

Introduced July 6, 2010
Public hearing July 19, 2010
Council action July 29, 2010
Executive action Aug 5, 2010
Effective date Oct 5, 2010

County Council of Howard County, Maryland

2010 Legislative Session

Legislative day # 8

BILL NO. 41-2010 (ZRA - 129)

Introduced by: Calvin Ball, Councilmember

AN ACT amending the Howard County Zoning Regulations to establish new definitions for "Small Wind Energy Systems, Building Mounted" and "Small Wind Energy Systems, Freestanding Tower"; to permit Small Wind Energy Systems in certain zoning districts, under certain conditions; and generally relating to Small Wind Energy Systems.

Introduced and read first time July 6, 2010. Ordered posted and hearing scheduled.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Having been posted & notice of time & place of hearing and title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on July 19, 2010, and concluded on _____, 2010.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

This Bill was read the third time July 29, 2010 and Passed Passed with amendments Failed .

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Sealed with the County Seal and presented to the County Executive for approval this 30th day of July, 2010 at 1:00 a.m./p.m.

By order Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

Approved/vetoes by the County Executive on Aug 5, 2010.

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law. Strikeout indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard**
2 **County Zoning Regulations be, and they are hereby, amended as follows:**

3 **A. The following sections be, and they are hereby, amended: Section 103 "Definitions";**
4 **Subsections "C" "Accessory Uses" and "G" "Conditional Uses", of Section 104 "RC**
5 **(Rural Conservation) District"; Subsections "C" "Accessory Uses" and "G"**
6 **"Conditional Uses", of Section 105 "RR (Rural Residential) District"; Subsections "C"**
7 **"Accessory Uses" and "I" "Conditional Uses", of Section 107 "R-ED (Rural**
8 **Environmental Development) District"; Subsection "C" "Accessory Uses", of Section**
9 **108 "R-20 (Residential: Single) District"; Subsections "C" "Accessory Uses" and "H**
10 **"Conditional Uses", of Section 109 "R-12 (Residential: Single) District"; Subsections**
11 **"C" "Accessory Uses" and "F" "Conditional Uses", of Section 110 "R-SC (Residential:**
12 **Single Cluster) District"; Subsections "C" "Accessory Uses" and "F" "Conditional**
13 **Uses", of Section 111 "R-SA-8 (Residential: Single Attached) District"; Subsections**
14 **"C" "Accessory Uses" and "G" "Conditional Uses", of Section 112 "R-A-15**
15 **(Residential: Apartments) District"; Subsections "D" "Accessory Uses" and "F"**
16 **"Conditional Uses", of Section 113.3 "I (Institutional) Overlay District"; Subsections**
17 **"C" "Accessory Uses" and "F" "Conditional Uses", of Section 115 "POR (Planned**
18 **Office Research) District"; Subsections "C" "Accessory Uses" and "F" "Conditional**
19 **Uses", of Section 116 "PEC (Planned Employment Center) District"; Subsection "E"**
20 **"Accessory Uses", of Section 117.1 "BR (Business: Rural) District"; Subsection "D"**
21 **"Accessory Uses", of Section 117.2 "CC (Convenience Center) District"; Subsections**
22 **"C" "Accessory Uses" and "F" "Conditional Uses", of Section 117.4 "CCT**
23 **(Community Center Transition) District"; Subsection "C" "Accessory Uses", of Section**
24 **118 "B-1 (Business: Local) District"; Subsection "C" "Accessory Uses", of Section 119**
25 **"B-2 (Business: General) District"; Subsections "C" "Accessory Uses" and "F"**
26 **"Conditional Uses", of Section 120 "SC (Shopping Center) District"; Subsections "C"**
27 **"Accessory Uses" and "E" "Conditional Uses", of Section 122 "M-1 (Manufacturing:**
28 **Light) District"; Subsections "C" "Accessory Uses" and "E" "Conditional Uses", of**
29 **Section 123 "M-2 (Manufacturing: Heavy) District"; Subsections "C" "Accessory Uses"**
30 **and "I" "Conditional Uses", of Section 126 "PGCC (Planned Golf Course Community)**
31 **District"; Subsection "E" "Accessory Uses", of Section 127.1 "PSC (Planned Senior**

1 *Community) District”; Subsections “D” “Accessory Uses” and “H” “Conditional*
2 *Uses”, of Section 127.2 “CE (Corridor Employment) District”; Subsections “D”*
3 *“Accessory Uses” and “H” “Conditional Uses”, of Section 127.4 “TOD (Transit*
4 *Oriented Development) District”; Subsections “C” “Accessory Uses” and “I”*
5 *“Conditional Uses”, of Section 127.5 “CAC (Corridor Activity Center) District”;*
6 *Subsections “D” “Accessory Uses” and “H” “Conditional Uses”, of Section 127.6*
7 *“TNC (Traditional Neighborhood Center) Overlay District”; Number 3 “Exceptions to*
8 *Height Requirements”, and Subsection “A” “Supplementary Bulk Regulations” of*
9 *Section 128 “Supplementary Zoning District Regulations”;*

