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**League of California Cities**  
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California Cities  
Work Together

Sacramento, CA.  
July 16, 1987

TO: Interested City Officials

RE: Model Zoning Ordinance for Recycling Centers

Attached is a copy of a Model Zoning Ordinance prepared by the Division of Recycling within the State Department of Conservation. Drafts of this ordinance were circulated to selected city attorneys and planning directors for review, and their comments were taken into consideration in developing the final product.

The purpose of this advisory model ordinance is to assist local governments which may wish to revise their zoning ordinance to specifically address issues pertaining to the siting and permitting of recycling facilities due to the enactment of the 1986 California Beverage Container Recycling and Litter Reduction Act (Public Resources Code Section 14500, et seq.). That legislation strongly encourages establishment of new recycling centers throughout the state.

Although AB 2020 does not substantially interfere with local zoning authority, it does contain compromise language which delineates local land use authority over mobile recycling units and reverse vending machines. It permits local governments to adopt reasonable rules and regulations governing the operation of such facilities, but prohibits us from denying permits for the operation of mobile recycling units or reverse vending machines which are located on private property in commercial or industrial zones if the operator has received written permission from the property owner to operate, unless the local government specifically finds that the operation will have a detrimental effect on the public health, safety, or general welfare. This provision requires local governments to explain permit denials, but retains flexibility to deny such permits when local conditions warrant.

To obtain further information regarding the model ordinance, please contact Susan Eddy, Director of Local Government Assistance, Division of Recycling, Department of Conservation at (916) 323-3508 or the League's Sacramento office.

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# Model Zoning Ordinance Guide

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The purpose of the model zoning ordinance is to assist local governments in responding to the requirements of the new California Beverage Container Recycling and Litter Reduction Act.

The Beverage Container Recycling and Litter Reduction Act was passed in 1986 to establish a system to promote the recycling and reuse of beverage containers sold in the State of California. As part of that system, many new recycling facilities will be required. These facilities will be applying for local land use permits in order to begin operating by October 1, 1987.

Most local governments do not have provisions in their zoning ordinances for siting recycling facilities. Frequently, the only mention of recycling is in the context of solid waste management or automobile junkyards. In addition, most planners are not familiar with the different types of recycling facilities and their various impacts. As a result, communities may require cumbersome and expensive permit procedures for all recycling facilities. Other communities have informally allowed recycling centers to operate without permits, so long as there were no complaints; and some communities may allow recycling facilities as appurtenant uses or under miscellaneous "similar use" clauses. Therefore, many communities have decided to amend their zoning ordinances to address recycling facilities.

The model zoning ordinance and the accompanying guidebook was written in response to this problem. Its purpose is to assist local governments in avoiding duplicative work in the research and drafting of an ordinance, and to provide

common terms and a common base of information. Communities may adopt it as is, change it to fit their procedures, or use various pieces to amend their zoning ordinances.

The model zoning ordinance suggests conditions and permit procedures for the different types of recycling facilities in different land use zones. The conditions are designed to protect the community from any undesirable impacts while allowing the recycling facility to operate cost effectively.

To the extent that the model encourages common terms, standards, and levels of information among local governments, recyclers may be able to predict the design and site restrictions that will be required by local governments. This is particularly useful for the recycling companies which have contracted with supermarket chains to operate in many communities statewide.

In preparing the model ordinance, the Division of Recycling surveyed numerous local planners and recycling companies to determine the potential impacts of the different types of recycling facilities, the concerns of planners, and the ways in which these concerns are handled. A draft of the model zoning ordinance was reviewed by recycling organizations and by city and county attorneys and planners chosen by the League of California Cities and the County Supervisors' Association of California. Their comments and suggestions have been incorporated into the final document.

The following are the most commonly asked questions with answers and should provide local municipalities all the information necessary to use the model zoning ordinance.

## The Act, Local Government Responsibility, Convenience Zones

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### *What Does the California Beverage Container Recycling and Litter Reduction Act Require?*

The Act states that there must be a certified recycling facility in every convenience zone by the target date of October 1, 1987. If by January 1, 1988, there is not a facility located in a zone, each dealer who sells beverages in beverage containers, in that convenience zone must pay a fine of \$100 per day or redeem those containers at the store until a certified recycling facility is established.

### *What Are the Responsibilities of Local Governments?*

Local governments have two responsibilities; first, admin-

istering land use permits for recycling facilities and second, being the lead agency in applying for exemptions to convenience zones. Some local municipalities have also taken the lead in the organization of meetings with grocers, recyclers, and planning officials to formulate a plan of exemptions and convenience zone coverage for their community.

### *To What Extent Does the City or County Retain Control of Siting of Recycling Facilities?*

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; are located on property zoned for commercial or industrial use within a convenience zone; and have the 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 Act does not address the permitting of other larger recycling facilities or facilities outside of the convenience zones.

## ***Can a Recycling Facility be Certified Before it has a Land Use Permit?***

The Division of Recycling requires the recycler to only show evidence that he has applied for or currently complies with all the necessary local permits, and has the permission of the property owner. For a new location this evidence can be the completed planning department application form, a letter from the planning department, or a business license. If a permit is denied for a recycling facility, the certification of that facility will be revoked.

## ***What is a Convenience Zone?***

A convenience zone is defined as an area within a one-half mile radius of a supermarket. A "supermarket" for the purpose of the Act is defined as a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and which sells a line of dry grocery, canned goods, or non-food items and some perishable items. There are 2,743 convenience zones in the State which include thirteen zones that have been designated by the Division as being in rural areas that are not served by large supermarkets.

## ***Where Are the Convenience Zones in Your Community?***

The Division of Recycling has prepared area maps showing all convenience zones accompanied by a list of the supermarkets which are at the center of each of the zones. These maps are available for each area through the Division.

## ***Why Aren't All Supermarkets Included as the Center of a Convenience Zone and When Must a Recycling Facility be Located in a New Zone?***

As mandated by the Act, the Progressive Grocer Marketing Guidebook is used by the Division to identify super-

markets. New supermarkets or previously unidentified supermarkets generate convenience zones only after they are listed in the Progressive Grocer Guidebook, which is published in September of each year. The Division will inform the Progressive Grocers when a new supermarket has been identified so it will be included in the next issue.

## ***Can One Recycling Facility Serve Several Zones?***

A recycling facility, located in an area where several zones overlap, may serve all of those zones. Although there are 2,743 convenience zones in the State, those zones could be served by as few as 1,700 recycling facilities because of the overlapping zones.

## ***Must Recycling Facilities be at the Supermarket in the Center of the Zone?***

A recycling facility may be located anywhere in the convenience zone. It does not have to be on a dealer's premises. For example, some current recycling facility locations include gas stations, churches, parks, bowling alleys, antique stores, beverage distributors, and transfer stations.

## ***Do Grocers Have a Preference for the Location of Recycling Facilities?***

Many dealers would prefer that recycling facilities be located on a "neutral" property, not associated with any dealer. In this way, no dealer would have to direct customers to a competitor's address for recycling. However, other dealers see recycling as a way to bring customers to the store.

