~~

Operational and developmental standards have been developed to ensure that all recycling facilities will be attractive and well-maintained. ~~These standards shall be applied to existing, new and expanding facilities. Existing facilities are required to comply with the~~ The operational standards ~~outlined~~stated in subsection (41)(~~b~~c) of this section~~.~~

shall be applied to all existing facilities existing on or after the effective date of the ordinance codified in this section. The development standards in subsection (41)(d) and (e) of this section shall be applied to new and expanding facilities. Those recycling facilities permitted with a zoning administrator's or planning commission special permit shall comply with the provisions in Chapter 17.72 of this title and the following standards:

Type of Facility	Zones Permitted	Permit Required
~~Small recyclable collection container facility~~Convenience recycling facility	SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S)	Administrative review (must comply with subsection (41)(~~d~~e) of this section)

Minor recycling facility	C-4, M-1, M-2, M-1(S), M-2(S)	Zoning administrator's special permit (must comply with subsection (41)(~~c~~d) of this section)
Major recycling facility	C-4, M-1, M-2, M-1(S), M-2(S)	Planning commission special permit (must comply with subsection (41)(~~c~~d) of this section)
Greenwaste facility	A	Zoning administrator's special permit (must comply with subsection (41)(~~c~~d) of this section)
	C-4, M-1, M-2, M-1(S), M-2(S)	Planning commission special permit (must comply with subsection (41)(~~c~~d) of this section)

~~a~~b. Permit for Multiple Sites.

A single administrative review, zoning administrator special permit, or planning commission special permit may be granted to allow more than one facility located on different sites as long as:

1. The operator of each of the proposed facilities is the same;

2. The proposed facilities are determined to be similar in nature, size and intensity of activity; and

3. All of the applicable criteria and standards set forth in the development standards and/or operational standards in this section are met for each such proposed facility.

~~b~~c. Operational Standards.

~~New or expanded~~ All recycling facilities must comply with ~~both~~ the operational standards ~~and the development standards. Existing facilities must comply within one hundred twenty (120) days of the effective date of the ordinance codified~~set forth in this ~~section~~subsection (c).

i. Facility owner/operator shall be responsible for removal of all litter generated by the recycling operation. The facility owner/operator shall provide litter control at the entrance(s) of the facility and along the street, sidewalk and setback areas adjacent to the facility.

ii. Facility owner/operator shall control dust generated from the facility to the maximum extent feasible, subject to the direction of the solid waste manager or his or her designee. Dust control measures may include, but are not limited to, misting systems, water trucks, manual or mechanical sweeping and use of negative ventilation.

iii. Facility owner/operator shall control odors generated by the facility and prevent the migration of odors off-site to the maximum extent feasible, subject to the direction of the solid waste manager or his or her designee. Odor control measures may include, but are not limited to, misting systems, masking agents, containment and use of negative ventilation. The facility owner/operator shall conduct an odor investigation, at the request of the solid waste manager or his or her designee, provide a written report the investigation and shall correct identified problems.

iv. Upon request of a city representative, the facility owner/operator shall attend neighborhood meetings to answer questions about facility operations.

v. Noise levels shall not exceed standards established by the Sacramento City Code.

~~c~~d. Development Standards Applicable to Recycling Facilities that Require a Special Permit.

The following standards will be applied to new or expanded recycling facilities~~, except facilities requiring an administrative review~~ that require a special permit:

i. If necessary to prevent visibility of processing operations and stockpiled or processed materials, the facility owner/operator will install and maintain fencing around the site.

ii. All recyclable materials will be stored in receptacles, within an on-site building, or behind a screened or fenced area to prevent visibility from adjacent roadways and parcels.

iii. Landscaping shall be a minimum of twenty-five (25) feet clear along the frontage of any right-of-way, including frontage not used as access. Landscaping shall be a mixture of trees, shrubs, and live groundcover and shall be provided with an automatic irrigation system. The landscaped area shall be free of any obstacles or concrete sidewalks. Exceptions include sidewalks required to attain ADA handicap access compliance and some vaults/transformers placed per the requirements of utility companies. Fencing shall not be allowed to encroach into the landscaping area. When vehicles overhang, and no wheel stops are provided, the landscaped area must be increased to twenty-seven (27) feet. A six-inch raised concrete curb is required at the back of the sidewalk. If the landscape area includes at least fifteen (15) feet of turf area to the sidewalk, the concrete curb is not required. The applicant shall submit a detailed landscape and irrigation plan for review and approval.

