



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

Subject: Testimony in for Bill No. 60-2017

To: Lonnie Robbins, Chief Administrative Officer, Department of Administration

From: ✓ Valdis Lazdins, Director, Department of Planning and Zoning (DPZ)

Date: June 28, 2017

The Department of Planning and Zoning (DPZ) supports Council Bill No. 60-2017 (CB 60), which proposes to amend the Howard County Zoning Regulations to allow certain composting and natural wood waste recycling operations. CB 60 allows farmers to mulch or compost excess organic waste as part of a farming operation. It also limits commercial wood waste and composting operations to properties that are in the M-1, M-2 or Solid Waste Overlay districts, or properties that are not encumbered with an agricultural preservation easement and that have obtained conditional use approval in the RC and RR districts.

To develop the proposed regulations, DPZ reviewed the work of the Wood Waste Task Force that met from July 2014 through February 2015 and convened a small working group consisting of farmers and residents from November 2015 through March 2016. Additionally, DPZ collaborated with subject matter experts from Fire and Rescue Services, Howard Soil Conservation District, Bureau of Environmental Services, Economic Development Authority, and the Office of Community Sustainability to craft criteria to regulate areas not already addressed by the Maryland Department of the Environment (MDE), Maryland Department of Agriculture (MDA), or the Howard County Fire Code.

The resulting Council Bill, establishes two new Conditional Use categories- Composting Facilities (CF) and Natural Wood Waste Recycling Facilities (NWWRF) and includes over a dozen Conditional Use criteria that must be met, only after receiving an MDE composting or wood waste recycling permit. Such criteria include, but are not limited to: setbacks to property lines, residential dwellings on other properties, wetlands and schools; screening and buffering; review by the Fire Marshall; hours of operation; and size limitations. The bill also incorporates MDE's recently revised composting regulations.

CB 60 protects land in the Agricultural Land Preservation Program (ALPP) from large scale wood waste or composting facilities. It prohibits establishing a CF or NWWRF on ALPP property unless it is accessory to a tree farm and is approved as a Conditional Use by the Hearing Authority, through a public hearing. To be eligible for this Conditional Use, each criterion must be met and the entire use area can be no larger than:

- 15% of the area actively farmed in trees or;
- 2% of the easement or;
- 2 acres.

DPZ worked closely with Councilmembers Sigaty and Fox to propose regulatory changes that recognize the importance of farming to the County and allow farmers to conduct agricultural activities, while simultaneously addressing concerns of residential neighbors related to large scale mulch and composting operations. Given the reasons stated above, DPZ supports Council Bill No. 60-2017 and appreciates Council's consideration.

cc: Jen Sager, Legislative Coordinator, Department of Administration
B. Diane Wilson, Chief of Staff