

Introduced 5/5/2014
Public hearing 5/19/2014
Council action 6/2/2014
Executive action 6/4/2014
Effective date 8/4/2014

County Council of Howard County, Maryland

2014 Legislative Session

Legislative day # 5

BILL NO. 20 - 2014 (ZRA - 149)

**Introduced by
Greg Fox, Councilmember**

**Co-sponsored by:
Mary Kay Sigaty, Councilmember
Courtney Watson, Councilmember**

~~AN ACT amending the Howard County Zoning Regulations to alter and include new definitions related to composting and wood processing; removing all references to Mulch Manufacturing; adding Natural Wood Waste Recycling Facilities as a Conditional Use on County Preservation Easements under certain conditions; adding Natural Wood Waste Recycling Facilities as a Permitted Use in the M-1 (Manufacturing: Light) zoning district; adding Composting Facilities as a Permitted Use in the Solid Waste Overlay zoning district with a M-2 (Manufacturing: Heavy) underlying zone under certain conditions; removing Composting Facilities as a Conditional Use in the RC (Rural Conservation) zoning district; adding Natural Wood Waste Recycling Facilities as a Conditional Use in the RC (Rural Conservation) zoning district under certain conditions; and generally related to Composting and Wood Processing uses.~~ AN ACT amending the Howard County Zoning Regulations to remove references to composting and to limit areas where sawmills and mulch manufacturing are permitted; and generally relating to the Howard County Zoning Regulations.

Introduced and read first time May 5, 2014. Ordered posted and hearing scheduled.

By order Sheila M Tolliver
Sheila Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on May 19, 2014 and concluded on May 19, 2014.

By order Sheila M Tolliver
Sheila Tolliver, Administrator to the County Council

This Bill was read the third time June 2, 2014 and Passed , Passed with amendments , Failed .

By order Sheila M Tolliver
Sheila Tolliver, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this 3rd day of June, 2014 at 11:00 a.m./p.m.

By order Sheila M Tolliver
Sheila Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on June 4, 2014

Ken Utman
Ken Utman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law. ~~Strikeout~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted by the County Council of Howard County, Maryland, that the**
2 **Howard County Zoning Regulations are hereby amended to read as follows:**

3 1. By amending repealing:

4 The definition of “composting facility”

5 Section 103.0: “Definitions”

6

7 ~~2. By deleting~~

8 ~~— The definition of “mulch manufacture”~~

9 ~~Section 103.0: “Definitions”~~

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11 ~~32.~~ By adding:

12 ~~The definitions of “firewood processing, bulk,” “natural wood waste recycling~~
13 ~~facility,” and “sawmill”~~ The definition of “Yard Waste Composting Facility”

14 Section 103.0: “Definitions”

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16 ~~43.~~ By amending:

17 Subsection D. Conditional Uses

18 Section 106.1: “County Preservation Easements”

19

20 ~~5. By amending:~~

21 ~~Subsection C. Uses Permitted as a Matter of Right~~

22 ~~Section 117.1: “BR(Business Rural) District~~

23

24 ~~64.~~ By amending:

25 Subsection B. Uses Permitted as a Matter of Right

26 Section 122.0: “M-1 (Manufacturing: Light) District”

27

28 ~~75.~~ By Renumbering:

29 Numbers 37 - 67 to be Numbers 38 - 68

30 Subsection B. Uses Permitted as a Matter of Right

31 Section 122.0: “M-1 (Manufacturing: Light) District”; and

32

1 ~~Numbers 20—31 to be Numbers 19—30~~

2 ~~Subsection C. Uses Permitted as a Matter of Right~~

3 ~~Section 117.1: “BR(Business Rural) District~~

4

5 8. ~~By amending:~~

6 ~~Subsection B. Uses Permitted as a Matter of Right If the Underlying District is M-2~~

7 ~~Section 124.0: “SW (Solid Waste) Overlay District”~~

8 ~~106. By amending:~~

9 ~~Number 46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil~~
10 ~~Processing~~

11 ~~Subsection N. Conditional Uses and Permissible Zoning Districts~~

12 ~~Section 131.0: “Conditional Uses”~~

13

14 ~~97. By amending repealing:~~

15 ~~Number 15. “Composting Facility”~~

16 ~~Subsection N. Conditional Uses and Permissible Zoning Districts~~

17 ~~Section 131.0: “Conditional Uses”~~

18 ~~108. By adding:~~

19 ~~Number 60. Yard Waste Composting Facility~~

20 ~~Subsection N. Conditional Uses and Permissible Zoning Districts~~

21 ~~Section 131.0: “Conditional Uses”~~

22

23 **Howard County Zoning Regulations**

24

25 **Section 103.0 Definitions**

26

27 ~~[[Composting Facility: A facility ~~]]~~ where organic material, specifically limited to
28 ~~vegetation, food waste, and manure, that is obtained principally from off-site locations~~
29 ~~is processed to generate a product through the microbiological degradation of this~~
30 ~~organic material under aerobic conditions]] ~~USED FOR THE CONTROLLED AEROBIC~~
31 ~~BIOLOGICAL DECOMPOSITION OF HYGIENIC WASTE MATERIALS THAT IS SUBJECT TO~~
32 ~~REGULATION OR PERMITTING REQUIREMENTS OF THE STATE OF MARYLAND.~~~~~~

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~~FIREWOOD PROCESSING, BULK: A COMMERCIAL FACILITY WHICH PRINCIPALLY PROCESSES BRANCHES AND LOGS BY CHOPPING, CUTTING, SAWING, OR SPLITTING TO PRODUCE FIREWOOD FOR SALE, AND WHICH MAY INCLUDE THE ACCESSORY PROCESSING OF THE WOOD WASTE SOLELY PRODUCED BY THE PRINCIPAL PROCESSING TO CREATE HUMUS, MULCH OR WOOD CHIPS. THIS TERM DOES NOT INCLUDE THE PRODUCTION OF FIREWOOD AS AN ACCESSORY USE TO FARMING OR RESIDENTIAL PARCELS FOR LAND CLEARING OR PRIVATE USE PURPOSES.~~

~~[[Mulch Manufacture: The manufacture of horticultural mulch from wood, wood products or similar materials. This term does not include the production of mulch as a by-product of on-site farming.]]~~

~~NATURAL WOOD WASTE RECYCLING FACILITY: A PRIVATELY OPERATED COMMERCIAL FACILITY THAT RECYCLES BRANCHES, LEAVES, LIMBS, LOGS, ROOT MATS, TREE STUMPS AND OTHER SIMILAR PREVIOUSLY UNPROCESSED NATURAL ORGANIC WOOD MATERIALS BY PROCESSING THESE MATERIALS INTO RAW MATERIAL OR PRODUCTS, AND WHICH OPERATES UNDER A PERMIT FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.~~

~~SAWMILL: A COMMERCIAL FACILITY WHICH PRINCIPALLY PROCESSES LOGS BY SAWING, SPLITTING, SHAVING, OR STRIPPING TO PRODUCE LUMBER OR OTHER WOOD PRODUCTS FOR SALE, AND WHICH MAY INCLUDE THE ACCESSORY PROCESSING OF THE WOOD WASTE SOLELY PRODUCED BY THE PRINCIPAL PROCESSING TO CREATE HUMUS, MULCH OR WOOD CHIPS. THIS TERM DOES NOT INCLUDE THE PRODUCTION OF LUMBER AS AN ACCESSORY USE TO FARMING OR RESIDENTIAL PARCELS FOR LAND CLEARING OR PRIVATE USE PURPOSES.~~

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

SECTION 106.1: County Preservation Easements

1 **D. Conditional Uses**

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3 1. ALPP Purchased Easements and ALPP Dedicated Easements

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5 a. Conditional Uses shall not be allowed on agricultural preservation
6 easements unless they support the primary agricultural purpose of the
7 easement property, or are an ancillary business which supports the
8 economic viability of the farm, and are approved by the hearing
9 authority in accordance with the applicable provisions of Sections
10 130.0 and 131.0 of these regulations. On an ALPP purchased or
11 dedicated easement property, the area devoted to Conditional Uses may
12 not exceed a cumulative use cap equal to 2% of the easement, ~~UP TO A~~
13 MAXIMUM OF 1 ACRE. OR UP TO A MAXIMUM OF 1 ACRE FOR
14 PRESERVATION PARCELS CREATED AS PART OF THE CLUSTER
15 SUBDIVISION PROCESS.

16
17 The following Conditional Uses may be allowed:

- 18
19 (1) Animal hospitals
20 (2) Barber shop, hair salon and similar personal services facilities
21 (3) Bottling of spring or well water
22 (4) Communication Towers
23 (5) Farm tenant house on a parcel of at least 25 acres but less than
24 50 acres
25 (6) Historic building uses
26 (7) Home based contractors
27 (8) Home occupations
28 (9) Kennels and/or pet grooming establishments
29 (10) Landscape contractors
30 (11) Limited outdoor social assemblies
31 [[(12) Sawmills, bulk firewood, mulch manufacture and/or soil
32 processing

- 1 (13) School buses, commercial service
- 2 (14) Small wind energy systems, freestanding tower
- 3 (15) Solar Facilities, commercial]]
- 4 ~~(12) NATURAL WOOD WASTE RECYCLING FACILITY~~
- 5 ~~(13)~~ (12) SAWMILLS OR BULK FIREWOOD PROCESSING
- 6 ~~(14)~~ (13) SCHOOL BUSES, COMMERCIAL SERVICE
- 7 ~~(15)~~ (14) SMALL WIND ENERGY SYSTEMS, FREESTANDING TOWER
- 8 ~~(16)~~ (15) SOLAR FACILITIES, COMMERCIAL

9

10 b. In addition, the following Conditional Uses which may require

11 additional land area may be permitted on agricultural preservation

12 easements:

- 13
- 14 (1) Agribusiness, limited to uses itemized in Section 131.0.N.
- 15 (2) Farm winery – class 2
- 16 ~~[(3) Composting Facility]]~~

17

18 2. Other Dedicated Easements

19 a. Conditional Uses shall not be allowed on other dedicated easements

20 unless they support the primary purpose of the easement property and

21 are approved by the hearing authority in accordance with the applicable

22 provisions of Sections 130.0 and 131.0 of these regulations. On these

23 dedicated easements, the following Conditional Uses which do not

24 require the construction of new principal structures or use of an outdoor

25 area that is more than 2% of the preservation parcel acreage up to a

26 maximum of 1 acre may be allowed:

- 27
- 28 (1) Animal hospitals
- 29 (2) Antique shops, art galleries and craft shops
- 30 (3) Barber shop, hair salon and similar personal service facilities
- 31 (4) Bottling of spring or well water

- 1 (5) Child day care centers and nursery schools, day treatment and
- 2 care facilities
- 3 (6) Communication towers
- 4 (7) Country inns
- 5 (8) Historic building uses
- 6 (9) Farm tenant house on a parcel of at least 25 acres but less than
- 7 50 acres
- 8 (10) Home based contractors
- 9 (11) Home occupations
- 10 (12) Kennels and/or pet grooming establishments
- 11 (13) Landscape contractors
- 12 (14) Limited outdoor social assemblies
- 13 (15) Museums and libraries
- 14 (16) Retreats
- 15 ~~[(17) Sawmills[,]] OR bulk firewood PROCESSING~~ ~~[[, mulch~~
- 16 ~~manufacture and/or soil processing]]~~
- 17 ~~(18)~~ (17) School buses, commercial service
- 18 ~~(19)-(18)~~ Shooting ranges – outdoor rifle, pistol, skeet and trap
- 19 ~~(20)-(19)~~ Small wind energy systems, freestanding tower
- 20 ~~(21)-(20)~~ Solar Facilities, commercial
- 21 ~~(22)~~ (21) Two family dwellings, accessory apartments and multi-plex
- 22 dwellings

23

24 b. In addition, the following Conditional Uses which may require

25 additional land area may be permitted on other dedicated easements:

26

- 27 (1) Agribusiness, limited to uses itemized in Section 131.0.N.2
- 28 (2) Charitable or philanthropic institutions dedicated to
- 29 environmental conservation
- 30 ~~[(3) Composting Facility~~
- 31 (4) Farm winery – Class 2
- 32 (5) Golf Courses]]

- 1 (3) FARM WINERY – CLASS 2
- 2 (4) GOLF COURSES

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5 **SECTION 117.1: BR (Business Rural) District**

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7 **C. Uses Permitted as a Matter of Right**

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9 [[19. Mulch manufacture.]]

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15 **SECTION 122.0: M-1 (Manufacturing: Light) District**

16

17 **B. Uses Permitted as a Matter of Right**

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- 19 1. Ambulance services.
- 20 2. Ambulatory health care facilities.
- 21 3. Athletic facilities, commercial
- 22 4. Banks, savings and loan associations, investment companies, credit unions,
23 brokers and similar financial institutions.
- 24 5. Biodiesel fuel manufacturing from vegetable-based oils.
- 25 6. Biomedical laboratories.
- 26 7. Blueprinting, printing, duplicating or engraving services.
- 27 8. Breweries that manufacture 22,500 barrels or less of fermented malt beverages
28 per year.
- 29 9. Bus terminals.
- 30 10. Carpet and floor covering stores.
- 31 11. Car wash facilities.

- 1 12. Carnivals and fairs sponsored by and operated on a nonprofit basis for the
2 benefit of charitable, social, civic or educational organizations, subject to
3 the requirements of Section 128.0.D.
- 4 13. Carpet and rug cleaning.
- 5 14. Catering establishments and banquet facilities.
- 6 15. Child day care centers and nursery schools.
- 7 16. Concert halls.
- 8 17. Conservation areas, including wildlife and forest preserves, environmental
9 management areas, reforestation areas, and similar uses.
- 10 18. Contractor's office and outdoor or indoor storage facility, including carpentry,
11 cleaning, construction, electrical, excavation, exterminating, heating/air
12 conditioning, home improvement, landscaping, masonry, painting, paving,
13 plumbing, roofing, septic system, snow removal, well drilling, and other
14 contractors.
- 15 19. Data processing and telecommunication centers
- 16 20. Day treatment or care facilities.
- 17 21. Farming, provided that on a residential lot or parcel of less than 40,000 square
18 feet no livestock shall be permitted. However, residential chicken keeping
19 is allowed as noted in Section 128.0.
- 20 22. Flex- space
- 21 23. Funeral homes and mortuaries.
- 22 24. Furniture, appliance and business machine repair, furniture upholstering, and
23 similar services.
- 24 25. Furniture stores.
- 25 26. Government structures, facilities and uses, including public schools and
26 colleges.
- 27 27. Hotels, motels, conference centers and country inns.
- 28 28. Kennels.
- 29 29. Laundry or dry cleaning establishments or plants.
- 30 30. Light Industrial Uses.
- 31 31. Material recovery facilities - source separated.

- 1 32. Mobile home and modular home sales and rentals, but not including
- 2 occupancy.
- 3 33. Motor vehicle, construction equipment and farm equipment maintenance,
- 4 repair and painting facilities, including full body repair and incidental sale
- 5 of parts.
- 6 34. Motor vehicle, construction equipment and farm equipment sales and rentals.
- 7 35. Motor vehicle inspections station.
- 8 36. Motor vehicle towing and storage facility.
- 9 37. ~~NATURAL WOOD WASTE RECYCLING FACILITY~~ MULCH MANUFACTURE.

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SECTION 124.0: SW (Solid Waste) Overlay District

~~B. Uses Permitted as a Matter of Right if the Underlying District is M-2:~~

- ~~1. Land clearing debris landfills.~~
- ~~2. Rubble landfills.~~
- ~~3. Solid waste processing facilities.~~
- ~~4. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.}}~~
- ~~1. COMPOSTING FACILITY.~~
- ~~2. LAND CLEARING DEBRIS LANDFILLS.~~
- ~~3. RUBBLE LANDFILLS.~~
- ~~4. SOLID WASTE PROCESSING FACILITIES.~~

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~~5. UNDERGROUND PIPELINES; ELECTRIC TRANSMISSION AND DISTRIBUTION LINES;
TELEPHONE, TELEGRAPH AND CATV LINES; MOBILE TRANSFORMER UNITS;
TELEPHONE EQUIPMENT BOXES; AND OTHER, SIMILAR PUBLIC UTILITY USES NOT
REQUIRING A CONDITIONAL USE.~~

SECTION 131.0: Conditional Uses

N. Conditional Uses and Permissible Zoning Districts

[[15. Composting Facility

A Conditional Use may be granted in the RC District for a waste composting facility provided that:

- a. All materials received on the site meet the definition of compost as defined in these regulations.
- b. In addition to the bulk regulations of the applicable zoning district, the following structure and use setbacks shall apply:
 - (1) From adjacent residential lots or parcels..... 300 feet
 - (2) From public street rights-of-way..... 100 feet
 - (3) From existing streams and wetlands..... 100 feet
 - (4) From existing farms..... 50 feet
- c. A landscaped buffer area with a minimum width of 100 feet shall be maintained around the perimeter of the site except adjoining a farm. The landscaped buffer shall be used only for planting, fencing, and driveways for ingress and egress to the site.

