

**ORDINANCE NO. 2007-057**

Adopted by the Sacramento City Council

June 26, 2007

**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.

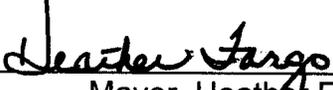
Adopted by the City of Sacramento City Council on June 26, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.

  
\_\_\_\_\_  
Mayor, Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

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