## ***What Types of Recycling Facilities Will Satisfy the Convenience Zone Requirements?***

To satisfy the convenience zone requirements, a recycling facility could be a reverse vending machine, a mobile recycling unit, or a permanent facility. However, a recycling facility must redeem all types of beverage containers, at least 30 hours a week, at one location, and pay at least the redemption values prescribed by the State. At least five of those 30 hours must be other than standard business hours of 9:00 a.m. through 5:00 p.m., Mondays through Fridays. For example, facilities could meet this requirement by being open until 6:00 p.m. on weekdays or five hours on Saturday.

## ***Can More Than One Recycling Facility be Certified in a Convenience Zone?***

The Division will not limit the number of recycling facilities that may be certified in a zone. If several apply and meet the requirements, they will all be certified. However, they may not operate until they receive local land use approvals.

## ***Can a Local Agency Limit the Number of Recycling Facilities in a Convenience Zone?***

The Act does not prohibit local municipalities from limiting the number of recycling facilities in a convenience zone. However, placing of a strict limit could raise problems. For example:

- Several grocers in the zone may each want to have reverse vending machines or mobile units on their premises for the convenience of their customers;
- Reverse vending machines may be accompanied on site by drop-off containers for newspaper and other glass for public convenience and could be considered two recycling facilities;
- If the first facility that is sited is reverse vending machines, residents may feel there is a need for a mobile or permanent center that handles large amounts of containers from customers and pays scrap value.

## ***Should a Local Municipality Limit Recycling Facility Locations to Convenience Zones?***

Most convenience zones consist of light commercial and residential areas only. A large recycling center or processing center may be useful to serve as a base of operations for the small mobile units and reverse vending machines, to collect from the commercial sector and to purchase from residents and businesses who recycle large quantities. These can be permitted most appropriately in industrial zones. Limiting recycling facilities to areas within convenience zones may effectively preclude these larger facilities from existing.

## ***What is a Convenience Zone Exemption and How is One Obtained?***

An exemption means a convenience zone need not be served by a recycling facility and that the dealer penalties do not apply to that zone. Convenience zones which are served by a weekly curbside program which accepts all container types, or where a certified nonprofit drop-off or buyback

program is convenient to the zone may be exempted from the requirements of establishing a recycling facility. The local municipality must request the exemption and hold a public hearing for input on the exemption request. The exemption procedures are explained in a booklet available from the Division of Recycling.

## ***If a Convenience Zone is Exempt, Must the Local Municipality Grant Permits to Reverse Vending Machines and Mobile Recycling Units in That Zone?***

The exemption does not override the mandate in the Act that a local municipality shall not deny a permit for the operation of a mobile recycling unit or reverse vending machines. An exemption does not prevent recycling facilities from locating; it just means that there does not have to be a recycling facility located in that zone.

## ***What Environmental Procedures May be Required to Amend a Zoning Ordinance or Permit a Recycling Facility?***

In addition to the permit process, there are several state mandated procedures that zoning ordinance amendments and recycling facilities may have to meet. They are the California Environmental Quality Act (CEQA), amendments to the Local Coastal Plan, the County Solid Waste Management Plan, and the General Plan. Each takes time and may require public notice, hearings and fees.

- **California Environmental Quality Act (CEQA)**, (refer to CEQA Guidelines, California Administrative Code Title 14);

The California Environmental Quality Act requires that the local agency and the project proponent analyze the potential environmental impacts of any discretionary project before it may be approved. An amendment to a zoning ordinance or an individual recycling facility with a variance or discretionary use permit may be a "project" and subject to CEQA requirements. (Section 15378(a)(1) of CEQA guidelines and Section 21080 of Public Resources Code).

A project may be exempt from CEQA requirements with General Rule Exemptions. The General Rule (Section 15061(b)(3) of the CEQA Requirements) states that the project can be declared exempt where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. A significant effect on the environment means a substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the project

including land, air, water, ambient noise, objects of historic significance, etc.

Some classes of projects have been declared exempt by the Legislature or by the Secretary of Resources. These exemptions are listed in the CEQA Guidelines. Exemptions that may apply to recycling facilities include new construction or conversion of small structures, and accessory structures to existing commercial, industrial or institutional facilities. Reverse vending machines and small collectors as defined in this model ordinance may qualify.

Several cities have prepared a Negative Declaration for their recycling zoning ordinance amendments. They also prepare a Negative Declaration for most recycling facilities, relying on conditions of the permit, or the use permit process to mitigate the environmental impacts.

- **Coastal Act** (Section 30000 et. seq. of the Public Resources Code).

Communities located within the Coastal Zone must amend their Local Coastal Plans when they amend their zoning ordinances. The Coastal Commission has two categories of amendments—minor and major. A project qualifies for a minor amendment when there is no change in the use of a property. The staff of the Commission will generally recommend treating a zoning amendment as a minor amendment if it is exclusively for the purpose of allowing recycling facilities in zones where similar uses are now

permitted. Operating permits cannot be granted until the Coastal Commission has concurred with their staff recommendation.

If a community's zoning ordinance already has a catchall phrase, such as listing permissible uses followed by "and other uses as the Planning Director determines are consistent with the district" no zoning amendment and/or no coastal plan amendment may be necessary.

- **County Solid Waste Management Plan (CoSWMP).**

Recycling facilities do not require a finding of conformance with the County Solid Waste Management Plan. Only waste processing and transfer facilities, which require solid waste facility permits from the California Waste Management Board, must have their locations identified in the CoSWMP. However, composting facilities using garden waste or street sweepings collected from the public are considered solid waste facilities and must be in conformance with the CoSWMP.

- **General Plan.**

The zoning ordinance must be consistent with the City or County General Plan. A General Plan amendment will be needed only if the zoning ordinance amendment includes zoning map changes, such as changing the classification of a property from commercial to industrial use.

# Permits

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## What Types of Permits Are Needed by Recycling Facilities?

The model zoning ordinance suggests permit procedures for recycling facilities with different impacts in different zones. The permits suggested in the model zoning ordinance assume that suggested conditions for the facility are met. If those conditions are not met, the model provides for an alternate permit process with more discretion.

Three common types of permits have been identified: permit by right, administrative permits, and discretionary use permits. In addition, some communities use a site development permit. Permit procedures vary substantially among communities. In some communities, most uses are permits by right. In other communities nearly every new use requires a conditional use permit.

The various types of permits are described as follows:

- **Permit By Right.**

A permit by right is given when a facility is a listed permitted use in the zone specifically authorized in a particular zoning district by the zoning ordinance. The permit is issued on the basis of the application alone and the applicant can proceed without further review other than routine inspections.

- **Administrative Permits.**

An administrative permit is given to projects which

meet listed conditions. An official in charge of administering the zoning ordinance, such as the zoning administrator or planning director, grants the administrative permit based on a description of the project, building and site plans, and/or a site visit.

- **Conditional Use Permits.**

A conditional use permit is a discretionary procedure and requires notice of neighboring property owners and a public hearing where the public may offer oral and/or written testimony. Typically there are two levels; the public testimony may be taken by the zoning administrator for the minor use permit, or the hearing may be held by the Planning Commission with appeal to the Board of Supervisors. The conditional use permit is not granted unless the applicant agrees to all of the conditions imposed by the city or county.

A use permit is suggested where there is a variety of possible designs for a large permanent facility, where potential negative impacts may be of public concern, and where the impacts may be greater than those of projects commonly located in that zone. Use permits are often used for facilities which do not meet the proposed conditions. A case by case approach is needed.

