6977 Organic Materials Processing

a. **Purpose and Intent.** The purpose of these regulations is to provide a uniform and comprehensive set of Organic Material Processing standards for the processing of organic materials in the unincorporated San Diego County. The regulations contained herein are intended to divert organic materials from landfills, increase the reuse of organic materials and the efficiency of organic materials processing, promote healthy soils, and support the environmental health of San Diego County.

b. **Definitions.**

1. “Organic Materials” refers to agricultural material, food material, vegetative food material, and green material as defined by Title 14 of California Code of Regulations (14 CCR) Division 7, Chapter 3.1 (CalRecycle).

2. “Organic Materials Processing” refers to operations that include but are not limited to static piles, windrow, in-vessel, vermicomposting, and mushroom farming. All other organic processes are subject to additional discretionary review. New methods of Organic Materials Processing not currently considered by CalRecycle may be permitted subject to additional discretionary review as determined by the Director of Planning & Development Services or his or her designee and as guided by this section.

c. **Agricultural Operations.** Organic Materials Processing may occur as an accessory use on any site where an active agricultural operation is present as follows:

1. In all Use Regulations where agricultural operations allowed:
   i. All materials to be processed must be derived onsite or as otherwise permitted under c.6 below.
   ii. A maximum of 1,000 cubic yards of finished compost may be donated annually, unless or as otherwise prohibited.

2. In the A70, A72, C37, C38, C40, S88, S90, S92, M50, M52, M54, M56, and M58 Use Regulations, except village residential and village commercial land use designations:
   i. Organic materials from any source may be processed onsite.
   ii. Finished product may be sold or donated in any amount or as otherwise permitted or restricted under c.6 below, providers of organic materials may share in the finished product.

3. Finished product will be considered an agricultural product. Sales will be limited to the Use Regulations indicated within 6157(a), or as otherwise permitted in the administrative or use permit.

4. Chipping and Grinding can only occur as an accessory use to support agricultural operations and cannot be the primary organic materials processing use. If chipping and grinding is intended to be the primary organic material processing use, then the operation would be classified as a Recycling Processing Facility, Wood, and Green Materials pursuant to Section 1513(c) and be subject to all permitting requirements for such a facility.

5. Subject to operational, siting, and permitting requirements set forth in Sections (f), (g), and (h) herein.
6. For the purposes of this Section, the following may be treated as a single agricultural operation and share organic materials and finished product between sites:
   i. Various parcels under the same ownership or leased by the same owner; or
   ii. Groups of independent agricultural operations at the discretion of the Director of Planning & Development Services based on the proximity of operations and a determination of no adverse impact to the health, safety, and welfare of surrounding properties. Notice must be submitted to the County’s Planning & Development Services to confirm independent agricultural operations are acting as a group. Notice shall identify the participating properties, provide contacts for each, and indicate which site(s) will be sending and receiving materials. Sales of product is prohibited, as defined in 2ii above.

7. Agricultural Permitting Requirements per County of San Diego Organic Materials Processing volume limits and associated permits described as follows:

   Agricultural Operations or Organic Materials Processing (as indicated above in subsection c.1.)
   i. **Agricultural Feedstock** can be processed with unlimited volumes and no permit is required.
   ii. **Agricultural + Green Feedstock** can be processed with unlimited volumes and no permit is required.
   iii. **Agricultural + Green + Vegetative Food Feedstock** can be processed with unlimited volumes and no permit is required.
   iv. **Agricultural + Green + Vegetative Food + Food Feedstock** can be processed with unlimited volumes and no permit is required.
   v. **In-vessel Agricultural** materials can be processed with unlimited volumes and no permit is required.
   vi. **In-vessel Agricultural + Dairy + Food** materials can be processed with unlimited volumes and no permit is required.

   Agricultural Operations (as indicated subsection c.2.)
   vii. **Agricultural Feedstock** (used onsite) any volume of materials requires a Zoning Verification Permit.
   viii. **Agricultural + Green Feedstock** can be processed up to 100 cubic yards or 750 square feet at a given time and will require a Zoning Verification Permit. Anything over 100 cubic yards up to 12,500 cubic yards at a given time will require an Administrative Permit and anything over 12,500 cubic yards will require a Minor Use Permit.
   ix. **Agricultural + Green + Vegetative Food Feedstock** can be processed up to 100 cubic yards or 750 square feet at a given time and will require a Zoning Verification Permit. Anything over 100 cubic yards up to 12,500 cubic yards at a given time will require an Administrative Permit and anything over 12,500 cubic yards will require a Minor Use Permit.
x. **Agricultural + Green + Vegetative Food + Food Feedstock** can be processed up to 100 cubic yards or 750 square feet at a given time and will require a Zoning Verification Permit. Anything over 100 cubic yards at a given time will require a Minor Use Permit.

xi. **In-vessel Agricultural + Dairy + Food** (used onsite) any amount requires a Zoning Verification Permit.

