

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

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**Legislative Day No. 7**  
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5  
6 **Amendment No. 1**  
7

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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11  
12  
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.”.

17  
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 Facility””.

26 On page 2, inline 8, insert:

27 10. By amending:

28 Number 46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or

29 Soil Processing

30 Subsection N. Conditional Uses and Permissible Zoning Districts

31 Section 131.0: “Conditional Uses”

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

33 “10. By adding:

34 Number 60. Yard Waste Composting Facility

35 Subsection N. Conditional Uses and Permissib le Zoning Districts

1 Section 131.0: “Conditional Uses”.

2  
3 Renumber the enactment clauses accordingly.

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

7  
8 On page 3, strike lines 1 through 3, in their entirety. On the same page, strike lines 5  
9 through 17, in their entirety and substitute the following:

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

12  
13 On page 4, in lines 1 and 2, strike “, up to a maximum of 1 acre” and substitute “OR UP  
14 TO A MAXIMUM OF 1 ACRE FOR CLUSTER SUBDIVISION REMAINDER PARCELS PRESERVATION  
15 PARCELS CREATED AS PART OF THE CLUSTER SUBDIVISION PROCESS.”

16  
17 ~~On page 4, strike lines 18 through 19, in their entirety and renumber the remainder of the~~  
18 ~~subsection. On the same page, in line 22, strike the double brackets. On the same page, strike~~  
19 ~~lines 23 through 27, in their entirety. On page 4, strike line 23, in its entirety. Renumber the~~  
20 ~~remainder of the subsection accordingly.~~

21  
22 ~~On page 6, strike lines 1 and 2, in their entirety. Lastly, on the same page, strike lines 23~~  
23 ~~through 27, in their entirety. On page 6, in line 1, before “(17)”, insert double brackets. In the~~  
24 ~~same line, after “(17)”, strike the remaining double brackets and “OR” and “PROCESSING”.~~

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

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

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

32 46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing

1  
2 A Conditional Use may be granted in the RC or RR Districts for sawmills, [[the  
3 cutting of firewood in bulk]] BULK FIREWOOD PROCESSING, mulch manufacture,  
4 or soil processing provided that:

5  
6 a. Buildings and structures used for processing activities, equipment and  
7 outdoor uses associated with the operation shall be at least 500 feet from  
8 existing residences on different lots and at least 300 feet from property  
9 lines. Buildings or structures which are principally used for storage and  
10 which are not used for processing activities shall be at least 100 feet from  
11 property lines.

12  
13 B. ALL REQUIRED STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED. THE  
14 HEARING AUTHORITY, AS A CONDITION OF APPROVAL, MAY IMPOSE  
15 REQUIREMENTS WHICH ARE MORE STRINGENT THAN THE REQUIREMENTS OF  
16 THE STATE AND FEDERAL PERMITS.

17  
18 [[b]]C. Parking, storage areas and equipment shall be screened from adjoining  
19 properties and public roads by landscaping or other appropriate means.

20  
21 [[c]]D. Hours of operation shall be established by the Hearing Authority.

22  
23 [[d]]E. Retail sales of materials produced on-site may be permitted if specifically  
24 approved by the Hearing Authority.

25  
26 [[e]]F. The minimum lot size is 10 acres.

27  
28 [[f]]G. The vehicular access to the use shall be from an arterial or collector highway  
29 and not from a local road unless authorized by the Hearing Examiner.

30  
31 [[g]]H. On an [[ALPP purchased or dedicated]] AGRICULTURAL LAND  
32 PRESERVATION easement property, SAWMILLS AND BULK FIREWOOD

1                    PROCESSING ARE PERMITTED WITH the following REQUIRED additional  
2                    criteria [[are required]]:

3                    (1) The use shall not interfere with farming operations or limit future  
4                    farming production.

5                    (2) Any new building or building addition associated with the use,  
6                    including any outdoor storage and parking area shall count towards  
7                    the cumulative use cap [[2%]] of the easement.

8  
9                    “60. YARD WASTE COMPOSTING FACILITY

10  
11                    A CONDITIONAL USE MAY BE GRANTED IN THE RC, RR, OR M-1 DISTRICTS FOR A YARD  
12                    WASTE COMPOSTING FACILITY, PROVIDED THAT:

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

4  
5 B. ALL REQUIRED STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED. THE HEARING  
6 AUTHORITY, AS A CONDITION OF APPROVAL, MAY IMPOSE REQUIREMENTS WHICH ARE MORE  
7 STRINGENT THAN THE REQUIREMENTS OF THE STATE AND FEDERAL PERMITS.

8  
9  
10 ~~B.~~ C. IN ADDITION TO THE BULK REGULATIONS OF THE APPLICABLE ZONING DISTRICT, THE  
11 FOLLOWING STRUCTURE AND USE SETBACKS SHALL APPLY:

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

16  
17 ~~C.~~ D. A LANDSCAPED BUFFER AREA WITH A MINIMUM WIDTH OF 100 FEET SHALL BE MAINTAINED  
18 AROUND THE PERIMETER OF THE SITE. THE LANDSCAPED BUFFER SHALL BE USED ONLY FOR  
19 PLANTING, FENCING, AND DRIVEWAYS FOR INGRESS AND EGRESS TO THE SITE.

20  
21 ~~D.~~ E. THE OPERATION SHALL NOT RESULT IN ODORS WHICH ARE DETECTABLE ON SURROUNDING  
22 PROPERTIES.

23  
24 ~~E.~~ F. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND MANNER,  
25 AS PRESCRIBED BY LAW OR REGULATIONS AND WITH RESPECT TO THE LIKELIHOOD OF HAZARD TO  
26 PERSONS OR DAMAGE TO LANDS, NATURAL RESOURCES, STREETS, BRIDGES, AND PUBLIC RIGHTS-OF-  
27 WAY.

28  
29 ~~F.~~ G. THE OPERATION SHALL BE CONDUCTED IN A MANNER WHICH WILL PREVENT INSECT AND/OR  
30 RODENT INFESTATION.

31  
32 ~~G.~~ H. THE FACILITY SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION. AREAS WHERE  
33 YARD WASTE OR COMPOST IS PROCESSED, LOADED, OR UNLOADED SHALL BE DESIGNED AND  
34 CONSTRUCTED TO DRAIN FREELY TO PREVENT THE ACCUMULATION OF STANDING LIQUID.

- 1 ~~H.~~ I. ALL LIQUID, INCLUDING LEACHATE AND STORM WATER RUNOFF, GENERATED FROM THE  
2 COMPOSTING FACILITY SHALL BE COLLECTED AND TREATED PRIOR TO DISPOSAL, IN ACCORDANCE  
3 WITH APPLICABLE REGULATIONS.
- 4
- 5 ~~I.~~ J. IN THE RC AND RR DISTRICTS, THE HOURS OF OPERATION SHALL BE RESTRICTED TO BETWEEN 7:00  
6 A.M. AND 6:00 P.M., AND NO OPERATION SHALL BE PERMITTED ON SUNDAYS EXCEPT REPAIRS TO  
7 EQUIPMENT AND IMPROVEMENTS.
- 8
- 9 ~~J.~~ K. ON-SITE RETAIL SALES OF FINISHED COMPOST SHALL BE PERMITTED IF SPECIFICALLY APPROVED BY  
10 THE HEARING AUTHORITY.
- 11
- 12 ~~K.~~ L. THE STRUCTURAL ELEMENTS OF THE ROADS SERVING THE SITE SHALL BE ADEQUATE FOR THE  
13 TRUCK TRAFFIC TO BE GENERATED BY THE COMPOSTING FACILITY. THE PETITION SHALL INCLUDE A  
14 ROAD CONDITION STUDY TO ALLOW THE HEARING AUTHORITY TO MAKE THIS DETERMINATION.
- 15
- 16 ~~L.~~ M. THE CONDITIONAL USE PLAN SUBMITTED WITH THE PETITION SHALL SHOW THE  
17 FOLLOWING:
- 18 (1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.
- 19 (2) EXISTING NATURAL FEATURES INCLUDING STREAMS, PONDS, SPRINGS, AND  
20 WETLANDS.
- 21 (3) EXISTING AND PROPOSED TOPOGRAPHY.
- 22 (4) SETBACK AND BUFFER AREA, INCLUDING TYPE OF SCREENING AND FENCING.
- 23 (5) PORTION OF TRACT TO BE USED FOR COMPOSTING OPERATIONS, INCLUDING THE LOCATION  
24 AND LAYOUT OF:
- 25 i. YARD WASTE UNLOADING, RECEIVING AND STORAGE AREAS;
- 26 ii. YARD WASTE PROCESSING AREAS, INCLUDING AREAS FOR GRINDING,  
27 SCREENING, MIXING AND OTHER OPERATIONS TO PREPARE YARD WASTE FOR  
28 COMPOSTING;
- 29 iii. COMPOSTING AREAS;
- 30 iv. COMPOST CURING AREAS;
- 31 v. COMPOST FINAL PRODUCT PREPARATION AREAS (SCREENING AND OTHER  
32 OPERATIONS); AND
- 33 vi. FINISHED COMPOST STORAGE AND LOADING AREAS.
- 34 (6) EXISTING AND PROPOSED STRUCTURES AND MAJOR MECHANICAL  
35 EQUIPMENT.
- 36 (7) EXISTING AND PROPOSED ACCESS DRIVEWAYS.

1 (8) WATER SUPPLY (INCLUDING QUANTITY REQUIREMENTS) AND SEWAGE  
2 DISPOSAL.

3 (9) STORM WATER MANAGEMENT FACILITIES FOR QUANTITY AND QUALITY  
4 CONTROL.

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

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

8  
9 ~~M.~~ N. AN OPERATIONS PLAN SHALL BE SUBMITTED BY THE APPLICANT TO ENABLE THE HEARING  
10 AUTHORITY TO EVALUATE THE POTENTIAL IMPACTS OF THE PROPOSED USE. IF THE PETITION IS  
11 APPROVED, SUBSTANTIAL CHANGES TO THE OPERATIONS PLAN SHALL NOT BE IMPLEMENTED WITHOUT  
12 PRIOR APPROVAL OF THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE THE FOLLOWING  
13 INFORMATION:

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

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

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

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

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

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

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

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

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

30 (10) A DESCRIPTION OF COMPOST CURING, HANDLING AND PROCESSING METHODS  
31 INCLUDING  
32 PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.

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

- 1 (12) METHODS OF CONTROLLING ODORS, DUST, LITTER, NOISE, AND INSECT OR  
2 RODENT INFESTATION; METHODS OF INSURING PUBLIC SAFETY; METHODS OF  
3 PREVENTING AND, IF NECESSARY, CONTROLLING FIRES; AND METHODS OF  
4 COLLECTING AND TREATING LIQUIDS GENERATED BY THE USE.
- 5 (13) PROCEDURES FOR CLEANING AND MAINTAINING THE APPEARANCE OF THE FACILITY,  
6 INCLUDING COLLECTION OF LITTER AND WASTE WHICH FALLS FROM TRANSPORT VEHICLES IN  
7 THE VICINITY OF THE SITE, INCLUDING ADJACENT PRIVATE PROPERTIES AND PUBLIC ROADS.

8

9 N. O. A REHABILITATION PLAN SHALL BE SUBMITTED AT THE TIME OF THE CONDITIONAL USE  
10 APPLICATION FOR APPROVAL BY THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE FOR  
11 THE FOLLOWING MINIMUM REHABILITATION PROGRAM:

- 12
- 13 (1) ALL STRUCTURES AND MACHINERY SHALL BE COMPLETELY REMOVED AND  
14 UNDERLYING EXCAVATIONS FILLED TO GRADE AND PLANTED IN GRASS EXCEPT STRUCTURES  
15 OR MACHINERY THAT ARE TO BE CONTINUED IN OPERATION FOR A USE PERMITTED UNDER  
16 THE ZONING CLASSIFICATION.
- 17 (2) ALL IMPERVIOUS SURFACES SHALL BE REMOVED AND PROPERLY DISPOSED OF. THE  
18 AREAS FROM WHICH THE SURFACES ARE REMOVED SHALL BE BACKFILLED WITH SUITABLE  
19 SOIL AND REGRADED AS NECESSARY TO PROVIDE ADEQUATE DRAINAGE. ALL SUCH AREAS  
20 SHALL BE PLANTED IN GRASS WHICH SHALL BE MAINTAINED THROUGH ONE YEAR'S GROWTH.
- 21 (3) ALL YARD WASTE, COMPOSTING MATERIAL, AND FINISHED COMPOST SHALL BE  
22 REMOVED FROM THE SITE AND SHALL BE DISPOSED OF IN CONFORMANCE WITH APPLICABLE  
23 LAWS OR REGULATIONS.
- 24 (4) ALL ACCESS ROADS SHALL BE SUITABLY BARRICADED TO PREVENT THE PASSAGE OF  
25 VEHICLES EITHER INTO OR OUT OF THE ABANDONED AREA, EXCEPT SUCH ACCESS AS  
26 NEEDED FOR VEHICLES USED IN REHABILITATION WORK, UNTIL THE PLAN FOR  
27 REHABILITATION HAS BEEN COMPLETED AND A DIFFERENT USE NECESSITATING ACCESS HAS  
28 COMMENCED ON THE PROPERTY.
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