

# Community Meeting: Proposed Changes to the Refuse Enclosure Ordinance

JANUARY 14 & 16, 2025



# Overview

- Background
- Enclosure Review Information
- Proposed Process Improvements
- Discussion / Q&A



# Background

- September 3, 2024: Council requested discussion on moratorium
- November 19, 2024: Council discussion took place
  - Moratorium not approved
  - Work with the business community
  - Return with options for the Council to consider
- January 14 & 16, 2025: Community Meetings w/Businesses
- February 18, 2025: Recommendations to improve ordinance



# Terminology

- “Refuse” means: Disposable materials, both recyclable & non-recyclable
  - Landfill trash
  - Recycling (glass, paper, metal and select plastics)
  - Organics (food, wood, soiled paper)

## REFUSE

Landfill Trash



Recycling



Organics



# WHAT WE'VE HEARD

- When do enclosure reviews occur?
- Challenges with space-constrained areas
- Challenges with old buildings
- Container capacity exceeds space
- Businesses want involvement in Code updates



# WHEN ARE REFUSE ENCLOSURE REVIEWS PERFORMED?

When Refuse Enclosure Review is Applied		
Applied	Not Applied	
<ol style="list-style-type: none"> <li>1. City Jobs</li> <li>2. New Commercial and <u>Multi-Family</u></li> <li>3. Commercial Addition or Tenant Improvement</li> <li>4. Entitlement Applications</li> </ol>	<ol style="list-style-type: none"> <li>1. Demolition – Complete</li> <li>2. Electrical</li> <li>3. Fire Permits</li> <li>4. Grading</li> <li>5. Residential Landscape/Hardscape</li> <li>6. Mechanical</li> <li>7. Residential Pools</li> <li>8. Pool Demolition</li> <li>9. Plumbing</li> <li>10. Residential Add/Remodel</li> <li>11. Residential – New</li> <li>12. Residential Seismic Retrofit</li> </ol>	<ol style="list-style-type: none"> <li>13. Shoring</li> <li>14. Solar</li> <li>15. Signs</li> <li>16. Demolition – Partial</li> <li>17. Commercial Landscape/Hardscape*</li> <li>18. Commercial Pools</li> <li>19. Miscellaneous (re-stucco, sandblast or similar)</li> <li>20. Public Art</li> <li>21. Commercial Seismic Retrofit</li> <li>22. Tents</li> <li>23. Telecom</li> </ol>

\*Possible refuse enclosure review

**MBMC 5.24.030.C Storage of containers.** All residential and commercial structures constructed after February 2, 1967 shall be required to provide an enclosure for the storage of trash and rubbish receptacles and containers...Where such refuse or rubbish container enclosures have been constructed, all containers shall be placed therein.



# REFUSE ENCLOSURE REVIEW

- What is considered?
  - ✓ Container type and size
  - ✓ Frequency of collection
  - ✓ Size of enclosure
  - ✓ Compliance with CA recycling laws
  - ✓ Serviceability
  - ✓ Current non-compliant use of PROW (if applicable)
  - ✓ Considerations for customization



# IDEAS FOR UPDATES: #1

Concern: Tenant Improvement projects need flexibility

Solution:

## NEW CONSTRUCTION VS. TENANT IMPROVEMENT (T/I)

- Expressly state in MB Municipal Code
- Customization considered for Tenant Improvements in existing buildings





# IDEAS FOR UPDATES: #2

Concern: Spatially-constrained locations need more flexibility

Solution: CUSTOMIZATION LANGUAGE IN MBMC

- Expressly state in Municipal Code
- Customized Refuse Enclosure Reviews
- Emphasis on Tenant Improvements in existing buildings



# IDEAS FOR UPDATES: #3

Concern: Need shared enclosures amongst neighbors

Solution: **RECORDED COVENANT AGREEMENTS**

- Allows for shared refuse enclosures
- Property owners to establish recorded covenants
- Separate parcels in close proximity



# IDEAS FOR UPDATES: #4

Concern: Lack of objective standards

Solution: **IMPLEMENT MINIMUM STANDARDS**

- Two different charts
  1. Non-Food Establishment
  2. Food Establishment
- Different levels based on business square footage
- Minimum enclosure square footage
- Minimum refuse collection levels



# IDEAS FOR UPDATES #4 CONT'D

TABLE - 1

## FOOD ESTABLISHMENT MINIMUM WASTE ENCLOSURE AREAS REQUIRED (SQ.FT)

Business Structure Floor Area	RECYCLING	LANDFILL	ORGANIC	Enclosure Total Area*
0 - 500	21	19	15	55
500 - 1,500	38	21	19	78
1,500 - 3,000	44	38	19	101
3,000 - 5,000	50	44	38	132
				170
5,001+	88	44	38	NOTE: Every additional 1000 sq.ft. requires an additional 78 sq.ft. (38 sq. ft. recycling, 21 sq. ft. landfill and 19 sq. ft. organics).