**In-vessel Operations/Facilities (defined by tons per day or tons per week)**

xii. **In-vessel processing** anything under 15 tons per day and not to exceed 105 tons per week will require a Zoning Verification Permit.

xiii. **In-vessel processing** anything over 15 tons per day and does not exceed 100 tons per day will require an Administrative Permit.

xiv. **In-vessel organic processing** anything over 100 tons per day or 700 tons per week will require a Minor Use Permit.

d. **Community Gardens.** Organic Materials Processing may occur as an accessory use to a community garden as permitted by Section 6912 Community Gardens with the following additional regulations and allowances:
   1. No permits are required if the total organic material volume onsite at any one time does not exceed 100 cubic yards or 750 square feet at a given time used for organic material processing.
   2. Offsite organic materials from any source may be received for processing onsite.
   3. Finished compost may be donated in any amount. All sales are prohibited.
   4. Chipping and Grinding can only occur as an accessory use to support community garden operations and cannot be the primary organic materials processing use.
   5. Subject to operational, siting, and permitting requirements set forth in Sections (f), (g), and (h) herein.

e. **Community Composting.** Organic Materials Processing may occur as an accessory use as follows:
   1. On any site where an active agricultural operation is present and/or in the RS, RD, RM, RV, RU, RMH, RR, RRO, and RC Use Regulations:
      i. The total organic material volume onsite at any one time shall not exceed 20 cubic yards for organic material processing. No permit is required.
      ii. Processing of organic materials must occur within an enclosed container.
      iii. Organic materials processed shall be limited to vegetative food material, and green material only. Except if the organic materials processing activity is occurring on land with active agriculture, then agricultural materials may be included.
      iv. Offsite organic materials from any source per e.1.iii may be received for processing onsite.
      v. Finished compost may be donated in any amount. All sales are prohibited.
      vi. Chipping and grinding is prohibited.

f. **Commercial Operations.** Organic Materials Processing may occur as a primary commercial use as follows:
1. In the A70, A72, C37, C38, C40, M50, M52, M54, M56, M58, S80, S82, S86, S88, S90, S92, and S94 Use Regulations:
   i. The total organic material volume onsite at any one time shall not exceed 100 cubic yards or 750 square feet. Should organic material processing exceed 100 cubic yards or 15 tons per day of material as indicated in subsection f.2 then the provisions pursuant to Section 6902 would apply.
   ii. Offsite organic materials from any source may be received for processing onsite.
   iii. Finished product may be sold or donated in any amount, unless limited by the administrative or use permit.
   iv. Chipping and Grinding can only occur as an accessory use to support commercial operations and cannot be the primary organic materials processing use. If chipping and grinding is intended to be the primary use, then it must comply with Sections 1513 and 6975.
   v. Subject to operational, siting, and permitting requirements set forth in Sections (f), (g), and (h) herein.
   vi. Any property constrained by an easement for the protection of sensitive resources, including but not limited to biological or agricultural resources, or is located within or immediately adjacent to an existing or proposed Multiple Species Conservation Program (MSCP) planned preserve (e.g. Pre-Approved Mitigation Area, Priority Conservation Area, Focused Conservation Area) will require, at minimum, an Administrative Permit regardless of volume or material processed.

Commercial Operations (as indicated in subsection f.1)

   xv. Agricultural + Green Feedstock\(^{(1)}\) can be processed up to 100 cubic yards or 750 square feet at any given time with a Zoning Verification Permit.
   xvi. Agricultural + Green + Vegetative Food Feedstock\(^{(1)}\) can be processed up to 100 cubic yards or 750 square feet at any given time with a Zoning Verification Permit.
   xvii. Agricultural + Green + Vegetative Food + Food Feedstock\(^{(1)}\) can be processed up to 100 cubic yards or 750 square feet at any given time with a Zoning Verification Permit.

Large In-vessel Operations/Facilities

   xviii. In-vessel organic processing with anything under 15 tons per day or up to 105 tons per week will require an Administrative Permit.