- **Site Development Permits.**

A site development permit is used by several communities and is at a level between the administrative permit and the user permit. The decision to grant this permit is made by the planning director after surrounding property

owners are notified of the pending action and have commented on the permit. The applicant or the surrounding property owners may appeal the decision to the Planning Commission.

- **Multiple Permits.**

In order to streamline the administrative process, some communities are considering processing several similar recycling locations under one permit. This procedure

would be used for small recycling facilities of the same design, but located on different sites, and where there is no opposition. An example would be reverse vending machines owned or serviced by a single operator, located at numerous sites. Mobile units using the same style trucks or containers, operated by one company at several similar sites, would also be eligible. In order to qualify for multiple site permits, each facility would have to meet all applicable standards for administrative permits (e.g. parking availability, noise, setbacks, and signs).

# Recycling Facilities

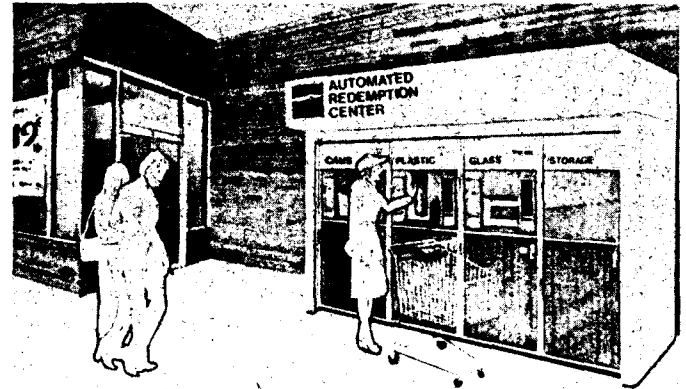
## What Types of Recycling Facilities are Covered by the Model Zoning Ordinance?

All types of recycling facilities are covered in the model ordinance. However, some cities may only want to include those facilities most likely to serve convenience zones such as reverse vending machines, mobile recycling units, and small collectors. Others will take this opportunity to address all types of recycling facilities that might locate in their community.

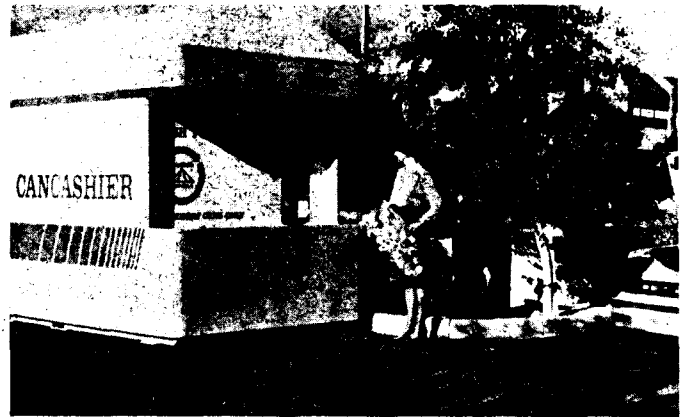
## What are Reverse Vending Machines?

Reverse vending machines are mechanical devices that accept one or more types of empty beverage containers and issue a cash refund or redeemable coupon. Some machines will also dispense coupons and promotional materials. The machines identify containers by reading the bar code, scanning the shape, or by other methods.

There are two main types of reverse vending machines; single-feed and bulk-feed. Single-feed machines resemble soda vending machines in size and appearance. They accept one container at a time, count the containers, and pay the



Grouping of reverse vending machines with one machine for each beverage container type.



Bulk reverse vending machine for aluminum cans. An additional machine will be used for glass and plastic.



Single-feed reverse vending machine which accepts aluminum cans, glass bottles, and plastic bottles in the same machine.

consumer by number of containers deposited. One machine may take aluminum, glass, and plastic containers or there may be a separate machine for each material.

Bulk reverse vending machines are substantially larger. They accept several containers at once, usually pay by weight, and will hold a substantially larger amount than a single-feed reverse vending machine. Because of their larger size, parking lot placement, and noise, bulk vending machines are treated in the model ordinance as small collectors.

New technologies are continually being explored for reverse vending machines such as the use of reverse vending machines attached to storage chambers and placed in a park-

ing lot. This configuration is also conditioned as a small collector.

Impacts from reverse vending machines are easy to mitigate and prevent. Possible impacts can be litter, residues, noise, breakdowns, appearance, placement relative to traffic patterns, and parking by customers. Since reverse vending machines accept only one container at a time, it is anticipated that most users will bring only small loads of containers as the average consumer visits a market three times a week.

## What are the Permit Conditions for Reverse Vending Machines?

Some communities will not require a permit for single feed reverse vending machines, but will allow them as by right in the same manner as soda or water vending machines. Other communities will want the oversight of an administrative permit. In either case, the conditions, as stated in Section 4: Criteria and Standards of the Model Zoning Ordinance, should mitigate any potential impacts.

The Division is recommending a simple, over the counter approval procedure for reverse vending machines which meet a set of standards. They would be approved as an appurtenant use through an administrative use permit by the appropriate city official such as the zoning administrator or the planning director. Alternatively, reverse vending machines could be considered a permit by right and will not require a permit if they meet the listed standards. If an applicant does not choose to meet the standards for an administrative permit, a use permit approval would be required.

The conditions discussed in the model should ensure that:

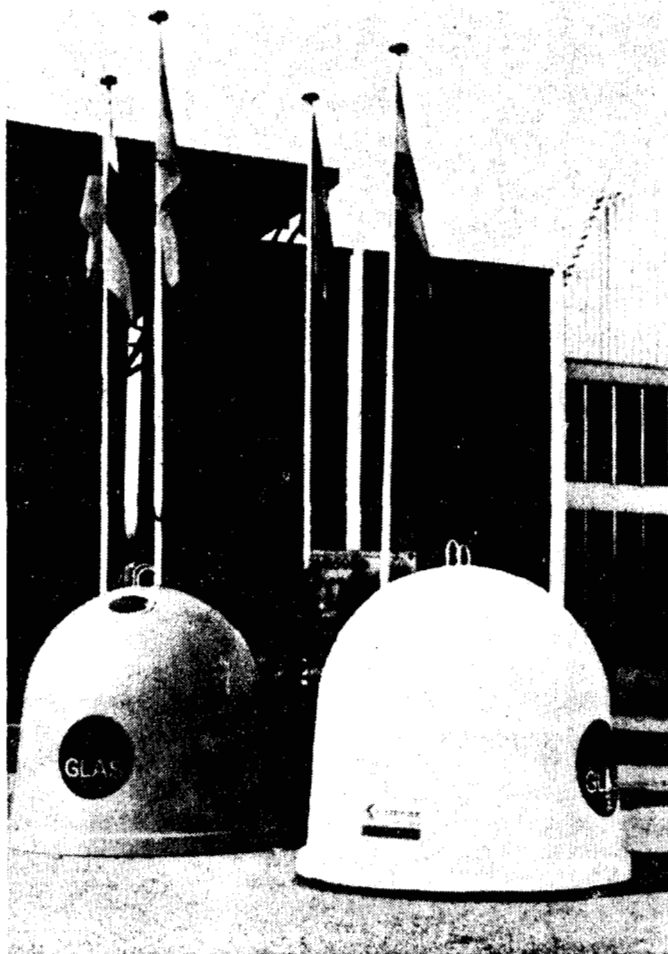
- utility hookups will be according to code and the facility will be supervised and maintained in a clean and litter-free condition;
- reverse vending machines shall not occupy parking spaces required by the primary use. Single feed reverse vending machines are small and their siting is flexible. There should be no need for them to occupy parking spaces that are required for the primary use;
- reverse vending machines are clearly marked with instructions to avoid litter or other damage and have designated a responsible person to call if the machine or its surroundings need attention;
- instructional and advertising signs are installed on the machine, however the host may erect a sign at the store to direct customers to the machines. It is assumed that these signs will follow local codes;
- that the size of the reverse vending machine or group of machines is limited while allowing for a variety of technologies and configurations.