\*Enclosure Total Area (ETA) minimum starts at 1 service day per week pick-up; increasing pick-ups to multiple times per week may reduce ETA.



# IDEAS FOR UPDATES #4 CONT'D

Comment
55 sq. ft. is a service level of (1) 96-gallon recycling cart, (1) 64-gallon landfill cart and (1) 35-gallon organics cart.
78 sq. ft. is a service level of (1) 2-yard recycling bin, (1) 96-gallon landfill cart and (1) 64-gallon organics cart.
101 sq. ft. is a service level of (1) 3-yard recycling bin, (1) 2-yard landfill bin and (1) 64-gallon organics cart.
132 sq. ft. is a service level of (1) 4-yard recycling bin, (1) 3-yard landfill bin and (2) 64-gallon organics carts.
170 sq. ft. is a service level of (1) 4-yard recycling bin, (1) 2-yard recycling bin, (1) 3-yard landfill bin and (2) 64-gallon organics carts.
For businesses exceeding 5,000 square feet of floor area, add 78 sq. ft. of enclosure space for every additional 1,000 sq. ft. of floor area. 78 sq. ft. of enclosure space is equal to (1) 2-yard recycling bin, (1) 96-gallon landfill cart and (1) 35-gallon organics cart.



# IDEAS FOR UPDATES #4 CONT'D

TABLE-2

## NON-FOOD ESTABLISHMENT MINIMUM WASTE ENCLOSURE AREAS REQUIRED (SQ.FT)

Business Structure Floor Area	RECYCLING	LANDFILL	ORGANIC	Enclosure Total Area *
0 - 500	21	19	15	55
500 - 1,500	38	21	15	74
1,500 - 3,000	44	38	19	101
3,000 - 5,000	50	44	19	113
5,000 - 15,000	88	50	19	157
				226
15,001+	100	88	38	NOTE: Every additional 15,000 sq.ft requires an additional 226 sq.ft (100 sq. ft. recycling, 78 sq. ft. landfill and 38 sq. ft. organics).

\*Enclosure Total Area (ETA) minimum starts at 1 service day per week pick-up; increasing pick-ups to multiple times per week may reduce ETA.



# IDEAS FOR UPDATES #4 CONT'D

Comment
55 sq. ft. is a service level of (1) 96-gallon recycling cart, (1) 64-gallon landfill cart and (1) 35-gallon organics cart.
74 sq. ft. is a service level of (1) 2-yard recycling bin, (1) 96-gallon landfill cart and (1) 35-gallon organics cart.
101 sq. ft. is a service level of (1) 3-yard recycling bin, (1) 2-yard landfill bin and (1) 64-gallon organics cart.
113 sq. ft. is a service level of (1) 4-yard recycling bin, (1) 3-yard landfill bin and (1) 64-gallon organics cart.
157 sq. ft. is a service level of (1) 4-yard recycling bin, (1) 2-yard recycling bin, (1) 4-yard landfill bin and (1) 64-gallon organics cart.
226 sq. ft. is a service level of (2) 4-yard recycling bins, (1) 4-yard landfill bin, (1) 2-yard landfill bin and (2) 64-gallon organics carts.
For businesses exceeding 15,000 square feet of floor area, add 226 sq. ft. of enclosure space for every additional 15,000 sq. ft. of floor area. 226 sq. ft. of enclosure space is equal to (2) 4-yard recycling bins, (1) 4-yard landfill bin, (1) 2-yard landfill bin and (2) 64-gallon organics carts.



# IDEAS FOR UPDATES #4 CONT'D

**TABLE - 3**  
**SIZING GUIDELINES**

Container Type	Square Feet*	Minimum Dimensions**
35 Gallon Cart	15	4'
64 Gallon Cart	19	4' 7"
96 Gallon Cart	21	4' 11"
2 Cubic Yard Bin	38	7' 10"
3 Cubic Yard Bin	44	8'
4 Cubic Yard Bin	50	8'
6 Cubic Yard Bin	61	8'
* Square footage includes 1 foot clearance around the container for reasonable access and enclosure protection		
** Minimum dimensions in each direction		

- Sq. Ft. includes 1 foot clearance around each container
- Minimum Dimensions guiding architects on enclosure shape
- All containers must be accessible and serviceable
- Provides applicant information to space plan in early planning stages





## FEEDBACK AND Q & A

