



City Council

March 13, 2018

Unattended Donation Boxes (UDBs)

Application No. 1708-75

(Continued from February 13, 2018 City Council Hearing)

Zoning Code Amendment (ZCA17-013),
Local Coastal Program Amendment (LCPA17-005)

What is an Unattended Donation Box?

A non-permanent container that typically accepts donations, such as textiles, clothing, shoes, and books to be used for distribution, resale or recycling.



Background - Why do we need to regulate UDBs?

Code Enforcement has reported public nuisance related issues such as:

- Trash
- Graffiti
- Loitering
- Blight



- In 2017, the Long Beach City Council established a one-year moratorium for the use of UDBs for the purpose of amending the Municipal Code to create regulations.

Proposed Zoning Code Amendments

- Currently, UDBs are not specifically addressed in the Long Beach Zoning Code, and are therefore not a permitted use.
- UDBs are entitled to First Amendment protection (Sixth Circuit, Federal Court of Appeals).
- Recognize UDBs as a permitted accessory use with development standards to minimize potential impacts.
- Ministerial review based on prescribed criteria and zoning standards.

Proposed Zoning Code Amendments

Definition

“Unattended Donation Box” means any unstaffed drop-off box, container, receptacle, or similar device that is used for soliciting and collecting donations of clothing or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material (such as beverage containers) governed or regulated by the Zoning Code.

Permitted Zoning Districts

Allowed as an accessory use in all commercial zones, planned development districts and specific plans that allow commercial uses, and in Institutional (I) zones.



Proposed Development Standards

Permit Requirements

- Permit required for donation box (unless enclosed within a building, or if accessory to a principal activity on the site that is owned or operated by the collection box operator.)
- One UDB per site, including large development uses that may consist of multiple lots.

Location Requirements

- Distancing of 1,000-feet between UDBs.
- Cannot be placed on vacant lots, or in areas interfering with landscaping, drive aisles, parking spaces, walkways, handicapped accessibility routes, trash pick-up areas, or the public right-of-way.
- Minimum setback and visibility with an automated light source required.

Proposed Development Standards

Container Requirements

- Constructed of durable, waterproof materials.
- Maximum height: 6-feet; Maximum box floor area: 25 square feet.
- A tamper-resistant locking mechanism required.
- UDB and site shall be maintained free of blight.
- Signage shall provide pertinent information (e.g., type of donation material, charitable cause, if applicable, pick-up schedule, 24-hour complaint line.)

California Environmental Quality Act (CEQA) Compliance

Negative Declaration (ND) 10 -17 was circulated for a 30-day public review period between November 14, 2017 and December 13, 2017. No public comments were received.

Planning Commission Action

On January 4, 2018, the Planning Commission recommended that the City Council adopt Negative Declaration (ND) 10-17, and approve the proposed Zoning Code Amendment and submittal of a Local Coastal Program Amendment.

Recommendation

Approve ND10-17; and Zoning Ordinance Amendment ZCA17-013; and submit a Local Coastal Program Amendment LCPA17-005 to adopt development standards for Unattended Donation Boxes (UDBs) as proposed.