



January 21, 2021

TECHNICAL STAFF REPORT

Planning Board Meeting of February 4, 2021

Case No./Petitioner: ZRA-197 - Amy Gowan, Director, Howard County Department of Planning and Zoning

Request: To amend the Zoning Regulations of Howard County as follows:

1. Update the current solar definitions in Section 103.0.
2. Allow rooftop commercial and accessory ground-mount solar collectors in all zoning districts.
3. Exempt accessory ground-mount solar collectors from the accessory structure lot coverage requirement in Sec. 128.0.A.12.
4. Allow ground-mount commercial solar panels in B-1, B-2, CE, M-1, M-2, POR, and PEC as a Conditional Use.
5. Eliminate the requirement for a glare study in Sec. 131.0.N.52.
6. Limit the size of ground-mount commercial solar collectors on parcels that are in the Agricultural Land Preservation Program to 16 acres or 34% of the parcel, whichever is less.
7. Add a preliminary and final review by the Agricultural Land Preservation Board in Sec. 131.0.N.52 for Commercial Solar Facilities to allow input on the placement and other details of the project prior to submittal of a conditional use plan.

I. BACKGROUND AND HISTORY OF EXISTING ZONING REGULATIONS

In 2012, Council Bill 39-2012 (ZRA-142) created the following definition of Commercial Solar Facility (CSF) and added the use as a Conditional Use in RC and RR to promote solar farms that provide clean energy and contribute to carbon-free energy in the power grid system. The use was prohibited on properties less than 10 acres and on properties in the Agricultural Land Preservation Program. The size of the solar facility was limited to 75 acres. A 50-foot setback and a Type "D" landscape buffer were required in addition to criteria to mitigate glare/visual impact on adjacent properties and the right-of-way.

Solar Facility, Commercial: A series of ground mounted solar collectors used to generate photovoltaic power, where less than 50% of the power generated is consumed by the principal use on the site.

During the 2013 Comprehensive Zoning, the Accessory Solar Collector use was created and added in all zoning districts, except R-HED, OT, and SC. It is unclear if this was intentional or an oversight. The definition of Accessory Solar Collector proposed by DPZ required the power generated to be consumed **only** by the principal use on the property; however, the word "only" was replaced with "primarily" in Council Bill 32-2013.

Solar Collector, Accessory: A building mounted or ground mounted solar collector which is an accessory use to a principal use and is used for the primary purpose of generating electrical power to be consumed primarily by the principal use. A ground mounted accessory solar collector may be located on a different lot than the principal use.

In 2016, Council Bill 59-2016 (ZRA-164) permitted the Commercial Solar Facility Conditional Use on Agricultural Land Preservation Parcels (ALPP) and required the Agricultural Preservation Board (APB) to review the conditional use plan and provide advisory comments to be incorporated in the DPZ Technical Staff Report. The use was exempted from the 2% use cap on ALPP purchased or dedicated easements and the 1 acre cap on preservation parcels created as part of a cluster subdivision process, and other dedicated easements. Additionally, the petitioner was required to submit a visual impact analysis to verify that the CSF will not impact scenic views and a glare study to confirm that glare will not be visible from adjacent residential properties and the road right-of-way.

Agricultural Preservation Board Commercial Solar Facility Policy

In March of 2017, the APB developed criteria to determine if each proposal meets one or both of the following criteria, as set forth in Section 131.0 of the Howard County Zoning Regulations:

1. “The siting of the CSF on the parcel or parcels is an ancillary business which supports the economic viability of the farm, or
2. The siting of the CSF on the parcel or parcels supports the primary agricultural purpose of the easement property.”

Attachment A outlines the review process and the criteria the APB developed to determine if a proposed CSF meets one or both of the criteria.

Commercial Solar Facility Conditional Use Applications

Six proposals for CSFs on ALPP properties were submitted to the APB between June of 2018 and August of 2019. In September of 2019, the APB revised their Commercial Solar Facility policy to limit the size of facilities on ALPP properties to 10 acres or 10% of the property, whichever is less. However, the size limitation only applies to the APB’s recommendation to the Hearing Examiner. The current Zoning Regulations permit up to 75 acres and the ultimate size is determined and approved by the Hearing Examiner.

Solar Task Force

In November of 2019, Council Resolution 133-2019 directed the Environmental Sustainability Board to facilitate a Commercial Solar Facilities Task Force to study commercial solar facilities on Agricultural Land Preservation Parcels.

The Task Force met for a total of 14 meetings starting on January 23, 2020 and ending on July 14, 2020. A Public Hearing was held on May 28, 2020 that included testimonies from 16

individuals/organizations along with 12 written testimonies. The Task Force completed their evaluation of commercial solar facilities and presented their recommendations on July 24, 2020 (Attachment B).

II. DESCRIPTION OF PROPOSAL

This section contains the Department of Planning and Zoning (DPZ) technical evaluation of ZRA-197. The Petitioner's proposed amendment text is attached as Exhibit A.

The purpose of this Zoning Regulation Amendment is to implement the Solar Task Force recommendations pertaining to the Zoning Regulations to the extent possible given DPZ's analysis and consistency with the Zoning Regulations.

Section 103.0

As stated in the Background section, the existing definitions were added to the Zoning Regulations at separate times for different purposes, which resulted in contradictory and unclear language. The existing definition of Accessory Solar Collector allows ground and building mounted solar collectors and states that power generated is "*to be consumed primarily by the principal use*", which poses enforcement challenges since it doesn't quantify how much power must be used on site and DPZ cannot easily verify how much power is used by the principal use versus off-site uses. Additionally, the Commercial Solar Collector definition applies where "*less than 50% of the power generated is consumed by the principal use on the site*". Therefore, any solar facilities consuming more than 50% of the power on site could be considered accessory, rather than the more general language in the Accessory Solar Collector definition.

The Solar Task Force determined that these definitions should be updated to reconcile these issues and to allow flexibility to encourage use of solar in more districts and on rooftops. A comparison of the existing definitions, definitions proposed by the Solar Task Force, and DPZ's proposed definition is contained in Attachment C.

Roof Top Solar Collector

The existing definition of Accessory Solar Collector allows ground and building mounted solar collector and states that power generated is "*to be consumed primarily by the principal use*", which lacks specificity regarding how much power must be used by the principal use versus how much can be used off-site and is difficult to enforce.

The County has seen an increase in requests for net metering, which is a type of billing system in which surplus power is transferred onto the grid, allowing customers to offset future power use. Net metering is not specifically permitted by the current definition. The Solar Task Force recommended incentivizing the use of solar through a new land use category (Rooftop Solar Collector) and definition that will allow all power generated by solar collectors on rooftops to

be used by the on-site principal use, off-site by other users, or a combination of both. DPZ concurs with the definition shown below:

Solar collector, rooftop: a solar collector or commercial solar collector and all supporting electrical and structural components that is attached to the rooftop of an existing structure or integrated into the building, where the solar panels themselves act as a building material or structural element.

Accessory Ground-Mount Solar Collectors

The existing definition of Accessory Solar Collector is vague and needs additional clarification regarding how the power generated can be used. Also, it does not specifically allow net metering, which the Solar Task Force has identified as a mechanism to incentivize the use of solar. The Solar Task Force's definition of Accessory Use Ground Mount Solar Collector replicated the existing language "*to be consumed primarily by the principal use*", which poses enforcement challenges since it doesn't quantify how much power must be used on site and DPZ cannot easily verify how much power is used by the principal use versus off-site uses. Therefore, DPZ is proposing a modified definition that provides more specificity by identifying how the power generated can be used. The Task Force did reference examples of what their proposed definition would permit, such as net metering and aggregate net metering, which have been incorporated into DPZ's proposed definition, shown below:

Solar collector, accessory ground-mount A solar collector and all supporting electrical and structural components that is attached to the ground or a canopy on a property that contains a principal use or an adjacent lot whose electrical power generated is used by the principal use and excess electrical power generated and not used by the principal use may be used for net metering, including net meter aggregation, according to state net metering regulations.

Commercial Solar Collector

The Solar Task Force proposes this definition to assist with clarifying the other definitions, specifically Rooftop Solar Collector and Commercial Ground-Mount Solar Collector. However, the proposed definition includes the phrase "whose generated electrical power is not primarily consumed by the principal use" which is difficult to enforce as previously mentioned. Therefore, DPZ modified the definition to remove ambiguity regarding how the power can be used.

Solar collector, commercial: A solar collector connected directly to the electrical distribution or transmission system separately from any other electrical service on the property on which it is hosted and where electrical power generated may be used on or off-site.

Commercial Ground-Mount Solar Collector

The existing definition of Commercial Solar Facility is defined as a facility where less than 50% of the power generated is used on site. This definition doesn't reflect the principal use aspect of the Commercial Solar Facility and is inconsistent with the Accessory Solar Collector definition, which could allow more than 50% of the power to be used off-site due to the vague terminology.

The Solar Task Force proposed a definition for facilities that generate less than 2 megawatts (MW) (Commercial Ground-Mount Solar Collector) and facilities that generate more than 2 megawatts (Commercial Ground-Mount Solar Collector – Utility Scale). Based on a review of Task Force's proposed definition chart, the only difference appears to be that Commercial Ground-Mount Solar Collector – Utility Scale was proposed to be prohibited on properties in the Agricultural Land Preservation Program, to prevent large scale solar facilities greater than 2MW.

Rather than regulating the wattage, DPZ is recommending regulating the size of the facility based on research regarding the area required for a 2 MW system. DPZ proposes that Solar Facilities on properties in the Agricultural Land Preservation Program would be limited to 16 acres or 34% of the parcel, whichever is less. This is based on the following reasons:

- 1) The National Renewable Energy Lab research estimates that 8 acres is needed per MW, therefore a 2MW solar facility will require 16 acres of land.
- 2) To be eligible for the ALPP, "More than 50 percent of the parcel shall be U.S. Department of Agriculture capability Class I, II and III soils, and more than 66 percent of the parcel shall be Class I through IV soils." Therefore, if the solar facility does not exceed 34% of the property, and the remaining property meets the soil capability criteria, then the property would still be eligible to enter into the program.
- 3) The Maryland Code, Public Utility Article § 7-207 preempts by implication local zoning authority approval for the siting and location of generating stations which require a Certificate of Public Convenience and Necessity (CPCN)- a type of Public Service Commission (PSC) approval for certain generating plants. Solar facilities over 2,000 kilowatts/2 MW require a CPNC and, therefore, any prohibitions could be preempted by the PSC. While local government is a participant in the process, and local planning and zoning concerns are considered in the PSC approval process, the ultimate decision-maker for siting a CPCN facility is the PSC.

According to the reasons stated above, DPZ decided to remove wattage restrictions from the definitions and replace them with size limitations for properties in the Agricultural Land Preservation Program.

Solar collector facility, commercial ground-mount: *A commercial solar collector and all supporting electrical and structural components that is mounted onto the ground or is a canopy.*

The Solar Task Force recommends allowing Rooftop Solar Collectors in all zoning districts as a matter of right. DPZ concurs with this recommendation and is proposing to add them to all zoning districts listed below as a matter of right.

