
A G E N D A I T E M S U M M A R Y**Reference No:** CB-82-1991**Draft No:** 4**P r i n c e G e o r g e ' s****Meeting Date:** 11/26/91**C o u n t y C o u n c i l****Requester:** B

Item Title: An Ordinance for the purpose of defining trash removal services and permitting this use in the I-1 Zone under certain circumstances

Sponsors B

Date Presented	9/10/91	Executive Action	___/___/___	---
Committee Referral	(2) 10/22/91 P&Z	Effective Date	12/31/91	
Committee Action	(2) 10/28/91 FAV(A)			
Date Introduced	10/1/91			
Pub. Hearing Date	(1) 10/22/91 1:30 PM			
	(2) 11/26/91 1:00 PM			
Council Action	(1) 11/26/91 Enacted			
Council Votes	CA: A_, B_: A_, C_: A_, D_: A_, F_: A_, MC: A_,			
	M_: A_, P_: A_, WI: A_, ___: ___, ___: ___, ___: __			
Pass/Fail	P			

Remarks

Mary Lane, Director	Resource Dereck Davis
Drafter: P&Z Committee	Personnel: Legislative Aide

LEGISLATIVE HISTORY**PLANNING AND ZONING COMMITTEE REPORT****DATE:** 10/28/91

Committee Vote Favorable as amended, 7-0 (In favor: Council Members Bell, Casula, Del Giudice, Fletcher, MacKinnon, Mills and Pemberton).

Following a public hearing on October 22, CB-82-1991 was sent back to committee for further consideration of a requirement for a Special Exception. Staff presented a number of Special Exception criteria for this use regarding off-site traffic, ingress and egress to the site, odor control, and compatibility with surrounding uses.

Paul Rodbell, representing Murray's Steaks, spoke in opposition to the legislation as drafted, and in support of a Special Exception requirement. Larry Taub and Mike Stevens, representing A.W. Stevens and Sons, and Joe Conte spoke in support of the legislation. Letters from

Marin Solis of Solis Fence Co. Inc. and Joseph Lalla of L&M Concrete Foundation, Inc., stating that the presence of A.W. Stevens and Sons in their neighborhood has never presented a problem, were presented by Mr. Taub. Mr. Taub also proposed an additional amendment to the legislation that would require that this use may "not be adjacent to, or across an industrial right-of-way from, an office building which consists of at least 10,000 square feet, and which is occupied by at least three unrelated tenants."

The sponsor of the legislation proposed that a site plan requirement be imposed on this use, and the criteria proposed by Mr. Taub and by staff be applicable to the site plan review. This recommendation was accepted by the committee, with the exception of the criteria regarding off-site traffic capacity, since this is not generally an issue considered appropriate for site plan review.

PLANNING AND ZONING COMMITTEE REPORT

DATE: 9/23/91

Committee Vote Favorable as amended, 4-0 (In favor: Council Members Casula, Castaldi, Fletcher and Bell)

The sponsor of the legislation explained the purpose and background of this legislation. The Planning Board opposes the legislation, since they do not believe this use is consistent with other uses in the I-1 Zone, and recommend that it only be permitted by Special Exception. Larry Taub and Mike Stevens, representing A.W. Stevens and Sons, spoke in support of the legislation. In order to alleviate the concerns of Council Members regarding the definition of "trash removal services", Mr. Taub proposed that a definition of the use be incorporated into the legislation, specifying that the use involves only the dispatching and storage of trucks, and under no circumstances shall any of the trash collected be brought to or stored on the property. He also presented letters from several neighbors in the vicinity of the Stevens operation, stating that odor from this use has never been a problem to the neighborhood.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

Trash removal services are currently permitted in the I-2 Zone, but are prohibited in the I-1 Zone. This legislation permits this use in the I-1 Zone, provided the property is not within 1000 feet of land in a Residential Zone or land used for residential purposes.