Note 1: Materials may be processed within an enclosed container as described for these volumes and permits.

   g. Operational Requirements. Unless otherwise provided, all Organic Materials Processing must comply with the following operational requirements:
1. Organic Materials Processing operations are subject to the volume and material limitations set forth in Title 14 of California Code of Regulations (14 CCR) Division 7, Chapter 3.1 (CalRecycle).

2. Processing of meat and dairy products must occur within an enclosed container, in-vessel, or as otherwise described in the administrative or use permit.

3. Stormwater runoff from processing site(s) and leachate shall be managed to meet the standards of all federal, state, and local water permits.

4. Application of water for organic materials processing on site shall be managed to reduce the generation of wastewater.

5. During a weather event, organic materials shall be completely covered, or equivalent measures implemented, to reduce the generation of wastewater runoff.

6. Operations and compost width and height shall comply with the current provisions or future amendments adopted by the County of San Diego for the San Diego County Consolidated Fire Code – Section 96.1.2808.

7. Chipping and grinding operations, including setup, preparation, or close up, as indicated by c, d, e, and f shall not occur before 8:00 a.m. or after 5:00 p.m.

8. On-site sales shall not occur before 7:00 a.m. or after 6:00 p.m. unless otherwise provided as a condition of an Administrative or Use permit.

9. Organic Materials Processing shall be conducted in a manner so as not to become a nuisance to surrounding properties and shall be managed to:
   i. Prevent the migration of agricultural pests identified by the horticultural pest and disease control boards (Department of Environmental Health and Quality and Agriculture, Weights, and Measures guidelines) as applicable.
   ii. Prevent attraction of flies, rodents, and other vectors per CCR Title 14 Sections 1710.4, 17820, and 18227 as applicable. The Local Enforcement Agency (LEA) is authorized on behalf of the State to take corrective action if operations result in the occurrence of excessive vectors or other adverse public health/well-being related conditions per CCR Title 14 Section 17855.
   iii. Control air contaminants such as dust and odors to prevent migration beyond the property boundary.
   iv. Minimize operational noise, hazards, or litter beyond the property boundaries; and,
   v. Control noise levels so as not to exceed limits set by the San Diego County Noise Ordinance, Section 36.404 as measured at the property line of the property on which the noise is produced or at any location on a property that is receiving the noise.

10. Organic Materials Processing operations shall be conducted to minimize impact to sensitive habitats or species, such as but not limited to breeding seasons, riparian habitats, wildlife corridors, etc. including compliance with all Federal, State, and Local regulations.

11. The Organic Materials Operator shall prepare, implement, and maintain site operations to ensure that any type of composting operations implement best practicable treatment and control that meets pathogen reduction requirements as specified in CCR Title 14, Division 7, Chapter 3.1, Section 17868.3 – Process to Further Reduce Pathogens (CalRecycle)

**h. Siting Requirements.** Unless otherwise provided, Organic Materials Processing operations must comply with the following siting requirements:
1. All operations must be sited a minimum of 100 feet from any existing groundwater well and/or nearest surface water body.

2. All operations must be sited a minimum of 50 feet from any local, state or federally protected wetlands and sensitive habitat.

3. Operations sited within a known Floodplain or Special Flood Hazard Areas as identified by the County of San Diego, Dept. Public Works – Flood Control Division maps and/or the Federal Emergency Management Agency (FEMA) maps shall be in compliance with County of San Diego’s Flood Damage Prevention Ordinance – Division 11, Section 811.

4. All operations at a minimum shall be set back from the property line 10-feet unless enclosed or processing occurs in-vessel in which case the minimum setback is 3-feet. All other setbacks shall comply with Section 4800 Setback Requirements for the applicable zone in which the use is located, whichever is more stringent.

5. Organic material processing is excluded from the enclosure matrix as indicated in Section 6816.

6. Screening shall comply with Section 6700 Screening and Fencing Requirements for the applicable zone in which the use is located.

7. The composting area shall be sited to prevent, to the greatest extent possible, ponding, inundation, and erosion impacts.

   i. An Odor Impact Minimization Plan (OIMP) shall be submitted to the County Planning & Development Services when required by CalRecycle.

   j. A Best Management Practice Plan (BMP Plan) is required for all Organic Material Processing. The BMP Plan shall demonstrate compliance with sections (g) and (h) contained herein and shall include, but not be limited to, the type(s) of materials to be processed, siting, access, drainage, management of pests, odors (per CCR Title 14, Section 17853.4), noise, and description of the general operations.

   k. The County reserves the right to inspect the organic composting site annually, or as otherwise provided in the applicable permit, upon provision of reasonable notice, to ensure compliance with the requirements of this section.