10 *B. The following sections be, and they are hereby, repealed and reenacted without change:*
11 *Subsection “A” “Purpose”, of Section 104 “RC (Rural Conservation) District”;*
12 *Subsection “A” “Purpose”, of Section 105 “RR (Rural Residential) District”;*
13 *Subsection “A” “Purpose”, of Section 107 “R-ED (Rural Environmental Development)*
14 *District”; Subsection “A” “Purpose”, of Section 108 “R-20 (Residential: Single)*
15 *District”; Subsection “A” “Purpose”, of Section 109 “R-12 (Residential: Single)*
16 *District”; Subsection “A” “Purpose”, of Section 110 “R-SC (Residential: Single Cluster)*
17 *District”; Subsection “A” “Purpose”, of Section 111 “R-SA-8 (Residential: Single*
18 *Attached) District”; Subsection “A” “Purpose”, of Section 112 “R-A-15 (Residential:*
19 *Apartments) District”; Subsection “A” “Purpose”, of Section 113.3 “I (Institutional)*
20 *Overlay District”; Subsection “A” “Purpose”, of Section 115 “POR (Planned Office*
21 *Research) District”; Subsection “A” “Purpose”, of Section 116 “PEC (Planned*
22 *Employment Center) District”; Subsection “A” “Purpose”, of Section 117.1 “BR*
23 *(Business: Rural) District”; Subsection “A” “Purpose”, of Section 117.2 “CC*
24 *(Convenience Center) District”; Subsection “A” “Purpose”, of Section 117.4 “CCT*
25 *(Community Center Transition) District”; Subsection “A” “Purpose”, of Section 118*
26 *“B-1(Business: Local) District”; Subsection “A” “Purpose”, of Section 119 “B-2*
27 *(Business: General) District”; Subsection “A” “Purpose”, of Section 120 “SC (Shopping*
28 *Center) District”; Subsection “A” “Purpose”, of Section 122 “M-1 (Manufacturing:*
29 *Light) District”; Subsection “A” “Purpose”, of Section 123 “M-2 (Manufacturing:*
30 *Heavy) District”; Subsection “A” “Purpose”, of Section 126 “PGCC (Planned Golf*
31 *Course Community) District”; Subsection “A” “Purpose”, of Section 127.1 “PSC*

1 *(Planned Senior Community) District”; Subsection “A” “Purpose”, of Section 127.2*
2 *“CE (Corridor Employment) District”; Subsection “A” “Purpose”, of Section 127.4*
3 *“TOD (Transit Oriented Development) District”; Subsection “A” “Purpose”, of Section*
4 *127.5 “CAC (Corridor Activity Center) District”; and Subsection “A” “Purpose”, of*
5 *Section 127.6 “TNC (Traditional Neighborhood Center) Overlay District”; and*
6 *C. The following provisions be, and they are hereby, added: Subsection “M” “Small Wind*
7 *Energy Systems, Building Mounted”, and a new Subsection “N” “Small Wind Energy*
8 *Systems, Freestanding Tower” of Section 128 “Supplementary Zoning District*
9 *Regulations”; and a new number 48 “Small Wind Energy Systems, Building Mounted”*
10 *and new number 49 “Small Wind Energy Systems, Freestanding Tower”, of Subsection N*
11 *“Conditional Uses and Permissible Zoning Districts”, of Section 131 “Conditional*
12 *Uses”.*

13 **Howard County Zoning Regulations**

14
15 **SECTION 103: Definitions**

16
17 A. Except as provided for in Section 101 herein, terms used in these regulations shall have the
18 definition provided in any standard dictionary, unless specifically defined below or in any other
19 provision of these regulations:
20

21 **179. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED:** A SMALL WIND ENERGY
22 CONVERSION SYSTEM CONSISTING OF A VERTICAL WIND TURBINE AND ASSOCIATED
23 CONTROL OR CONVERSION ELECTRONICS, WHICH IS TO BE LOCATED ON A STRUCTURE AND
24 HAS A RATED CAPACITY OF NOT MORE THAN 100 KW.
25

26 **180. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER:** A WIND ENERGY
27 CONVERSION SYSTEM CONSISTING OF A WIND TURBINE, A FREESTANDING TOWER, AND
28 ASSOCIATED CONTROL OR CONVERSION ELECTRONICS, WHICH HAS A RATED CAPACITY OF
29 NOT MORE THAN 100 KW.
30

1
2 **SECTION 104: RC (Rural Conservation) District**
3

4 **A. Purpose**
5

6 The Rural Conservation District is established to conserve farmland and to encourage
7 agricultural activities, thereby helping to ensure that commercial agriculture will continue as a
8 long term land use and a viable economic activity within the County. The RC District is also
9 established to preserve natural features and the rural landscape, while allowing low density,
10 clustered residential development. Residential development is to be permitted only when it is
11 located and designed to minimize its impact on agricultural land, farming operations, and
12 sensitive environmental features; to create attractive rural developments; and to respect existing
13 features of the rural landscape.
14

15 The preferred land use in the RC District is agriculture. The District is intended to permit a range
16 of uses related to agriculture, to encourage the preservation of large blocks of farmland, and to
17 permanently protect from development the tracts of land which remain after permitted residential
18 development has occurred. Residential lots in the district are likely to be adjacent or close to
19 agricultural land. Residents of property within the RC District should be prepared to accept the
20 impacts associated with normal farming practices (see the Howard County Right-To-Farm Act in
21 § 12.111 of the Howard County Code).
22

23 **C. Accessory Uses**

24 The following are permitted accessory uses in the RC District. More than one accessory use shall
25 be permitted on a lot, provided that the combination of accessory uses remains secondary,
26 incidental and subordinate to the principal use.
27

- 28 16. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
29 REQUIREMENTS OF SECTION 128.M.
30

1 17. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER ON PROPERTIES 5 ACRES
2 OR GREATER, SUBJECT TO THE REQUIREMENTS OF SECTION 128.N.

3
4 **G. Conditional Uses**

5
6 The following are conditional uses in the RC district, subject to the detailed requirements for
7 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
8 Section 131 shall prevail.

9 37. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER ON PROPERTIES LESS
10 THAN 5 ACRES.

11
12
13 **SECTION 105: RR (Rural Residential) District**

14
15 **A. Purpose**

16
17 The Rural Residential District is established to allow low density residential development within
18 a rural environment. The Rural Residential District is intended for an area of the County which is
19 already largely committed to low density residential subdivisions. Within the RR District,
20 agriculture is permitted as well as residential development in both cluster and non-cluster forms.
21 Cluster development is permitted in order to protect environmental and landscape resources and
22 to preserve agricultural land.

23
24 **C. Accessory Uses**

25 The following are permitted accessory uses in the RR District. More than one accessory use shall
26 be permitted on a lot, provided that the combination of accessory uses remains secondary,
27 incidental and subordinate to the principal use.

28
29 16. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
30 REQUIREMENTS OF SECTION 128.M.