- 1 d. The operation shall not result in odors which are detectable on
2 surrounding properties.
- 3
- 4 e. The operation shall be conducted in a safe and environmentally sound
5 manner, as prescribed by law or regulations and with respect to the
6 likelihood of hazard to persons or damage to lands, natural resources,
7 streets, bridges, and public rights-of-way.
- 8
- 9 f. The operation shall be conducted in a manner which will prevent
10 insect and/or rodent infestation.
- 11
- 12 g. The facility shall be maintained in a clean and sanitary condition.
- 13
- 14 h. All liquid, including leachate and storm water runoff, generated from
15 the composting facility shall be collected and treated prior to disposal,
16 in accordance with applicable regulations.
- 17
- 18 i. The hours of operations shall be restricted to between 7:00 a.m. and
19 6:00 p.m., and no operation shall be permitted on Sundays except
20 repairs to equipment and improvements, unless other days and hours
21 are approved by the Hearing Authority.
- 22
- 23 j. On-site retail sales of finished compost shall be permitted if
24 specifically approved by the Hearing Authority.
- 25
- 26 k. The structural elements of the roads serving the site shall be adequate
27 for the truck traffic to be generated by the composting facility. The
28 petition shall include a road condition study to allow the Hearing
29 Authority to make this determination.
- 30
- 31 l. The Conditional Use plan submitted with the petition shall show the
32 following:

- 1 (1) Survey boundaries of the subject property.
- 2 (2) Existing natural features including streams, ponds, springs, and
- 3 wetlands.
- 4 (3) Existing and proposed topography.
- 5 (4) Setback and buffer area, including type of screening and fencing.
- 6 (5) Portion of tract to be used for composting operations, including the
- 7 location and layout of:
 - 8 (a) Waste unloading, receiving and storage areas;
 - 9 (b) Waste processing areas, including areas for grinding, screening,
 - 10 mixing and other operations to prepare waste for composting;
 - 11 (c) Composting areas;
 - 12 (d) Compost curing areas;
 - 13 (e) Compost final product preparation areas (screening and other
 - 14 operations); and
 - 15 (f) Finished compost storage and loading areas.
- 16 (6) Existing and proposed structures and major mechanical equipment.
- 17 (7) Existing and proposed access driveways
- 18 (8) Water supply (including quantity requirements) and sewage disposal.
- 19 (9) Stormwater management for quantity and quality control.
- 20 (10) Facilities for storage and treatment for leachate and any other liquids
- 21 generated by the operation.
- 22 (11) Other existing or proposed uses on the site
- 23
- 24 m. The operations plan shall be submitted by the applicant to enable the
- 25 Hearing Authority to evaluate the potential impacts of the proposed
- 26 use. If the petition is approved, substantial changes to the operations
- 27 plan shall not be implemented without prior approval of the Hearing
- 28 Authority. The plan shall provide the following information:
 - 29
 - 30 (1) Types, anticipated quantities and sources of waste.
 - 31 (2) Methods by which unacceptable wastes delivered to the facility will be
 - 32 identified, segregated, and handled for removal and disposal.

- 1 (3) Off-site location where unacceptable wastes delivered to the
- 2 composting facility will be disposed of.
- 3 (4) Methods by which waste quantities delivered will be determined
- 4 including weighing facilities to be provided.
- 5 (5) A description of major items of equipment and associated capacities.
- 6 (6) A description of proposed buildings and pads for storage, composting
- 7 and processing.
- 8 (7) A description of delivery methods and requirements.
- 9 (8) A description of incoming material handling and processing methods
- 10 including processing capacity and storage volume to be provided.
- 11 (9) A description of the composting process to be utilized including
- 12 composting capacity to be provided, composting technology, required
- 13 composting time, and assurance of acceptable level of pathogen
- 14 reduction.
- 15 (10) A description of compost curing, handling and processing methods
- 16 including processing capacity and storage volume to be provided.
- 17 (11) A description of finished compost storage, distribution and delivery
- 18 methods and requirements.
- 19 (12) Methods of controlling odors, dust, litter, noise, and insect or rodent
- 20 infestation; methods of insuring public safety; methods of preventing
- 21 and, if necessary, controlling fires; and methods of collecting and
- 22 treating liquids generated by the use.
- 23 (13) Procedures for cleaning and maintaining the appearance of the facility,
- 24 including collection of litter and waste which falls from transport
- 25 vehicles in the vicinity of the site, including adjacent private properties
- 26 and public roads.
- 27
- 28 n. A rehabilitation plan shall be submitted at the time of the Conditional
- 29 Use application for approval by the Hearing Authority. The plan shall
- 30 provide for the following minimum rehabilitation program:
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- (1) All structures and machinery shall be completely removed and underlying excavations filled to grade and planted in grass except structures or machinery that are to be continued in operation for a use permitted under the zoning classification.
- (2) All impervious surfaces shall be removed and properly disposed of. The areas from which the surfaces are removed shall be backfilled with suitable soil and regraded as necessary to provide adequate drainage. All such areas shall be planted in grass which shall be maintained through one year's growth.
- (3) All waste, composting material, and finished compost shall be removed from the site and shall be disposed of in conformance with applicable laws or regulations.]]

~~38. NATURAL WOOD WASTE RECYCLING FACILITY~~

~~A CONDITIONAL USE MAY BE GRANTED IN THE RC DISTRICT FOR A NATURAL WOOD WASTE RECYCLING FACILITY, PROVIDED THAT:~~

~~A. ONLY NATURAL WOOD WASTE AS SPECIFIED IN THE DEFINITION FOR A NATURAL WOOD WASTE RECYCLING FACILITY SHALL BE RECEIVED FOR RECYCLING 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 RESIDENTIAL PARCELS OR LOTS..... 500 FEET~~
- ~~(2) FROM PUBLIC STREET RIGHTS OF WAY..... 100 FEET~~
- ~~(3) FROM EXISTING STREAMS AND WETLANDS..... 100 FEET~~
- ~~(4) FROM EXISTING FARMS..... 50 FEET~~

~~C. A LANDSCAPED BUFFER AREA WITH A MINIMUM WIDTH OF 100 FEET SHALL BE MAINTAINED AROUND THE PERIMETER OF THE USE BOUNDARY.~~

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~~THE LANDSCAPED BUFFER SHALL BE USED ONLY FOR PLANTING, FENCING,
AND DRIVEWAYS FOR INGRESS AND EGRESS TO THE SITE.~~

~~D. THE OPERATION SHALL NOT GENERATE OFFENSIVE ODORS WHICH ARE
DETECTABLE ON SURROUNDING PROPERTIES.~~

~~E. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND
ENVIRONMENTALLY SOUND MANNER, AS REQUIRED BY STATE 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. AREAS WHERE THE WOOD WASTE 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 STORMWATER RUNOFF,
GENERATED FROM THE FACILITY SHALL BE COLLECTED AND TREATED
PRIOR TO DISPOSAL, IN ACCORDANCE WITH APPLICABLE REGULATIONS.~~

~~I. THE HOURS OF OPERATION SHALL BE RESTRICTED TO BETWEEN 7:00 A.M.
AND 6:00 P.M., AND NO OPERATION SHALL BE PERMITTED ON SUNDAYS
EXCEPT REPAIRS TO EQUIPMENT AND IMPROVEMENTS. THE HOURS OR
DAYS OF OPERATION MAY BE REDUCED BY THE HEARING AUTHORITY.~~

~~J. ON SITE RETAIL SALES OF FINISHED PRODUCTS SHALL BE PERMITTED IF
SPECIFICALLY APPROVED BY THE HEARING AUTHORITY.~~

1 ~~K. THE STRUCTURAL ELEMENTS OF THE ROADS SERVING THE SITE SHALL BE~~
2 ~~ADEQUATE FOR THE TRUCK TRAFFIC TO BE GENERATED BY THE FACILITY.~~
3 ~~THE PETITION SHALL INCLUDE A STUDY OF AFFECTED ROAD AND BRIDGE~~
4 ~~CONDITIONS TO ALLOW THE HEARING AUTHORITY TO MAKE THIS~~
5 ~~DETERMINATION.~~

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8 ~~L. THE CONDITIONAL USE PLAN SUBMITTED WITH THE PETITION SHALL SHOW~~
9 ~~THE FOLLOWING:~~

- 10 ~~(1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.~~
11 ~~(2) EXISTING NATURAL FEATURES INCLUDING STREAMS, PONDS,~~
12 ~~SPRINGS, AND WETLANDS.~~
13 ~~(3) EXISTING AND PROPOSED TOPOGRAPHY.~~
14 ~~(4) SETBACK AND BUFFER AREA, INCLUDING TYPE OF SCREENING AND~~
15 ~~FENCING.~~
16 ~~(5) PORTION OF TRACT TO BE USED FOR ALL OPERATIONS, INCLUDING~~
17 ~~THE LOCATION AND LAYOUT OF:~~
18 ~~(a) UNLOADING, RECEIVING AND STORAGE AREAS;~~
19 ~~(b) PROCESSING AREAS;~~
20 ~~(c) FINAL PRODUCT PREPARATION AREAS; AND~~
21 ~~(d) FINISHED PRODUCT STORAGE AND LOADING AREAS.~~
22 ~~(6) EXISTING AND PROPOSED STRUCTURES AND ALL MECHANICAL~~
23 ~~EQUIPMENT.~~
24 ~~(7) EXISTING AND PROPOSED ACCESS DRIVEWAYS.~~
25 ~~(8) WATER SUPPLY (INCLUDING QUANTITY REQUIREMENTS) AND~~
26 ~~SEWAGE DISPOSAL.~~
27 ~~(9) STORM WATER MANAGEMENT FACILITIES FOR QUANTITY AND~~
28 ~~QUALITY CONTROL.~~
29 ~~(10) FACILITIES FOR STORAGE AND TREATMENT OF LEACHATE AND~~
30 ~~ANY OTHER LIQUIDS GENERATED BY THE OPERATION.~~
31 ~~(11) OTHER EXISTING OR PROPOSED USES ON THE SITE.~~
32

1 M. ~~AN OPERATIONS PLAN SHALL BE SUBMITTED BY THE APPLICANT TO~~
2 ~~ENABLE THE HEARING AUTHORITY TO EVALUATE THE POTENTIAL IMPACTS~~
3 ~~OF THE PROPOSED USE. IF THE PETITION IS APPROVED, SUBSTANTIAL~~
4 ~~CHANGES TO THE OPERATIONS PLAN REQUIRE THE APPROVAL OF THE~~
5 ~~HEARING AUTHORITY BEFORE IMPLEMENTATION. THE PLAN SHALL~~
6 ~~PROVIDE THE FOLLOWING INFORMATION:~~

7 ~~(1) — TYPES, ANTICIPATED QUANTITIES AND SOURCES OF WOOD WASTE.~~

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

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

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

15 ~~(5) — A DESCRIPTION OF ALL ITEMS OF EQUIPMENT AND ASSOCIATED~~
16 ~~CAPACITIES.~~

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

19 ~~(7) — A DESCRIPTION OF WOOD WASTE DELIVERY METHODS AND~~
20 ~~REQUIREMENTS.~~

21 ~~(8) — A DESCRIPTION OF INCOMING WOOD WASTE HANDLING AND~~
22 ~~PROCESSING METHODS INCLUDING PROCESSING CAPACITY AND~~
23 ~~STORAGE VOLUME TO BE PROVIDED.~~

24 ~~(9) — A DESCRIPTION OF THE PROCESSES TO BE UTILIZED.~~

25 ~~(10) — A DESCRIPTION OF CURING, HANDLING AND PROCESSING~~
26 ~~METHODS INCLUDING PROCESSING CAPACITY AND STORAGE~~
27 ~~VOLUME TO BE PROVIDED.~~

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

30 ~~(12) — METHODS OF CONTROLLING ODORS, DUST, LITTER, NOISE, AND~~
31 ~~INSECT OR RODENT INFESTATION; METHODS OF INSURING PUBLIC~~
32 ~~SAFETY; METHODS OF PREVENTING AND, IF NECESSARY,~~

1 CONTROLLING FIRES; AND METHODS OF COLLECTING AND
2 TREATING LIQUIDS GENERATED BY THE USE.

3 ~~(13) PROCEDURES FOR CLEANING AND MAINTAINING THE APPEARANCE~~
4 ~~OF THE FACILITY, INCLUDING COLLECTION OF LITTER AND WASTE~~
5 ~~WHICH FALLS FROM TRANSPORT VEHICLES IN THE VICINITY OF THE~~
6 ~~SITE, INCLUDING ADJACENT PRIVATE PROPERTIES AND PUBLIC~~
7 ~~ROADS.~~

8
9 N. ~~A REHABILITATION PLAN SHALL BE SUBMITTED AT THE TIME OF THE~~
10 ~~CONDITIONAL USE APPLICATION FOR APPROVAL BY THE HEARING~~
11 ~~AUTHORITY. THE PLAN SHALL PROVIDE FOR THE FOLLOWING MINIMUM~~
12 ~~REHABILITATION PROGRAM:~~

13
14 ~~(1) ALL STRUCTURES AND MACHINERY SHALL BE COMPLETELY~~
15 ~~REMOVED AND UNDERLYING EXCAVATIONS FILLED TO GRADE AND~~
16 ~~PLANTED IN GRASS EXCEPT STRUCTURES OR MACHINERY THAT ARE~~
17 ~~TO BE CONTINUED IN OPERATION FOR A USE PERMITTED UNDER THE~~
18 ~~ZONING CLASSIFICATION.~~

19 ~~(2) ALL IMPERVIOUS SURFACES SHALL BE REMOVED AND PROPERLY~~
20 ~~DISPOSED OF. THE AREAS FROM WHICH THE SURFACES ARE~~
21 ~~REMOVED SHALL BE BACKFILLED WITH SUITABLE SOIL AND RE-~~
22 ~~GRADED AS NECESSARY TO PROVIDE ADEQUATE DRAINAGE. ALL~~
23 ~~SUCH AREAS SHALL BE PLANTED IN GRASS WHICH SHALL BE~~
24 ~~MAINTAINED THROUGH ONE YEAR'S GROWTH.~~

25 ~~(3) ALL WOOD WASTE, MATERIALS, AND FINISHED PRODUCTS SHALL~~
26 ~~BE REMOVED FROM THE SITE AND SHALL BE DISPOSED OF IN~~
27 ~~CONFORMANCE WITH APPLICABLE LAWS OR REGULATIONS.~~

28 ~~(4) ALL ACCESS ROADS SHALL BE SUITABLY BARRICADED TO PREVENT~~
29 ~~THE PASSAGE OF VEHICLES EITHER INTO OR OUT OF THE ABANDONED~~
30 ~~AREA, EXCEPT SUCH ACCESS AS NEEDED FOR VEHICLES USED IN~~
31 ~~REHABILITATION WORK, UNTIL THE PLAN FOR REHABILITATION HAS~~

1 BEEN COMPLETED AND A DIFFERENT USE NECESSITATING ACCESS HAS
2 COMMENCED ON THE PROPERTY.

3
4 **46. — Sawmills~~[[,]]~~ or Bulk Firewood Processing~~[[, Mulch Manufacture,~~
5 ~~or Soil Processing]]~~**

6
7 A Conditional Use may be granted in the RC or RR Districts for sawmills~~[[,]]~~
8 and the cutting of firewood in bulk~~[[, mulch manufacturing, or soil]]~~
9 processing provided that:

10 **46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing**

11
12 A Conditional Use may be granted in the RC or RR Districts for sawmills,
13 [[the cutting of firewood in bulk]] BULK FIREWOOD PROCESSING, mulch
14 manufacture, or soil processing provided that:

15
16 a. Buildings and structures used for processing activities, equipment and
17 outdoor uses associated with the operation shall be at least 500 feet from
18 existing residences on different lots and at least 300 feet from property
19 lines. Buildings or structures which are principally used for storage and
20 which are not used for processing activities shall be at least 100 feet from
21 property lines.

