

**COUNTY COMMISSIONERS OF CHARLES COUNTY,**

**MARYLAND 2021 Legislative Session**

**Bill 2021-04**

**Zoning Text Amendment 20-160**

**PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE)**

**Introduced by Charles County Commissioners**

**Amending Chapter 297 – Zoning Ordinance: Article III, § 49 - Word usage; definitions; Article IV, § 63 – Figure IV-1, Table of Permissible Uses; Article VI, § 92 – Industrial Zones; Article VI, § 92 – Figure VI-6, Schedule of Zone Regulations: Industrial Zones; Article XIII, § 211 – Alphabetical listing; Article XIII, § 212 – Uses corresponding with Table of Permissible Uses; Article XX, § Parking Facilities, Figure XX-1, Table of Off-Street Parking Requirements, *Code of Charles County, Maryland*.**

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**Date introduced:** 07 / 13 / 2021

**Public Hearing:** 09 / 22 / 2021 @ 6:00 p.m. Virtually

**Commissioners Action:** 10 / 05 / 2021 \_\_\_\_\_

**Commissioner Votes:** RBC: Y, BR: Y, GB: Y, TC: Y, AS: Y

**Pass/Fail:** Pass

**Effective Date:** 11 / 19 / 2021

**Remarks:** \_\_\_\_\_

NOTE: CAPITALS indicate matter added to existing text.  
[Brackets] indicate matter deleted from existing law.

1                   **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

2  
3                   **2021 Legislative Session**

4  
5 Bill No. 2021-04 Zoning Text Amendment (ZTA) #20-160

6 Chapter. No. 297

7 Introduced by Charles County Board of County Commissioners

8 Date of Introduction July 13, 2021

9  
10                   **PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE)**

11  
12 AN ACT concerning:

13  
14                   Use #7.03.100, Processing Facility/Transfer Station (Solid Waste)

15  
16 FOR the purpose of:

17  
18                   Modifying the current Charles County Zoning Ordinance by adding a definition and  
19                   development standards for a new industrial use for solid waste and reflect the County's  
20                   goals and objectives for solid waste management, as expressed in the 2011-2021  
21                   Comprehensive Solid Waste Management Plan and 2016 Comprehensive Plan.

22  
23 BY Amending:

24  
25                   Chapter 297 – Zoning Ordinance

26                   Article III, § 49 - Word usage; definitions.

27                   *Code of Charles County, Maryland*

28  
29                   Chapter 297 – Zoning Ordinance

30                   Article IV, § 63 – Figure IV-1, Table of Permissible Uses.

31                   *Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article VI, § 92 – Industrial Zones.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article VI, § 92 – Figure VI-6, Schedule of Zone Regulations: Industrial Zones.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article XIII, § 211 – Alphabetical listing.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article XIII, § 212 – Uses corresponding with Table of Permissible Uses.  
*Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance  
Article XX, § Parking Facilities, Figure XX-1, Table of Off-Street Parking Requirements.  
*Code of Charles County, Maryland*

**SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as  
follows:**

\*\*\*\*\*

Article III, § 49 – Word usage; definitions.

\*\*\*\*\*

E. Definitions.

\*\*\*\*\*

Pozzolan Management Facility - An area where pozzolan is deposited or landfilled in  
accordance with sound engineering practices and may be later reclaimed or mined.

**PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE) – A  
“PROCESSING FACILITY” MEANS A COMBINATION OF STRUCTURES,**





Incorporated herein.

\*\*\*\*\*

Article XIII, § 211 – Alphabetical listing.

The following is an alphabetical listing of uses as they appear in the Table of Permissible Uses.

\*\*\*\*\*

Use	Permissible Use Number
Poultry houses	1.01.450
<b>PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE)</b>	<b>7.03.100</b>
Racing tracks, automobile and motorcycle	4.02.250

\*\*\*\*\*

Article XIII, § 212 – Uses corresponding with Table of Permissible Uses.

The following uses are listed according to the numbering system on the Table of Permissible Uses and establish the specific minimum requirements for uses permitted with conditions or special exception uses:

\*\*\*\*\*

**7.03.000 Scrap materials, salvage yards, junkyards and automobile graveyards.**  
These uses are permitted by special exception in the IG and IH Zones, provided that the following standards are met:

A. All facilities shall be screened from view with a minimum six-foot-high, one-hundred-percent opaque solid fence or wall along all property lines, except for approved access crossing and utility easements. Such fence or wall shall be located interior to any required buffer or landscape strip and shall present a finished side to the exterior property line(s).

B. Vehicles shall not be stacked so that they are visible from any adjacent properties.

**7.03.100 PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE).**

**THIS USE IS PERMITTED BY SPECIAL EXCEPTION IN THE IH ZONE, SUBJECT TO THE FOLLOWING:**

**(1) MINIMUM SITE AREA BE TEN (10) ACRES.**

**(2) NO OPERATIONAL ACTIVITY, EQUIPMENT, OR STRUCTURE MAY BE LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA, THE 100-YEAR FLOODPLAIN, OR THE RESOURCE PROTECTION ZONE.**

1 (3) ALL VEHICULAR ACCESS TO AND FROM THE SITE SHALL BE FROM  
2 AN ARTERIAL ROADWAY WHICH IS WITHIN TWO MILES (DRIVING  
3 DISTANCE) OF THE SITE ENTRANCE.  
4

5 (4) THE SITE MUST BE SERVED BY, OR BE ABLE TO CONNECT TO,  
6 PUBLIC WATER AND SEWER FACILITIES. ANY WATER THAT COMES  
7 INTO CONTACT WITH SOLID WASTE MUST BE DISCHARGED TO THE  
8 SANITARY SEWER SYSTEM THAT SATISFIES AN INDUSTRIAL  
9 DISCHARGE PERMIT.  
10

11 (5) ROADS FOR INGRESS AND EGRESS FROM THE SITE TO PUBLIC  
12 ROADS SHALL NOT BE LESS THAN 24 FEET WIDE AND SHALL BE HARD-  
13 SURFACED AND MAINTAINED FROM THE PUBLIC ROAD TO THE SITE.  
14

15 (6) IMPERVIOUS SURFACE MUST BE PROVIDED FOR ALL AREAS OF THE  
16 SITE WHERE THE HANDLING, SORTING, STORAGE, OR TRANSPORTING  
17 OF SOLID WASTE OR RECYCLABLE MATERIALS OCCURS.  
18

19 (7) ANY PARTS OF THE OPERATION GENERATING NOISE, OR DUST, OR  
20 VIBRATION IMPACTS SHALL BE LOCATED AT LEAST SEVEN HUNDRED  
21 AND FIFTY (750') FROM ANY RESIDENTIAL DWELLING STRUCTURE.  
22

23 (8) ANY TRANSFER OF SOLID WASTE TO TRANSPORT VEHICLES OR  
24 SORTING OF RECYCLABLE MATERIALS OF SOLID WASTE MUST OCCUR  
25 ONLY IN A WHOLLY ENCLOSED BUILDING.  
26

27 (9) CONSISTENT WITH COMAR SEC. 26.04.07.24. D.1G.IV, SOLID WASTE  
28 MAY NOT REMAIN AT THE TRANSFER STATION AT THE END OF THE  
29 WORKING DAY UNLESS IT IS STORED IN LEAK-PROOF, FLY AND  
30 RODENT-PROOF CONTAINERS.  
31

1 (10) A SITE PLAN SUBMITTED TO THE BOARD OF APPEALS FOR  
2 APPROVAL SHALL INCLUDE THE FOLLOWING:

3  
4 A. REQUIRED BUILDING SETBACKS AND BUFFERYARDS;

5 B. EXISTING AND PROPOSED STRUCTURES AND MAJOR MECHANICAL  
6 EQUIPMENT;

7 C. EXISTING AND PROPOSED ACCESS ROADS, INCLUDING A MAP OF  
8 THE HAULING ROUTE;

9 D. AN OFF-STREET PARKING PLAN, IN CONFORMITY WITH FIGURE XX-1.

10 E. A CONCEPTUAL STORMWATER MANAGEMENT PLAN;

11 F. POINTS OF ACCESS TO THE SITE AND PROVISIONS TO CONTROL  
12 UNAUTHORIZED ENTRY TO THE SUTE ALONG THE ENTIRE PERIMETER  
13 (E.G. A MINIMUM OF SIX FEET (6') IN HEIGHT AND OPAQUE FENCING);

14 G. A TRAFFIC IMPACT AND ROAD CONDITION STUDY TO DETERMINE  
15 THE ADEQUACY OF THE PUBLIC ROAD NETWORK AND STRUCTURAL  
16 ELEMENTS THAT WILL SERVE THE TRUCK TRAFFIC GENERATED BY  
17 THE OPERATION;

18 H. EXISTING TOPOGRAPHY AND ENVIRONMENTAL FEATURES,  
19 INCLUDING STEEP SLOPES, HYDRIC AND ERODIBLE SOILS, WETLANDS,  
20 AND FORESTED AREAS;

21 I. HISTORIC AND CULTURAL RESOURCES REPORT;

22 J. A LANDSCAPE PLAN, DEPICTING THE LOCATION AND TYPE OF ANY  
23 PROPOSED SCREENING MATERIALS, IN ACCORDANCE WITH FIGURE  
24 XX11-2, BUFFER YARDS BETWEEN ADJACENT ZONES.

25 K. A SITE LIGHTING PHOTOMETRIC PLAN.

26  
27 (11) AN OPERATIONS PLAN SHALL BE SUBMITTED WITH THE SITE PLAN  
28 AND INCLUDE THE FOLLOWING:

29  
30 A. A DESCRIPTION OF THE METHODS BY WHICH THE WASTE WILL BE  
31 DELIVERED TO THE FACILITY, INCLUDING AN ESTIMATE OF THE SIZE

1 AND FREQUENCY OF THE COLLECTION VEHICLES THAT WILL USE THE  
2 FACILITY.

3 B. A PLAN FOR A RECORDS-KEEPING SYSTEM TO BE MAINTAINED ON-  
4 SITE, SPECIFYING THE DATE, TYPE, AND AMOUNT OF MATERIAL  
5 RECEIVED, ITS PLACE OF ORIGIN, ITS DESTINATION, AND THE AMOUNT  
6 OF MATERIAL TRANSPORTED OFF-SITE. SUCH RECORDS WILL BE  
7 AVAILABLE FOR INSPECTION BY AUTHORIZED COUNTY PERMITS &  
8 INSPECTIONS (CPIS) PERSONNEL ON UPON REASONABLE NOTICE.

9 C. METHODS TO BE USED, IF NECESSARY, TO CONTROL ODOR, SMOKE,  
10 DUST, LITTER, NOISE AND/OR INSECT OR RODENT INFESTATION.

11 D. METHODS BY WHICH THE COMBINATION OF STRUCTURES,  
12 MACHINERY, OR DEVICES ARE TO BE USED, IF ANY, TO REDUCE OR  
13 ALTER THE VOLUME, CHEMICAL OR PHYSICAL CHARACTERISTICS OF  
14 SOLID WASTE.

15  
16 (12) THE FACILITY WILL TRANSFER 100% OF THE WASTE RECEIVED  
17 WITHIN ANY 12-MONTH PERIOD. ALL SOLID WASTE THAT REMAINS  
18 ONSITE AT THE END OF THE WORKING DAY WILL BE STORED IN LEAK-  
19 PROOF, FLY AND RODENT PROOF CONTAINERS.

20  
21 (13) THE USE SHALL NOT COMMENCE UNTIL THE STATE OF MARYLAND  
22 HAS ISSUED ALL APPLICABLE PERMITS.

23  
24 (14) DEVELOPMENT OF THE FACILITY SHALL CONFORM TO THE  
25 OBJECTIVES AND STRATEGIES CONTAINED WITHIN THE CURRENT  
26 CHARLES COUNTY COMPREHENSIVE SOLID WASTE PLAN.

27  
28 **7.04.100 Research facilities and laboratories without processing of materials.** This  
29 use is permitted by special exception in the WCD, AC, RC and CC Zones, subject to the  
30 following:

31  
32 A. The minimum area shall be 25 acres.  
33



B. Structures erected or to be used shall not be less than 100 feet from any external property line.

C. Such use shall be confined to a structure(s).

D. Off-street parking shall not be less than 100 feet from any external property line.

E. Goods or products are manufactured or processed only to the extent necessary for testing, evaluation and test marketing to reach a commercialization decision and permit transfer to full-scale manufacturing facilities.

F. If located in a CC Zone, the special exception use is limited to the manufacture or processing of goods or products only to the extent necessary for testing, evaluation and test marketing to reach a commercialization decision and permit transfer to full-scale manufacturing facilities.

\*\*\*\*\*

Article XX, § Parking Facilities, Figure XX-1, Table of Off-Street Parking Requirements.


\*\*\*\*\*

Uses description	Off-Street Parking Requirements
*****	*****
7.03.000 Scrap materials, salvage yards, junkyards, automobile graveyards	1 space per 300 square feet office space, plus one space per employee at maximum shift.
<b>7.03.100 PROCESSING FACILITY / TRANSFER STATION (SOLID WASTE)</b>	<b>1 SPACE PER 300 SQUARE FEET OFFICE SPACE, PLUS ONE SPACE PER EMPLOYEE AT MAXIMUM SHIFT.</b>
7.05.000 Mineral extraction	1 space per 300 square feet office space, plus one space per employee at maximum shift.
*****	*****

1           **SECTION 2.** BE IT FURTHER ENACTED, that this act shall take effect forty-five (45)  
2 calendar days after it becomes law.


3  
4           ADOPTED this 5th day of October 2021.

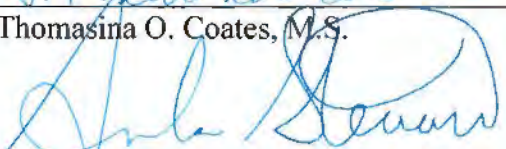
5  
6           COUNTY COMMISSIONERS  
7           CHARLES COUNTY, MARYLAND

8  
9  
10             
11           Reuben B. Collins, II, Esq. President

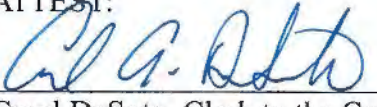
12             
13           Bobby Rucci, Vice President

14             
15           Gilbert O. Bowling, III

16             
17           Thomasina O. Coates, M.S.

18             
19           Amanda M. Stewart, M.Ed.

20  
21  
22           ATTEST:

23             
24           Carol DeSoto, Clerk to the Commissioners  
25  
26  
27  
28  
29  
30

§ 297-63. Table of Permissible Uses.

FIGURE IV-1: TABLE OF PERMITTED USES

P = Permitted; PC = Permitting with Conditions; SE = Special Exception; Blank = Not Permitting; \* = See Sec § 91(D) Commercial

Uses Description	Zones																			
	AC	RC	WCD	RR	RV	RL	RM	RI	RO	CN	CC	CB	CV	BP	IG	IH	PRD	PEP	MX	PMH
*****																				
<b>7.00.000 INDUSTRIAL</b>																				
*****																				
7.03.000 Scrap materials, salvage yards, junkyards, and automobile graveyards															SE	SE				
7.03.100 PROCESSING FACILITY / TRANSFER STATION (SOLID WASTE)																SE				
7.04.000 Research facilities and laboratories																				
7.04.100 Without processing of materials	SE	SE	SE								SE			P	P	P		P	P	
*****																				

Asterisks \*\*\* mean intervening code language remaining unchanged.

NOTE: CAPITALS indicate language added to existing law.

[Brackets] indicate language deleted from existing law.

**Figure VI-6 Schedule of Zone Regulations: Industrial Zones**

**ABBREVIATIONS**

du: Dwelling unit.

FAR: Floor area ratio. An intensity measured as a ratio derived by dividing the total floor area of a building by the base site area.

ISR: Impervious surface ratio. The ratio derived by dividing the area of impervious surface by the base site area. Impervious surfaces are those which do not absorb water. They consist of all buildings, parking areas, driveways, roads and sidewalks.

Uses	Minimum Lot Criteria					Minimum Yard Requirements (feet)				Maximum Height		Lot Coverage	Intensity	Minimum Open Space	Maximum ISR	Minimum Tract Size
	Area	Square Feet per du	Width (feet)	Depth (feet)	Frontage (feet)	Front	Side	Total	Rear	Feet	Stories					
IG Zone																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	36	3					
Marine 2.00.000	3 acres		150	200	120	75	40	80		36	3		0.40 FAR		0.5	
Residential 3.00.000	1 acre		100	150	80	75	30	60	50	36	3		0.40 FAR		0.3	
Institutional/utilities/recreation 4.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		0.75	
Service-oriented commercial, commercial and industrial 5.00.000, 6.00.000 and 7.00.000	1 acre		100	150	80	50	6	12	10	36	3		0.50 FAR		.1 0.75	
IH Zone																
Agricultural 1.00.000	3 acres		150	200		75	40	80	50	50	4					
All except agricultural and industrial 2.00.000, 3.00.000, 4.00.000, 5.00.000 and 6.00.000	1 acre		100	150		50	6	12	10	50	4		0.50 FAR		0.6	
Industrial 7.00.000	3 acres		150	200		50	6	12	10	50	4		0.50 FAR		0.6	
PROCESSING FACILITY / TRANSFER STATION (SOLID WASTE) 7.03.100	10 ACRES		150	200		50	6	12	10	50	4		0.60 FAR		0.90 ISR	

1

The ISR may be increased to 85% on a lot if stormwater management facilities are located regionally, off site.

Asterisks \*\*\* mean intervening code language remaining unchanged

NOTE: CAPITALS indicate language added to existing law.

[Brackets] indicate language deleted from existing law.