

1 **Amendment 1 Council Bill No. 20-2014**

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Legislative Day No: 7
Date: June 2, 2014

5
6 **Amendment No. 1**

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8 *(This amendment returns the regulations governing composting, mulching, and other wood*
9 *processing uses generally back to their pre-Comprehensive Zoning status.)*

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13 On the title page, strike the title, in its entirety, and substitute the following:

14 “AN ACT amending the Howard County Zoning Regulations to remove references to
15 composting and to limit areas where sawmills and mulch manufacturing are permitted; and
16 generally relating to the Howard County Zoning Regulations.”.

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18 On page 1, in line 3, strike “*amending*” and substitute “*repealing*”. On the same page,
19 strike lines 7 through 9. Also, on the same page, strike lines 12 and 13, and substitute:
20 “The definition of “Yard Waste Composting Facility””. Lastly, on the same page, strike lines 20
21 through 22, in their entirety.

22
23 On page 2, strike lines 1 through 7, in their entirety. On the same page, in line 9, strike
24 “amending” and substitute “*repealing*”. Immediately following line 9, insert “Number 15.
25 “Composting””.

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27 On page 2, immediately following line 12, insert the following:

28 “10. By adding:
29 Number 60. Yard Waste Composting Facility
30 Subsection N. Conditional Uses and Permissible Zoning Districts
31 Section 131.0: “Conditional Uses””.

32
33 Renumber the enactment clauses accordingly.

1 On page 2, in line 18, immediately before “Composting”, insert double brackets. In the
2 same line, after “facility”, strike the double brackets. On the same page, in line 21, after the
3 double brackets, strike the remainder of the page.

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5 On page 3, strike lines 1 through 3, in their entirety. On the same page, strike lines 5
6 through 17, in their entirety and substitute the following:

7 “YARD WASTE COMPOSTING FACILITY: A FACILITY AT WHICH YARD WASTE AND NATURAL
8 WOOD WASTE IS RECEIVED AND PROCESSED TO PRODUCE COMPOST FOR OFF-SITE USE.”

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10 On page 4, in lines 1 and 2, strike “, UP TO A MAXIMUM OF 1 ACRE” and substitute “OR UP
11 TO A MAXIMUM OF 1 ACRE FOR CLUSTER SUBDIVISION REMAINDER PARCELS.”

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13 On page 4, strike lines 18 through 19, in their entirety and renumber the remainder of the
14 subsection. On the same page, in line 22, strike the double brackets. On the same page, strike
15 lines 23 through 27, in their entirety.

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17 On page 6, strike lines 1 and 2, in their entirety. Lastly, on the same page, strike lines 23
18 through 27, in their entirety.

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20 On page 8, in line 25, strike “NATURAL WOOD WASTE RECYCLING FACILITY” and
21 substitute “MULCH MANUFACTURE.”

22 On the same page, strike beginning with line 28 down through line 21 of page 9.

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24 Strike pages 14 through page 17, in their entirety and page 18 through line 29 and
25 substitute the following:

26 “60. YARD WASTE COMPOSTING FACILITY

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28 A CONDITIONAL USE MAY BE GRANTED IN THE RC, RR, OR M-1 DISTRICTS FOR A YARD WASTE
29 COMPOSTING FACILITY, PROVIDED THAT:

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A. ONLY YARD WASTE (LEAVES, GRASS, BRUSH, YARD TRIMMINGS) AND NATURAL WOOD WASTE (TREE AND OTHER VEGETATIVE REFUSE INCLUDING TREE STUMPS, LIMBS AND ROOT MATS) SHALL BE RECEIVED FOR COMPOSTING ON THE SITE.

B. IN ADDITION TO THE BULK REGULATIONS OF THE APPLICABLE ZONING DISTRICT, THE FOLLOWING STRUCTURE AND USE SETBACKS SHALL APPLY:

- (1) FROM AN EXISTING RESIDENCE ON A DIFFERENT LOT.....500 FEET
- (2) FROM ADJACENT RESIDENTIALLY-ZONED LOTS.....300 FEET
- (3) FROM PUBLIC STREET RIGHTS-OF-WAY.....100 FEET
- (4) FROM EXISTING STREAMS AND WETLANDS 100 FEET

C. A LANDSCAPED BUFFER AREA WITH A MINIMUM WIDTH OF 100 FEET SHALL BE MAINTAINED AROUND THE PERIMETER OF THE SITE. THE LANDSCAPED BUFFER SHALL BE USED ONLY FOR PLANTING, FENCING, AND DRIVEWAYS FOR INGRESS AND EGRESS TO THE SITE.

