

City of Fayetteville Staff Review Form

2018-0468

Legistar File ID

9/18/2018

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Leif Olson

8/27/2018

SUSTAINABILITY/RESILIENCE (631)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends approving an ordinance amending the Unified Development Code Chapter 166: Development to clarify the development requirement for adequate space and screening of recycling and trash containers in commercial, office and mixed-use developments.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$ -

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF SEPTEMBER 18, 2018

TO: City Council

CC: Mayor Lioneld Jordan
Don Marr, Chief of Staff

FROM: Peter Nierengarten, Director of Sustainability

DATE: August 27, 2017

SUBJECT: Recycling and Trash Division Development Code Amendments

RECOMMENDATION:

Staff recommends approving an ordinance amending the Unified Development Code Chapter 166: Development to clarify the development requirement for adequate space and screening of recycling and trash containers in commercial, office and mixed-use developments.

BACKGROUND:

In December of 2013, the City Council passed Resolution No. 260-13, which established an aspirational goal to achieve an 80% diversion rate of solid waste generated by residents and businesses within the City by January 1, 2025. In 2014, the City hired Kessler Consulting, Inc. to assist in developing a plan to achieve this goal. In February 2017, the City Council adopted an amended version of the proposed 2016 Solid Waste Reduction, Diversion and Recycling Master Plan with a waste diversion goal of 40% by the year 2027. One of the initial implementation actions identified by the adopted plan is to “Modify City building codes to require new commercial and multi-family developments to provide adequate space and access for recycling and organics recovery.”

Additionally, the City Council adopted an Energy Action Plan by Resolution 25-18 on January 2nd, 2018. This Energy Action Plan was created to build a framework and energize action around the City of Fayetteville’s efforts to be a resource and energy efficient community. The plan focuses on four sectors for reducing the community’s overall greenhouse gas emissions; reductions in overall energy use, *diverting waste from landfills*, shifting towards clean energy production, and reducing transportation related emissions. The Energy Action Plan has the same waste diversion goal, 40% by the year 2027, as the adopted Solid Waste Reduction, Diversion and Recycling Master Plan. One of the three identified strategies to achieve this goal includes increasing the percentage of businesses participating in recycling programs.

DISCUSSION:

The requirement for the screening of refuse containers and dumpsters is in Chapter 166.25(D)(3)(b): *Refuse Containers*. The existing code has a screening requirement; however, it does not address the specific amount of space needed inside the enclosure. It has been the

practice of the Recycling and Trash Division to ask commercial, office and mixed-use developments for the space needed to enclose two front end load dumpsters, 24' wide and 12' deep. This allows for a trash dumpster and an additional recycling dumpster, typically for cardboard. Frequently, but not in all instances, developers constructing commercial, office and mixed-use spaces have been willing to provide the space needed for two dumpsters. Currently, cardboard has a consistent value in the recycling commodities market. This is primarily due to the growth of online retail that requires large quantities of cardboard for shipping products. End users that generate large amounts of cardboard such as restaurants, retail, offices and multi-use developments can offset trash collection fees by recycling cardboard and reducing their trash volume. Future Recycling and Trash Division collections endeavors may also one day include the recovery of other recyclables or food waste. The proposed development code amendments are designed to ensure that commercial, office and mixed-use developments have the space necessary to provide recycling and trash services now and in the future.

This item was passed with a recommendation of approval by the Planning Commission at its August 13, 2018 meeting by a vote of 9-0-0.

BUDGET/STAFF IMPACT:

As with all City of Fayetteville policies and programs, many of the specific actions in the plan will have a cost to implement and may have necessary budgetary impacts. Additional study and environmental, social, and financial cost/benefit analysis may be necessary to justify implementation and approval through the City's budgetary process. As the Recycling Master Plan is implemented over time, staff will continually seek partnerships, grants and other funding opportunities to help offset implementation costs and advance the goals of this plan.

Attachments:

Recycling Master Plan recommendations

166.25 Commercial, Office and Mixed-Use Design and Development Standards

(D) *Site Development and Design Standards.*

(1) *Site Coverage.* A maximum of 80% of the development site may be covered by the ground floor of any structure, parking lots, sidewalks, and private streets and drives or any other impermeable surface. Properties located within the Downtown Master Plan boundary are exempt from this requirement.

(2) *Driveways.* Shared drives and cross access between properties shall be encouraged to adjacent developed and undeveloped properties.

(3) Mechanical and utility equipment and refuse containers shall be screened if visible from the highway/street right-of-way or from residential property as set forth below:

(a) *Mechanical and Utility Equipment.*

(i) All mechanical and utility equipment located on the wall and/or on the ground shall be screened with vegetation, by incorporating screening into the structure, or by utilizing paint schemes that complement the building and screen the equipment.

(ii) All roof mounted utilities and mechanical equipment shall be screened by incorporating screening into the principal

structure utilizing materials and colors compatible with the supporting building.

(b) ~~Refuse Containers~~ **Recycling and Trash Containers.** **Adequate space and screening shall be provided for the placement of recycling and trash containers in commercial, office and mixed-use developments.**

(i) Commercial, office and mixed-use developments are required to provide adequate space for the placement of two front-end load dumpsters, easily accessible for collection services. The minimum free and clear dimensional requirements for placing two front-end load dumpsters in an enclosure is 24 feet wide and 12 feet deep. The Recycling and Trash Division Director may exercise discretion in approving the dimensional size of the required enclosure if the applicant can demonstrate that a smaller enclosure is adequate for the developments anticipated needs due to the nature of the

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proposed business, the modest size or scale of the development or site access, or if they have the ability to share trash and recycling enclosure facilities with adjoining or nearby properties that have additional trash and recycling storage capacity.

(ii) Refuse Recycling and trash containers shall be screened by enclosures with materials that are compatible with and complementary to the principal structure, with

access to the refuse containers not visible from the street.

Containers may be screened from view by the principal structure; by a permanent walled or fenced enclosure; or with appropriate vegetation, planted at a density and size sufficient to be view obscuring immediately from the date of planting; so long as the screening is maintained and loose trash does not litter the ground or become an environmental nuisance.

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INITIAL IMPLEMENTATION STEPS

APPROVED BY CITY COUNCIL FEB. 21, 2017

(to replace page 105 of Proposed Recycling and Trash Master Plan)

To develop an environmentally and economically sustainable materials management system that maximizes waste diversion and minimizes waste disposal, the following steps are recommended to initiate implementation of the proposed action plan:

1. Provide conceptual approval of the proposed action plan with implementation of key elements dependent on acceptance of detailed implementation plans.
2. Obtain a Type CO permit for the City's compost facility.
3. Develop a detailed plan and schedule for initiating a voluntary organics recovery program, focusing initially on large food waste generators and schools.
4. Release an RFP to secure a contract with a processor for the recovery and recycling of construction and demolition material.
5. Develop a communications plan to announce the City's commitment to waste diversion and to get buy-in to new initiatives.
6. Develop a technical assistance program to inform businesses, institutions, and multifamily complexes of the City's waste diversion commitment and help them prepare for new recycling initiatives.
7. Adopt a Green City Initiative directing all city-owned or operated buildings to establish comprehensive recycling, organics recovery, and environmentally preferable purchasing programs.
8. Modify City building codes to require new commercial and multi-family developments to provide adequate space and access for