

o On page 6, Section 2 should be amended so that CB-15 will impact approved Special Exceptions as of September 30, 1991, rather than September 30, 1990. This amendment was proposed to accommodate existing operations.

o Section 27-406, regarding additional requirements for Special Exceptions for sanitary landfills and rubble fills, should be amended to require a rock crusher to be shown on the site plan submitted with the application for a Special Exception, if it is being proposed.

M-NCPPC supports the legislation, with one amendment. The footnotes to the residential, commercial and industrial use tables should read as follows: "A sanitary landfill or rubble fill may include a rock crusher only if it is approved as part of the Special Exception." This clarifies the intent of the legislation.

Russ Shipley and Larry Cartano, representing Pleasant Excavating Company, stated that they had no problems with the bill as amended. The Board of Appeals stated their support for the legislation. The Committee accepted all proposed amendments.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The Zoning Ordinance does not currently address accessory uses to sanitary landfills and rubble fills. There has been disagreement regarding the addition of rock crushers to this type of operation, which is permitted only by Special Exception, as an accessory use. This legislation clarifies that rock crushers are not an accessory use to a landfill or rubble fill.