



# Community Planning & Permitting

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## BOARD OF COUNTY COMMISSIONERS BUSINESS MEETING

**March 21, 2023 at 10:30 AM**

All Commissioners' public hearings and meetings will be offered in a hybrid format where attendees can join through **Zoom** or **in-person** at the Boulder County Courthouse, 3<sup>rd</sup> Floor, 1325 Pearl Street, Boulder.

### **Authorization under Article 16-100.A of the Boulder County Land Use Code for Text Amendments to the Land Use Code related to composting incidental to farming found in the Composting Facility use section 4-506.A.**

**Staff:** Andrea Vaughn Long Range Planner, Community Planning & Permitting Department  
*Public testimony will not be taken – action requested*

#### **SUMMARY**

Staff requests Board authorization to pursue text amendments to the Land Use Code (the Code) related to the Composting Facility use, which is addressed in Article 4-506.A of the Code. The additional provisions of this section exempt composting incidental to farming from the requirements of the Composting Facility use when certain criteria are met. County partners are exploring the advancement of regenerative agricultural practices, particularly through soil restoration projects which rely on compost material to implement. County staff has been informed by farmers who are currently composting that within the composting incidental to farming provisions, there are barriers to implementing composting successfully. The barriers include code language for onsite collection of organic material, as well as the retail sales of the compost made onsite, which are prohibited in Article 4-506.A of the Code. By returning local organic waste materials to the farm for on-site use in compost and sales, agricultural producers can contribute to a local circular economic model that reduces waste streams, as well as increases county resilience to climate change impacts through the improvement of soil health and reduction of greenhouse gas emissions.

Prior to seeking authorization, staff held a public meeting that was attended by approximately 33 people, representing a mix of Boulder County residents and agricultural producers. An online survey was also available for two weeks, where staff received 175 responses. Through this public engagement process, staff has received feedback that the community is supportive of measures that ease burdens on local agricultural producers. When polled, 60% of respondents expressed that they did not have concerns with composting at this small scale, with 60% of respondents stating that they would be interested in participating in a drop off program. In both the community meeting and the questionnaire, participants were asked to express their concerns regarding composting at this scale. Among the majority of respondents that had little to no concerns for this scale of composting on farms, the major themes of concerns that did emerge were related to environmental health, compost quality/contamination concerns, and odor. From mitigation efforts shared by the public, 25% of respondents stated that education surrounding best practices for agricultural producers and the public

**Claire Levy** County Commissioner   **Marta Loachamin** County Commissioner   **Ashley Stolzmann** County Commissioner

would help alleviate their concerns related to environmental and human health. An analysis of the questionnaire responses can be found at [BoCo.org/CompostingFarming](http://BoCo.org/CompostingFarming).

The provisions regulating backyard composting and composting incidental to farming operations were first introduced in 1996 and were intended to provide guidance on how composting, when conducted on a small scale, may occur throughout the County. Staff intends to maintain the elements of the Code that ensure composting incidental to farming will remain compatible with adjacent uses and which were intended to mitigate potential impacts of composting. Additionally, the authorization requested does not propose to alter the scale and intensity of use.

Throughout this process, staff is committed to provide transparency to the community by regularly updating the project website with information and opportunities to engage. Additionally, staff will continue to work with Public Health agencies at the state and local level to ensure that the proposed amendments do not conflict with standards that have been set to ensure human health and safety.

Staff intends to update the language related to agricultural and backyard composting in Article 4 (Zoning), 4-506.A, Composting Facility, of the Code to amend the provisions related to accepting material from the public and the retailing of finished compost. Staff will make any other revisions necessary to integrate the changes and some organizational changes and updates to the existing language may also be needed to make the Code easier to navigate and utilize. These changes may include separating backyard composting from agricultural composting and moving these uses to more appropriate sections of the code where they can be accessed more efficiently. The goal of this text amendment is to remove the identified barriers to local regenerative farming efforts and to support a circular economy model for the agricultural community.

#### **ACTION REQUESTED**

Staff requests the Board of County Commissioners authorize staff to pursue the text amendments to the Boulder County Land Use Code related to the Composting Facility use as described, specifically changes to Article 4 and any other related Articles and provisions necessary to integrate these changes.