

DATE ISSUED: July 11, 2003

REPORT NO. 03-149

ATTENTION: Natural Resources and Culture Committee
Agenda of July 16, 2003

SUBJECT: Commercial Refuse Collection Hours of Operation

REFERENCE: Manager's Report 03-062, dated April 2, 2003

SUMMARY

Issue - Should the City of San Diego authorize extended hours of commercial refuse collection in downtown San Diego to better serve the unique refuse collection needs of the downtown business and residential communities?

Manager's Recommendations -

1. Extend the permitted hours of commercial refuse collection in specified areas of downtown San Diego under a one-year pilot program as recommended by the Refuse Collection Task Force.
2. Direct the City Manager to develop and issue a Waste Management Regulation to implement and administer the pilot program.
3. Amend San Diego Municipal Code Section 85.01 by deleting sub-section (e).

Other Recommendations - The Refuse Collection Task Force recommends creating a one-year pilot program extending the hours for commercial refuse collection in downtown San Diego, with different collection start times based on land use. At its meeting on July 9, 2003, the Centre City Advisory Committee approved the Refuse Collection Task Force report and concurred with its recommendations.

Fiscal Impact – None.

BACKGROUND

Commercial refuse collection in downtown San Diego is an extremely complex undertaking because of the diversity and intensity of development and land uses compared to any other area of San Diego. Additionally, the buildings range from restored 19th Century single family houses to 21st Century high rises and every type of structure in between. As a result, four types of commercial refuse collection services are offered in the downtown area. These include manual or semi-automated collection of residential style 30 to 90 gallon containers using side load or rear load packers, bin collection of 3 – 5 cubic yard bins using front end load packers, compactor boxes of up to 20 cubic yard capacity using roll-off trucks and non-compacted boxes of up to 40 cubic yards of capacity at construction and demolition sites that also utilize roll-off trucks. Many of the businesses, especially restaurants and entertainment venues, need collection services five to seven days per week due to a lack of adequate storage areas in the historic buildings.

Currently, refuse collection in the Central Traffic District is prohibited between the hours of 10:00 am and 6:00 pm to minimize traffic congestion impacts. Additionally, the San Diego Municipal Code prohibits refuse collection in residential areas prior to 7:00 am. As a result, in much of the downtown area, commercial refuse collection hours have been limited to 7:00 am to 10:00 am which has been inadequate to service all customers and to meet the scheduled pick up times specified by major customers.

On April 9, 2003, the Natural Resources and Culture Committee heard a proposal from the San Diego County Disposal Association (SDCDA) to extend the permitted hours for commercial refuse collection in downtown San Diego. The SDCDA proposed amending the Municipal Code to allow commercial refuse collection in downtown mixed use areas, including the Gaslamp District, to between 3:00 am and 8:00 pm to obtain relief from these scheduling problems. The SDCDA also proposed noise mitigation measures that would be implemented by commercial refuse collection companies to reduce noise impacts on residential units from the earlier collection start time.

The City Manager recommended that a task force of stakeholders and City staff be convened to review the issues and problems related to commercial refuse collection in the downtown area and to return to the Committee in 90 days with recommended solutions. The recommendation was approved, but the City Manager was directed that the matter should be brought back to Committee in 60 days. Subsequently, the Refuse Collection Task Force requested additional time to insure that a comprehensive review of its recommendations by all stakeholders be done prior to being brought to the NR&C Committee for consideration.

DISCUSSION

Following the Natural Resources and Culture Committee meeting, City staff and the stakeholders attending the meeting met and decided that the Hospitality Resource Panel could best facilitate identifying the stakeholders and convening a task force to examine the issues associated with commercial refuse collection in downtown San Diego.

Refuse Collection Task Force

Subsequently, a Refuse Collection Task Force was formed on April 24th with a broad and diverse membership representing all identified stakeholders in the issue. The Task Force representatives included residents, waste haulers, Business Improvement Districts, food and beverage businesses and City staff. (See Attachment 1.) The task force met on a regular basis until June 27, 2003 and identified 10 issues related to commercial refuse collection in the downtown area and 10 recommendations for improving commercial refuse collection services and reducing noise and other impacts on downtown residents. (See Attachment 2.)

The Centre City Development Corporation (CCDC) maps and boundaries were used to delineate the task force's study area. CCDC greatly facilitated the process by providing maps showing current and planned mixed use and residential projects in the downtown core.

Refuse Collection Task Force Recommendations

The Refuse Collection Task Force developed 10 recommendations to extend the time of commercial refuse collection, require mitigation measures to reduce noise impacts, provide education regarding the changes in refuse collection services, implement a single point of contact for complaints and to address design standards for refuse storage areas in new developments to facilitate easier, faster and quieter servicing of refuse containers. The Task Force also recommended continuing to meet on a quarterly basis to review issues and feedback, scheduling follow up reports to the NR&C Committee after 6 months and one year and, after one year, revisiting the pilot for an evaluation of its effectiveness and a recommendation on continuing, modifying or ending the extended hours of commercial refuse collection.