iv. No portion of the facility activities, operations, storage, or other work will encroach into the required, established landscaped areas or setback areas established by the zoning ordinance.

v. Any undeveloped area of a site shall be surrounded by a barrier constructed to prohibit access to the area. Barriers may include six-inch minimum barrier curbing, bollards, fencing or landscaping.

vi. All on-site access areas, tipping areas, staging areas and sorting areas shall be surfaced with asphalt concrete or concrete paving.

vii. Signs must meet the requirements in the sign ordinance for the zone in which the facility is located and must be consistent with the character of the location.

viii. Fencing shall be a minimum of six feet in height (maximum eight feet in height) and shall be either solid decorative masonry, solid wood, or shall be vinyl-coated chain link fencing with vinyl or redwood slats. Color of the slats shall be unobtrusive and subject to approval prior to installation. Fencing shall be installed behind the required landscaped area.

ix. Operating hours shall not exceed eight a.m. to seven p.m. when located within two hundred (200) feet of a residentially zoned or occupied property.

~~d~~e. Development Standards~~—Administrative Review~~ Applicable to Convenience Recycling Facilities.

The following standards will be applied to new or expanded convenience recycling facilities ~~requiring an administrative review:~~

~~i. Small Recyclable Collection Container Facilities. Small~~ and to small recyclable collection container facilities ~~may be sited in commercial and industrial zones with administrative review provided they comply with the following conditions~~rendered nonconforming by Ordinance No. 2007- ((M06-058) as provided in subsection (e)(xvii) below:

~~(A) Shall be established~~ i. The facility shall be operated only in conjunction with an existing commercial use or community service facility ~~which~~ that is in compliance with the zoning, building and fire codes of the city and that is located in a convenience zone as defined under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code §14500 *et seq.*);

~~(B) Shall~~ii. The facility shall be no larger than five hundred (500) square feet~~,~~ and, if located in a parking lot, shall occupy no more than five parking spaces not including spaces that will be periodically needed for removal of materials or exchange of the collection receptacles. No parking spaces required for the primary host use may be occupied by the facility;

~~(C) Shall~~ iii. The facility shall be set back at least ten (10) feet from any street or building ~~or~~and twenty-five (25) feet from any property zoned or occupied for residential use; shall not be located in any required setback, and shall not obstruct

pedestrian or vehicular circulation;

~~(D) Shall~~iv. The facility owner/operator shall accept only ~~glass bottles, metals, plastic~~post consumer recyclable containers comprised of glass, plastic, or metal and ~~papers~~commonly found in household generated waste;

~~(E) Shall use no power-driven processing equipment~~v. The facility owner/operator shall not accept scrap metals;

~~(F) Shall use receptacles that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;~~

~~(G) Shall store all recyclable material in receptacles and shall not leave materials outside of receptacles when attendant is not present;~~

~~(H) Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or receptacles are removed at the end of each collection day;~~vi. Materials may be processed on site, but only within an enclosed structure and only to the extent necessary for volume reduction to accommodate the collection schedule. No power-driven processing equipment may be used except for reverse vending machines and battery-powered compactors. Transferring glass bottles from one receptacle to another shall be ~~swept at the end of each collection day;~~

~~(I) Attended facilities located at community service sites shall be in operation only during the hours between dawn and dusk; and~~ done only within an enclosed structure or shall utilize sound baffles or other acoustical shielding in facilities located within one hundred (100) feet of a property zoned or occupied for residential use ~~shall operate only during the hours between nine a.m. and seven p.m.~~;

~~(J) Receptacles shall~~ vii. The facility owner/operator shall use only durable waterproof and rustproof collection receptacles of sufficient capacity to accommodate the materials collected and the collection schedule. The receptacles shall be covered and secured when the attendant is not present. The receptacles shall be clearly marked to identify the type of material which may be deposited;

viii. All recyclable material shall be stored in the collection receptacles at all times, and shall not be left outside of the collection receptacles when attendant is not present;

ix. The owner/operator shall maintain the facility free of litter and any other undesirable materials and shall sweep the facility at the end of each collection day;

x. Facilities located within one hundred (100) feet of a property zoned or occupied for residential use shall operate only during the hours between nine a.m. and seven p.m. Facilities that are operated by an attendant and that are located more than one hundred (100) feet of a property zoned or occupied for residential use shall operate

only during the hours between dawn and dusk. Unattended facilities located more than one hundred (100) feet of a property zoned or occupied for residential use may operate twenty-four (24) hours a day.

