



FREDERICK COUNTY COUNCIL

Local Government Fiscal and Policy Note

CONTACT INFORMATION AND GENERAL INSTRUCTIONS

Bill Number/Reference:	Bill No. 17-13
Bill Title:	Limited Wood Waste Recycling Facility in the General Commercial District
Local Government Agency:	Frederick County Divisions of Finance, Planning and Permitting, and Utilities and Solid Waste Management
Prepared By:	Erin White, Steve Horn, and Phil Harris
Title:	Deputy Director, Director, and Department Head
Phone Number:	301-600-1193, 301-600-1151, and 301-600-2923
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Due Date:	July 5, 2017
Date Submitted:	July 5, 2017; Amended July 7, 2017

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Date:						
Please respond to the questions below. If you prefer to provide responses or additional information in a separate file or document, send the file or document in a separate e-mail to rcherney@frederickcountymd.gov with the bill number/reference in the subject line.						
1.	Describe the impact of this proposed legislation on your agency (operations, revenues, expenditures, etc). If there is no impact, <u>please explain why.</u>					
This bill should have little fiscal impact on the County. This bill serves to allow “Limited Wood Waste Recycling Facility” as a principal permitted use as a special exception with site development plan in the General Commercial District. Currently, this is permitted as a special exception in the Agricultural and the General Industrial Districts. This legislation has the potential to slightly reduce the amount of material the Department of Solid Waste Management will have to process and subsequently the revenue associated with the sale of mulch. Any negligible loss in revenue should be offset by a like amount of reduced operating costs.						
2.	Please indicate whether the proposed legislation will affect small businesses in Frederick County, and if it will, please provide any information you may have which could be useful in determining the economic impact on small businesses.					
This bill should have a negligible fiscal impact on small local businesses whose properties are located in a General Commercial District.						
FISCAL IMPACT SUMMARY – SHOW (DECREASE) IN PARENTHESES						
<u>REVENUES</u>						
3.	Analysis of estimated increase (or decrease) in government revenues. Please estimate below any anticipated increase (or decrease) in revenues resulting from this legislation. Please be aware of any delayed effective dates in the bill or other factors that may cause revenue increases/decreases to begin in later years.					
<u>Source</u>		<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
N/A						
TOTAL \$		\$	\$	\$	\$	\$
Please explain how the above estimated increase(s) or decrease(s) were arrived at, including any calculations and/or assumptions made. Please also explain any variation if the revenue increase(s)/decrease(s) are not constant.						
N/A – This legislation has the potential to slightly reduce the Department of Solid Waste Management revenue collection from mulch sales.						

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<u>EXPENDITURES</u>						
4.	Analysis of estimated increase (or decrease) in government expenditures. Please estimate below any anticipated increase (or decrease) in expenditures resulting from this legislation. Please be aware of any delayed effective dates in the bill or other factors that may cause expenditure increases/decreases to begin in later years.					
A. Salaries & Wages		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
FTE Employees - _____ # of positions						
Fringe Benefits						
TOTAL (Salaries, wages & benefits)		\$	\$	\$	\$	\$
N/A	Please provide an explanation of the need for the number and type of any personnel listed above, including (1) what specific provision(s) of the bill necessitate additional staff; (2) what the duties of each type employee will be; and (3) why existing personnel cannot absorb the additional work. Please also certify the wage/salary rate and % fringe rate (if differing rates apply) for each personnel classification.					
B. Other Operating Expenses		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Technical/Special Fees, Grants/Subsidies						
Communications-Phone, Postage						
Travel, Food, Auto, Fuel & Utilities						
Contractual Services						
Supplies						
Equipment-Replacement						
Equipment-Additional						
Land & Structures, Fixed Charges						
Other (Please Specify on Extra Page(s))						
TOTAL (Expenditures)		\$	\$	\$	\$	\$
	On the next page, please provide brief descriptions/breakdowns of the above "Other Operating Expenses."					
	Please explain below any additional calculations or assumptions made in estimating the "Other Operating Expenses" that will help us to understand the amounts and timing of the expenses.					
N/A – This legislation has the potential to minimally reduce the Department of Solid Waste Management's operating costs.						

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4. (cont'd)

C. Operating Expense Descriptions/Breakdowns

Please provide below a short description of the specific purpose of each expense listed under 4B. If any amount(s) listed under 4B represent(s) a total of multiple expenses, provide a breakdown of the fiscal 2016 amount with a short description of each expense (for example, if \$2,500 is listed for Communications – Phone, Postage, a statement such as “\$1,500 for cellphone charges for two new inspectors and \$1,000 for postage for mailings to permittees to notify them of changes to inspection requirements.”)

Fiscal 2017 Expenditures

Technical/Special Fees, Grants & Subsidies description/breakdown	\$
Communications – Phone, Postage description/breakdown	\$
Travel, Food, Auto Operations, Fuel & Utilities description/breakdown	\$
Contractual Services description/breakdown	\$
Supplies description/breakdown	\$
Equipment-Replacement description/breakdown	\$
Equipment-Additional description/breakdown	\$
Land & Structures, Fixed Charges description/breakdown	\$
Other (Please Specify) description/breakdown	\$

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ADDITIONAL POLICY IMPLICATIONS/CONCERNS

The proposed amendment to the Use Table would allow wood waste recycling operations on properties zoned General Commercial (GC) throughout the County. As proposed, a 'Limited Wood Waste Recycling Facility' would be a principal permitted use in the GC Zoning District, requiring Special Exception and Site Development Plan approval.

The Planning and Permitting Division staff reviewed Bill No. 17-13 and offers the following findings:

1. Wood Waste Recycling is considered to be a 'solid waste operation' in the Zoning Ordinance Use Table.
2. This specific use is currently allowed only within the Agricultural (A) and General Industrial (GI) Zoning Districts after approval for a Special Exception is obtained from the Board of Appeals.
3. The County Zoning Ordinance limits the allowance and placement of solid waste activities because of the intensity of operations associated with this type of use.
4. By definition, this use generates products such as mulch and compost materials. Typical processing and production activities related to this type of use occur on a continuous basis (i.e., Monday thru Friday, possibly on Saturday) and result in noise, dust, vibrations, and odor. Grinders and other large equipment are used in the processing and transport of the product on and off-site.
5. The GC Zoning District, as one of the County's three (3) identified commercial zones (including GC, Village Center (VC), and Mixed Use (MX)), is intended to provide general retail, commercial, and business services.
6. The Zoning Ordinance Use Table provides that retail, commercial, and business services includes a variety of uses, such as: department stores, pharmacies, restaurants, medical clinics, and professional offices. A wood waste recycling operation is not considered compatible with other currently allowed land uses in the GC Zoning District.
7. The GC Zoning District typically acts to buffer residential zones from industrial zones. Therefore, it is not uncommon to have commercially zoned land adjacent to residential areas.
8. Allowing wood waste recycling operations on commercially zoned land will cause conflicts between adjacent land uses.

The Planning and Permitting Division recommends the County Council oppose Bill No. 17-13, as written, based on the incompatibility of wood waste recycling operations with other currently allowed land uses within the GC Zoning District.

Please submit BY E-MAIL to: Ragen Cherney, Legislative Director/Chief of Staff
Frederick County Council • E-Mail: RCherney@FrederickCountyMD.gov