



APPROVED
BY THE CITY COUNCIL

SEP 29 1987

CITY CLERK

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

September 25, 1987

BUILDING INSPECTIONS
916-449-5716

City Council
Sacramento, California

PLANNING
916-449-5604

Honorable Members in Session:

- SUBJECT: 1. Negative Declaration
2. Emergency Zoning Ordinance Amending Relating to the Location of Reverse Vending Machines and Mobile Recycling Centers in Commercial and Industrial Zones (M87-103)

LOCATION: Citywide

SUMMARY

The proposed Zoning Ordinance Amendment would specify City procedures and standards for siting of reverse vending machines and mobile recycling units in all commercial and industrial zones. This Ordinance is in response to the Beverage Container Recycling and Litter Reduction Act passed in 1986 and which goes into effect on October 1, 1987.

BACKGROUND INFORMATION

The Beverage Container Recycling and Litter Reduction Act (AB2020) was passed in 1986 to establish a system to promote the recycling and reuse of beverage containers sold in the State of California. As mandated by the Act, there has been 2,743 convenience zones designated in the State (43 in the City limits) which must provide recycling facilities for the redemption of aluminum, glass and plastic containers.

Local government has two responsibilities. First, administering land use permits for recycling facilities and second, being the lead agency in applying for exemptions to convenience zones. The Act states that local municipalities shall not deny permits to mobile recycling units or reverse vending machines which are certified or have applied for certification with the State; are located on property zoned for commercial or industrial use within a convenience zone; and have permission of the property owner. In order to deny a permit under these circumstances, the local agency must specifically find, and state, its reasons for finding that the individual facility would be detrimental to the public health, safety and well being.

The local agency may adopt reasonable rules and regulations concerning the operation of the recycling facility, so long as the rules and regulations are consistent with the part of the Act that requires at least one certified recycling facility in each convenience zone.

The attached Ordinance provides definitions of recycling center, reverse vending machines and mobile recycling centers. Also, Administrative Permits will be required to locate reverse vending machines in Commercial and Industrial zones and Planning Director's Special Permit will be required to locate small collection facilities in Commercial and Industrial zones. Standards and criteria are also provided to establish these facilities under an Administrative Permit and Special Permit.

VOTE OF THE PLANNING COMMISSION

On September 10, 1987, the Commission voted 6 ayes, 2 absent and 1 vacancy to recommend adoption of the Ordinance Amendment.

RECOMMENDATION

The Planning Commission and staff recommend the following action:

- A. Ratify the Negative Declaration;
- B. Adoption of the attached Zoning Ordinance Amendment as an emergency measure to be effective immediately.

Respectfully submitted,

Marty Van Duyn

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:AG:jg
Attachment
M87-103

September 29, 1987
Citywide

ORDINANCE NO. 87-098

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF APPROVED
BY THE CITY COUNCIL

SEP 29 1987

CLERK OF THE CITY

AN ORDINANCE ADDING SECTIONS 2.1, 2-C-64, 2-C-65, 2-C-66, 22-A-98, 22-A-99, 22-A-100 AND 22-A-101 OF THE COMPREHENSIVE ZONING ORDINANCE (ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED) RELATING TO THE OPERATION OF REVERSE VENDING MACHINES AND MOBILE RECYCLING UNITS IN COMMERCIAL AND INDUSTRIAL ZONES AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY ORDINANCE TO TAKE EFFECT IMMEDIATELY (M87-103)

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

SECTION 1

Sections 2-C and 2-E-41 of the Comprehensive Zoning Ordinance (Ordinance No. 2550, Fourth Series, as amended) are hereby added to read as follows:

	SC	C1	C2	C3	C4	M1(S)	M2(S)
						M1	M2
2-C-64: Reverse Vending Machine	41	41	41	41	41	41	41
2-C-65: Mobile Recycling Units	41	41	41	41	41	41	41
2-C-66 Small Recyclable Material Collection Facility	41	41	41	41	41	41	41
2-E-41: <u>Permitted</u> subject to the provisions of Section 2.1 of this ordinance.							

SECTION 2

Sections 22-A-98, 22-A-99, 22-A-100 and 22-A-101 of the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended) are hereby amended to read as follows:

28

22-A-98 Recyclable Material

Recyclable Material is reusable material, including, but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse and hazardous materials.