xi. Materials shall be removed from the facility on a routine basis. Materials may be collected and transported from the facility and collection receptacles may be delivered only during the facility's hours of operation or between dawn and dusk, whichever is more restrictive;

xii. The facility shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn;

xiii. The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and shall display a notice stating that no material shall be left outside the ~~recycling enclosure or~~collection receptacles;

~~(K) Materials shall be removed from the facility on a routine basis;~~

~~(L)~~ xiv. The facility shall not impair the landscaping required for any concurrent use by this title or any permit issued pursuant thereto;

~~(M)~~xv. No ~~additional~~ parking spaces ~~will be~~ are required for customers of a ~~small collection~~convenience recycling facility located ~~at~~in the established parking lot of a host use. One space will be provided for the attendant, if needed;

~~(N) Occupation of parking spaces by the facility and by the attendant shall not~~

xvi. The design and color of the facility shall be compatible with the existing commercial use or community service facility on the site. Improvements may be required to ensure compatibility, including but not limited to landscaping, screening, trailer skirting, and parking lot improvements.
~~reduce available parking spaces below the minimum number required for the primary host.~~

xvii. Ordinance No. 2007- (M06-058), effective , renamed small recyclable collection container facilities "convenience recycling facilities", amended their applicable development standards, and modified the types of recyclables these facilities are allowed to collect. At no cost to city, any small recyclable collection container facility in existence on the effective date of Ordinance No. 2007- and rendered nonconforming by the Ordinance shall come into compliance with the provisions of this subsection (e) no later than December 31, 2008.

f. Temporary Recycling.

Temporary recycling operations at manufacturing facilities are permitted with a

zoning administrator's special permit in the C-4, M-1, M-2, M-1(S), and M-2(S) zones. Temporary operations must meet the following criteria:

i. One temporary permit will be issued for a maximum of ninety (90) days per calendar year for a site qualifying as a manufacturing site. No extensions of time will be permitted per site per calendar year.

ii. The proposed site for the temporary permit shall comply with all recycling operation standards. Refer to subsection (41)(~~b~~c) of this section.

iii. All equipment brought in for the temporary recycling operations shall be removed on or before the last day of the temporary permit.

iv. Recycling operations are limited to the recycling of on-site materials that result from normal business operations conducted on the site. Off-site materials are not allowed to be accepted for recycling during the temporary recycling period granted.

B. Except as specifically amended by the amendments to Footnote 41, section 17.24.050 shall remain unchanged and in full force and effect.

ATTACHMENT 5

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AMENDING SECTIONS 17.16.010 AND 17.24.050 OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO RECYCLING FACILITIES (M06-058)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. Section 17.16.010 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Section 17.16.010 is amended by amending the definition of "recycling facility" to read as follows:

"Recycling facility" means a facility for the acceptance of recyclable materials from the general public, other recycling facilities, local government agencies, and other business enterprises. The site is used for the collection, short-term storage of, processing and transfer of recycled materials having a residual solid waste of ten (10) percent or less of nonputrescent material requiring transport to a land fill. A recycling facility may use portable or permanent equipment to chip, crush, grind, or process recyclable waste products.

The categories of recycling facilities used by this title are:

1. Convenience Recycling Facility.

A convenience recycling facility is a recycling facility located in a convenience zone and certified by the California Department of Conservation under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code §14500 *et seq.*). Refer to Section 17.24.050(41) of this title for convenience recycling facility development standards and criteria.

2. Minor Recycling Facility.

A minor recycling facility is a recycling facility that is not a major recycling facility and is not a convenience recycling facility. A minor facility cannot accept greenwaste.

Refer to Section 17.24.050(41) of this title for facility development standards and criteria.

3. Major Recycling Facility.

A major recycling facility is a facility with an operation involving fifty (50) tons or more of material per day; or that includes on-site stockpiled material of five thousand (5,000) tons or more; or that includes more than fifty (50) truck trips per day; or with a site area that exceeds three acres. A major facility cannot accept greenwaste. Refer to Section 17.24.050(41) of this title for facility development standards and criteria.

