



P.O. Box 2430

Indian Trail, North Carolina 28079

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

Zoning Staff Report

Case: ZT 2016-006 Dumpster Enclosures		
Reference Name	Amendment of UDO Chapter 13130	
Applicant	Town of Indian Trail	
Submittal Date	April 8, 2016	
Location	Town-wide	
Tax Map Number	N/A	
Plan Consistency	Town of Indian Trail Comprehensive Plan	Consistent With Goals of the Adopted Comprehensive Plan
Recommendations & Comments	Planning Staff	Recommends Approval of Proposed Text Amendment.

Project Summary

This is a request to amend Chapter 13130 of the Unified Development Ordinance (UDO) to create additional options in the design of dumpster enclosures for existing buildings.

Staff Recommendation- Staff recommends based on the guidance of the adopted plans that the text amendment be supported by recommending its approval to the Town Council.

Analysis/Overview

This request is initiated by the Town to create additional options in the design of dumpster enclosures for existing businesses/buildings. The UDO currently requires all dumpster enclosures to be designed with exterior materials and colors that match the principal building. For example, if a building is constructed of brick then its associated dumpster enclosure should also be constructed of brick. The intent is to have an attractive, accessory structure that is complimentary in design with the principal building.

Existing buildings often times must construct a new garbage enclosure (when one does not already exist) as part of building expansion projects, when making significant improvements to the existing building, and/or with significant changes of use (i.e. converting a house to a business, etc.). The determination regarding when existing buildings must make site upgrades to comply with current codes is regulated by UDO Division 1400 *Nonconformities* and operates on a sliding scale. That is to say, the more investment that is made in a building improvement or expansion project, the more existing nonconforming improvements (i.e. dumpster enclosures, landscaping, etc.) must be brought up to current requirements. Likewise if a building improvement or expansion project is relatively modest, few, if any additional improvements may be needed.

The cost associated with constructing a matching dumpster enclosure, particularly a masonry structure, can be burdensome to existing building owners or tenants making improvements to older buildings. The proposed amendment below attempts to maintain community aesthetics in a manner that does not create a burden for existing businesses. In-lieu of making existing businesses construct a matching dumpster enclosure, the proposed amendment creates a menu of options that comprise quality architectural materials. The proposed ordinance also creates a provision requiring larger building expansion projects to construct a matching enclosure. Staff believes the proposed amendment will help achieve Indian Trail's community aesthetics goals, while giving building owners and tenants flexibility in constructing enclosures.

Attachment 1 provides real world images of the dumpster enclosure materials contemplated in the proposed UDO amendment.

It is important to recognize that the amendment does not apply to new, "ground up" development in light of the enclosure representing a small fraction of the overall cost of a full development project. Development associated with new buildings would continue to be required to construct matching enclosures. As previously noted, the amendment also does not apply to larger building expansions that increase the gross floor area by over 50%. These larger building expansion projects would be required to construct a matching enclosure when an enclosure does not already exist.

Based on staff's findings, we offer the following modifications for the Board's consideration. For ease of reference, proposed new text is referenced in red/underlined font and deletions are referenced in ~~strikethrough~~ font.

Chapter 13130. Trash Enclosures and Grease Trap Facilities

- 13130.010** Every development with the exception of individual single-family residential dwellings will be required to provide one or more trash enclosures for solid waste collection. Said trash enclosure and/or grease trap facility shall be located so as to:
- A.** Facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way; and
 - B.** Constructed according to specifications established by the Town of Indian Trail Land development Standards and/or the Planning Director to allow for collection without damage to the development site or the collection vehicle. When not in use, the trash enclosure and/or grease trap facility must remain closed as to not unduly cause any vehicular traffic interference.
- 13130.020** When required, all trash enclosure and/or grease trap facility shall be screened pursuant to the following:
- A.** Trash enclosures and/or grease trap facilities constructed to serve new buildings or expansions greater than 50% of the existing building's gross floor area shall be fully enclosed with a wall to a minimum height of eight feet to block 100 percent of the view into the enclosed area. The trash enclosure and/or grease trap facility shall match the primary color and material of the building when viewed from the public or private right-of-way. Said trash enclosure and/or grease trap facility shall also include an opaque gate(s) constructed of either synthetic wood or painted ~~corrugated~~ metal affixed to a metal frame.
 - B.** Trash enclosures and/or grease trap facilities constructed to serve existing buildings or building expansions constituting less than 50% of the existing building's gross floor area shall be fully enclosed with a wall to a minimum height of eight feet to block 100 percent of the view into the enclosed area. The trash enclosure and/or grease trap facility shall match the primary color and be constructed of a material consisting of brick, natural or synthetic masonry stone, architecturally finished block material, fiber cement (i.e. Hardie products) panels or siding, or EIFS when viewed from the public or private right-of-

