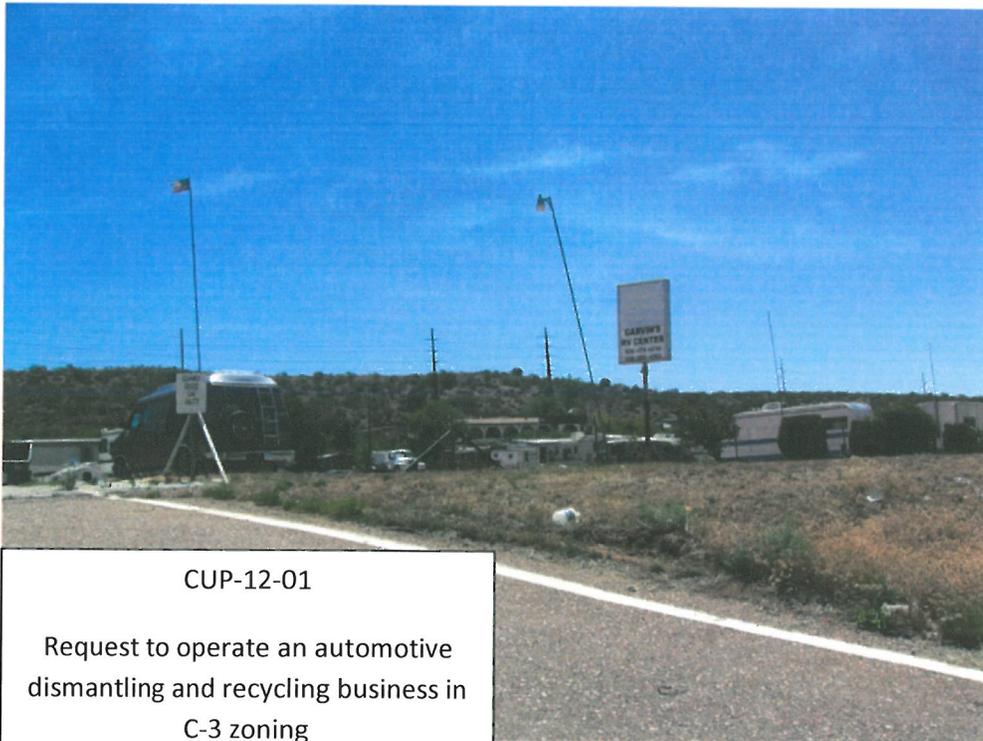




Staff Report
to the
Board of Supervisors



CUP-12-01

Request to operate an automotive
dismantling and recycling business in
C-3 zoning

July 23, 2012

I APPLICATION

Applicant Name	David Stodghill
Applicant Address	PO Box 781, Pine, AZ 85544
Site Address	16317 N AZ Highway 87, Rye
APN Number	304-32-003A
Current Zoning Designation	C-3
Current Comprehensive Plan Designation	Commercial
Application Number	CUP-12-01

II PURPOSE & DESCRIPTION

The applicant is requesting a Conditional Use Permit to operate an automotive dismantling and recycling (selling the used parts) business on this property. The property has previously been used for sales of used items.

The hours of operation of the dismantling business will be Monday through Saturday, 8am to 6pm; it will be closed on Sundays. There will be 2 full-time employees on site, plus the business owner, who will be out collecting vehicles. The general public will only come to the office. Dismantling will be done outside under a metal awning with a concrete slab, and EPA-approved concrete containment units will be used to hold the liquids recovered from the vehicles. The vehicle parts will be stored on racks outside.

The sale of used vehicle parts qualifies as junk according to the definition in the zoning ordinance; however, because there is no residential district within 300' of the property, no opaque fence is required.

III PRIMARY ISSUE OR ISSUES TO CONSIDER

Zoning requirements for Conditional Uses and Conditional Use Permits are provided in Section 103.11 of the zoning ordinance. C3 permit requirements are in Section 104.2, Item I. See the following excerpts:

Section 104.2 USE DISTRICTS (GENERAL)

I. C3 -- COMMERCIAL THREE DISTRICT (Central Commercial District)

1. **Intent and Purpose:** To provide a district wherein a full range of sales, services, and office uses are permitted, and wherein the density of traffic and building area are not conducive to residential development.
2. **District Stipulations and Provisions:** (supplemental to and/or supplanting the "General Stipulations and Provisions", Section 103):
 - a. There shall be a six (6) foot high opaque wall, fence, or approved landscape screen adjacent to any residential district.

- b. All outdoor lighting shall be hooded or shielded so as to deflect light away from any residential district or public right-of-way within two hundred (200) feet of said lighting.
- c. No use shall be operated in such a manner as to be an explosion or fire hazard, nor shall there be emitted into the atmosphere any smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, or toxic fumes to such an extent as to constitute a nuisance.
- d. Sales of junk, as defined in Section 102 of this Ordinance, shall not be conducted within three hundred (300) feet of any residential district; further, such sales shall be conducted within a fully enclosed building or within an area shielded by a six (6) foot high opaque wall, fence, or approved landscape screen.