4. Greenwaste Facility.

A greenwaste facility is a facility that accepts garden, wood, and other organic waste to reprocess into compost, wood chips, or other products. "Chip and ship" or "chip and grind" facilities are included in this type of facility. Such a facility must meet the criteria and standards listed in Section 17.24.050(41) of this title. Facilities which receive greenwaste (garden, wood, or other organic waste) for shipment to another facility for reprocessing or composting are included in this type of facility. Such a facility may use power-driven processing equipment. Refer to Section 17.24.050(41) of this title.

B. Section 17.16.010 is amended by amending the definition of "recycling related definitions" to read as follows:

Recycling Related Definitions.

The following definitions are terms associated with recycling facilities:

1. "Greenwaste" means organic waste generated by landscape, garden or agricultural operations consisting of lawn clippings, tree and shrub prunings, wood, and miscellaneous soil material. This is categorized as material which can be used to process into compost or wood chips for reuse.

2. "Process" means the act of physically altering collected materials, including without limitation crushing cans and breaking glass bottles by hand or with manual or power driven equipment.

3. "Recyclable material" means reusable material, including without limitation metals, glass, plastic, paper, concrete and organic material which is intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material.

4. "Reverse vending machine" means a mechanical device that accepts one or more types of empty CRV beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container's refund value.

5. "Solid waste" means any material consisting of inert, putrescible or nonputrescible material generated by residential, commercial, industrial and agricultural uses. Inert materials generally have no active material which can break down into other forms, therefore considered to not decompose. Putrescible materials are capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances because of odors, vectors, gases or other offensive conditions. Nonputrescible materials are not easily decomposed into other matter or decomposed into other materials.

6. "Scrap metals" includes, but is not limited to, materials and equipment commonly used in construction, agricultural operations, irrigation, and electrical power generation and transmission, railroad equipment, automobile parts, oil well rigs, scrap iron, nonferrous materials, copper, stainless steel, and nickel that are offered for sale to any junk dealer or recycler, but does not include household generated waste, or aluminum beverage containers..

C. Except as specifically amended by the amendments to the definitions of "recycling facility" and "recycling related definitions" section 17.16.010 shall remain unchanged and in full force and effect.

SECTION 2. Section 17.24.050 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote 41 of Section 17.24.050 is amended to read as follows:

41. Recycling Facilities.

a. Recycling facilities may be permitted as set forth in the following table. See Section 17.16.010 of this title for applicable definitions. Operational and developmental standards have been developed to ensure that all recycling facilities will be attractive and well-maintained. The operational standards stated in subsection (41)(c) of this section shall be applied to all existing facilities existing on or after the effective date of the ordinance codified in this section. The development standards in subsection (41)(d) and (e) of this section shall be applied to new and expanding facilities. Those recycling facilities permitted with a zoning administrator's or planning commission special permit shall comply with the provisions in Chapter 17.72 of this title and the following standards:

Type of Facility	Zones Permitted	Permit Required

Convenience recycling facility	SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S)	Administrative review (must comply with subsection (41)(e) of this section)
Minor recycling facility	C-4, M-1, M-2, M-1(S), M-2(S)	Zoning administrator's special permit (must comply with subsection (41)(d) of this section)
Major recycling facility	C-4, M-1, M-2, M-1(S), M-2(S)	Planning commission special permit (must comply with subsection (41)(d) of this section)
Greenwaste facility	A	Zoning administrator's special permit (must comply with subsection (41)(d) of this section)
	C-4, M-1, M-2, M-1(S), M-2(S)	Planning commission special permit (must comply with subsection (41)(d) of this section)

b. Permit for Multiple Sites.

A single administrative review, zoning administrator special permit, or planning commission special permit may be granted to allow more than one facility located on different sites as long as:

1. The operator of each of the proposed facilities is the same;

2. The proposed facilities are determined to be similar in nature, size and intensity of activity; and

3. All of the applicable criteria and standards set forth in the development standards and/or operational standards in this section are met for each such proposed facility.

c. Operational Standards.