22
23 b. ALL REQUIRED STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED. THE
24 HEARING AUTHORITY, AS A CONDITION OF APPROVAL, MAY IMPOSE
25 REQUIREMENTS WHICH ARE MORE STRINGENT THAN THE REQUIREMENTS OF
26 THE STATE AND FEDERAL PERMITS.

27
28 [[b]]c. Parking, storage areas and equipment shall be screened from adjoining
29 properties and public roads by landscaping or other appropriate means.

30
31 [[c]]d. Hours of operation shall be established by the Hearing Authority.

32

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

3
4 [[e]]F. The minimum lot size is 10 acres.

5
6 [[f]]G. The vehicular access to the use shall be from an arterial or collector
7 highway and not from a local road unless authorized by the Hearing
8 Examiner.

9
10 [[g]]H. On an [[ALPP purchased or dedicated]] AGRICULTURAL LAND
11 PRESERVATION easement property, SAWMILLS AND BULK FIREWOOD
12 PROCESSING ARE PERMITTED WITH the following REQUIRED additional
13 criteria [[are required]]:

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

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

19
20 60. YARD WASTE COMPOSTING FACILITY

21
22 A CONDITIONAL USE MAY BE GRANTED IN THE RC, RR, OR M-1 DISTRICTS FOR A YARD WASTE
23 COMPOSTING FACILITY, PROVIDED THAT:

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

27
28 B. ALL REQUIRED STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED. THE HEARING
29 AUTHORITY, AS A CONDITION OF APPROVAL, MAY IMPOSE REQUIREMENTS WHICH ARE
30 MORE STRINGENT THAN THE REQUIREMENTS OF THE STATE AND FEDERAL PERMITS.

31

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

- 3 (1)FROM AN EXISTING RESIDENCE ON A DIFFERENT LOT500 FEET
4 (2)FROM ADJACENT RESIDENTIALLY-ZONED LOTS.....300
5 FEET
6 (3)FROM PUBLIC STREET RIGHTS-OF-WAY100 FEET
7 (4)FROM EXISTING STREAMS AND WETLANDS100 FEET

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

12
13 E. THE OPERATION SHALL NOT RESULT IN ODORS WHICH ARE DETECTABLE ON
14 SURROUNDING PROPERTIES.

15
16 F. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND
17 MANNER, AS PRESCRIBED BY LAW OR REGULATIONS AND WITH RESPECT TO THE
18 LIKELIHOOD OF HAZARD TO PERSONS OR DAMAGE TO LANDS, NATURAL RESOURCES,
19 STREETS, BRIDGES, AND PUBLIC RIGHTS-OF-WAY.

20
21 G. THE OPERATION SHALL BE CONDUCTED IN A MANNER WHICH WILL PREVENT INSECT
22 AND/OR RODENT INFESTATION.

23
24 H. THE FACILITY SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION. AREAS
25 WHERE YARD WASTE OR COMPOST IS PROCESSED, LOADED, OR UNLOADED SHALL BE
26 DESIGNED AND CONSTRUCTED TO DRAIN FREELY TO PREVENT THE ACCUMULATION OF
27 STANDING LIQUID.

28
29 I. ALL LIQUID, INCLUDING LEACHATE AND STORM WATER RUNOFF, GENERATED FROM THE
30 COMPOSTING FACILITY SHALL BE COLLECTED AND TREATED PRIOR TO DISPOSAL, IN
31 ACCORDANCE WITH APPLICABLE REGULATIONS.

32
33 J. IN THE RC AND RR DISTRICTS, THE HOURS OF OPERATION SHALL BE RESTRICTED TO
34 BETWEEN 7:00 A.M. AND 6:00 P.M., AND NO OPERATION SHALL BE PERMITTED ON SUNDAYS
35 EXCEPT REPAIRS TO EQUIPMENT AND IMPROVEMENTS.

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

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

M. THE CONDITIONAL USE PLAN SUBMITTED WITH THE PETITION SHALL SHOW THE FOLLOWING:

- (1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.
- (2) EXISTING NATURAL FEATURES INCLUDING STREAMS, PONDS, SPRINGS, AND WETLANDS.
- (3) EXISTING AND PROPOSED TOPOGRAPHY.
- (4) SETBACK AND BUFFER AREA, INCLUDING TYPE OF SCREENING AND FENCING.
- (5) PORTION OF TRACT TO BE USED FOR COMPOSTING OPERATIONS, INCLUDING THE LOCATION AND LAYOUT OF:
 - (A) YARD WASTE UNLOADING, RECEIVING AND STORAGE AREAS;
 - (B) YARD WASTE PROCESSING AREAS, INCLUDING AREAS FOR GRINDING, SCREENING, MIXING AND OTHER OPERATIONS TO PREPARE YARD WASTE FOR COMPOSTING;
 - (C) COMPOSTING AREAS;
 - (D) COMPOST CURING AREAS;
 - (E) COMPOST FINAL PRODUCT PREPARATION AREAS (SCREENING AND OTHER OPERATIONS); AND
 - (F) FINISHED COMPOST STORAGE AND LOADING AREAS.
- (6) EXISTING AND PROPOSED STRUCTURES AND MAJOR MECHANICAL EQUIPMENT.
- (7) EXISTING AND PROPOSED ACCESS DRIVEWAYS.
- (8) WATER SUPPLY (INCLUDING QUANTITY REQUIREMENTS) AND SEWAGE DISPOSAL.
- (9) STORM WATER MANAGEMENT FACILITIES FOR QUANTITY AND QUALITY 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.

4
5 N. AN OPERATIONS PLAN SHALL BE SUBMITTED BY THE APPLICANT TO ENABLE THE HEARING
6 AUTHORITY TO EVALUATE THE POTENTIAL IMPACTS OF THE PROPOSED USE. IF THE PETITION IS
7 APPROVED, SUBSTANTIAL CHANGES TO THE OPERATIONS PLAN SHALL NOT BE IMPLEMENTED
8 WITHOUT PRIOR APPROVAL OF THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE THE
9 FOLLOWING INFORMATION:

- 10 (1) _____ TYPES, ANTICIPATED QUANTITIES AND SOURCES OF YARD WASTE.
11 (2) _____ METHODS BY WHICH UNACCEPTABLE WASTES DELIVERED TO THE FACILITY WILL BE
12 IDENTIFIED, SEGREGATED, AND HANDLED FOR REMOVAL AND DISPOSAL.
13 (3) _____ OFF-SITE LOCATION WHERE UNACCEPTABLE WASTES DELIVERED TO THE
14 COMPOSTING FACILITY WILL BE DISPOSED OF.
15 (4) _____ METHODS BY WHICH WASTE QUANTITIES DELIVERED WILL BE
16 DETERMINED INCLUDING WEIGHING FACILITIES TO BE PROVIDED.
17 (5) _____ A DESCRIPTION OF MAJOR ITEMS OF EQUIPMENT AND ASSOCIATED
18 CAPACITIES.
19 (6) _____ A DESCRIPTION OF PROPOSED BUILDINGS AND PADS FOR STORAGE,
20 COMPOSTING AND PROCESSING.
21 (7) _____ A DESCRIPTION OF YARD WASTE DELIVERY METHODS AND REQUIREMENTS.
22 (8) _____ A DESCRIPTION OF INCOMING YARD WASTE HANDLING AND PROCESSING METHODS
23 INCLUDING PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.
24 (9) _____ A DESCRIPTION OF THE COMPOSTING PROCESS TO BE UTILIZED INCLUDING COMPOSTING
25 CAPACITY TO BE PROVIDED, COMPOSTING TECHNOLOGY, REQUIRED COMPOSTING TIME,
26 AND ASSURANCE OF ACCEPTABLE LEVEL OF PATHOGEN REDUCTION.
27 (10) _____ A DESCRIPTION OF COMPOST CURING, HANDLING AND PROCESSING METHODS
28 INCLUDING
29 PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.
30 (11) _____ A DESCRIPTION OF FINISHED COMPOST STORAGE, DISTRIBUTION AND
31 DELIVERY METHODS AND REQUIREMENTS.
32 (12) _____ METHODS OF CONTROLLING ODORS, DUST, LITTER, NOISE, AND INSECT OR
33 RODENT INFESTATION; METHODS OF INSURING PUBLIC SAFETY; METHODS OF
34 PREVENTING AND, IF NECESSARY, CONTROLLING FIRES; AND METHODS OF
35 COLLECTING AND TREATING LIQUIDS GENERATED BY THE USE.

1 (13) PROCEDURES FOR CLEANING AND MAINTAINING THE APPEARANCE OF THE FACILITY,
2 INCLUDING COLLECTION OF LITTER AND WASTE WHICH FALLS FROM TRANSPORT
3 VEHICLES IN THE VICINITY OF THE SITE, INCLUDING ADJACENT PRIVATE PROPERTIES AND
4 PUBLIC ROADS.

5
6 O. A REHABILITATION PLAN SHALL BE SUBMITTED AT THE TIME OF THE CONDITIONAL USE
7 APPLICATION FOR APPROVAL BY THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE
8 FOR THE FOLLOWING MINIMUM REHABILITATION PROGRAM:

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

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

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

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

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29
30 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland,*
31 *that the publisher of the Howard County Zoning Regulations is authorized hereby to amend*
32 *the Conditional Uses and Permissible Zoning Districts chart attached to Section 131 of the*
33 *Zoning Regulations in order to reflect the substantive changes made by this Act.*

34

1 *Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland,*
2 *that this Act shall become effective 61 days after its enactment.*

Amendment 1 to Council Bill No. 20-2014

BY: Greg Fox
Mary Kay Sigaty

Legislative Day No. 7
Date: June 2, 2014

Amendment No. 1

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

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

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

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

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

On page 2, inline 8, insert:

10. By amending:

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

Subsection N. Conditional Uses and Permissible Zoning Districts

Section 131.0: “Conditional Uses”

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

“10. By adding:

Number 60. Yard Waste Composting Facility

Subsection N. Conditional Uses and Permissible Zoning Districts

ADOPTED As amended 6/2/2014
FAILED _____
SIGNATURE Shelia Jellison

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:

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

~~B.~~ C. 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 LOT500 FEET
- (2) FROM ADJACENT RESIDENTIALLY-ZONED LOTS.....300 FEET
- (3) FROM PUBLIC STREET RIGHTS-OF-WAY100 FEET
- (4) FROM EXISTING STREAMS AND WETLANDS100 FEET

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

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

~~G.~~ H. 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.

- 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.

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

2
3 BY: Greg Fox
4 Mary Kay Sigaty

Legislative Day No: 7
Date: June 2, 2014

5
6 Amendment No. /

7
8 *(This amendment clarifies that a Composting Facility is being repealed).*

9
10
11
12 On page 1, in line 25, immediately following “ Composting” insert “Facility”.

13
14
15
16
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18

ADOPTED 6/2/2014
FAILED _____
SIGNATURE Shelia Ingle



Amendment² to Amendment 1 Council Bill No. 20-2014

BY: Greg Fox
Mary Kay Sigaty

Legislative Day No: 7
Date: June 2, 2014

Amendment No. 2

(This amendment clarifies the term "Cluster Subdivision Remainder parcels").

On page 2, in line 11, after "FOR" strike "CLUSTER SUBDIVISION REMAINDER PARCELS"
and substitute "PRESERVATION PARCELS CREATED AS PART OF THE CLUSTER SUBDIVISION
PROCESS".

6/2/2014
Sherita Sullivan

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1943
1944

1 Amendment³ to Amendment 1 Council Bill No. 20-2014

2
3 BY: Greg Fox
4 Mary Kay Sigaty

Legislative Day No: 7
Date: June 2, 2014

5
6 Amendment No. 3

7
8 *(This amendment clarifies that "Mulch manufacture and/or soil processing" and "Natural wood*
9 *waste recycling facility" are being removed as a Conditional Use in the ALPP easements).*
10
11
12

13 On page 2, strike lines 13 through 15, and substitute:

14 "On page 4, strike line 23, in its entirety. Renumber the remainder of the subsection
15 accordingly.".
16
17
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ADOPTED 6/2/2014
FAILED _____
SIGNATURE Shanta Ingle



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Amendment to Amendment 1 Council Bill No. 20-2014

BY: Greg Fox
Mary Kay Sigaty

Legislative Day No: 7
Date: June 2, 2014

Amendment No. 4

(This amendment clarifies that "Sawmills, bulk firewood, mulch manufacture and/or soil processing" is being removed as a Conditional Use in the Other Dedicated easements section).

On page 2, strike lines 17 through 18, and substitute:

"On page 6, in line 1, before "(17)", insert double brackets. In the same line, after "(17)", strike the remaining double brackets and "OR" and "PROCESSING".

ADOPTED 6/2/2014
FAILED _____
SIGNATURE Shunda Johnson

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

2
3 BY: Greg Fox
4 Mary Kay Sigaty

Legislative Day No: 7
Date: June 2, 2014

5
6 Amendment No. 5

7
8 *(This amendment clarifies that "Sawmills, bulk firewood, mulch manufacture and/or soil*
9 *processing" Conditional Uses by requiring appropriate permits and specifying that mulch*
10 *manufacturing is not permitted on agricultural land preservation easement property).*

11
12
13
14 On page 1, in line 26, insert:

15 "On page 2, inline 8, insert:

16 10. By amending:

17 Number 46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or
18 Soil Processing

19 Subsection N. Conditional Uses and Permissible Zoning Districts

20 Section 131.0: "Conditional Uses"

21
22 On page 2, immediately following line 25, insert the following:

23 "46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing

24
25 A Conditional Use may be granted in the RC or RR Districts for sawmills, [[the
26 cutting of firewood in bulk]] BULK FIREWOOD PROCESSING, mulch manufacture,
27 or soil processing provided that:

28
29 a. Buildings and structures used for processing activities, equipment and
30 outdoor uses associated with the operation shall be at least 500 feet from
31 existing residences on different lots and at least 300 feet from property lines.
32 Buildings or structures which are principally used for storage and which are
33 not used for processing activities shall be at least 100 feet from property
34 lines.

1
2 B. ALL REQUIRED STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED. THE
3 HEARING AUTHORITY, AS A CONDITION OF APPROVAL, MAY IMPOSE
4 REQUIREMENTS WHICH ARE MORE STRINGENT THAN THE REQUIREMENTS OF
5 THE STATE AND FEDERAL PERMITS.

6
7 [[b]]C. Parking, storage areas and equipment shall be screened from adjoining
8 properties and public roads by landscaping or other appropriate means.

9
10 [[c]]D. Hours of operation shall be established by the Hearing Authority.

11
12 [[d]]E. Retail sales of materials produced on-site may be permitted if specifically
13 approved by the Hearing Authority.

14
15 [[e]]F. The minimum lot size is 10 acres.

16
17 [[f]]G. The vehicular access to the use shall be from an arterial or collector highway
18 and not from a local road unless authorized by the Hearing Examiner.

19
20 [[g]]H. On an [[ALPP purchased or dedicated]] AGRICULTURAL LAND
21 PRESERVATION easement property, SAWMILLS AND BULK FIREWOOD
22 PROCESSING ARE PERMITTED WITH the following REQUIRED additional
23 criteria [[are required]]:

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

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

29
30 On the same page, in line 26, strike the quotation mark.