1 **G. Conditional Uses**

2
3 The following are conditional uses in the RR district, subject to the detailed requirements for
4 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
5 Section 131 shall prevail.
6

7 37. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.
8
9

10 **SECTION 107: R-ED (Residential: Environmental Development) District**

11
12 **A. Purpose**

13
14 *The R-ED District is established to accommodate residential development at a density of two*
15 *dwelling units per net acre in areas with a high proportion of sensitive environmental and/or*
16 *historic resources. Protection of environmental and historic resources is to be achieved by*
17 *minimizing the amount of site disturbance and directing development to the most appropriate*
18 *areas of a site, away from sensitive resources. To accomplish this, the regulations allow site*
19 *planning flexibility and require that development proposals be evaluated in terms of their*
20 *effectiveness in minimizing alteration of existing topography, vegetation and the landscape*
21 *setting for historic structures.*
22

23 **C. Accessory Uses**

24 The following are permitted accessory uses in the R-ED District. More than one accessory use
25 shall be permitted on a lot, provided that the combination of accessory uses remains secondary,
26 incidental and subordinate to the principal use.
27

28 12. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY
29 DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE
30 REQUIREMENTS OF SECTION 128.M.
31

1 **I. Conditional Uses**

2

3 The following are conditional uses in the R-ED district, subject to the detailed requirements for
4 conditional uses given in Section 131. If there is a conflict between this section and Section 131,
5 Section 131 shall prevail.

6

7 18. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY
8 ATTACHED DWELLINGS ONLY.

9

10 19. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER ON PROPERTIES 5 ACRES
11 OR GREATER.

12

13 **SECTION 108: R-20 (Residential: Single) District**

14

15 **A. Purpose**

16

17 The R-20 District is established to permit single family detached dwelling units at approximately
18 two units per acre. The District reflects the established single-family neighborhood
19 characteristics of many of the stable residential areas of the county.

20

21 **C. Accessory Uses**

22

23 The following are permitted accessory uses in the R-20 District. More than one accessory use
24 shall be permitted on a lot, provided that the combination of accessory uses remains secondary,
25 incidental and subordinate to the principal use.

26

27 12. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
28 REQUIREMENTS OF SECTION 128.M.

29

30

31 **SECTION 109: R-12 (Residential: Single) District**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

A. Purpose

The R-12 District is established to provide single-family detached and semi-detached residential uses. The district provides a choice of housing types typically on lots less than a half acre.

C. Accessory Uses

The following are permitted accessory uses in the R-12 District. More than one accessory use shall be permitted on a lot, provided that the combination of accessory uses remains secondary, incidental and subordinate to the principal use.

- 12. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE REQUIREMENTS OF SECTION 128.M.

H. Conditional Uses

The following are conditional uses in the R-12 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

- 17. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY SEMI-DETACHED DWELLINGS ONLY.

SECTION 110: R-SC (Residential: Single Cluster) District

A. Purpose

1 The R-SC District is established to provide the opportunity for clustering of single family
2 detached and attached dwellings to promote sensitive use for the land as well as to provide
3 compatibility with other residential districts.

4

5 **C. Accessory Uses**

6

7 The following are permitted accessory uses in the R-SC District. More than one accessory use
8 shall be permitted on a lot, provided that the combination of accessory uses remains secondary,
9 incidental and subordinate to the principal use.

10

- 11 10. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY
12 DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE
13 REQUIREMENTS OF SECTION 128.M.

14

15 **F. Conditional Uses**

16

17 The following are conditional uses in the R-SC District, subject to the detailed requirements for
18 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
19 Section 131 shall prevail.

20

- 21 16. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY
22 ATTACHED DWELLINGS ONLY.

23

24

25 **SECTION 111: R-SA-8 (Residential: Single Attached) District**

26

27 **A. Purpose**

28

29 The R-SA-8 District is established to provide clustered attached dwelling units. It is the intent of
30 this district that the attached dwellings be compatible with adjacent residential zones.

31

1 **C. Accessory Uses**

2

3 The following are permitted accessory uses in the R-SA-8 District. More than one accessory use
4 shall be permitted on a lot, provided that the combination of accessory uses remains secondary,
5 incidental and subordinate to the principal use.

6

- 7 10. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY
- 8 DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE
- 9 REQUIREMENTS OF SECTION 128.M.

10

11 **F. Conditional Uses**

12

13 The following are conditional uses in the R-SA-8 District, subject to the detailed requirements
14 for conditional uses given in Section 131. If there is a conflict between this Section and Section
15 131, Section 131 shall prevail.

16

- 17 15. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE FAMILY
- 18 ATTACHED DWELLINGS AND APARTMENTS.

19

20

21 **SECTION 112: R-A-15 (Residential: Apartments) District**

22

23 **A. Purpose**

24

25 The R-A-15 District is established to provide the opportunity for high density apartments and
26 single-family attached dwelling units.

27

28 **C. Accessory Uses**

29

- 1 9. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY
2 DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE
3 REQUIREMENTS OF SECTION 128.M.
4

5 **G. Conditional Uses**
6

7 The following are conditional uses in the R-A-15 District, subject to the detailed requirements
8 for conditional uses given in Section 131. If there is a conflict between this Section and Section
9 131, Section 131 shall prevail.
10

- 11 13. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED ON SINGLE FAMILY
12 ATTACHED DWELLINGS AND APARTMENTS.
13
14

15 **SECTION 113.3 I (Institutional) Overlay District**
16

17 **A. Purpose**
18

19 The Institutional District (I) is established to permit community-serving institutional and cultural
20 facilities. These uses benefit the surrounding residential community and can provide a transition
21 between residential neighborhoods and retail activity centers. In order to allow appropriate uses
22 prior to the approval of institutional development, the Institutional District is an Overlay District.
23 Uses allowed in the underlying district may be established prior to approval of development
24 plans for institutional district development.
25

26 **D. Accessory Uses**
27

- 28 4. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
29 REQUIREMENTS OF SECTION 128.M.
30

31 **F. Conditional Uses**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

The following are conditional uses in the I district, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

- 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

SECTION 115: POR (Planned Office Research) District

A. Purpose

The Planned Office Research District is established to permit and encourage diverse institutional, commercial, office research and cultural facilities.

