



**PETITION TO AMEND THE
ZONING REGULATIONS OF
HOWARD COUNTY**

DPZ Office Use Only:

Case No. ZRA- 160

Date Filed: _____

AUG 28 2015

1. Zoning Regulation Amendment Request

I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows:

Amends Sections 103.0, 104.0, 105.0, 106.1, 108.0, 111.0, 122.0, 124.0, 128.0 and 131.0 to eliminate yard waste composting and mulching, and add State of Maryland Regulations for Composting and Natural Wood Waste Recycling (NWWR) as amended herein. Changes are based on discussions held by the Mulch and Wood Waste Task Force. Treats Maryland Agricultural Land Preservation Foundation (MALPF) easements the same as Howard County Agricultural Land Preservation Program (ALPP) easements as was the case before comprehensive re-zoning in late 2013. A detailed summary of changes is attached as "Response to Section 1" as stipulated below.

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

2. Petitioner's Name Dayton Rural Preservation Society

Address P.O. Box 88, Dayton, MD 21036

Phone No. (W) 301-996-5102 (C) 301-996-5102

Email Address: johntegeris@juno.com

3. Counsel for Petitioner Carroll Holzer, Esq.

Counsel's Address 508 Fairmont Avenue, Towson, MD 21286

Counsel's Phone No. 410-825-6961

Email Address jcholzer@cavtel.net

4. Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed:

Incorporates recommendations of Mulch and Wood waste Task Force which met for 23 weeks from July 2014 to March 2015. Specific regulations are a composite of the recommendations of the majority and the minority members on the task force as written by the minority members.

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County: _____

Promotes the interests of farmers in the community who require compost and wood waste operations to meet new farming methods. Promotes the interests of the County in sustainability

initiatives by allowing for composting bins and small composting piles in residential districts. Protects the health and safety of all residents by allowing large industrial Natural Wood Waste Recycling (NWWR) facilities requiring a State of Maryland license only on M1 zoned properties. Insures that the Agricultural Land Preservation Program (ALPP) continues to limit commercial and industrial operations on these properties as specified in the Deeds of Easement when rights were purchased by the County. Treats Maryland Agricultural Land Preservation Foundation (MALPF) properties under the same rules as ALPP properties in order to insure the preservation of our farmlands. Restricts composting and NWWR on ag preserve properties for purely commercial reasons as voted on by the majority of the task force.

[You may attach a separate document to respond to Section 5. If so, this document shall be titled "Response to Section 5"]

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A. _____

Prohibiting industrial (for commercial use vs for farm use) mulch and composting facilities from operating on RC, RR, inclusive of all ag preserve parcels will ensure that the rural/residential communities that are nearby are free from well-documented health, safety and environmental risks. These include health concerns for heavy metal exposure due to groundwater contamination for those that live on well/septic in rural communities, inhalation of mulch dust that is a known carcinogen, endospores that create pulmonary distress and autoimmune diseases, high pathogen levels due to elevated microbial activity to promote illness. Safety risks are increased to unacceptable levels for residents due to high volume tractor-trailer traffic on small rural roads with limited sight distances, which is concerning for children that wait for school buses throughout the morning and exit buses throughout the afternoon, as well as cyclists/joggers that use these rural roads for recreational activities. There is also the potential for mulch fires that put families within surrounding communities at risk given massive quantities of water required but not available in rural communities that live on well/septic and no public water works/fire hydrants to contain these fires. Road infrastructure is at risk for destruction due to heavy traffic from industrial/commercial trucks to/from these industrial facilities on roads that were not designed to sustain this weight and frequency burden. Excessive noise is also a concern for processing ongoing at these industrial mulch/composting facilities. Finally, the welfare of families from a financial perspective is at risk given how introducing an industrial mulch facility in proximity to nearby rural communities will adversely affect home values.

[You may attach a separate document to respond to Section 6. If so, this document shall be titled "Response to Section 6."]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s). Use of RC, RR and/or agricultural preservation land can be utilized for primarily agricultural activities such as traditional farming instead of using this farmland for industrial operations will help to provide sustainability to local farmers.

[You may attach a separate document to respond to Section 7. If so, this document shall be titled "Response to Section 7."]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? Yes

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

The ZRA allows farmers throughout the county on RR, RC and Ag preserve lands to compost and process wood waste for farming and sustainability reasons. It limits commercial operations to M1 and M2 districts

[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition. Please refer to the ZRA Narrative (Question 1 attachment), ZRA proper submitted and the Concerned Citizens Report for additional details to support the basis for this ZRA. Thank you.

[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]

10. You must provide the full proposed text of the amendment(s) as a separate document entitled "Petitioner's Proposed Text" that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[Double Bold Brackets]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the "Petitioner's Proposed Text" to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.

11. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.
12. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.
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-

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

JOHN TEBARIS, PhD / PRESIDENT

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

Counsel for Petitioner's Signature

[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

FEE

The Petitioner agrees to pay all fees as follows:

Filing fee\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00*

- * **The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.**

APPLICATIONS: One (1) original plus twenty (24) copies along with attachments.

For DPZ office use only:

Hearing Fee \$ _____

Receipt No. _____

PLEASE CALL 410-313-2395 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

Revised: 02/14

T:\Shared\Public Service and Zoning\Applications\County Council\ZRA Application

INSTRUCTIONS TO THE APPLICANT/PARTY OF RECORD

- As required by State Law, applicants are required to complete the AFFIDAVIT AS TO CONTRIBUTION that is attached, and if you have made a contribution as described in the Affidavit, please complete the DISCLOSURE OF CONTRIBUTION that is attached.
- If you are an applicant, Party of Record (i.e., supporter/protestant) or a family member and have made a contribution as described in the Affidavit, you must complete the DISCLOSURE OF CONTRIBUTION that is attached.
- Filed affidavits and disclosures will be available for review by the public in the office of the Administrative assistant to the Zoning Board during normal business hours.
- Additional forms may be obtained from the Administrative Assistant to the Zoning Board at (410-313-2395) or from the Department of Planning and Zoning.
- Completed form may be mailed to the Administrative Assistant to the Zoning Board at 3430 Courthouse Drive, Ellicott City, MD 21043.
- Pursuant to State Law, violations shall be reported to the Howard County Ethics Commission.

PETITIONER: DANITON RURAL PRESERVATION SOCIETY / DRPS

DISCLOSURE OF CONTRIBUTION

As required by the Annotated Code of Maryland
State Government Article, Sections 15-848-15-850

This Disclosure shall be filed by an Applicant upon application or by a Party of Record within 2 weeks after entering a proceeding, if the Applicant or Party of Record or a family member, as defined in Section 15-849 of the State Government Article, has made any contribution or contributions having a cumulative value of \$500 or more to the treasurer of a candidate of the treasurer of a political committee during the 48-month period before the application was file or during the pendency of the application.

Any person who knowingly and willfully violates Sections 15-848-15-850 of the State Government Article is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

APPLICANT OR
PARTY OF RECORD:

[Signature] / PRESIDENT DRPS

RECIPIENTS OF CONTRIBUTIONS:

★ ALL POLITICAL CONTRIBUTIONS WERE SOLIDLY FROM PERSONAL FUNDS & NO
★ POLITICAL CONTRIBUTIONS WERE FROM DRPS FUNDS 08-28-15
Name Date of Contribution Amount

| | | |
|-----------------------|------------------------------|-------------------|
| <u>ADAM KITTLEMAN</u> | <u>FROM JANUARY 10-27-14</u> | <u>\$2,000.00</u> |
| <u>KEN ULMAN</u> | <u>FROM JANUARY 2014</u> | <u>\$500.00</u> |
| <u>PERSONAL FUNDS</u> | | |

I understand that any contribution made after the filing of this Disclosure and before final disposition of the application by the County Council shall be disclosed with five (5) business days of the contribution.

Printed Name:

ADAM KITTLEMAN / PRESIDENT DRPS

Signature:

[Signature] / PRESIDENT DRPS

Date:

08-28-15

PETITIONER: ADATON RURAL PRESERVATION SOCIETY/DRPS

AFFIDAVIT AS TO ENGAGING IN BUSINESS WITH AN ELECTED OFFICIAL

**As required by the Annotated Code of Maryland
State Government Article, Sections 15-848-15-850**

I, ADATON RURAL PRESERVATION SOCIETY, the applicant in the above zoning matter
_____, AM ✓ AM NOT

Currently engaging in business with an elected official as those terms are defined by Section 15-848 of the State Government Article of the Annotated Code of Maryland.

I understand that if I begin engaging in business with an elected official between the filing of the application and the disposition of the application, I am required to file an affidavit in this zoning matter at the time of engaging in business with elected official.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

Printed Name: SOMMA TEBORES, RAO PRESIDENT DRPS
Signature: [Signature] PRESIDENT DRPS
Date: 08-28-15

6/2/2020

PETITIONER: DANTON RURAL PRESERVATION SOCIETY

AFFIDAVIT AS TO CONTRIBUTION

**As required by the Annotated Code of Maryland
State Government Article, Sections 15-848-15-850**

I, DANTON RURAL PRESERVATION SOCIETY, the applicant in the above zoning matter

_____, HAVE

✓ HAVE NOT

made any contribution or contributions having a cumulative value of \$500 or more to the treasurer of a candidate or the treasurer of a political committee during the 48-month period before application in or during the pendency of the above referenced zoning matter.

I understand that any contribution made after the filing of this Affidavit and before final disposition of the application by the County Council shall be disclosed within five (5) business days of the contribution.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

Printed Name: _____

Signature: _____

Date: _____

JOHN TERBORGH / PRESIDENT DRPS
PRESIDENT
08-28-15

Response to Section 1

Petition to amend zoning regulations as follows:

Section 103.0: Definitions:

Remove definition of Yard Waste Composting and replace with State of Maryland MDE definitions (as amended herein) of Composting and Natural Wood Waste Recycling (NWWR). These new definitions were the basis of study by the Mulching, Composting and Wood Processing Task Force.

Section 104.0: RC (Rural Conservation) District and Section 105.0: RR (Rural Residential District)

Include uses referred to in Section 106.1 to both County Preservation Easements and State of Maryland Preservation Agricultural Easements (MALPF). (In section defining property uses permitted as a matter of right).

Add the following to uses permitted as a matter of right: Composting (Tier 1) at 5% of farm up to 1 acre, Composting (Tier 1 and 2) at 5% of farm up to 3 acres with a section 128.0.1 DPZ administrative permit, NWWR at 5% of farm up to 1 acre – all of these on farms greater than 3 acres. End product for use on the farm or other farms owned by the operator. End product may be shipped with trees, shrubs or plants. The trucking in or out, processing, storing or shipment of feedstock materials or end products for commercial purposes or sale will not be allowed. Composting and NWWR will not be allowed on Cluster Subdivision Preservation Parcels except for that composting process specified for residential lots. NWWR facilities requiring a State of Maryland MDE permit will not be allowed.

Add the following to uses permitted as a matter of right: Composting (with specific materials as defined) on residential properties at size limits of 100 sq ft per acre of property up to 500 sq ft for detached properties and 100 gallons maximum for attached properties. Community gardens may participate at up to 10% of open space not to exceed 500 sq ft.

Section 106.1: County Preservation Easements:

Add State of Maryland Agricultural Easements (MALPF) in addition to County Easements (in section defining property uses permitted as a matter of right).

Add the following to uses permitted as a matter of right: Composting (Tier 1) at 5% of farm up to 1 acre, Composting (Tier 1 and 2) at 5% of farm up to 3 acres with a section 128.0.1 DPZ administrative permit, NWWR at 5% of farm up to 1 acre – all of these on farms greater than 3 acres. End product for use on the farm or other farms owned by the operator. End product may be shipped with trees, shrubs or plants. The trucking in or out, processing, storing or shipment of feedstock materials or end products for commercial purposes or sale will not be allowed. Composting and NWWR will not be allowed on Cluster Subdivision Preservation Parcels except for that composting process specified for residential lots. NWWR facilities requiring a State of Maryland MDE permit will not be allowed.

Sections 108.0 (R-20), 109.0 (R-12), 110.0 (R-SC), 111.0 (R-SC-8):

Add the following to uses permitted as a matter of right: Composting (with specific materials as defined) on residential properties at size limits of 100 sq. ft. per acre of property up to 500 sq. ft. for detached properties and 100 gallons maximum for attached properties. Community gardens may participate at up to 10% of open space not to exceed 500 sq. ft.

Section 111.0 (R-SC-8):

Add the following to uses permitted as a matter of right: Composting (with specific materials as defined) on residential properties at size limits of 100 gallons maximum for attached properties.

Section 122.0: M1 (Manufacturing-Light) District and Section 123.0: M2 (Manufacturing-Heavy) District

Remove Mulch manufacture as a matter of right (in Section 122.0 only).

Add Tier 1 and 2 composting facilities over 3 acres for commercial purposes, and NWWR facilities over 1 acre for commercial purposes or those NWWR facilities requiring a State of Maryland MDE permit. All as a conditional per Section 131.0 (in Section 122.0 and 123.0).

Section 124.0: SW (Solid Waste Overlay) District:

Add Tier 3 composting facilities as a matter of right if the underlying district is M2.

Section 128.0: Supplementary Zoning District Zoning Regulation Contents

Section I: Permits for Special Farm Uses – add Tier 1 and 2 composting facilities up to 3 acres.

Section 131.0: Conditional Uses

Amend Chart N – Conditional Uses and Permissible Zoning Districts - to remove old term “mulch manufacture” in RR and RC (was part of Sawmills use item) and add composting and natural wood waste recycling facilities (NWWR) to M1 and M2 districts.

Removes conditions for Yard Waste Composting Facility

Add conditions for Composting Facilities over 3 acres in M1 (Tier 1 and 2) and M2 (Tier 1 and 2)

Add conditions for NWWR over 1 acre to M1 and M2

The changes in all sections above use State of Maryland Definitions and COMARs for Composting and NWWR provided that set-backs and other conditions as stipulated in the attached “Petitioners Proposed Text” document are followed.

Proposed Zoning Amendment
August 27, 2015

Section 103.0: – Definitions

[[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.]]

COMPOSTING FACILITY: A FACILITY THAT PRODUCES COMPOST AS DEFINED AND REGULATED BY THE STATE OF MARYLAND COMAR 26.04.11 – COMPOSTING FACILITIES. THESE TYPE OF FACILITIES MAY OR MAY NOT REQUIRE A PERMIT BY THE STATE OR MARYLAND AS DETERMINED BY THE SIZE OF THE FACILITY AND TYPE OF MATERIAL (FEEDSTOCK) BEING PROCESSED.

NATURAL WOOD WASTE RECYCLING (NWWR) FACILITY: A FACILITY THAT RECYCLES NATURAL WOOD WASTE TO CREATE MULCH OR COMPOST AS DEFINED AND REGULATED BY THE STATE OF MARYLAND COMAR 26.04.09 – NATURAL WOOD WASTE RECYLING FACILITIES. THESE TYPES OF FACILITIES REQUIRE A PERMIT TO BE ISSUED BY THE STATE OF MARYLAND. CERTAIN EXEMPTIONS TO THE REQUIREMENT FOR A PERMIT ISSUED BY THE STATE DO APPLY, HOWEVER FOR PURPOSES OF THESE ZONING REGULATIONS, THE REQUIREMENT FOR A PERMIT WILL NOT IMPACT THE APPLICABILITY OF THE ZONING LAWS CONTAINED HEREIN EXCEPT FOR THE OPERATION OF A GOVERNMENT OWNED FACILITY.

Section 104.0: - RC (Rural Conservation) District

B. Uses Permitted as a Matter of Right

The following uses are permitted as a matter of right in the RC District, except that only the uses listed in Section 106.1 shall be permitted on County Preservation Easements AND MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION EASEMENTS (MALPF).

13. COMPOSTING FACILITIES LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- MINIMUM PARCEL SIZE 3 ACRES
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF ONE ACRE FOR TIER 1 COMPOSTING
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF 3 ACRES FOR TIER 1 AND 2 COMPOSTING WITH A DPZ ADMINISTRATIVE PERMIT (Sec 128.O.I)
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED COMPOST.
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC) MAY NOT BE PROCESSED.
- FOR TYPE 2 FEEDSTOCK, ANIMAL MORTALITY IS LIMITED TO ANIMALS RAISED ON THE FARM AND FOOD SCRAPS ARE LIMITED TO THOSE FROM THE FARM.
- MUST HAVE AND BE IMPLEMENTING A HOWARD COUNTY SOIL CONSERVATION PLAN, AS WELL AS A NUTRIENT MANAGEMENT PLAN IF REQUIRED BY MDA.
- PROPERTY LINE SETBACKS OF 100 FEET FOR FACILITIES UP TO ONE ACRE, 200 FEET FOR FACILITIES OVER 1 ACRE BUT LESS THAN 2 ACRES, 300 FEET FOR FACILITIES OVER 2 ACRES BUT UP TO OR LESS THAN 3 ACRES.
- SETBACK OF 500 FEET FROM RESIDENTIAL STRUCTURES, WOODLAND BUFFERS AND SCHOOLS FOR FACILITIES UP TO 3 ACRES.
- SETBACK OF 100 FEET TO A STREAM OR WELL EXCEPT 200 FEET TO A DOWN GRADIENT DOMESTIC WELL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET

- MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- HOURS OF OPERATION LIMITED TO 7 AM TO 6 PM MONDAY THROUGH SATURDAY
- COMPOSTING IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

14. COMPOSTING FACILITIES LOCATED ON RESIDENTIAL PROPERTIES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- NO SETBACK IF PILE HEIGHT IS 4 FT OR LESS WITHIN AN ENCLOSED FRAME OR BIN. FREESTANDING PILES ARE TO BE SET BACK 2.5 FT FOR EACH 1 FT OF PILE HEIGHT.
- MAXIMUM PILE HEIGHTS OF 6 FEET
- MAY ONLY COMPOST PLANT MATERIALS AND FOOD SCRAPS EXCLUDING MEAT, SEAFOOD, AND ANIMAL WASTE.
- FOR SINGLE FAMILY DETACHED LOTS, COMPOSTING AREA LIMITED TO 100 SQ FT FOR LOTS UP TO ONE ACRE PLUS AN ADDITIONAL 100 SQ FT PER ACRE FOR LARGER LOTS UP TO A MAXIMUM OF 500 SQ FT.
- FOR SINGLE FAMILY ATTACHED LOTS, ONLY IN VESSEL COMPOSTING IS ALLOWED AT A SIZE UP TO 100 GALLONS
- COMMUNITY GARDENS MAY NOT EXCEED 10% OF OPEN SPACE UP TO A MAXIMUM OF 500 SQ FT AND MUST BE IN COMPLIANCE WITH ALL HOMEOWNER ASSOCIATION RULES
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED

15. NATURAL WOOD WASTE FACILITIES (NWWR) LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.09 PROVIDED THAT:

- NWWR FACILITIES REQUIRING A STATE OF MARYLAND PERMIT ARE NOT ALLOWED
- MINIMUM PARCEL SIZE OF 3 ACRES
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED PRODUCT
- LIMITED TO 5% OF FARM AND MAXIMUM OF ONE ACRE
- SETBACKS OF 500 FEET TO SCHOOLS, ADJOINING PROPERTY LINES, STREAMS AND WELLS, WOODLAND BUFFERS
- ADEQUATE WATER SUPPLY AS DESIGNED BY MARYLAND LICENSED FIRE PROTECTION ENGINEER AND APPROVED BY THE OFFICE OF THE FIRE MARSHAL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM PROCESSING HEIGHT OF 8 FEET
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- MISTING TO CONTROL DUST AND ELEVATION LESS THAN 25 FEET ABOVE SURROUNDING AREA
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- OPERATING HOURS 7:30 AM TO 4:30 PM MONDAY THROUGH SATURDAY
- NWWR IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

Section 105.0 – RR (Rural residential) District

B. Uses permitted as a Matter of Right

The following uses are permitted as a matter of right in the RC District, except that only the uses listed in Section 106.1 shall be permitted on County Preservation Easements AND MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION EASEMENTS (MALPF).

12. COMPOSTING FACILITIES LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

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- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF ONE ACRE FOR TIER 1 COMPOSTING
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF 3 ACRES FOR TIER 1 AND 2 COMPOSTING WITH A DPZ ADMINISTRATIVE PERMIT (Sec 128.O.I)
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED COMPOST.
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC) MAY NOT BE PROCESSED.
- FOR TYPE 2 FEEDSTOCK, ANIMAL MORTALITY IS LIMITED TO ANIMALS RAISED ON THE FARM AND FOOD SCRAPS ARE LIMITED TO THOSE FROM THE FARM.
- MUST HAVE AND BE IMPLEMENTING A HOWARD COUNTY SOIL CONSERVATION PLAN, AS WELL AS A NUTRIENT MANAGEMENT PLAN IF REQUIRED BY MDA.
- PROPERTY LINE SETBACKS OF 100 FEET FOR FACILITIES UP TO ONE ACRE, 200 FEET FOR FACILITIES OVER 1 ACRE BUT LESS THAN 2 ACRES, 300 FEET FOR FACILITIES OVER 2 ACRES BUT UP TO OR LESS THAN 3 ACRES.
- SETBACK OF 500 FEET FROM RESIDENTIAL STRUCTURES, WOODLAND BUFFERS AND SCHOOLS FOR FACILITIES UP TO 3 ACRES.
- SETBACK OF 100 FEET TO A STREAM OR WELL EXCEPT 200 FEET TO A DOWN GRADIENT DOMESTIC WELL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET
- MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- HOURS OF OPERATION LIMITED TO 7 AM TO 6 PM MONDAY THROUGH SATURDAY
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13. COMPOSTING FACILITIES LOCATED ON RESIDENTIAL PROPERTIES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

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- MAXIMUM PILE HEIGHTS OF 6 FEET
- MAY ONLY COMPOST PLANT MATERIALS AND FOOD SCRAPS EXCLUDING MEAT, SEAFOOD, AND ANIMAL WASTE.
- FOR SINGLE FAMILY DETACHED LOTS, COMPOSTING AREA LIMITED TO 100 SQ FT FOR LOTS UP TO ONE ACRE PLUS AN ADDITIONAL 100 SQ FT PER ACRE FOR LARGER LOTS UP TO A MAXIMUM OF 500 SQ FT.
- FOR SINGLE FAMILY ATTACHED LOTS, ONLY IN VESSEL COMPOSTING IS ALLOWED AT A SIZE UP TO 100 GALLONS
- COMMUNITY GARDENS MAY NOT EXCEED 10% OF OPEN SPACE UP TO A MAXIMUM OF 500 SQ FT AND MUST BE IN COMPLIANCE WITH ALL HOMEOWNER ASSOCIATION RULES
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED

14. NATURAL WOOD WASTE FACILITIES (NWWR) LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.09 PROVIDED THAT:

- NWWR FACILITIES REQUIRING A STATE OF MARYLAND PERMIT ARE NOT ALLOWED
- MINIMUM PARCEL SIZE OF 3 ACRES
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED PRODUCT
- LIMITED TO 5% OF FARM AND MAXIMUM OF ONE ACRE
- SETBACKS OF 500 FEET TO SCHOOLS, ADJOINING PROPERTY LINES, STREAMS AND WELLS, WOODLAND BUFFERS
- ADEQUATE WATER SUPPLY AS DESIGNED BY MARYLAND LICENSED FIRE PROTECTION ENGINEER AND APPROVED BY THE OFFICE OF THE FIRE MARSHAL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM PROCESSING HEIGHT OF 8 FEET
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- MISTING TO CONTROL DUST AND ELEVATION LESS THAN 25 FEET ABOVE SURROUNDING AREA
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- OPERATING HOURS 7:30 AM TO 4:30 PM MONDAY THROUGH SATURDAY
- NWWR IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

Section 106.1: County Preservation Easements

B. Uses Permitted as a Matter of Right

1. ALPP Purchased Easements and ALPP Dedicated Easements AND MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION (MALPF) EASEMENTS

H. COMPOSTING FACILITIES LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- MINIMUM PARCEL SIZE 3 ACRES
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF ONE ACRE FOR TIER 1 COMPOSTING
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF 3 ACRES FOR TIER 1 AND 2 COMPOSTING WITH A DPZ ADMINISTRATIVE PERMIT (Sec 128.O.I)
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED COMPOST.
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED.
- FOR TYPE 2 FEEDSTOCK, ANIMAL MORTALITY IS LIMITED TO ANIMALS RAISED ON THE FARM AND FOOD SCRAPS ARE LIMITED TO THOSE FROM THE FARM.
- MUST HAVE AND BE IMPLEMENTING A HOWARD COUNTY SOIL CONSERVATION PLAN, AS WELL AS A NUTRIENT MANAGEMENT PLAN IF REQUIRED BY MDA.
- PROPERTY LINE SETBACKS OF 100 FEET FOR FACILITIES UP TO ONE ACRE, 200 FEET FOR FACILITIES OVER 1 ACRE BUT LESS THAN 2 ACRES, 300 FEET FOR FACILITIES OVER 2 ACRES BUT UP TO OR LESS THAN 3 ACRES.
- SETBACK OF 500 FEET FROM RESIDENTIAL STRUCTURES, WOODLAND BUFFERS AND SCHOOLS FOR FACILITIES UP TO 3 ACRES.
- SETBACK OF 100 FEET TO A STREAM OR WELL EXCEPT 200 FEET TO A DOWN GRADIENT DOMESTIC WELL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET
- MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- HOURS OF OPERATION LIMITED TO 7 AM TO 6 PM MONDAY THROUGH SATURDAY
- COMPOSTING IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

I. NATURAL WOOD WASTE FACILITIES (NWWR) LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.09 PROVIDED THAT:

- NWWR FACILITIES REQUIRING A STATE OF MARYLAND PERMIT ARE NOT ALLOWED
- MINIMUM PARCEL SIZE OF 3 ACRES
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED PRODUCT
- LIMITED TO 5% OF FARM AND MAXIMUM OF ONE ACRE
- SETBACKS OF 500 FEET TO SCHOOLS, ADJOINING PROPERTY LINES, STREAMS AND WELLS, WOODLAND BUFFERS
- ADEQUATE WATER SUPPLY AS DESIGNED BY MARYLAND LICENSED FIRE PROTECTION ENGINEER AND APPROVED BY THE OFFICE OF THE FIRE MARSHAL

- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM PROCESSING HEIGHT OF 8 FEET
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- MISTING TO CONTROL DUST AND ELEVATION LESS THAN 25 FEET ABOVE SURROUNDING AREA
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- OPERATING HOURS 7:30 AM TO 4:30 PM MONDAY THROUGH SATURDAY
- NWWR IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

2. Other Dedicated Easements

I. COMPOSTING FACILITIES LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- MINIMUM PARCEL SIZE 3 ACRES
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF ONE ACRE FOR TIER 1 COMPOSTING
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF 3 ACRES FOR TIER 1 AND 2 COMPOSTING WITH A DPZ ADMINISTRATIVE PERMIT (Sec 128.O.I)
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED COMPOST.
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC) MAY NOT BE PROCESSED.
- FOR TYPE 2 FEEDSTOCK, ANIMAL MORTALITY IS LIMITED TO ANIMALS RAISED ON THE FARM AND FOOD SCRAPS ARE LIMITED TO THOSE FROM THE FARM.
- MUST HAVE AND BE IMPLEMENTING A HOWARD COUNTY SOIL CONSERVATION PLAN, AS WELL AS A NUTRIENT MANAGEMENT PLAN IF REQUIRED BY MDA.
- PROPERTY LINE SETBACKS OF 100 FEET FOR FACILITIES UP TO ONE ACRE, 200 FEET FOR FACILITIES OVER 1 ACRE BUT LESS THAN 2 ACRES, 300 FEET FOR FACILITIES OVER 2 ACRES BUT UP TO OR LESS THAN 3 ACRES.
- SETBACK OF 500 FEET FROM RESIDENTIAL STRUCTURES, WOODLAND BUFFERS AND SCHOOLS FOR FACILITIES UP TO 3 ACRES.
- SETBACK OF 100 FEET TO A STREAM OR WELL EXCEPT 200 FEET TO A DOWN GRADIENT DOMESTIC WELL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET
- MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- HOURS OF OPERATION LIMITED TO 7 AM TO 6 PM MONDAY THROUGH SATURDAY
- COMPOSTING IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

J. NATURAL WOOD WASTE FACILITIES (NWWR) LOCATED ON A FARM AS PER STATE OF MARYLAND COMAR 26.04.09 PROVIDED THAT:

- NWWR FACILITIES REQUIRING A STATE OF MARYLAND PERMIT ARE NOT ALLOWED
- MINIMUM PARCEL SIZE OF 3 ACRES
- SIZE LIMITS INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED PRODUCT
- LIMITED TO 5% OF FARM AND MAXIMUM OF ONE ACRE
- SETBACKS OF 500 FEET TO SCHOOLS, ADJOINING PROPERTY LINES, STREAMS AND WELLS, WOODLAND BUFFERS
- ADEQUATE WATER SUPPLY AS DESIGNED BY MARYLAND LICENSED FIRE PROTECTION ENGINEER AND APPROVED BY THE OFFICE OF THE FIRE MARSHAL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM PROCESSING HEIGHT OF 8 FEET
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- MISTING TO CONTROL DUST AND ELEVATION LESS THAN 25 FEET ABOVE SURROUNDING AREA
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- OPERATING HOURS 7:30 AM TO 4:30 PM MONDAY THROUGH SATURDAY
- NWWR IS NOT ALLOWED ON CLUSTER SUBDIVISION PRESERVATION PARCELS

Section 108.0 – R20 (Residential: Single) District

B. Uses Permitted as a Matter of Right

12. COMPOSTING FACILITIES LOCATED ON RESIDENTIAL PROPERTIES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- NO SETBACK IF PILE HEIGHT IS 4 FT OR LESS WITHIN AN ENCLOSED FRAME OR BIN. FREESTANDING PILES ARE TO BE SET BACK 2.5 FT FOR EACH 1 FT OF PILE HEIGHT.
- MAXIMUM PILE HEIGHTS OF 6 FEET
- MAY ONLY COMPOST PLANT MATERIALS AND FOOD SCRAPS EXCLUDING MEAT, SEAFOOD, AND ANIMAL WASTE.
- FOR SINGLE FAMILY DETACHED LOTS, COMPOSTING AREA LIMITED TO 100 SQ FT FOR LOTS UP TO ONE ACRE PLUS AN ADDITIONAL 100 SQ FT PER ACRE FOR LARGER LOTS UP TO A MAXIMUM OF 500 SQ FT.
- FOR SINGLE FAMILY ATTACHED LOTS, ONLY IN VESSEL COMPOSTING IS ALLOWED AT A SIZE UP TO 100 GALLONS
- COMMUNITY GARDENS MAY NOT EXCEED 10% OF OPEN SPACE UP TO A MAXIMUM OF 500 SQ FT AND MUST BE IN COMPLIANCE WITH ALL HOMEOWNER ASSOCIATION RULES
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED

Section 109.0 – R12 (Residential: Single) District

B. Uses Permitted as a Matter of Right

14. COMPOSTING FACILITIES LOCATED ON RESIDENTIAL PROPERTIES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- NO SETBACK IF PILE HEIGHT IS 4 FT OR LESS WITHIN AN ENCLOSED FRAME OR BIN. FREESTANDING PILES ARE TO BE SET BACK 2.5 FT FOR EACH 1 FT OF PILE HEIGHT.
- MAXIMUM PILE HEIGHTS OF 6 FEET
- MAY ONLY COMPOST PLANT MATERIALS AND FOOD SCRAPS EXCLUDING MEAT, SEAFOOD, AND ANIMAL WASTE.
- FOR SINGLE FAMILY DETACHED LOTS, COMPOSTING AREA LIMITED TO 100 SQ FT FOR LOTS UP TO ONE ACRE PLUS AN ADDITIONAL 100 SQ FT PER ACRE FOR LARGER LOTS UP TO A MAXIMUM OF 500 SQ FT.
- FOR SINGLE FAMILY ATTACHED LOTS, ONLY IN VESSEL COMPOSTING IS ALLOWED AT A SIZE UP TO 100 GALLONS
- COMMUNITY GARDENS MAY NOT EXCEED 10% OF OPEN SPACE UP TO A MAXIMUM OF 500 SQ FT AND MUST BE IN COMPLIANCE WITH ALL HOMEOWNER ASSOCIATION RULES
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED

Section 110.0 – R-SC (Residential: Single Cluster) District

B. Uses Permitted as a Matter of Right

14. COMPOSTING FACILITIES LOCATED ON RESIDENTIAL PROPERTIES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- NO SETBACK IF PILE HEIGHT IS 4 FT OR LESS WITHIN AN ENCLOSED FRAME OR BIN. FREESTANDING PILES ARE TO BE SET BACK 2.5 FT FOR EACH 1 FT OF PILE HEIGHT.
- MAXIMUM PILE HEIGHTS OF 6 FEET
- MAY ONLY COMPOST PLANT MATERIALS AND FOOD SCRAPS EXCLUDING MEAT, SEAFOOD, AND ANIMAL WASTE.
- FOR SINGLE FAMILY DETACHED LOTS, COMPOSTING AREA LIMITED TO 100 SQ FT FOR LOTS UP TO ONE ACRE PLUS AN ADDITIONAL 100 SQ FT PER ACRE FOR LARGER LOTS UP TO A MAXIMUM OF 500 SQ FT.
- FOR SINGLE FAMILY ATTACHED LOTS, ONLY IN VESSEL COMPOSTING IS ALLOWED AT A SIZE UP TO 100 GALLONS
- COMMUNITY GARDENS MAY NOT EXCEED 10% OF OPEN SPACE UP TO A MAXIMUM OF 500 SQ FT AND MUST BE IN COMPLIANCE WITH ALL HOMEOWNER ASSOCIATION RULES
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED

Section 111.0 – R-SA-8 (Residential: Single Attached) District

B. Uses Permitted as a Matter of Right

14. COMPOSTING FACILITIES LOCATED ON RESIDENTIAL PROPERTIES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- MAY ONLY COMPOST PLANT MATERIALS AND FOOD SCRAPS EXCLUDING MEAT, SEAFOOD, AND ANIMAL WASTE.
- FOR SINGLE FAMILY ATTACHED LOTS, ONLY IN VESSEL COMPOSTING IS ALLOWED AT A SIZE UP TO 100 GALLONS
- TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED

Section 122.0: M-1 (Manufacturing: Light) District

B. Used Permitted as a Matter of Right

[[37. Mulch Manufacture]]

Section 124.0: SW (Solid Waste) Overlay District

B. Used Permitted as a Matter of Right if the Underlying District is M2.

5) TIER 3 COMPOSTING FACILITIES AS PER STATE OF MARYLAND COMAR 26.04.11

Section 128.0: Supplementary Zoning District Regulations Contents

I. Permits for special farm uses

1. Value-added agricultural processing
2. Value-added agricultural processing with on-site sales
3. Farm stands
4. Pick-your-own enterprises
5. Agritourism enterprises
6. Community supported agriculture (CSA)
7. Food hubs
8. Riding academies and stables
9. TIER 1 AND 2 COMPOSTING FACILITIES UP TO THREE ACRES AS PER STATE OF MARYLAND COMAR 26.04.11 AMMENDED AS PER SECTION 128.0.I

Section 128.0: Supplementary Zoning District Regulations

I. Permits for Special Farms Uses

9. TIER 1 AND 2 COMPOSTING FACILITIES UP TO THREE ACRES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- MINIMUM PARCEL SIZE 3 ACRES
- MAY OCCUPY UP TO 5% OF THE FARM TO A MAXIMUM OF 3 ACRES. SIZE LIMIT INCLUDES AREA FOR FEEDSTOCK, PROCESSING AND FINISHED COMPOST.
- TIER 1 AND 2 MATERIALS ONLY. TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED.
- FOR TYPE 2 FEEDSTOCK, ANIMAL MORTALITY IS LIMITED TO ANIMALS RAISED ON THE FARM AND FOOD SCRAPS ARE LIMITED TO THOSE FROM THE FARM.
- MUST HAVE AND BE IMPLEMENTING A HOWARD COUNTY SOIL CONSERVATION PLAN, AS WELL AS A NUTRIENT MANAGEMENT PLAN IF REQUIRED BY MDA.
- PROPERTY LINE SETBACKS OF 100 FEET FOR FACILITIES UP TO ONE ACRE, 200 FEET FOR FACILITIES OVER 1 ACRE BUT LESS THAN 2 ACRES, 300 FEET FOR FACILITIES OVER 2 ACRES BUT UP TO OR LESS THAN 3 ACRES
- SETBACK OF 500 FEET FROM RESIDENTIAL STRUCTURES, WOODLAND BUFFERS AND SCHOOLS FOR FACILITIES UP TO 3 ACRES.
- SETBACK OF 200 FEET TO A STREAM OR WELL EXCEPT 300 FEET TO A DOWN GRADIENT DOMESTIC WELL
- FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
- MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET
- MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT
- MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- END PRODUCT FOR USE ON THE FARM OR OTHER FARMS OWNED BY THE OPERATOR. END PRODUCT MAY BE SHIPPED WITH TREES, SHRUBS OR PLANTS. THE TRUCKING IN OR OUT, PROCESSING, STORING OR SHIPMENT OF FEEDSTOCK MATERIALS OR END PRODUCTS FOR COMMERCIAL PURPOSES OR SALE WILL NOT BE ALLOWED.
- HOURS OF OPERATION LIMITED TO 7 AM TO 6 PM MONDAY THROUGH SATURDAY
- COMPOSTING FACILITY DESIGN MEETS USDA NRCS STANDARD 317
- MEASURES TAKEN TO CONTROL SMELL AT NEIGHBORING PROPERTIES

Section 131.0: Conditional Uses

N. Conditional Uses and Permissible Zoning Districts

UPDATE CHART UNDER CONDITIONAL USE AND ZONING DISTRICT COLUMNS AS FOLLOWS:

[[Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing – RR, RC]]

SAWMILLS AND BULK FIREWOOD PROCESSING - RR, RC

TIER 1 AND 2 COMPOSTING FACILITIES OVER 3 ACRES – M1, M2

NATURAL WOOD WASTE RECYCLING FACILITIES OVER 1 ACRE – M1, M2

The Hearing Authority may grant Conditional Uses in the specified districts in accordance with the following minimum criteria. *(Renumber sections accordingly to be in alphabetical order)*

**[[46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing
A Conditional Use may be granted in the RC or RR Districts for sawmills, bulk firewood processing, mulch manufacture, or soil processing provided that:]]**

46. SAWMILLS AND BULK FIREWOOD PROCESSING
A CONDITIONAL USE MAY BE GRANTED IN THE RC OR RR DISTRICTS FOR SAWMILLS AND BULK FIREWOOD PROCESSING PROVIDED THAT:

**[[60. Yard Waste Composting Facility
A Conditional Use may be granted in the RC, RR, 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. 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.

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

- (1) From and 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

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.

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

f. The operation shall be conducted in a safe and environmentally sound manner, as prescribed by law of regulations and with respect to the likelihood of hazard to persons or damage to lands, natural resources, streets, bridges, and public rights-of-way.

- g. The operation shall be conducted in a manner which will prevent insect and/or rodent infestation.
- 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.
- i. 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.
- j. In the RC and RR Districts, 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.
- 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.
 - (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.
- n. An operation 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.**

o. 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 regarded 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 the rehabilitation work, until the plan for rehabilitation has been completed and a different use necessitating access has commenced on the property]]**

60. COMPOSTING FACILITY

A CONDITIONAL USE MAY BE GRANTED IN THE M1 OR M2 DISTRICTS FOR A COMPOSTING FACILITY OVER 3 ACRES AS PER STATE OF MARYLAND COMAR 26.04.11 PROVIDED THAT:

- A. ONLY TIER 1 AND 2 MATERIALS ARE PROCESSED. TIER 3 MATERIALS (SEWAGE SLUDGE, BIOSOLIDS, ETC.) MAY NOT BE PROCESSED.
- 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.
- C. IN ADDITION TO THE BULK REGULATIONS OF THE APPLICABLE ZONING DISTRICT, THE FOLLOWING STRUCTURE AND USE SETBACKS SHALL APPLY:
 - o (1) FROM AND EXISTING RESIDENCE ON A DIFFERENT LOT.....500 FEET
 - o (2) FROM ADJACENT RESIDENTIALLY-ZONED LOTS.....500 FEET
 - o (3) FROM PUBLIC STREET RIGHTS-OF-WAY.....100 FEET
 - o (4) FROM EXISTING STREAMS AND WETLANDS AND WOODLAND BUFFERS.....500 FEET
- 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.
-
- E. THE OPERATION SHALL NOT RESULT IN ODORS WHICH ARE DETECTABLE ON SURROUNDING PROPERTIES.
-
- F. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND MANNER, AS PRESCRIBED BY LAW OF REGULATIONS AND WITH RESPECT TO THE LIKELIHOOD OF HAZARD TO PERSONS OR DAMAGE TO LANDS, NATURAL RESOURCES, STREETS, BRIDGES, AND PUBLIC RIGHTS-OF-WAY.
-
- G. THE OPERATION SHALL BE CONDUCTED IN A MANNER WHICH WILL PREVENT INSECT AND/OR RODENT INFESTATION.
-
- H. THE FACILITY SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION. AREAS WHERE COMPOST IS PROCESSED, LOADED, OR UNLOADED SHALL BE DESIGNED AND CONSTRUCTED TO DRAIN FREELY TO PREVENT THE ACCUMULATION OF STANDING LIQUID.
-
- I. 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.
-
- 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 AND TRAFFIC STUDY TO ALLOW THE HEARING AUTHORITY TO MAKE THIS DETERMINATION.
-
- L. THE CONDITIONAL USE PLAN SUBMITTED WITH THE PETITION SHALL SHOW THE FOLLOWING:
 - o (1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.
 - o (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. FEEDSTOCK UNLOADING, RECEIVING AND STORAGE AREAS;
- B. COMPOST 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.

N. AN OPERATION 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 FEEDSTOCK.
- (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 FEEDSTOCK DELIVERY METHODS AND REQUIREMENTS.
- (8) A DESCRIPTION OF INCOMING FEEDSTOCK 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, HANDING 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.

O. 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 REGARDED 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 FEEDSTOCK, 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 THE REHABILITATION WORK, UNTIL THE PLAN FOR REHABILITATION HAS BEEN COMPLETED AND A DIFFERENT USE NECESSITATING ACCESS HAS COMMENCED ON THE PROPERTY

P. FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE

Q. MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET

R. MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT

S. MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS

61. NATURAL WOOD WASTE RECYCLING FACILITIES (NWWR)

A CONDITIONAL USE MAY BE GRANTED IN THE M1 OR M2 DISTRICTS FOR A NATURAL WOOD WASTE RECYCLING (NWWR) FACILITY OVER 1 ACRE PROVIDED THAT:

- C. 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.
- D. IN ADDITION TO THE BULK REGULATIONS OF THE APPLICABLE ZONING DISTRICT, THE FOLLOWING STRUCTURE AND USE SETBACKS SHALL APPLY:
 - o (1) FROM AND EXISTING RESIDENCE ON A DIFFERENT LOT.....500 FEET
 - o (2) FROM ADJACENT RESIDENTIALLY-ZONED LOTS.....500 FEET
 - o (3) FROM PUBLIC STREET RIGHTS-OF-WAY.....100 FEET
 - o (4) FROM EXISTING STREAMS AND WETLANDS AND WOODLAND BUFFERS.....500 FEET
- E. 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.
- F. THE OPERATION SHALL NOT RESULT IN ODORS WHICH ARE DETECTABLE ON SURROUNDING PROPERTIES.
- G. THE OPERATION SHALL BE CONDUCTED IN A SAFE AND ENVIRONMENTALLY SOUND MANNER, AS PRESCRIBED BY LAW OF REGULATIONS AND WITH RESPECT TO THE LIKELIHOOD OF HAZARD TO PERSONS OR DAMAGE TO LANDS, NATURAL RESOURCES, STREETS, BRIDGES, AND PUBLIC RIGHTS-OF-WAY.
- H. THE OPERATION SHALL BE CONDUCTED IN A MANNER WHICH WILL PREVENT INSECT AND/OR RODENT INFESTATION.
- I. THE FACILITY SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION. AREAS WHERE WOOD WASTE IS PROCESSED, LOADED, OR UNLOADED SHALL BE DESIGNED AND CONSTRUCTED TO DRAIN FREELY TO PREVENT THE ACCUMULATION OF STANDING LIQUID.
- I. ALL LIQUID, INCLUDING LEACHATE AND STORM WATER RUNOFF, GENERATED FROM THE WOOD WASTE FACILITY SHALL BE COLLECTED AND TREATED PRIOR TO DISPOSAL, IN ACCORDANCE WITH APPLICABLE REGULATIONS.
- 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 WOOD WASTE FACILITY. THE PETITION SHALL INCLUDE A ROAD CONDITION AND TRAFFIC STUDY TO ALLOW THE HEARING AUTHORITY TO MAKE THIS DETERMINATION.
- L. THE CONDITIONAL USE PLAN SUBMITTED WITH THE PETITION SHALL SHOW THE FOLLOWING:
 - o (1) SURVEY BOUNDARIES OF THE SUBJECT PROPERTY.
 - o (2) EXISTING NATURAL FEATURES INCLUDING STREAMS, PONDS, SPRINGS, AND WETLANDS.
 - o (3) EXISTING AND PROPOSED TOPOGRAPHY.
 - o (4) SETBACK AND BUFFER AREA, INCLUDING TYPE OF SCREENING AND FENCING.

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

- A. FEEDSTOCK UNLOADING, RECEIVING AND STORAGE AREAS;
- B. PROCESSING AREAS, INCLUDING AREAS FOR GRINDING, SCREENING, MIXING AND OTHER OPERATIONS TO PREPARE YARD WASTE FOR COMPOSTING;
- C. GRINDING AREAS;
- D. WOOD WASTE CURING AREAS;
- E. WOOD WASTE FINAL PRODUCT PREPARATION AREAS (SCREENING AND OTHER OPERATIONS); AND
- F. FINISHED WOOD WASTE 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.

N. AN OPERATION 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 FEEDSTOCK.
- (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, GRINDING AND PROCESSING.
- (7) A DESCRIPTION OF FEEDSTOCK DELIVERY METHODS AND REQUIREMENTS.
- (8) A DESCRIPTION OF INCOMING FEEDSTOCK HANDLING AND PROCESSING METHODS, INCLUDING PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.
- (9) A DESCRIPTION OF THE MULCH PROCESS TO BE UTILIZED INCLUDING MULCH CAPACITY TO BE PROVIDED, MULCHING TECHNOLOGY, REQUIRED COMPOSTING TIME, AND ASSURANCE OF ACCEPTABLE LEVEL OF PATHOGEN REDUCTION.
- (10) A DESCRIPTION OF MULCH CURING, HANDING AND PROCESSING METHODS INCLUDING PROCESSING CAPACITY AND STORAGE VOLUME TO BE PROVIDED.
- (11) A DESCRIPTION OF FINISHED MULCH 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.

- O. 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 REGARDED 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 FEEDSTOCK, 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 THE REHABILITATION WORK, UNTIL THE PLAN FOR REHABILITATION HAS BEEN COMPLETED AND A DIFFERENT USE NECESSITATING ACCESS HAS COMMENCED ON THE PROPERTY
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- P. FACILITIES MUST MEET MDE REQUIREMENTS FOR CONTROLLED ACCESS AND HAVE AT LEAST A 6 FOOT HIGH PERIMETER FENCE
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- Q. MAXIMUM FEEDSTOCK PILE HEIGHT OF 9 FEET; MAXIMUM COMPOST PROCESSING HEIGHT OF 8 FEET
- R. MUST MEET HOWARD COUNTY FIRE CODE AND SITE INFORMATION MUST BE SUPPLIED TO HOWARD COUNTY FIRE DEPARTMENT
- S. MUST MEET MDE STORMWATER MANAGEMENT REQUIREMENTS
- T. GRINDING OPERATIONS MUST BE COVERED