



Agenda Item:

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COUNCIL COMMUNICATION

City Manager's Office

GENERAL INFORMATION

Agenda Date: 07/18/05
Agenda Item Type: Ordinance

Communication No.: 05-392
Roll Call No.:

Submitted by: Larry Hulse, Community Development Director

SUBJECT—

An Ordinance to amend the Municipal Code regarding the definition and regulation of transfer stations.

SYNOPSIS—

Approves an Ordinance to amend the Municipal Code by repealing Section 98-26 and subsection (a) of Section 98-76 thereof, and enacting a new Section 98-26 and subsection (a) of Section 98-76, regarding the definition and regulation of transfer stations.

The proposed ordinance would exempt recycling centers from the definition of Transfer Stations contained in Chapter 98 of the City Code. The amendment will make the zoning code (Chapter 134) the controlling regulation regarding the location of recycling centers.

FISCAL IMPACT—

None

RECOMMENDATION—

Approval

BACKGROUND—

The City has received a request from a recycling center that would like to operate a facility in an M-1, Light Industrial District. Recent changes to the Industrial District Regulations allow uses such as a recycling center to operate in an M-1, Light Industrial District, provided that it is operated entirely within an enclosed building and subject to the following limitations:

- The use is not combined with any residential use;
- No odors, gases, noise, vibration, pollution of air, water or soil, or lighting is emitted onto any adjoining property so as to create a nuisance;
- The owner or occupant has provided the community development department with a written statement upon a form acceptable to the community development director which describes the use to occur upon the property and the nature of any odors, gases, noise, vibration, and other environmental impacts that may be generated by such use, and which certifies that the use upon the property will be operated in a manner that does not permit any odors, gases, noise, vibration, pollution of air, water or soil, or lighting to be emitted onto any adjoining property so as to create a nuisance; and
- The use shall be operated in strict conformance with the statement provided pursuant to paragraph the third bulleted statement, above.

However, companion changes to the Solid Waste Code (Chapter 98) were inadvertently omitted. Under the current definition of “transfer station,” a license to operate a transfer station would have to be issued for a recycling center. Uses such as junkyards and salvage yards are already exempted from the definition.

The proposed amendment to Chapter 98 would exempt the collection, processing or transferring exclusively recyclable materials from the transfer station definition. Recyclable materials are defined as newspaper, corrugated containers, magazines, catalogs, junk mail, kraft bags, bimetal and ferrous cans, aluminum cans, glass containers, and recyclable plastics, whether alone or in combination.

The zoning code (Chapter 134) would become the controlling regulation regarding the location of recycling centers.