

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2004 Legislative Session

Bill No. _____ CB-78-2004
 Chapter No. _____ 54
 Proposed and Presented by _____ Council Member Dernoga
 Introduced by _____ Council Members Dernoga and Harrington
 Co-Sponsors _____
 Date of Introduction _____ October 12, 2004

ZONING BILL

1 AN ORDINANCE concerning

2 Recycling Plants and Concrete Recycling Facilities

3 For the purpose of defining concrete recycling facility, amending the definition of recycling plant
 4 to exclude concrete recycling facilities, to require a special exception for concrete recycling
 5 facilities, and prohibiting the use of a rock crusher in conjunction with the manufacturing or
 6 cutting of structural products made of clay, concrete, glass, stone, or similar materials under
 7 certain conditions.

8 BY repealing and reenacting with amendments:

9 Sections 27-107.01 (a) and 27-473,

10 The Zoning Ordinance of Prince George's County, Maryland,

11 being also

12 SUBTITLE 27. ZONING.

13 The Prince George's County Code

14 (1999 Edition, 2002 Supplement).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 16 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 17 District in Prince George's County, Maryland, that Sections 27-107.01 (a) and 27-473 of the
 18 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
 19 George's County Code, be and the same are hereby repealed and reenacted with the following
 20 amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

(a) Terms in the Zoning Ordinance are defined as follows:

* * * * *

(52) **Community Building:** A "Building" which is primarily available to the public for cultural, educational, recreational, or civic purposes, and not operated for profit.

(52.1) **Community Piers and Noncommercial Boat Docking Facilities:** Piers and boat docking facilities that are community-owned, and operated for the benefit of the residents of a riparian subdivision which is the subject of a "Record Plat."

(52.2) **Concrete recycling facility:** A facility that processes concrete demolition material by crushing to remove reinforcing metals, if any, and to reduce the size of concrete material to a commercially usable size.

* * * * *

(194) **Recycling Plant:** Any establishment in which a finished product is broken down (excluding biological or chemical decomposition) with the intent of either making a new product or reusing the disassembled parts. Vehicle demolition, salvage, [and] storage operations, and concrete recycling facilities are not included.

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PART 7. INDUSTRIAL ZONES.
DIVISION 3. USES PERMITTED.

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE				
	I-1 ³³	I-2 ³³	I-3	I-4	U-L-I
* * * * *	*	*	*	*	*
(2) INDUSTRIAL:					
* * * * *	*	*	*	*	*
(K) Stone, Clay, Glass, and Cement Products:					
* * * * *	*	*	*	*	*
Manufacturing or cutting of structural products made of clay, concrete, glass, stone, or similar materials <u>(excluding the use of a rock crusher)</u>	X	P ³⁸	X	P	SE
* * * * *	*	*	*	*	*
(8) RESOURCE PRODUCTION/RECOVERY:					
Agricultural uses	P	P	P	P	X
<u>Concrete recycling facility</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
Sand and gravel wet-processing	SE	P ³⁸	X	X	X
Surface mining	SE	SE	SE	SE	X
* * * * *	*	*	*	*	*

SECTION 2. BE IT FURTHER ENACTED that Section 27-343.03 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County code, be and the same is hereby added:

SUBTITLE 27. ZONING.

PART 4. SPECIAL EXCEPTIONS.

**DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC
SPECIAL EXCEPTIONS.**

Sec. 27-343.03. Concrete recycling facility.

(a) A concrete recycling facility may be permitted, subject to the criteria below.

(1) Concrete recycling facility components and other parts of the operation having the potential for generating adverse noise, dust, or vibration impacts shall be located at least three hundred (300) feet from the boundary lines of the subject property adjoining any land in any Residential or Commercial Zone (or land proposed to be used for residential or commercial purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone), and one hundred (100) feet from the boundaries of the subject property adjoining any land in any Industrial Zone (or land proposed to be used for industrial purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone). Other fixed installations (including automobile parking, settling ponds, and office uses) shall be located at least one hundred (100) feet from the boundaries of the subject property adjoining any land in any Residential Zone (or land proposed to be used for residential purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone).

(2) The site plan and information accompanying the application for Special Exception shall be reproducible, or twelve (12) copies shall be submitted. In addition to the requirements of Section 27-296 (c), the site plan and accompanying information shall show:

- (A) The components of the concrete recycling facility;
- (B) The daily capacity of the facility;
- (C) The location of all material stockpiles;
- (D) The settling ponds, if any;
- (E) The source of water to be used in the operation;
- (F) Truck wash-out facilities, if any;
- (G) The methods of disposing of waste materials;

(H) The internal traffic circulation system;

(I) The parking and storage areas for all vehicles and equipment; and

(J) The identification of the trucks and heavy equipment to be used in the facility operation.

(3) Driveways for ingress and egress shall be identified on the site plan, and shall be located so as to not endanger pedestrians or create traffic hazards. The applicant shall identify the dust-control measures to be used on the driveways and the interior traffic circulation system. Any ingress or egress driveway shall have a minimum width of twenty-two (22) feet, and shall be paved for a distance of at least two hundred (200) feet from the boundary line of the Special Exception.

(4) In addition to the requirements of Section 27-296 (c), all applications shall be accompanied by the following:

(A) A stormwater concept plan approved pursuant to Section 4-322 of this Code;

(B) A preliminary noise assessment;

(C) A horizontal profile illustrating all structures and stockpiles; and

(D) A grading plan that illustrates existing and proposed topography.

(E) A traffic analysis which includes the volume of traffic expected to be generated by the operation and identifies the streets to be used between the site and the nearest other street (to be used) that has a minimum paved width of twenty-four (24) feet for its predominant length.

(b) All information required as part of the Special Exception application shall be referred to the Prince George's County Department of Public Works and Transportation, Prince George's County Soil Conservation District, Washington Suburban Sanitary Commission, Prince George's County Department of Environmental Resources, Maryland State Highway Administration, Maryland State Department of Health and Mental Hygiene, and Maryland State Water Resources Administration for comment. These agencies shall be given forty-five (45) calendar days to reply. A copy of the same information shall also be submitted to the Prince George's County Sand and Gravel Advisory Committee.

(c) On land which is located within a Chesapeake Bay Critical Area Overlay Zone, wash plants, including ponds, spoil sites, and equipment are prohibited within the Buffer, as defined in the Conservation Manual. No new concrete recycling facility shall be approved, and no such

1 operation presently in existence or previously approved shall be permitted to continue or
2 commence where any of the following circumstances are present:

3 (1) Habitat protection areas have been or may be designated on the subject property,
4 in accordance with criteria set forth in the Conservation Manual;

5 (2) The use is located within the Buffer, as defined in the Conservation Manual;

6 (3) The use would result in the substantial loss of long-range (twenty-five (25) years
7 or more) productivity of forest and agriculture, or would result in a degrading of water quality; or

8 (4) The subject property contains highly erodible soils.

9 SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
10 (45) calendar days after its adoption.

Adopted this 16th day of November, 2004

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Tony Knotts
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.