C. Accessory Uses

- 7. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE REQUIREMENTS OF SECTION 128.M.

F. Conditional Uses

The following are conditional uses in the POR district, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

- 4. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

SECTION 116: PEC (Planned Employment Center) District

1 **A. Purpose**

2

3 The PEC District is established to provide for comprehensively planned employment centers
4 combining research and development, office, light manufacturing and assembly, limited
5 commercial and other enumerated uses. It is intended that this district provide higher standards
6 of development and a more flexible approach to design and development than could be achieved
7 under conventional zoning districts.

8 It is further the purpose of this district to:

9

- 10 1. Provide for orderly development of large-scale, comprehensively planned employment
11 centers;
- 12
- 13 2. Provide for open areas to act as buffers between incompatible uses and as design
14 elements which will achieve the physical and aesthetic integration of the uses and
15 activities within each development; and
- 16
- 17 3. Provide a landscaped, campus-like setting for employment in which the various uses
18 relate compatibly with one another according to a comprehensive plan of development
19 for an entire district.
- 20

21 **C. Accessory Uses**

22

- 23 4. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
24 REQUIREMENTS OF SECTION 128.M.
- 25

26 **F. Conditional Uses**

27

28 The following are conditional uses in the PEC district, subject to the detailed requirements for
29 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
30 Section 131 shall prevail.

31

1 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.
2
3

4 **SECTION 117.1: BR (Business: Rural) District**
5

6 **A. Purpose**
7

8 *The BR District is established to allow the development of businesses which will support the*
9 *agricultural industry, serve the needs of the rural residential and farming communities, and*
10 *provide opportunity for a combination of business and industrial uses not otherwise permitted in*
11 *the rural areas of the County.*
12

13 *Appropriate locations for the land uses allowed in the BR District depend on factors, which are*
14 *best examined through review of a particular site. Therefore, the BR District is a floating zone,*
15 *which requires the submission of a Preliminary Development Plan for a particular site. It is*
16 *intended that the BR District be applied at a particular location only if found to be appropriate*
17 *with respect to road access and compatibility with neighboring land uses.*
18

19 **E. Accessory Uses**
20

21 4. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
22 REQUIREMENTS OF SECTION 128.M.
23
24

25 **SECTION 117.2: CC (Convenience Center) District**
26

27 **A. Purpose**
28

29 *The Convenience Center District is established to permit the development of small-scale retail*
30 *stores and services which are conveniently located within residential areas and developed*
31 *concurrently with residential development. The Convenience Center District is intended to*

1 permit small, low-impact uses which are designed as an integral part of a new residential
2 development. The CC District is also intended to provide opportunity for business uses to be
3 incorporated into a "Traditional Residential Neighborhood" using the elements of traditional
4 neighborhood design described in the Howard County General Plan.

5
6 The Convenience Center District is intended to be a "floating zone." In order to enable the
7 Zoning Board to evaluate the accomplishment of the purposes set forth herein, a Preliminary
8 Development Plan is required for each Convenience Center District.

9
10 **D. Accessory Uses**

- 11
12 3. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
13 REQUIREMENTS OF SECTION 128.M.

14
15
16 **SECTION 117.4 CCT (Community Center Transition) District**

17
18 **A. Purpose**

19
20 The CCT (Community Center Transition) District is established to permit community serving
21 office, institutional, service and cultural facilities, as well as age-restricted adult housing. These
22 uses serve the surrounding residential community and provide a transition between residential
23 neighborhoods and retail activity centers.

24
25 **C. Accessory Uses**

- 26
27 5. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
28 REQUIREMENTS OF SECTION 128.M.

29
30 **F. Conditional Uses**

31

1 The following are conditional uses in the CCT district, subject to the detailed requirements for
2 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
3 Section 131 shall prevail.

4

5 2. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

6

7

8 **SECTION 118: B-1 (Business: Local) District**

9

10 **A. Purpose**

11

12 The B-1 District is established to provide areas of local business that can directly serve the
13 general public.

14

15 **C. Accessory Uses**

16

17 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
18 REQUIREMENTS OF SECTION 128.M.

19

20

21 **SECTION 119: B-2 (Business: General) District**

22

23 **A. Purpose**

24

25 The B-2 District is established to provide for commercial sales and services that directly serve
26 the general public.

27

28 **C. Accessory Uses**

29

30 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
31 REQUIREMENTS OF SECTION 128.M.

1
2 **SECTION 120: SC (Shopping Center) District**
3

4 **A. Purpose**
5

6 The SC District is established to permit local retail and office use areas. The Shopping Center
7 District permits the opportunity for one stop shopping for a neighborhood and community.
8

9 **C. Accessory Uses**
10

- 11 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
12 REQUIREMENTS OF SECTION 128.M.
13

14 **F. Conditional Uses**
15

16 The following are conditional uses in the SC district, subject to the detailed requirements for
17 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
18 Section 131 shall prevail.
19

- 20 4. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.
21
22

23 **SECTION 122: M-1 (Manufacturing: Light) District**
24

25 **A. Purpose**
26

27 The M-1 District is established to permit a mix of manufacturing, warehousing and business uses
28 with provisions for limited retail sales.
29

30 **C. Accessory Uses**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

5. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE REQUIREMENTS OF SECTION 128.M.

E. Conditional Uses

The following are conditional uses in the M-1 district, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

11. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

SECTION 123: M-2 (Manufacturing: Heavy) District

A. Purpose

The M-2 District is established to permit a mix of manufacturing, warehousing, industrial and business uses with provisions for limited retail sales.

C. Accessory Uses

8. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE REQUIREMENTS OF SECTION 128.M.