1 Amendment to Amendment 1 Council Bill No. 20-2014
2

3 BY: Greg Fox
4 Mary Kay Sigaty
5

Legislative Day No: 7
Date: June 2, 2014

6 Amendment No. 6
7

8 *(This amendment clarifies that "Yard Waste Composting Facility" Conditional Uses require the*
9 *appropriate State and Federal permits).*
10
11
12

13 On page 3, immediately following line 4, insert the following:

14 "B. ALL REQUIRED STATE AND FEDERAL PERMITS HAVE BEEN OBTAINED. THE
15 HEARING AUTHORITY, AS A CONDITION OF APPROVAL, MAY IMPOSE
16 REQUIREMENTS WHICH ARE MORE STRINGENT THAN THE REQUIREMENTS OF
17 THE STATE AND FEDERAL PERMITS."
18

19 Renumber the remainder of the subsection accordingly.
20
21
22
23

APPROVED 6/2/2014
PASSED _____
SIGNED Shelia Jellison

1
2
3 **Amendment 1 Council Bill No. 20-2014**

4 **BY: Greg Fox**
5 **Mary Kay Sigaty**

Legislative Day No: 7
Date: June 2, 2014

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.)*

10
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””.

26
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.

4
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."

9
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."

12
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.

16
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.

19
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.

23
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

27
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 WETLANDS100 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.

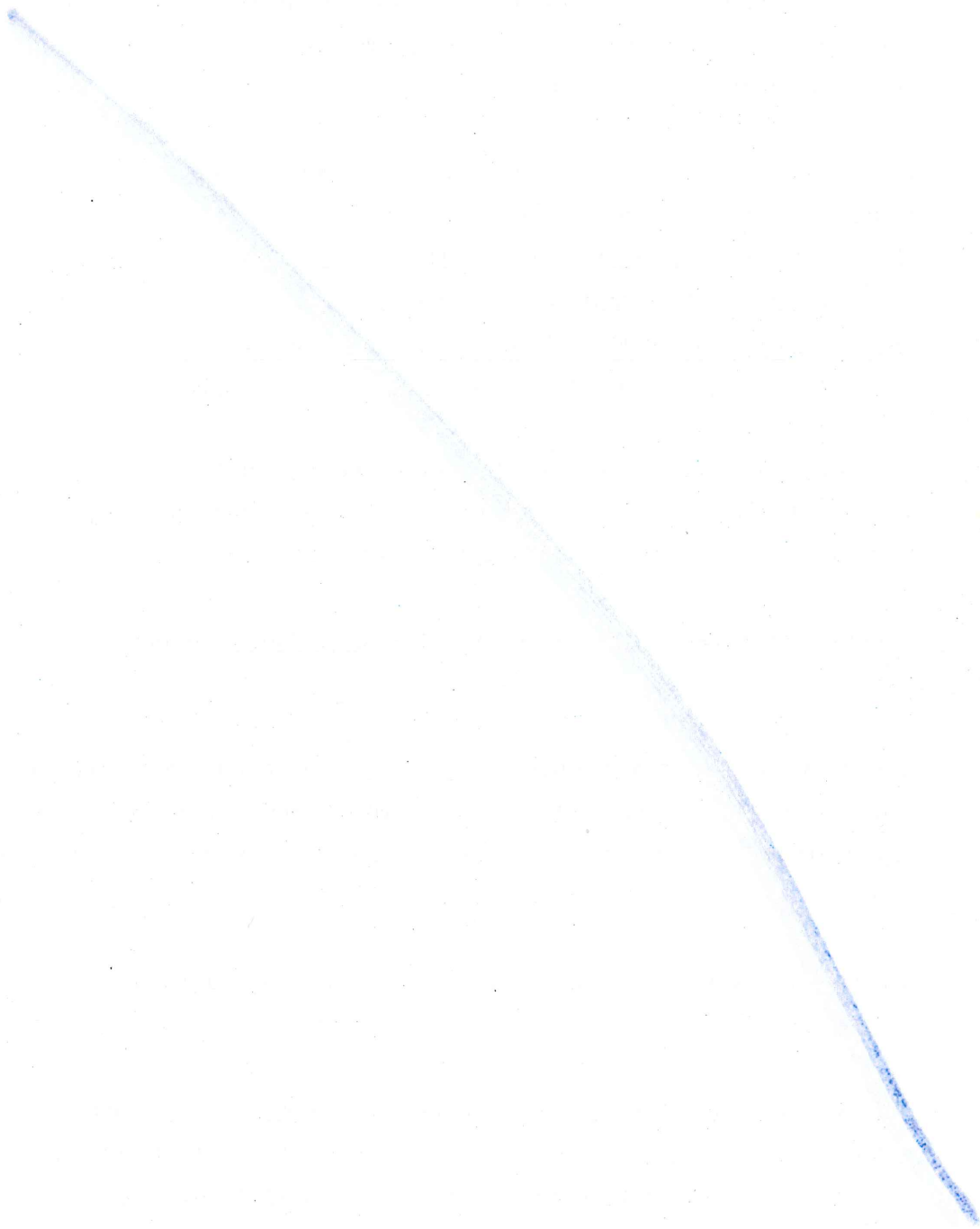
- E. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND MANNER, AS PRESCRIBED BY LAW OR REGULATIONS AND WITH RESPECT TO THE LIKELIHOOD OF HAZARD TO PERSONS OR DAMAGE TO LANDS, NATURAL RESOURCES, STREETS, BRIDGES, AND PUBLIC RIGHTS-OF-WAY.

- 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.

3
4 J. ON-SITE RETAIL SALES OF FINISHED COMPOST SHALL BE PERMITTED IF SPECIFICALLY APPROVED BY
5 THE HEARING AUTHORITY.

6
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.

10
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

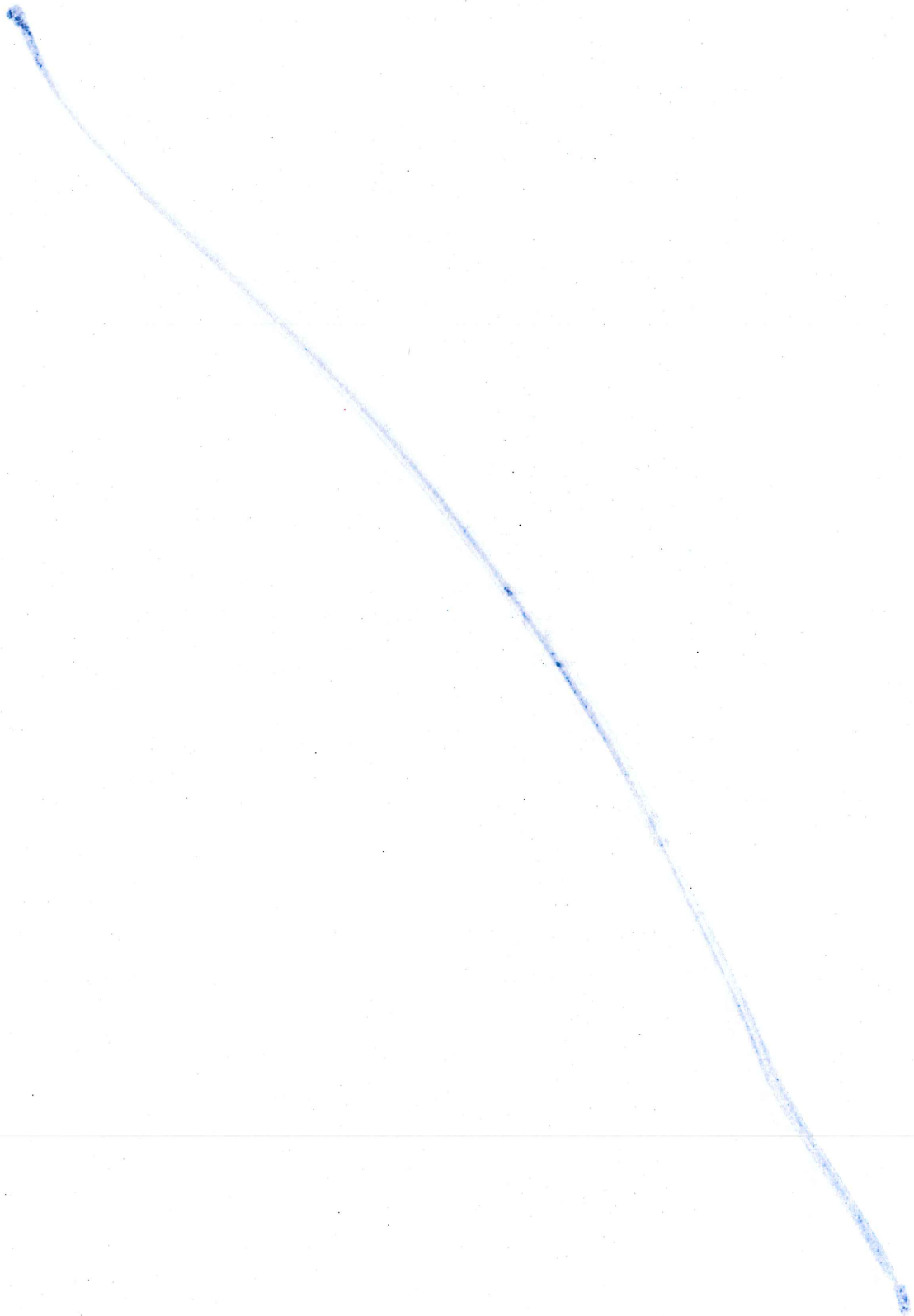
28 (F) FINISHED COMPOST STORAGE AND LOADING AREAS.

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.

4
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.

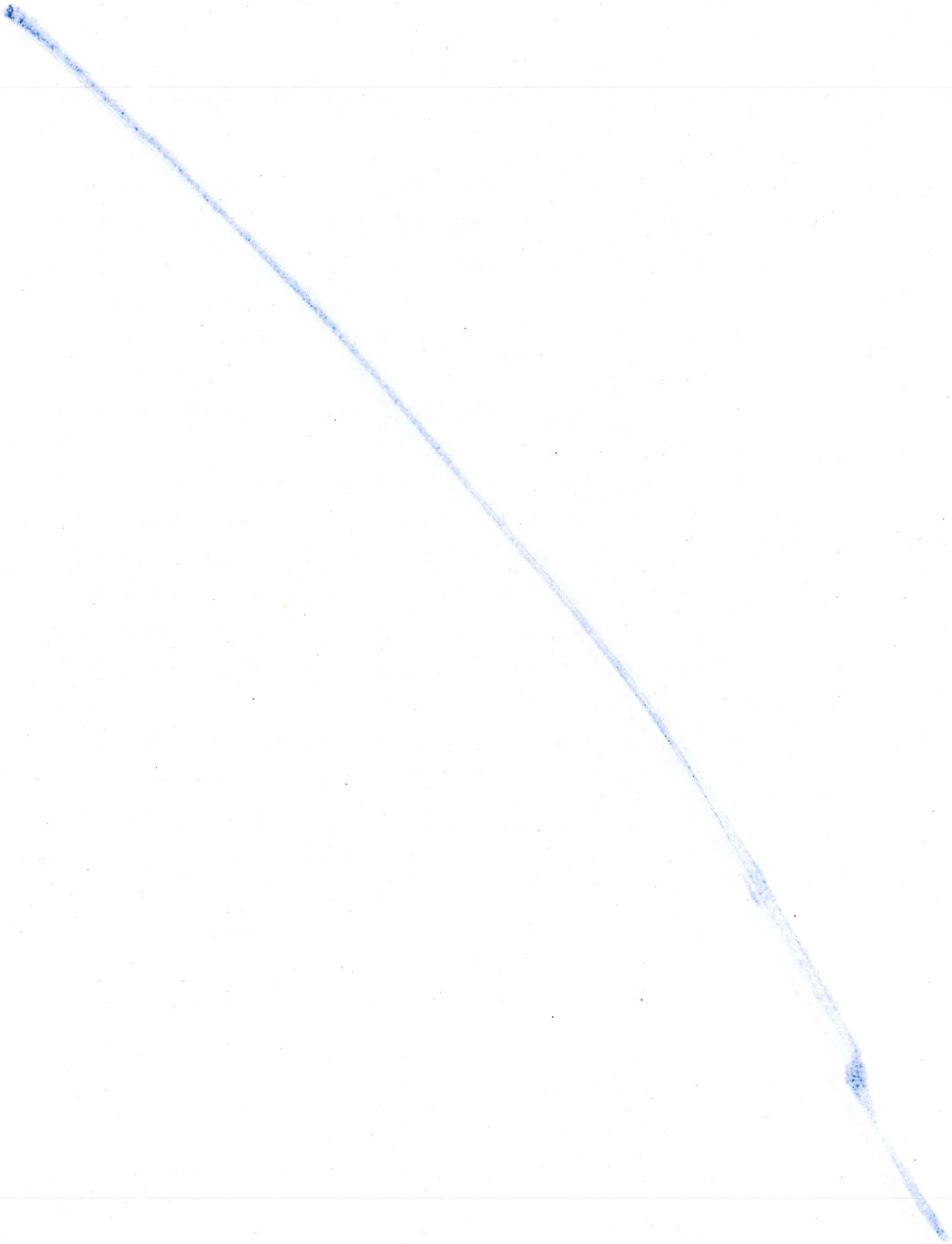
34 (13) PROCEDURES FOR CLEANING AND MAINTAINING THE APPEARANCE OF THE FACILITY,
35 INCLUDING COLLECTION OF LITTER AND WASTE WHICH FALLS FROM TRANSPORT VEHICLES IN



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

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

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



Introduced _____
Public hearing _____
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2014 Legislative Session

Legislative day # 5

BILL NO. 20 - 2014 (ZRA - 149)

**Introduced by:
Greg Fox, Councilmember**

**Co-sponsored by:
Mary Kay Sigaty, Councilmember
Courtney Watson, Councilmember**

AN ACT amending the Howard County Zoning Regulations to alter and include new definitions related to composting and wood processing; removing all references to Mulch Manufacturing; adding Natural Wood Waste Recycling Facilities as a Conditional Use on County Preservation Easements under certain conditions; adding Natural Wood Waste Recycling Facilities as a Permitted Use in the M-1 (Manufacturing: Light) zoning district; adding Composting Facilities as a Permitted Use in the Solid Waste Overlay zoning district with a M-2 (Manufacturing: Heavy) underlying zone under certain conditions; removing Composting Facilities as a Conditional Use in the RC (Rural Conservation) zoning district; adding Natural Wood Waste Recycling Facilities as a Conditional Use in the RC (Rural Conservation) zoning district under certain conditions; and generally related to Composting and Wood Processing uses.

Introduced and read first time _____, 2014. Ordered posted and hearing scheduled.

By order _____
Sheila Tolliver, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2014 and concluded on _____, 2014.

By order _____
Sheila Tolliver, Administrator to the County Council

This Bill was read the third time _____, 2014 and Passed _____, Passed with amendments _____, Failed _____.

