

PLANNING DEPARTMENT DISCUSSION ITEM REPORT



Date: September 11, 2017

General Description: Gateway Overlay Corridor Discussion

Town Council Initiated Planning Board Initiated Staff Initiated

DISCUSSION OVERVIEW:

In April, the Planning Board brought up some areas of their concern regarding the recently adopted Gateway Overlay Corridor. These topics included (1) the interpretation of the triggering criteria for existing development; (2) bicycle parking requirements; (3) shared enclosures/dumpster areas; and (4) lighting apparatus requirements.

In May, Staff discussed the status of researching these items. The Board was informed in brief as nothing conclusive had been fully researched.

In June, the Board decided they wished to have this as an agenda item for discussion.

In July, the Board discussed these topics at their regularly scheduled meeting. It was decided that some of the items need less tweaking and maybe just the addition of examples to serve as guidance. Some language is needed to be altered in some areas and this will be covered below.

In August, the Board further discussed these topics. Language review for lighting, interpretation, and bicycles were covered and approved. Further, examples of bicycle racks were reviewed with the Board agreeing that seeing example types of smaller/customizable rack styles would aid in the applicant's understanding of what may be expected. Staff commented that there was still some research for shared facilities and lighting examples that needed to be done. The Board also made the statement that holding off on individual amendments and doing a larger overall amendment would be more efficient and economical.

Also, a section for the possible amendments that the Board has given approval for has been added to this report. This new section is called Tentative Amendments. This has been added for reference to what has come before instead of having to keep track of past reports.

STAFF COMMENTARY

As mentioned above, the four topics previously brought up, but by no means the only ones up for discussion are: (1) the interpretation of the triggering criteria for existing development; (2) bicycle parking requirements; (3) shared enclosures/dumpster areas; and (4) lighting apparatus

requirements. Below is a brief commentary from Staff's perspective regarding these topics since the last discussion.

The Interpretation of the Triggering Criteria for Existing Development

Presently, improvements which exceed 50% of the structure's tax value of a 5,000 sf or less structure or exceed 25% of the structure's tax value of a structure greater than 5,000 sf must update landscaping, signage, and pedestrian travel. The Board has brought up that they would like to see this not include the value of interior improvements.

Discussion surrounding this topic stayed true to the desire to leave out the interior work. The Board agreed that amending 6.07(A)3 and 6.07(A)4 to clarify that internal renovations would be excepted from the calculation would work best. **See below under Tentative Amendments for the Board's changes.**

Bicycle Parking Requirements

The Board had shared some concerns with how to implement this requirement. However, it was observed that there is only a minimum of three (3) spaces required and is not a strain for development/redevelopment in terms of costs. Staff presented the option of adding in photographic examples of small-scale rack options along with a minor amendment to the text for more ease of reading and understanding the number of required spaces for bicycles. The Board agreed with these suggestions. **See below under Tentative Amendments for the Board's changes.**

Shared Enclosures/Dumpster Areas

Not much was discussed regarding this topic other than a desire to see neighboring properties share enclosed areas for space management and appearance purposes. This would be great for appearance aspects, traffic flow through properties, and general site organization. **Staff is still researching possible regulations/language amendments.** Many of the examples found only require shared facilities in larger planned developments. There are a few that mention instead the option to share, but not required. Mostly, research has turned up that with individual developments the enclosures and collection areas are simply regulated to be accessible by collection agencies while being thoroughly screened from the public. **See below under Possible Amendments for Staff's researched options.**

Lighting Apparatus Requirements

This concern with this topic was that people felt the only allowed light would be the most expensive type. As Staff pointed out, and Board agreed, our existing language leaves room for interpretation and using a similar light as shown rather than just that light. The Board requested to remove pathway lighting feeling that it was not quite necessary. **See below under Tentative Amendments for the Board's changes.** Staff has gathered some examples of similar lighting fixtures that exhibit both the desired appearance using dark sky designs. **See below under Possible Amendments for Staff's researched options.**

POSSIBLE AMENDMENTS

DEPARTMENT OF PLANNING AND INSPECTIONS

As referenced above, Staff has prepared possible amendments and inserts for review. This section should be treated as not proposed amendments, but work-in-progress language for future amendment consideration.

Shared Enclosures

Below is sample language from a few places Staff has researched. These three examples run the range of language found. The first deals with collection placement and requirements in moderate detail, but gives the option to enter into shared agreement with a neighboring business. The second regulates mostly placement and size of collection facilities and enclosures with a large amount of detail. Finally, the third one is a simple quick statement. Note: This language was taken directly from their sources without modification of the language.

