

**MEETING
DATE:**

October 27, 2020

STAFF:

Rick Arroyo, Asst. Community
Development Director

PROJECT NAME: UDO Amendment #44

CASE NUMBERS/REQUEST: 20-175-03 – UDO Amend #44 – Donation Bins and Donation Centers
Regulations

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – October 10, 2020

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on November 16th and the public hearing/second reading on December 7th.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #44 to the Unified Development Ordinance (UDO) related to Donation Bins and Donation Centers.

BACKGROUND & HISTORY:

This amendment modifies language to the UDO that adds permitting regulations for the placement of donation bins on properties within the City of Independence and provides clarity and standards for the bin materials, signage, maintenance, and violations. This amendment also addresses public safety concerns with entities newly defined as Donation Centers that have, on a continuous basis, donation drop-off locations and donation bins.

The intent of this amendment is to bring City Code in line with our peer communities.

The current UDO does address where donation bins may be placed along with the number of bins and maximum bin size. The current regulations also place the responsibility of the bin on the bin owner. The current UDO does not clearly outline the standards a donation bin should have to promote the

clear intent of what donated items the bin is for and how those donated items are to be protected after drop off.

This amendment includes the specific maintenance expected of a bin owner by request of the City or property owner in which the bin is placed including the requirement to remove the bin and clean the site where the bin was placed after the completed use.

This amendment also includes the need for a permit to be obtained prior to the placement of a donation bin on allowable properties. Currently staff does not have the ability to contact the owner of any donation bins directly since staff is unaware of who may have donation bins on their property or who may be representing said donation bin. This amendment outlines the appropriate contact information for the placement of a bin through permit along with language for permit renewal.

Due to security concerns at places of business that have year round donation areas such as thrift shops and non-profit organizations, a section was added that addresses illegal dumping with criteria on lighting areas of drop off and donation bins along with a video surveillance system that may be used by authorities for possible investigations. A section of Article 2 was also modified to more clearly define a donation bin and the addition of a Donation Center.

Staff believes the proposed amendment is necessary to better serve business and property owners from donation bin operations that may cause undue damage on property in which a bin is placed along with nuisances to adjacent property owners while ensuring the Unified Development Ordinance is in step with peer communities. While the proposed changes add a permit for the placement of a donation bin, a reasonable permit fee along with a grace period for Donation Centers that may not already be in compliance with these regulations has been considered.

This amendment would eliminate the following sections in Article 4 of the UDO:

14-400-09 Donation Bins

14-400-09A

14-400-09B

14-400-09C

14-400-09D

14-400-09E

14-400-09F

14-400-09G

And add the following section:

14-422 Donation Bins and Donation Centers

14-422-01

14-422-02

14-422-03

14-422-04

14-422-05

14-422-06

14-422-07

14-422-08

14-422-09

This amendment would add the following sections in Article 2 of the UDO:

14-200-05-X Donation Centers

And modify the term "Donation Bins" under section 14-201-1 General Terms

This amendment would modify the Schedule of Fees by adding under VI. Licenses/Permits:

24. Donation Bins for a fee of \$25.

The attached exhibit includes the proposed changes to section Article 4, Article 2 and the Fee Schedule.

EXHIBITS

1. Article 2
2. Article 4
3. Fee Schedule