

834 COMPOSTING/~~YARD DEBRIS PROCESSING FACILITIES~~FACILITY

834.01 — ~~GENERAL PROVISIONS~~

~~Section 834 is adopted to implement the policies of the Solid Waste Section of the Public Facilities and Services element of the Comprehensive Plan. Composting/yard debris processing facilities shall be considered pursuant to the siting, design and operational provisions of this section. Additionally, these facilities shall be subject to:~~

- ~~A. All requirements of the Clackamas County Solid Waste and Waste Management Ordinance.~~
- ~~B. All requirements of the Clackamas County Excavating and Grading Ordinance.~~
- ~~C. All rules and regulations of the Oregon State Department of Environmental Quality for all types of composting facilities as codified in ORS 468B.050 and OAR 340, Divisions 93, 95, 96 and 97.~~
- ~~D. All composting rules of the Metropolitan Service District (as codified in Metro Code chapter 5.01) and compliance with Metro’s Regional Solid Waste Management Plan (RSWMP) for facilities that are proposed to be sited within the Metro Boundary.~~
- ~~E. The adoption of these provisions is in addition to the remaining Sections of the Ordinance. In the event there are conflicts between these and other provisions of the Ordinance, the standards and procedures of this Section shall supersede other conflicting provisions affecting composting/yard debris processing facilities.~~

834.02 — ~~DEFINITIONS~~

- ~~A. Composting means the managed process of controlled biological decomposition of green feedstocks. It does not include composting for the purposes of soil remediation.~~
- ~~B. Composting facility means a site or facility excluding home composting areas as described in Section 202 and agricultural composting conducted as a farm use, which utilizes green feedstocks to produce a useful product through a managed process of controlled biological decomposition. Composting may include amendments beneficial to the composting process. Vermiculture and vermicomposting are considered composting facilities. Composting facilities or sites may include sales of the finished product, as well as accessory products limited to topsoil, barkdust and aggregate commonly used in landscaping to wholesale and retail customers. The area utilized for the sale of said accessory products shall not exceed 10 percent of the area used for composting, or two acres, whichever is less subject to the provisions of Subsections 834.03 and 834.04.~~

~~C. Green feedstocks are defined as including yard debris, non-treated wood waste, vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by products, crop waste and livestock manure. For the purpose of these provisions, “non-treated wood waste” excludes wood waste treated with paint, varnish or other chemicals or preservatives.~~

~~834.03 — AREA OF APPLICATION~~

~~A. The following Table of Uses lists where composting/yard debris facilities may be permitted subject to review by the Hearings Officer pursuant to the Conditional Use provisions of Section 1203 in reference to specific zoning districts. Existing lawfully established composting facilities may be maintained, enhanced, or expanded subject to the provisions of this section.~~

TABLE OF USES
STATUS OF USE — ZONING DISTRICT

CU	Timber District
CU	Ag/Forest District
CU*	Exclusive Farm Use District
CU	Rural Residential Farm Forest 5-Acre District
CU	Farm Forest 10-Acre District
CU	Light Industrial District
CU	General Industrial District
CU	Rural Industrial District

~~* — Not permitted on “high value farmland as defined in ORS 215.710, except as provided in Subsection 401.05(H)(3).~~

~~B. — Composting facilities are a prohibited use in all other zoning districts.~~

834.01 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements identified in Subsections 1203.02 and 1307.07(C), an application for a permit for a composting facility shall include:

- A. An operational plan to address compliance with Subsection 834.02(C)(2);
- B. Location and design of the physical features of the site and composting facility, surface drainage control, wastewater facilities, fences, residue disposal, controls to prevent adverse health and environmental impacts, and design and performance specifications for major composting equipment and detailed descriptions of methods to be used;
- C. A proposed plan for utilization of the processed compost or other evidence of assured utilization of composted green feedstocks;

D. A proposed plan to dispose of processed compost that, due to concentration of contaminants, cannot be marketed or used for beneficial purposes, and finished compost which has been stored for two years since processing was completed; and