## What Are Small Collection Facilities?

Small collection facilities are no larger than 500 square feet, are intended for collection only, and are located at

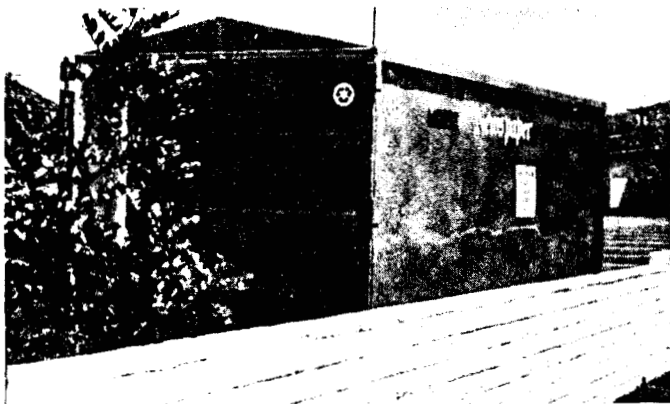
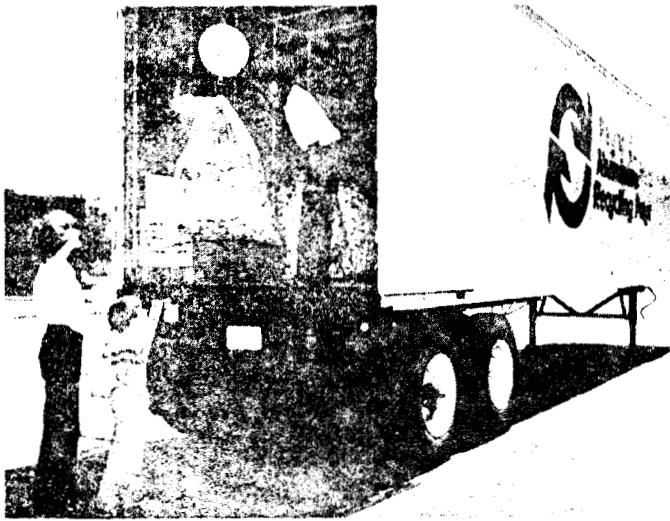
commercial and industrial sites convenient to residents. They have room for limited day-to-day storage of material, and do not include power-driven processing equipment except as part of reverse vending machines. Small collection facilities are usually located out of doors. Both temporary and permanent small collection facilities would be permitted under this category with an administrative permit. Current examples of small collection facilities are:

- single drop-off containers for newspaper or glass;

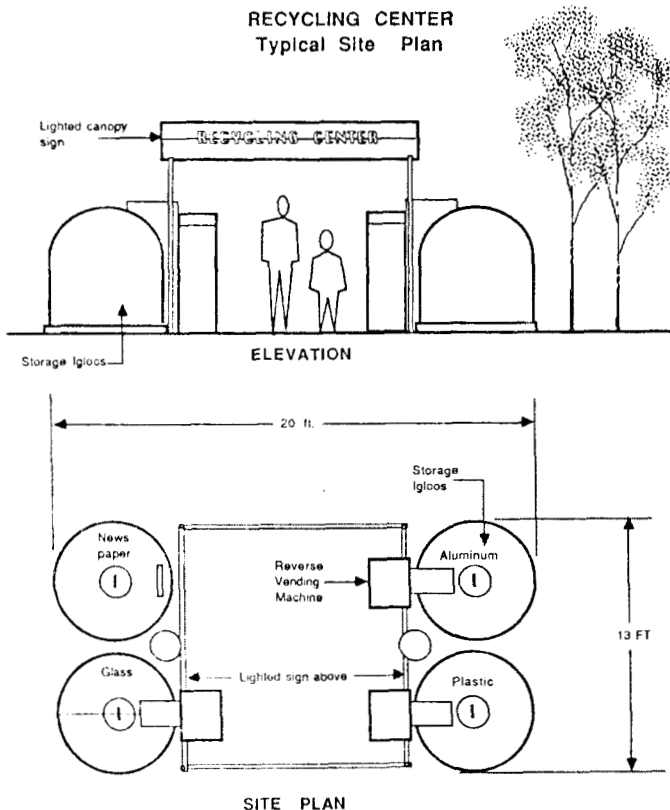


- a set of containers with a staff person on site 30 hours a week to purchase materials and the containers remain on site for donation of materials at other times. Some programs use igloos or attractively painted metal containers;
- a truck which arrives on site to purchase materials 30 hours a week, and is driven off site at other times. This may be a special van or a vehicle used in a city's curbside program;
- a truck collecting reusable materials for a charity such as a Goodwill truck;
- a trailer or compartmentalized roll-off bin which remains on site, and is exchanged for a new bin when full. An attendant is present 30 hours a week to purchase materials. During off hours, all equipment is loaded into the trailer and locked;





Roll-off bins of this type will be modified to store all beverage containers.



A typical design for a grouping of reverse vending machines, attached to igloos for storage, in a parking lot.

- a set of bulk reverse vending machines which accept aluminum, glass, and plastic beverage containers;
- a group of small single-feed reverse vending machines attached to igloos for storage, perhaps under a permanent roof;
- a kiosk which may include permanent structures similar to a one-day photo service.

## What Are the Permit Conditions for Small Collection Facilities?

A small collection facility can be attractive and well maintained, or it can be a problem. The major impacts of concern are appearance, parking spaces occupied by the facility and customers, and litter or trash left when facility is unattended. The conditions, as stated in Section 4: Criteria and Standards of the Model Zoning Ordinance, should mitigate any potential impacts.

Small collection facilities can have a wider variety of impacts than reverse vending machines. Some small collection facilities can be standardized; others may be unique. For that reason, and because it is generally an outdoor use, some administrative oversight is needed. The Division is recommending an administrative permit for small collection facilities with no mechanical processing equipment in commercial and industrial zones or on the site of a community service facility such as a school, church, or municipal building.

