

 <div style="text-align: center;"> <h1 style="margin: 0;">Council</h1> <h1 style="margin: 0;">Communication</h1> <p style="margin: 0;">Office of the City Manager</p> </div>	Date	August 10, 2009
	Agenda Item No. 64 Roll Call No. <u>09-</u> Communication No. <u>09-551</u> Submitted by: Larry Hulse, Community Development Director	

AGENDA HEADING:

A public hearing regarding a proposed text amendment to City Code Section 134-1276(t) to modify the zoning regulations for screening of refuse collection containers. This subsection does not apply to one-family and two-family dwellings.

SYNOPSIS:

The proposed text amendment would require all refuse collection containers and dumpsters that are readily visible from adjoining street right-of-way or an “R”, “PUD” or “PBP” District to be enclosed on all sides by a completely opaque, permanent fence or wall. The enclosure, including any gates for pedestrian and/or disposal truck access, would be required to be constructed from brick, masonry or other durable materials approved by the planning director and must be situated on a concrete pad. On July 16, 2009 the Plan and Zoning Commission recommended approval of the proposed ordinance by a vote of 12-0. Staff recommends approval of the proposed ordinance.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

This amendment would improve the durability of new dumpster enclosures but would alter the zoning regulation to only require an enclosure structure when a dumpster would be readily visible from public right-of-way or from an “R”, “PUD” or “PBP” District. The amendment would also allow the planning director the flexibility to administratively approve a dumpster enclosure that is constructed of durable materials other than brick or masonry. The placement of new dumpsters and any required dumpster enclosure would continue to be reviewed during site plan review to ensure minimal impacts on surrounding properties.

PREVIOUS COUNCIL ACTION(S):

Date: July 27, 2009

Roll Call Number: 09-1322

Action: Set date of public hearing on Zoning text amendment to revise standards of refuse collection containers, (8-10-09). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: July 16, 2009.

Roll Call Number: 10-2009-5.02.

Action: The Plan and Zoning Commission recommended approval the proposed ordinance by a vote of 12-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

The Community Development Director requests a waiver of the Second and Third readings of the ordinance.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.