D. THE OPERATION SHALL NOT RESULT IN ODORS WHICH ARE DETECTABLE ON SURROUNDING PROPERTIES.

E. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND MANNER, AS PRESCRIBED BY LAW OR REGULATIONS AND WITH RESPECT TO THE LIKELIHOOD OF HAZARD TO PERSONS OR DAMAGE TO LANDS, NATURAL RESOURCES, STREETS, BRIDGES, AND PUBLIC RIGHTS-OF-WAY.

F. THE OPERATION SHALL BE CONDUCTED IN A MANNER WHICH WILL PREVENT INSECT AND/OR RODENT INFESTATION.

G. THE FACILITY SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION. AREAS WHERE YARD WASTE OR COMPOST IS PROCESSED, LOADED, OR UNLOADED SHALL BE DESIGNED AND CONSTRUCTED TO DRAIN FREELY TO PREVENT THE ACCUMULATION OF STANDING LIQUID.

H. ALL LIQUID, INCLUDING LEACHATE AND STORM WATER RUNOFF, GENERATED FROM THE COMPOSTING FACILITY SHALL BE COLLECTED AND TREATED PRIOR TO DISPOSAL, IN ACCORDANCE WITH APPLICABLE REGULATIONS.

I. IN THE RC AND RR DISTRICTS, THE HOURS OF OPERATION SHALL BE RESTRICTED TO BETWEEN

1 7:00 A.M. AND 6:00 P.M., AND NO OPERATION SHALL BE PERMITTED ON SUNDAYS EXCEPT
2 REPAIRS TO EQUIPMENT AND IMPROVEMENTS.

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4 J. ON-SITE RETAIL SALES OF FINISHED COMPOST SHALL BE PERMITTED IF SPECIFICALLY APPROVED BY
5 THE HEARING AUTHORITY.

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7 K. THE STRUCTURAL ELEMENTS OF THE ROADS SERVING THE SITE SHALL BE ADEQUATE FOR THE TRUCK
8 TRAFFIC TO BE GENERATED BY THE COMPOSTING FACILITY. THE PETITION SHALL INCLUDE A ROAD
9 CONDITION STUDY TO ALLOW THE HEARING AUTHORITY TO MAKE THIS DETERMINATION.

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11 L. THE CONDITIONAL USE PLAN SUBMITTED WITH THE PETITION SHALL SHOW THE
12 FOLLOWING:

13 (1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.

14 (2) EXISTING NATURAL FEATURES INCLUDING STREAMS, PONDS, SPRINGS, AND
15 WETLANDS.

16 (3) EXISTING AND PROPOSED TOPOGRAPHY.

17 (4) SETBACK AND BUFFER AREA, INCLUDING TYPE OF SCREENING AND FENCING.

18 (5) PORTION OF TRACT TO BE USED FOR COMPOSTING OPERATIONS, INCLUDING THE LOCATION
19 AND LAYOUT OF:

20 (A) YARD WASTE UNLOADING, RECEIVING AND STORAGE AREAS;

21 (B) YARD WASTE PROCESSING AREAS, INCLUDING AREAS FOR GRINDING,
22 SCREENING, MIXING AND OTHER OPERATIONS TO PREPARE YARD WASTE FOR
23 COMPOSTING;

24 (C) COMPOSTING AREAS;

25 (D) COMPOST CURING AREAS;

26 (E) COMPOST FINAL PRODUCT PREPARATION AREAS (SCREENING AND OTHER
27 OPERATIONS); AND

28 (F) FINISHED COMPOST STORAGE AND LOADING AREAS.

29 (6) EXISTING AND PROPOSED STRUCTURES AND MAJOR MECHANICAL
30 EQUIPMENT.

31 (7) EXISTING AND PROPOSED ACCESS DRIVEWAYS.

32 (8) WATER SUPPLY (INCLUDING QUANTITY REQUIREMENTS) AND SEWAGE
33 DISPOSAL.

34 (9) STORM WATER MANAGEMENT FACILITIES FOR QUANTITY AND QUALITY
35 CONTROL.

1 (10) FACILITIES FOR STORAGE AND TREATMENT OF LEACHATE AND ANY OTHER LIQUIDS
2 GENERATED BY THE OPERATION.

3 (11) OTHER EXISTING OR PROPOSED USES ON THE SITE.

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5 M. AN OPERATIONS PLAN SHALL BE SUBMITTED BY THE APPLICANT TO ENABLE THE HEARING AUTHORITY
6 TO EVALUATE THE POTENTIAL IMPACTS OF THE PROPOSED USE. IF THE PETITION IS APPROVED,
7 SUBSTANTIAL CHANGES TO THE OPERATIONS PLAN SHALL NOT BE IMPLEMENTED WITHOUT PRIOR
8 APPROVAL OF THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE THE FOLLOWING INFORMATION:

9 (1) TYPES, ANTICIPATED QUANTITIES AND SOURCES OF YARD WASTE.