The conditions discussed in the model should ensure that:

- the facility can be located in surplus parking spaces;
- a parking space will be provided for an attendant if needed. No parking space is needed for an attendant who drives the mobile unit truck to the site, is delivered by the company, or otherwise will not use the space;
- small collectors will be set back from the street for safety;
- materials are limited to source separated recyclables that can be loaded into containers or trucks as they arrive;
- daily cleanup is performed to remove litter, trash, or materials left outside the containers. Although there will occasionally be materials outside of containers while the attendant is handling them, no materials may be left outside of containers when the attendant is not present;
- the name and phone number of the person responsible for the site will be displayed on the containers. In most cases the host use will monitor the performance of the contractor;
- the facility will be neat and attractive and the container construction is sturdy;
- no landscaping required for the primary use may be impaired;
- noise will only be generated by processing equipment associated with some reverse vending machines, material handling, and customer traffic. As noise from late night use of 24-hour drop-off containers might alarm neighboring residents, the ordinance requires that these be placed



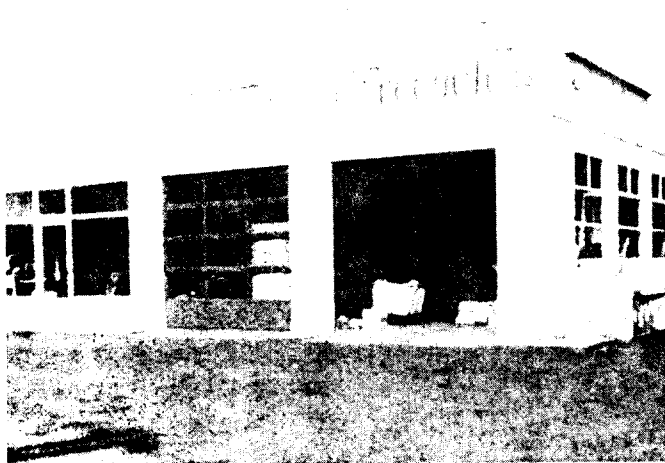
away from residential occupancies unless they are acoustically shielded.

## What Are Large Collection Facilities?

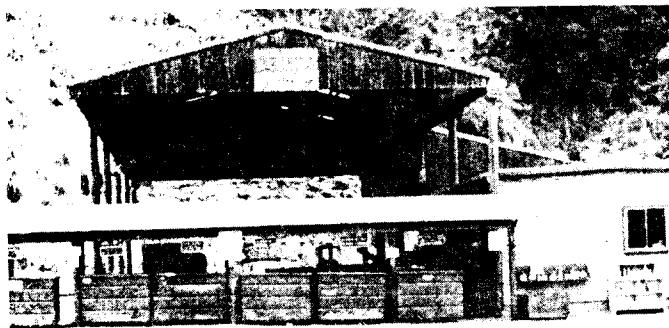
Large collection facilities buy or accept material from the public, move it (often by forklift) to a shipping container, and store it until there is enough for a shipment. Large collection facilities differ from small collection facilities in that they are larger than 500 square feet, would most likely occupy a single site rather than being on a host use, and have capacity for aggregating and storing larger amounts of material on site in preparation for shipping to market. This type of facility is usually permanent and may include permanent structures. A large collection facility uses little or no power-driven processing equipment.

Large collection facilities vary in design and operation and may include:

- a buyback center located at a former gas station, with most material handling indoors and with storage containers located in or behind the building not visible to the public;



- a multi-material drop-off center in a small city, located at a city contractor yard with a pole barn and an office. Drop-off containers accessible to the public would be located in front of the pole barn, and materials would be sorted and stored out of view;



- a drop-off and buyback recycling center operated by a nonprofit organization. Employees accept and sort material from the public; drop-off containers are usually available when the facility is not attended.

## What are the Permit Conditions for Large Collection Facilities?

Possible impacts of a large collector on a commercial or nearby residential area include customer traffic, truck traffic hauling materials to market, appearance, possible sloppiness or understaffed conditions, visible outdoor storage, litter, and noise from forklift, traffic, and dumping of glass. The conditions, as stated in Section 4: Criteria and Standards of the Model Zoning Ordinance, should mitigate any potential impacts.

The styles and impacts of large collection facilities can vary dramatically. A minor use permit is suggested for facilities in neighborhood commercial zones or where mechanical processing equipment is used. Collection facilities which meet the listed standards could be acceptable in other commercial and industrial areas with a site development permit.

The conditions discussed in the model should ensure that:

- the facility does not abut a residential property;
- the facility will operate in an enclosed building or be screened from public view by an opaque fence, landscaping, and required setbacks;
- outdoor storage will be neat and contained;
- the facility will be kept free of loose debris on a daily basis;
- overnight donation areas are well kept, distant from residential properties, and have containers that are secure from unauthorized entry;
- there is sufficient room on site to accommodate customers and business traffic.

## What are Processing Facilities?

A processing facility receives material from the public and/or other recycling facilities and uses power-driven machinery to prepare recyclable materials for efficient shipment. Because of economies of scale, processing facilities will often be able to pay a higher scrap price for materials than small collectors. They will attract customers who bring relatively large amounts of materials.

A processing facility should not be confused with a certified processor. A certified processor is defined in the Act as a facility which purchases at least one container type from recycling centers and "cancels" them. Cancellation consists of shipping the containers directly to their end user, or physically processing them in a prescribed and recognizable manner so that they cannot be re-redeemed. Certified processors pay recycling centers their redemption values and scrap values, and often will collect materials from reverse vending machines and small collectors in convenience zones.

Processing facilities, as defined in the model zoning ordi-

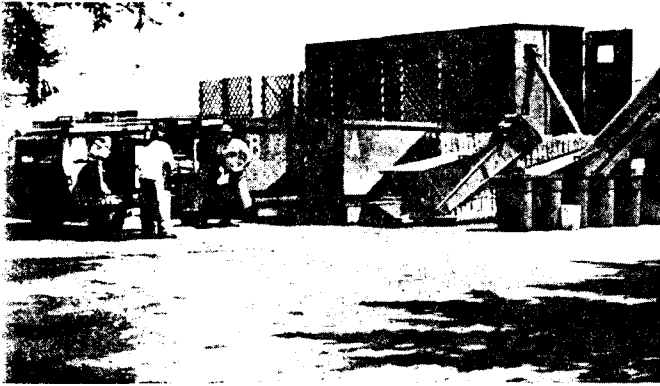
nance, do not have to be certified processors. The definitions and conditions for processing facilities in the model zoning ordinance will allow them to perform the tasks required of certified processors.

Light and heavy processing facilities are distinguished from each other in the model. A light processing facility consists of up to 45,000 square feet and has no more than two (2) shipments of material a day on the average. This limits the volume, number of customers and size of the equipment. Heavy processing facilities are larger, have higher volume, may accept materials that are bulky or more difficult to work with, have more truck traffic, and use more powerful processing machinery.

The impacts of processing facilities are similar to those of smaller facilities except in degree. They include noise, customer and truck traffic, outdoor storage and appearance. Industrial impacts such as dust, fumes, smoke, and vibration are generally not created.

Examples of processing facilities include:

- a beverage distributor who buys aluminum cans and uses an aluminum can flattener, blower and/or briquetter;



*A multi-material buyback and light processing facility.*

- a company that buys aluminum cans, glass bottles, plastic bottles, and newspaper from the public; collects office

paper from commercial facilities; operates several satellite centers; and processes the materials on site;

- a company that processes material from a commercial corrugated collection program and from a community curbside recycling program.