22-A-99 Reverse Vending Machine

A Reverse Vending Machine is an automated mechanical device which accepts one or more types of empty beverage containers, including, but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

22-A-100 Mobile Recycling Center

A Mobile Recycling Center means an automobile, truck, trailer or van licensed by the State Department of Motor Vehicles, which is used for the collection of recyclable material. A Mobile Recycling Center also means the bins, boxes or containers transported by trucks, vans, or trailers and used for the collection of recyclable materials.

22-A-101 Small Recyclable Material Collection Facility

A Collection Facility is a facility for the acceptance (donation, redemption or sale) of recyclable materials from the public. Such a facility does not use power-driven processing equipment except as indicated in Standards and Conditions, below. Collection Facilities are:

1. Reverse Vending Machine(s);
2. Small Collection Facilities which occupy an area of not more than 500 square feet, and may include:

- a. A mobile recycling center;
- b. Kiosk type units and bulk vending machines; or
- c. Unattended containers placed for the donation of recyclable materials.

SECTION 3 SECTION 2.1 IS HEREBY ADDED TO READ:

SECTION 2.1 - REVERSE VENDING MACHINES, MOBILE RECYCLING UNITS, AND SMALL COLLECTION FACILITIES

A. PURPOSE

This section is designed to provide for the redemption and recycling of reusable materials at locations which are compatible with surrounding land uses. In addition, this section is designed to reduce litter and increase the recycling of reusable materials.

B. PERMITS REQUIRED

No person shall place, construct or operate or permit the placement, construction or operation of any recycling facility without first obtaining a permit pursuant to the provisions set forth in this Section. Recycling facilities may be permitted as set forth in the following table.

<u>Type of Facility</u>	<u>Zones Permitted</u>	<u>Permit Required</u>
Reverse Vending Machines (meeting the standards of paragraph D.1.)	SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S)	Administrative
Small Recyclable Collection Facility (other than Reverse Vending Machines meeting the standards of D.1.)	SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S)	Planning Director's Special Permit

C. PERMITS FOR MULTIPLE SITES

A single administrative or special permit may be granted to allow more than one reverse vending machine installation or small collection facility located on different sites under the following conditions:

- 1. The operator of each of the proposed facilities is the same;
- 2. The proposed facilities are determined by the Planning Director to be similar in nature, size and intensity of activity; and
- 3. All of the applicable criteria and standards set for in D. below are met for each such proposed facility.

D. CRITERIA AND STANDARDS

Those recycling facilities permitted with an Administrative Permit shall meet all of the criteria and standards listed below. Those recycling facilities permitted with a special permit shall meet the criteria and standards, provided the Planning Director may modify these standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Section.

The criteria and standards for recycling facilities are as follows:

1. Reverse Vending Machines

Reverse Vending Machines meeting the following standards do not require discretionary permits. Reverse Vending Machines shall not require additional parking spaces for recycling customers and may be permitted in all commercial and industrial zones provided that they comply with the following standards:

- a. Shall be established in conjunction with a commercial use which is in compliance with the zoning, building and fire codes of the City of Sacramento;
- b. Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
- c. Shall not occupy parking spaces required by the primary use and shall be placed on the apron of the host facility when possible;

- d. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, shall be no more than eight feet in height, and shall consist of no more than one set of machines per host facility;
- e. Shall be constructed and maintained with durable waterproof and rust proof material;
- f. Shall be clearly marked to identify the type of material to be deposited; operating instructions and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
- g. Shall have a sign area of a maximum of four square feet per machine, exclusive of operating instructions;
- h. Shall be maintained in a litter-free, dust-free condition on a daily basis;
- i. Shall not have a noise level that exceeds California Occupational Safety and Health Association standards and City/County Noise Ordinance;
- j. Operating hours shall be at least the operating hours of the host use;
- k. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

2. Small Collection Facilities

Small Collection Facilities may be sited in commercial and industrial zones with a Planning Director's special permit provided they comply with the following conditions:

- a. Shall be established in conjunction with an existing commercial use or community service facility which is in compliance with the zoning, building and fire codes of the City of Sacramento;
- b. Shall be no larger than 500 square feet, and occupy no more than five (5) parking spaces not including spaces that will be periodically needed for removal of materials or exchange of containers. No parking spaces required for the primary host use may be occupied by the facility.
- c. Shall be set back at least ten (10) feet from any street or building or shall not be located in any required setback and shall not obstruct pedestrian or vehicular circulation;
- d. Shall accept only glass bottles, metals, plastic containers and papers;
- e. Except for bulk reverse vending machines, shall use no power-driven processing equipment;
- f. Shall use containers that are constructed and maintained with durable waterproof and rust proof material, covered when site is not attended, secure from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
- g. Shall store all recyclable material in containers or in the mobile center vehicle and shall not leave materials outside of containers when attendant is not present;

