

Report to the Manitowoc Plan Commission

Meeting Date: July 22, 2020

Request: PC 21-2020: Amendment to Chapter 15.030 Definitions and 15.310(3) Removing Recycling Facilities as a Conditional Use in the C-1 Commercial Zoning District

Reason for Request: Recycling Facilities in the C-1 Commercial District are not a compatible use in the zoning district.

Report: Recently when working on the request for a recycling facility at 1107 Franklin Street (Plate Enterprises) staff felt that a recycling facility is not a compatible use for the C-1 Commercial Zoning District. A vast majority of the C-1 Commercial zoning districts are located on the high visibility corridors in the City. The intent of C-1 district is for outside storage of merchandise and equipment similar to a retail business not for the storage of salvaged materials or scrap metals which are similar to industrial uses.

A recycling facility would still be allowed in the I-1 and I-2 Industrial Districts as a Conditional Use Permit. In addition to removing Recycling Facilities from the C-1 list of conditional uses, "Reclaiming of metals, capacity limited to one ton in 24 hours" text will be removed from the permitted uses under the I-1 Light Industrial Zoning District.

Recommendation: Approve the changes to Chapter 15.030, 15.310 and 15.330 of Municipal Code.

ORDINANCE

An Ordinance to amend Chapter 15 of the Manitowoc Municipal Code regulating Comprehensive Zoning Code.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 15.030 is amended to read as follows:

“15.030 Definitions.

...

Recycling facilities means a center for the collection and/or processing of recyclable materials as defined under MMC 13.010(5), at which processes such as sorting, baling, palletizing or containerizing of recyclable materials are conducted. A recycling facility does not include storage containers or processing activities located on the premises of a residential, commercial or manufacturing use and used solely for the recycling of materials generated by that residential property or manufacturer. Recycling facilities shall be subject to the following conditions:

...

(d) No exterior storage of materials shall be permitted in a ~~C-1,~~ “I-1” or “I-2” Zoning District unless permitted by conditional use permit under MMC ~~15.310(3)(d),~~ 15.330(4)(a), or 15.350(3)(z). All storage areas must be cleaned daily of debris and litter; secured from vandalism; all stored materials shall be placed in sturdy containers which are secured and maintained in good condition; all containers shall be site screened by opaque fence or wall of a height equal to or greater than the height of the containers, if the containers are adjacent or abutting a Residential District or residential land use; and no material storage shall be visible above the height of any screening; and

...”

Section 2. Section 15.310 is amended to read as follows:

“15.310 C-1, Commercial District.

...

(3) Conditional Uses Permitted. The following uses are permitted subject to MMC 15.370(27):

...
(d) ~~Recycling facilities in accordance with MMC 15.030;~~ **Repealed.**
...”

Section 3. Section 15.330 is amended to read as follows:

“15.330 I-1, Light Industrial District.

...

(2) **Specific Uses Permitted.** Land shall be used and buildings shall be erected, altered, enlarged, or used for only one or more of the following uses, subject to the provisions of this section and other applicable sections of the Zoning Ordinance:

...
(bbbb) ~~Reclaiming of metals, capacity limited to one ton in 24 hours;~~ **Repealed.**
...”

Section 4. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____

APPROVED _____

Justin M. Nickels, Mayor

Fiscal Impact:	\$0
Funding Source:	n/a
Finance Director Approval:	SC
Approved as to form:	EMM

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney

\\city-citylaw\CYCOM\WpDocs\D024\P004\Ord to Amend ch 15.DOCX