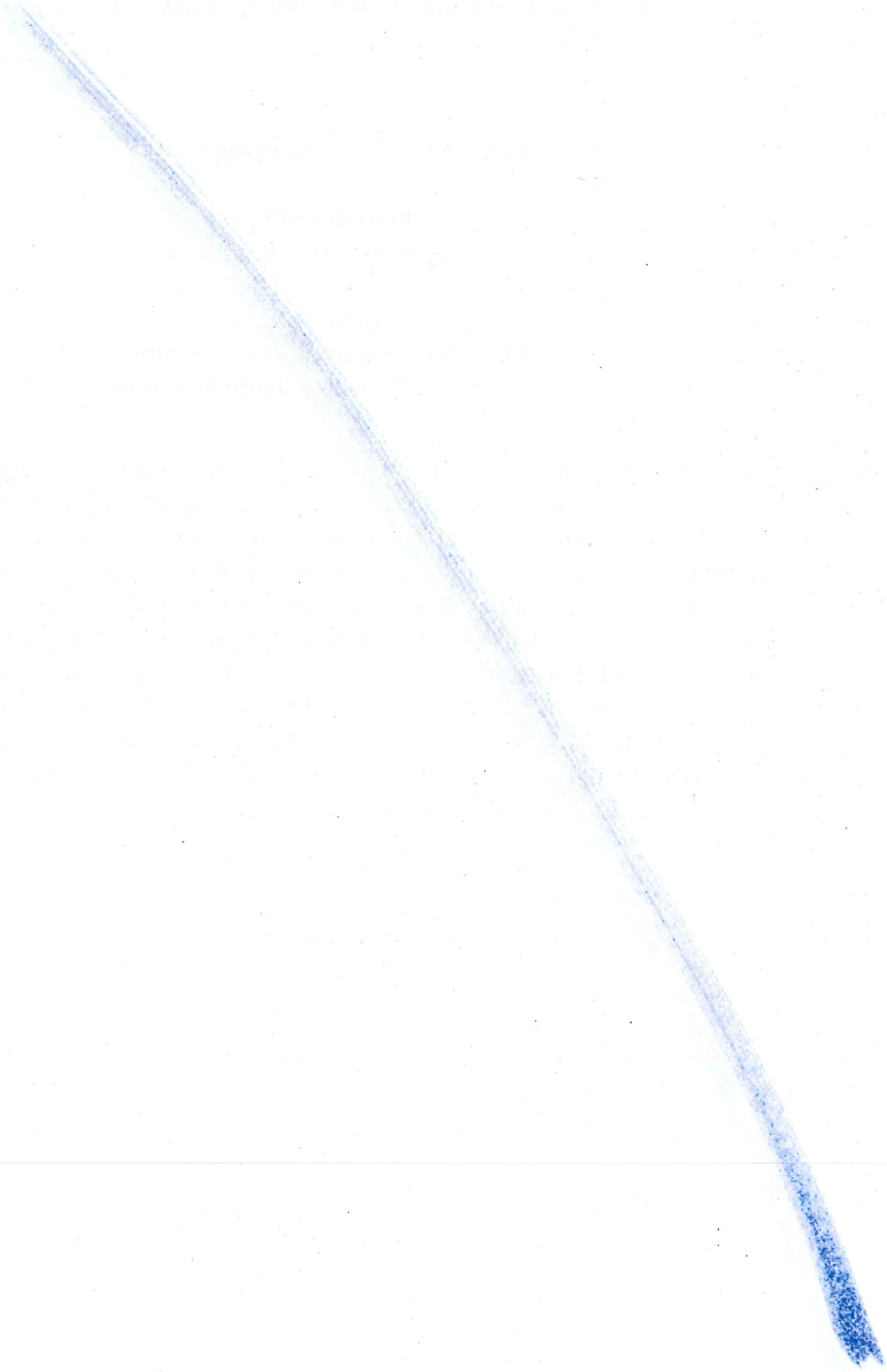
By order _____
Sheila Tolliver, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2014 at _____ a.m./p.m.

By order _____
Sheila Tolliver, Administrator to the County Council

Approved/vetoed by the County Executive on _____, 2014.

Ken Ulman, County Executive



1 **Section 1.** *Be it enacted by the County Council of Howard County, Maryland, that the Howard*
2 *County Zoning Regulations are hereby amended to read as follows:*

3 1. *By amending:*

4 *The definition of "composting facility"*
5 *Section 103.0: "Definitions"*

6
7 2. *By deleting*

8 *The definition of "mulch manufacture"*
9 *Section 103.0: "Definitions"*

10
11 3. *By adding:*

12 *The definitions of "firewood processing, bulk," "natural wood waste recycling facility," and*
13 *"sawmill"*
14 *Section 103.0: "Definitions"*

15
16 4. *By amending:*

17 *Subsection D. Conditional Uses*
18 *Section 106.1: "County Preservation Easements"*

19
20 5. *By amending:*

21 *Subsection C. Uses Permitted as a Matter of Right*
22 *Section 117.1: "BR(Business Rural) District"*

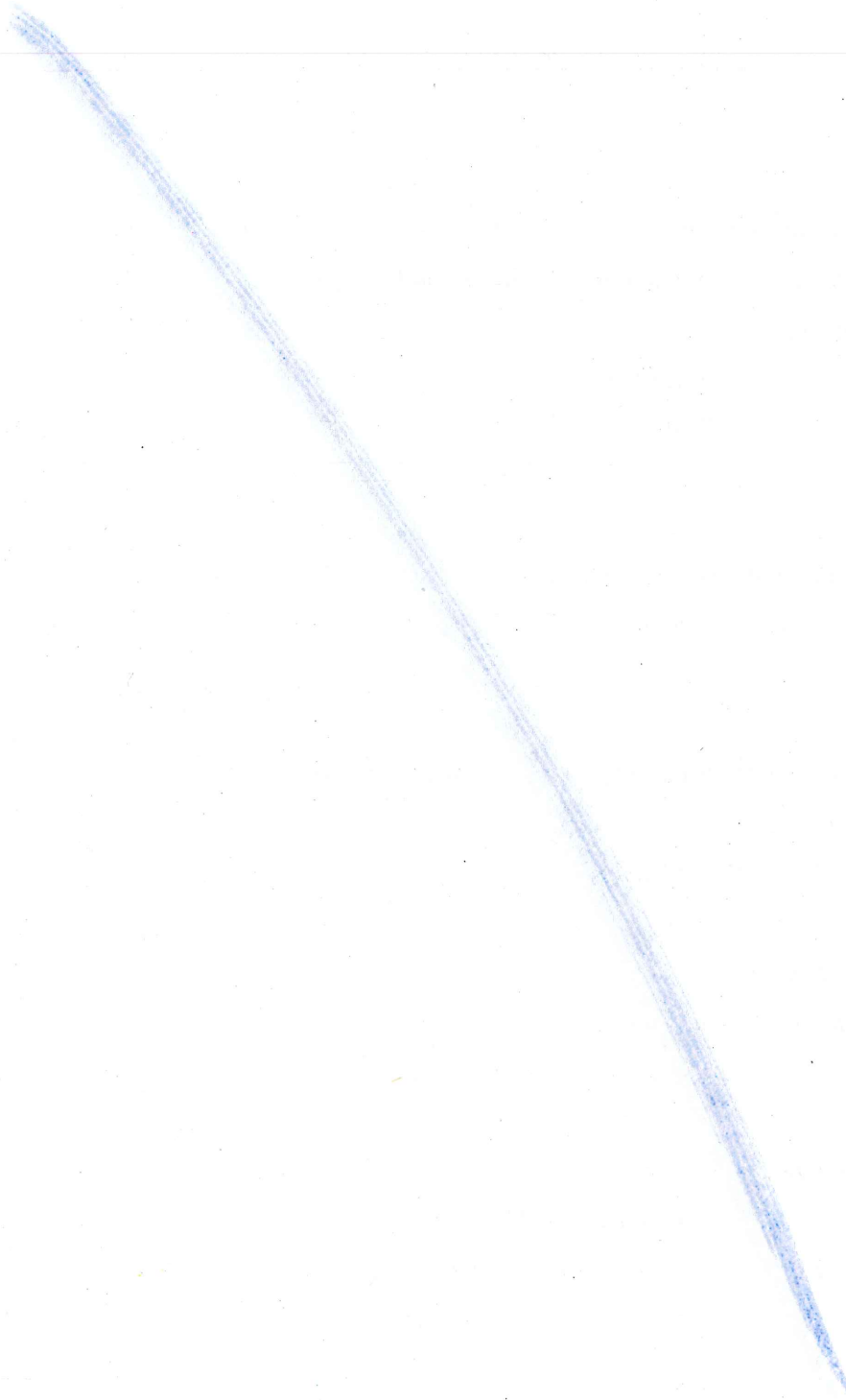
23
24 6. *By amending:*

25 *Subsection B. Uses Permitted as a Matter of Right*
26 *Section 122.0: "M-1 (Manufacturing: Light) District"*

27
28 7. *By Renumbering:*

29 *Numbers 37 - 67 to be Numbers 38 - 68*
30 *Subsection B. Uses Permitted as a Matter of Right*
31 *Section 122.0: "M-1 (Manufacturing: Light) District"; and*

32



1 *Numbers 20 – 31 to be Numbers 19 – 30*
2 *Subsection C. Uses Permitted as a Matter of Right*
3 *Section 117.1: “BR(Business Rural) District*

4
5 8. *By amending:*
6 *Subsection B. Uses Permitted as a Matter of Right If the Underlying District is M-2*
7 *Section 124.0: “SW (Solid Waste) Overlay District”*

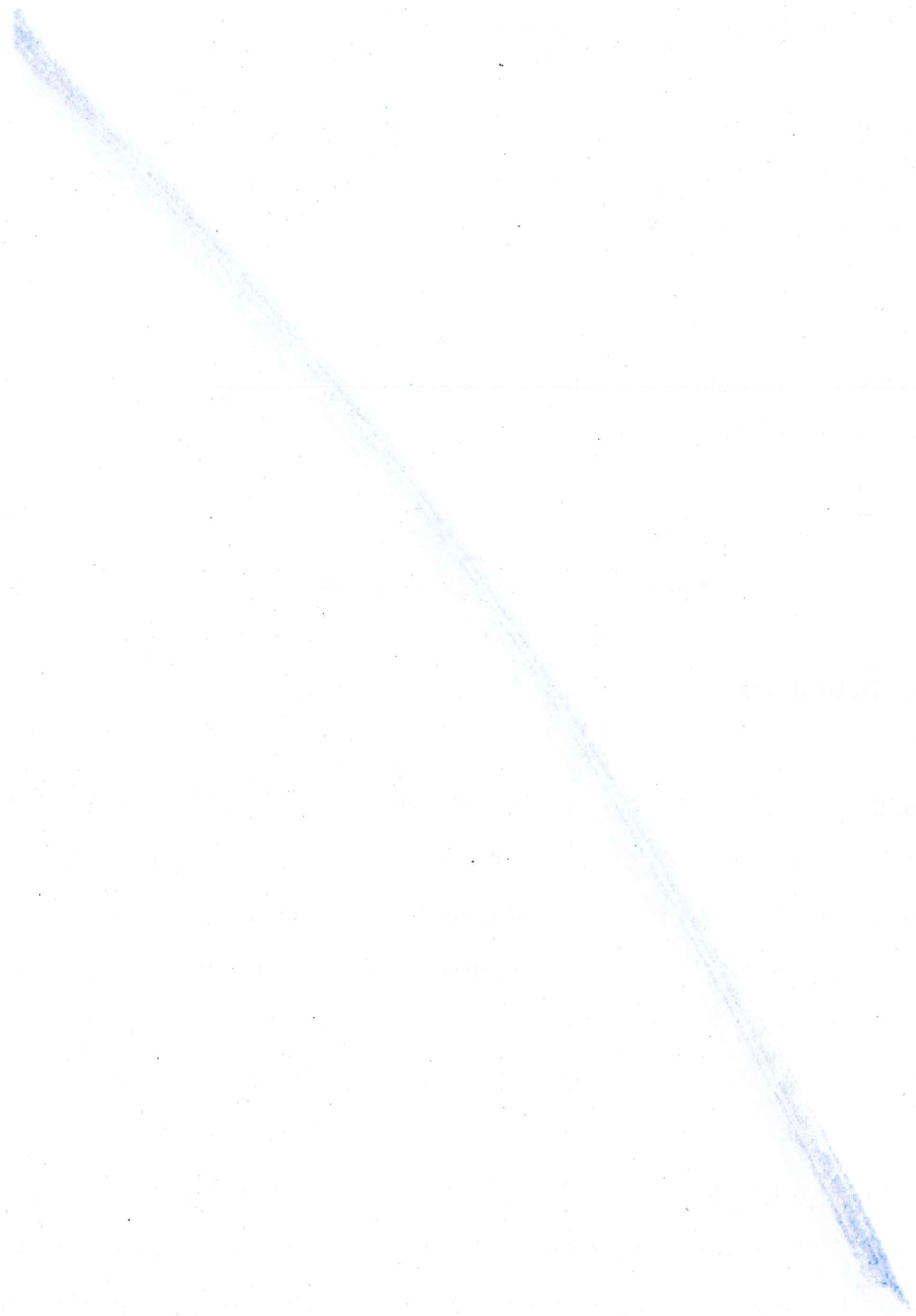
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9 9. *By amending:*
10 *Subsection N. Conditional Uses and Permissible Zoning Districts*
11 *Section 131.0: “Conditional Uses”*

12
13
14 **Howard County Zoning Regulations**

15
16 **Section 103.0 Definitions**

17
18 Composting Facility: A facility [[where organic material, specifically limited to
19 vegetation, food waste, and manure, that is obtained principally from off-site locations
20 is processed to generate a product through the microbiological degradation of this
21 organic material under aerobic conditions]] USED FOR THE CONTROLLED AEROBIC
22 BIOLOGICAL DECOMPOSITION OF HYGIENIC WASTE MATERIALS THAT IS SUBJECT TO
23 REGULATION OR PERMITTING REQUIREMENTS OF THE STATE OF MARYLAND.

24
25 FIREWOOD PROCESSING, BULK: A COMMERCIAL FACILITY WHICH PRINCIPALLY
26 PROCESSES BRANCHES AND LOGS BY CHOPPING, CUTTING, SAWING, OR SPLITTING TO
27 PRODUCE FIREWOOD FOR SALE, AND WHICH MAY INCLUDE THE ACCESSORY PROCESSING
28 OF THE WOOD WASTE SOLELY PRODUCED BY THE PRINCIPAL PROCESSING TO CREATE
29 HUMUS, MULCH OR WOOD CHIPS. THIS TERM DOES NOT INCLUDE THE PRODUCTION OF
30 FIREWOOD AS AN ACCESSORY USE TO FARMING OR RESIDENTIAL PARCELS FOR LAND
31 CLEARING OR PRIVATE USE PURPOSES.



1 [[Mulch Manufacture: The manufacture of horticultural mulch from wood, wood
2 products or similar materials. This term does not include the production of mulch as a
3 by-product of on-site farming.]]

4
5 NATURAL WOOD WASTE RECYCLING FACILITY: A PRIVATELY OPERATED COMMERCIAL
6 FACILITY THAT RECYCLES BRANCHES, LEAVES, LIMBS, LOGS, ROOT MATS, TREE STUMPS
7 AND OTHER SIMILAR PREVIOUSLY UNPROCESSED NATURAL ORGANIC WOOD MATERIALS
8 BY PROCESSING THESE MATERIALS INTO RAW MATERIAL OR PRODUCTS, AND WHICH
9 OPERATES UNDER A PERMIT FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.

10
11 SAWMILL: A COMMERCIAL FACILITY WHICH PRINCIPALLY PROCESSES LOGS BY SAWING,
12 SPLITTING, SHAVING, OR STRIPPING TO PRODUCE LUMBER OR OTHER WOOD PRODUCTS
13 FOR SALE, AND WHICH MAY INCLUDE THE ACCESSORY PROCESSING OF THE WOOD WASTE
14 SOLELY PRODUCED BY THE PRINCIPAL PROCESSING TO CREATE HUMUS, MULCH OR WOOD
15 CHIPS. THIS TERM DOES NOT INCLUDE THE PRODUCTION OF LUMBER AS AN ACCESSORY
16 USE TO FARMING OR RESIDENTIAL PARCELS FOR LAND CLEARING OR PRIVATE USE
17 PURPOSES.

