

**AN ORDINANCE
AMENDING THE ZONING ORDINANCE TO REMOVE SECTIONS 5-11(B)2.E.II; 5-12(B)4.II;
5-13(B)1.D.II; AND 5-14(B)1.E.II REGARDING DUMPSTER SCREENING AND ADD
SECTION 6-13(B)2 TO REQUIRE OPAQUE SCREENING ON ALL SIDES OF DUMPSTERS
THROUGHOUT THE CITY AND ADDING SUBSECTION (D) FOR AMORTIZATION**

Whereas, the City of North Charleston is charged with protecting the health, safety, and welfare of the community; and incident to this authority, the City of North Charleston regulates zoning; and

Whereas, the City of North Charleston is, by South Carolina statute, empowered to enact zoning regulations to govern development within its boundaries; and

Whereas, the Flood Wise Action Committee of the City of North Charleston has recommended for the entire city to have screening requirements for all dumpsters; and

Now, therefore, be it ordained by the Mayor and Council, in Council assembled, that Sections 5-11(b)2.E.ii; 5-12(b)4.ii; 5-13(b)1.D.ii; and 5-14(b)1.E.ii are hereby removed as shown in ~~strike-through~~ below, and Section 6-13 of the Zoning Ordinances of the City of North Charleston be amended by the addition of Sub-section 6-13(b)2 and subsection (d) as shown in **bold** below:

Section 5-11. - Dorchester Road Corridor I district:

E. Loading zone buffers.

ii. ~~— Dumpsters~~

~~Garbage dumpsters shall be screened and buffered with an eight (8) foot high opaque fence or walls on four (4) sides.~~

Section 5-12. - Dorchester Road Corridor II district:

4. Required screening:

ii. ~~— Dumpster screens: Garbage dumpsters shall be screened and buffered with an eight (8) foot high opaque fence or walls on four (4) sides.~~

Section 5-13. - Ladson Road overlay district:

D. Required screening:

ii. ~~— Dumpster screens: Garbage dumpsters shall be screened and buffered with an eight (8) foot high opaque fence or walls on four (4) sides.~~

Section 5-14. - University Boulevard overlay district:

E. Required screening:

ii. ~~— Dumpster screens: Garbage dumpsters shall be screened and buffered with an eight (8) foot high opaque fence or walls on four (4) sides.~~

Section 6-13. - Screening:

- (a) *Definition and purpose.* Screening is a method of buffering used to block or obscure a particular element or use from view by minimizing the visual impact of potentially unsightly open storage areas and refuse disposal facilities.
- (b) *Where required.* Screening specified by this section shall be required for:
1. Mechanical equipment (whether ground level, raised, or rooftop) associated with apartment buildings and non-residential uses and for all open storage areas not devoted to retail sales visible from any public street. This includes open storage areas for shipping containers, building materials, appliances, salvage materials and similar unenclosed uses.
 2. **Dumpsters or any trash, refuse, recycling, or other temporary waste storage containers shall be screened and buffered with built enclosures defined as an eight (8) foot high opaque fence or wall on all sides.**
- (c) *Type screening required.* Screening shall be opaque divide and may be accomplished by the use of sight obscuring plant materials (generally evergreens), earth berms, walls, fences, architectural elements, proper siting of disruptive elements, building placement or other design techniques approved by the zoning administrator. Screening shall be of sufficient height to totally obscure the screened item/use from view. With respect to the screening of all items/uses other than mechanical equipment, the screening shall be not less than eight (8) feet high.
- (d) **Amortization. Any existing trash dumpster that is not properly screened by January 31st, 2020 must come into compliance prior to the license renewal of the business.**

THE ABOVE ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained by City Council this 27TH day of June, 2019, in the Year of Our Lord and in the 242nd year of Independence of the United States of America.


R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:


LEGAL COUNSEL

ATTEST:


JULIE ELMORE, ACTING MUNICIPAL CLERK

PROPOSED ZONING ORDINANCE TEXT AMENDMENT

TITLE: An Ordinance To Establish the Standards
for the Screening on All Sides of Dumpsters
Throughout the City.



North Charleston a great place to live, work, and play

Section 6-13. - Screening:

- (a) *Definition and purpose.* Screening is a method of buffering used to block or obscure a particular element or use from view by minimizing the visual impact of potentially unsightly open storage areas and refuse disposal facilities.
- (b) *Where required.* Screening specified by this section shall be required for:
1. Mechanical equipment (whether ground level, raised, or rooftop) associated with apartment buildings and non-residential uses and for all open storage areas not devoted to retail sales visible from any public street. This includes open storage areas for shipping containers, building materials, appliances, salvage materials and similar unenclosed uses.
 2. **Dumpsters or any trash, refuse, recycling, or other temporary waste storage containers shall be screened and buffered with built enclosures defined as an eight (8) foot high opaque fence or wall on all sides.**
- (c) *Type screening required.* Screening shall be opaque divide and may be accomplished by the use of sight obscuring plant materials (generally evergreens), earth berms, walls, fences, architectural elements, proper siting of disruptive elements, building placement or other design techniques approved by the zoning administrator. Screening shall be of sufficient height to totally obscure the screened item/use from view. With respect to the screening of all items/uses other than mechanical equipment, the screening shall be not less than eight (8) feet high.
- (d) **Amortization. Any existing trash dumpster that is not properly screened by January 31st, 2020 must come into compliance prior to the license renewal of the business.**

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 27, 2019

DATE: June 24, 2019

ITEM TITLE: An Ordinance Amending the Zoning Ordinance to Remove Sections 5-11(b)2.E.ii; 5-12(b)4.ii; 5-13(b)1.D.ii; and 5-14(b)1.E.ii Regarding Dumpster Screening and Add Section 6-13(b)2 to Require Opaque Screening on All Sides of Dumpsters Throughout the City and Adding Subsection (d) for Amortization

SUBMITTED BY: Gwen Moultrie (843) 740-2572

SUMMARY EXPLANATION:

The Flood Wise Action Committee has recommended that the current overlay requirements of screening of dumpsters on all four sides should be extended to all areas of the City in order to assist in the reduction of pollutants during flood events.

STAFF RECOMMENDATION:

Staff recommends approval.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

On May 13, 2019, the Planning Commission held a public hearing and voted unanimously to recommend approval of the zoning text amendment (6-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

On June 20, 2019 the Public Safety Committee voted unanimously to recommend approval of the Ordinance as presented (9-0-0).

COUNCIL ACTION:

EXHIBIT

___Resolution_X___Ordinance___Contract___Minutes___Plan/Map___Transfer of Funds___Other