



Request for City Council Committee Action from the Department of Regulatory Services

Date: February 27, 2012

To: Council Member Elizabeth Glidden, Chair – Regulatory, Energy & Environment Committee

Subject: Amendment to Minneapolis Code of Ordinances Title 12, Chapter 244, relating to backyard composting

Recommendation: Approval of ordinance amendments

Previous Directives: On January 27, 2012, the City Council introduced subject matter of the ordinance and referred to Regulatory, Energy & Environment committee. On January 30, 2012, the Regulatory, Energy & Environment committee set a public hearing for February 27, 2012.

Department Information

Prepared by: JoAnn Velde, Manager – Housing Inspection Services – (612) 673-5850;
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Approved by:

Gregory K. Stubbs, AICP, Director of Regulatory Services

Dana Banwer, Director of Licensing & Environmental Services

Daniel Huff, Manager of Environmental Management & Green Buildings

Presenters in Committee: JoAnn Velde, Patrick Hanlon

Financial Impact

- No financial impact

Community Impact

- City Goals
 - ECO-FOCUSED - Minneapolis is an internationally recognized leader for a healthy environment and sustainable future
 - Strategic directions:
 - Use less energy, produce less waste
 - Locally grown food available and chosen
- Comprehensive Plan

- The Urban Agriculture Policy Plan, adopted unanimously in 2011 and now part of the City's Comprehensive Plan, recommends that the City: "Study the potential for more coordinated composting. This effort would need to involve several City department including Public Works, CPED, and Regulatory Services and Emergency Preparedness."

Supporting Information

In June of 2011, a number of Minneapolis residents with interest and expertise in composting came together to draft a list of recommendations. These recommendations were then shared with appropriate staff from City departments, the Minnesota Pollution Control Agency, and Hennepin County. Together, between June and December of 2011, City and other agency staff and compost experts drafted the consensus proposal being presented.

- Increase the maximum size of an allowable composting area.
- Use cubic feet as the measurement for composting area.
- Establish different maximum sizes for composting areas on lots with residential structures (i.e. backyard composting) and lots without residential structures (i.e. community gardens).
- Clarify that green-treated wood is not required in the construction of compost bins, but that wood must be structurally sound and free of rot.
- Allow compost bins to be enclosed on all sides but not covered.
- Require that compost piles be covered with an odor-reducing layer such as leaves, wood chips or finished compost.
- Define the materials that are not permitted in compost areas, rather than listing the materials that are allowed.
- Authorize City staff may require people who are out of compliance with the composting ordinance to take a Master Composter or similar educational course.

Enforcement:

- Housing will address aesthetic and structural issues of compost bins.
- Environmental Services will address odor or nuisance conditions

Planning staff have brought forward recommended changes to the Zoning Code to implement the recommendations of the Urban Agriculture Policy Plan. These Zoning Code text amendments have been unanimously approved by the Planning Commission and will be presented to the Council's Zoning and Planning committee on March 1, 2012.

The proposed Zoning Code text amendments include the following text regarding composting.

In the definition section, MCO 520.160:

"Composting. The natural degradation of organic material, such as yard and food waste, into soil."

And in the development standards section, MCO 537.110:

"Compost container. Compost containers shall be allowed as an accessory use, subject to ~~Chapter 244, Housing Maintenance Code, of the Minneapolis Code of Ordinances~~ the following:

- (1) Compost containers shall not be closer than twenty (20) feet from any adjacent dwelling.
- (2) The use shall comply with the requirements of Chapter 244, Housing Maintenance Code, section 244.70 Composting, of the Minneapolis Code of Ordinances and with all applicable rules and statutes as determined by the Minnesota Pollution Control Agency."

Compost ordinance amendment - maximum size table

lot size	existing ordinance*	proposed ordinance, with residence	proposed ordinance, without residence
<5,000	125 ft ³	245 ft ³ (7'x7'x5')	405 ft ³ (9'x9'x5')
5-10,000	250 ft ³	405 ft ³ (9'x9'x5')	720 ft ³ (12'x12'x5')
>10,000	375 ft ³	500 ft ³ (10'x10'x5')	1,125 ft ³ (15'x15'x5')

*Sizes in the existing compost ordinance are represented by the number of 5'x5'x5' bins

Homegrown Minneapolis recommendations:

The first phase of the Homegrown Minneapolis initiative included the following recommendations regarding composting:

"Review, and revise when necessary, City regulations in order to provide a hospitable regulatory environment for local foods operations including farmers' markets; home, community, and school gardens; restaurants; on-site and industrial composting; and year-round food production, processing, aggregation, and distribution efforts."

And:

"Support the expansion/development of a composting infrastructure in the Twin Cities to ensure access to affordable sources of compost for home, community, and school gardens, and urban agriculture enterprises."

And:

"Help develop the City's organic composting infrastructure by establishing household or communal composting systems that train residents and feed the finished product into the community."

The Homegrown Minneapolis initiative recommended that we revise the rules around composting. These recommendations were underscored by the Urban Agriculture Policy Plan. As the Zoning Code text amendments were being drafted in 2011, it became clear that the grower community wished to see improvements to the City's composting ordinance moved forward in the same general timeline.

Many City staff, other agency staff, and composting experts and advocates have been involved in drafting these ordinance amendments:

JoAnn Velde (Regulatory Services), Dan Huff (Regulatory Services), Patrick Hanlon (Regulatory Services), Susan Young and Jeff Jenks (Solid Waste and Recycling), Aly

Pennucci (CPED), June Mathiowetz (MDHFS), Robin Garwood (Council, Ward 2), Ginny Black (MPCA), John Jaimez (Hennepin County), Russ Henry (member of CEAC and Minneapolis Food Council), Sarah Sponheim (Chair of CEAC Waste Reduction subcommittee), Ross Abbey (Chair of CEAC), Anna Cioffi (Land Stewardship Project), Nate Watters (Stone's Throw Farm), Lee Waters, Krista Leraas, Sean Alter, Rebecca Harnik, Kirsten Saylor (Gardening Matters), Nadja Berneche (Gardening Matters), Rachel Henderson, Patsy Parker (Compostadores).