18
19
20 **SECTION 106.1: County Preservation Easements**

21
22 **D. Conditional Uses**

23
24 1. ALPP Purchased Easements and ALPP Dedicated Easements

- 25
26 a. Conditional Uses shall not be allowed on agricultural preservation
27 easements unless they support the primary agricultural purpose of the
28 easement property, or are an ancillary business which supports the
29 economic viability of the farm, and are approved by the hearing
30 authority in accordance with the applicable provisions of Sections
31 130.0 and 131.0 of these regulations. On an ALPP purchased or
32 dedicated easement property, the area devoted to Conditional Uses may

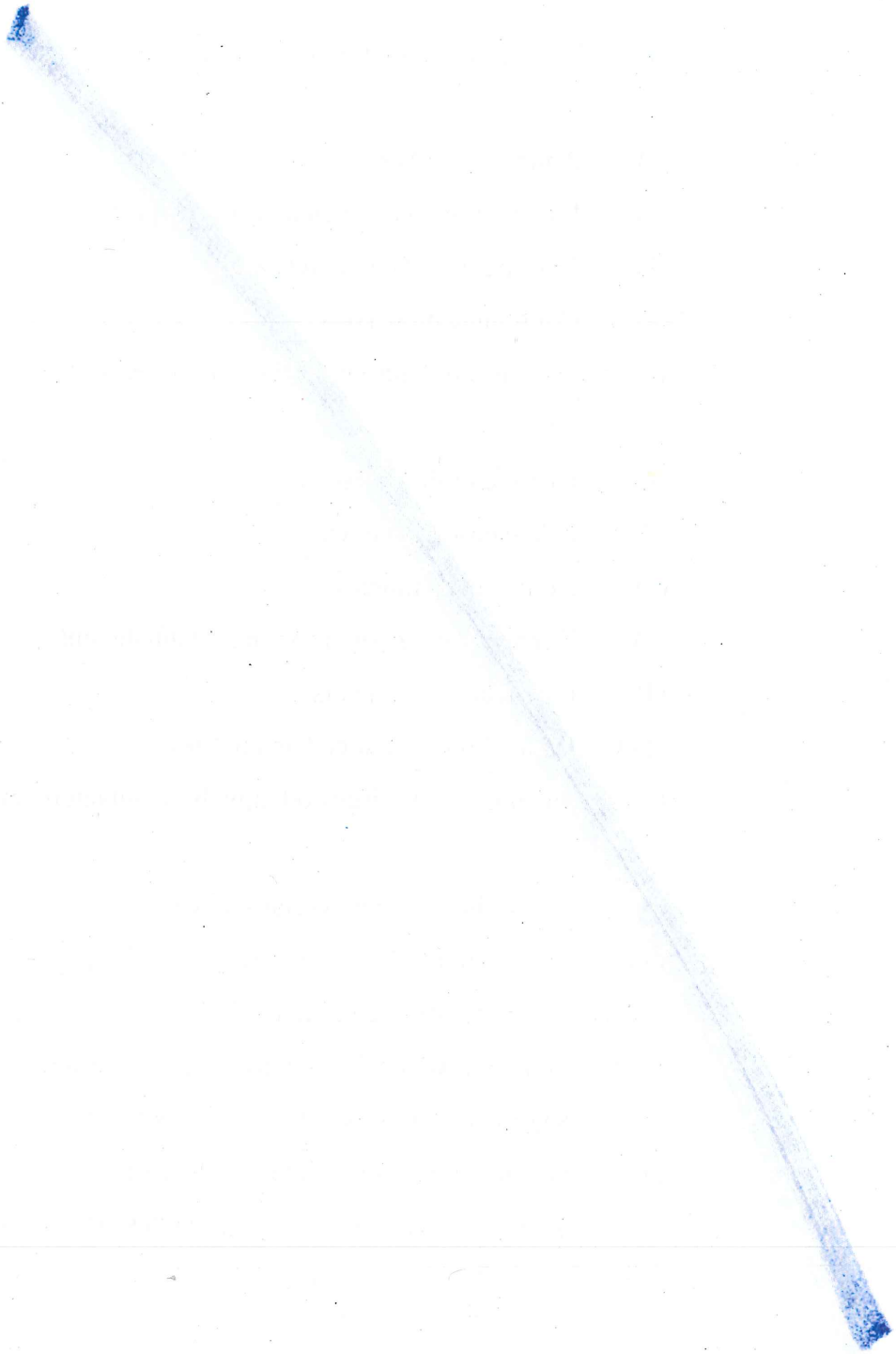


1 not exceed a cumulative use cap equal to 2% of the easement, UP TO A
2 MAXIMUM OF 1 ACRE.

3
4 The following Conditional Uses may be allowed:

- 5
6 (1) Animal hospitals
7 (2) Barber shop, hair salon and similar personal services facilities
8 (3) Bottling of spring or well water
9 (4) Communication Towers
10 (5) Farm tenant house on a parcel of at least 25 acres but less than
11 50 acres
12 (6) Historic building uses
13 (7) Home based contractors
14 (8) Home occupations
15 (9) Kennels and/or pet grooming establishments
16 (10) Landscape contractors
17 (11) Limited outdoor social assemblies
18 [[(12) Sawmills, bulk firewood, mulch manufacture and/or soil
19 processing
20 (13) School buses, commercial service
21 (14) Small wind energy systems, freestanding tower
22 (15) Solar Facilities, commercial]]
23 (12) NATURAL WOOD WASTE RECYCLING FACILITY
24 (13) SAWMILLS OR BULK FIREWOOD PROCESSING
25 (14) SCHOOL BUSES, COMMERCIAL SERVICE
26 (15) SMALL WIND ENERGY SYSTEMS, FREESTANDING TOWER
27 (16) SOLAR FACILITIES, COMMERCIAL

- 28
29 b. In addition, the following Conditional Uses which may require
30 additional land area may be permitted on agricultural preservation
31 easements:
32



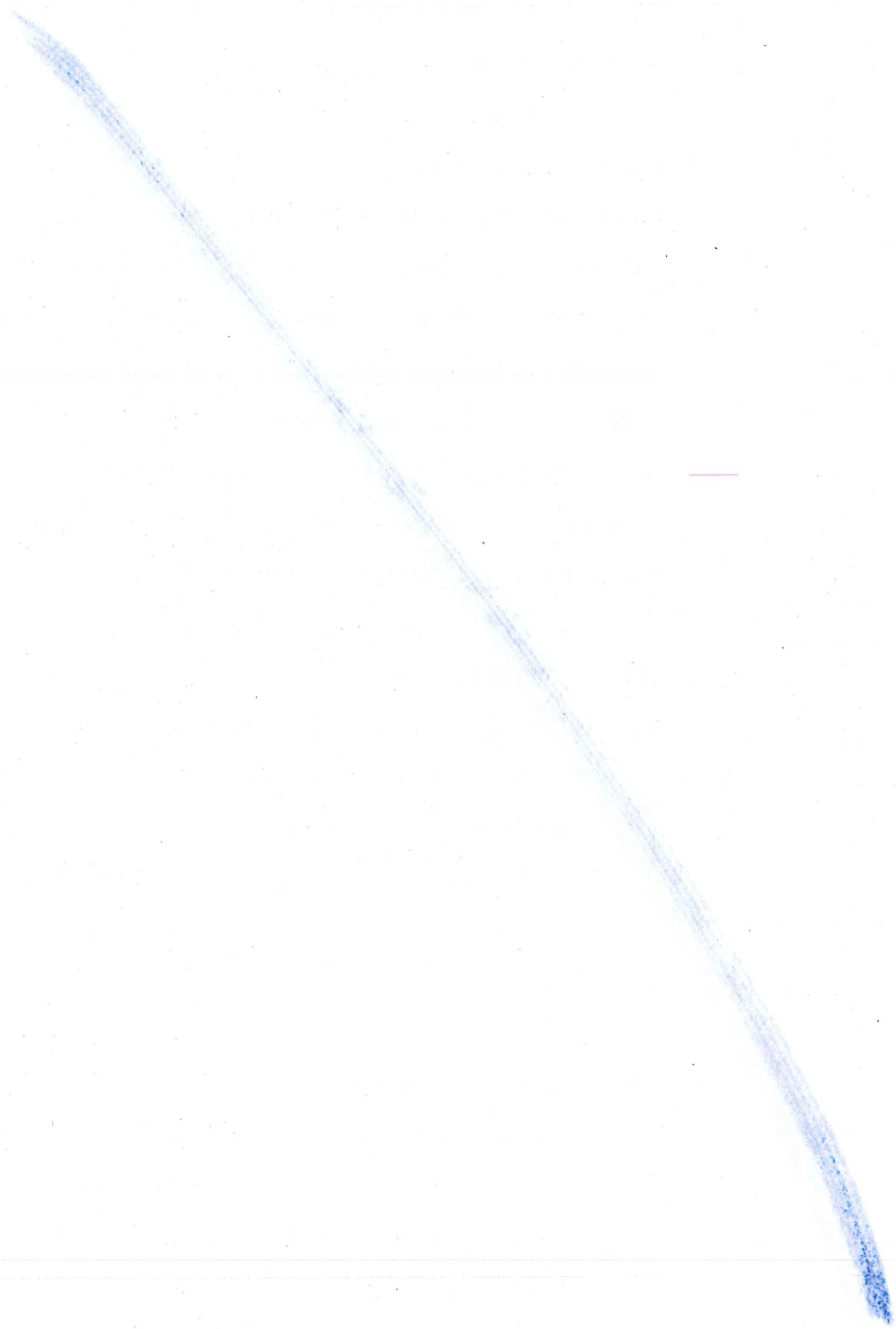
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- (1) Agribusiness, limited to uses itemized in Section 131.0.N.
- (2) Farm winery – class 2
- [[(3) Composting Facility]]

2. Other Dedicated Easements

a. Conditional Uses shall not be allowed on other dedicated easements unless they support the primary purpose of the easement property and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On these dedicated easements, the following Conditional Uses which do not require the construction of new principal structures or use of an outdoor area that is more than 2% of the preservation parcel acreage up to a maximum of 1 acre may be allowed:

- (1) Animal hospitals
- (2) Antique shops, art galleries and craft shops
- (3) Barber shop, hair salon and similar personal service facilities
- (4) Bottling of spring or well water
- (5) Child day care centers and nursery schools, day treatment and care facilities
- (6) Communication towers
- (7) Country inns
- (8) Historic building uses
- (9) Farm tenant house on a parcel of at least 25 acres but less than 50 acres
- (10) Home based contractors
- (11) Home occupations
- (12) Kennels and/or pet grooming establishments
- (13) Landscape contractors
- (14) Limited outdoor social assemblies
- (15) Museums and libraries
- (16) Retreats



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- (17) Sawmills[[,]] OR bulk firewood PROCESSING [[, mulch manufacture and/or soil processing]]
- (18) School buses, commercial service
- (19) Shooting ranges – outdoor rifle, pistol, skeet and trap
- (20) Small wind energy systems, freestanding tower
- (21) Solar Facilities, commercial
- (22) Two family dwellings, accessory apartments and multi-plex dwellings

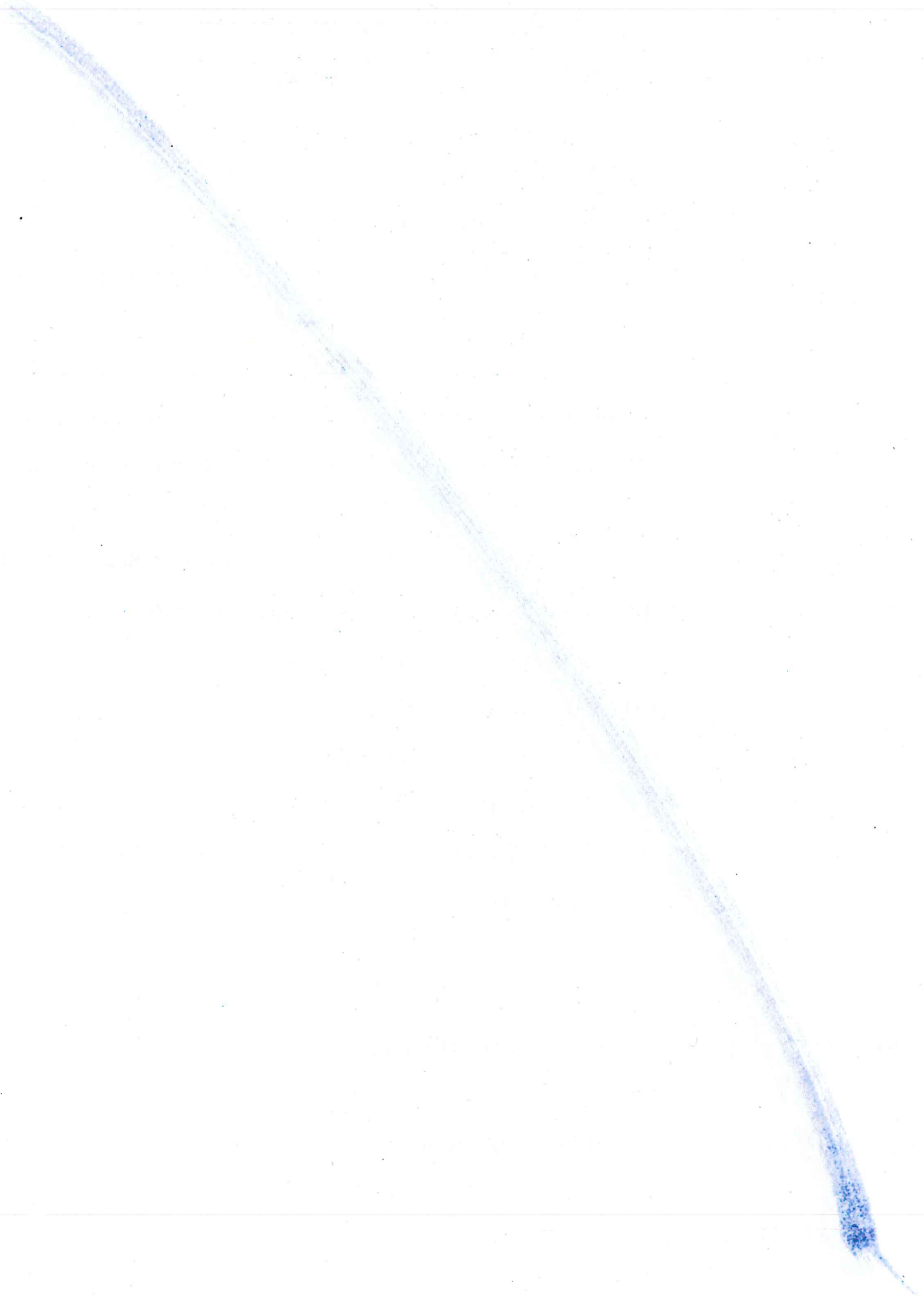
b. In addition, the following Conditional Uses which may require additional land area may be permitted on other dedicated easements:

- (1) Agribusiness, limited to uses itemized in Section 131.0.N.2
- (2) Charitable or philanthropic institutions dedicated to environmental conservation
- [[(3) Composting Facility
- (4) Farm winery – Class 2
- (5) Golf Courses]]
- (3) FARM WINERY – CLASS 2
- (4) GOLF COURSES

SECTION 117.1: BR (Business Rural) District

C. Uses Permitted as a Matter of Right

[[19. Mulch manufacture.]]



1 **SECTION 122.0: M-1 (Manufacturing: Light) District**

2

3 **B. Uses Permitted as a Matter of Right**

4

5 1. Ambulance services.

6 2. Ambulatory health care facilities.

7 3. Athletic facilities, commercial

8 4. Banks, savings and loan associations, investment companies, credit unions,
9 brokers and similar financial institutions.

10 5. Biodiesel fuel manufacturing from vegetable-based oils.

11 6. Biomedical laboratories.

12 7. Blueprinting, printing, duplicating or engraving services.

13 8. Breweries that manufacture 22,500 barrels or less of fermented malt beverages
14 per year.

15 9. Bus terminals.

16 10. Carpet and floor covering stores.

17 11. Car wash facilities.

18 12. Carnivals and fairs sponsored by and operated on a nonprofit basis for the
19 benefit of charitable, social, civic or educational organizations, subject to
20 the requirements of Section 128.0.D.

21 13. Carpet and rug cleaning.

22 14. Catering establishments and banquet facilities.

23 15. Child day care centers and nursery schools.

24 16. Concert halls.

25 17. Conservation areas, including wildlife and forest preserves, environmental
26 management areas, reforestation areas, and similar uses.

27 18. Contractor's office and outdoor or indoor storage facility, including carpentry,
28 cleaning, construction, electrical, excavation, exterminating, heating/air
29 conditioning, home improvement, landscaping, masonry, painting, paving,
30 plumbing, roofing, septic system, snow removal, well drilling, and other
31 contractors.

32 19. Data processing and telecommunication centers



- 1 20. Day treatment or care facilities.
- 2 21. Farming, provided that on a residential lot or parcel of less than 40,000 square
- 3 feet no livestock shall be permitted. However, residential chicken keeping
- 4 is allowed as noted in Section 128.0.
- 5 22. Flex- space
- 6 23. Funeral homes and mortuaries.
- 7 24. Furniture, appliance and business machine repair, furniture upholstery, and
- 8 similar services.
- 9 25. Furniture stores.
- 10 26. Government structures, facilities and uses, including public schools and
- 11 colleges.
- 12 27. Hotels, motels, conference centers and country inns.
- 13 28. Kennels.
- 14 29. Laundry or dry cleaning establishments or plants.
- 15 30. Light Industrial Uses.
- 16 31. Material recovery facilities - source separated.
- 17 32. Mobile home and modular home sales and rentals, but not including
- 18 occupancy.
- 19 33. Motor vehicle, construction equipment and farm equipment maintenance,
- 20 repair and painting facilities, including full body repair and incidental sale
- 21 of parts.
- 22 34. Motor vehicle, construction equipment and farm equipment sales and rentals.
- 23 35. Motor vehicle inspections station.
- 24 36. Motor vehicle towing and storage facility.
- 25 37. NATURAL WOOD WASTE RECYCLING FACILITY

26
27
28 **SECTION 124.0: SW (Solid Waste) Overlay District**

29
30 **B. Uses Permitted as a Matter of Right if the Underlying District is M-2:**

- 31
32 [[1. Land clearing debris landfills.