- Section 104.0.B.13, Section 104.0.C.22 - **RC (Rural Conservation) District**
- Section 105.0.B.12, Section 105.0.C.21 - **RR (Rural Residential) District**
- Section 106.1 – Multiple **County Preservation Easements**
- Section 107.0.B.14, Section 107.0.C.14 - **R-ED (Residential: Environmental Development) District**
- Section 108.0.B.12, Section 108.0.C.14 - **R-20 (Residential: Single) District**
- Section 109.0.B.14, Section 109.0.C.14 - **R-12 (Residential: Single) District**
- Section 110.0.B.14, Section 110.0.C.12 - **R-SC (Residential: Single Cluster) District**
- Section 111.0.B.15, Section 111.0.B.11 - **R-SA-8 (Residential: Single Attached) District**
- Section 111.1.B.14, Section 111.1.C.10 - **R-H-ED (Residential: Historic—Environmental) District**
- Section 112.0.B.14, Section 112.0.C.10 - **R-A-15 (Residential: Apartments) District**
- Section 112.1.B.13, Section 112.1.C.10 - **R-APT (Residential: Apartments) District**
- Section 113.1.B.11, Section 113.1.C.11 - **R-MH (Residential: Mobile Home) District**
- Section 113.2.B.12, Section 113.2.C.5 - **R-SI (Residential: Senior—Institutional) District**
- Section 113.3.C.9, Section 113.3.D.5 - **I (Institutional) Overlay District**
- Section 114.1.B.11, Section 114.1.C.7 - **RVH (Residential: Village Housing) District**
- Section 114.2.B.16, Section 114.2.C.5 - **HO (Historic Office) District**
- Section 114.3.B.31, Section 114.3.C.4 - **HC (Historic Commercial) District**
- Section 115.0.B.40, Section 115.0.C.8 - **POR (Planned Office Research) District**
- Section 116.0.B.28, Section 116.0.C.5 - **PEC (Planned Employment Center) District**
- Section 117.1.C.25 - Section 117.1.D.5 - **BR (Business: Rural) District**
- Section 117.3.C.18 - Section 117.3.D.1 - **OT (Office Transition) District**
- Section 117.4.B.22, Section 117.4.C.6 - **CCT (Community Center Transition) District**
- Section 118.0.B.47, Section 118.0.C.7 - **B-1 (Business: Local) District**
- Section 119.0.B.77, Section 119.0.C.7 - **B-2 (Business: General) District**
- Section 120.0.B.52, Section 120.0.C.7 - **SC (Shopping Center) District**
- Section 122.0.B.54, Section 122.0.C.6 - **M-1 (Manufacturing: Light) District**
- Section 123.0.C.9 - **M-2 (Manufacturing: Heavy) District**
- Section 124.0.C.2, Section 124.0.D.4 - **SW (Solid Waste) Overlay District**
- Section 126.0.B.1.r. } **PGCC (Planned Golf Course Community) District**
- Section 126.0.C.1.k }
- Section 126.0.C.2.c }
- Section 127.0.C.4.b.(14) } **MXD (Mixed Use) Districts**
- Section 127.0.C.4.c.(9) }
- Section 127.2.B.36, Section 127.2.D.5 - **CE (Corridor Employment) District**
- Section 127.3.C.7 - **CLI (Continuing Light Industrial) Overlay District**
- Section 127.4.B.20, Section 127.4.D.5 - **TOD (Transit Oriented Development) District**
- Section 127.5.B.38, Section 127.5.C.7 - **CAC (Corridor Activity Center) District**

Section 127.6.C.38, Section 127.6.D.7 - TNC (Traditional Neighborhood Center) Overlay District

128.0.A.12

This section limits the cumulative square footage of all accessory structures on residential lots to:

- (a) 600 square feet for a lot in the planned public water and sewer service area.
- (b) 1,200 square feet for a lot in the RC or RR district which is 2 acres or less
- (c) 2,200 square feet for a lot in the RC or RR district which is greater than 2 acres.

The proposed amendment will codify an existing Department Policy (Attachment D) that exempts accessory ground-mount solar collectors that do not cover more than 2% of the lot from these limitations. However, this amendment increases the 2% allowance to 3% based on a review of building permits for accessory ground-mount solar collectors that shows properties in the eastern part of the county require a higher percentage due to smaller lot sizes.

Section 131.0.N.52.

The Solar Task Force recommends allowing commercial ground-mount solar collector facilities in more zoning districts. DPZ analyzed research conducted by the Maryland Energy Administration and the Maryland Department of Natural Resources (Attachment E) regarding which zoning districts counties in Maryland allow these facilities in. The vast majority of counties allow these commercial solar facilities in commercial and industrial zoning districts as a conditional use/special exception. Only two counties (Charles and Montgomery) allow them in all zoning districts. However, Montgomery County considers large scale solar facilities to be public utilities.

DPZ reviewed the purpose statement of each zoning district in the Howard County Zoning Regulations to determine which zoning districts are appropriate for commercial ground-mount solar collector facilities. The single/multifamily, institutional, and mixed-use zoning district's purpose statements appear to conflict with large scale solar collector facilities.

The B-1, B-2, CE, M-1, M-2, PEC, and POR purpose statements do not specifically conflict with large scale commercial ground mount solar collector facilities, so these may be the most appropriate zoning districts to allow them. Therefore, DPZ recommends allowing these facilities in these zoning districts through the conditional use process.

131.0.N.52.

The Solar Task Force recommends prohibiting ground-mount commercial solar facilities over 2MW on properties in the Agricultural Land Preservation Program.

As previously mentioned, the National Renewable Energy Lab research estimates that 8 acres of solar collectors produces 1 megawatt of power, thus 16 acres is required to generate 2

megawatts. Therefore, DPZ proposes limiting the size of ground-mount commercial solar collectors on parcels that are in the Agricultural Land Preservation Program to 16 acres or 34% of the parcel, whichever is less.

Section 131.0.N.52.i.

This amendment eliminates the glare study requirement as recommended by the Solar Task Force.

Section 131.0.N.52.L.

The Solar Task Force recommends requiring a preliminary review for commercial solar facilities on ALPP properties by the APB prior to preparation of the more detailed conditional use plan that requires costly engineering services.

Currently, an application for conditional use for commercial solar is submitted to the Agricultural Land Preservation Program to be reviewed by the APB. The conditional use application requires a letter from property owner, deed of easement, Soil Conservation and Water Quality Plan, Soil Classification Analysis Map, Soil Classification Analysis table and Proposed Condition Use Plan.

This amendment creates a two-step review process consisting of a preliminary and final review by the Agricultural Preservation Board to determine whether the siting of the commercial ground mount solar collector facility on the parcel or parcels supports the primary agricultural purpose of the easement property or is an ancillary business which supports the economic viability of the farm.

The materials submitted for the preliminary review shall include, at a minimum, a letter signed by the property owner requesting the commercial ground-mount solar collector facility, a concept plan depicting proposed locations for the facility and a soil classification analysis, consistent with the provisions of the agricultural preservation board's commercial solar facilities policy. The concept plan should show at least two potential placements of the facility on the property to allow the Agricultural Preservation Board an opportunity to advise on the best placement of the solar facility to minimize negative impacts on the farming operation.

The final review requires submittal of, at a minimum, a copy of the Agricultural Land Preservation Program easement, a copy of the Howard County Soil Conservation and Water Quality Plan, and a copy of the proposed final concept plan.

III. EVALUATION OF PROPOSAL

Section 16.208.(d) of the Howard County Code:

- 1. The compatibility, including potential adverse impacts and consequences, of the proposed Zoning Regulation Amendment with the existing and potential uses of the surrounding areas and within the same zoning district.**

Sec. 103.0

The proposed definitions do not result in adverse impacts; however, the inclusion of each use in particular zoning districts may. This is evaluated below.

Rooftop Solar in All Zoning Districts

Solar collectors mounted to roofs and buildings are currently permitted in all zoning districts, except OT, R-H-ED, and SC, where the power generated is primarily used by the principal use. The proposed definition will allow all the power generated to be used on and off-site. This may increase the size/number of building/roof mounted solar collector per building, because sending power off-site will not be limited. Since 2018, there have been approximately 880 building permits completed for building/rooftop mounted solar collectors. Since 2010, there have been approximately 57 permits for roof-mounted solar panels on non-residential buildings. DPZ does not have record of enforcement cases resulting from complaints related to roof/building mounted solar collectors. Additionally, as previously stated, DPZ does not have the means to monitor the amount of power going off site. Therefore, allowing all power generated by building/roof mounted solar collectors to be sent off-site is unlikely to have adverse impacts on existing or potential uses.

Sec. 128.0.A.12

This amendment codifies an existing DPZ policy; therefore, it is unlikely to have any adverse impacts on existing and potential uses.

Sec. 131.0.N.52.

Commercial ground-mount solar collector facilities are relatively unobtrusive uses that do not produce adverse impacts such as traffic, noise, odors, etc. Glare is often raised as a potential impact; however, all Commercial Solar Facilities submitted for conditional use approval after ZRA-164 have utilized single axis tracking panels, which follow the path of the sun, and the glare studies have indicated that no glare will be visible from adjacent properties and the right-of-way. The financial cost of commercial and industrial land in the eastern part of the county will most likely be prohibitive for principal use commercial solar facilities. Therefore, the most likely application will be solar collectors on canopies over large surface parking lots on commercial and industrial properties.

Sec. 131.0.N.52.a

Decreasing the maximum size of commercial ground-mount solar collector facilities on properties in the ALPP from 75 acres to 16 will help ensure that the properties remain viable

for farming and mitigate the visual impact of large solar facilities on the rural character of RC/RR zoned areas.

Section 131.0.N.52.i.

Eliminating the requirement for a glare study is unlikely to result in adverse impacts, since all Commercial Solar Facilities submitted for conditional use approval after ZRA-164 have utilized single axis tracking panels, which follow the path of the sun, and the glare studies have indicated that no glare is visible from adjacent properties and the right-of-way.

Section 131.0.N.52.l.

This amendment is a process change that gives the APB an opportunity to provide guidance on the placement of the CSF and other details of the project before a solar company invests in developing the required documents for a conditional use permit. At the preliminary review phase, the petitioner should submit at least two potential CSF sites, to allow the APB an opportunity to advise on the best placement to minimize negative impacts on the farming operation. This process change reduces potential impacts to the low density residential and agricultural land uses in the RC/RR zoning districts, since the intended result is better placement of solar facilities on existing farms.

2. The properties to which the Zoning Regulation Amendment could apply and, if feasible, a map of the impacted properties.

The proposed amendments:

- Expand commercial ground-mount solar collector facilities to commercial and industrial zoning districts;
- Allow commercial rooftop and accessory ground-mount solar collectors in all zoning districts;
- Extend accessory ground-mount solar collectors to R-H-ED, OT, and SC; and
- Limit the size of commercial ground-mount solar collector facilities on ALPP properties and eliminate the requirement for a glare study for commercial ground-mount solar collector facilities.

Attachment F is a map depicting the impacted zoning districts.

3. Conflicts in the Howard County Zoning Regulations as a result of the Zoning Regulation Amendment.

The proposed amendments expand opportunity for use of solar collectors which can improve the economic stability of the county through investment in green technologies and less dependence on non-renewable energy sources. Additionally, this proposal establishes an appropriate size restriction for commercial solar facilities on agricultural land. Therefore, the amendments are in harmony with the following Legislative Intent provisions:

2. To protect the character, the social and economic stability of all parts of the County; to guide the orderly growth and development of the County, and to protect and conserve the value of land and structures appropriate to the various land use classes established by the General Plan for Howard County, and by these comprehensive Zoning Regulations;
4. To provide a guide for public action in the orderly and efficient provision of public facilities and services, and for private enterprise in undertaking development, investment and other economic activity relating to uses of land and structures throughout the County;
8. To preserve agricultural land.

DPZ has not identified any conflicts in the Zoning Regulations related to the updated definitions, expansion of accessory ground-mount and rooftop solar collectors to all zoning districts, limiting the size on ALPP properties, elimination of the glare study requirement, and the new APB review process.

DPZ analyzed the purpose statement of each zoning district in the Howard County Zoning Regulations to determine which zoning districts are appropriate for commercial ground-mount solar collector facilities. The single/multifamily, institutional, and mixed-use zoning district's purpose statements appear to conflict with large scale solar collector facilities.

The B-1, B-2, CE, M-1, M-2, PEC, and POR purpose statements do not necessarily conflict with large scale commercial ground mount solar collector facilities, and were therefore identified as the most appropriate zoning districts to allow them in.

4. The compatibility of the proposed Zoning Regulation Amendment with the Policies and objectives, specifically including the environmental policies and objectives, of the Howard County General Plan.

The proposed amendments are in harmony with the *PlanHoward* 2030 policies that encourage the use of renewable energy sources such as solar.

Please see memos from Beth Burgess, Resource Conservation Chief dated January 19, 2021 and Kristin O'Connor, Comprehensive and Community Planning Chief dated January 21, 2021 for a analysis of compatibility with the General Plan.

Approved by:

 1/21/21

Amy Gowan, Director Date

Exhibit A
Petitioner's Proposed Text

(CAPITALS indicate text to be added; text in [[brackets]] indicates text to be deleted.)

SECTION 103.0: - Definitions

Solar Collector: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into electrical energy.

Solar Collector, Accessory **GROUND-MOUNT** [[: A building mounted or ground mounted solar collector which is an accessory use to a principal use and is used for the primary purpose of generating electrical power to be consumed primarily by the principal use. A ground mounted accessory solar collector may be located on a different lot than the principal use.]]

A SOLAR COLLECTOR AND ALL SUPPORTING ELECTRICAL AND STRUCTURAL COMPONENTS THAT IS ATTACHED TO THE GROUND OR A CANOPY ON A PROPERTY THAT CONTAINS A PRINCIPAL USE OR AN ADJACENT LOT; WHERE ELECTRICAL POWER GENERATED IS USED BY THE PRINCIPAL USE AND EXCESS ELECTRICAL POWER GENERATED MAY BE USED FOR NET METERING, INCLUDING NET METER AGGREGATION, ACCORDING TO STATE NET METERING REGULATIONS.

Solar [[Facility]] **COLLECTOR, Commercial**: [[A series of ground mounted solar collectors used to generate photovoltaic power, where less than 50% of the power generated is consumed by the principal use on the site.]]

A SOLAR COLLECTOR CONNECTED DIRECTLY TO THE ELECTRICAL DISTRIBUTION OR TRANSMISSION SYSTEM SEPARATELY FROM ANY OTHER ELECTRICAL SERVICE ON THE PROPERTY ON WHICH IT IS HOSTED AND WHERE ELECTRICAL POWER GENERATED MAY BE USED ON OR OFF-SITE.

SOLAR COLLECTOR FACILITY, COMMERCIAL GROUND-MOUNT: COMMERCIAL SOLAR COLLECTORS AND ALL SUPPORTING ELECTRICAL AND STRUCTURAL COMPONENTS THAT ARE ATTACHED TO THE GROUND OR A CANOPY.

SOLAR COLLECTOR, ROOFTOP: A SOLAR COLLECTOR OR COMMERCIAL SOLAR COLLECTOR AND ALL SUPPORTING ELECTRICAL AND STRUCTURAL COMPONENTS THAT IS ATTACHED TO THE ROOFTOP OF AN EXISTING STRUCTURE OR INTEGRATED INTO THE BUILDING, WHERE THE SOLAR PANELS THEMSELVES ACT AS A BUILDING MATERIAL OR STRUCTURAL ELEMENT.

SECTION 104.0: - RC (Rural Conservation) District

B. Uses Permitted as a Matter of Right

The following uses are permitted as a matter of right in the RC District, except that only the uses listed in Section 106.1 shall be permitted on County Preservation Easements.

1. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
2. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
3. One single-family detached dwelling unit per lot.
4. Commercial feed mills and commercial grain processing or storage facilities, provided that all uses connected with such facilities shall be at least 200 feet from property lines.
5. Convents and monasteries used for residential purposes.
6. Governmental structures, facilities and uses including public schools and colleges.
7. Private recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within neighborhoods and communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
8. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
9. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
10. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
11. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
12. Volunteer fire departments.

13. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

The following are permitted accessory uses in the RC District, except that only the uses listed in Section 106.1 shall be permitted on County Preservation Easements. 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district. Accessory structures are subject to the requirements of Section 128.0.A.
2. Accessory houses, limited to the following:
 - a. Farm tenant houses and similar uses customarily accessory to agricultural uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and one unit shall be permitted for each 25 acres of that parcel; or
 - b. Caretakers' dwellings and similar uses customarily accessory to residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres and one unit shall be permitted for each 50 acres of that parcel.
3. Accessory apartments, subject to the requirements of Section 128.0.A.
4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
5. Home occupations, subject to the requirements of Section 128.0.C.
6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.

8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
9. The following commercial services are permitted as accessory uses on farms, provided that the uses are located on a parcel of at least 50 acres or on a parcel of any size subject to an ALPP purchased or dedicated easement, the commercial service is conducted by persons residing on or operating the farm, and all uses are screened from public roads and adjacent lots:
 - a. Blacksmith shop
 - b. Farm machinery repair
 - c. Lawn and garden equipment repair
 - d. Welding
10. Farm stands, subject to the requirements of Section 128.0.I.
11. Snowball stands, subject to the requirements of Section 128.0.D.
12. Home-based contractors, subject to the requirements of Section 128.0.C.2.
13. The acceptance or disposal of off-site land clearing debris under a permit issued by the Department of Planning and Zoning, subject to the requirements of Section 128.0.D.
14. Value-added processing of agricultural products, subject to the requirements of Section 128.0.I.
15. Agritourism enterprises and pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.
16. Farm Winery—Class 1A and Farm Brewery—Class 1A, subject to the requirements of Section 128.0.O.
17. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
18. Small Wind Energy System, freestanding tower on properties 5 acres or great or greater, subject to the requirements of Section 128.0.M.
19. Riding Academies and Stables, subject to the requirements of Section 128.0.I.
20. Community Supported Agriculture, subject to the requirements of Section 128.0.I.
21. Food Hubs, subject to the requirements of Section 128.0.I.
22. Accessory **GROUND-MOUNT** Solar Collectors.
23. Residential chicken keeping, subject to the requirements of Section 128.0.D.
24. Livestock on residential lots or parcels, subject to the requirements of Section 128.0.D.
25. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 105.0: - RR (Rural Residential) District

B. Uses Permitted as a Matter of Right

The following uses are permitted as a matter of right in the RR District, except that only the uses listed in Section 106.1 shall be permitted on County preservation easements.

1. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
2. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
3. One single-family detached dwelling unit per lot.
4. Convents and monasteries used for residential purposes.
5. Governmental structures, facilities and uses including public schools and colleges.
6. Private recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within neighborhoods and communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
7. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
8. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
9. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
10. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
11. Volunteer fire departments.
12. **ROOFTOP SOLAR COLLECTORS**

C. Accessory Uses

The following are permitted accessory uses in the RR District, except that only the uses listed in Section 106.1 shall be permitted on County preservation easements. 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district. Accessory structures are subject to the requirements of Section 128.0.A.
2. Accessory houses, limited to the following:
 - a. Farm tenant houses and similar uses customarily accessory to agricultural uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and one unit shall be permitted for each 25 acres of that parcel; or
 - b. Caretakers' dwellings and similar uses customarily accessory to residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres and one unit shall be permitted for each 50 acres of that parcel.
3. Accessory apartments, subject to the requirements of Section 128.0.A.
4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
5. Home occupations, subject to the requirements of Section 128.0.C.
6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and

- b. One boat with a length of 20 feet or less.
- 9. The following commercial services are permitted as accessory uses on farms, provided that the uses are located on a parcel of at least 50 acres or on a parcel of any size subject to an ALPP Purchased or ALPP Dedicated Easement, the commercial service is conducted by persons residing on or operating the farm, and all uses are screened from public roads and adjacent lots:
 - a. Blacksmith shop
 - b. Farm machinery repair
 - c. Lawn and garden equipment repair
 - d. Welding
- 10. Farm stands subject to the requirements of Section 128.0.I.
- 11. Farm Winery—Class 1A or Farm Brewery—Class 1A, subject to the requirements of Section 128.0.O.
- 12. Snowball stands, subject to the requirements of Section 128.0.D.
- 13. Home-based contractor, subject to the requirements of Section 128.0.C.2.
- 14. The acceptance or disposal of off-site land clearing debris under a permit issued by the Department of Planning and Zoning, subject to the requirements of Section 128.0.D.
- 15. Value-added processing of agricultural products, subject to the requirements of Section 128.0.I.
- 16. Agritourism enterprises and pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.
- 17. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
- 18. Riding Academies and Stables, subject to the requirements of Section 128.0.I.
- 19. Community Supported Agriculture, subject to the requirements of Section 128.0.I.
- 20. Food Hubs, subject to the requirements of Section 128.0.I.
- 21. Accessory **GROUND-MOUNT** Solar Collectors.
- 22. Residential chicken keeping, subject to the requirements of Section 128.0.D.
- 23. Livestock on residential lots or parcels, subject to the requirements of Section 128.0.D.
- 24. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 106.1: - County Preservation Easements

B. Uses Permitted as a Matter of Right

- 1. ALPP Purchased Easements and ALPP Dedicated Easements

- a. Farming.
- b. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
- c. One single-family detached principal dwelling unit, if provided for in the Deed of Easement.
- d. Sales of Christmas trees or other seasonal decorative material, between December first and January first, subject to the requirements given in Section 128.0.D.
- e. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar utility uses not requiring a Conditional Use.
- f. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0. and Section 15.516 of the Howard County Code.
- g. Bed and Breakfast Inns, provided that:
 - (1) The building existed at the time the easement was established.
 - (2) The Inn is managed by persons residing on the same parcel or in a contiguous parcel that is under the same ownership and part of the same farm.

H. ROOFTOP SOLAR COLLECTORS

2. Other Dedicated Easements

- a. Farming.
- b. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
- c. One single-family detached dwelling unit on the preserved area of a cluster subdivision, if provided for as required by Sections 104.0.G and 105.0.G.
- d. Private outdoor recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
- e. Government uses, limited to public schools, conservation areas, parks, and recreational facilities.
- f. Sales of Christmas trees or other seasonal decorative material, between December first and January first, subject to the requirements given in Section 128.0.D.
- g. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar utility uses not requiring a Conditional Use.
- h. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communications towers located on government property, excluding school board property, and with a height of less than

200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provision for "government structures, facilities and uses".

I. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements
 - a. Any use normally and customarily incidental to any use permitted as a matter of right in the RC and/or RR Districts.
 - b. Farm tenant houses on parcels greater than 50 acres, subject to the Deed of Agricultural Preservation Easement and approval by the Agricultural Land Preservation Board. the parcel on which the farm tenant house will be located must be improved with a principal dwelling unless, based on justification of need submitted by the applicant, the Director of the Department of Planning and Zoning authorizes an exception to this requirement.
 - c. Accessory apartments, subject to the requirements of Section 128.0.A.
 - d. Housing by a resident family of boarders and/or elderly persons subject to the requirements of Sections 104.0.C.4 or 105.0.C.4.
 - e. Home occupations, subject to the requirements of Section 128.0.C.
 - f. Home care, subject to the requirements of Sections 104.0.C.6 or 105.0.C.6.
 - g. Parking of commercial vehicles, subject to the requirements of Sections 104.0.C.7 or 105.0.C.7.
 - h. Storage of recreational vehicles or boats, subject to the requirements of Sections 104.0.C.8 or 105.0.C.8.
 - i. Commercial services, subject to the requirements of Sections 104.0.C.9 or 105.0.C.9.
 - (1) Blacksmith shop
 - (2) Farm machinery repair
 - (3) Lawn and garden equipment repair
 - (4) Welding
 - j. Farm stands, subject to the requirements of Section 128.0.I.
 - k. Snowball stands, subject to the requirements of Section 128.0.D.
 - l. Value-added processing of agricultural products subject to the requirements of Section 128.0.I.
 - m. Agritourism enterprises, subject to the requirements of Section 128.0.I.
 - n. Pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.

- o. Farm winery—Class 1A or Farm Brewery—Class 1A, subject to the requirements of Section 128.0.O.
 - p. Small wind energy system, building mounted, subject to the requirements of Section 128.0.L.
 - q. Small wind energy system, freestanding tower on properties 5 acres or greater, subject to the requirements of Section 128.0.M.
 - r. Riding stables and academies, subject to the requirements of Section 128.0.I.
 - s. Community Supported Agriculture (CSA), subject to the requirements of Section 128.0.I.
 - t. Food hubs, subject to the requirements of Section 128.0.I.
 - u. Accessory **GROUND-MOUNT** Solar Collectors.
 - v. Residential chicken keeping, subject to the requirements of Section 128.0.D.
 - w. Livestock on residential lots or parcels, subject to the requirements of Section 128.0.D.
2. Other Dedicated Easements
- a. Any use normally and customarily incidental to any use permitted as a matter of right in the RC and/or RR Districts.
 - b. Farm tenant houses on parcels greater than 50 acres, subject to the Deed of Easement. the parcel on which the farm tenant house will be located must be improved with a principal dwelling unless, based on justification of need submitted by the applicant, the director of the department of planning and zoning authorizes an exception to this requirement.
 - c. Caretaker's dwellings on parcels greater than 50 acres and improved with a principal dwelling, subject to the Deed of Easement.
 - d. Accessory apartments, subject to the requirements of Section 128.0.A.
 - e. Housing by a resident family of boarders or elderly persons subject to the requirements of Sections 104.0.C or 105.0.C.
 - f. Home occupations, subject to the requirements of Section 128.0.C.
 - g. Home care, subject to the requirements of Section 104.0.C or 105.0.C.
 - h. Parking of commercial vehicles, subject to the requirements of Section 104.0.C or 105.0.C.
 - i. Storage of recreational vehicles or boats, subject to the requirements of Sections 104.0.C or 105.0.C.
 - j. Commercial services, subject to the requirements of Sections 104.0.C. or 105.0.C.
 - (1) Blacksmith shop
 - (2) Farm machinery repair
 - (3) Lawn and garden equipment repair

(4) Welding

- k. Farm stands, subject to the requirements of Section 128.0.I.
- l. Snowball stands, subject to the requirements of Section 128.0.I.
- m. Disposal of off-site land clearing debris, subject to the requirements of Section 128.0.D.
- n. Value-added processing of agricultural products, subject to the requirements of Section 128.0.I.
- o. Agritourism enterprises, subject to the requirements of Section 128.0.I.
- p. Pick-your-own marketing of farm products, subject to the requirements of Section 128.0.I.
- q. Farm winery—Class 1A or Farm Brewery—Class 1A, subject to the requirements of Section 128.0.O.
- r. Small wind energy system, building mounted, subject to the requirements of Section 128.0.L.
- s. Small wind energy system, freestanding tower on properties 5 acres or greater, subject to the requirements of Section 128.0.M.
- t. Riding stables and academies, subject to the requirements of Section 128.0.I.
- u. Community supported agriculture (CSA), subject to the requirements of Section 128.0.I.
- v. Food Hubs, subject to the requirements of Section 128.0.I.
- w. Accessory **GROUND-MOUNT** Solar Collectors.
- x. Residential chicken keeping, subject to the requirements of Section 128.0.D.
- y. Livestock on residential lots or parcels, subject to the requirements for such a use in Section 128.0.D.

D. Conditional Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

- a. Conditional Uses shall not be allowed on agricultural preservation easements unless they support the primary agricultural purpose of the easement property, or are an ancillary business which supports the economic viability of the farm, and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On an ALPP purchased or dedicated easement property, the area devoted to Conditional Uses may not exceed a cumulative use cap equal to 2% of the easement or up to a maximum of 1 acre for preservation parcels created as part of the Cluster Subdivision process.

The following Conditional Uses may be allowed:

- (1) Animal hospitals

- (2) Barber shop, hair salon and similar personal services facilities
 - (3) Bottling of spring or well water
 - (4) Communication Towers
 - (5) Farm tenant house on a parcel of at least 25 acres but less than 50 acres
 - (6) Historic building uses
 - (7) Home based contractors
 - (8) Home occupations
 - (9) Kennels and/or pet grooming establishments
 - (10) Landscape contractors
 - (11) Limited outdoor social assemblies
 - (12) Sawmills or bulk firewood processing
 - (13) School buses, commercial service
 - (14) Small wind energy systems, freestanding tower
- b. In addition, the following Conditional Uses which may require additional land area may be permitted on agricultural preservation easements:
- (1) Agribusiness, limited to uses itemized in Section 131.0.N.
 - (2) Farm winery—class 2
 - (3) Solar **COLLECTOR** Facilities, commercial **GROUND-MOUNT**
2. Other Dedicated Easements
- a. Conditional Uses shall not be allowed on other dedicated easements unless they support the primary purpose of the easement property and are approved by the Hearing Authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these Regulations. On these dedicated easements, the following Conditional Uses which do not require the construction of new principal structures or use of an outdoor area that is more than 2% of the preservation parcel acreage up to a maximum of 1 acre may be allowed:
- (1) Animal hospitals
 - (2) Antique shops, art galleries and craft shops
 - (3) Barber shop, hair salon and similar personal service facilities
 - (4) Bottling of spring or well water
 - (5) Child day care centers and nursery schools, day treatment and care facilities
 - (6) Communication towers
 - (7) Country inns
 - (8) Historic building uses

- (9) Farm tenant house on a parcel of at least 25 acres but less than 50 acres
 - (10) Home based contractors
 - (11) Home occupations
 - (12) Kennels and/or pet grooming establishments
 - (13) Landscape contractors
 - (14) Limited outdoor social assemblies
 - (15) Museums and libraries
 - (16) Retreats
 - (17) School buses, commercial service
 - (18) Shooting ranges—outdoor rifle, pistol, skeet and trap
 - (19) Small wind energy systems, freestanding tower
 - (20) Two family dwellings, accessory apartments and multi-plex dwellings
- b. In addition, the following Conditional Uses which may require additional land area may be permitted on other dedicated easements:
- (1) Agribusiness, limited to uses itemized in Section 131.0.N.2
 - (2) Charitable or philanthropic institutions dedicated to environmental conservation
 - (3) Farm Winery—Class 2
 - (4) Golf Courses
 - (5) Solar **COLLECTOR** Facilities, commercial **GROUND-MOUNT**

SECTION 107.0: - R-ED (Residential: Environmental Development) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. One zero lot line dwelling unit per lot.
3. Single-family attached dwelling units.
4. Farming provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Private recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within condominium developments or within communities

with recorded covenants and liens which govern and provide financial support for operation of the facilities.

7. Convents and monasteries used for residential purposes.
8. Government structures, facilities and uses, including public schools and colleges.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
10. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
11. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
12. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
13. Volunteer fire departments.
14. **ROOFTOP SOLAR COLLECTORS**

C. Accessory Uses

The following are permitted accessory uses in the R-ED 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District. Accessory Structures are subject to the requirements of Section 128.0.A.
2. Accessory apartments, subject to the requirements of Section 128.0.A., provided that:
 - a. The area of the lot is at least 12,000 square feet;
 - b. Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment; and,
 - c. The accessory apartment shall have no more than two bedrooms.
3. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or

- b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
5. Home occupations, subject to the requirements of Section 128.0.C.
6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
9. Farm stand, subject to the requirements of Section 128.0.I.
10. Snowball stands, subject to the requirements of Section 128.0.D.
11. Home-based contractors on lots larger than two acres, subject to the requirements of Section 128.0.C.2.
12. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
13. Residential Chicken Keeping, subject to the requirements of Section 128.0.D.
14. Accessory **GROUND-MOUNT** Solar Collectors.
15. Livestock on residential lots or parcels, subject to the requirements of Section 128.0.D.
16. Community Supported Agriculture, subject to the requirements of Section 128.0.I.
17. Accessory storage buildings and shipping container, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 108.0: - R-20 (Residential: Single) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
3. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
4. Convents and monasteries used for residential purposes.
5. Government structures, facilities and uses, including public schools and colleges.
6. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities shall be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operations of the facilities.
7. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations subject to the requirements of Section 128.0.D.
8. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
9. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
10. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Sections 128.0.E.2 and 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
11. Volunteer fire departments.

12. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

The following are permitted accessory uses in the R-20 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District. Accessory structures are subject to the requirements of Section 128.0.A.
2. Accessory apartments, subject to the requirements of Section 128.0.A., provided that:

- a. The area of the lot is at least 12,000 square feet;
 - b. Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment; and,
 - c. The accessory apartment shall have no more than two bedrooms.
3. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
 4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
 5. Home occupations, subject to the requirements of Section 128.0.C.
 6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
 7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
 8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
 9. Farm stand, subject to the requirements of Section 128.0.I.
 10. Snowball stands, subject to the requirements of Section 128.0.D.
 11. Home based contractors on lots larger than two acres, subject to the requirements of Section 128.0.C.2.
 12. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.

13. Residential Chicken Keeping, subject to the requirements of Section 128.0.D.
14. Accessory **GROUND-MOUNT** Solar Collectors.
15. Livestock on residential lots or parcels, subject to the requirements of Section 128.0.D.

SECTION 109.0: - R-12 (Residential: Single) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. One zero lot line dwelling unit per lot.
3. Single-family semi-detached dwellings.
4. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Convents and monasteries used for residential purposes.
7. Government structures, facilities and uses, including public schools and colleges.
8. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operations of the facilities.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
10. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
11. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
12. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Sections 128.0.E.2 and 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
13. Volunteer fire departments.

14. ROOFTOP SOLAR COLLECTORS

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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District. Accessory structures are subject to the requirements of section 128.0.A.
2. Accessory apartments, subject to the requirements of section 128.0.A., provided that:
 - a. The area of the lot is at least 12,000 square feet;
 - b. Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment; and,
 - c. The accessory apartment shall have no more than two bedrooms.
3. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
5. Home occupations, subject to the requirements of Section 128.0.C.
6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.

8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
9. Farm stand, subject to the requirements of Section 128.0.I.
10. Snowball stands, subject to the requirements of Section 128.0.D.
11. Home-based contractors on lots larger than two acres, subject to the requirements of Section 128.0.C.2.
12. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
13. Residential chicken keeping, subject to the requirements of Section 128.0.D.
14. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 110.0: - R-SC (Residential: Single Cluster) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. One zero lot line dwelling unit per lot.
3. Single-family attached dwelling units.
4. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.D.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Convents and monasteries used for residential purposes.
7. Government structures, facilities and uses, including public schools and colleges.
8. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operations of the facilities.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
10. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.

11. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
12. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
13. Volunteer fire departments.
14. **ROOFTOP SOLAR COLLECTORS**

C. Accessory Uses

The following are permitted accessory uses in the R-SC 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District. Accessory structures are subject to the requirements for Section 128.0.A.
2. Accessory apartments, subject to the requirements of Section 128.0.A., provided that:
 - a. The area of the lot is at least 12,000 square feet;
 - b. Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment; and,
 - c. The accessory apartment shall have no more than two bedrooms.
3. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
5. Home occupations, subject to the requirements of Section 128.0.C.
6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.

7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
9. Farm stand, subject to the requirements of Section 128.0.I.
10. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
11. Snowball stands, subject to the requirements of Section 128.0.D.
12. Accessory **GROUND-MOUNT** Solar Collectors.
13. Residential chicken keeping, subject to the requirements of Section 128.0.D.

SECTION 111.0: - R-SA-8 (Residential: Single Attached) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. One zero lot line dwelling unit per lot.
3. Single-family attached dwelling units.
4. Apartment units.
5. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
6. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
7. Convents and monasteries used for residential purposes.
8. Government structures, facilities and uses, including public schools and colleges.
9. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are

included within recorded covenants and liens which govern and provide financial support for operations of the facilities.

10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
11. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
12. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
13. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and Section 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
14. Volunteer fire departments.
15. **ROOFTOP SOLAR COLLECTORS**

C. Accessory Uses

The following are permitted accessory uses in the R-SA-8 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District. Accessory structures are subject to the requirements of Section 128.0.A.
2. Accessory apartments, subject to the requirements of Section 128.0.A., provided that:
 - a. The area of the lot is at least 12,000 square feet;
 - b. Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment; and,
 - c. The accessory apartment shall have no more than two bedrooms.
3. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
4. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or

- c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
5. Home occupations, subject to the requirements of Section 128.0.C.
6. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
7. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
8. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
9. Snowball stands, subject to the requirements of Section 128.0.D.
10. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
11. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 111.1: - R-H-ED (Residential: Historic—Environmental District)

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. One zero lot line dwelling unit per lot.
3. Single-family attached dwelling units.
4. Farming.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Convents and monasteries used for residential purposes.
7. Government structures, facilities and uses, including public schools and colleges.

8. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operations of the facilities.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
10. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
11. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a conditional use.
12. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and Section 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
13. Volunteer fire departments.

14. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

The following are permitted accessory uses in the R-H-ED 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District. Accessory structures are subject to the requirements of Section 128.0.A.
2. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
3. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
4. Home occupations, subject to the requirements of Section 128.0.C.

5. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 4.b above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
6. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
7. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
8. Snowball stands, subject to the requirements of Section 128.0.D.
9. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
10. **ACCESSORY GROUND-MOUNT SOLAR COLLECTORS.**

SECTION 112.0: - R-A-15 (Residential: Apartments) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. Single-family attached dwelling units.
3. Apartment units.
4. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Convents and monasteries used for residential purposes.
7. Government structures, facilities and uses, including public schools and colleges.
8. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are

included within recorded covenants and liens which govern and provide financial support for operations of the facilities.

9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations subject to the requirements of Section 128.0.D.
10. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
11. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
12. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and Section 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
13. Volunteer fire departments.
14. **ROOFTOP SOLAR COLLECTORS**

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District.
2. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
3. The housing by a resident family of
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
4. Home occupations, subject to the requirements of Section 128.0.C.
5. Home care, provided that if home care is combined with housing of mentally or physically disabled persons, or persons 62 years of age or older, as allowed by Subsection 3.b above, the total number of persons receiving home care at one time plus the number of persons being housed shall not exceed eight.
6. Parking:

- a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
- b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
7. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
8. Snowball stands, subject to the requirements of Section 128.0.D.
9. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
10. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 112.1: - R-APT (Residential: Apartments) District

B. Use Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. Apartment units.
3. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
4. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
5. Convents and monasteries used for residential purposes.
6. Government structures, facilities and uses, including public schools and colleges.
7. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operations of the facilities.
8. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations subject to the requirements of Section 128.0.D.

9. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
10. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
11. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
12. Volunteer fire departments.

13. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District.
2. Farm tenant houses, caretakers' cottages and similar uses customarily accessory to agricultural and residential estate uses, provided that these uses shall not be permitted on parcels of less than 50 acres, and further provided that one unit shall be allowed for each 50 acres of that parcel.
3. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
4. Home occupations, subject to the requirements of Section 128.0.C.
5. Home care, provided that if home care is combined with housing of mentally or physically disabled persons, or persons 62 years of age or older, as allowed by Subsection 3.b above, the total number of persons receiving home care at one time plus the number of persons being housed shall not exceed eight.
6. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.

- b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
7. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
8. Snowball stands, subject to the requirements of Section 128.0.D.
9. Small Wind Energy System, building mounted, on single-family detached dwellings and non-residential structures only, subject to the requirements of Section 128.0.L.
10. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 113.1: - R-MH (Residential: Mobile Home) District

B. Uses Permitted as a Matter of Right

1. Mobile homes within mobile home developments.
2. Single-family detached dwellings.
3. Single-family attached dwellings within R-MH Districts of at least 25 acres.
4. Apartment units within R-MH Districts of at least 25 acres. Apartment units are also permitted on sites of less than six acres, if any property adjacent to the site is also developed as apartment units.
5. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
6. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities shall be located within condominium developments or within neighborhoods and communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
7. Underground pipelines; electric transmission and distribution lines; telephone telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
8. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Sections 128.0.E.2 and 128.0.E.3. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
9. Volunteer fire departments.

10. Government structures, facilities and uses, including public schools and colleges.

11. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

The following are permitted accessory uses in the R-MH 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District.
2. The housing of not more than four non-transient roomers or boarders by a resident family.
3. Home occupations, subject to the requirements of Section 128.0.C.
4. Home care.
5. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
6. Management office and maintenance facilities in mobile home parks.
7. Central common laundry facilities in mobile home parks.
8. Convenience establishments of a commercial nature, not including Motor Vehicle Fueling Facility but including stores, day care centers, coin-operated laundries and dry cleaners, beauty and barber shops, may be permitted in mobile home parks, provided that such establishments and the parking areas primarily related to their operations:
 - a. May occupy up to 5% of the area of the park, but in any case, not more than two and one-half acres,
 - b. Shall be subordinate to the residential use and character of the park,
 - c. Shall be located, designed and intended to serve frequent trade or service needs of the residents of the park, and
 - d. Shall present no visible evidence of their commercial character from any portion of any residential district outside the park.
9. Snowball stands, subject to the requirements of Section 128.0.D.
10. Temporary storage of abandoned mobile homes in mobile home parks, provided that:
 - a. This use shall be limited to storage of mobile homes which were occupied and subsequently abandoned by their owners within the mobile home park.

- b. An abandoned mobile home shall be stored for a period of time not to exceed six months.
 - c. Storage areas shall meet the bulk requirements of Section 113.1.D.3.b, except that the minimum required distance between mobile homes shall not apply to the distance between abandoned mobile homes.
 - d. Prior to moving an abandoned mobile home from its site to a storage area, a permit shall be obtained from the Department of Planning and Zoning. The permit application shall include a plan showing the storage area and documentation that the park owner has begun the necessary proceedings in accordance with State law to take possession of and remove the mobile home from the premises.
11. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 113.2: - R-SI (Residential: Senior—Institutional) District

B. Uses Permitted As a Matter Of Right

- 1. Age-Restricted Adult Housing.
- 2. Ambulatory health care facilities, including pharmacies incidental to these uses.
- 3. Athletic Facilities, Commercial.
- 4. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
- 5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
- 6. Day treatment or care facilities.
- 7. Government structures, facilities and uses, including public schools and colleges.
- 8. Museums and libraries.
- 9. Non-profit clubs, lodges, community halls, and camps.
- 10. Nursing homes and residential care facilities.
- 11. Religious facilities, structures and land used primarily for religious activities.

12. ROOFTOP SOLAR COLLECTORS

[[12]] **13.** Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

[[13]] **14.** Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail and service businesses which are located within and primarily serve the residents of a nursing home, residential care facility, or age-restricted adult housing, provided such businesses do not occupy more than 2% of the total floor area of the building or buildings within the development.
4. Private parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 113.3: - I (Institutional) Overlay District

C. Uses Permitted as a Matter of Right

1. Athletic facilities, commercial.
2. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
3. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
4. Government structures, facilities and uses, including public schools and colleges.
5. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J.
6. Museums and libraries.
7. Nonprofit clubs, lodges and community halls.
8. Religious facilities, structures and land used primarily for religious activities.

9. ROOFTOP SOLAR COLLECTORS

[[9]] **10.** Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

[[10]] **11.** Volunteer fire departments.

D. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Private parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
5. Accessory **GROUND-MOUNT** solar collectors.

SECTION 114.1: - R-VH (Residential: Village Housing) District

B. Uses Permitted as a Matter of Right

1. One single-family detached dwelling unit per lot.
2. Single-family attached dwelling units.
3. Apartment units.
4. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
5. Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities shall be located within condominium developments or within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
6. Convents and monasteries used for residential purposes.
7. Government structures, facilities and uses, including public schools and colleges.
8. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
9. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
10. Volunteer fire departments.

11. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

The following are permitted accessory uses in the R-VH 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.

1. Any use normally and customarily incidental to any use permitted as a matter of right in this District.
2. The housing by a resident family of:
 - a. Not more than four non-transient roomers or boarders; or
 - b. Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - c. A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
3. Home occupations, subject to the requirements of Section 128.0.C.
4. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection 2.b above, the total number of persons receiving home care plus persons being housed shall not exceed eight.
5. Parking:
 - a. Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - b. Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
6. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - a. One recreational vehicle with a length of 30 feet or less; and
 - b. One boat with a length of 20 feet or less.
7. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 114.2: - HO (Historic: Office) District

B. Uses Permitted as a Matter of Right

1. Single-family attached dwelling units.
2. Single-family detached dwelling units.
3. Apartment units, only in existing historic structures.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
5. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
6. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
7. Conference centers and bed and breakfast inns.
8. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
9. Convents and monasteries used for residential purposes.
10. Funeral homes and mortuaries.
11. Government structures, facilities and uses, including public schools and colleges.
12. Museums and libraries.
13. Nonprofit clubs, lodges and community halls.
14. Offices, professional and business.
15. Religious facilities, structures, and land used primarily for religious activities.
16. **ROOFTOP SOLAR COLLECTORS**
 - 1[[6]] 7. Service agencies.
 - 1[[7]] 8. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
 - 1[[8]] 9. Schools, commercial.
 - [[19]] 20. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
- 2[[0]] 1. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.