All recycling facilities must comply with the operational standards set forth in this subsection (c).

i. Facility owner/operator shall be responsible for removal of all litter generated by the recycling operation. The facility owner/operator shall provide litter control at the entrance(s) of the facility and along the street, sidewalk and setback areas adjacent to the facility.

ii. Facility owner/operator shall control dust generated from the facility to the maximum extent feasible, subject to the direction of the solid waste manager or his or

her designee. Dust control measures may include, but are not limited to, misting systems, water trucks, manual or mechanical sweeping and use of negative ventilation.

iii. Facility owner/operator shall control odors generated by the facility and prevent the migration of odors off-site to the maximum extent feasible, subject to the direction of the solid waste manager or his or her designee. Odor control measures may include, but are not limited to, misting systems, masking agents, containment and use of negative ventilation. The facility owner/operator shall conduct an odor investigation, at the request of the solid waste manager or his or her designee, provide a written report the investigation and shall correct identified problems.

iv. Upon request of a city representative, the facility owner/operator shall attend neighborhood meetings to answer questions about facility operations.

v. Noise levels shall not exceed standards established by the Sacramento City Code.

d. Development Standards Applicable to Recycling Facilities that Require a Special Permit.

The following standards will be applied to new or expanded recycling facilities that require a special permit:

i. If necessary to prevent visibility of processing operations and stockpiled or processed materials, the facility owner/operator will install and maintain fencing around the site.

ii. All recyclable materials will be stored in receptacles, within an on-site building, or behind a screened or fenced area to prevent visibility from adjacent roadways and parcels.

iii. Landscaping shall be a minimum of twenty-five (25) feet clear along the frontage of any right-of-way, including frontage not used as access. Landscaping shall be a mixture of trees, shrubs, and live groundcover and shall be provided with an automatic irrigation system. The landscaped area shall be free of any obstacles or concrete sidewalks. Exceptions include sidewalks required to attain ADA handicap access compliance and some vaults/transformers placed per the requirements of utility companies. Fencing shall not be allowed to encroach into the landscaping area. When vehicles overhang, and no wheel stops are provided, the landscaped area must be increased to twenty-seven (27) feet. A six-inch raised concrete curb is required at the back of the sidewalk. If the landscape area includes at least fifteen (15) feet of turf area to the sidewalk, the concrete curb is not required. The applicant shall submit a detailed landscape and irrigation plan for review and approval.

iv. No portion of the facility activities, operations, storage, or other work will encroach into the required, established landscaped areas or setback areas established

by the zoning ordinance.

v. Any undeveloped area of a site shall be surrounded by a barrier constructed to prohibit access to the area. Barriers may include six-inch minimum barrier curbing, bollards, fencing or landscaping.

vi. All on-site access areas, tipping areas, staging areas and sorting areas shall be surfaced with asphalt concrete or concrete paving.

vii. Signs must meet the requirements in the sign ordinance for the zone in which the facility is located and must be consistent with the character of the location.

viii. Fencing shall be a minimum of six feet in height (maximum eight feet in height) and shall be either solid decorative masonry, solid wood, or shall be vinyl-coated chain link fencing with vinyl or redwood slats. Color of the slats shall be unobtrusive and subject to approval prior to installation. Fencing shall be installed behind the required landscaped area.

ix. Operating hours shall not exceed eight a.m. to seven p.m. when located within two hundred (200) feet of a residentially zoned or occupied property.

e. Development Standards Applicable to Convenience Recycling Facilities.

The following standards will be applied to new or expanded convenience recycling facilities and to small recyclable collection container facilities rendered nonconforming by Ordinance No. 2007-___ ((M06-058) as provided in subsection (e)(xvii) below:

i. The facility shall be operated only in conjunction with an existing commercial use or community service facility that is in compliance with the zoning, building and fire codes of the city and that is located in a convenience zone as defined under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code §14500 *et seq.*);

ii. The facility shall be no larger than five hundred (500) square feet and, if located in a parking lot, shall occupy no more than five parking spaces not including spaces that will be periodically needed for removal of materials or exchange of the collection receptacles. No parking spaces required for the primary host use may be occupied by the facility;

iii. The facility shall be set back at least ten (10) feet from any street or building and twenty-five (25) feet from any property zoned or occupied for residential use; shall not be located in any required setback, and shall not obstruct pedestrian or vehicular circulation;

iv. The facility owner/operator shall accept only post consumer recyclable

containers comprised of glass, plastic, or metal and commonly found in household generated waste;

