

FINAL

AMENDED
November 7 and 21, 2016

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2016, Legislative Day No. 36

Bill No. 75-16

Introduced by Mr. Walker

By the County Council, October 4, 2016

Introduced and first read on October 4, 2016
Public Hearing set for and held on November 7, 2016
Public Hearing on AMENDED BILL set for and held on November 21, 2016
Public Hearing on SECOND AMENDED BILL set for and held on December 5, 2016
Bill Expires January 7, 2017

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Zoning – Composting Facilities

2
3 FOR the purpose of defining “composting facilities”; allowing composting facilities as a
4 conditional use in an RA zoning district; establishing conditional use requirements for
5 composting facilities; and generally related to zoning.
6

7 BY renumbering: §§ 18-1-101(29) through (141) to be 18-1-101 (30) through (142) and
8 18-10-111 through 18-10-149 to be 18-10-112 through 18-10-150, respectively
9 (Anne Arundel County Code, 2005, as amended)

10
11 BY adding: §§ 18-1-101 (29) and 18-10-111
12 (Anne Arundel County Code, 2005, as amended)

13
14 BY repealing and reenacting with amendments: § 18-4-106
15 (Anne Arundel County Code, 2005, as amended)

16
17 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
18 *Maryland,* that §§ 18-1-101(29) through (141) and 18-10-111 through 18-10-149 of the
19 Anne Arundel County Code 2005, as amended are hereby renumbered to be §§ 18-1-101
20 (30) through (142) and 18-10-112 through 18-10-150, respectively.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

SECTION 2. *And be it further enacted*, That the Anne Arundel County Code (2005, as amended) reads as follows:

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(29) "COMPOSTING FACILITY" MEANS A FACILITY WHERE COMPOSTING TAKES PLACE UNDER A TIER 1 OR TIER 2 COMPOSTING FACILITY PERMIT ISSUED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT PURSUANT TO COMAR 26.04.11.05 OR 26.04.11.06.

TITLE 4. RESIDENTIAL DISTRICTS

18-4-106. Permitted, conditional, and special exception uses.

The permitted, conditional, and special exception uses allowed in each of the residential districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to the listed uses also are allowed, except that guest houses as accessory structures are prohibited and outside storage as an accessory use is limited to the lesser of 10% of the allowed lot coverage or 500 square feet.

Permitted, Conditional, and Special Exception Uses	RA	RLD	R1	R2	R5	R10	R15	R22

Commercial telecommunication facilities for testing purposes or emergency services for a period not exceeding 30 days if the facility is a monopole not exceeding 100 feet in height and is located at least 300 feet from any dwelling	P	P	P	P	P	P	P	P
COMPOSTING FACILITIES	C							

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-111. Composting Facilities.

A COMPOSTING FACILITY SHALL COMPLY WITH ALL OF THE FOLLOWING

1 REQUIREMENTS.

2
3 (1) THE FACILITY SHALL BE LOCATED ON A LOT OF AT LEAST FIVE ACRES. THE
4 ACTIVE COMPOSTING AREA OF THE FACILITY SHALL BE LIMITED TO AN AREA OF NOT
5 MORE THAN 25% OF THE LOT, NOT TO EXCEED 10 ACRES.
6

7 (2) THE FACILITY SHALL BE LOCATED 100 FEET FROM THE PROPERTY LINE OF
8 THE PROPERTY, 300 FEET FROM A DWELLING NOT OWNED BY THE OWNER OF THE
9 COMPOSTING FACILITY, 100 FEET FROM A DOMESTIC WELL, AND 100 FEET FROM A
10 STREAM, LAKE OR OTHER BODY OF WATER, EXCEPT FOR AN IMPOUNDMENT FOR USE IN
11 THE COMPOSTING PROCESS.
12

13 (3) ALL VEHICULAR ACCESS TO THE SITE SHALL BE FROM A COLLECTOR ROAD,
14 AN ARTERIAL ROAD, OR FREEWAY.
15

16 (4) SPACE SHALL BE ADEQUATE SO THAT TRUCKS USING THE FACILITY ARE NOT
17 STOPPED OR PARKED ON A ROAD RIGHT-OF-WAY.
18

19 (5) THE ACTIVE COMPOSTING AREA OF THE FACILITY SHALL BE ADEQUATELY
20 ENCLOSED, SCREENED AND BUFFERED BY A FENCE OR NATURAL BUFFER SO AS TO
21 PROTECT ADJOINING USES FROM DUST, ODORS OR DEBRIS FROM THE FACILITY.
22

23 (6) THE SITE SHALL BE CLEANED OF LITTER AND SCATTERED REFUSE DAILY.
24

25 (7) HOURS OF OPERATION SHALL BE LIMITED TO 7:00 A.M. TO 6:00 P.M. MONDAY
26 THROUGH SATURDAY.
27

28 (8) A TIER 2 COMPOSTING FACILITY MAY NOT ACCEPT ANIMAL MORTALITIES FOR
29 COMPOSTING, EXCEPT FOR ANIMAL MORTALITIES GENERATED ON THE SAME LOT
30 DURING THE NORMAL COURSE OF OPERATIONS.
31

32 (9) A TIER 2 COMPOSTING FACILITY MAY NOT ACCEPT INDUSTRIALLY PRODUCED
33 FOOD PROCESSING MATERIALS, INCLUDING CHICKEN AND SEAFOOD RESIDUALS.
34

35 (10) THE FACILITY SHALL COMPLY WITH APPLICABLE FIRE PREVENTION CODE
36 REQUIREMENTS AS DETERMINED BY THE FIRE MARSHAL.
37

38 SECTION 3. *And be it further enacted,* That this Ordinance shall take effect 45 days
39 from the date it becomes law.
40

AMENDMENTS ADOPTED: November 7 and 21, 2016

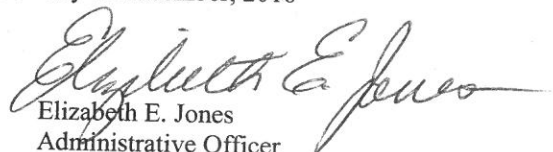
READ AND PASSED this 5th day of December, 2016

By Order:



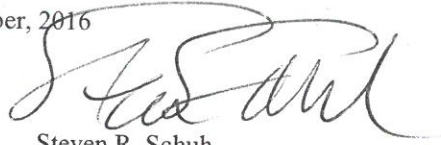
Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 6th day of December, 2016



Elizabeth E. Jones
Administrative Officer

APPROVED AND ENACTED this 12th day of December, 2016



Steven R. Schuh
County Executive

EFFECTIVE DATE: January 26, 2017

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
75-16 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer