

Community Meeting: Proposed Changes to the Refuse Enclosure Ordinance

MARCH 6, 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
- March 6, 2025: Follow up Community Meeting w/Businesses
- April 1, 2025: Recommendations to improve ordinance (CC Mtg)



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 (Before Community Meetings)

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



WHAT WE'VE HEARD (Community Meetings)

- Downtown/North MB need finite considerations.
 - Consider unique challenges.
- Tenant Improvements too burdensome for enclosure review.
- Create communal enclosures throughout Downtown/North MB.
- Use “Operating Agreement” instead of “Covenant Agreement.”



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



MAJOR CHANGES SINCE LAST MTG

- Minimum standard matrix
 - Restrict to new construction only
- Enclosure Review
 - Not applicable to some Tenant Improvements
 - Focus on specialized changes



IDEAS FOR UPDATES: #1

Concern: Downtown/North MB need finite considerations

Solution:

**SEPARATE DT/NMB ENCLOSURES IN THE
MB MUNICIPAL CODE**

- Call out the two specific zones
 - Commercial Downtown and Commercial North End
- Create distinction for these two areas, setting them apart from rest of city with regards to refuse enclosures



IDEAS FOR UPDATES: #2

Concern: Enclosure reviews triggered too easily for Downtown/North MB

Solution: **MODIFY TENANT IMPROVEMENT REQUIREMENT (DOWNTOWN AND NORTH MB)**

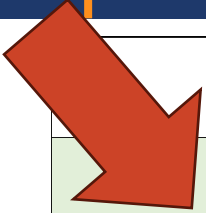
Replace “tenant improvement” with four criteria

1. Change of use
2. New/modified ABC license type
3. Intensification or Expansion of use
4. Any project requiring fire sprinklers pursuant to MBMC Section 9.01.080



WHEN ARE REFUSE ENCLOSURE REVIEWS CURRENTLY PERFORMED?

When Refuse Enclosure Review is Applied



Applied	Not Applied	
<ul style="list-style-type: none">1. City Jobs2. New Commercial and <u>Multi-Family</u>3. Commercial Addition or Tenant Improvement4. Entitlement Applications	<ul style="list-style-type: none">1. Demolition – Complete2. Electrical3. Fire Permits4. Grading5. Residential Landscape/Hardscape6. Mechanical7. Residential Pools8. Pool Demolition9. Plumbing10. Residential Add/Remodel11. Residential – New12. Residential Seismic Retrofit	<ul style="list-style-type: none">13. Shoring14. Solar15. Signs16. Demolition – Partial17. Commercial Landscape/Hardscape*18. Commercial Pools19. Miscellaneous (re-stucco, sandblast or similar)20. Public Art21. Commercial Seismic Retrofit22. Tents23. Telecom


*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.



WHEN ARE REFUSE ENCLOSURE REVIEWS **PROPOSED TO BE** PERFORMED?

When Refuse Enclosure Review is Applied



Applied	Not Applied	
<ol style="list-style-type: none"> 1. City Jobs 2. New Commercial and <u>Multi-Family</u> 3. Commercial Addition or Tenant Improvement 4. Entitlement Applications 5. Change of Use 6. New/Modified ABC License Type 7. Intensification or Expansion of Use 8. Any Project Requiring Fire Sprinklers Pursuant to MBMC 9.01.080 	<ol style="list-style-type: none"> 1. Demolition – Complete 2. Electrical 3. Fire Permits 4. Grading 5. Residential Landscape/Hardscape 6. Mechanical 7. Residential Pools 8. Pool Demolition 9. Plumbing 10. Residential Add/Remodel 11. Residential – New 12. Residential Seismic Retrofit 	<ol style="list-style-type: none"> 13. Shoring 14. Solar 15. Signs 16. Demolition – Partial 17. Commercial Landscape/Hardscape* 18. Commercial Pools 19. Miscellaneous (re-stucco, sandblast or similar) 20. Public Art 21. Commercial Seismic Retrofit 22. Tents 23. Telecom

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IDEAS FOR UPDATES: #2 CONT'D

Concern: Enclosure reviews triggered too easily for Downtown/NMB

Solution: **MODIFY TENANT IMPROVEMENT REQUIREMENT
(DOWNTOWN AND NORTH MB)**

- Alternative Refuse Enclosure Plan (Existing Structures)
 - All material in an approved refuse storage area
 - Specify location of containers
 - Narrative how applicant plans to manage all waste streams
 - Shared use of storage area or compactor (when applicable)



IDEAS FOR UPDATES: #3

Concern: Need Communal Enclosure Space

Solution: **CONTINUANCE OF ENCLOSURE AT INTERIM PARKING LOT 3**

- Council voted to build enclosure at Lot 3 to continue the temporary communal enclosure
 - Select businesses on 300 block of Center Place
 - Will have roof and connection to sanitary sewer
 - Council will charge $\frac{1}{2}$ the market rate
 - Approximately \$200 per month for participating businesses



IDEAS FOR UPDATES: #4

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
- Discussed Operational Agreement with City Attorney's office, still prefers Covenant



FEEDBACK AND Q & A