5. Uses Permitted Subject to a Conditional Use Permit:

- a. Facilities for the dismantling of automobiles and sale of used auto parts, with the further stipulation that such activity shall not be permitted within three hundred (300) feet of any residential district.
- b. Sales of liquid petroleum gas, with the further provision that no above-ground storage tank in excess of one hundred (100) gallon capacity may be located within three hundred (300) feet of any residential district, hospital, school, or public facility.

Section 102 DEFINITIONS

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

IV BACKGROUND

The property is located at 16317 N Highway 87 in Rye, and is zoned C3. There are several existing buildings on the property, including a manufactured home, an office and a large steel building. This business will not currently be housed in the steel building; instead, the public will come to the office and employees will access the vehicle parts stored outside.

V ANALYSIS

Site is accessed off of Highway 87 in Rye; frontage of the lot is bordered by property belonging to ADOT. Properties to the north and south of this parcel are zoned C-3. The property to the east is Forest Service land. Because of the size of this parcel as well as neighboring properties, there are only three neighbors within the 300' notification area.

The property is level and has all utilities already on site.

VI SUMMARY

Staff opinion is that the addition of automobile dismantling and the sale of used parts, with certain conditions, will be an appropriate use in the Rye area where the property is located, and will be compatible with surrounding uses.

VII RECOMMENDATION

Staff supports that the Planning and Zoning Commission recommend to the Board of Supervisors approval of application CUP-12-01 subject to the following conditions:

1. Addition of any electrical, mechanical, structures, signs etc. will require permits. Building permits shall be obtained and the applicable structures for the dismantling and storage business shall be inspected and approved by the Building Safety Department.
2. All required county, state and/or federal licenses/permits shall be obtained and copies shall be provided to Gila County Community Development. It is the business owner's responsibility to research what licenses/permits are required.
3. Outside lighting must comply with the Gila County Outdoor Lighting Ordinance, and must be hooded or shielded so as to deflect light away from the right of way.
4. Opaque fencing, approved by the Community Development Director, shall be installed to screen the business from Highway 87 and the Right-of-Way.
5. Violations of any of the previous conditions shall be grounds for suspension or revocation of this Conditional Use Permit.
6. This Conditional Use Permit will be reviewed for compliance every 5 years. If there are no violations, it will be automatically renewed.

VIII ATTACHMENTS

Attachment "A"	Zoning Map
Attachment "B"	Comprehensive Plan Map
Attachment "C"	Submitted comments

DESCRIBE PROPOSED PROPERTY USE:

Automotive Dismantling & Recycling – Miscellaneous Metal & Other Recyclables

Modern auto recycling is a tightly coordinated and comprehensive process. The process of auto recycling requires the use of the following tools and equipment:

- Forklift for Unloading and Loading of Vehicles
- Mechanics Hand Tools
- Air Compressors and Air Tools
- Floor Jacks and Engine/Transmission Hoists

The first step, after a vehicle arrives at our facility is to confirm its ownership!

In our automotive recycling business, inoperative motor vehicles will be brought into our facility where the hazardous and recyclable fluids will be properly drained and stored in EPA approved storage containers. Motor vehicle fluids are drained separately over an impervious surface and put into leak-proof containers to safely store for pickup by a certified off-site fluid recycler.

Automotive batteries also are removed during the vehicle prep stage. Depending on the condition, batteries are made available for resale or collected for shipment to an off-site recycler.

Items with scrap value such as catalytic converters are removed for immediate recycling.

Next the engine and transmission is lifted from the chassis and reusable undamaged other miscellaneous vehicle parts removed, cleaned, tested, inventoried, and stored in a warehouse until sold to auto repair garages, auto body shops, and individuals.

The remaining vehicle hulk is then prepared for scrapping.

Automotive recyclers are a valuable source for economical and often hard to find used motor vehicle replacement parts. Professional auto recyclers use computer and satellite communication systems that enable for direct inventory assessment as well as locate parts across town or across the continent, by simply entering the appropriate data into their computer system. This technology allows recyclers to maximize their inventories and provide quick and efficient service to their customers.

This recycling process recovers 75 percent of the vehicle by weight, which is a greater percentage than any other type of recycling process. (Even aluminum can recycling, the next most efficient item, recovers only 61%.) Automotive recycling is the 16th largest industry in the United States, estimated to be a \$25 billion per year industry. Recycling autos provides enough steel to produce almost 13 million new automobiles, while generating jobs for 46,000 people.

Submitted by applicant,
David Stodghill