

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2022, Legislative Day No. 17

Bill No. 73-22

Mr. Wade Kach, Councilman

By the County Council, October 3, 2022

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – On-Farm Composting

FOR the purpose of defining an “On-Farm Composting Facility”; permitting an on-farm composting facility ~~below a certain size~~ in certain rural conservation zones under certain circumstances; and generally relating to on-farm composting and uses permitted in rural conservation zones.

BY adding

Section 101.1, the definition of “On-Farm Composting Facility”, listed alphabetically
Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments

Section 404.5
Baltimore County Zoning Regulations, as amended

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

4 ARTICLE 1 – GENERAL PROVISIONS

5 Section 101 – Definitions

6
7 § 101.1. Word usage; definitions.

8 Words used in the present tense include the future; words in the singular number include
9 the plural number; the word “shall” is mandatory. For the purposes of these regulations, certain
10 terms and words are defined below.

11 Any word or term not defined in this section shall have the ordinarily accepted definition
12 as set forth in the most recent edition of Webster's Third New International Dictionary of the
13 English Language, Unabridged.

14 ON-FARM COMPOSTING FACILITY – A FACILITY THAT IS LOCATED ON A
15 FARM WHERE THE CONTROLLED PROCESS OF AEROBIC BIOLOGICAL
16 DECOMPOSITION OF ORGANIC WASTE MATERIAL TAKES PLACE IN ACCORDANCE
17 WITH SECTION 404.5 OF THESE REGULATIONS AND COMAR TITLE 26, SUBTITLE 4,
18 CHAPTER 11. AN ON-FARM COMPOSTING FACILITY IS NOT A RUBBLE LANDFILL,
19 A SANITARY LANDFILL, OR AN OPEN DUMP.

20
21 ARTICLE 4 – SPECIAL REGULATIONS

22 Section 404 – Farm and Agricultural Operations

§ 404.5. ON-FARM COMPOSTING.

A. ~~AN ON-FARM COMPOSTING FACILITY ON PROPERTY THAT USES NO MORE THAN 5,000 SQUARE FEET OF AREA IN SUPPORT OF COMPOSING OPERATIONS~~ IS PERMITTED BY RIGHT AS AN ACCESSORY AGRICULTURAL USE IN THE R.C.2, R.C.3, R.C.4, AND R.C.6, R.C.7, AND R.C.8 ZONES SUBJECT TO THE FOLLOWING: COMPLIANCE WITH § 9-1725 OF THE ENVIRONMENTAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND THE APPLICABLE REGULATIONS SET FORTH IN COMAR 26.04.11.

~~1. THE COMPOSTING FACILITY SHALL:~~

~~A. BE ON A FARM LOCATED OUTSIDE OF THE URBAN RURAL DEMARCATION LINE (URDL);~~

~~B. BE EITHER A TIER 1 OR TIER 2 FACILITY WHICH MAY RECEIVE COMPOST FEEDSTOCK FROM SOURCES OUTSIDE OF THE FARM WHERE THE COMPOSTING FACILITY IS LOCATED OR THE FARM CONTROLLED BY THE SAME OPERATOR IN ACCORDANCE WITH COMAR 26.04.11.02; AND~~

~~C. COMPLY WITH THE GENERAL RESTRICTIONS IN COMAR 26.04.11.04.B AND THE PILE SIZE RESTRICTIONS IN COMAR 26.04.11.06.E(3).~~

~~B. AN ON FARM COMPOSTING FACILITY ON PROPERTY THAT USES MORE THAN 5,000 SQUARE FEET UP TO 40,000 SQUARE FEET OF AREA IN SUPPORT OF COMPOSING OPERATIONS IS PERMITTED BY SPECIAL EXCEPTION AS AN ACCESSORY AGRICULTURAL USE IN THE R.C.2, R.C.3, R.C.4 AND R.C.6 ZONES IF:~~

~~1. THE COMPOSTING FACILITY IS ON A FARM LOCATED OUTSIDE OF THE URDL;~~

1 ~~2. THE COMPOSTING FACILITY COMPLIES WITH THE GENERAL~~
2 ~~RESTRICTIONS IN COMAR 26.04.11.04.B;~~

3 ~~3. THE COMPOSTING FACILITY COMPOSTS ONLY ORGANIC~~
4 ~~MATERIALS GENERATED ON SITE OR AT ANOTHER FARM CONTROLLED BY THE~~
5 ~~SAME OPERATOR; AND~~

6 ~~4. THE COMPOST IS USED FOR PERSONAL, HOUSEHOLD, FAMILY,~~
7 ~~OR AGRICULTURAL PURPOSES AT THE FARM WHERE THE COMPOSTING~~
8 ~~FACILITY IS LOCATED OR AT A FARM CONTROLLED BY THE SAME OPERATOR.~~

9 C. B. 1. A COMPOST PILE MAY BE STORED IN APPROPRIATE
10 CONTAINERS, INCLUDING A SHIPPING FREIGHT CONTAINER OR TRUCK TRAILER,
11 ON THE FARM WHERE THE COMPOSTING FACILITY IS LOCATED.

12 2. THE PARKING OR STORING OF A SHIPPING FREIGHT
13 CONTAINER, TRACTOR TRAILER, OR TRUCK TRAILER ON A FARM FOR THE SOLE
14 PURPOSE OF HOUSING A COMPOST PILE OR STORING COMPOST DOES NOT
15 CONSTITUTE A TRUCKING FACILITY, TRUCK STOP, OR A GARAGE.

16
17 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
18 the affirmative vote of five members of the County Council, shall take effect on November 21,
19 2022.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

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