E. Conditional Uses

The following are conditional uses in the M-2 District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

1 13. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.
2
3

4 **SECTION 126: PGCC (Planned Golf Course Community) District**
5

6 **A. Purpose**
7

8 The Planned Golf Course Community District is established to permit mixed use development
9 combining recreation, residential, commercial and conference center uses while preserving 50
10 percent of the district as open space. It is the purpose of the PGCC District to integrate
11 recreational uses, including at least two eighteen-hole golf courses, with residential development
12 and to provide a variety of housing choices.
13

14 **C. Accessory Uses**
15

16 1. The following are permitted as accessory uses to residential uses in the PGCC District.
17 More than one accessory use shall be permitted on a lot, provided that the combination of
18 accessory uses remains secondary, incidental and subordinate to the principal use.
19

20 J. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
21 REQUIREMENTS OF SECTION 128.M.
22

23 **I. Conditional Uses**
24

25 The following are conditional uses in the PGCC District, subject to the detailed requirements for
26 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
27 Section 131 shall prevail.
28

29 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.
30
31

1 **SECTION 127.1: PSC (Planned Senior Community) District**

2
3 **A. Purpose**

4
5 The Planned Senior Community District is established to permit the development of housing
6 designed for older adults and elderly persons. This floating and overlay district provides
7 *opportunity for housing that meets the diverse needs of Howard County's growing senior*
8 population. Each Planned Senior Community District will provide independent living units for
9 seniors within either single-family or multifamily dwellings, and may also include assisted living
10 or nursing care facilities. The communities developed within the PSC District will be
11 characterized by careful site planning that allows them to be compatible with eastern Howard
12 County's residential neighborhoods.

13
14 **E. Accessory Uses**

- 15
16 3. **SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE**
17 **REQUIREMENTS OF SECTION 128.M.**

18
19
20 **SECTION 127.2: CE (Corridor Employment) District**

21 **A. Purpose**

22
23 This district is intended to encourage the development and redevelopment of unused or
24 underutilized land near U.S. Route 1. Development in the CE district should provide for new
25 *office, flex, and light industrial uses, while reducing the spread of strip commercial development*
26 and encouraging consolidation of fragmented parcels. the requirements of this district, in
27 conjunction with the Route 1 Manual, will result in development that improves the appearance of
28 the Route 1 streetscape, enhances traffic safety and better accommodates public transit and
29 pedestrian travel.
30

1 Many parcels in the CE district were developed before this district was created. It is not the
2 intent of these requirements to disallow the continued use of sites developed prior to the CE
3 district. The intent of this district will be achieved by bringing sites into compliance with these
4 requirements and the standards of the Route 1 Manual as uses are redeveloped or expanded.
5

6 **D. Accessory Uses**

7
8 4. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
9 REQUIREMENTS OF SECTION 128.M.
10

11 **H. Conditional Uses**

12
13 The following are conditional uses in the CE District, subject to the detailed requirements for
14 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,
15 Section 131 shall prevail.
16

17 2. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.
18
19

20 **SECTION 127.4: TOD (Transit Oriented Development) District**

21
22 **A. Purpose**

23
24 This district provides for the development and redevelopment of key parcels of land within 3,500
25 feet of a MARC Station. The TOD district is intended to encourage the development of
26 multistory office centers that are located and designed for safe and convenient pedestrian access
27 by commuters using the MARC TRAINS and other public transit links. For larger sites of at least
28 3 acres, well-designed multi-use centers combining office and high-density residential
29 development are encouraged. The requirements of this district, in conjunction with the Route 1
30 Manual, will result in development that makes use of the commuting potential of the MARC
31 system, creates attractive employment or multi-use centers, and provides for safe and convenient
32 pedestrian travel.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Many parcels in the TOD district were developed before this district was created. it is not the intent of these requirements to disallow the continued use of sites developed prior to the TOD district. The intent of this district will be achieved by bringing sites into compliance with these requirements and the standards of the Route 1 Manual as uses are redeveloped or expanded.

D. Accessory Uses

- 5. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE REQUIREMENTS OF SECTION 128.M.

H. Conditional Uses

The following are conditional uses in the TOD District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

- 2. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

SECTION 127.5 CAC (Corridor Activity Center) District

A. Purpose

This district is intended to provide for the development of pedestrian-oriented, urban activity centers with a mix of retail, service, office and residential uses. These centers should be located near to Route 1 and close to residential communities that will benefit from a pedestrian-oriented local business area. The requirements of this district, in conjunction with the Route 1 Manual and the public improvements recommended by the Route 1 Corridor Revitalization Study, will result in development that will strengthen nearby communities, provide for safe and convenient pedestrian travel, and improve the streetscape of Route 1 and intersecting roads.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Many parcels in the CAC district were developed before this district was created. It is not the intent of these requirements to disallow the continued use of sites developed prior to the CAC district. The intent of this district will be achieved by bringing the sites into compliance with these requirements and the standards of the Route 1 Manual as uses are expanded or redeveloped.

C. Accessory Uses

- 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE REQUIREMENTS OF SECTION 128.M.

I. Conditional Uses

The following are conditional uses in the CAC District, subject to the detailed requirements for conditional uses given in Section 131. If there is a conflict between this Section and Section 131, Section 131 shall prevail.

- 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

**SECTION 127.6: TNC (TRADITIONAL NEIGHBORHOOD CENTER)
OVERLAY DISTRICT**

A. PURPOSE

This district is intended to provide for the development of pedestrian-oriented, urban activity centers with a mix of retail, service, office and residential uses. These centers should be located near Route 40 and close to residential communities that will benefit from a pedestrian-oriented local business area. The requirements of this district, in conjunction with the Route 40 Manual and the public improvements recommended by the Route 40 Enhancement Study, will result in

1 development that will strengthen nearby communities, provide for safe and convenient
2 pedestrian travel, and improve the streetscape of Route 40 and intersecting roads.

3
4 Sites within the TNC Overlay may continue to be used, developed and redeveloped in
5 accordance with the underlying zoning. The intent of this district is to provide an alternative
6 method of development for property owners who choose to comply with the Route 40 Manual
7 and the requirements of this district. Development complying with the TNC district requirements
8 will be permitted to include residential development and will have greater flexibility in some
9 bulk requirements.

10

11 **D. Accessory Uses**

12

13 5. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE
14 REQUIREMENTS OF SECTION 128.M.

