



PLANNING

To: Planning & Zoning Commission **Item No. 6**

From: Suzanne Porter, Planning Manager

Through: David Hoover, Director of Development Services

Re: Planning & Zoning Commission Meeting – November 7, 2023

Agenda Item:

Conduct a Public Hearing to consider an ordinance amending Chapter 4, Section 5.2 – Location of Required Screening, of the Town of Prosper Zoning Ordinance to modify the screening requirements for trash and recycling collection areas. (ZONE-23-0025)

Description of Agenda Item:

Trash and recycling collection areas are necessary but can be unsightly. Regulations are in place within the Town's Zoning Ordinance to minimize the visibility of the containers. Based on discussions and comments provided by the Town Council, Staff has reviewed the criteria and is recommended additional criteria to minimize the visual impact of the refuse, the containers and the screening walls installed that shield them. Specific height regulations for the screening walls are being removed and replaced with a general requirement that the walls be of sufficient height to screen the container, since container heights may vary or change over time.

The following is a summary of the modifications:

1. Trash and recycling collection areas shall not be located between a building and street unless approved by the Director of Development Services, or his/her designee.
2. The metal gate shall be closed at all times unless the container(s) are being serviced.
3. The height of the screening walls will be of sufficient height to entirely screen the container(s).
4. A row of evergreen shrubs will be provided in a five-foot landscape area around all three walls of the enclosure.
5. The path used from the business door to the collection area enclosure shall remain clear of debris and food residue at all times.

Below are pictures of trash and recycling enclosures taken on a Sunday morning.





Examples of dumpster screening with landscaping around the screening walls:



Examples of dumpster screening without landscaping around the screening walls:



Comprehensive Plan:

Staff finds that the proposed modifications are compliant with the following guiding principle and goal of the Comprehensive Plan:

Guiding Principle: *Quality Development - Maintain the community's small-town feel by ensuring quality development occurs in a cohesive manner, compatible with neighboring developments.*

Goal 4: *Require high-quality and visually attractive characteristics in both residential and nonresidential developments.*

Legal Obligations and Review:

Notification was provided as required by the Zoning Ordinance and State law. Staff has not received any response to the proposed zoning text amendment to date.

Attached Documents:

1. A red lined version of the current Zoning Ordinance sections that are proposed to be amended with additions shown in blue and underlined, and the deleted sections shown in red with ~~strike~~ through.
2. A final version of the proposed text amendments.

Town Staff Recommendation:

Town Staff recommends approval of the amendments to the screening requirements for trash and recycling collection areas within the Zoning Ordinance.

Town Council Public Hearing:

Upon a recommendation by the Planning & Zoning Commission, a Public Hearing for this item will be scheduled for the Town Council at their Regular meeting on November 14, 2023.

Attachment No. 1

A red lined version of the current Zoning Ordinance sections that are proposed to be amended with additions shown in blue and underlined, and the deleted sections shown in red with ~~strike~~ through.

CHAPTER 4 DEVELOPMENT REQUIREMENTS

* * *

SECTION 5. SCREENING FENCES AND WALLS

* * *

5.2 Location of required screening.

* * *

E. Trash and recycling collection area requirements are as follows:

6. Trash and recycling collection areas shall be located to minimize visibility.
7. Trash and recycling collection areas shall not be located between a building and street unless approved by the Director of Development Services, or his/her designee.
8. Collection area enclosures shall contain permanent walls on three sides with the service opening not directly facing any public right-of-way or any residentially zoned property, unless setback a minimum of 250 feet from the right-of-way or residentially zoned property. The fourth side will incorporate a metal gate of a height equal to the height of the wall to visually screen the dumpster or compactor. The metal gate shall be closed at all times unless the container(s) are being serviced.
9. Screening enclosures shall be visually and aesthetically compatible with the overall project.
10. Trash and recycling receptacles shall be screened with a ~~six-foot~~ clay fired brick or stone wall of sufficient height to entirely screen the container(s) and of a color that is consistent with the color of the primary building.
11. Trash compactors shall be screened with ~~an eight foot~~ a clay fired brick or stone wall of sufficient height to entirely screen the container(s) and of a color that is consistent with the color of the primary building.
12. Enclosure sizes and specifications shall be determined by the ~~town's~~ Town's trash and recycling contractor.
13. A row of Nellie R. Stevens Holly, or other evergreen species as approved by the Director of Development Services, or his/her designee, that is a minimum four feet in (4') height at the time of

planting and has a mature height of a minimum six feet (6'), shall be planted in a minimum five-foot (5') wide landscaped area that borders the three permanent walls of the enclosure. If this required landscape area is located on the perimeter of the property, the perimeter landscape area may be used towards this requirement and will not need to be widened, provided that it is a minimum five feet (5') in width and can accommodate the required plantings.

14. The path used from the business door to the collection area enclosure shall remain clear of debris and food residue at all times.

Attachment No. 2

A final version of the proposed text amendments.

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