

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 2, 2007 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Zoning Ordinance Amendment Recycling Collection Facility	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP, Community Development Director

SYNOPSIS

An ordinance has been prepared amending Chapter 28, Zoning Ordinance, Article II, Section 28.201 (Definitions) relative to the definition of Recycling Collection Facilities.

FISCAL IMPACT

N/A.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2006-2011 identified *Exceptional Municipal Government*. Supporting these goals are the objective *Top Quality Core Services Responsive to Current and Future Community and Citizen Needs*.

UPDATE & RECOMMENDATION

This item was discussed at the September 25, 2007 Workshop. Staff recommends approval with no changes to the Environmental Concerns Commission Report and no changes to the staff recommendation of a 1,320 buffer zone with all exemptions included for recycling facilities.

Further, an ordinance amendment has been prepared to extend the moratorium related to recycling facilities for an additional 90 day period. During the extended moratorium (if approved), staff will examine and provide Council with separate definitions for recycling facilities and Construction and Demolition Facilities. These separate definitions to the zoning ordinance will then be presented to the Plan Commission as a text amendment at an upcoming meeting. Further text amendments to the M-district special use list may also be considered within this 90 day moratorium.

Staff recommends approval of the Zoning Ordinance on the October 2, 2007 active agenda.

BACKGROUND

The Village is requesting review of a proposed amendment to the Zoning Ordinance. Specifically, the staff is proposing modifications to the definition of "Recycling Collection Facilities." The Village Council and Plan Commission reviewed amendments to the minimum separation requirements for recycling collection facilities in May and July 2007. After several discussions, the Village Council enacted a 90-day moratorium for recycling collection facilities on July 18, 2007. The Council requested additional review of the Village's definitions and regulations for these uses. Staff has reviewed the regulations and definitions and is proposing a change to the definition. No other changes to definitions are proposed at this time. The separation requirement for recycling collection facilities is still being considered by the Village Council.

The modifications to the definition clarify what materials are included as part of a recycling collection facility. Materials generally include non-hazardous and non-putrescible items. Construction and demolition debris facilities are included in the definition but would require a special use before locating in the Village. The revised definition further clarifies that garbage transfer stations as defined by the Illinois Environmental Protection Act are not included as a permitted or special use in the Village.

The Plan Commission considered the amendment at its September 10, 2007 meeting. After receiving input from residents, the Commission recommended unanimous approval of the text amendment as presented by staff. Staff concurs with the recommendation.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney **DATE:** October 2, 2007
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- ☒ Ordinance
☐ Resolution
☐ Motion
☐ Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AMENDING THE ZONING CODE DEFINITION OF "RECYCLING COLLECTION FACILITY"", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall modify the definition of "recycling collection facility".

RECORD OF ACTION TAKEN:

Recycling Facility

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CODE DEFINITION OF "RECYCLING COLLECTION FACILITY"

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by ~~shading~~/underline; deletions by ~~strikeout~~):

Section 1. That Section 28.201 is hereby amended to read as follows:

28.201 Definitions.

For the purposes of this Zoning Ordinance, wherever any term is used in this Chapter, it shall have the same meaning as defined in Chapter 1 of the Downers Grove Municipal Code, unless otherwise defined in this Chapter. The following words and phrases shall have the meanings respectively ascribed to them as follows:

* * *

Recycling collection facility. A facility, limited to a building, trailer, vehicle or completely closed containers of wood, metal or masonry, designed for the purpose of receiving articles or materials, including but not limited to general construction or demolition debris as defined in 415 ILCS 5/3.160, and non-hazardous, nonspecial, homogeneous, nonputrescible materials such as dry paper, glass, cans or plastic, which are to be transported to another location for distribution or processing, which may or may not be the principal use on the zoning lot where located. Provided, the term "recycling collection facility" as used in this Zoning Ordinance shall not include transfer stations as defined by 415 ILCS 5/3.500, facilities located within a structure principally devoted to another use, facilities temporarily located on a zoning lot under authority of a temporary uses, and facilities for collecting used motor oil which are necessary to an automobile service station.

* * *

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Passed:

Published:

Attest: _____

Village Clerk

Mayor