E. A dust control plan.

834.024 ~~DEVELOPMENT~~ STANDARDS

~~The development of C~~omposting facilities shall ~~comply with~~be subject to the requirements prescribed in Section 1000 pursuant to the Design Review procedures of Section 1102. Additionally, these facilities shall be subject to the following development and operational standards:

~~A. Lot Area, Setbacks:~~

<u>REVIEW CRITERIA</u>	<u>ZONING DISTRICT</u>	<u>MINIMUM LOT SIZE</u>	<u>Setback Requirements</u>	
			<u>PROPERTY LINES</u>	<u>PERENNIAL DRAINAGEWAYS, WETLANDS & WELLS</u>
Conditional Use	Timber District	5 Acres	All structure setbacks shall meet the fire break standards described under Subsection 406.08(A)	A minimum of 100 feet
Conditional Use	AG/Forest District	5 Acres	All structure setbacks shall meet the fire break standards described under Subsection 406.08(A)	A minimum of 100 feet
Conditional Use	Exclusive Farm Use District	5 Acres	The operational area shall be a minimum 50 feet from all property lines.	A minimum of 100 feet
Conditional Use	Farm Forest 10-Acre District	5 Acres	The operational area shall be a minimum 50 feet from all property lines.	A minimum of 100 feet
Conditional Use	Rural Residential Farm Forest 5-Acre District	5 Acres	The operational area shall be a minimum 50 feet from all property lines.	A minimum of 100 feet
Conditional Use	Light Industrial District	5 Acres	The operational area shall be a minimum 50 feet from all property lines.	A minimum of 100 feet
Conditional Use	General Industrial District	5 Acres	The operational area shall be a minimum 50 feet from all property lines.	A minimum of 100 feet

			feet from all property lines.	
Conditional Use	Rural Industrial District	5-Acres	The operational area shall be a minimum 50 feet from all property lines.	A minimum of 100 feet

A. Minimum Lot Size: Five acres.

B. Minimum Separation Distance: Except in the AG/F and TBR Districts, the operational area shall be a minimum of 50 feet from all lot lines and a minimum of 100 feet from perennial drainageways, wetlands, and wells.

CB. Transportation:

~~The County shall require the necessary traffic measures to insure the facility use is consistent with the County transportation system.~~

1. ~~The subject property~~Facilities shall have ~~access~~ingress and egress from a paved road. ~~Additionally, and such access to the site shall be paved from the edge of the paved road to a minimum of 50 feet into the subject property site from the lot~~property line.
2. ~~The road access system to the facility shall be adequate to handle traffic generated by the use.~~ The facility shall have an operational plan that ~~ensures~~assures those traveling to the facility, particularly trucks, travel primarily on truck freight routes identified on Comprehensive Plan Map 5-9a, Freight Routes Urban, and 5-9b, Freight Routes Rural~~by the County.~~ ~~Additionally, the driveway apron from the paved road to the property line shall be hard surfaced.~~ Alternatively, if no truck freight routes are readily available, the routes selected and used shall not significantly impact the existing traffic patterns.
3. ~~All~~-weather roads shall be provided from the nearest state~~public~~ highway or all-weather County or public roads to ~~and within the composting facility disposal site~~ and shall be designed and maintained to prevent traffic congestion, traffic hazards, dust, and noise pollution.
4. The operator shall install and maintain signage so that routes to the facility are posted. ~~Signage shall be subject to the applicable County and state regulations.~~
5. Effective barriers to unauthorized entry and dumping, such as fences, gates, and locks, shall be provided ~~(such as fences, gates and locks).~~

D. Fire Protection: The subject property shall be located within a fire protection district capable of fire suppression as demonstrated by a letter from the applicable district.

E. Odor: The tipping, grinding, and storage areas of unprocessed yard debris shall be managed to control odors.

F. Litter: The facility owner or operator shall, on a daily basis, collect litter and illegally dumped waste on all roads leading to the facility for a distance of one-quarter mile from the facility entrance.

