

Petition #: 2017-169

Revised 12-14-17

Petitioner: City of Charlotte – Solid Waste Services

ORDINANCE NO. _____

**AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section . Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

A. CHAPTER 2: DEFINITIONS AND RULES OF CONSTRUCTION

1. PART 2: DEFINITIONS

- a. Amend Section 2.201 to add the following definitions in alphabetical order:

Large Waste Container.

A dumpster, compactor, open-top container, and detachable container that is used for collecting, storing, or transporting solid waste. A Large Waste Container has a minimum capacity of two cubic yards and picked up by a specially equipped truck for transporting the waste materials to the disposal site.

Recycling Station.

The area designated for the collection and temporary storage of recyclables.

Small Waste Container.

The City-issued receptacle for use by a person for solid waste collection services provided by the City.

- b. Amend Section 2.201 by modifying the following definitions:

Recycling collection center.

An area containing one or more “~~Recycling containers~~ Stations” operated by a unit of local government, or its designee, which is set aside and used by members of the public, including business entities, to collect recyclable materials.

Recycling container.

Any Containers, including but not limited to a Large Waste Container or Small Waste Container, used exclusively for the collection and temporary storage of recyclable materials.

B. CHAPTER 12: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

1. PART 4: ACCESSORY USES AND STRUCTURES

- a. Amend Section 12.403, “Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, and service entrances”, subsection (3) and subsection (4) by 1) modifying the title, 2) modifying the language for set aside space for solid waste and recycling containers in multi-family complexes, and 3) modify the table for required space allocation for recycling containers in multi-family units. Subsection (1) and (2) remain unchanged. The modifications shall read as follows:

Section 12.403. Solid waste containers, compactors, recycling containers, solid waste and recycling handling areas, Large Waste Containers, Recycling Stations, space allocations, and service entrances.

The following requirements shall apply to ~~all solid waste containers (including dumpsters), compactors, recycling containers, solid waste and recycling handling areas~~ any Large Waste Container and any solid waste containers (including dumpsters), compactors, Recycling containers, Station, solid waste and recycling handling areas space allocations, and service entrances accessory to any multi-family or nonresidential use and shall be shown on submitted plans:

- (1) Except as provided in subsection (2) below, any such accessory use or structure shall be screened on three sides by a fence, wall or planting materials from the public view from public streets and any abutting properties located in a residential, research, office, or business zoning district in accordance with [Section 12.303](#).
- (2) Screening in accordance with [Section 12.303](#) shall not be required where any buffer, as set out in [Section 12.302](#), separates such accessory uses and

structures from the public street or abutting property.

(3) All Uses.

When a ~~recycling container~~ Recycling Station is placed on a property permitted before October 17, 2001, the minimum number of parking spaces required by these regulations may be reduced by up to three (3) spaces for each ~~recycling container~~ Recycling Station, if necessary, to provide space for the location and servicing of the ~~recycling container~~ Recycling Station. This provision is included in these regulations to allow existing uses or uses for which building permits have been obtained prior to the date set forth above to place ~~recycling containers~~ any Recycling Station on the property without the location of ~~recycling containers~~ any Recycling Station creating a violation of these regulations.

Residential uses only.

When a ~~solid waste container or compactor~~ Large Waste Container is placed on a property permitted before October 17, 2001, the minimum number of parking spaces required by these regulations may be reduced by up to three (3) spaces for each ~~compactor~~ Large Waste Container, and two (2) spaces for each ~~solid waste container~~ if necessary, to provide space for the location and servicing of the ~~compactor and solid waste containers~~. [This provision is included in these regulations to allow existing uses or uses for which building permits have been obtained prior to the date set forth above to place any Large Waste Container ~~compactors, and/or solid waste containers~~ on the property without the location of such Large Waste Container ~~compactors and/or solid waste containers~~ creating a violation of these regulations.]

- (4) All non-residential uses that are permitted after October 17, 2001, shall be required to set aside space for ~~recycling and solid waste containers~~ any Large Waste Container and any Recycling Station. Equal space shall be allocated for both Large Waste Containers (as defined in Chapter 10 of the city code) and any Recycling Stations. ~~recycling and solid waste containers~~. Any space allocation for each of these containers shall be indicated on the submitted plans, even if containers are not proposed as the primary method of solid waste or recycling collection.

All multi-family complexes, which are permitted after October 17, 2001, shall be required to set aside space for any Large Waste Container and any Recycling Station ~~recycling containers and solid waste containers~~ used for the collection of solid waste as follows.

Space for Solid Waste Containers Large Waste Containers. - ~~At a minimum, space for an eight (8) cubic yard container per each thirty (30) units or eight (8) cubic yard compactor per each ninety (90) units. If there are less than thirty (30) units, no space allocation is required unless solid waste container service is the primary method of collection. For eleven (11) units or less, no space allocation is required unless a Large Waste Container will be used for collection. For twelve (12) units or more, the minimum space allocation shall be an eight (8) cubic yard container per every thirty (30) units or eight (8) cubic yard compactor per every ninety (90) units.~~

Space for Recycling Stations ~~recycling containers~~ shall be allocated as follows:

Required space allocation for recycling stations containers in multi-family developments		
Number of Units	Allocate space for:	Approximate Sq. footage required
0— 29 11	No space required	No space required
30 12—80	One recycling station	144 sq. ft.
81—160	Two recycling stations	2 × 144 sq. ft. (288 sq. ft. total)
161—240	Three recycling stations	3 × 144 sq. ft. (432 sq. ft. total)
241—320	Four recycling stations	4 × 144 sq. ft. (576 sq. ft. total)
321—400	Five recycling stations	5 × 144 sq. ft. (720 sq. ft. total)
401—480	Six recycling stations	6 × 144 sq. ft. (864 sq. ft. total)
For each subsequent group of 80 units, space for one recycling station must be added.		
Each recycling station represents space for five 96-gallon carts and is approximately 144 sq. ft. Space for recycling stations may be distributed throughout the complex, however, space for each individual station must equal 144 sq. ft. with a minimum width of 34 inches and accommodate five 96-gallon carts.		

All locations for Recycling Stations, Large Waste Containers, space allocations, ~~recycling containers, solid waste and recycling handling areas, solid waste containers and/or compactors,~~ and their service entrances as required under section 12.403 shall be shown on site plans for their review and approval.

Exceptions to Section 12.403, ~~item~~ subsection (4).

A permit shall not be denied if: (a) the project for which the permit is sought is for the renovation or redevelopment of an existing building or facility, and (b) the existing building or facility does not have sufficient exterior property available for ~~a recycling container(s).~~ any Recycling Station. The minimum number of parking spaces required by these regulations may be reduced by up to three (3) spaces, if necessary, to provide space for the location and servicing of ~~recycling containers~~ any Recycling Station.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.