



CB- 60 -2017



**NATURAL WOOD WASTE RECYCLING
AND COMPOSTING REGULATIONS**

**COUNTY COUNCIL WORK SESSION
SEPTEMBER 25, 2017**



New Definitions

Natural Wood Waste Recycling: *the manufacture of horticultural mulch from natural wood waste that does not meet the definition of a natural wood waste recycling facility*

(Redline Bill- page 3, lines 19-21)

Horticultural Nursery: *an agricultural operation primarily engaged in the growing, harvesting and primary processing of trees, shrubs and plants. Plant material shall be grown on the premises and may be purchased elsewhere at any stage of maturity for production on the premises. Horticultural nurseries may engage in accessory uses such as storage of plant materials and sale of products necessary for the health of the nursery stock.***(Redline Bill- page 3, lines 26-31)**



Sections 104.0 (RC), 105.0 (RR), and 106.1 Preservation Easements

Amend Accessory Use Sections to:

- Clarify that composting and natural wood waste recycling activities **not** requiring an MDE permit are permitted accessory uses (Redline Bill- page 7, lines 25 and 26; pages 9-10, lines 24-25; page 11, lines 22-25)
- Eliminate Emergency Natural Wood Waste Recycling Facilities (Redline Bill- page 7, line 26, page 10, line 25, page 11, lines 24-25, page 18, lines 28-30, page 19 lines 1-30)

***Accessory Use** - a use that is customarily incidental to the principal use, serving no other use, and which is subordinate in area, intensity, and purpose to the principal use.*



Section 128.0 Special Farm Permits

- Eliminate Special Farm Permit for Emergency Natural Wood Waste Recycling Facilities (Redline Bill- page 16, lines 13-14; page 18, lines 28-30, page 19 lines 1-20)
- Special Farm Permits for Composting Facilities
 - On site retail sales: replace limitation on types of vehicles with a limitation on yearly sales (< 5% of annual production) (Redline Bill- page 18, lines 14-18)
 - Require a site layout be submitted as part of permit application (Redline Bill- page 18, lines 20-23)
 - Verify compliance with permit requirements after 2 years (Redline Bill- page 18, lines 23-26)



Section 131.0

Composting Conditional Use

- Prohibit Composting Facility Conditional Use on MALPF (Redline Bill- page 25, line 23)
- Amend Maximum Use area related to location: (Redline Bill- page 25, lines 29-30 and page 26, lines 1-5)
 - Less than 1 acre can be located anywhere in RC and RR
 - Greater than 1 acre must abut an interstate and cannot exceed 5 acres or 10%
 - Combined NWWR and Composting facilities are only allowed if the property abuts and interstate and is located within 1 mile of an interchange
- Delete road frontage requirements consistent with new location requirements (Redline Bill- page 27, lines 9-11)



Section 131.0

NWWRF Conditional Use

- Apply ALPP restrictions for NWWRF Conditional Uses to MALPF (Redline Bill- page 29, lines 25-26)
- Prohibit NWWRFs on easements created through a cluster subdivision (Redline Bill- page 29, lines 26-27)
- Same maximum use area/location requirements as Composting for non-Ag Pres (Redline Bill- page 30, lines 9-15; page 31, lines 11-13)



Section 131.0- NWWRF on Ag Pres

| Redline Bill Reference | CB 60 | Amendments |
|---|---|--|
| Page 29, lines 28-30 | NWWRF must be accessory to tree farm, tree nursery or Christmas tree farm | NWWRF must be accessory to horticultural nursery |
| Page 29, line 30; page 30, line 1 | Use area is less than 15% of the area actively farmed in trees | Use area is less than 15% of the area in active production |
| Page 30, line 1 | Use area cannot exceed 2 acres | Use area cannot exceed 1 acre |
| Page 30, lines 2-5; page 12, lines 23-30; page 13, lines 1-3) | Use area cannot exceed 2% of the easement | Retail sales cannot exceed 5% of annual production |



Section 131.0 Conditional Use Criteria

- Increase Setbacks:
 - From existing dwellings on different lots: 300 ft to 500 ft
 - 200 ft from property line to 300 ft from residential lot

(Redline Bill – page 27, lines 14-15 and page 31, lines 16-17)



Additional Information

Section 122.0 (M-1)- clarify that Natural Wood Waste Recycling that does not require an MDE permit is permitted as a matter of right. (Redline Bill- page 15, line 38)

This is a clarification of existing regulations consistent with the new definition of Natural Wood Waste Recycling