



Legislation Details (With Text)

File #: 230418 **Version:** 2 **Name:**
Type: Ordinance **Status:** Passed
File created: 5/11/2023 **In control:** Council
On agenda: 6/8/2023 **Final action:** 6/15/2023
Title: Sponsor(s): Mayor Quinton Lucas, and Councilmember Kevin McManus

Declaring a moratorium until June 1, 2024, on the approval of any permits, plan review, project plans, and zoning changes, where the subject matter of the project is a proposed waste-related use, including but not limited to a demolition debris landfill, solid waste separation facility or transfer station, or sanitary landfill.

Sponsors: Quinton Lucas, Kevin McManus

Indexes:

Code sections:

Attachments: 1. 230418 No Fact Sheet, 2. Public Testimony Ordinance 230418-Don Byttner, 3. Public Testimony Support Resolution 230418 and Oppose the Landfill at 150 and Peterson Road-Laura Lane, 4. Public Testimony Support Ordinance 230418-Anne Ptomey, 5. 230418.Authenticated Ordinance C.S., 6. 230418.Authenticated Ordinance C.S.

Date	Ver.	Action By	Action	Result
6/15/2023	2	Council	Passed as Substituted	Pass
6/8/2023	1	Council	Held on Docket	
6/7/2023	1	Transportation, Infrastructure and Operations Committee		
5/24/2023	1	Transportation, Infrastructure and Operations Committee	Hold on Agenda	Pass
5/11/2023	1	Council	referred	

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 230418

Sponsor(s): Mayor Quinton Lucas, and Councilmember Kevin McManus

Declaring a moratorium until June 1, 2024, on the approval of any permits, plan review, project plans, and zoning changes, where the subject matter of the project is a proposed waste-related use, including but not limited to a demolition debris landfill, solid waste separation facility or transfer station, or sanitary landfill.

WHEREAS, the City is committed to enhancing and promoting recycling and composting of solid waste; and

WHEREAS, the City has increased investment in enhancing and promoting recycling and composting options for its residents; and

WHEREAS, minority and low-income neighborhoods and communities in transition have historically been disproportionately affected by landfill uses in their communities; and

WHEREAS, recent news reports suggest that a developer may be considering applying to the City to locate a landfill in the southeastern portion of the City; and

WHEREAS, the location of a landfill at the reported site would have long-term impacts on surrounding areas and municipalities; and

WHEREAS, the City is committed to cooperation with and notification of neighboring jurisdictions and will continue to pursue pathways for notification of impacted municipalities located within one mile of proposed landfills; and

WHEREAS, the City will continue ongoing collaboration with Mid-America Regional Council and other regional stakeholders in long-term assessment of its waste-management needs; and

WHEREAS, on March 2, 2023, the City Council passed Committee Substitute for Resolution No. 230161 directing the City Manager to perform an evaluation of the City's needs with respect to landfills and transfer stations, as well as provide alternative potential solutions; and

WHEREAS, the study directed by Committee Substitute for Resolution No. 230161 requires a public report to the Mayor and Council no later than September 12, 2023; and

WHEREAS, the City Council believes that it is imperative that no permits or other zoning approvals be issued for new landfills pending this review; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Mayor and Council hereby declare that there is a moratorium on the issuance of permits or other zoning approvals allowing the expansion of an existing project or establishment of a new project when the application for the project was filed on or after April 1, 2023, and where the subject matter of the project is a proposed waste-related use as defined in Section 88-805-05-G of the Code of Ordinances, including but not limited to a demolition debris landfill, solid waste separation facility or transfer station, or sanitary landfill, until June 1, 2024. Applications for renewals of special use permits for existing waste-related uses that do not include a request to expand existing facilities are not subject to this moratorium.

Section 2. The Mayor and elected officials of Kansas City and surrounding jurisdictions shall have a public meeting prior to finalization of the report required by Committee Substitute for Resolution No. 230161.

Section 3. That the Council finds and declares that before taking any action on the ordinance hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

I hereby certify that the foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form:

Sarah Baxter
Senior Associate City Attorney