At the heart of the task force recommendations is a one-year pilot project to extend the hours of commercial refuse collection in the downtown core and noise and nuisance mitigation measures implemented by the waste haulers to reduce the impacts of commercial refuse collection on residents in the area.

The pilot program area would encompass the entire area bound by Laurel Street on the North, I-5 on the East, Imperial Avenue to 8th Street on the South and San Diego Bay from 8th Street to Laurel Street on the South and West. (See Attachment 3.) Within this entire area, the start time for commercial refuse collection would be 6:30 am from Monday through Friday and 7:00 am on weekends. Additionally, in defined areas with a

higher ratio of commercial to residential use, the collection of bins and roll off boxes would be allowed to begin at 4:30 am on weekdays. In most cases, the management companies of large commercial buildings specify a specific time window when the building's refuse containers must be served by the contracted refuse collection company.

In the Gaslamp District, with its large number of restaurants and sidewalk seating areas, commercial refuse collection services would be limited to 6:30 am to 10:30 am to avoid having trash containers on the sidewalk during the time lunch is served. Businesses would be permitted to place refuse containers on the sidewalks no earlier than 6:00 am on the scheduled day of collection and must have them returned to the approved storage area no later than 10:30 am or one-hour after collection, whichever is later.

Waste Management Regulation

San Diego Municipal Code Section 66.0124 gives the City Manager the authority to promulgate rules and regulations regulating the collection, transportation and disposal of waste generated in the City of San Diego. Additionally, the franchise agreements between the City and the franchised companies authorized to provide commercial refuse collection services within the City, specifically provide that City Manager waste management regulations shall be binding on their operations.

It is proposed to issue a waste management regulation to implement and administer the pilot program of commercial refuse collection in downtown San Diego. This will allow more flexibility in making changes to the pilot program as lessons are learned during its operation than would be possible by amending existing or adopting new ordinances.

The waste management regulations would include, but not be limited to, collection routes and scheduling, service standards and pick up locations, hours of operations, noise abatement and minimization requirements and enforcement mechanisms including administrative fines and penalties for violations of the established standards that create nuisances or unacceptable noise impacts on downtown residents.

City Collection Services

The City of San Diego Environmental Services Department's Collection Services Division provides one time per week refuse collection service to approximately 700 residential and small business customers in the core area of downtown San Diego including the Gaslamp District. Currently, these customers are serviced between 7:00 am and 10:00 am each Wednesday. City services would not be changed as a result of the proposed commercial refuse collection pilot project.

CONCLUSIONS

As more mixed use areas combining commercial, entertainment and residential uses are developed in San Diego, conflicts between refuse collection servicing needs, traffic and quiet in residential units will arise. The City's noise and refuse collection ordinances and

rules work extremely well in single use areas, but are challenged in mixed use areas. Rather than attempting to develop “one size fits all” ordinances to cover all situations Citywide, the use of tailored programs that are adopted through an open participative process using the model developed by the Refuse Collection Task Force appears to be the best available alternative to resolving a complex issue. While the recommendations of the task force may not provide the perfect solution, the recommendations reflect a consensus of the parties impacted by commercial refuse collection in downtown San Diego and should be adopted as proposed.

ALTERNATIVE

1. Do not adopt the recommendations of the Refuse Collection Task Force and retain the current hours of commercial refuse collection in downtown San Diego as provided in the San Diego Municipal Code.

Respectfully submitted,

Robert A. Epler
Assistant Environmental Services Director

Approved: George I. Loveland
Senior Deputy City Manager

LOVELAND/HAYS/EPLER

- Attachments:
1. Refuse Collection Task Force Membership List
 2. Refuse Collection Task Force Recommendations
 3. Refuse Collection Revised Pick Up Times Map

Refuse Collection Task Force Contact Directory – 7/10/2003

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This directory is compiled and maintained by the San Diego Hospitality Resource Panel. For corrections or additions please contact Allison Harnden at

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Refuse Collection Task Force Recommendations

On April 9th, 2003 the Natural Resource & Culture Committee of San Diego City Council heard the issue of extending commercial refuse collection hours in mixed use areas. The City Manager recommended convening a task force of stakeholders and city staff to review the issues and problems and return to committee within 60 days with recommendations. After the meeting, concerned parties met informally outside council chambers and it was suggested that the Hospitality Resource Panel work with those present to identify and convene additional stakeholders to examine the issues.