2. Community meeting houses, commercial establishments for receptions and parties.
3. Antennas accessory to a principal use on the lot.
4. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 114.3: - HC (Historic: Commercial) District

B. Uses Permitted as a Matter of Right

1. Single-family attached dwelling units.
2. Apartment units.
3. Antique shops, art galleries, craft shops.
4. Bakeries.
5. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
6. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
7. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all equipment and supplies are enclosed in a building.
8. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
9. Carpet and floor covering stores.
10. Catering establishments and banquet facilities.
11. Clothing and apparel stores with goods for sale or rent.
12. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
13. Convenience stores.
14. Department stores, appliance stores.
15. Drug and cosmetic stores.
16. Food stores.
17. Funeral homes and mortuaries.
18. Furniture stores.
19. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
20. Government structures, facilities and uses, including public schools and colleges.

21. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided that all materials and supplies are enclosed in a building.
22. Hotels, motels, country inns and conference centers.
23. Laundry and dry cleaning establishments, except that pickup and delivery services shall not be provided.
24. Liquor stores.
25. Movie theaters, legitimate theaters and dinner theaters.
26. Museums and libraries.
27. Nonprofit clubs, lodges, community halls.
28. Offices, professional and business.
29. Personal service establishments.
30. Religious facilities, structures and land used primarily for religious activities.

31. ROOFTOP SOLAR COLLECTORS

- 3[[1]] 2. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry and similar items.
- 3[[2]] 3. Restaurants, carryout, including incidental delivery services.
- 3[[3]] 4. Restaurants, fast food.
- 3[[4]] 5. Restaurants, standard, and beverage establishments, including those selling beer, wine and liquor.
- 3[[5]] 6. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 3[[6]] 7. Schools, commercial.
- 3[[7]] 8. Service agencies.
- 3[[8]] 9. Specialty stores.
- [[39]] 40. Taxidermy.
- 4[[0]] 1. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformers units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
41. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Antennas accessory to a principal use on the lot.

3. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
4. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 115.0: - POR (Planned Office Research) District

B. Uses Permitted as a Matter of Right

1. Adult live entertainment establishments, subject to the requirements of Section 128.0.H.
2. Age-restricted adult housing, including retail and personal services uses subject to the requirements of Subsection E.6.
3. Ambulatory health care facilities, including pharmacies incidental to these uses.
4. Animal Hospitals, completely enclosed.
5. Athletic Facilities, Commercial.
6. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
7. Bio-medical laboratories.
8. Blueprinting, printing, duplicating or engraving services.
9. Business machine sales, rental and service establishments.
10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Commercial communication antennas.
14. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
15. Concert halls.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convents and monasteries used for residential purposes.
18. Data processing and telecommunication center.
19. Day treatment or care facilities.
20. Executive golf training and recreation centers.
21. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.

22. Flex space, provided the property is within 1800 feet by road of an interstate highway ramp, and provided that the light manufacturing uses are limited to those uses permitted in the PEC District.
23. Funeral homes and mortuaries.
24. Government structures, facilities and uses, including public schools and colleges.
25. Hospitals, intermediate care facilities and residential treatment centers.
26. Hotels, motels, conference centers and country inns.
27. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J.
28. Legitimate theaters and dinner theaters.
29. Museums and libraries.
30. Nonprofit clubs, lodges and community halls.
31. Nursing homes and residential care facilities.
32. Offices, professional and business.
33. Private parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
34. Radio and television broadcasting facilities and studios. Primary broadcasting transmitting antenna shall not be located on site.
35. Religious facilities, structures and land used primarily for religious activities.
36. Research and development establishments.
37. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.
38. Retail and personal service uses limited to the following, provided that (1) such uses shall be located within a building used primarily for offices or research and development establishments and shall occupy no more than 25% of the floor area of the building or (2) such uses are part of a development of at least 25 acres containing 100,000 square feet or more of office or research and development space and provided that such uses constitute no more than 10% of the floor area of the total development:
 - a. Adult book or video stores, subject to the requirements of Section 128.0.H.
 - b. Personal service establishments.
 - c. Retail stores, limited to food stores, drug and cosmetic stores, convenience stores and specialty stores.
 - d. Restaurants, carryout, including incidental delivery services.
 - e. Restaurants, fast food with no more than a single drive-through lane.
 - f. Laundry and/or dry cleaning.
39. Riding academies and stables.

40. ROOFTOP SOLAR COLLECTORS

- 4[[0]] 1. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 4[[1]] 2. Schools, commercial.
- 4[[2]] 3. Schools, private academic, including colleges and universities.
- 4[[3]] 4. Service agencies.
- 4[[4]] 5. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 45. Volunteer fire departments.

C. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Section 128.0.E.
- 3. Light manufacturing, assembly, repair, servicing, and/or warehousing of electronic, communications, computer, medical, scientific, optical, photographic or technical instruments, equipment and components. Such uses must be accessory to research and development laboratories and may not exceed 50% of the floor area of all buildings located on a lot.
- 4. Housing for hospital or intermediate care facility employees and domiciliary care facilities related to a hospital use.
- 5. Retail and service businesses which are located within and primarily serve the residents of a nursing home, residential care facility, or age-restricted adult housing, provided such businesses do not occupy more than 2% of the total floor area of the building or buildings within the development.
- 6. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, non-commercial recreation facilities.
- 7. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
- 8. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

- 1. Ambulatory health care facilities, including pharmacies incidental to these uses.

2. Athletic Facilities, Commercial.
3. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
4. Biomedical laboratories.
5. Blueprinting, printing, duplicating or engraving services.
6. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
7. Catering establishments and banquet facilities.
8. Child day care centers and nursery schools.
9. Commercial communication antennas.
10. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.
11. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
12. Data processing and telecommunication centers.
13. Day treatment or care facilities.
14. Executive golf training and recreation centers.
15. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
16. Flex space, provided that light manufacturing uses are limited to uses permitted in this district.
17. Golf courses.
18. Government structures, facilities and uses, including public schools and colleges.
19. Hospitals.
20. Hotels, motels, country inns and conference centers.
21. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J.
22. Light Industrial Uses.
23. Museums, art galleries, and libraries.
24. Printing, lithography, bookbinding or publishing plants.
25. Radio and television broadcasting facilities and studios.
26. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only;

27. Riding academies and stables.

28. ROOFTOP SOLAR COLLECTORS

2[[8]] 9. Schools, commercial.

[[29]] 30. Schools, private academic, including colleges and universities.

3[[0]] 1. Service agencies.

3[[1]] 2. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

3[[2]] 3. Volunteer fire departments.

3[[3]] 4. The following commercial uses shall be allowed as a matter of right, provided that the lots on which these uses are located shall not occupy more than 4% of the gross acreage of the development project. In addition, these commercial uses may be located on a lot used primarily for business or professional offices, or for research and development establishments, provided that they occupy no more than 20% of the floor area of any building.

- a. Adult book or video stores, subject to the requirements of Section 128.0.H.
- b. Business machine sales, rental and service establishments;
- c. Convenience stores;
- d. Drug and cosmetic stores;
- e. Laundry and dry cleaning establishments without delivery services;
- f. Liquor stores;
- g. Personal service establishments;
- h. Restaurants, carryout, including incidental delivery services;
- i. Specialty stores;
- j. The retail sale of products manufactured on the site or parts or accessories to products manufactured on the site.

3[[4]] 5. The following retail and personal uses permitted in the B-1 District shall be allowed on lots in a planned development containing a minimum of 500 dwelling units. The gross floor area of retail uses developed under this section shall not exceed 40,000 square feet. For the purpose of this section, a planned development shall include all property under a common master homeowners association.

- a. Animal hospitals, completely enclosed;
- b. Antique shops, art galleries, craft shops;
- c. Bakeries, provided all good baked on the premises shall be sold at retail from the premises;
- d. Bicycle repair shops;

- e. Carpet and floor covering stores;
- f. Clothing and apparel stores with goods for sale or rent;
- g. Convenience stores;
- h. Drug and cosmetic stores;
- i. Farmers markets and farm produce stands;
- j. Food stores;
- k. Laundry and dry cleaning establishments without delivery services;
- l. Liquor stores;
- m. Personal service establishments;
- n. Pet grooming establishments;
- o. Repair or electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items;
- p. Restaurants, carryout, including incidental delivery services;
- q. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4;
- r. Service agencies;
- s. Specialty stores.

C. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Section 128.0.E.
- 3. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
- 4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
- 5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 117.1: - BR (Business: Rural) District

C. Uses Permitted as a Matter of Right

The following uses are permitted as a matter of right, subject to limitations imposed by the preliminary development criteria.

- 1. Animal hospital, completely enclosed.

2. Auction facility.
3. Bicycle sales and repairs.
4. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
5. Contractor's office and indoor or outdoor storage facility, provided that the maximum lot size for such use shall be ten acres. The types of contractors permitted shall include the following: carpentry, construction, electrical, excavating, exterminating, heating/air conditioning, home improvement, landscaping, masonry, painting, paving, plumbing, roofing, septic system installation and maintenance, snow removal, well drilling, and similar uses.
6. Convenience stores, not to exceed 4,000 square feet.
7. Farm machinery and equipment maintenance, repair and painting facilities.
8. Farm machinery and equipment sales.
9. Farm supply store.
10. Farmer's markets and farm produce stands.
11. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
12. Feed or grain mills.
13. Firewood sales.
14. Government structures, facilities and uses, including public schools and colleges.
15. Horse tack and saddlery shop.
16. Lawn and garden equipment sales, service and repair.
17. Livestock sales and auction markets.
18. Motor Vehicle Fueling Facility, provided the use is indicated on the Preliminary Development Plan approved by the Zoning Board.
19. Nonprofit clubs, lodges or community halls.
20. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
21. Processing and storage of agricultural products, including grain, fruit, vegetables, meat or animal products.
22. Religious facilities, structures and land used primarily for religious activities.
23. Restaurant, standard, and beverage establishments including those serving beer, wine, and liquor provided the site has direct access to and frontage on a collector or arterial road designated in the General Plan.
24. Retail greenhouse, garden center or nursery.

25. ROOFTOP SOLAR COLLECTORS

- 2[[5]] 6. Sawmills.
- 2[[6]] 7. School bus storage.
- 2[[7]] 8. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 2[[8]] 9. Underground pipelines; electric transmission and distribution lines and transformers; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- [[29]] 30. Volunteer fire departments.
- 3[[0]] 1. Welding service.

E. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this District.
- 2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Section 128.0.e.
- 3. Retail sale of propane on the site of a principal retail business.
- 4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
- 5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 117.3: - OT (Office Transition) District

C. Uses Permitted as a Matter of Right

- 1. Animal hospitals, completely enclosed.
- 2. Antique shops, art galleries, craft shops.
- 3. Athletic facility, commercial, limited to: dance, martial arts, and yoga studios.
- 4. Bakeries.
- 5. Bicycle sales and repair.
- 6. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
- 7. Child day care centers and nursery schools.
- 8. Clothing and apparel stores with goods for sale or rent.
- 9. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4.