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- h. Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
- i. Shall not exceed noise levels of 55 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 70 dBA;
- j. Attended facilities located at community service sites shall be in operation only during the hours between dawn and dusk; and facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.;
- k. Containers for the 24-hour donation of materials shall be at least 50 feet from any property zoned or occupied for residential uses unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
- l. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a notice stating that no material shall be left outside the recycling enclosure or containers;
- m. Signs may be provided as follows;
 - 1. Recycling centers may have identification signs with a maximum of 20 percent per side or sixteen (16) square feet, whichever is smaller, in addition to information signs required in Section D.2.1;

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- 2. Signs must be consistent with the character of the location;
- 3. Directional signs, bearing no advertising message, may be installed which are consistent with Sign Ordinance regulations if necessary to facilitate traffic circulation, or if the facility is not visible from the public right of way;
- 4. The Planning Director may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.
- n. The facility shall not impair the landscaping required for any concurrent use by this Title or any permit issued pursuant thereto;
- o. No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;
- p. Mobile recycling centers shall have an area clearly marked to prohibit other vehicular parking during hours when mobile center is scheduled to be present;
- q. Occupation of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the primary host.

E. DENIAL OF PERMIT

In order to deny a permit in a designated convenience zone, the Planning Director shall make the following finding:

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That the individual facility would be detrimental to the public health, safety and welfare.

SECTION 4. This ordinance is hereby declared to be an emergency ordinance to take effect immediately. The reason for the emergency is: Certain relevant provisions of Chapter 2020, Statutes of 1986 (regarding recycling of beverage containers and litter reduction) which encourage or require the establishment of recycling facilities take effect on October 1, 1987 and permit the City to establish reasonable rules pertaining thereto. In order that such rules for the City of Sacramento be in effect on October 1, 1987, this ordinance must take effect immediately.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

M87-103

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- i. Shall not have a noise level that exceeds California Occupational Safety and Health Association standards and City/County Noise Ordinance;
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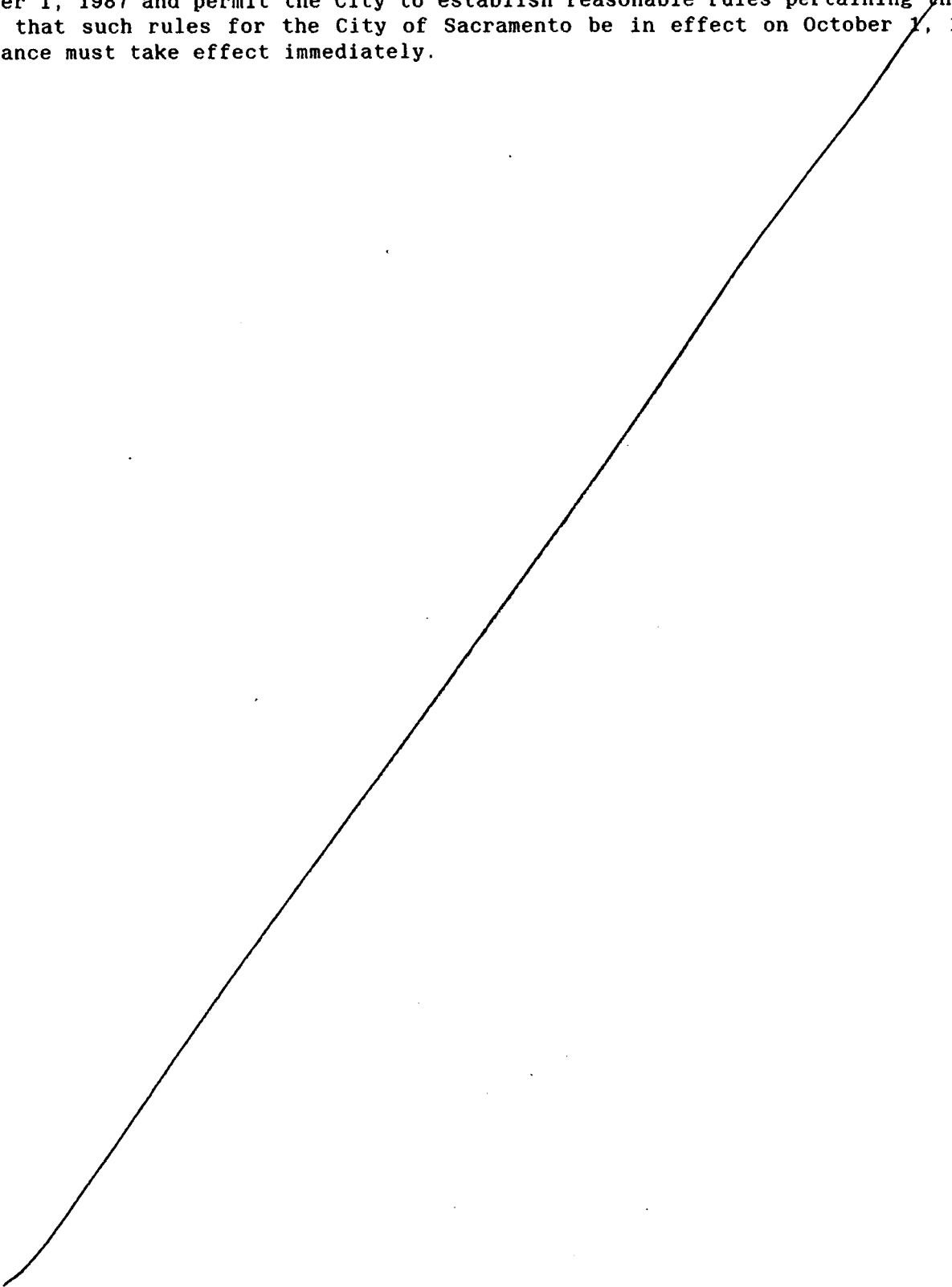
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JS