*A heavy processing facility for aluminum cans.*

The conditions discussed in the model should ensure that:

- the facility will not negatively impact a residential property;
- the facility will operate in an enclosed building or be screened from public view by an opaque fence, landscaping, and required setbacks;
- outdoor storage will be neat and contained;
- the facility will be kept free of loose debris on a daily basis;
- overnight donation areas are well kept, distant from residential properties, and have containers that are secure from unauthorized entry;
- there is sufficient room on site to accommodate all customers and business traffic.

## Issues of Concern to Local Municipalities

### What Are Recyclable Materials?

The model ordinance defines recyclable material as including but not limited to metals, glass, plastic and paper which is intended for reuse, remanufacture or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials.

This definition was written to include all recyclable materials that could reasonably be accepted by the recycling facilities covered in the ordinance. The conditions proposed in the

model ordinance have assumed that recycling facilities will accept some additional materials other than those covered by AB 2020, and are designed to mitigate those impacts. The conditions also limit materials to those considered appropriate to the facility.

### What Materials Must Certified Recycling Facilities Accept?

In order to meet requirements for certification, recycling facilities must accept beer, soda and malt beverage containers

made of glass, aluminum, plastic, steel, or other material in which beverage manufacturers may choose to package their products. Containers for wine coolers, liquor coolers, juice, and other foods and beverages are not covered in the Act.

## Are There Advantages to Recycling Facilities Accepting Additional Materials?

A recycling facility has fixed costs of labor and equipment. A worker must be on site 30 hours a week, busy or idle. The facility will be more economically viable if it accepts other valuable materials. Most recycling facilities currently accept newspaper, glass, aluminum cans, and other items and consider newspaper a critical part of their financial picture. Limiting recycling facilities to only beverage containers will seriously reduce the number of organizations willing to operate them because of reduced revenues. There will be less potential for litter if recycling facilities accept all containers brought to the facility.

In addition, studies of recycling behavior have shown that participation rates increase when a facility accepts a wider range of materials. People prefer to recycle at a facility that accepts all of their household recyclables, and the community will benefit from diversion of more materials from landfill.

## Should Recycling Facilities Accept Used Motor Oil?

Used motor oil is mentioned because its disposal is a problem for many communities. With the current low price of oil and high insurance rates for collectors, many service stations have ceased to accept used motor oil from the public. People who change their own oil have no legal or environmentally sound way to dispose of it. Because the alternative is expensive cleanup, communities encourage staffed recycling facilities and curbside collection programs to provide this service to the community at cost.



A waste motor oil collection site at a service station.

California hazardous waste laws allow recycling programs to accept used motor oil under certain conditions without obtaining hazardous waste permits. The motor oil must be delivered to the recycling facility by the household generator, in amounts of no more than 20 gallons, and in containers no larger than five (5) gallons. The recycling facility operator may transport it from his satellite depots to his own central facility without a hazardous waste transport permit. Local regulations govern approval of the storage tank at the recycling facility. Materials may be stored for a maximum of 90 days. The used motor oil is collected from the storage tank by a licensed waste oil hauler and delivered to a refining plant.

## What Noise Problems May be Associated With Recycling Facilities?

Noise conditions in the model ordinance are based on the Model Noise Ordinance prepared by the California Department of Health Services and on noise impacts of recycling equipment. Noise standards and ambient noise levels often differ for urban, suburban and rural communities, and some have different standards for daytime and night. It is assumed that communities will alter the suggested noise levels in this model according to their own conditions. The Department of Health Services model allows the noise standard to be adjusted as appropriate to reflect ambient noise levels.

Noise impacts vary at recycling facilities from none to substantial. Noise is generated by processing equipment, forklift and truck operations, dumping bins of glass at processing facilities, and customer traffic. In the conditions, noise is mitigated by limits on power-driven equipment, distance from residential areas and limits on operating hours. Noise levels may also be affected by placement on site, proximity to reflective or absorbent surfaces, direction of the noise, and/or landscaping and fences.

For comparison of the noise levels discussed in the model, the following table lists typical noise levels of various common events:

Event	Noise (dBA)
Threshold of hearing	0
Public Library (no machines)	20
Soft whisper at 5 feet	30
Quiet office	50
Average home	60
Speech at one foot	70
Radio set at average volume	80
Subway train at 20 feet	90
Cutoff saw, gun fire	100
Riveting machine	110
Threshold of pain	120

It is suggested that local municipalities obtain noise specifications from applicants for all equipment to be used on their sites.

## *What Parking Problems May be Associated With Recycling Facilities?*

The availability of parking is an issue of concern for planners in siting recycling facilities, particularly for small collectors.

The model considers parking from three aspects:

- ▷ parking spaces occupied by recycling equipment at a host use;
- ▷ customer and attendant parking;
- ▷ circulation of pedestrians and vehicles patronizing the host use.

Most local agencies require a minimum number of parking spaces for primary uses based on the nature of the facility, its square feet of floor space, and number of employees. For a recycling facility on a host use, enough parking must remain to serve the primary use.

In many convenience zones, parking is already at the nominal minimum requirements and existing ordinances do not allow the planning official to use those spaces. Santa Cruz County has devised a method of determining how many, if any, required parking spaces could be used. The Santa Cruz County plan has been included in the model for those communities that need such a process.

The model includes the following parking conditions for the various facilities:

### ▷ *Reverse Vending Machines.*

A reverse vending machine or group of machines occupying no more than 50 square feet will probably be located on the storefront and will not take up space in the parking lot. It is not permitted to occupy required parking spaces and must be located within 30 feet of the store entrance.

With this configuration, it is assumed that people will recycle at the same time as they shop. They will park in the parking lot, bring their recyclables to the reverse vending machine in a bag or shopping cart, deposit them, and then do their shopping. This is current practice for people who use returnable soda bottles. No extra parking spaces are needed for users of reverse vending machines.

### ▷ *Small Collection Facilities.*

Small collection facilities will occupy one to five parking spaces depending on the type of facility. Additional parking for customers is not required, but recycler traffic and servicing of the facility should be considered in the configuration and location of the facility. A survey of Reynolds Aluminum trailers at shopping center parking lots reported an average of two (2) customer vehicles at the facility at any one time, and a maximum of six (6) vehicles on peak days.

A space for attendant parking must be provided only if the attendant will use it. For example, if the attendant drives the recycling truck to the site, is dropped off by the company or uses public transportation no space is required.

### • *Large Collection Facilities and Processing Facilities.*

Parking for these facilities will be on site and will be required for workers and company vehicles, according to local standards, in addition to accommodating customers. Depending on facility design, customers park or wait in line to deliver their materials. The model ordinance requires that there be enough room on site to accommodate peak traffic.

At some existing recycling facilities, peak traffic cannot be accommodated on site. Saturday is typically a busy day for recycling facilities that buy in bulk and pay a good price for materials. In some industrial locations a lineup of traffic on the street will not be disruptive, however, in some areas a traffic backup could be detrimental. The planning officials are given discretion in the model ordinance to make that determination.

## *What Control Will Local Municipalities Have Over the Appearance and Visibility of Recycling Facilities?*

The concern of the appearance for local planners is most apparent for accessory uses. Recycling facilities on permanent sites must conform to local landscaping and sign requirements.

