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April 3, 2014

TECHNICAL STAFF REPORT

Petition Accepted on March 7, 2014
Planning Board Meeting of April 17, 2014
County Council Hearing to be scheduled

Case No./Petitioner: **ZRA-149 – Greg Fox, Councilmember**

Request: Zoning Regulation Amendment to amend Section 103.0, Definitions to establish new definitions for the terms "Natural Wood Waste", "Yard Waste", and to reestablish a definition for "Yard Waste Composting Facility."

To amend Section 106.1, County Preservation Easements, to revise Section 106.1.D.1 concerning Conditional Uses on ALPP Purchased Easements and ALPP Dedicated Easements by deleting Composting Facility as an allowable Conditional Use that is not subject to the 2% of the easement cap. Also to revise Section 106.1.D.2 for Other Dedicated Easements to delete Composting Facility as an allowable Conditional Use that is not subject to the 2% of the easement and 1 acre maximum cap.

To amend Section 124.0, SW (Solid Waste) Overlay District to add Composting Facility as a new use permitted as a matter of right if the underlying zoning district is M-2.

To amend Section 131.0, Conditional Uses, to delete the Section 131.0.N.15 use category for Composting Facility, and to reestablish the use category for Yard Waste Composting Facility, with minor revisions to the original text.

***Department of Planning and Zoning Recommendation*:** **DENIAL. REPLACE WITH ALTERNATE**

I. DESCRIPTION OF PROPOSAL

- **The Petitioner proposes several amendments to the Zoning Regulations. Each proposed amendment is generally described as follows:**

  1. Prior to the approval of the new Zoning Regulations in the 2013 Comprehensive Zoning Plan (the "2013 CZP") there was a Conditional Use category for Yard Waste Composting Facility, and there was a definition in the Definitions section for that term. The 2013 CZP created a broader definition and Conditional Use for "Composting Facilities" to allow for recycling of additional organic materials such as wood waste, food waste, and manure. As part of the ZRA-149 proposal, as noted below, the Petitioner proposes to reestablish a Conditional Use category for Yard Waste Composting Facility and in association with that, to reestablish the original definition for that term. The Petitioner also proposes new definitions for two of the components of that definition; "Natural Wood Waste", and "Yard Waste", which previously were not defined.

I. DESCRIPTION OF PROPOSAL

2. In Section 106.1, County Preservation Easements, Section 106.1.D concerns the issue of Conditional Uses on ALPP Purchased Easements and ALPP Dedicated Easements and on Other Dedicated Easements. Currently, Composting Facilities are allowed as potential Conditional Uses on all three easement types, without any set use area cap. The Petitioner proposes to delete Composting Facilities from being allowed on these ALPP Purchased Easements, ALPP Dedicated Easements and Other Dedicated Easements properties.

3. The SW (Solid Waste) Overlay District is a special district for certain solid waste processing and recycling facilities that are required to have a Preliminary Development Plan be approved by the Zoning Board. Principally, a SW District designation can only be approved for such uses in a M-2 District, although if it can be established that there is a compelling reason to do so, such a designation can also be approved in a M-1 District. The Petitioner proposes to add Composting Facility as a solid waste related use that can be permitted on a current M-2-zoned property, subject to the approval of a SW Overlay District.

4. The Conditional Use category for Composting Facility in Section 131.0 and the associated definition were established in the 2013 CZP. The old Conditional Use category for Yard Waste Composting Facility was deleted, and its criteria were revised to some extent to create the new Composting Facility use category The Petitioner proposes to amend Section 131.0.N. to completely delete the Conditional Use category for Composting Facility.

5. The Petitioner proposes to reestablish a Conditional Use category for Yard Waste Composting facility. The only major change to the original text is that such a Conditional Use may only be allowed in the RC and M-1 districts, while the original Conditional Use category for this use was also allowed in the RR District.

