

## Summary of Feedback from Business Community Meetings

This attachment lists the feedback received from the business attendees, and the City's response to this feedback. Please note that the city responses are a mixture of responses shared during the meeting and responses determined after debrief.

### January 14 & 16, 2025

1. **Feedback:** Organics requirements are too much for non-food businesses.
  - a. **City Response:** The enclosure review is a custom process that adjusts service levels for businesses with lower needs. The next solid waste RFP can consider container sizes for organics under 35 gallons.
2. **Feedback:** Avoid cutting into old/small buildings; look for space elsewhere. Consider "Mammoth" or "Big Bear" styles where trash is transported off-site. Downtown and North MB should have different rules.

Consider Downtown as a unified area and create a communal waste enclosure for all businesses to use. Treat it like an ecosystem, similar to the Manhattan Village Mall. The City previously managed parking structures after ending the requirement for individual spaces; it should do the same for communal enclosures. A business owner has already offered space if the City handles management and cleaning. Look into how other historic districts like Pasadena address similar challenges. What are their solutions?

- a. **City Response:** Communal enclosure spaces can vary in design. The Lot 3 fenced area, located within the parking structure and isolated from residential neighbors, previously served as a dumping ground due to its secluded nature. Repurposing it as a recycling bin area for four specific addresses improved the space. However, challenges such as overflow, cleanliness, and contamination can complicate communal enclosures, especially in assigning responsibility for non-compliance.
- b. City staff contacted various cities and gathered information on refuse enclosures from historic areas and similar locations in the South Bay. Pasadena's municipal code has specific regulations for its historic district, mandating enclosure improvements in tenant renovations.
- c. Downey's historic district features businesses along the main street with medium to large parking lots behind them, eliminating spatial constraints. Burbank currently lacks policies on commercial enclosures for tenant improvements, though internal discussions are ongoing. San Juan Capistrano's main streets mostly include businesses in shared commercial plazas, while containers are kept out of public view, unlike in Manhattan Beach. Escondido's historic district mirrors this layout, with businesses on main streets and shared enclosures in City-owned parking lots. All businesses have a master key to the enclosures, which are maintained by the

City and secured against scavengers and the homeless. Enclosure rooms are typically located at the edge of parking rows.

- d. The City will continue this discussion as the feedback advocates strongly for it. As for Downtown and North MB, it is noted that considerations for business districts in the sand section should be treated differently.

**3. Feedback:** Start small with enclosure requirements. If a business is delinquent, require a larger enclosure later. Avoid starting with the maximum.

- a. **City Response:** There will be significant hostility/costs/delays to incur in arrears. There are examples of those scenarios currently taking place in the Downtown and it requires the owner to carve space into the building.

**4. Feedback:** Covenant idea involves owners. Instead, use an “operating agreement” so that businesses can decide this for themselves. A business in the Downtown had their rent raised significantly. We need to clarify that the tenant is not paying for the enclosure; the owner is.

- a. **City Response:** The city will discuss the operating agreement versus the recorded covenant agreement with the city attorney and provide feedback. Property owners are generally responsible for enclosure maintenance unless their lease states otherwise. Tenants should review their agreements to see if they are financially responsible for enclosure improvements. Property owners often participate in site visits or calls regarding enclosure reviews during tenant improvements and are usually aware of the need to update outdated enclosures to meet code.

**5. Feedback:** The City isn't seeking input and is proposing overly large requirements. We need separate standards for Downtown instead of a one-size-fits-all approach. Flexibility is key, and we should avoid complicated metrics like square footage. Simple language, such as "access to containers," is recommended, without specific volume requirements or enclosure size baselines.

- a. **City Response:** Standards need refinement. If codifying these standards proves challenging, what is the best approach to solve the issues? Current code includes requirements for containers, accessibility, and adequate service for disposal volumes. Enclosure reviews have been customized based on this language, but feedback indicates a lack of structure and specific standards, making reviews seem subjective and project planning inefficient. The charts used were inspired by other LA-region cities, not an original idea from the City.

**6. Feedback:** The frequency of collection is important. Downtown businesses are vital to the community; we must keep this in mind. We shouldn't burden them further, especially with rising costs. Consider each building and tenant improvements to adjust trash collection accordingly.

- a. **City Response:** The matrix levels correspond to container size and service frequency. For example, businesses within a specific square footage range have the same container size. As businesses approach the upper range, their service frequency increases—from 1-2 pickups per week for smaller businesses to 6-7 pickups for larger ones.
  - b. Refuse enclosure reviews for tenant improvements are tailored to each situation and often involve site visits, video calls, and negotiations to meet solid waste requirements. Changes may not always be necessary if the existing enclosure is compliant. Sometimes, additional service days or organics service is added, or property owners may choose to build a second enclosure for new services instead of expanding the current one. Various solutions have been implemented in the sand section business districts.
7. **Feedback:** Some residents receive only two days of service; why are they not required to increase this? The City's hauler must pick up recycling on Sundays, especially important for Downtown. There should be leases instead of no-covenant agreements. The 1' requirement around carts should be removed, as it doesn't apply to all situations. Parking lot renovations should include shared trash compactor enclosures for businesses. Tenant improvement projects shouldn't face refused enclosure reviews.
- a. **City Response:** The city's hauler will perform site visits to locations experiencing consistent overflow to evaluate the frequency of pickup. One of the main reasons a location can experience overflow is from illegal dumping if the containers are not in a proper refuse enclosure. The refuse enclosure reviews are addressing this decades-long issue of overflow in the sand section.
  - b. The hauler's franchise agreement permits Sunday recycling service, but demand is insufficient to justify dispatching a driver and truck. While some requests exist for Sunday recycling, landfill services occur on those days due to higher demand. The hauler will discuss with Operations to establish the number of accounts needed for Sunday commercial recycling.
  - c. The City will return to the city attorney to discuss the recorded covenant vs. leases option.
  - d. Refuse enclosure reviews are customized for each enclosure and its access. The 1' perimeter is to protect the enclosure during collection service, with serviceability and accessibility evaluated individually.
  - e. Feedback on communal enclosures will continue discussion.

**8. Feedback:** Consider giving up parking requirement to get additional spaces for communal enclosures, perhaps at Metlox or other areas with lots of parking.

- a. **City Response:** The City cannot eliminate parking spaces at this time. The Coastal Commission has to approve any parking changes.

**9. Feedback:** Consider a hardship solution for people who cannot make changes to their enclosures.

- a. **City Response:** The idea of the Alternative Refuse Enclosure Plan addresses this concern and could provide the property owner a way to comply without changes to the enclosure.

**10. Feedback:** The updated modification specifies that only four select tenant improvements trigger a refuse enclosure review, and including the fire sprinkler criteria seems unfair.

- a. **City Response:** staff believes that this is an appropriate threshold. Under the current MBMC, fire sprinklers are required under the following whenever:

1. An additional story is added.
2. A remodel causes the tenant space to exceed 2,000 square feet in area and the remodel is over fifty percent of the existing building footprint.
3. The building is 2,000 square feet or greater in gross floor area and a remodel or addition causes more than twenty-five percent of the walls or roof system to be structurally altered.
4. The building is 2,000 square feet or greater in gross floor area and the addition increases the existing floor area by more than fifty percent.

If an applicant is altering a property to such a degree that it requires fire sprinklers, they are engaging in significant changes to the building. As such, it makes sense for the City to review their enclosure space to make sure it can accommodate all of its refuse on-site.

**11. Feedback:** The City's hauler must provide Sunday recycling service and issue tickets for vehicles obstructing bins. The program that charges businesses for overflowing containers should be revived, as agreed by several businesses present.

- a. **City Response:** The City's hauler has indicated that there isn't enough demand for Sunday recycling service at this time but is open to options if interest grows. They cannot issue parking citations but can report service obstructions to non-emergency dispatch. The franchise agreement includes the Snapshot Program to address overflowing container issues, which has been paused since COVID under city staff direction. Instead, the hauler is focusing on educational enforcement and

site visits to improve service levels. The City is also working on long-term refuse enclosure issues, such as insufficient container size and illegal dumping.

**12. Feedback:** The businesses need a solution for the vision of Downtown.

- a. **City Response:** The City Council's direction on this issue will provide more vision on what to expect for the Downtown refuse enclosures.