Some cities and counties prefer that accessory uses, such as reverse vending machines and small collectors, conform to the colors and themes of the host use. The model zoning ordinance makes no such blanket requirement because it would be very difficult for most recycling facilities. Recycling equipment, such as fiberglass igloos, may be produced in large quantities for use throughout the state and may be color-coded for different materials or have distinctive logos. Trailers and roll-off bins are exchanged when full of material. Although in some cases local recycling companies can accommodate color preferences, color-coding these facilities to a site could be expensive.

The recycling facility should be neat and attractive and the ordinance requires sturdy container construction. The host use has customers to attract and an image to protect, and is likely to insist that the facility be attractive. The ordinance also does not require landscaping for mobile facilities, although landscaping would be possible for permanent or long-term structures.

The recycling facility established for consumer convenience must be easy for consumers to locate and recognize. If the recycling location is difficult for the customer to find, it is recommended that signs directing customers to the facility be allowed.

## *What Volume of Material May Be Expected at Recycling Facilities?*

It is difficult to predict the amount of material that will be received by an individual recycling center. Estimates can be

made of available materials based on the average sales of beverage containers (currently estimated at 370 per person per year), the market share of each type of beverage container, and the population served by that recycling facility. However, the amount received at a recycling facility depends on the number and attractiveness of competing facilities. For example, a set of single-feed reverse vending machines paying only redemption values will attract less material than a staffed facility that pays higher prices and processes larger amounts swiftly.

Assuming 1986 current market shares, a recycling facility that receives 100 percent of the beverage containers used by 1,000 people will receive approximately 7,000 containers, or 1,500 pounds a week, in addition to other materials the facility may accept. One thousand people will use approximately 650 cans, 250 bottles and 50 plastic beverage bottles a day in addition to refillable bottles.

Updated volume and market share data is available from the Division of Recycling.

## Conclusion and Acknowledgements

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The model ordinance has been developed by the Division of Recycling, Local Government Assistance Section for the use of local municipalities. If you have any questions or would like to set up a local meeting, Division staff is available. The telephone number is (916) 323-3508.

### Acknowledgements:

Brent Boger, California Office of Planning and Research  
California Resource Recovery Association Executive Board  
Robert M. Davis, C. P. Manufacturing, Inc.  
Dan DeGrassi, Santa Cruz County  
Richard Gertman, City of San Jose  
Karen A. Keene, California Office of Planning and Research  
Craig Labadie, League of California Cities  
Linda Lauzzi, City of Sunnyvale  
Robert LeClaire, ENVIPCO, Inc.  
Joni Low, County Supervisors Association of California  
Steve Moore, Pacific Rim Recycling  
Northern California Recycling Association Executive Board  
Robert Philibosian, Attorney  
Jim Prandi, City of San Jose  
Steve Scholl, California Coastal Commission  
Paul Sincock, 20/20 Recycling  
Al Strickman, Garden State Paper, Inc.  
Peter Whited, Reynolds Aluminum  
and all others who reviewed and commented on the model.

# Model Zoning Ordinance



**An ordinance of the City/County of \_\_\_\_\_  
amending Chapters \_\_\_\_\_ of Title \_\_\_\_\_ of  
the (City/County) Municipal Code to set out con-  
ditions and procedures for permitting recycling  
facilities.**

WHEREAS, the City Council/Board of Supervisors desires to make redemption and recycling of reusable materials convenient to the consumer in order to reduce litter and increase the recycling of reusable materials; and

WHEREAS, the City Council/Board of Supervisors desires to encourage the provision of recycling services by adopting a comprehensive and easily understood program of permitting and regulating such uses; and

WHEREAS, the amendments recommended by this Resolution are found by the City Council/Board of Supervisors to be necessary to provide for implementation, within the areas of \_\_\_\_\_ (City/County) \_\_\_\_\_, of the California Beverage Container Recycling and Litter Reduction Act; and

WHEREAS, a Negative Declaration has been issued for the proposed zoning ordinance amendment in compliance with the California Environmental Quality Act and State and County environmental review guidelines; and

WHEREAS, proceedings to consider this ordinance have been completed as required by Sections \_\_\_\_\_ of the \_\_\_\_\_ Code; and

NOW, THEREFORE, be it resolved by the City Council/Board of Supervisors of the City/County of \_\_\_\_\_ :



## SECTION 1: Definitions

Section \_\_\_\_\_ of the \_\_\_\_\_ Code is hereby amended by adding in proper alphabetical sequence the following terms and accompanying definitions:

### A. *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 or hazardous materials. Recyclable material may include used motor oil collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

### B. *Recycling Facility*

A recycling facility is a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities may include the following:

#### 1. *Collection Facility*

A collection facility is a center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power-driven processing equipment except as indicated in Section 4 Criteria and Standards. Collection facilities may include the following:

- a. Reverse Vending Machine(s);
- b. Small collection facilities which occupy an area of not more than 500 square feet, and may include:
  1. A mobile unit;
  2. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;
  3. Kiosk type units which may include permanent structures;
  4. Unattended containers placed for the donation of recyclable materials.
- c. Large collection facilities which may occupy an area of more than 500 square feet and may include permanent structures.

#### 2. *Processing Facility*

A processing facility is a building or enclosed space used for the collection and processing of

recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:

- a. A light processing facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- b. A heavy processing facility is any processing facility other than a light processing facility.

### C. *Reverse Vending Machine(s)*

A reverse vending machine is an automated mechanical device which accepts at least 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. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary.

A bulk reverse vending machine is a reverse vending machine that is larger than 50 square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container.

### D. *Mobile Recycling Unit*

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

## SECTION 2: Permits Required

No person shall 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. As used in the table, "Alternative Permit" is

Type of Facility	Zones Permitted	Permit Required	Alternative Permit
Reverse Vending Machine(s)	All Commercial All Industrial	Administrative (or by right)	Minor Use
Small Collection	All Commercial All Industrial	Administrative	Minor Use
Large Collection	C-1 Other Commercial Industrial	Minor Use Site Development Site Development	Minor Use Minor Use
Light Processing	Heavy Commercial All Industrial	Conditional Use Minor Use	Conditional Use
Heavy Processing	Light Industrial Heavy Industrial	Conditional Use Site Development	Conditional Use

the permit that may be sought for the applicable recycling uses if the required permit is denied, or at the discretion of an applicant who does not want to meet the standards for an administrative permit.

In addition to the permits described in the above table a reverse vending machine(s) or a small collection facility may also be allowed in special zones which allow uses permitted in commercial or industrial zones with an administrative permit; and a large collection facility or processing facility may be allowed in agricultural zones with a conditional use permit.

### SECTION 3: Permits for Multiple Sites

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

- The operator of each of the proposed facilities is the same;
- The proposed facilities are determined by the (Zoning Administrator) to be similar in nature, size and intensity of activity; and
- All of the applicable criteria and standards set forth in Section 4 are met for each such proposed facility.

### SECTION 4: Criteria and Standards

Those recycling facilities permitted with an administrative permit shall meet all of the applicable criteria and standards listed. Those recycling facilities permitted with a minor use permit, conditional use permit, or site development permit shall meet the applicable criteria and standards, provided that the Director of Planning, Planning Commission, or City Council/Board of Supervisors, as the case may be, may relax

such standards or impose stricter 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 and the purposes of this Title.

