



TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN 800**
Development and Licensing Requirements for Salvage Yards & Metal Recycling Facilities

DATE: December 6, 2011/*Revised August 1, 2014*

CREATED BY: Field Services Division

Purpose:

As a customer service initiative, the Development Services Department (DSD) has developed this **revised** Information Bulletin (IB) 800 to describe and clarify the procedures for obtaining a license to operate a Salvage Yard (Auto Dismantlers) and Metal Recycling Facilities. This bulletin has been updated to incorporate the department's new format for Information Bulletins.

Scope:

Background:

Chapter 16, Article VII (Salvage Yards and Auto Dismantlers) of the City Code of San Antonio (Code) was amended on June 18, 2008 to require that purchasers of regulated metal property for resale or recycling obtain a license from the City whether the purchaser operates as a metal recycling facility or a salvage yard. Additionally, the Code requires City Council approval prior to expanding or establishing any salvage yard or metal recycling facility. New and expanding salvage yards and metal recycling facilities are also subject to zoning district regulations and distance criteria from certain uses.

Definitions:

The following definitions contained in §16-186 and §16-199 of the City Code and §35-A101 of the Unified Development Code shall apply to the uses identified above:

§16-186

Salvage means and refers to any secondhand worn out, cast off, or discarded article or material (including but not limited to bodies, parts, and sections of junked, wrecked, or inoperable vehicles, airplanes, and boats) ready for destruction, or collected or stored for dismantling, conversion, or removal of parts; and shall include any article kept for more than sixty (60) days for the purpose of its repair.

Salvage yard means any facility or premises used for the storage or collection of regulated metal or salvage as defined in Section 16-199.

§16-199

Secondhand metal dealer means a person other than a secondary metals recycler, who personally or through managers, agents, and/or employees, purchases or receives scrap or other metal items that are offered for sale.

Secondary metals recycler means any person who, directly or through an agent, manager, or employee, purchases or receives scrap metal which is thereafter subjected to two (2) or more of the following:

- (1) Sorting or classifying;
- (2) Cleaning;
- (3) Baling or wrapping;
- (4) Cutting, shredding, or shearing; or
- (5) Changing the physical form or chemical content thereof as needed for the manufacturing of new metal items.

Metal recycling entity means anyone, who from a fixed location engages in the business of utilizing machinery or equipment for the processing of or manufacturing of iron, steel or nonferrous metallic scrap and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap for re-melting purposes.

Based on the definitions above, a metal recycling facility may fall under the salvage yard provisions of Chapter 16 relative to licensing, though the zoning requirements in Chapter 35 differ, and includes a secondhand metal dealer, secondary metals recycler and metal recycling entity.

Regulated metal means a direct product or byproduct of any form of a manufactured, shaped, or processed aluminum, brass, copper, lead, bronze, catalytic converters, batteries, unused rebar or other nonferrous metallic material or any item composed in whole or in part of any ferrous metal, other than an item composed in whole of tin.

The sale or transfer of aluminum cans is an exception to the regulated metal recycling provisions.

Zoning Requirements:

To assist with the classification and interpretation of these uses, staff has compiled the following reference table. Please note that a certificate of occupancy is required for all the uses indicated in the table below, and will be issued after the business shows a valid license. Failure to obtain a certificate of occupancy may revoke the license which may result in the disconnection of utilities.

Use	Permitted Zoning District(s)
Can Recycling Collection Station – No Shredding	L, I-1, I-2, MI-2, ERZD (Specific Use Authorization required in UD, RD, MI-1 and C-3)
Recycling Facility Without Outside Storage And/Or Processing	I-1, I-2, MI-1, MI-2 (Specific Use Authorization required in ERZD)

Recycling Facility With Outside Storage And/Or Processing	I-2, MI-2 (Not allowed in ERZD)
Junkyard or Salvage Yard	MI-2 (Specific Use Authorization required in I-2, Not allowed in ERZD)

The following definitions from Appendix A of the UDC shall apply:

Recycling business. A business that is primarily engaged in:

- (A) Converting ferrous or non-ferrous metals or other materials into raw material products having prepared grades and having an existing or potential economic value;
- (B) Using raw material products of that kind in the production of new products; or
- (C) Obtaining, or storing ferrous or non-ferrous metals or other materials for a purpose described by subsection (A) or (B).