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

September 25, 1987

BUILDING INSPECTIONS
916-449-5716

City Council
Sacramento, California

PLANNING
916-449-5604

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- SUBJECT: 1. Negative Declaration
2. Emergency Zoning Ordinance Amending Relating to the Location of Reverse Vending Machines and Mobile Recycling Centers in Commercial and Industrial Zones (**M87-103**)

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Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

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 - b. Kiosk type units and bulk vending machines; or
 - c. Unattended containers placed for the donation of recyclable materials.

SECTION 3 SECTION 2.1 IS HEREBY ADDED TO READ:

SECTION 2.1 - REVERSE VENDING MACHINES, MOBILE RECYCLING UNITS, AND SMALL COLLECTION FACILITIES

A. PURPOSE

This section is designed to provide for the redemption and recycling of reusable materials at locations which are compatible with surrounding land uses. In addition, this section is designed to reduce litter and increase the recycling of reusable materials.

B. PERMITS REQUIRED

No person shall place, construct or operate or permit the placement, construction or operation of any recycling facility without first obtaining a permit pursuant to the provisions set forth in this Section. Recycling facilities may be permitted as set forth in the following table.

<u>Type of Facility</u>	<u>Zones Permitted</u>	<u>Permit Required</u>
Reverse Vending Machines (meeting the standards of paragraph D.1.)	SC,C-1,C-2,C-3,C-4,M-1, M-2,M-1(S),M-2(S)	Administrative

AB

Small Recyclable Collection Facility (other than Reverse Vending Machines meeting the standards of D.1.)	SC,C-1,C-2,C-3,C-4,M-1, M-2,M-1(S),M-2(S)	Planning Director's Special Permit
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C. PERMITS FOR MULTIPLE SITES

A single administrative or special permit may be granted to allow more than one reverse vending machine installation or small collection facility located on different sites under the following conditions:

1. The operator of each of the proposed facilities is the same;
2. The proposed facilities are determined by the Planning Director to be similar in nature, size and intensity of activity; and
3. All of the applicable criteria and standards set for in D. below are met for each such proposed facility.

D. CRITERIA AND STANDARDS

Those recycling facilities permitted with an Administrative Permit shall meet all of the criteria and standards listed below. Those recycling facilities permitted with a special permit shall meet the criteria and standards, provided the Planning Director may modify these standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Section.