Essentially, these are presented for review and discussion. With limited new development and no guarantee that development will occur on consecutive properties, Staff believes that regulating enclosures and collection facilities with the option to for in-fill development to enter into agreement with existing development may be a more approachable and manageable process to regulate.

Example 1:

C-2 Site plans for approval of all commercial developments must show a designated pad for a dumpster and cardboard recycling container of a standard size and construction as noted in C-6 below. This is true even if the building is to be served by individual refuse containers. The businesses noted in B-4 above are exempt from this requirement.

C-6. Commercial and residential developments may be exempted from C-2 above if they enter into a shared refuse collection facility agreement with a neighboring business. A copy of this agreement must be submitted as part of the site plan approval package, and must specify the location and maintenance responsibility for the shared facilities.

C-7. Collection Device Pads must be a minimum 10' wide x 16' deep, and must be constructed of reinforced paving material, able to withstand 50,000 lb. load (6" concrete over 6" compacted stone on compacted soil). Areas 30' in front of the pads should also be reinforced to a pavement strength that will withstand the pressures of a 25 ton collection vehicle; 8" sub-base and 3" asphalt surface course or 8" reinforced concrete.

C-8. Collection devices must not be placed in any area where they will block sidewalks, parking spaces or be located within public rights of way. They must be located in accordance with access standards noted in Sec. A above, and must be screened from view of the public right-of-way and from residential properties in accordance with C-8 below.

C-9. Collection devices must be screened from view by means of a closed fence or wall at least 6 feet high, and consist of the same or compatible material and color of the principal structure on the property, or by a landscape screen consisting of evergreen plant materials which will reach a height of 6 feet or greater within 3 years, or by a combination of earth berm and plant materials that will collectively reach a height of 6 feet within 3 years. The minimum size of plant materials at the time of installation is 3 feet with no gap between plants greater than 4 feet (Code reference: 10-2082.8). The opening of any screening structure must be a min. 10' in width. If a gate is to be used on

DEPARTMENT OF PLANNING AND INSPECTIONS

an enclosure structure, the gate must be opened prior to the collection time, and the gate doors must be able to be secured in an open position. Drivers of collection vehicles will not open or close enclosure doors.

Example 2:

Dumpster Placement

The City's garbage and recycling collection trucks must be able to easily access dumpsters. Service vehicles must be able to enter, service a dumpster, back up, and depart without having to make unnecessary maneuvers. The path for these trucks should not be obstructed by parked vehicles, medians, curbs, buildings or other obstructions. Service trucks must be able to lift dumpster to empty them without obstruction from overhead wires or tree limbs. Dumpsters may not be placed on public streets, allies, sidewalks or any public property. The vehicle approach and container must be on the same grade in order to be serviceable.

Enclosure

The enclosure entrance must be at least 12 feet wide to allow for adequate access for collection trucks. Enclosures with more than one container should add 10 feet of width per additional dumpster. For example, if your enclosure has two containers, the opening should be at least 22 feet wide. If the enclosure has doors, it must be constructed so that the doors remain open while the dumpsters are being serviced. If screening material is placed around the enclosure, there must be two fixed barrier guard posts placed behind each dumpster. Side posts are acceptable but not mandatory. The City's Engineering and Inspections Department has regulations for the materials that can be used for your enclosure.

- A. In cases of new construction, building plans submitted as part of the site plan approval process must indicate the location of the dumpster pad. Pad construction must be in conformance with the **Commercial Dumpster Design Standards Manual**.
- B. All dumpsters for solid waste removal must comply with the following standards:
 1. The container capacity must be at least 6 cubic yards and no more than 8 cubic yards, except when the use of a compactor is approved by the Field Operations Director.
 2. The stationary container must be located in a manner that:
 - a. permits convenient and safe access by the servicing vehicle using all-weather streets and alleys of adequate strength;
 - b. allows the service vehicle operator to service the container, backup and depart without having to make unnecessary maneuvers;
 - c. does not create an obstruction for pedestrians and other vehicles using nearby sidewalks, streets or alleys;
 - d. minimizes the walking distances for tenants and occupants;
 - e. allows a minimum 24-foot overhead clearance for the centralized stationary container at all times;
 - f. avoids storm drain grates being placed in the driving path of the truck; and
 - g. locates grease containers in a manner that minimizes the possibility of a grease spill when the dumpster is serviced.
- C. Stationary container setbacks:
 1. A stationary container may not be located within the minimum building setback along a street. The Technical Review Committee is authorized to grant a Type 2 Modification to this standard if the container is located to minimize visibility from a public street.

