



Planning and Zoning Board

DATE: April 18, 2012
TO: Planning and Zoning Board
THROUGH: John Wesley, Planning Director
FROM: Gordon Sheffield, Zoning Administrator
SUBJECT: Amendment to §11-8-3 of the Zoning Ordinance by amending Table 11-8-3 to allow small scale, indoor recycling facilities in the DB-1 and DB-2 as a permitted or conditional land use.

PURPOSE AND RECOMMENDATION

The recent Zoning Ordinance Update adjusted several non-downtown districts with regard to small-scale recycling facilities, such as reverse recycling machines that pay for scrap aluminum cans, or small indoor collection facilities. The premise behind these changes is that if the scale of the facilities were limited to 1000-square feet or less, and all activity was restricted to the indoors, then the recycling activity would have impacts similar to other commercial land uses.

The Downtown Districts, including the DB-1 and 2 districts (Downtown Business 1 and 2), were not included in this discussion or proposed for change because the thought at the time the Update was being prepared for adoption was the downtown districts would eventually be eliminated and replaced with the form-based code. This proposal would amend Table 11-8-3, which describes the permitted land uses in the Downtown oriented zoning districts, by authorizing reverse recycling machines in the DB-1 and DB-2 districts as a permitted land use (designated P in the Table), and authorizing small indoor collection facilities in DB-2 subject to approval of a Special Use Permit (SUP).

It is recommended the Board forward a recommendation of “approval as written” to the City Council.

BACKGROUND

During the recent discussion that took place before the adoption of the Zoning Ordinance Update, only very small changes were proposed for the Downtown Mesa area zoning districts, such as DC, DB-1 or DR-3. This was predicated on the idea that the Form-Based code project, which was just beginning, would eventually develop regulations for the Downtown Mesa area that would replace the downtown districts in their entirety. Now that the Form-Based Code project is drawing to a conclusion, the recommended action is to allow the downtown oriented zoning district to remain for those areas that are not governed by the proposed regulating plan, but still located within the original square mile of Mesa (the perimeter of which can be described as Broadway Road to University Drive, Country Club Drive to Mesa Drive).

There is an existing small-scale recycling facility that has been operating at 116 West Broadway Road. Technically, it is operating in violation of the Zoning Ordinance because there is no accommodation for such activity in a DB-2 zoning district (the zoning for this specific site). After reviewing the land use, studying the impacts of the land use on adjacent locations, and considering the context of this site, it is believed the accommodation should be made to allow this use in the DB-2 zoning district. In order to remove the technical violation, and allow this site to continue to operate as an allowed land use, this zoning ordinance amendment has been initiated.

DISCUSSION

Small Indoor Collection Facilities

The Downtown area zoning districts, including the DB-2 district, were initially developed in 1988. At that time, recycling collection was more typically accommodated by outdoor-oriented facilities, usually with minimal site improvements. In most situations, recycling was considered as an afterthought, and relegated to backwater industrial sites to limit impacts such as noise from the material handling equipment, dust kicked up by vehicles driving over unpaved surfaces, or litter caused by stray items falling out of collection bins or vehicles. Twenty-three years later, in 2012, recycling facilities come in several scales of operation, and the smaller scale uses, including the smaller scale indoor collection centers that do not generate the same level of impact. These indoor sites generate virtually no dust, as they are typically a part of a commercial center. Noise is usually constrained by the activity being limited to occurring within an enclosed building, and litter is usually limited for this same reason (being within a building).

Therefore, by limiting the scale of the recycling land use, and restricting the activity to only being allowed to occur with an enclosed building, it can be compatible land use in commercial-oriented areas. Reviewing this request through a Special Use Permit (SUP) process allows for a public review of the operating plan, provides a chance to condition the use for any special circumstances that may be unique to that site, and places the operator on notice of any additional requirements that may be needed to assure the continued compatibility of this activity with other commercial land uses.

Reverse Vending Machines

Standard vending machines offer a product for sale, like candy or soda, in which you place coins in the machine and then it vends the selected sale item. A reverse vending machine receives a product, usually aluminum cans, and then vends coins based on the weight of the item(s) provided. The recommended amendment would allow these reverse machines at indoor locations in both DB-1 and DB-2, on a by-right basis.

ALTERNATIVES

Alternative A (recommended): Adopt the suggested revision. As such, recycling facilities of a limited scale, and located within enclosed buildings, would become an allowed activity upon approval of SUP. In the case of the facility at 116 W Broadway Rd, it would allow the operator of this land use to continue upon approval of a SUP.

Alternative B (not recommended): Maintain existing requirements and prohibit recycling related land uses in total from the Downtown Mesa area. Such activities would be limited to areas outside of the downtown area, although options would exist for neighboring commercial sites. The location at 116 W Broadway would be required to close, and relocate at a site with the option to file a SUP.

FISCAL IMPACT

This change to the ordinance will not have a fiscal impact.

CONCURRENCE

The Tax and Licensing Division concurs with this recommendation to approve this proposed code amendment.