v. The facility owner/operator shall not accept scrap metals;

vi. Materials may be processed on site, but only within an enclosed structure and only to the extent necessary for volume reduction to accommodate the collection schedule. No power-driven processing equipment may be used except for reverse vending machines and battery-powered compactors. Transferring glass bottles from one receptacle to another shall be done only within an enclosed structure or shall utilize sound baffles or other acoustical shielding in facilities located within one hundred (100) feet of a property zoned or occupied for residential use;

vii. The facility owner/operator shall use only durable waterproof and rustproof collection receptacles of sufficient capacity to accommodate the materials collected and the collection schedule. The receptacles shall be covered and secured when the attendant is not present. The receptacles shall be clearly marked to identify the type of material which may be deposited;

viii. All recyclable material shall be stored in the collection receptacles at all times, and shall not be left outside of the collection receptacles when attendant is not present;

ix. The owner/operator shall maintain the facility free of litter and any other undesirable materials and shall sweep the facility at the end of each collection day;

x. Facilities located within one hundred (100) feet of a property zoned or occupied for residential use shall operate only during the hours between nine a.m. and seven p.m. Facilities that are operated by an attendant and that are located more than one hundred (100) feet of a property zoned or occupied for residential use shall operate only during the hours between dawn and dusk. Unattended facilities located more than one hundred (100) feet of a property zoned or occupied for residential use may operate twenty-four (24) hours a day.

xi. Materials shall be removed from the facility on a routine basis. Materials may be collected and transported from the facility and collection receptacles may be delivered only during the facility's hours of operation or between dawn and dusk, whichever is more restrictive;

xii. The facility shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn;

xiii. The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and shall display a notice stating that no material shall be left outside the collection receptacles;

xiv. The facility shall not impair the landscaping required for any concurrent use by this title or any permit issued pursuant thereto;

xv. No parking spaces are required for customers of a convenience recycling facility located in the established parking lot of a host use. One space will be provided for the attendant, if needed;

xvi. The design and color of the facility shall be compatible with the existing commercial use or community service facility on the site. Improvements may be required to ensure compatibility, including but not limited to landscaping, screening, trailer skirting, and parking lot improvements.

xvii. Ordinance No. 2007-___ (M06-058), effective ____, renamed small recyclable collection container facilities "convenience recycling facilities", amended their applicable development standards, and modified the types of recyclables these facilities are allowed to collect. At no cost to city, any small recyclable collection container facility in existence on the effective date of Ordinance No. 2007-___ and rendered nonconforming by the Ordinance shall come into compliance with the provisions of this subsection (e) no later than December 31, 2008.

f. Temporary Recycling.

Temporary recycling operations at manufacturing facilities are permitted with a zoning administrator's special permit in the C-4, M-1, M-2, M-1(S), and M-2(S) zones. Temporary operations must meet the following criteria:

i. One temporary permit will be issued for a maximum of ninety (90) days per calendar year for a site qualifying as a manufacturing site. No extensions of time will be permitted per site per calendar year.

ii. The proposed site for the temporary permit shall comply with all recycling operation standards. Refer to subsection (41)(c) of this section.

iii. All equipment brought in for the temporary recycling operations shall be removed on or before the last day of the temporary permit.

iv. Recycling operations are limited to the recycling of on-site materials that result from normal business operations conducted on the site. Off-site materials are not allowed to be accepted for recycling during the temporary recycling period granted.

B. Except as specifically amended by the amendments to Footnote 41, section 17.24.050 shall remain unchanged and in full force and effect.

Convenience Recycling Facilities

An ordinance amending title 17 of the Sacramento City Code (the Zoning Code) relating to small recyclable collection container facilities.