The criteria and standards for recycling facilities are as follows:

1. Reverse Vending Machines

Reverse Vending Machines meeting the following standards do not require discretionary permits. Reverse Vending Machines shall not require additional parking spaces for recycling customers and may be permitted in all commercial and industrial zones provided that they comply with the following standards:

- a. Shall be established in conjunction with a commercial use which is in compliance with the zoning, building and fire codes of the City of Sacramento;
- b. Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
- c. Shall not occupy parking spaces required by the primary use and shall be placed on the apron of the host facility when possible;

- d. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, shall be no more than eight feet in height, and shall consist of no more than one set of machines per host facility;
- e. Shall be constructed and maintained with durable waterproof and rust proof material;
- f. Shall be clearly marked to identify the type of material to be deposited; operating instructions and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
- g. Shall have a sign area of a maximum of four square feet per machine, exclusive of operating instructions;
- h. Shall be maintained in a litter-free, dust-free condition on a daily basis;
- i. Shall not have a noise level that exceeds California Occupational Safety and Health Association standards and City/County Noise Ordinance;
- j. Operating hours shall be at least the operating hours of the host use;
- k. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

2. Small Collection Facilities

Small Collection Facilities may be sited in commercial and industrial zones with a Planning Director's special permit provided they comply with the following conditions:

- a. Shall be established in conjunction with an existing commercial use or community service facility which is in compliance with the zoning, building and fire codes of the City of Sacramento;
- b. Shall be no larger than 500 square feet, and occupy no more than five (5) parking spaces not including spaces that will be periodically needed for removal of materials or exchange of containers. No parking spaces required for the primary host use may be occupied by the facility.

- c. Shall be set back at least ten (10) feet from any street or building or shall not be located in any required setback and shall not obstruct pedestrian or vehicular circulation;
- d. Shall accept only glass bottles, metals, plastic containers and papers;
- e. Except for bulk reverse vending machines, shall use no power-driven processing equipment;
- f. Shall use containers that are constructed and maintained with durable waterproof and rust proof material, covered when site is not attended, secure from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
- g. Shall store all recyclable material in containers or in the mobile center vehicle and shall not leave materials outside of containers when attendant is not present;
- h. Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
- i. Shall not exceed noise levels of 55 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 70 dBA;
- j. Attended facilities located at community service sites shall be in operation only during the hours between dawn and dusk; and facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.;
- k. Containers for the 24-hour donation of materials shall be at least 50 feet from any property zoned or occupied for residential uses unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
- l. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a

notice stating that no material shall be left outside the recycling enclosure or containers;

m. Signs may be provided as follows:

1. Recycling centers may have identification signs with a maximum of 20 percent per side or sixteen (16) square feet, whichever is smaller, in addition to information signs required in Section D.2.1;
2. Signs must be consistent with the character of the location;
3. Directional signs, bearing no advertising message, may be installed which are consistent with Sign Ordinance regulations if necessary to facilitate traffic circulation, or if the facility is not visible from the public right of way;
4. The Planning Director may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.

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

o. No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;

p. Mobile recycling centers shall have an area clearly marked to prohibit other vehicular parking during hours when mobile center is scheduled to be present;

q. Occupation of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the primary host.

E. DENIAL OF PERMIT

In order to deny a permit in a designated convenience zone, the Planning Director shall make the following finding:

That the individual facility would be detrimental to the public health, safety and welfare.

SECTION 4. This ordinance is hereby declared to be an emergency ordinance to take effect immediately. The reason for the emergency is: Certain relevant provisions of Chapter 2020, Statutes of 1986 (regarding recycling of beverage containers and litter reduction) which encourage or require the establishment of recycling facilities take effect on October 1, 1987 and permit the City to establish reasonable rules pertaining thereto. In order that such rules for the City of Sacramento be in effect on October 1, 1987, this ordinance must take effect immediately.

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9-29-87

CITY OF SACRAMENTO

NOTICE OF HEARINGS

PUBLIC NOTICE is hereby given that on the date of October 13, 1987, at the hour of 7:30 p.m., the following hearing(s) will be held in the Council Chamber, City Hall, Second Floor, 915 "I" Street, Sacramento, California:

M-87103 - Zoning Ordinance Amendment relating to the location of reverse vending machines and mobile recycling centers in commercial and industrial zones and declaring said ordinance to be an emergency ordinance to take effect immediately. (D-All)

Further information may be obtained from the Office of the City Clerk, 915 "I" Street, Room 203, Sacramento, California (916) 449-5426.

SACRAMENTO CITY COUNCIL

BY: LORRAINE MAGANA
CITY CLERK

AD NO. 6296
RUN 1 III: 09-29-87
2 PUB PROOFS

*Put in Staff
Repts. - letter
Only
Material be here
maybe Friday
OK per
Doc.*