Junkyard or salvage yard. Any premises where junk, articles or materials, including junked, wrecked or inoperable vehicles, which are ready for destruction or which have been collected are stored for salvage or conversion to some use.

Distance Criteria:

Establishment of a new salvage yard or metals recycling facility, or an expansion of an existing salvage yard or metals recycling facility, shall not be approved if the location of the new salvage yard or metals recycling facility, or the expansion area is within five hundred (500) feet of a church or school building or within three hundred (300) feet of residential use.

Measurement Methodology:

The measurement of the distance between a new salvage yard or metal recycling facility, or an expansion of an existing salvage yard or metal recycling facility and a church or school building shall be in a direct line from the property line of the new or expanded salvage yard or metal recycling facility to an occupiable church or school structure.

The measurement of the distance between a new salvage yard or metal recycling facility, or an expansion of an existing salvage yard or metal recycling facility and a residential use shall be in a direct line from the property line of the new or expanded salvage yard or metal recycling facility to the property line of the residential use.

Licensing Procedures:

A salvage yard or metal recycling facility of regulated metal shall not operate within the City without a valid license approved by the San Antonio City Council. All applications for licenses to operate a salvage yard or metals recycling facility must be made in writing to the Development Services Department.

The following items are required to complete the application process:

- A. The license application as attached.

- B. Applicants shall submit a Zoning Verification Letter prepared by the Development Services Department confirming that the proposed metal recycling facility or salvage yard is a permitted use in the zoning district in which the property is located. Application for said letter is attached to this Information Bulletin.
- C. Applicants shall submit a certified survey map of the property prepared by a licensed Texas surveyor or state licensed engineer that shows the minimum distances from occupiable church or school buildings and the property lines of residential uses.
- D. Applicants shall complete and submit the attached affidavit stating that they are aware of the locational requirements relating to metal recycling facilities or salvage yards and affirms that any violations may result in suspension and/or revocation of their license and certificate of occupancy. Said locational requirements also are attached to this Information Bulletin. In addition, if the owner of the property is not the applicant, the owner will need to complete and sign the Authorization by Property Owner that is on page 2 of the affidavit.

City Council Consideration:

The decision of the City Council whether to approve the expansion or establishment of a salvage yard or metal recycling facility, as defined by Chapter 16, shall be made only after a public hearing before the council on the question at which interested parties shall have the opportunity to be heard. The development services department shall mail notices to the owners of all property located within two hundred (200) feet of the area to be occupied by the new salvage yard or metals recycling facility or expansion. The notice shall state:

- (1) The nature of the approval sought;
- (2) The location of the requested expansion or new salvage yard or metal recycling facility;
- (3) The date, time, and location of the hearing; and
- (4) That the addressee will have the opportunity to be heard regarding the requested expansion or establishment of the new salvage yard or metal recycling facility.

The rules, methods and procedures for the timing and delivery of notices and all other related notice matters shall be the same as those used whenever an application for a change in zoning is to be heard before the zoning commission.

Certificate of Occupancy Requirements:

The complete Certificate of Occupancy process is described in [Information Bulletin #126a](#) and the application is online at http://docsonline.sanantonio.gov/FileUploads/dsd/form_CertificateOfOccupancyApplication.pdf.

Nonconforming Uses:

Nonconforming uses are governed by Article VII of the UDC. A property owner may register a nonconforming use with the Department's Zoning Section. Application materials are online at: <http://docsonline.sanantonio.gov/FileUploads/dsd/NCU%20Application%20082108.pdf>

Summary:

This IB is a courtesy for informational purposes only to reflect the currently adopted UDC and City Code relative to Metal Recycling Facilities and Salvage Yards. The Development Service Department staff that issues Licenses for Salvage Yards and Metal Recycling Facilities is available by calling (210) 207-7881.

Prepared by: Alma Martinez-Jimenez, Sr. Special Projects Manager

Reviewed by: Alma Martinez-Jimenez, Sr. Special Projects Manager

Authorized by: Michael Shannon, PE, CBO, Assistant Director