15

16 **H. Conditional Uses**

17

18 *The following are conditional uses in the TNC District, subject to the detailed requirements for*
19 *conditional uses given in Section 131. If there is a conflict between this Section and Section 131,*
20 *Section 131 shall prevail.*

21

22 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

23

24

25 **SECTION 128: Supplementary Zoning District Regulations**

26

27 **A. Supplementary Bulk Regulations**

28

29 3. Exceptions to Height Requirements

30

1 d. The following are exempt from height limitations in all residential districts
2 except the RVH District, including residential areas of the NT, MXD and
3 PGCC Districts: spires, steeples, belfries, chimneys, stacks, flag poles,
4 monuments, observation towers, [[windmills,]] barns, silos, water storage
5 structures, antennas, communication towers, and lines, poles and other
6 supporting structures for electric, telephone or cable television transmission or
7 distribution. Observation towers, silos and ground-mounted antennas (not
8 including satellite dish antennas) shall be set back from lot lines a distance
9 equal to their height as measured from ground level. (See Section 128.E for
10 additional requirements for antennas and communication towers.)
11
12

13 **M. SMALL WIND ENERGY SYSTEMS, BUILDING MOUNTED**

14
15 THE FOLLOWING REQUIREMENTS APPLY TO SMALL WIND ENERGY SYSTEMS, BUILDING MOUNTED
16 LOCATED IN THE FOLLOWING DISTRICTS AS AN ACCESSORY USE: RC, RR, R-ED, R-20, R-12, R-
17 SC, R-SA-8, R-A-15, I, POR, PEC, BR, CC, CCT, B-1, B-2, SC, M-1, M-2, PGCC, CE, TOD,
18 CAC, MXD, PSC, TNC, AND NT PROVIDED:
19

- 20 1. THE SYSTEMS SHALL BE PRIMARILY INTENDED TO REDUCE THE ON-SITE CONSUMPTION OF
21 UTILITY POWER.
22
- 23 2. THE SYSTEMS ARE PERMITTED ONLY ON THE PRINCIPAL STRUCTURE IN RESIDENTIAL
24 ZONING DISTRICTS.
25
- 26 3. THE SYSTEMS SHALL BE LOCATED ON THE ROOF OR SIDES OF A STRUCTURE THAT ARE AT
27 LEAST 25 FEET IN HEIGHT.
28
- 29 4. THE SYSTEMS SHALL COMPLY WITH THE PRINCIPAL BUILDING SETBACKS.
30

- 1 5. THE HEIGHT OF THE SYSTEM SHALL NOT EXTEND MORE THAN 15 FEET ABOVE THE RIDGE OF
2 THE HIGHEST ROOF SECTION.
3
- 4 6. ONLY ONE SYSTEM PER LOT IS PERMITTED AS AN ACCESSORY USE ON PROPERTIES LESS
5 THAN 3 ACRES IN AREA.
6
- 7 7. ONLY ONE SYSTEM IS PERMITTED PER BUILDING SIDE AS AN ACCESSORY USE ON
8 PROPERTIES 3 ACRES OR GREATER IN AREA.
9
- 10 8. THE SYSTEMS SHALL NOT EXCEED 60 DBA, AS MEASURED AT ALL LOT LINES. THE LEVEL,
11 HOWEVER, MAY BE EXCEEDED DURING SHORT-TERM EVENTS SUCH AS UTILITY OUTAGES
12 AND/OR SEVERE WIND STORMS.
13
- 14 9. ALL SYSTEMS SHALL BE GRAY OR A SIMILAR COLOR THAT MINIMIZES VISIBILITY.
15
- 16 10. NO EXTERIOR LIGHTING IS PERMITTED.
17
- 18 11. THE SYSTEMS SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS
19 AND PROVISIONS.
20
- 21 12. METEOROLOGICAL TOWERS, SOLELY FOR THE MEASUREMENT OF WIND, TEMPORARY OR
22 OTHERWISE, ARE NOT PERMITTED.
23
- 24 13. A SYSTEM THAT IS NO LONGER USED SHALL BE REMOVED FROM THE SITE WITHIN ONE YEAR
25 OF THE DATE THAT THE USE CEASES.
26
- 27 14. NO VARIANCES OR ADMINISTRATIVE ADJUSTMENTS SHALL BE GRANTED TO ANY OF THE
28 PROVISIONS.
29
- 30 15. IN THE NT DISTRICT, SYSTEMS ARE NOT PERMITTED ON SINGLE FAMILY ATTACHED OR
31 MULTI-FAMILY DWELLINGS UNLESS ALLOWED BY THE FDP.

1
2 **N. SMALL WIND ENERGY SYSTEMS, FREESTANDING TOWER**
3

4 THE FOLLOWING REQUIREMENTS APPLY TO SMALL WIND ENERGY SYSTEMS, FREESTANDING
5 TOWER, LOCATED IN THE RC DISTRICT AS AN ACCESSORY USE PROVIDED:
6

- 7 1. THE SYSTEMS SHALL BE PRIMARILY INTENDED TO REDUCE THE ON-SITE CONSUMPTION OF
8 UTILITY POWER.
9
- 10 2. THE MAXIMUM HEIGHT FOR THE TOWER MOUNTED SYSTEMS, INCLUDING BLADES, SHALL
11 NOT EXCEED 60 FEET FROM GRADE. HOWEVER, ON FARMS GREATER THAN 25 ACRES THE
12 MAXIMUM HEIGHT FOR TOWER MOUNTED SYSTEMS, INCLUDING BLADES, SHALL NOT
13 EXCEED ~~180~~ 120 FEET FROM GRADE.
14
- 15 3. THE MINIMUM LOT SIZE SHALL BE AT LEAST 5 ACRES.
16
- 17 4. THE SYSTEM SHALL NOT BE LOCATED WITHIN THE FRONT YARD BETWEEN THE PRINCIPAL
18 STRUCTURE AND THE FRONT PROPERTY LINE.
19
- 20 5. THE MINIMUM SETBACK FOR A SYSTEM SHALL EQUAL ITS TOTAL HEIGHT, PLUS 10
21 PERCENT FROM ANY PROPERTY LINE.
22
- 23 6. THE SYSTEMS SHALL NOT EXCEED 60 DBA, AS MEASURED AT ALL LOT LINES. THE LEVEL,
24 HOWEVER, MAY BE EXCEEDED DURING SHORT-TERM EVENTS SUCH AS UTILITY OUTAGES
25 AND/OR SEVERE WIND STORMS.
26
- 27 7. TEMPORARY METEOROLOGICAL TOWERS, SOLELY FOR THE MEASUREMENT OF WIND, ARE
28 PERMITTED FOR A PERIOD NOT TO EXCEED 90 DAYS, PROVIDED THEY MEET THE HEIGHT AND
29 SETBACK REQUIREMENTS OF THIS SECTION AND ACHIEVE A TEMPORARY USE PERMIT IN
30 ACCORDANCE WITH SECTION 132. NO EXTENSIONS OF THE TEMPORARY USE PERMIT SHALL
31 BE GRANTED.

