



CITY OF CHICO OFFICIAL PLANNING DIRECTOR INTERPRETATION

Authority: **Chico Municipal Code (CMC) Section 19.04.020 (Procedures for interpretations)**

Applicable Code Sections: **CMC Section 19.04.020 (Definitions of specialized terms and phrases), CMC Section 19.44.020 (Commercial/office zone land uses and permit requirements)**

Discussion: Senate Bill 1013, the Beverage Container Recycling Act of 2020 in California, includes provisions aimed at improving the convenience and accessibility of CRV redemption locations for consumers. The bill mandates an increase in the number of redemption locations across California to improve accessibility for consumers. This means that more locations, such as grocery stores, supermarkets, and other retail outlets, must provide facilities for consumers to return their empty beverage containers for redemption. SB 1013 outlines requirements for retailers and other redemption locations to participate in the deposit system. Retailers are obligated to accept empty beverage containers from consumers and provide refunds for the deposits paid on those containers. SB 1013 may designate certain areas as "convenience zones" where retailers within those zones must operate redemption locations or participate in alternative redemption methods to ensure consumer access to the deposit system.

Overall, the redemption location requirements of SB 1013 are designed to make it easier for consumers to participate in the beverage container deposit system by providing convenient access to redemption locations and ensuring that retailers fulfill their obligations under the law. These requirements are crucial for the effective operation of the deposit system and for achieving the recycling rate targets established by the legislation. As it is today, the City of Chico does not have a CRV redemption center.

Interpretation: The Director has determined that code amendments to the recycling land use definitions for "Small Scale collection facilities" and "Reverse vending machines" under CMC Section 19.04.020 are necessary to ensure that our city and grocery stores, supermarkets, and other retailers are in compliance with SB 1013 (see **Attachment A**).

This Official Interpretation is effective immediately and will require an amendment to Title 19 Land Use and Development Regulations.

A handwritten signature in blue ink, appearing to read "Brendan Vieg", written over a horizontal line.

Date: April 8, 2024

Brendan Vieg, Community Development Director

Chapter 19.04 DEFINITIONS

Section:

19.04.010 Purpose, applicability.

19.04.020 Definitions of specialized terms and phrases.

19.04.020 Definitions of specialized terms and phrases.

R. Definitions, "R."

Recycling Facilities (land use).

1. **Collection Facility.** A center for the acceptance by donation, redemption, or purchase of recyclable materials from the public, which may include the following:

a. Reverse vending machine(s);

b. Small collection facilities which occupy an area of ~~350-550~~ square feet or less and may include:

(1) A mobile unit;

(2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than ~~50-100~~ square feet; and

(3) Kiosk-type units which may include permanent structures.

c. Large collection facilities which may occupy an area of more than ~~350-550~~ square feet and may include permanent structures.

2. – 5. [NO CHANGES]

6. **Reverse Vending Machine.** 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 State law. 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 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 ~~50-100~~ square feet, is designed to accept more than one container at a time and will pay by weight instead of by container.

Chapter 19.44 COMMERCIAL AND OFFICE ZONES

Section:

- 19.44.010 Purpose, applicability
- 19.44.020 Commercial/office zone land uses and permit requirements
- 19.44.030 Commercial and office zone general development standards
- 19.44.040 DN district special standards.

19.44.020 Commercial/office zone land uses and permit requirements.

TABLE 4-6 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY ZONE								Subject to Standards in Section/Chapter:
	OR	OC	CN	CC	DN	DS	CS	CR	
MANUFACTURING & PROCESSING									
Recycling - Small collection facility			UP(3)	UP(3)	P(3)	P(3)	UP(3)	P(3)	19.60.060

Notes:

(3) Permitted only as accessory use and subject to an administrative use permit in compliance with Chapter 19.25~~architectural screening in compliance with Section 19.60.060.~~