Presented to the
Sacramento City Council
on June 26, 2007

Background – The "Why"

- **Councilmember Lauren Hammond**
  - Limit small recyclable collection container facilities to bottles and cans only
- **Current Code Definitions**
  - Small Recyclable Collection Container Facilities
  - Minor Facilities
  - Major Facilities
  - Green Waste Facilities
- **Issues with Small Recyclable Collection Container Facilities**
  - CA State Law and Convenience Zones
  - Scrap Metal and Public Safety
  - Noise, Cleanliness, Design and Aesthetics

Proposed Changes – The "What"

Apply only to Small Recyclable Collection Container Facilities

- **Rename to "Convenience Recycling Facilities"**
  - Facilities must be State certified and located in a *Convenience Zone*
    - A convenience zone is typically a half-mile radius circle with the center point originating at a supermarket that meets the following definitions based on CA Public Resources Code 14509.4 and 14562.5:
      - Supermarket is identified in the Progressive Grocer Marketing Guidebook.
      - Supermarket gross annual sales are $2 million or more.
      - Supermarket is considered a "full-line" store that sells a line of dry groceries, canned goods, or non-food items and perishable items.

- **Allowed Materials**
  - Household Recyclables Only
    - CRV and other post consumer household recyclable containers
    - glass/plastic/aluminum/bimetallic bottles and cans
  - Prohibit Scrap Metals

Proposed Changes – The "What"

Apply only to Small Recyclable Collection Container Facilities

- **Restrictions on Processing**
  - Only Within an Enclosed Structure
  - Transferring glass bottles within enclosed structure or with sound baffles
- **Location and Aesthetics**
  - Minimum 25 feet from residential property
  - Design and colors shall be compatible with the primary use
- **Compliance of existing Small Recyclable Collection Container Facilities**
  - By December 31, 2008, existing small recyclable collection container facilities must come into compliance with the amended development standards for "convenience recycling facilities" in section 17.24.050(41).
  - Facilities that can not meet the amended development standards must apply for the appropriate special permit to operate as a minor or major recycling facility.
  - If unable to meet the criteria for a minor or major facility, the facility owner/operator would need to apply for a variance pursuant to title 17.216 of the City Code.