1 **N. Conditional Uses and Permissible Zoning Districts**

2

3 The Hearing Authority may grant conditional uses in the specified districts in accordance with
4 the following minimum criteria.

5

6 **48. SMALL WIND ENERGY SYSTEMS, BUILDING MOUNTED**

7

8 A CONDITIONAL USE MAY BE GRANTED IN THE R-ED, R-12, R-SC, R-SA-8, AND R-A-15 ZONING
9 DISTRICTS FOR BUILDING MOUNTED SMALL WIND ENERGY SYSTEMS AS DEFINED IN THESE
10 REGULATIONS, PROVIDED:

11

12 1. THE SYSTEMS SHALL BE PRIMARILY INTENDED TO REDUCE THE ON-SITE CONSUMPTION OF
13 UTILITY POWER.

14

15 2. THE SYSTEMS ARE PERMITTED ONLY ON THE PRINCIPAL STRUCTURE.

16

17 3. THE SYSTEMS SHALL BE LOCATED ON THE ROOF OR SIDES OF A STRUCTURE THAT ARE AT
18 LEAST 25 FEET IN HEIGHT.

19

20 4. THE SYSTEMS SHALL COMPLY WITH THE PRINCIPAL BUILDING SETBACKS.

21

22 5. THE HEIGHT OF THE SYSTEM SHALL NOT EXTEND MORE THAN 15 FEET ABOVE THE RIDGE OF
23 THE HIGHEST ROOF SECTION.

24

25 6. IN THE R-ED AND R-SC DISTRICTS SYSTEMS ARE ONLY PERMITTED ON SINGLE-FAMILY
26 ATTACHED DWELLINGS.

27

28 7. IN THE R-12 DISTRICTS SYSTEMS ARE ONLY PERMITTED ON SEMI-DETACHED DWELLINGS.

29

30 8. ONLY ONE SYSTEM PER LOT IS PERMITTED ON PROPERTIES LESS THAN 3 ACRES IN AREA.

31

1 9. ONLY ONE SYSTEM IS PERMITTED PER BUILDING SIDE ON PROPERTIES 3 ACRES OR GREATER
2 IN AREA.

3
4 10. THE SYSTEMS SHALL NOT EXCEED 60 DBA, AS MEASURED AT ALL LOT LINES. THE LEVEL,
5 HOWEVER, MAY BE EXCEEDED DURING SHORT-TERM EVENTS SUCH AS UTILITY OUTAGES
6 AND/OR SEVERE WIND STORMS.

7
8 11. ALL SYSTEMS SHALL BE GRAY OR A SIMILAR COLOR THAT MINIMIZES VISIBILITY.

9
10 12. NO EXTERIOR LIGHTING IS PERMITTED.

11
12 13. THE SYSTEMS SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS
13 AND PROVISIONS.

14
15 14. METEOROLOGICAL TOWERS, SOLELY FOR THE MEASUREMENT OF WIND, TEMPORARY OR
16 OTHERWISE, ARE NOT PERMITTED.

17
18 15. A SYSTEM THAT IS NO LONGER USED SHALL BE REMOVED FROM THE SITE WITHIN ONE YEAR
19 OF THE DATE THAT THE USE CEASES.

20
21 49. SMALL WIND ENERGY SYSTEMS, FREESTANDING TOWER

22
23 A CONDITIONAL USE MAY BE GRANTED IN THE RC, RR, R-ED, I, POR, PEC, CCT, SC, M-1, M-2,
24 PGCC, CE, TOD, TNC, AND CAC ZONING DISTRICTS FOR SMALL WIND ENERGY SYSTEMS, FREE
25 STANDING TOWER AS DEFINED IN THESE REGULATIONS, PROVIDED:

26
27 1. THE SYSTEMS SHALL BE PRIMARILY INTENDED TO REDUCE THE ON-SITE CONSUMPTION OF
28 UTILITY POWER.

29
30 2. MAXIMUM HEIGHT FOR TOWER MOUNTED SYSTEMS, INCLUDING BLADES, SHALL NOT
31 EXCEED 60 FEET FROM GRADE. HOWEVER, ON FARMS GREATER THAN 25 ACRES THE

1 MAXIMUM HEIGHT FOR TOWER MOUNTED SYSTEMS, INCLUDING BLADES, SHALL NOT
2 EXCEED ~~180~~ 120 FEET FROM GRADE.

3
4 3. THE MINIMUM LOT SIZE SHALL BE AT LEAST 2 ACRES, EXCEPT IN THE R-ED DISTRICT
5 WHERE THE MINIMUM LOT SIZE SHALL BE 5 ACRES.

6
7 4. THE SYSTEM SHALL NOT BE LOCATED WITHIN THE FRONT YARD BETWEEN THE PRINCIPAL
8 STRUCTURE AND THE FRONT PROPERTY LINE.

9
10 5. THE MINIMUM SETBACK FOR A SYSTEM SHALL EQUAL ITS TOTAL HEIGHT, PLUS 10
11 PERCENT FROM ANY PROPERTY LINE.