The Refuse Collection Task Force was formed with stakeholders representing residents, waste haulers, Business Improvement Districts, food & beverage businesses, and City staff from Environmental Services and Traffic Division (see attached directory). All listed on the directory were invited. Alm, Summers and Warden did not attend in person, but sent representatives. Hafner, LiMandri, and Wade did not attend. We have met with Leslie Wade representing the East Village Association and Little Italy representative, Chris Gomez, for their input as the proposed recommendations may affect their communities.

CCDC provided maps for the group to work with, including one that identified current and future residential projects. In the course of discussion from the first meeting on April 24th to the last on June 27, many issues were identified and discussed.

Key to the decision for the Task Force's Ten Recommendations is the changing landscape of the urban core. While the City of Villages Plan calls for a mixed use future, for the urban core the future has arrived.

Issues

1. With the increase in residential and commercial both in the CCDC boundaries, haulers are unable to operate within the lawful collection hours and are operating out of compliance.
2. The CCDC area is truly a mixed use zone whether it has been designated as such or not.
3. Residents are frustrated by trucks collecting refuse at hours when residents are leaving homes for work. The Task Force discussed adding additional trucks for collection, but concluded that this would only create more noise and more blockage of traffic.
4. Trucks are forced to double park or block driveways because of few commercial spaces.
5. Trucks wait in line at the landfill for 45 minutes before they can dump their loads and return for a second collection. The trip to the landfill can take 30 minutes each way depending on traffic.

6. Land fill hours of operation close at 4:30 providing a crunch for haulers to dump their second loads so they have an empty truck in the morning. Landfill answers to state legislation. Haulers have been trying for years to get hours extended.
7. Current Municipal Codes for noise and traffic are highly outdated, having been drafted in the 1950's.
8. Police are unaware of the actual definition of the current central traffic core's boundaries for the code that prohibits refuse trucks in the core after 10:00 am and are enforcing in all of downtown.
9. Developers' residential plans show very little detailed attention to placement of trash area.
10. When registering complaints about noise or traffic blockage due to refuse collection, residents are frustrated by being shuffled from one city agency to another and not getting prompt responses to their calls.

Recommendations

1. Utilizing CCDC boundaries, implement of a pilot program that utilizes the following recommendations:

2. The congestion of refuse trucks and residents leaving their urban homes to drive to work create additional traffic and increased risk to public safety. The new urban design requires trucks to double park or block driveways as they wait for retrieval of bins from underground or bin storage areas. Because of the increase in residents and business in the urban core, private refuse collecting companies are hard pressed to service accounts prior to residents leaving for work, workers driving into downtown and prior to restaurants opening their patios for lunch. To add more trucks would increase the amount of traffic congestion and noise generated by the vehicles and collection process.

In order to address all of the above issues, the task force recommends changing the refuse collection times from the existing start time of 7am to a 6:30am start time, except in an area (see attached definitions and map) which has a higher proportional concentration of commercial to resident. In these areas it is proposed that the pickup time begin at 4:30am. These times apply to Monday through Friday. On Saturday and Sunday refuse collection shall not commence before 7:00 am.

3. The Task Force recommends the refuse collectors implement the following noise mitigation measures:

A) utilize collection, disposal, recycling or processing bins that have rubber on the lift bars and container;

B) require vehicles to idle during pick up

C) utilize collection bins with rubber wheels and plastic lids

D) utilize self-adjusting back-up alarms that measure ambient noise and adjust sound level to create a volume that is safe, but not annoying.

E) Do not permit drivers to play radios before 7:00am

4. Amend San Diego Municipal Code Section 85.01 (Vehicles Prohibited in Central Traffic District) by deleting sub-section (e) "Any vehicle conveying refuse, rubbish or garbage." and transferring regulation of refuse collection activities to a City Manager issued Waste Management Regulation that would implement and administer the proposed pilot program.
5. Utilize Environmental Services Department's Customer Service Center (858-694-7000) as the designated central point of contact for complaints for the purposes of this pilot program. Complaints should be tracked and a database utilized to evaluate at the year's end.
6. Devise a plan for educating customers and residents about the new changes. Implement the plan prior to the change in collection hours. All stakeholders, including the refuse collection companies, BIDs and resident group have agreed to be a part of the education campaign.
7. Disposal Association should develop a list of design standards for trash areas in new developments that facilitate quieter, more expedient entries and exits. Share these design recommendations with CCDC for their design review process.
8. The Refuse Collection Task Force shall continue to meet quarterly to review issues and feedback.
9. NRC should schedule two status reports to the NRC Committee after 6 months and one year implementation of the pilot.
10. After one year the pilot shall be revisited for evaluation of effectiveness, impact on quality of life, safety and traffic issues.

These recommendations were drafted by the collaborative Refuse Collection Task Force. Contact Allison Harnden at the Hospitality Resource Panel for more information.

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