10 (2) METHODS BY WHICH UNACCEPTABLE WASTES DELIVERED TO THE FACILITY WILL BE
11 IDENTIFIED, SEGREGATED, AND HANDLED FOR REMOVAL AND DISPOSAL.

12 (3) OFF-SITE LOCATION WHERE UNACCEPTABLE WASTES DELIVERED TO THE COMPOSTING
13 FACILITY WILL BE DISPOSED OF.

14 (4) METHODS BY WHICH WASTE QUANTITIES DELIVERED WILL BE DETERMINED INCLUDING
15 WEIGHING FACILITIES TO BE PROVIDED.

16 (5) A DESCRIPTION OF MAJOR ITEMS OF EQUIPMENT AND ASSOCIATED CAPACITIES.

17 (6) A DESCRIPTION OF PROPOSED BUILDINGS AND PADS FOR STORAGE, COMPOSTING AND
18 PROCESSING.

19 (7) A DESCRIPTION OF YARD WASTE DELIVERY METHODS AND REQUIREMENTS.

20 (8) A DESCRIPTION OF INCOMING YARD WASTE HANDLING AND PROCESSING METHODS INCLUDING
21 PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.

22 (9) A DESCRIPTION OF THE COMPOSTING PROCESS TO BE UTILIZED INCLUDING COMPOSTING
23 CAPACITY TO BE PROVIDED, COMPOSTING TECHNOLOGY, REQUIRED COMPOSTING TIME, AND
24 ASSURANCE OF ACCEPTABLE LEVEL OF PATHOGEN REDUCTION.

25 (10) A DESCRIPTION OF COMPOST CURING, HANDLING AND PROCESSING METHODS
26 INCLUDING

27 PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.

28 (11) A DESCRIPTION OF FINISHED COMPOST STORAGE, DISTRIBUTION AND DELIVERY METHODS
29 AND REQUIREMENTS.

30 (12) METHODS OF CONTROLLING ODORS, DUST, LITTER, NOISE, AND INSECT OR RODENT
31 INFESTATION; METHODS OF INSURING PUBLIC SAFETY; METHODS OF PREVENTING AND, IF
32 NECESSARY, CONTROLLING FIRES; AND METHODS OF COLLECTING AND TREATING LIQUIDS
33 GENERATED BY THE USE.

34 (13) PROCEDURES FOR CLEANING AND MAINTAINING THE APPEARANCE OF THE FACILITY,
35 INCLUDING COLLECTION OF LITTER AND WASTE WHICH FALLS FROM TRANSPORT VEHICLES IN

1 THE VICINITY OF THE SITE, INCLUDING ADJACENT PRIVATE PROPERTIES AND PUBLIC ROADS.

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3 N. A REHABILITATION PLAN SHALL BE SUBMITTED AT THE TIME OF THE CONDITIONAL USE
4 APPLICATION FOR APPROVAL BY THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE FOR THE
5 FOLLOWING MINIMUM REHABILITATION PROGRAM:

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7 (1) ALL STRUCTURES AND MACHINERY SHALL BE COMPLETELY REMOVED AND
8 UNDERLYING EXCAVATIONS FILLED TO GRADE AND PLANTED IN GRASS EXCEPT
9 STRUCTURES OR MACHINERY THAT ARE TO BE CONTINUED IN OPERATION FOR A USE
10 PERMITTED UNDER THE ZONING CLASSIFICATION.

11 (2) ALL IMPERVIOUS SURFACES SHALL BE REMOVED AND PROPERLY DISPOSED OF. THE AREAS
12 FROM WHICH THE SURFACES ARE REMOVED SHALL BE BACKFILLED WITH SUITABLE SOIL AND
13 REGRADED AS NECESSARY TO PROVIDE ADEQUATE DRAINAGE. ALL SUCH AREAS SHALL BE
14 PLANTED IN GRASS WHICH SHALL BE MAINTAINED THROUGH ONE YEAR'S GROWTH.

15 (3) ALL YARD WASTE, COMPOSTING MATERIAL, AND FINISHED COMPOST SHALL BE
16 REMOVED FROM THE SITE AND SHALL BE DISPOSED OF IN CONFORMANCE WITH
17 APPLICABLE LAWS OR REGULATIONS.

18 (4) ALL ACCESS ROADS SHALL BE SUITABLY BARRICADED TO PREVENT THE PASSAGE OF
19 VEHICLES EITHER INTO OR OUT OF THE ABANDONED AREA, EXCEPT SUCH ACCESS AS
20 NEEDED FOR VEHICLES USED IN REHABILITATION WORK, UNTIL THE PLAN FOR
21 REHABILITATION HAS BEEN COMPLETED AND A DIFFERENT USE NECESSITATING ACCESS HAS
22 COMMENCED ON THE PROPERTY. '