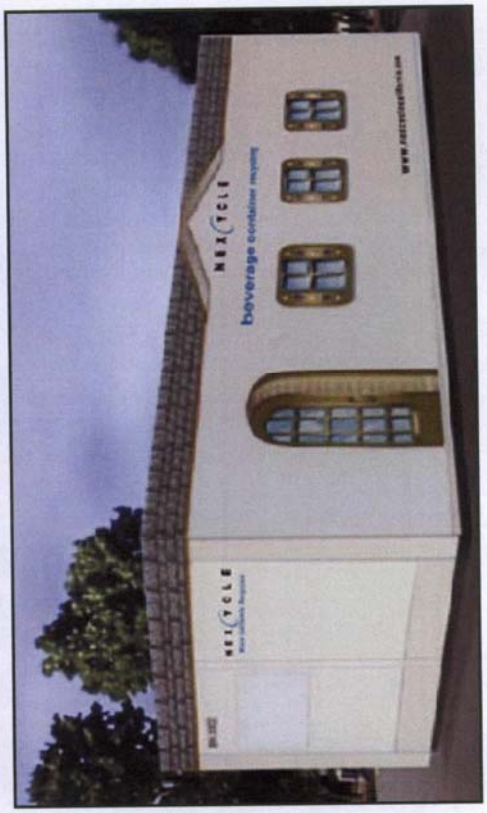
Before and After

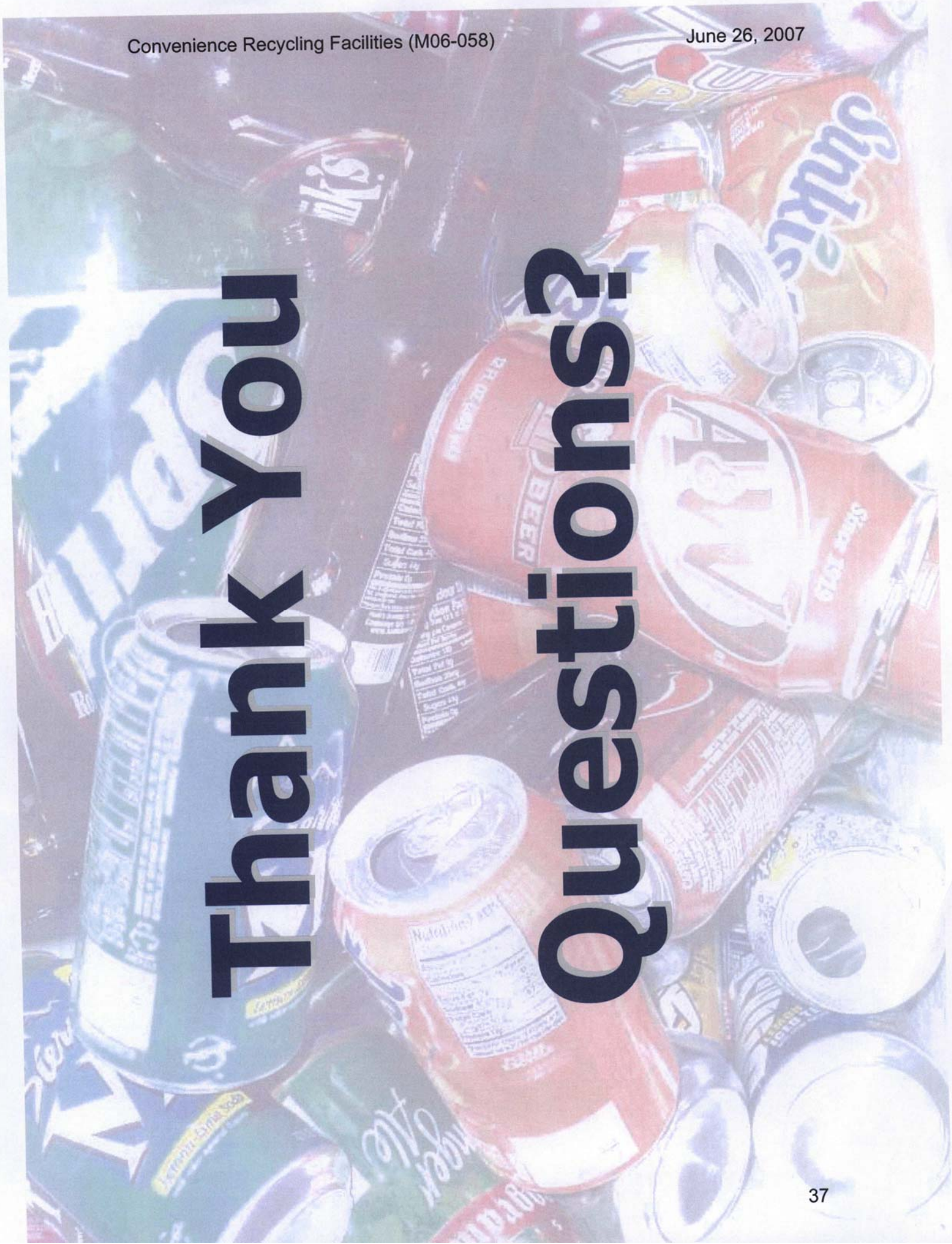
Issue	Current Code	Amended Code
Scrap Metal	-Can accept "glass bottles, metals, plastic containers and papers"	-Can accept "post consumer recyclable containers comprised of glass, plastic, or metal and commonly found in household generated waste" -Shall not accept scrap metals
Noise	-Hours limited to 9:00 AM to 7:00 PM (within 100' of residential uses) -No power-driven processing equipment	-Transfer glass bottles inside structure or with sound baffles (within 100' of residential uses) -Process only for volume reduction and only inside enclosed structure -Exempt battery powered compactors and reverse vending machines from "power-driven processing equipment"
Location	-Not located within required setback -Allowed in SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S) -In conjunction with existing commercial or community service use	-At least 25' from residential -Must serve a State defined "Convenience Zone" (1/2 mile radius of full service market with more than $2 million annual sales)
Cleanliness	-Maintained free of litter -Mobile facilities swept at the end of each day -Shall not leave materials outside when attendant is not present	-All convenience facilities swept at the end of each day
Design	-Facility shall not impair existing required landscaping of primary use	-Design and color of the facility shall be compatible with the existing use on the site -Improvements may be required to ensure compatibility, including but not limited to landscaping, screening, trailer skirting, and parking lot improvements

Stakeholder Outreach

- Informational Workshop
  - April 23, 2007
  - Recyclers, State representatives and community members
- Community Meetings
  - AREA 1 Neighborhood Advisory Group: April 16, 2007
  - AREA 2 Leadership Meeting: May 21, 2007
  - AREA 3 Leadership Meeting: May 24, 2007
- Public Hearings
  - Planning Commission: May 24, 2007
  - City Council: June 26, 2007

Examples of Convenience Recycling Facilities





Thank You

Questions?