

STAFF REPORT  
PROPOSED AMENDMENT TO THE ZONING ORDINANCE  
SOLID WASTE TRANSFER STATIONS

DATE: June 11, 2009, 2009

**PURPOSE:** To consider an amendment to the Zoning Ordinance referred to the Planning and Zoning Commission by the City Council and make a recommendation to the City Council as to whether or not the Zoning Ordinance should be amended to require Heavy Manufacturing (HM) zoning and a special use permit for a solid waste transfer station.

**BACKGROUND INFORMATION:**

On March 23, 2009, the City Council adopted an ordinance approving put-or-pay agreements (Agreements) between the City and Allied and Waste Corporation of Missouri (Companies). These Agreements are for ten years and are the foundation for sustainable funding for the Integrated Solid Waste Management System (ISWMS) services. It is anticipated that with these agreements in place the tonnage delivered to the City landfill will increase to 600 tons per day starting on July 1, 2010, resulting in a significant increase in revenues needed to support the citizen services under the City's ISWMS.

The two Companies that currently own and operate transfer stations in the City, and landfills that are operated in conjunction with their transfer stations are located at least 657 miles from Springfield. The agreements are based on the economic principle that all solid waste that is disposed of in a landfill from within the City, either goes to the City landfill or the landfills owned and operated by the two Companies. Except for the City landfill, all other landfills are located too far away from Springfield to economically transport solid waste, except in large vehicles that are operated in conjunction with a Springfield transfer station. The Agreements contemplate a ramp-up period of the required tonnage to be delivered to the City landfill by requiring an additional 25 TPD every six months until July 1, 2010, at which time the required tonnage will level off at 175 TPD for each Company, plus an annual growth factor of 2%. The balance of the tonnage to obtain 600 TPD goal will be obtained from small haulers and businesses that currently deliver their solid waste to the City landfill.

The Agreements contemplate a level playing field by requiring a new company that operates a transfer station to enter into a similar put-or-pay agreement as the two Companies that operate transfer stations and to share proportionally in the amount of required tonnage (350 TPD total plus the 2% annual growth between Allied and Waste Corporation of Missouri after July 1, 2010). Obviously, if a new company establishes a transfer station without meeting the same requirements as the two existing Companies, there would be an uneven playing field because the new company could undercut the Agreements between the two companies and the City by taking away solid waste delivered to existing transfer stations which ultimately impacts the financial integrity of the funding for the ISWMS services.

The Zoning Ordinance does not specifically mention transfer stations as a permitted use, although, the two existing transfer stations in Springfield are both located in the HM District, in the 2100 block of West Bennett Avenue across the street from each other. The Zoning District in which a transfer station can be located should be clarified in order to avoid legal questions over what zoning district a transfer station can be located. The operational characteristics of a solid waste transfer station (as described below) also requires careful consideration of their location; therefore, a use permit should be required. In order to ensure a level playing field, the amendment also requires that the City Council determine that the issuance of a use permit is consistent with the ISWMS Plan. A new company would be deemed to be consistent if it enters into a put-or-pay agreement with the City on the same terms and conditions as the put-or-pay agreements as the City has with existing Companies and agrees to share proportionally in delivering the required tonnage (350 TPD) to the City landfill.

#### REMARKS:

A solid waste transfer stations is a very intensive land use because of the volume of truck traffic, the nature of their operations and the products they handle. Considering the intensity of the use as described below, a transfer station should be permitted only in the HM District. In addition, the location of a solid waste transfer station also requires careful review of the site, which can occur only under a use permit. Site-specific analysis is required for the following reasons:

- Delivery vehicles can arrive or leave at all times, particularly early in the morning or late at night. Lights and noise from the vehicles and operations late at night or early in the morning can impact the neighborhood.
- There is a need for good local roads to serve the facility that can withstand the wear and tear of heavy trucks. Vehicles that carry solid waste are very heavy, which can be devastating to local city streets that are not built to withstand constant heavy truck traffic.
- Transfer stations need to have access to major highways in order to facilitate ingress and egress of truck traffic to the transfer station so that they do not have to use local roads more than necessary.
- The trucks that load and unload and the operation of the transfer station can be noisy even in daylight operations.
- Fumes associated with heavy truck traffic are of concern particularly while the truck idles when it loads or unloads.
- Solid waste that is collected and transferred to other locations can be a health hazard even if it is on site for a limited time.

For the above reasons, a solid waste transfer station should be located in the HM District. Each site, even if located in the HM District requires site-specific analysis for the reasons set forth above. The site should be located away from residential neighborhoods and facilities such as churches, hospitals, nursing homes and other similar facilities; therefore, the location of a transfer station should be regulated by requiring a use permit in the HM district so that all of the above factors and others can be considered when deciding if the site is appropriate, even if it is zoned HM. In addition, before the use permit is issued, the City Council is required under this amendment to determine if the issuance of a new permit is consistent with the City's ISWMS Plan. The two companies that are currently licensed would be grandfathered.

#### RECOMMENDATIONS:

That the Zoning Ordinance be amended to require solid waste transfer stations be located in the HM District subject to securing a use permit in accordance with the attached Exhibit 1.

#### FINDINGS:

1. HM zoning is required for a transfer station considering the impact this type of use can have on surrounding property.
2. A use permit is necessary to determine if the site is appropriate for a transfer station, considering the area surrounding the site and the available infrastructure that serves the proposed site.
3. A determination of consistency with the ISWMS is necessary in order to provide a level playing field between existing transfer stations and a new transfer station in order to provide sustainable funding for the ISWMS services.

#### CONDITIONS:

1. None.

Submitted by:

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to the Solid Waste Division of the  
Public Works Department

EXHIBIT 1  
PROPOSED ZONING AMENDMENT

Amend section 4-4303 of the Zoning Ordinance by adding thereto one new subsection to Conditional Uses in the Heavy Manufacturing District to require a conditional use permit for a solid waste transfer station to be known as subsection k which subsection shall read as follows:

Add to Section 4-4303, paragraph K to read as follows:

“K. Solid waste transfer station as defined in Chapter 94 of the City Code provided prior to the issuance of a use permit the City Council shall determine that the issuance of a use permit is consistent with the Integrated Solid Waste Management System Plan (Plan) of the City as defined in the Plan.”

Add to Section 2-1100. Definitions the following:

**“Solid waste transfer station:** A site or facility that is licensed by the City and permitted by the Missouri Department of Natural Resources, which accepts solid waste for temporary storage, or consolidation and further transfer of solid waste to a landfill.”