- **The subsections proposed to be amended and the amendment text is attached as Petitioner's Proposed Text (CAPITALS indicates text to be added; text in [[brackets]] indicates text to be deleted).**

- **The basic reason given by the Petitioner for the ZRA-149 proposal is to "correct unintended consequences that were made during the most recent Comprehensive Zoning effort."**

- **In response to the ZRA petition form requirement for a statement as to how the proposal is in harmony with the General Plan, the statement provided is "The proposed amendment would be in harmony…specifically with Policy 4.5 to "Refine the Rural Conservation (RC) and the Rural Residential (RR) zoning regulations to provide greater flexibility for the agricultural community as well as appropriate protections for rural residents."**

II. BACKGROUND INFORMATION

A. Scope of Proposed Amendments

- **The proposed amendments would potentially affect all ALPP Purchased Easement, ALPP Dedicated Easement, and Other Dedicated Easement properties in the RC District by eliminating the potential for composting facilities on such properties.**

- **The amendments potentially affect all M-2 properties by allowing composting facilities as permitted uses in that district, subject to the approval of a SW Overlay District by the Zoning Board.**

- **The amendments potentially affect all RC and M-1 properties by allowing Yard Waste Composting Facilities on such properties subject to Conditional Use approval.**

III. EVALUATIONS AND CONCLUSIONS

A. Relation to the General Plan

- **The amendments would reduce the potential for commercial-level composting facilities on farm properties in western Howard County, relatively shortly after the new Zoning Regulations approved in the 2013 CZP expressly expanded such a potential.**

  ZRA-149 is therefore not in harmony with the part of Policy 4.5 to "Refine the Rural Conservation (RC) and the Rural Residential (RR) zoning regulations to provide greater flexibility for the agricultural community...". It can be viewed as somewhat being in harmony with the rest of Policy 4.5, "... as well as appropriate protections for rural residents", but as such protections are already incorporated into the Conditional Use approval process, and because MDE will be proposing new State permit requirements for such facilities, such additional protections as proposed in ZRA-149 are unnecessary.

B. Relation to the Zoning Regulations

- **ZRA-149 is contrary to the Legislative Intent to "preserve agricultural land." due to the proposal to reduce the potential use of agricultural preservation parcels for commercial purposes that can help to support farms from an economic perspective.**

C. Other Issues

- **The State regulations governing Composting Facilities are in the process of being revised by the Maryland Department of the Environment ("MDE"). The Department of Planning and Zoning has discussed the direction MDE is taking with these new regulations, and the Department is confident that MDE will be establishing more stringent requirements for such uses, which may alleviate many concerns which have been expressed about the potential for such uses in the Rural West.**

III. EVALUATIONS AND CONCLUSIONS

In its conversations with MDE, the Department determined that the State will regulate "Composting Facilities" under COMAR 26.04.11 in three levels, or tiers, based on the types of materials processed and the relative potentials for environmental risks. For that reason, the Department no longer views such Composting Facilities as being appropriate for rural areas, no matter how designed or operated.

MDE regulations, however, distinguish "Natural Wood Waste Recycling Facilities" from "Composting Facilities". Natural Wood Waste Recycling Facilities are regulated under COMAR 26.04.09, which MDE finds effective and is not proposing to revise.

- **Composting Facilities therefore appear to rightfully belong only as permitted uses in the SW (Solid Waste) Overlay District, because of the level of evaluation required for such a designation, so the Department agrees with the Petitioner on that issue. However, Natural Wood Waste Recycling Facilities may be appropriate in rural areas if properly evaluated through the Conditional Use process. On a similar basis, Natural Wood Waste Recycling Facilities, which are somewhat similar to Yard Waste Composting Facilities, could be appropriate in the M-1 and M-2 Districts as permitted uses, to replace the old mulch manufacturing use that was deleted in the 2013 CZP.**

D. <u>Alternate Proposal for Zoning Regulation Amendments</u>

- **The issues noted in Section C above make revising the proposed text for ZRA-149 very complicated. It is recommended that completely new alternate zoning amendments be considered instead. Please refer to ZRA 148 for the DPZ Recommended Alternate Regulation Amendments which serve as the recommended approach for both ZRA 148 and ZRA 149.**

IV. RECOMMENDATION *DENIAL*

For the reasons noted above, the Department of Planning and Zoning recommends that ZRA-149 as noted above, be DENIED, and replaced with the Alternate Regulation Amendments attached to ZRA 148.

Marsha S. McLaughlin, Director — Date 4/3/14

MM/JRL/jrl
NOTE: The file on this case is available for review at the Public Service Counter in the Department of Planning and Zoning.

ZRA 149 – Petitioner's Proposed Text

SECTION 103.0: Definitions

NATURAL WOOD WASTE: ORGANIC MATERIALS SPECIFICALLY LIMITED TO TREE AND OTHER VEGETATIVE REFURE INCLUDING TREE STUMPS, LIMBS AND ROOT MATS.

YARD WASTE: ORGANIC MATERIALS SPECIFICALLY LIMITED TO LEAVES, GRASS, BRUSH, AND YARD TRIMMINGS.

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

D. Conditional Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

   a. Conditional Uses shall not be allowed on agricultural preservation easements unless they support the primary agricultural purpose of the easement property, or are an ancillary business which supports the economic viability of the farm, and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On an ALPP purchased or dedicated easement property, the area devoted to Conditional Uses may not exceed a cumulative use cap equal to 2% of the easement.

   The following Conditional Uses may be allowed:

   (1) Animal hospitals
   (2) Barber shop, hair salon and similar personal services facilities
   (3) Bottling of spring or well water
   (4) Communication Towers
   (5) Farm tenant house on a parcel of at least 25 acres but less than 50 acres
   (6) Historic building uses
   (7) Home based contractors
   (8) Home occupations
   (9) Kennels and/or pet grooming establishments
   (10) Landscape contractors
   (11) Limited outdoor social assemblies
   (12) Sawmills, bulk firewood, mulch manufacture and/or soil processing
   (13) School buses, commercial service
   (14) Small wind energy systems, freestanding tower
   (15) Solar Facilities, commercial

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

(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
(17) Sawmills, bulk firewood, 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)]] (3) Farm winery – Class 2
[[(5)]] (4) Golf Courses

SECTION 124.0: SW (Solid Waste) Overlay District

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

1. COMPOSTING FACILITY

[[1.]] 2. Land clearing debris landfills.

[[2.]] 3. Rubble landfills.

[[3.]] 4. Solid waste processing facilities.

[[4.]] 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

[[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.

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.

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
(8) Water supply (including quantity requirements) and sewage disposal.
(9) Stormwater management for quantity and quality control.
(10) Facilities for storage and treatment for leachate and any other liquids generated by the operation.
(11) Other existing or proposed uses on the site

m. The 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 shall not be implemented without prior approval of the Hearing Authority. The plan shall provide the following information:

(1) Types, anticipated quantities and sources of 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 composting facility will be disposed of.
(4) Methods by which waste quantities delivered will be determined including weighing facilities to be provided.
(5) A description of major items of equipment and associated capacities.
(6) A description of proposed buildings and pads for storage, composting and processing.
(7) A description of delivery methods and requirements.
(8) A description of incoming material handling and processing methods including processing capacity and storage volume to be provided.
(9) A description of the composting process to be utilized including composting capacity to be provided, composting technology, required composting time, and assurance of acceptable level of pathogen reduction.
(10) A description of compost curing, handling and processing methods including processing capacity and storage volume to be provided.
(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.]]

59. YARD WASTE COMPOSTING FACILITY

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

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

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

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

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

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

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

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

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

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

I IN THE RC DISTRICT, 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.

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) 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.

(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 SHALL NOT BE IMPLEMENTED WITHOUT PRIOR APPROVAL OF THE HEARING AUTHORITY. THE PLAN SHALL PROVIDE THE FOLLOWING INFORMATION:

(1) TYPES, ANTICIPATED QUANTITIES AND SOURCES OF YARD 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 COMPOSTING FACILITY WILL BE DISPOSED OF.

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

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

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

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

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

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

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

(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 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.