DEPARTMENT OF PLANNING AND INSPECTIONS

2. Stationary containers located on lots abutting a residential zoning district or lot occupied by a residential use must be set back from applicable side and rear property lines in accordance with the minimum building setback requirements of the subject zoning district.
 3. Stationary containers located on lots that are not abutting a residential zoning district or lot occupied by a residential use must be set back from side and rear property lines by at least 5 feet.
- D. All dumpsters or other similarly large trash receptacles, including compactors, must be screened from view of public street rights-of-way, the common elements of any private street or drive, existing or planned greenways (as shown on the adopted BiPed Plan), and any residential zoning district as follows:
1. Dumpsters must be screened by using an opaque wall or fence. Chain-link fencing with woven slats of opaque material is not acceptable for screening dumpsters, on either the gates or enclosure sides.
 2. The opaque screening material or structure must have a minimum height of 8 feet, and
 3. screening is not required in the HI district, unless the dumpster is located within 100 feet of a residential land use.

Example 3:

(2) Fences, Gates, Columns, and Walls. Walls or fences to contain dumpsters will be required. These structures should be at least 2' higher than the object that it will screen. The wall or fence shall conform to the building architecture material and style.

Lighting

Below are some samples of street lamp styles that are similar to the one currently pictured. Each of these options is designed to promote dark sky principles.



TENTATIVE AMENDMENTS

This section lists the amendments as previously agreed upon by the Board. They appear here as they would during a text amendment. These are not final and still may be adjusted as desired. Additions are represented as **RED** and removal is represented as ~~STRIKETHROUGH~~.

SECTION 6.07(A)3 to be amended as follows:

DEPARTMENT OF PLANNING AND INSPECTIONS

e. Those buildings existing on the effective date of the establishment of this overlay whose **exterior** improvements do not exceed 50% of the structure's tax value of a 5,000 sf or less structure or do not exceed 25% of the structure's tax value of a structure greater than 5,000 sf. Tax values shall be based upon those provided by the Brunswick County Assessor's office. **Internal renovations of existing buildings will not count towards these improvement costs.**

SECTION 6.07(A)4 to be amended as follows:

4. Expansion of Existing Uses.

Those buildings whose **exterior** improvements exceed 50% of the structure's tax value of a 5,000 sf or less structure or exceed 25% of the structure's tax value of a structure greater than 5,000 sf (tax values shall be based upon those provided by the Brunswick County Assessor's office) after the effective date of this overlay, the following requirements shall be met:

e. Exception: The costs of any internal renovations of existing buildings will not count towards the percent value of the structure's tax value when determining if the expansion of existing uses must execute items a-d of this section.

SECTION 6.07(B)2 to be amended as follows (will include picture additions):

a. A minimum of 3 bicycle parking spaces shall be provided. ~~In addition to the required number bicycle rack spaces, spaces shall be provided at a rate of 1 bicycle space for every 20 required parking spaces; up to a maximum of 6 bicycle spaces. In the instance of a resulting fraction in calculation, the number shall be rounded up to the next applicable number.~~

b. Additionally, bicycle spaces shall be provided at a rate of 1 bicycle space for every 20 required parking spaces (round up fractions) up to a maximum of 6 bicycle spaces.

c. Below are examples of small-scale bicycle racks.



SECTION 6.07(D) to be amended as follows:

~~(4)~~ For all lots with an existing or proposed cumulative building square footage of less than 25,000 sq. ft., all parking lot lighting shall be limited to a maximum height of 25 ft. Where possible, light poles shall be selected so they are consistent with existing lighting fixtures within the overlay district. Such lighting should be selected as a Brunswick Electric Membership Corporation (BEMC) specialty

DEPARTMENT OF PLANNING AND INSPECTIONS

fixture comparable with the image contained within this section. The Planning Board may apply discretion in selection of any lighting fixtures.

~~(2) Decorative pathway lighting shall be provided for all pedestrian paths required by this overlay. Such lighting may include landscaping or bollard lighting to allow for adequate illumination of the path during night hours.~~

WHAT'S NEXT?

The Planning Board should discuss these items and others as they see fit regarding this overlay. Based on how these possible amendments are perceived we may continue with further review or prep for a future text amendment.