10. Day treatment and care facilities.
11. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
12. Government structures, facilities and uses, including public schools and colleges.
13. One square-foot of residential space is permitted for each square-foot of commercial space and must be located within the same structure.
14. Offices, professional and business.
15. Pet grooming establishments and day care, completely enclosed.
16. Personal service establishments, provided the floor area of such uses does not exceed 50% of the floor area of all non-residential uses on the approved OT site development plan.
17. Repair and sales of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.

18. ROOFTOP SOLAR COLLECTORS

- 1[[8]] 9. Service agencies.
- [[19]] 20. Specialty store, limited to: florists, consignment shops, tailor, cobbler, and musical instrument sales.
- 2[[0]] 1. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

D. Accessory Uses

Any use normally and customarily incidental to any use permitted as a matter of right in this district

1. ACCESSORY GROUND-MOUNT SOLAR COLLECTORS

SECTION 117.4: - CCT (Community Center Transition) District

B. Uses Permitted As a Matter Of Right

1. Age-restricted adult housing.
2. Ambulatory health care facilities, including pharmacies incidental to these uses.
3. Athletic Facilities, Commercial.
4. Banks, saving and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
5. Bio-medical laboratories.
6. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.

7. Child day care centers and nursery schools.
8. Commercial communication antennas.
9. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.
10. Concert halls.
11. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
12. Data processing and telecommunication center.
13. Day treatment or care facilities.
14. Funeral homes and mortuaries.
15. Government structures, facilities and uses, including public schools and colleges.
16. Legitimate theaters and dinner theaters.
17. Museums and libraries.
18. Nonprofit clubs, lodges, community halls, and camps.
19. Nursing homes and residential care facilities.
20. Offices, professional and business.
21. Religious facilities, structures and land used primarily for religious activities.

22. ROOFTOP SOLAR COLLECTORS

- 2[[2]] 3. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 2[[3]] 4. Schools, commercial.
- 2[[4]] 5. Schools, private academic, including colleges and universities.
- 2[[5]] 6. Service agencies.
- 2[[6]] 7. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 2[[7]] 8. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail and service businesses which are located within and primarily serve the residents of a nursing home, residential care facility, or age-restricted adult housing, provided such

businesses do not occupy more than 2% of the total floor area of the building or buildings within the development.

4. Private parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
5. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
6. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 118.0: - B-1 (Business: Local) District

B. Uses Permitted as a Matter of Right

1. Adult book or video stores, subject to the requirements of Section 128.0.H.
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
10. Carpet and floor covering stores.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Clothing and apparel stores with goods for sale or rent.
14. Commercial communication antennas.
15. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convenience stores.

18. Convents and monasteries used for residential purposes.
19. Day treatment or care facilities.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
23. Food stores.
24. Funeral homes and mortuaries.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.
28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
29. Hotels, motels, country inns and conference centers on parcels at least 1.5 acres in area.
30. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
31. Lawn and garden sheds and equipment sales, maintenance and repair.
32. Liquor stores.
33. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
34. Motor vehicle parts or tire stores, without installation facilities.
35. Museums and libraries.
36. Nonprofit clubs, lodges, community halls.
37. Nursing homes and residential care facilities, in the Non-Planned Service Area for Water and Sewerage.
38. Offices, professional and business.
39. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
40. Personal service establishments.
41. Pet grooming establishments and daycare, completely enclosed.
42. Religious facilities, structures and land used primarily for religious activities.

- 43. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
- 44. Restaurants, carryout, including incidental delivery service.
- 45. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
- 46. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
- 47. ROOFTOP SOLAR COLLECTORS**
- 4[[7]] **8.** Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 4[[8]] **9.** Schools, Commercial.
- [[49]] **50.** Schools, private academic, including colleges and universities.
- 5[[0]] **1.** Service agencies.
- 5[[1]] **2.** Specialty stores.
- 5[[2]] **3.** Swimming pools, commercial or community.
- 5[[3]] **4.** Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 5[[4]] **5.** Volunteer fire departments.

C. Accessory Uses

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
- 3. Retail sale of propane on the site of a principal retail business.
- 4. Snowball stands, subject to the requirements of Section 128.0.D.
- 5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
- 6. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
- 7. Accessory **GROUND-MOUNT** Solar Collectors.
- 8. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 119.0: - B-2 (Business: General) District

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.0.H.
2. Ambulance services.
3. Ambulatory health care facilities.
4. Amusement facilities.
5. Animal hospitals, completely enclosed.
6. Antique shops, art galleries, craft shops.
7. Athletic Facilities, Commercial.
8. Auction facilities.
9. Bakeries.
10. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
11. Bicycle repair shops.
12. Blueprinting, printing, duplicating or engraving services.
13. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all supplies and equipment are enclosed within a building.
14. Bulk retail stores.
15. Bus terminals.
16. Business machine sales, rental and service establishments.
17. Car wash facilities.
18. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
19. Carpet and floor covering stores.
20. Carpet and rug cleaning.
21. Catering establishments and banquet facilities.
22. Child day care centers and nursery schools.
23. Clothing and apparel stores with goods for sale or rent.
24. Commercial communication antennas.
25. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
26. Concert halls.
27. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.

28. Convents and monasteries used for residential purposes.
29. Convenience stores.
30. Day treatment or care facilities.
31. Department stores, appliance stores.
32. Drug and cosmetic stores.
33. Fairgrounds.
34. Farmers markets and farm produce stands.
35. Farm supply stores.
36. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
37. Firewood sales.
38. Flea markets, indoor.
39. Food stores.
40. Funeral homes and mortuaries.
41. Furniture stores.
42. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
43. Government structures, facilities and uses, including public schools and colleges.
44. Hardware stores.
45. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements.
46. Hotels, motels, country inns and conference centers.
47. Kennels.
48. Laundry and/or dry cleaning establishments.
49. Lawn and garden sheds and equipment sales, maintenance and repair.
50. Liquor stores.
51. Livestock sales and auction markets.
52. Lumber yard for the retail sale of lumber and other building materials and supplies.
53. Mobile home and modular home sales and rentals, but not including occupancy.
54. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
55. Motor vehicle, construction equipment and farm equipment sales and rentals.

56. Motor vehicle inspections stations.
57. Motor vehicle parts or tire store, including installation facilities.
58. Movie theaters, legitimate theaters, dinner theaters.
59. Museums and libraries.
60. Nonprofit clubs, lodges, community halls.
61. Nursing homes and residential care facilities.
62. Offices, professional and business.
63. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
64. Personal service establishments.
65. Pet grooming establishments and daycare, completely enclosed.
66. Pizza delivery service and other services for off-site delivery of prepared food.
67. Recreation Facilities, Commercial.
68. Recreational vehicle, marine equipment and boat sales, maintenance and repair facilities.
69. Recycling collection facilities.
70. Religious facilities, structures and land used primarily for religious activities.
71. Rental centers which rent a variety of goods including equipment and tools.
72. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
73. Restaurants, carryout.
74. Restaurants, fast food.
75. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
76. Retail greenhouses, garden centers and nurseries.

77. ROOFTOP SOLAR COLLECTORS

- 7[[7]] **8.** Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 7[[8]] **9.** Schools, commercial.
- [[79]] **80.** Schools, private academic, including colleges and universities.
- 8[[0]] **1.** Service agencies.
- 8[[1]] **2.** Specialty stores.
- 8[[2]] **3.** Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.
- 8[[3]] **4.** Taxidermies.

8[[4]] 5. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

8[[5]] 6. Volunteer fire departments.

8[[6]] 7. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

(Bill No. 38-2018(ZRA-182), § 1, 8-8-2018)

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of Section 128.0.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
6. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
7. Accessory **GROUND-MOUNT** Solar Collectors.
8. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 120.0: - SC (Shopping Center) District

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.0.H.
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold retail from the premises.
6. Banks, savings and loan association, investment companies, credit bureaus, brokers, and similar financial institutions.

7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services, limited to 2,000 square feet of net floor area.
9. Business machine sales, rental and service establishments.
10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.3.
11. Carpet and floor covering stores.
12. Catering establishments and banquet facilities.
13. Child day care centers and nursery schools.
14. Clothing and apparel stores with goods for sale or rent.
15. Commercial communication antennas.
16. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
17. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
18. Day treatment or care facilities.
19. Department stores, appliance stores.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.
23. Food stores.
24. Funeral homes.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Furniture stores.
27. Government structures, facilities and uses, including public schools and colleges.
28. Hardware stores.
29. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
30. Housing Commission Housing Developments, subject to the requirements of Section 128.0.K.

31. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
32. Lawn and garden equipment sales, maintenance and repair.
33. Liquor stores.
34. Motor vehicle maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
35. Motor vehicle parts or tire store, including installation facilities.
36. Movie theaters, legitimate theaters, dinner theaters.
37. Museums and libraries.
38. Nonprofit clubs, lodges, community halls.
39. Offices, professional and business.
40. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
41. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
42. Pet grooming establishments and daycare, completely enclosed.
43. Pizza delivery services and other services for off-site delivery of prepared food.
44. Recycling collection facilities.
45. Religious activities, structures used primarily for.
46. Rental centers which rent a variety of goods including equipment and tools.
47. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
48. Restaurants, carryout.
49. Restaurants, fast food.
50. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
51. Retail greenhouses, garden centers and nurseries.
52. **ROOFTOP SOLAR COLLECTORS**
- 5[[2]] **3.** Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4.
- 5[[3]] **4.** Service agencies.
- 5[[4]] **5.** Specialty stores.
- 5[[5]] **6.** Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

5[[6]] 7. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas accessory to a principal use on the lot. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of Section 128.0.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
6. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.M.
7. **ACCESSORY GROUND-MOUNT SOLAR COLLECTORS.**

SECTION 122.0: - M-1 (Manufacturing: Light) District

B. Uses Permitted as a Matter of Right

1. Ambulance services.
2. Ambulatory health care facilities.
3. Athletic facilities, commercial.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
5. Biodiesel fuel manufacturing from vegetable-based oils.
6. Biomedical laboratories.
7. Blueprinting, printing, duplicating or engraving services.
8. Breweries that manufacture 22,500 barrels or less of fermented malt beverages per year.
9. Bus terminals.
10. Carpet and floor covering stores.
11. Car wash facilities.
12. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
13. Carpet and rug cleaning.
14. Catering establishments and banquet facilities.
15. Child day care centers and nursery schools.
16. Concert halls.

17. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
18. Contractor's office and outdoor or indoor storage facility, including carpentry, cleaning, construction, electrical, excavation, exterminating, heating/air conditioning, home improvement, landscaping, masonry, painting, paving, plumbing, roofing, septic system, snow removal, well drilling, and other contractors.
19. Data processing and telecommunication centers.
20. Day treatment or care facilities.
21. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
22. Flex-space.
23. Funeral homes and mortuaries.
24. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
25. Furniture stores.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hotels, motels, conference centers and country inns.
28. Kennels.
29. Laundry or dry cleaning establishments or plants.
30. Light Industrial Uses.
31. Material recovery facilities—source separated.
32. Mobile home and modular home sales and rentals, but not including occupancy.
33. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repair and incidental sale of parts.
34. Motor vehicle, construction equipment and farm equipment sales and rentals.
35. Motor vehicle inspections station.
36. Motor vehicle towing and storage facility.
37. Mulch manufacture.
38. Nonprofit clubs, lodges, community halls.
39. Offices, professional and business.
40. Pawn Shops.
41. Pet grooming establishments and daycare, completely enclosed.
42. Photographic processing plants.
43. Pizza delivery services and other services for off-site delivery of prepared food.