way. Said trash enclosure and/or grease trap facility shall also include an opaque gate(s) constructed of either synthetic wood or painted metal affixed to a metal frame.

- C. The trash enclosure panels and gate may be constructed of vinyl on metal posts/supports if they are not visible from the right-of-way and are located within one of the business/industrial parks identified below. The minimum 8-foot tall gate shall include a self-latching mechanism.
1. Indian Trail Business Park
 2. Indian Trail Industrial Park
 3. Industrial Venutres I & II
 4. Old Hickory Business Park
 5. 74 Industrial Park
 6. Sun Valley Industrial Park
 7. Town industrial Park

Plant material shall supplement the trash enclosure. Planting material shall screen 25 percent of the trash enclosure wall area. Planting material shall consist of a minimum of six low branching evergreen shrubs a minimum of 3 feet in height at time of planting.

Required Consistency Findings

The Planning Board is required to make two consistency findings, one for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing #5 and Economic Development Goal #3:** The proposed text creates additional flexibility in the design of refuse and grease trap enclosures for existing businesses, which will promote small business growth in a manner that is supportive of community aesthetics.
2. This UDO ordinance amendment is in the best interest of the public because it helps promote attractive community aesthetics in a manner that is not burdensome to the small business community.

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of this UDO Text Amendment ZT2016-006 as presented.

Staff Contact

Rox Burhans,
704-821-5401
rburhans@planning.indiantrail.org

Attachment 1: Dumpster/Grease Trap Enclosure Examples

Attachment 2: Application

ATTACHMENT ONE
Dumpster and Grease Trap Enclosure Examples

Dumpster/Grease Trap Enc. Examples

Architectural Block



Architectural Block



Dumpster/Grease Trap Enc. Examples

Synthetic Stone



Brick



Dumpster/Grease Trap Enc. Examples

Hardie Siding



Hardie Panel

(not a dumpster)



Dumpster/Grease Trap Enc. Examples

EIFS/Stucco



ATTACHMENT TWO
Application

UDO TEXT AMENDMENT APPLICATION



PLANNING & NEIGHBORHOOD SERVICES

130 Blythe Drive

PO Box 2430

Indian Trail, NC 28079

Telephone (704) 821-5401

Fax (704) 821-9045

ONLY COMPLETE APPLICATIONS ACCEPTED

Processing Fee \$500.00

A TECHNOLOGY FEE, 10% OF PROCESSING FEE, WILL BE APPLIED TO THE TOTAL FEE.

UDO TEXT AMENDMENT APPLICATION

Subject Section of the UDO:

Name Trash Enclosures and Grease Trap Facilities

Chapter: UDO 13130.020

Purpose: To modify enclosure requirements associated with existing buildings and expansions.

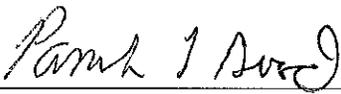
Contact Information – Applicant

Name Town of Indian Trail
Address PO Box 2430
City Indian Trail, State: NC Zip: 28079
Phone 704-821-5401 Fax 704-821-9045
Email sjk@engineering.indiantrail.org

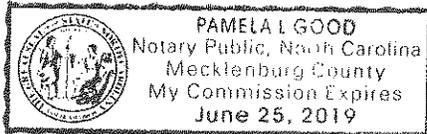
Applicant's Certification

Signature  Date 4/8/16

Printed Name/Title Scott Kaufhold, Town Manager

Signature of Notary Public  Date 4-8-16

Notary Seal



TOWN OF INDIAN TRAIL OFFICE USE ONLY

CASE NUMBER: ZT 2016-006

DATE RECEIVED: 4/8/16

AMOUNT OF FEE: N/A

RECEIVED BY: 

RECEIPT #: _____