



Board of County Commissioners Agenda Request

7C
Agenda Item #

Requested Meeting Date: March 8, 2022

Title of Item: Zoning Ordinance Amendment Reading & Approval

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Andrew Carlstrom		Department: Planning & Zoning
Presenter (Name and Title): Andrew Carlstrom, Environmental Services Director		Estimated Time Needed: 5 minutes
Summary of Issue: <p>On February 28, 2022, the Aitkin County Planning Commission approved adding a third classification of "Solid Waste Transfer Station" to Appendix A of the Aitkin County Zoning Ordinance. I am now respectfully requesting Board of Commissioner approval and to read into record this change to Aitkin County Zoning Ordinance.</p>		
Alternatives, Options, Effects on Others/Comments: N/A		
Recommended Action/Motion: Recommend motion to approve Planning Commission's recommendation to approve adding third classification of "Solid Waste Transfer Station" to Appendix A, Aitkin County Zoning Ordinance.		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

Aitkin County Environmental Services Planning and Zoning
307 Second Street NW
Room 219
Aitkin, MN 56431
Phone: 218-927-7342
Fax: 218-927-4372



MEMORANDUM

DATE: February 28, 2022

TO: Aitkin County Planning Commissioners

FROM: Andrew Carlstrom, Director of Environmental Services

RE: Amendment to Aitkin County Zoning Ordinance in adding third classification "Solid Waste Transfer Station" to Appendix A

On May 17, 2021, Waste Management, (who is in a five year contract to operate the Aitkin County Recycling Center), made the request for a Conditional Use Permit to operate a Solid Waste Transfer Station at this same location. Attorneys representing Garrison Disposal argued that the Aitkin County Zoning Ordinance does not include a specific line classification for "Solid Waste Transfer Station". It was argued that the two current classifications of "Solid Waste Disposal Site" and "Solid Waste Disposal Site (Hazard, Toxic)" do not suffice for a less intensive use of "Solid Waste Transfer Station", which has been permitted under in the past.

On September 14, 2021 the Ordinance Committee (which has no decision power nor authority to act) met to review and make only a recommendation to the Board of Commissioners to add a third classification to Appendix A of the Ordinance. A Public Hearing was approved by the Board on September 26, 2021, was publicly posted on September 13 and 20, 2021, and the Public Hearing was held on October 26, 2021. The Board of Commissioners made the motion to approve the third classification.

On January 13, 2022, attorneys representing Garrison Disposal challenged Aitkin County's process for adopting the new zoning ordinance provisions and that there was no Public Hearing before the Planning Commission. On January 18, 2022 Waste Management formally withdrew its Conditional Use Permit Application to operate a solid waste transfer station in Aitkin County. On February 8, 2022, a request was made to Board of Commissioners to remand the decision back to the Planning Commission to rule on this zoning reclassification. Upon the decision made by the Planning Commission today, it will be read by the Board at the March 8 and March 22, 2022 meetings.

Sincerely,

A handwritten signature in black ink, appearing to be "A. Carlstrom".

Andrew L. Carlstrom
Aitkin County, Minnesota
Environmental Services Director

3.14 **Solid Waste Transfer Station:** A facility with a designated receiving area where waste collection vehicles can discharge their loads, and the waste can be consolidated into higher-volume transfer vehicles for more economical waste shipments to distant disposal sites.

CLASSIFICATION LIST	FR	R	C	M	P	O
Roadside Park, Rest (no over-night)	P	P	P	P	P	P
Roller Skating Rink, Indoor Ice Skating	C	NP	P	P	C	C
Sauna, Steam Bath, commercial	C	NP	P	C	C	C
Sawmill	C	NP	C	P	C	C
Sawmill, portable (temporary)	P	NP	P	P	P	P
School, Public & Private	P	C	P	NP	C	C
School, commercial (Beauty, etc.)	C	NP	P	P	C	C
Second Hand Store, Flea Market	C	NP	P	C	C	C
Septic Tank Manufacturing	C	NP	C	P	NP	C
Shopping Center (PUD)	C	NP	P	C	C	C
Shooting Range (Firearm, Archery)	C	NP	NP	NP	C	C
Shooting Range (Indoor Firearm, Archery)	C	C	C	C	C	C
Silk Screening	C	C	P	P	C	C
Solid Waste Site (Hazard, Toxic)	NP	NP	NP	NP	NP	NP
Solid Waste Disposal Site	C	NP	NP	NP	C	C
Solid Waste Transfer Station	C	NP	NP	NP	C	C
Swimming Pool, Public	C	NP	P	NP	C	C