~~C. Site design, landscaping, and lighting:~~

G. Storage and Screening:

1. The storage of composting materials, end products, and equipment shall occur only in the designated operational area. All green feedstocks deposited at the composting facility shall be confined to the designated receiving area within the operational area
2. The operational area shall be screened and buffered pursuant to Subsection 1009.04 with vegetation. ~~Any screening, buffering or vegetation at the intersection of any road, driveway or easement shall comply with the site distance requirements of the American Association of State Highway and Transportation Officials (AASHTO) manual.~~
3. ~~On-site lighting shall be designed, located, shielded, or deflected so as not to shine off-site onto structures or impair the vision of the driver of any vehicle.~~
4. ~~The property shall be located within a fire protection district capable of fire suppression as demonstrated by a written letter from the applicable district.~~
5. ~~Noise generated from the operation of the composting facility shall not unreasonably interfere with the use and enjoyment of surrounding properties for their primary use. Various methods of sound control may be required such as installation of earth berms, strategic location of stockpiles and limiting hours of operation as required by the Hearings Officer.~~
36. The maximum height of stored storage materials shall ~~not be more than~~ 25 feet, or the height of the ~~vegetation~~ screening established pursuant to Subsection 1009.04, whichever is less.
47. The green feedstocks shall be ground within one week of receipt.
8. ~~The tipping, grinding and storage areas of unprocessed yard debris shall be managed to control odors.~~
9. ~~The facility owner or operator shall on a daily basis collect litter and illegally dumped waste on all public roads leading to the facility for a distance up to one-quarter mile of the facility entrance.~~

510. Green feedstocks shall be incorporated into active compost piles within a reasonable time. Grass clippings shall be incorporated within 24 hours of receipt.

611. Storage

~~a.—All feedstocks deposited at the site shall be confined to the designated dumping area.~~

~~b.—Facilities and procedures shall be provided for handling, recycling, or disposing of green feedstocks that are non-biodegradable by composting.~~

~~H. Operating Permits and Licenses: Prior to commencing any activities to establish or operate the composting facility, the applicant shall submit copies to the County of all operating permits or licenses required by the Oregon Department of Environmental Quality or the Metropolitan Service District. Notwithstanding this requirement, if DEQ or Metro will not issue a permit or license until the facility has been established, the applicant shall submit a copy of such license or permit prior to commencing operation of the facility.~~

I. Composting facilities may include retail and wholesale sales of the finished product, as well as accessory products limited to topsoil, barkdust, and aggregate commonly used in landscaping. The area used for the sale of the accessory products shall not exceed 10 percent of the area used for composting, or two acres, whichever is less.

~~834.05~~ SUBMITTAL REQUIREMENTS

~~A.—A detailed traffic study, including onsite circulation, shall be required as a means for the County to assess appropriate traffic impact measures. The study shall be based on Metro’s traffic data methodology and meet the requirements of the County’s comprehensive transportation planning model. Such a study must be performed by an engineer registered in the state of Oregon.~~

~~B.—The applicant shall submit a transportation plan that assures those traveling to the facility, particularly trucks, travel primarily on truck routes identified by the County. If no truck routes are readily available, the routes selected and used shall not significantly impact the existing traffic patterns.~~

~~C.—An application shall be required and shall include but not be limited to:~~

~~1.—Location and design of the physical features of the site and composting plant, surface drainage control, wastewater facilities, fences, residue disposal, controls to prevent adverse health and environmental impacts, and design and performance specifications for major composting equipment and detailed descriptions of methods to be used.~~

- ~~2. A proposed plan for utilization of the processed compost or other evidence of assured utilization of composted feedstocks.~~
- ~~3. A proposed plan to dispose of processed compost that, due to concentration of contaminants, cannot be marketed or used for beneficial purposes, and finished compost which has been stored for two years since processing was completed.~~
- ~~4. A dust control plan shall be submitted to the County and, when required, DEQ for approval. A copy of the approved plan shall be submitted to the County prior to operation of the facility.~~

~~834.06 — ISSUANCE OF PERMITS~~

~~Prior to commencing any activities authorized by the Hearings Officer pursuant to these provisions, the applicant shall submit copies of all operating permits or licenses required by DEQ or Metro as applicable.~~

[Amended by Ord. ZDO-234, 6/7/12; Amended by Ord. ZDO-243, 9/9/13]