



## Text Amendment Application

***Incomplete submissions will not be accepted.***

### Applicant Data

Date of Application 5/5/2017

Name Piedmont Wrecking and Grading Company, Inc.

Address 11898 Everette Keith Road Huntersville, NC 28078

Phone Number (home) 704-875-1166 (work) 704-875-1166

Email Piedmontgrading@aol.com

### Fee

Text Amendment to the Zoning/Subdivision Ordinance Fee \$400.00

### Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

### Description of Change (If possible, please provide a Word document of the proposed text change)

Proposed text amendment will affect the following:

Ordinance: Zoning Ordinance Article: 9 Section: 9.23.9 (d))

Current Text: [See Attached]

Proposed Text: [See Attached]

Reason for requested change (attach additional sheets if necessary): [ See Attached]

**NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.**

## Signatures

I hereby certify that the information presented by me in this application is accurate to the best of my knowledge, information and belief. Piedmont Wrecking and Grading Company, Inc.

Applicant Signature: Wayne Herr Date: 5-16-2017

## Contact Information

Town of Huntersville  
Planning Department  
PO Box 664  
Huntersville, NC 28070

Phone:	704-875-7000
Fax:	704-875-6546
Physical Address:	105 Gilead Road, Third Floor
Website:	<a href="http://www.huntersville.org/Departments/Planning.aspx">http://www.huntersville.org/Departments/Planning.aspx</a>

## ATTACHMENT TO TEXT AMENDMENT

**Ordinance:** Huntersville Zoning Ordinance

**Article:** Article 9 – Condition for Certain Use

**Section:** 9.23.9 (d) – Off-Site Land Clearing and Inert Debris (LCID)

**Party Proposing the Amendment:** Piedmont Wrecking and Grading Company, Inc. is proposing this Text Amendment as the owner of a disposal facility for land clearing and inert debris at 11898 Everett Keith Road in Huntersville, North Carolina. Tax Parcel Number: 01932108.

### Reason for Requested Change:

1. Disposal facilities for land-clearing and inert debris ("Greenfills") benefit the environment because they facilitate and encourage the recycling of waste generated from land-clearing activities and material that is inert, such as gravel, rock, untreated soil and untreated and unpainted wood.
2. Greenfills support the building industry by taking in land-clearing and inert debris and providing opportunities for transfer of these materials to appropriate recycling facilities.
3. Materials brought to a Greenfill facility are often transferred to appropriate recycling facilities and, as a result, the time required to fill the facility can be significantly delayed. Allowing the continued operation of Greenfills that have not reached full capacity would encourage the recycling of Greenfill materials because Greenfill operators would be incentivized to recycle in order to continue operation of their Greenfill facilities.
4. Local zoning and land use ordinances that require closure of landfills prior to the date the landfills would otherwise be closed under state law also apply to Greenfills and so reduce the benefits of Greenfills to the public and private sector by requiring early closure of these environmentally beneficial facilities and removing a resource for recycling from the building industry.
5. The proposed text amendment would allow Greenfills to benefit the public, providing a valuable resource for recycling to the building industry, until they are required by state law to close.

### Current Text:

*d). In no event shall the landfill operate under a LCID or demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion*

*closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.*

**Proposed Text:**

*d). In no event shall the landfill operate under a ~~LCID~~ or demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.*