12
13 6. THE SYSTEMS SHALL NOT EXCEED 60 DBA, AS MEASURED AT ALL LOT LINES. THE LEVEL,
14 HOWEVER, MAY BE EXCEEDED DURING SHORT-TERM EVENTS SUCH AS UTILITY OUTAGES
15 AND/OR SEVERE WIND STORMS.

16
17 7. TEMPORARY METEOROLOGICAL TOWERS, SOLELY FOR THE MEASUREMENT OF WIND, ARE
18 PERMITTED FOR A PERIOD NOT TO EXCEED 90 DAYS, PROVIDED THEY MEET THE HEIGHT AND
19 SETBACK REQUIREMENTS OF THIS SECTION AND ACHIEVE A TEMPORARY USE PERMIT IN
20 ACCORDANCE WITH SECTION 132. NO EXTENSIONS OF THE TEMPORARY USE PERMIT SHALL
21 BE GRANTED.

22
23 8. THE BLADE OF ANY WIND TURBINE SHALL, AT ITS LOWEST POINT, HAVE A GROUND
24 CLEARANCE OF NO LESS THAN 15 FEET, AS MEASURED AT THE LOWEST POINT OF THE ARC OF
25 THE BLADES.

26
27 9. NO OTHER EQUIPMENT UNRELATED TO THE OPERATION OF THE SYSTEM SHALL BE
28 ATTACHED TO THE STRUCTURE.

29
30 10. NO EXTERIOR LIGHTING IS PERMITTED, UNLESS REQUIRED BY THE FEDERAL AVIATION
31 ADMINISTRATION.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

11. THE SYSTEM SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS AND PROVISIONS.

12. A SYSTEM THAT IS NO LONGER USED SHALL BE REMOVED FROM THE SITE WITHIN ONE YEAR OF THE DATE THAT USE CEASES.

Section 2. Be it further enacted by the County Council of Howard County, Maryland, that the remainder of sections amended above be renumbered accordingly.

Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland that the Director of the Department of Planning and Zoning is authorized to publish this Act, to correct obvious errors in section references, numbers and references to existing law, capitalization, spelling, grammar, headings and similar matters and to publish a table of contents.

Section 34. And be it further enacted by the County Council of Howard County, Maryland, that the provisions of this act shall become effective 61 days after enactment.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on August 5, 2010.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2010.

Stephen M. LeGendre, Administrator to the County Council

1 Amendment to Council Bill No. 41-2010

2
3 BY: Dr. Calvin Ball

Legislative Day No: 9
Date: July 29, 2010

4
5
6 Amendment No. 1

7
8 *(This amendment would allow freestanding wind turbine towers in the R-ED zoning district on*
9 *lots greater than 5 acres as a conditional use).*

10
11 On page 7, in line 10, insert the following,

12
13 "19. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER ON PROPERTIES 5 ACRES OR
14 GREATER."

15
16 On page 30, in line 15, after "RR", insert "R-ED". On the same page, in line 27, before
17 the period, insert ", EXCEPT IN THE R-ED DISTRICT WHERE THE MINIMUM LOT SIZE SHALL BE 5
18 ACRES".

19
20
21 ADOPTED July 29, 2010
FAILED _____
SIGNATURE Gregory W. Ball

1 Amendment to Council Bill No. 41-2010

2
3 BY: Mary Kay Sigaty
4 Dr. Calvin Ball

Legislative Day No: 9
Date: July 29, 2010

5
6 Amendment No. 2

7
8 *(This amendment clarifies that meteorological towers for the measurement of wind are a*
9 *temporary use).*

10
11
12 On pages 26 and 30, in lines 16 and 8 respectively, after the first comma, insert, "SOLELY
13 FOR THE MEASUREMENT OF WIND,".

14
15 On pages 27 and 31, in lines 21 and 8 respectively, after "TOWERS", insert ", SOLELY FOR
16 THE MEASUREMENT OF WIND,".

17
18
19
20
ACCEPTED July 29, 2010
FAILED _____
SIGNATURE [Signature]

1 **Amendment to Council Bill No. 41-2010**

2
3 **BY: Dr. Calvin Ball**

Legislative Day No: 9

Date: July 29, 2010

4
5
6 **Amendment No. 3**

7
8 *(This amendment is technical correction which would create parallel language).*

9
10
11 On page 30, in line 16, after "SYSTEMS", insert "FREE STANDING TOWER".

12
13
14
15
16
ADOPTED July 29, 2010
FAILED _____
SIGNATURE Stephen M. Beach

1 **Amendment to Council Bill No. 41-2010**

2
3 **BY: Dr. Calvin Ball**

Legislative Day No: 9

Date: July 29, 2010

4
5
6 **Amendment No. 4**

7
8 *(This amendment would clearly express that DPZ has the authority to correct any obvious errors*
9 *while codifying the legislation).*

10
11
12 On page 31, immediately following line 31, insert the following:

13 *“Section 3. And Be It Further Enacted by the County Council of Howard County,*
14 *Maryland that the Director of the Department of Planning and Zoning is authorized to*
15 *publish this Act, to correct obvious errors in section references, numbers and references*
16 *to existing law, capitalization, spelling, grammar, headings and similar matters and to*
17 *publish a table of contents.”*

18
19 On page 32, in line 1, strike “3”, and substitute “4”.

20 **ADOPTED** July 29, 2010

21 **FAILED** _____

22 **SIGNATURE** Stephen R. Smith

1 **Amendment to Council Bill No. 41-2010**

2
3 **BY: Greg Fox**
4 **Calvin Ball**

Legislative Day No: 9
Date: July 29, 2010

5
6 **Amendment No. 5**

7
8 *(This amendment would change the maximum height for tower mounted systems on farms greater*
9 *than 25 acres to 120 feet).*

10
11
12 On page 27, in line 7, after "EXCEED", strike "180" and substitute "120".

13
14 On page 30, in line 25, after "EXCEED", strike "180" and substitute "120".

15
16
17 **ADOPTED** July 29, 2010
18 **FAILED** _____
19 **SIGNATURE** Stephen M. Land
20