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2. Rubble landfills.
3. Solid waste processing facilities.
4. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.]]
1. COMPOSTING FACILITY.
2. LAND CLEARING DEBRIS LANDFILLS.
3. RUBBLE LANDFILLS.
4. SOLID WASTE PROCESSING FACILITIES.
5. UNDERGROUND PIPELINES; ELECTRIC TRANSMISSION AND DISTRIBUTION LINES; TELEPHONE, TELEGRAPH AND CATV LINES; MOBILE TRANSFORMER UNITS; TELEPHONE EQUIPMENT BOXES; AND OTHER, SIMILAR PUBLIC UTILITY USES NOT REQUIRING A CONDITIONAL USE.

SECTION 131.0: Conditional Uses

N. Conditional Uses and Permissible Zoning Districts

[[15. Composting Facility

A Conditional Use may be granted in the RC District for a waste composting facility provided that:



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a. All materials received on the site meet the definition of compost as defined in these regulations.

b. In addition to the bulk regulations of the applicable zoning district, the following structure and use setbacks shall apply:

- (1) From adjacent residential lots or parcels 300 feet
- (2) From public street rights-of-way 100 feet
- (3) From existing streams and wetlands 100 feet
- (4) From existing farms 50 feet

c. A landscaped buffer area with a minimum width of 100 feet shall be maintained around the perimeter of the site except adjoining a farm. The landscaped buffer shall be used only for planting, fencing, and driveways for ingress and egress to the site.

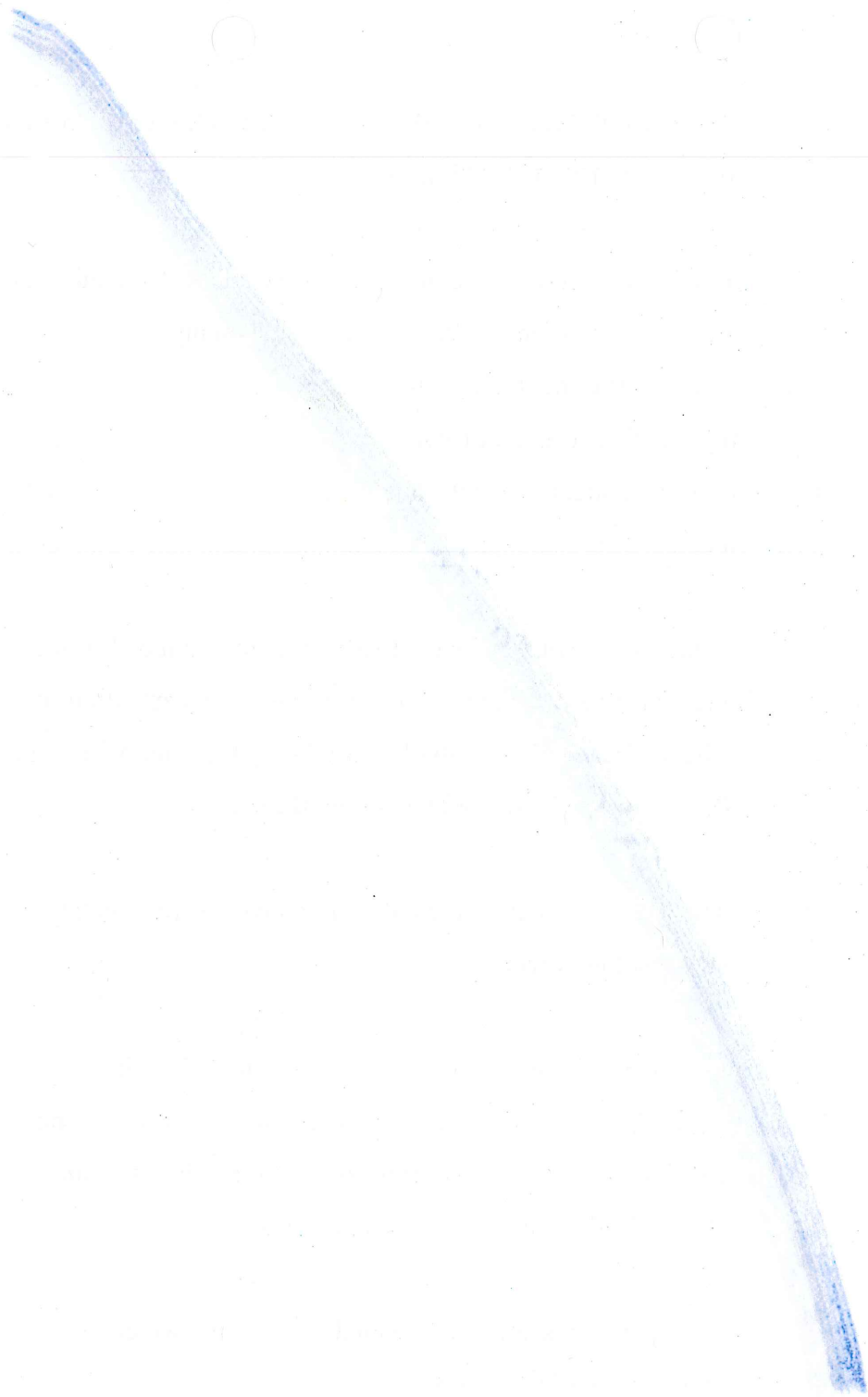
d. The operation shall not result in odors which are detectable on surrounding properties.

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.

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.



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- i. The hours of operations shall be restricted to between 7:00 a.m. and 6:00 p.m., and no operation shall be permitted on Sundays except repairs to equipment and improvements, unless other days and hours are approved by the Hearing Authority.

- j. On-site retail sales of finished compost shall be permitted if specifically approved by the Hearing Authority.

- k. The structural elements of the roads serving the site shall be adequate for the truck traffic to be generated by the composting facility. The petition shall include a road condition study to allow the Hearing Authority to make this determination.

- l. The Conditional Use plan submitted with the petition shall show the following:
 - (1) Survey boundaries of the subject property.
 - (2) Existing natural features including streams, ponds, springs, and wetlands.
 - (3) Existing and proposed topography.
 - (4) Setback and buffer area, including type of screening and fencing.
 - (5) Portion of tract to be used for composting operations, including the location and layout of:
 - (a) Waste unloading, receiving and storage areas;
 - (b) Waste processing areas, including areas for grinding, screening, mixing and other operations to prepare waste for composting;
 - (c) Composting areas;
 - (d) Compost curing areas;
 - (e) Compost final product preparation areas (screening and other operations); and
 - (f) Finished compost storage and loading areas.
 - (6) Existing and proposed structures and major mechanical equipment.
 - (7) Existing and proposed access driveways



- 1 (8) Water supply (including quantity requirements) and sewage disposal.
- 2 (9) Stormwater management for quantity and quality control.
- 3 (10) Facilities for storage and treatment for leachate and any other liquids
- 4 generated by the operation.
- 5 (11) Other existing or proposed uses on the site
- 6
- 7 m. The operations plan shall be submitted by the applicant to enable the
- 8 Hearing Authority to evaluate the potential impacts of the proposed use.
- 9 If the petition is approved, substantial changes to the operations plan
- 10 shall not be implemented without prior approval of the Hearing
- 11 Authority. The plan shall provide the following information:
- 12
- 13 (1) Types, anticipated quantities and sources of waste.
- 14 (2) Methods by which unacceptable wastes delivered to the facility will be
- 15 identified, segregated, and handled for removal and disposal.
- 16 (3) Off-site location where unacceptable wastes delivered to the
- 17 composting facility will be disposed of.
- 18 (4) Methods by which waste quantities delivered will be determined
- 19 including weighing facilities to be provided.
- 20 (5) A description of major items of equipment and associated capacities.
- 21 (6) A description of proposed buildings and pads for storage, composting
- 22 and processing.
- 23 (7) A description of delivery methods and requirements.
- 24 (8) A description of incoming material handling and processing methods
- 25 including processing capacity and storage volume to be provided.
- 26 (9) A description of the composting process to be utilized including
- 27 composting capacity to be provided, composting technology, required
- 28 composting time, and assurance of acceptable level of pathogen
- 29 reduction.
- 30 (10) A description of compost curing, handling and processing methods
- 31 including processing capacity and storage volume to be provided.



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(11) A description of finished compost storage, distribution and delivery methods and requirements.

(12) Methods of controlling odors, dust, litter, noise, and insect or rodent infestation; methods of insuring public safety; methods of preventing and, if necessary, controlling fires; and methods of collecting and treating liquids generated by the use.

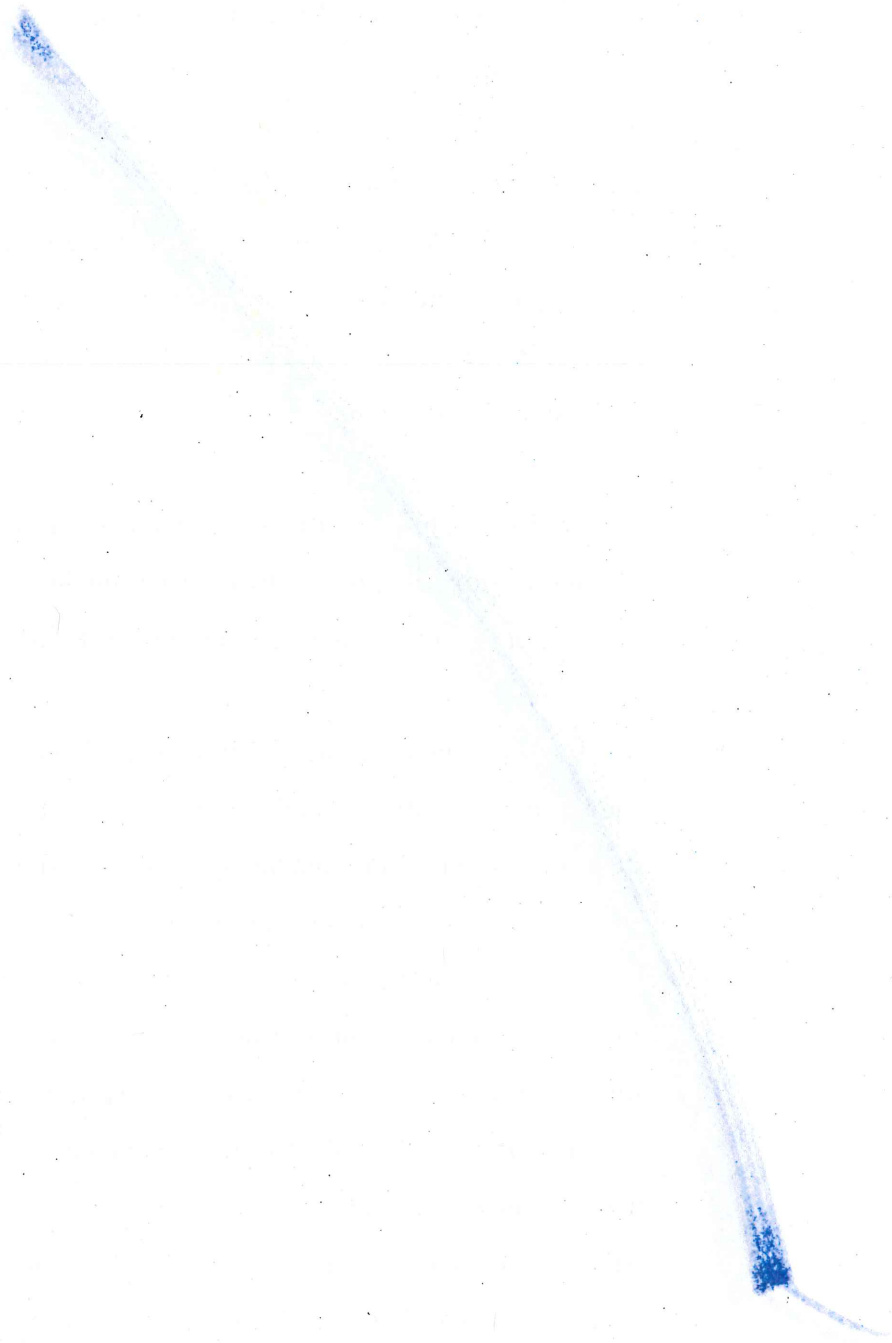
(13) Procedures for cleaning and maintaining the appearance of the facility, including collection of litter and waste which falls from transport vehicles in the vicinity of the site, including adjacent private properties and public roads.

n. A rehabilitation plan shall be submitted at the time of the Conditional Use application for approval by the Hearing Authority. The plan shall provide for the following minimum rehabilitation program:

(1) All structures and machinery shall be completely removed and underlying excavations filled to grade and planted in grass except structures or machinery that are to be continued in operation for a use permitted under the zoning classification.

(2) All impervious surfaces shall be removed and properly disposed of. The areas from which the surfaces are removed shall be backfilled with suitable soil and regraded as necessary to provide adequate drainage. All such areas shall be planted in grass which shall be maintained through one year's growth.

(3) All waste, composting material, and finished compost shall be removed from the site and shall be disposed of in conformance with applicable laws or regulations.]]



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38. **NATURAL WOOD WASTE RECYCLING FACILITY**

A CONDITIONAL USE MAY BE GRANTED IN THE RC DISTRICT FOR A NATURAL WOOD WASTE RECYCLING FACILITY, PROVIDED THAT:

- A. ONLY NATURAL WOOD WASTE AS SPECIFIED IN THE DEFINITION FOR A NATURAL WOOD WASTE RECYCLING FACILITY SHALL BE RECEIVED FOR RECYCLING ON THE SITE.

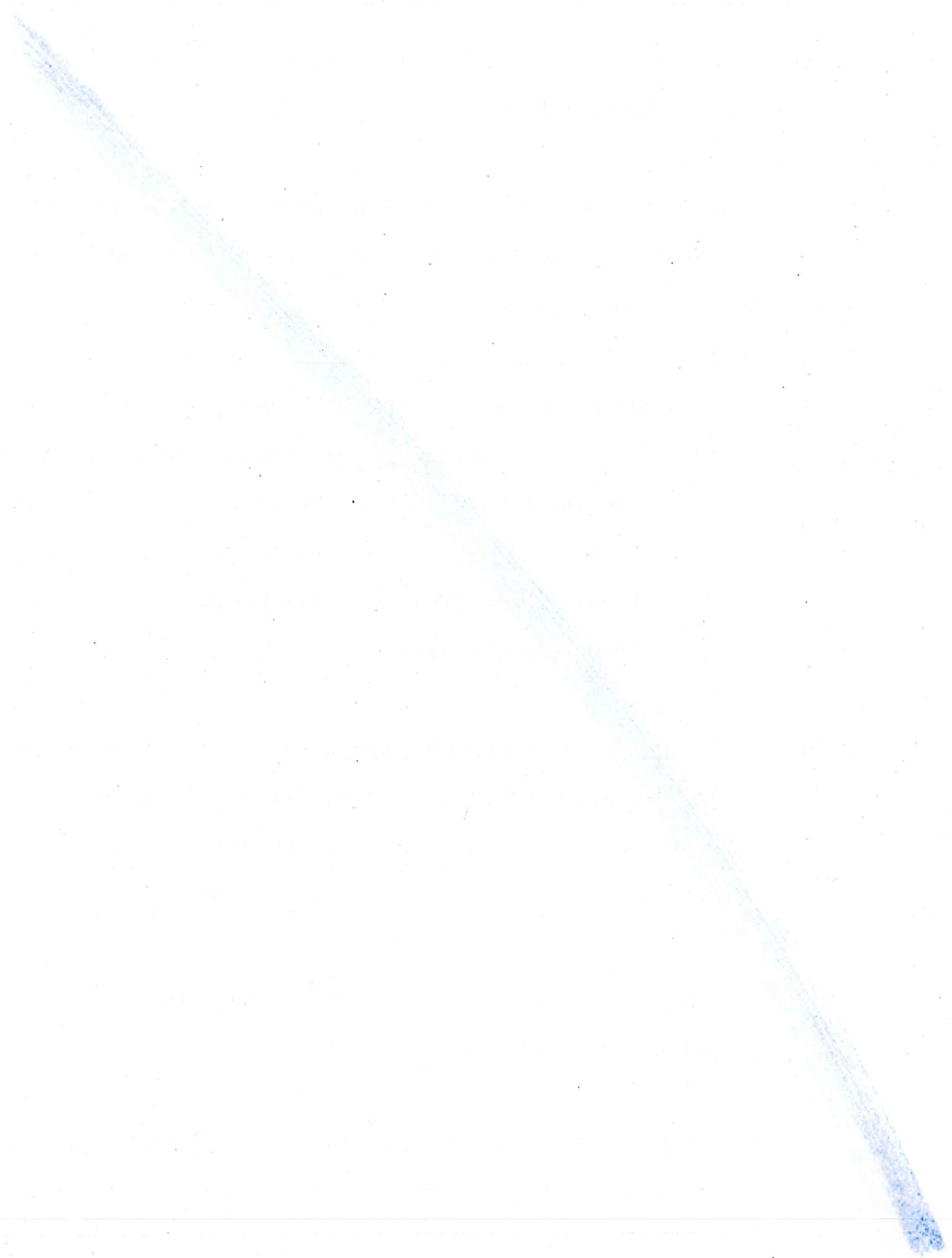
- B. IN ADDITION TO THE BULK REGULATIONS OF THE APPLICABLE ZONING DISTRICT, THE FOLLOWING STRUCTURE AND USE SETBACKS SHALL APPLY:
 - (1) FROM RESIDENTIAL PARCELS OR LOTS..... 500 FEET
 - (2) FROM PUBLIC STREET RIGHTS-OF-WAY..... 100 FEET
 - (3) FROM EXISTING STREAMS AND WETLANDS 100 FEET
 - (4) FROM EXISTING FARMS..... 50 FEET

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

- D. THE OPERATION SHALL NOT GENERATE OFFENSIVE ODORS WHICH ARE DETECTABLE ON SURROUNDING PROPERTIES.