44. Printing, lithography, bookbinding or publishing.
45. Public utility uses, limited to the following:
 - a. Utility substations, provided that all uses are set back at least 50 feet from lot lines.
 - b. Above ground pipelines.
 - c. Pumping stations and compression stations.
 - d. Telecommunication equipment facilities.
 - e. Commercial communications antennas.
 - f. Commercial communication towers, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
46. Recreation facilities, commercial
47. Recycling collection facilities.
48. Religious facilities, structures and land used primarily for religious activities.
49. Research and development establishments.
50. Restaurants, carryout.
51. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.
52. Retail centers. Retail centers to serve the employees and users of projects within this zoning district are permitted within projects of at least 200 acres when such centers conform to the requirements set forth below.
 - a. Purpose: The purpose of such retail centers is to provide employees and users of development in this zoning district with conveniently located commercial, retail and personal services; to reduce the need for vehicle trips off and onto the site to obtain such services; to provide employees and users with the useable open space and amenities associated with such services (e.g., outdoor eating areas); and to make more efficient use of the site by clustering together related retail, commercial and service activities in retail centers which typically would not exceed 40,000 square feet of gross floor area.
 - b. Uses permitted by right in such retail centers include any combination of the retail, commercial or service uses permitted by right in this district plus the following uses:
 - (1) Newsstand.
 - (2) Convenience store.
 - (3) Personal service establishments.
 - (4) Specialty stores.
 - (5) Telegraph offices, express mail, and messenger services.
 - (6) Travel bureaus.
 - (7) Drug and cosmetic stores.

- c. Minimum requirements and conditions: Retail centers incorporating the uses cited in paragraph b. above shall be permitted within this zoning district when they meet the following conditions:
 - (1) Minimum project size shall be 200 gross acres and such projects shall have a continuous internal road system.
 - (2) The retail center(s) lot shall not occupy, in the aggregate, more than 2% of the gross acreage of the project.
 - (3) Development of the retail center(s) shall be phased in with the development of permitted uses within the project so that at no time shall the aggregate floor area of the improvements in the retail center(s) exceed 10% of the total aggregate floor area of improvements for permitted uses either constructed or being constructed pursuant to approved Site Development Plans.
 - (4) Retail center(s) may not be located on a lot that fronts on or abuts any street or highway unless such street or highway is internal to the project. All access to the retail center(s) shall be from interior streets within the project. The distance from any lot line of the retail center lot to the nearest street or highway right-of-way external to the project shall be no less than 500 feet and signage for the center shall not be oriented to such external streets.

53. Retail, limited:

For any manufacturing plant or warehouse permitted in the M-1 District, retail sales may be permitted, provided that:

- a. The products sold are either manufactured on the site, sold as parts or accessories to products manufactured on the site, or stored or distributed on the site;
- b. Not more than 30% of the floor space of the first floor of the main structure may be devoted to the retail sales of articles made, stored or distributed on the premises; and
- c. Any service facilities are limited to the repair and/or service of products manufactured, stored or distributed by the owner or lessee of the site.

Nothing herein contained shall be construed to permit the operation of general retail sales businesses.

54. **ROOFTOP SOLAR COLLECTORS**

- 5[[4]] 5. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 5[[5]] 6. Sawmills.
- 5[[6]] 7. School bus, boat and recreational vehicle storage facilities.
- 5[[7]] 8. Schools, commercial.
- 5[[8]] 9. Schools, private academic, including colleges and universities.
- [[59]] 60. Self storage facilities.
- 6[[0]] 1. Sign making shops.

- 6[[1]] 2. Special Hospitals—Psychiatric.
- 6[[2]] 3. Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.
- 6[[3]] 4. Taxidermies.
- 6[[4]] 5. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units, telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 6[[5]] 6. Volunteer fire departments.
- 6[[6]] 7. Warehouses, truck terminals, and moving and storage establishments.
- 6[[7]] 8. Wholesale sale and storage of building materials and supplies, including storage yards for lumber, bricks, masonry blocks, construction equipment, plumbing and electrical supplies.

(Bill No. 20-2014(ZRA-149), § 1, 8-4-2014)

C. **Accessory Uses**

- 1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
- 2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
- 3. The following retail and service uses, on a lot used primarily for multistory business or professional offices, provided the total gross floor area of all such establishments on a lot shall not exceed 2,000 square feet and shall not exceed 10% of the total floor space of the principal use:
 - a. Personal service establishments.
 - b. Service agencies.
 - c. Retail establishments, limited to the following: convenience stores, food stores, drug and cosmetic stores and specialty stores.
- 4. Flea markets, provided that: a permit is issued by the Department of Planning and Zoning; sufficient parking exists on the site; the site has direct access to a major collector or arterial highway; and the flea market use is limited to weekends and national holidays.
- 5. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.
- 6. Accessory **GROUND-MOUNT** Solar Collectors.
- 7. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 123.0: - M-2 (Manufacturing: Heavy) District

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. The following retail and service uses, on a lot used primarily for multistory business or professional offices, provided the total gross floor area of all such establishments on a lot shall not exceed 2,000 square feet and shall not exceed 10% of the total floor space of the principal use:
 - a. Personal service establishments.
 - b. Service agencies.
 - c. Retail establishments, limited to the following: convenience stores, food stores, drug and cosmetic stores and specialty stores.
4. Child day care centers.
5. Retail establishments for the sale of items directly related to a principal manufacturing use, provided that the floor area of the retail establishments shall not exceed 2,000 square feet or 10% of the total floor area of the related principal use, whichever is less.
6. Flea markets, provided that: a permit is issued by the Department of Planning and Zoning; sufficient parking exists on the site; the site has direct access to a major collector or arterial highway; and the flea market use is limited to weekends and national holidays.
7. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
8. Small Wind Energy System, building mounted, subject to the requirement of Section 128.0.L.
9. Accessory **GROUND-MOUNT** Solar Collectors.
10. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 124.0: - SW (Solid Waste) Overlay District

C. Uses Permitted as a Matter of Right if the Underlying District is M-1:

1. Material recovery facilities.
2. **ROOFTOP SOLAR COLLECTORS**
- [[2]] 3. Waste transfer stations.

- [[3]] 4. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.

D. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Retail sale of items produced on the site.
3. Recycling collection facilities.
4. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 126.0: - PGCC (Planned Golf Course Community) District

B. Uses Permitted as a Matter of Right

There shall be two subdistricts in the PGCC District: The PGCC-1 or Residential Subdistrict and the PGCC-2 or Multi-use Subdistrict. Delineation of the subdistrict boundaries shall be determined by the Zoning Board and shall be shown on the zoning map of Howard County.

1. The following uses shall be permitted as a matter of right in both the Residential Subdistrict and in the Multi-use Subdistrict.
 - a. One single-family detached unit per lot.
 - b. One zero lot line unit per lot.
 - c. Single-family attached dwelling units.
 - d. Apartment units.
 - e. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
 - f. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
 - g. Government buildings, facilities and uses, including public schools and colleges.
 - h. Private recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within condominium developments or within communities with recorded covenants and liens which govern and provide financial support for operation of the facilities.
 - i. Golf courses and country clubs.
 - j. Riding academies and stables.
 - k. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.

- l. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- m. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
- n. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.
- o. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
- p. Volunteer fire departments.

R. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

1. The following are permitted as accessory uses to residential uses in the PGCC 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.
 - a. Any use normally and customarily incidental to any use permitted as a matter of right.
 - b. Accessory apartments, provided that:
 - (1) The area of the lot is at least 12,000 square feet.
 - (2) Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment.
 - (3) The accessory apartment shall have no more than two bedrooms.
 - c. The housing by a resident family of:
 - (1) Not more than four non-transient roomers or boarders; or
 - (2) Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - (3) A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
 - d. Home occupations, subject to the requirements of Section 128.0.C.
 - e. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection c.(2) above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
 - f. Parking:

- (1) Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - (2) Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
- g. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - (1) One recreational vehicle with a length of 30 feet or less; and
 - (2) One boat with a length of 20 feet or less.
 - h. Farm produce stand, not to exceed 300 square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc, grown or produced on the lot or by the owner of the lot on which such structure is located. Appropriate on-site parking spaces shall be provided.
 - i. Snowball stands, subject to the requirements of Section 128.0.D.
 - j. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L
 - k. Accessory **GROUND-MOUNT** Solar Collectors.
2. The following are permitted as accessory uses to nonresidential uses in the PGCC District:
 - a. Any use normally and customarily incidental to any use permitted as a matter of right.
 - b. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.E.0.2 and 128.0.E.3.
 - c. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.0: - MXD (Mixed Use) Districts

C. Requirements for Mixed Use Development

4. Permitted Uses
 - a. The use of land in a Mixed Use Development shall be limited to the permitted uses specified in the approved Preliminary Development Plan and Preliminary Development Criteria. The uses permitted by the Preliminary Development Plan shall be limited to the uses listed in this Subsection and shall comply with the restrictions given in Subsections 5 through 9 below. The permitted uses allowed by the Preliminary Development Plan may be limited to a portion of the uses listed below.
 - b. For Mixed Use Developments larger than 75 acres, the permitted uses shall be drawn from the following list:

- (1) Uses permitted as a matter of right in the POR, B-1 and M-1 Districts, excluding Housing Commission Housing Developments on non-residential land.
 - (2) One single-family detached dwelling unit per lot.
 - (3) One zero lot line dwelling unit per lot.
 - (4) Single-family attached dwelling units.
 - (5) Apartments.
 - (6) Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
 - (7) Two-family dwellings.
 - (8) Cemeteries and mausoleums.
 - (9) Country clubs and golf courses.
 - (10) Fast food restaurants.
 - (11) Motor Vehicle Fueling Facility, provided the use is indicated on the Preliminary Development Plan approved by the Zoning Board and criteria for the use are specified in the Preliminary Development Criteria approved by the Zoning Board. A Site Development Plan for a Motor Vehicle Fueling Facility shall be subject to Planning Board approval in accordance with Section 127.0.G.
 - (12) Movie theaters, legitimate theaters, dinner theaters.
 - (13) Public utility uses, including substations and commercial communication towers.
 - (14) **ROOFTOP SOLAR COLLECTORS**
 - (1[[4]] 5) Other uses, similar to those above, approved by the Zoning Board on the Preliminary Development Plan.
- c. For Mixed Use Developments of 75 acres or smaller, the permitted uses shall be drawn from the following list:
- (1) Uses permitted as a matter of right in the POR and B-1 Districts, excluding Housing Commission Housing Developments on non-residential land.
 - (2) One single-family detached dwelling unit per lot.
 - (3) One zero lot line dwelling unit per lot.
 - (4) Single-family attached dwelling units.
 - (5) Apartments.
 - (6) Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within

communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.

- (7) