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.

Date introduced: 07 / 13 / 2021
Public Hearing: 09 / 22 / 2021 @ 6:00 p.m. Virtually
Commissioners Action: 10 / 05 / 2021
Pass/Fail: Pass
Effective Date: 11 / 19 / 2021
Remarks:

NOTE: CAPITALS indicate matter added to existing text. [Brackets] indicate matter deleted from existing law.
COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2021 Legislative Session

Bill No. 2021-04 Zoning Text Amendment (ZTA) #20-160
Chapter. No. 297
Introduced by Charles County Board of County Commissioners
Date of Introduction July 13, 2021

PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE)

AN ACT concerning:

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

FOR the purpose of:

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

BY Amending:

Chapter 297 - Zoning Ordinance
Article III, § 49 - Word usage; definitions.
Code of Charles County, Maryland

Chapter 297 - Zoning Ordinance
Article IV, § 63 - Figure IV-1, Table of Permissible Uses.
Code of Charles County, Maryland

Asterisks *** mean intervening code language remaining unchanged
CAPITALS mean language added to the law
[Brackets] mean language deleted from the law
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,
MACHINERY, OR DEVICES USED TO REDUCE OR ALTER THE VOLUME, CHEMICAL, OR PHYSICAL CHARACTERISTICS OF SOLID WASTE. A GENERATOR WHO PROCESSES HIS OR HER OWN SOLID WASTE AT THE SITE OF GENERATION AND DISPOSES OF THE PROCESSED SOLID WASTE OFF THE SITE OF GENERATION AT A DISPOSAL SITE PERMITTED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT IS NOT CONSIDERED TO BE A PROCESSING FACILITY.

A “TRANSFER STATION” IS DEFINED AS A PLACE OR FACILITY WHERE WASTE MATERIALS ARE TAKEN FROM ONE COLLECTION VEHICLE (FOR EXAMPLE, COMPACTOR TRUCKS) AND PLACED IN ANOTHER TRANSPORTATION UNIT (FOR EXAMPLE, OVER-THE-ROAD TRACTOR TRAILERS, RAILROAD GONDOLA CARS, BARGES OR SHIPS) FOR MOVEMENT TO OTHER SOLID WASTE ACCEPTANCE FACILITIES. FOR THE PURPOSES OF THIS USE AND THESE REGULATIONS, COLLECTION POINTS SERVING RURAL RESIDENTIAL AREAS ARE NOT CONSIDERED TO BE TRANSFER STATIONS, PROVIDED THAT SOLID WASTE IS NOT TRANSFERRED FROM A COLLECTION VEHICLE TO ANOTHER TRANSPORTATION UNIT.

Property lines - The lines bounding a lot, as defined herein.

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

Incorporated herein.

Article VI, § 92 – Industrial Zones.

C. Special regulations. The following heavy industrial uses and others of a similar nature are expressly prohibited.

(5) [Dumps.] LANDFILLS.

Article VI - § 92 – Figure VI-6, Schedule of Zone Regulations: Industrial Zones.
Incorporated herein.

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Article XIII, § 211 – Alphabetical listing.
The following is an alphabetical listing of uses as they appear in the Table of Permissible Uses.

<table>
<thead>
<tr>
<th>Use</th>
<th>Permissible Use Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poultry houses</td>
<td>1.01.450</td>
</tr>
<tr>
<td><strong>PROCESSING FACILITY/TRANSFER STATION (SOLID WASTE)</strong></td>
<td>7.03.100</td>
</tr>
<tr>
<td>Racing tracks, automobile and motorcycle</td>
<td>4.02.250</td>
</tr>
</tbody>
</table>

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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.
(3) All vehicular access to and from the site shall be from an arterial roadway which is within two miles (driving distance) of the site entrance.

(4) The site must be served by, or be able to connect to, public water and sewer facilities. Any water that comes into contact with solid waste must be discharged to the sanitary sewer system that satisfies an industrial discharge permit.

(5) Roads for ingress and egress from the site to public roads shall not be less than 24 feet wide and shall be hard-surfaced and maintained from the public road to the site.

(6) Impervious surface must be provided for all areas of the site where the handling, sorting, storage, or transporting of solid waste or recyclable materials occurs.

(7) Any parts of the operation generating noise, or dust, or vibration impacts shall be located at least seven hundred and fifty (750') from any residential dwelling structure.

(8) Any transfer of solid waste to transport vehicles or sorting of recyclable materials of solid waste must occur only in a wholly enclosed building.

(9) Consistent with COMAR sec. 26.04.07.24. D.I.G.IV, solid waste may not remain at the transfer station at the end of the working day unless it is stored in leak-proof, fly and rodent-proof containers.
(10) A SITE PLAN SUBMITTED TO THE BOARD OF APPEALS FOR
APPROVAL SHALL INCLUDE THE FOLLOWING:

A. REQUIRED BUILDING SETBACKS AND BUFFER YARDS;
B. EXISTING AND PROPOSED STRUCTURES AND MAJOR MECHANICAL
EQUIPMENT;
C. EXISTING AND PROPOSED ACCESS ROADS, INCLUDING A MAP OF
THE HAULING ROUTE;
D. AN OFF-STREET PARKING PLAN, IN CONFORMITY WITH FIGURE XX-1.
E. A CONCEPTUAL STORMWATER MANAGEMENT PLAN;
F. POINTS OF ACCESS TO THE SITE AND PROVISIONS TO CONTROL
UNAUTHORIZED ENTRY TO THE SITE ALONG THE ENTIRE PERIMETER
(E.G. A MINIMUM OF SIX FEET (6') IN HEIGHT AND OPAQUE FENCING);
G. A TRAFFIC IMPACT AND ROAD CONDITION STUDY TO DETERMINE
THE ADEQUACY OF THE PUBLIC ROAD NETWORK AND STRUCTURAL
ELEMENTS THAT WILL SERVE THE TRUCK TRAFFIC GENERATED BY
THE OPERATION;
H. EXISTING TOPOGRAPHY AND ENVIRONMENTAL FEATURES,
INCLUDING STEEP SLOPES, HYDRIC AND ERODIBLE SOILS, WETLANDS,
AND FORESTED AREAS;
I. HISTORIC AND CULTURAL RESOURCES REPORT;
J. A LANDSCAPE PLAN, DEPICTING THE LOCATION AND TYPE OF ANY
PROPOSED SCREENING MATERIALS, IN ACCORDANCE WITH FIGURE
XX11-2, BUFFER YARDS BETWEEN ADJACENT ZONES.
K. A SITE LIGHTING PHOTOMETRIC PLAN.

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

A. A DESCRIPTION OF THE METHODS BY WHICH THE WASTE WILL BE
DELIVERED TO THE FACILITY, INCLUDING AN ESTIMATE OF THE SIZE
AND FREQUENCY OF THE COLLECTION VEHICLES THAT WILL USE THE FACILITY.

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

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

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

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

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

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

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

A. The minimum area shall be 25 acres.
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.

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Article XX, § Parking Facilities, Figure XX-1, Table of Off-Street Parking Requirements.
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<table>
<thead>
<tr>
<th>Uses description</th>
<th>Off-Street Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>7.03.000 Scrap materials, salvage yards, junkyards, automobile graveyards</strong></td>
<td>1 space per 300 square feet office space, plus one space per employee at maximum shift.</td>
</tr>
<tr>
<td><strong>7.03.100 PROCESSING FACILITY / TRANSFER STATION (SOLID WASTE)</strong></td>
<td><strong>1 SPACE PER 300 SQUARE FEET OFFICE SPACE, PLUS ONE SPACE PER EMPLOYEE AT MAXIMUM SHIFT.</strong></td>
</tr>
<tr>
<td>7.05.000 Mineral extraction</td>
<td>1 space per 300 square feet office space, plus one space per employee at maximum shift.</td>
</tr>
</tbody>
</table>
SECTION 2. BE IT FURTHER ENACTED, that this act shall take effect forty-five (45) calendar days after it becomes law.

ADOPTED this 5th day of October 2021.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

Reuben B. Collins, II, Esq. President
Bobby Rucci, Vice President
Gilbert O. Bowling, III
Thomasina O. Coates, M.S.

ATTEST:
Carol DeSoto, Clerk to the Commissioners
§ 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

| Use Design | AC | RC | WCD | HR | RV | RL | RM | RH | RO | CN | CC | CB | CY | BP | SE | HI | PED | PEP | MX | PMH | TOD | CER | CRR | CMR | WC | AUC |
|------------|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|----|-----|-----|-----|-----|-----|----|----|-----|
| 7.00.000 INDUSTRIAL | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.03.000 Scrap materials, salvage yards, junkyards, and automobile graveyards | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.03.100 PROCESSING FACILITY /TRANSFER STATION (SOLID WASTE) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.04.000 Research facilities and laboratories | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.04.100 Without processing of materials | SE | SE | SE | | | | | | | | | | | | | | | | | | | | | | | | | |

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**
- ABR: Average building ratio
- F: Footprint
- M: Minimum
- R: Rear
- S: Side
- U: Uncovered
- V: Total
- W: Width
- Z: Zone
- **Lot Coverage**

**Minimum Lot Criteria**

<table>
<thead>
<tr>
<th>Uses</th>
<th>Lot Area</th>
<th>Minimum Lot Coverage (feet)</th>
<th>Minimum Yard Requirements (feet)</th>
<th>Maximum Height (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>M</td>
<td>S</td>
<td>V</td>
</tr>
<tr>
<td>IG Zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agricultural</td>
<td>3 acres</td>
<td>150</td>
<td>200</td>
<td>75</td>
</tr>
<tr>
<td>Mature</td>
<td>3 acres</td>
<td>150</td>
<td>200</td>
<td>120</td>
</tr>
<tr>
<td>Residential</td>
<td>1 acre</td>
<td>100</td>
<td>150</td>
<td>80</td>
</tr>
<tr>
<td>Institutional/Institutes/Recreation</td>
<td>1 acre</td>
<td>100</td>
<td>150</td>
<td>60</td>
</tr>
<tr>
<td>Service-oriented commercial, commercial and industrial</td>
<td>1 acre</td>
<td>100</td>
<td>150</td>
<td>60</td>
</tr>
</tbody>
</table>

| IH Zone | | |
| Agricultural | 3 acres | 150 | 200 | 75 | 40 | 80 | 50 | 36 | 3 |
| All except agricultural and industrial | 1 acre | 100 | 150 | 60 | 50 | 6 | 12 | 10 | 36 | 3 |
| Industrial | 1 acre | 100 | 200 | 50 | 6 | 12 | 10 | 50 | 4 |

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