- E. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND MANNER, AS REQUIRED BY STATE 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.



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G. AREAS WHERE THE WOOD WASTE 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 STORMWATER RUNOFF, GENERATED FROM THE FACILITY SHALL BE COLLECTED AND TREATED PRIOR TO DISPOSAL, IN ACCORDANCE WITH APPLICABLE REGULATIONS.

I. THE HOURS OF OPERATION SHALL BE RESTRICTED TO BETWEEN 7:00 A.M. AND 6:00 P.M., AND NO OPERATION SHALL BE PERMITTED ON SUNDAYS EXCEPT REPAIRS TO EQUIPMENT AND IMPROVEMENTS. THE HOURS OR DAYS OF OPERATION MAY BE REDUCED BY THE HEARING AUTHORITY.

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

K. THE STRUCTURAL ELEMENTS OF THE ROADS SERVING THE SITE SHALL BE ADEQUATE FOR THE TRUCK TRAFFIC TO BE GENERATED BY THE FACILITY. THE PETITION SHALL INCLUDE A STUDY OF AFFECTED ROAD AND BRIDGE CONDITIONS TO ALLOW THE HEARING AUTHORITY TO MAKE THIS DETERMINATION.

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

- (1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.
- (2) EXISTING NATURAL FEATURES INCLUDING STREAMS, PONDS, SPRINGS, AND WETLANDS.
- (3) EXISTING AND PROPOSED TOPOGRAPHY.
- (4) SETBACK AND BUFFER AREA, INCLUDING TYPE OF SCREENING AND FENCING.



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- (5) PORTION OF TRACT TO BE USED FOR ALL OPERATIONS, INCLUDING THE LOCATION AND LAYOUT OF:
 - (a) UNLOADING, RECEIVING AND STORAGE AREAS;
 - (b) PROCESSING AREAS;
 - (c) FINAL PRODUCT PREPARATION AREAS; AND
 - (d) FINISHED PRODUCT STORAGE AND LOADING AREAS.
- (6) EXISTING AND PROPOSED STRUCTURES AND ALL MECHANICAL EQUIPMENT.
- (7) EXISTING AND PROPOSED ACCESS DRIVEWAYS.
- (8) WATER SUPPLY (INCLUDING QUANTITY REQUIREMENTS) AND SEWAGE DISPOSAL.
- (9) STORM WATER MANAGEMENT FACILITIES FOR QUANTITY AND QUALITY CONTROL.
- (10) FACILITIES FOR STORAGE AND TREATMENT OF LEACHATE AND ANY OTHER LIQUIDS GENERATED BY THE OPERATION.
- (11) OTHER EXISTING OR PROPOSED USES ON THE SITE.

M. AN OPERATIONS PLAN SHALL BE SUBMITTED BY THE APPLICANT TO ENABLE THE HEARING AUTHORITY TO EVALUATE THE POTENTIAL IMPACTS OF THE PROPOSED USE. IF THE PETITION IS APPROVED, SUBSTANTIAL CHANGES TO THE OPERATIONS PLAN REQUIRE THE APPROVAL OF THE HEARING AUTHORITY BEFORE IMPLEMENTATION. THE PLAN SHALL PROVIDE THE FOLLOWING INFORMATION:

- (1) TYPES, ANTICIPATED QUANTITIES AND SOURCES OF WOOD WASTE.
- (2) METHODS BY WHICH UNACCEPTABLE WASTES DELIVERED TO THE FACILITY WILL BE IDENTIFIED, SEGREGATED, AND HANDLED FOR REMOVAL AND DISPOSAL.
- (3) OFF-SITE LOCATION WHERE UNACCEPTABLE WASTES DELIVERED TO THE FACILITY WILL BE DISPOSED OF.
- (4) METHODS BY WHICH WASTE QUANTITIES DELIVERED WILL BE DETERMINED INCLUDING WEIGHING FACILITIES TO BE PROVIDED.



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- (5) A DESCRIPTION OF ALL ITEMS OF EQUIPMENT AND ASSOCIATED CAPACITIES.
- (6) A DESCRIPTION OF PROPOSED BUILDINGS AND PADS FOR STORAGE AND PROCESSING.
- (7) A DESCRIPTION OF WOOD WASTE DELIVERY METHODS AND REQUIREMENTS.
- (8) A DESCRIPTION OF INCOMING WOOD WASTE HANDLING AND PROCESSING METHODS INCLUDING PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.
- (9) A DESCRIPTION OF THE PROCESSES TO BE UTILIZED.
- (10) A DESCRIPTION OF CURING, HANDLING AND PROCESSING METHODS INCLUDING PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.
- (11) A DESCRIPTION OF FINISHED PRODUCT STORAGE, DISTRIBUTION AND DELIVERY METHODS AND REQUIREMENTS.
- (12) METHODS OF CONTROLLING ODORS, DUST, LITTER, NOISE, AND INSECT OR RODENT INFESTATION; METHODS OF INSURING PUBLIC SAFETY; METHODS OF PREVENTING AND, IF NECESSARY, CONTROLLING FIRES; AND METHODS OF COLLECTING AND TREATING LIQUIDS GENERATED BY THE USE.
- (13) PROCEDURES FOR CLEANING AND MAINTAINING THE APPEARANCE OF THE FACILITY, INCLUDING COLLECTION OF LITTER AND WASTE WHICH FALLS FROM TRANSPORT VEHICLES IN THE VICINITY OF THE SITE, INCLUDING ADJACENT PRIVATE PROPERTIES AND PUBLIC ROADS.

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



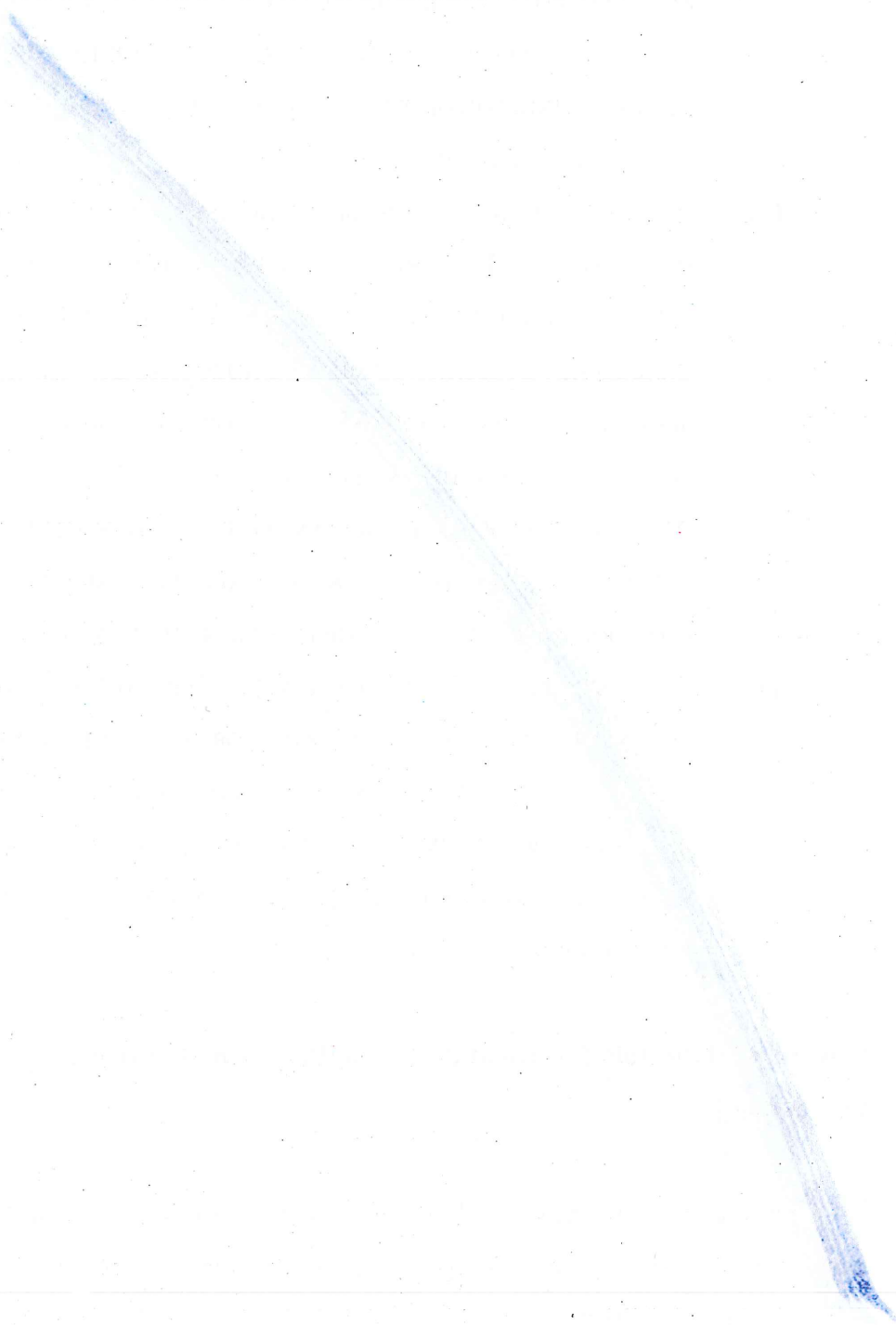
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- (1) ALL STRUCTURES AND MACHINERY SHALL BE COMPLETELY REMOVED AND UNDERLYING EXCAVATIONS FILLED TO GRADE AND PLANTED IN GRASS EXCEPT STRUCTURES OR MACHINERY THAT ARE TO BE CONTINUED IN OPERATION FOR A USE PERMITTED UNDER THE ZONING CLASSIFICATION.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

46. **Sawmills[[],] OR Bulk Firewood Processing[[], Mulch Manufacture, or Soil Processing]**

A Conditional Use may be granted in the RC or RR Districts for sawmills[[],] and the cutting of firewood in bulk[[], mulch manufacturing, or soil] processing provided that:

Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that the publisher of the Howard County Zoning Regulations is authorized hereby to amend the Conditional



1 *Uses and Permissible Zoning Districts chart attached to Section 131 of the Zoning Regulations in*
2 *order to reflect the substantive changes made by this Act.*

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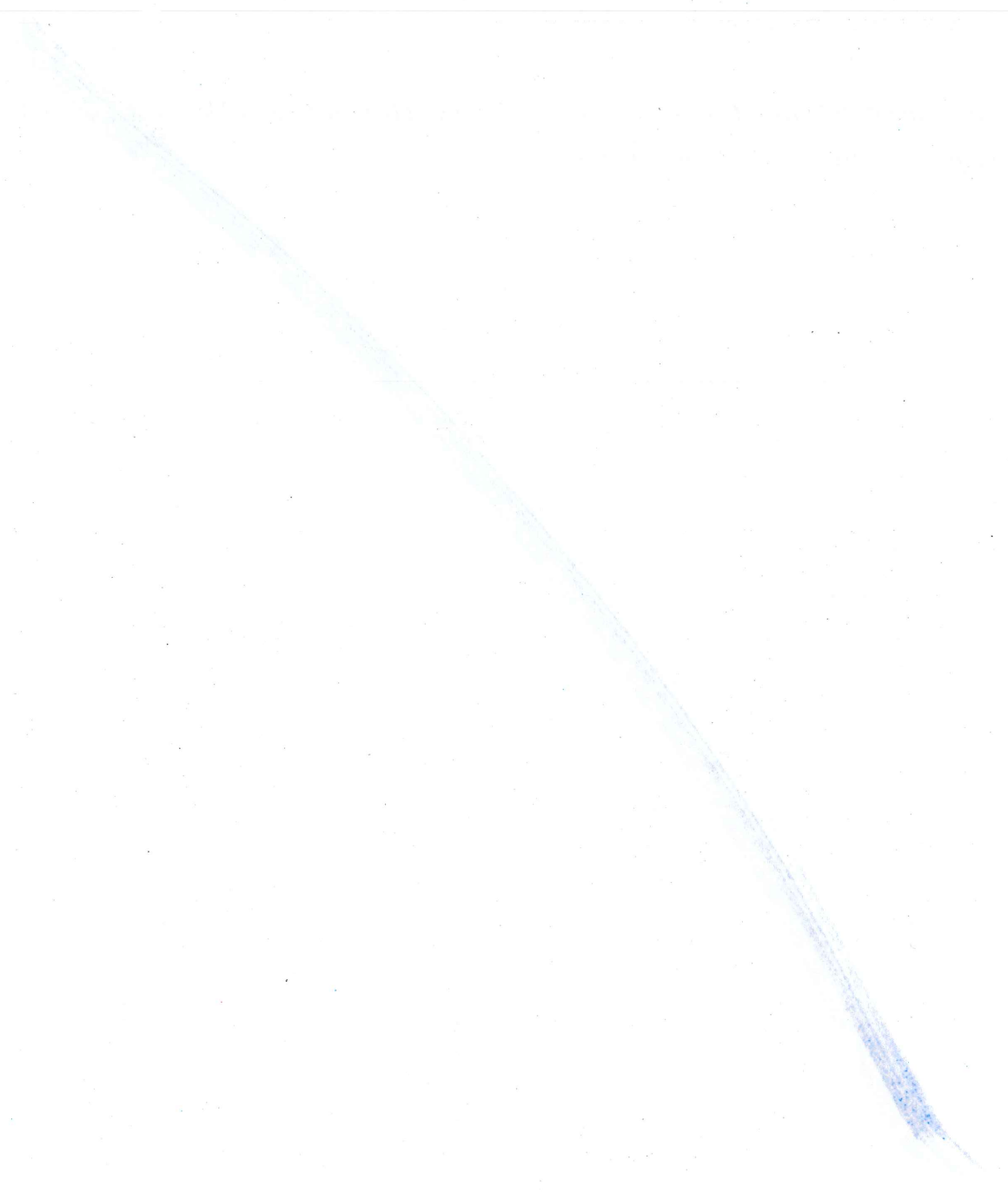
4 ***Section 3. And Be It Further Enacted*** *by the County Council of Howard County, Maryland, that this Act*
5 *shall become effective 61 days after its enactment.*

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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

June 4, 2014.

Sheila M. Tolliver
Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2014.

Sheila M. Tolliver, Administrator to the County Council