*Note: If the zoning ordinance has a section requiring all activities in a commercial zone to be conducted completely within an enclosed structure and which lists exceptions, amend that section to add "recycling collection facilities" to the list of exceptions.*

The criteria and standards for recycling facilities are as follows:

#### A. Reverse Vending Machine(s)

Reverse vending machine(s) located within a commercial structure do not require discretionary permits. Reverse vending machines do not require additional parking spaces for recycling customers and may be permitted in all commercial and industrial zones with an administrative use permit provided that they comply with the following standards:

1. Shall be established in conjunction with a commercial use or community service facility which is in compliance with the zoning, building and fire codes of the City/County of \_\_\_\_\_ ;
2. Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
3. Shall not occupy parking spaces required by the primary use;
4. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight (8) feet in height;
5. Shall be constructed and maintained with durable waterproof and rustproof material;
6. Shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the opera-

tor or responsible person to call if the machine is inoperative;

7. Shall have a sign area of a maximum of four (4) square feet per machine, exclusive of operating instructions;
8. Shall be maintained in a clean, litter-free condition on a daily basis;
9. Operating hours shall be at least the operating hours of the host use;
10. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

## B. Small Collection Facilities

Small collection facilities may be sited in commercial and industrial zones with an administrative permit provided they comply with the following conditions:

1. 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/County of \_\_\_\_\_;
2. Shall be no larger than 500 square feet and occupy no more than five (5) parking spaces not including space that will be periodically needed for removal of materials or exchange of containers;
3. Shall be set back at least ten (10) feet from any street line and shall not obstruct pedestrian or vehicular circulation;
4. Shall accept only glass, metals, plastic containers, papers and reusable items. Used motor oil may be accepted with permission of the local public health official;
5. Shall use no power-driven processing equipment except for reverse vending machines;
6. Shall use containers that are constructed and maintained with durable waterproof and rust-proof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
7. Shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present;
8. 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;
9. Shall not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 70 dBA;
10. Attended 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.;
11. Containers for the 24-hour donation of materials shall be at least 30 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
12. 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;
13. Signs may be provided as follows:
  - a. Recycling facilities may have identification signs with a maximum of 20 percent per side or 16 square feet, whichever is larger, in addition to informational signs required in Section 4.B.12; in the case of a wheeled facility, the side will be measured from the pavement to the top of the container;
  - b. Signs must be consistent with the character of the location;
  - c. Directional signs, bearing no advertising message, may be installed with the approval of (Zoning Administrator) if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way;
  - d. The (person authorized to grant administrative permits) may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.
14. The facility shall not impair the landscaping required by local ordinances for any concurrent use by this Title or any permit issued pursuant thereto;
15. 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;
16. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present;
17. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:
  - a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;
  - b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;

- c. The permit will be reconsidered at the end of 18 months.

A reduction in available parking spaces in an established parking facility may then be allowed as follows:

For a commercial host use:

Number of Available Parking Spaces	Maximum Reduction
0-25	0
26-35	2
36-49	3
50-99	4
100+	5

For a community facility host use:

A maximum five (5) spaces reduction will be allowed when not in conflict with parking needs of the host use.

18. If the permit expires without renewal, the collection facility shall be removed from the site on the day following permit expiration.

### C. Large Collection Facilities

A large collection facility is one that is larger than 500 square feet, or is on a separate property not appurtenant to a host use, and which may have a permanent building. A large collection facility is permitted in neighborhood commercial zones with a minor use permit and in other commercial and industrial zones with a site development permit, provided the facility meets the following standards:

1. Facility does not abut a property zoned or planned for residential use;
2. Facility will be screened from the public right-of-way by operating in an enclosed building or:
  - a. Within an area enclosed by an opaque fence at least six (6) feet in height with landscaping;
  - b. At least 150 feet from property zoned or planned for residential use; and
  - c. Meets all applicable noise standards in this ordinance;
3. Setbacks and landscape requirements shall be those provided for the zoning district in which the facility is located;
4. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the (Local Fire and/or Health Official). No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing;
5. Site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis;

6. Space will be provided on site for six (6) vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the (Zoning Administrator) determines that allowing overflow traffic above six (6) vehicles is compatible with surrounding businesses and public safety.

7. One (1) parking space will be provided for each commercial vehicle operated by the recycling facility. Parking requirements will be as provided for in the zone, except that parking requirements for employees may be reduced when it can be shown that parking spaces are not necessary such as when employees are transported in a company vehicle to a work facility;

8. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed 70 dBA;

9. If the facility is located within 500 feet of property zoned, planned or occupied for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.;

10. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.

11. Donation areas will be kept free of litter and any other undesirable material, and the containers will be clearly marked to identify the type of material that may be deposited; facility shall display a notice stating that no material shall be left outside the recycling containers;

12. Facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the zone; and directional signs, bearing no advertising message, may be installed with the approval of the (Zoning Administrator), if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way;

13. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through a use permit process or at the discretion of the (Zoning Administrator) if noise and other conditions are met.

### D. Processing Facilities

A light processing facility is permitted in heavy commercial zones and light industrial zones with a minor use permit. A large processor is permitted in light industrial zones with a conditional use permit. All processors are permitted in heavy industrial or manufacturing zones with a site development permit or

according to the practice of the City/County of \_\_\_\_\_ for similar uses.

A processor will meet the following conditions:

1. Facility does not abut a property zoned or planned for residential use;
2. In a commercial or light industrial zone, processors will operate in a wholly enclosed building except for incidental storage, or:
  - a. Within an area enclosed on all sides by an opaque fence or wall not less than eight (8) feet in height and landscaped on all street frontages;
  - b. Located at least 150 feet from property zoned or planned for residential use.
3. Power-driven processing shall be permitted, provided all noise level requirements are met. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials;
4. A light processing facility shall be no larger than 45,000 square feet and shall have no more than an average of two (2) outbound truck shipments of material per day and may not shred, compact or bale ferrous metals other than food and beverage containers;
5. A processing facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the California Health and Safety Code;
6. Setbacks and landscaping requirements shall be those provided for the zoning district in which the facility is located.
7. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition, or shall be baled or palletized. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the (Local Fire and/or Health Official). No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing;
8. Site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis and will be secured from unauthorized entry and removal of materials when attendants are not present;
9. Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space will be provided for a minimum of ten (10) customers or the peak load, whichever is higher, except where the (Zoning Administrator) determines that allowing overflow traffic is compatible with surrounding businesses and public safety.
10. One (1) parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by the zone in which the facility is located;
11. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise shall not exceed 70 dBA;
12. If the facility is located within 500 feet of property zoned or planned for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m. The facility will be administered by on-site personnel during the hours the facility is open;
13. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials;
14. Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. Facility shall display a notice stating that no material shall be left outside the recycling containers;
15. Sign requirements shall be those provided for the zoning district in which the facility is located. In addition, facility will be clearly marked with the name and phone number of the facility operator and the hours of operation;
16. No dust, fumes, smoke, vibration or odor above ambient level may be detectable on neighboring properties.

## SECTION 5: Permitted Uses

Sections \_\_\_\_\_ listing permitted uses in commercial, industrial, and any other applicable zones are amended to add recycling facilities as defined in this amendment.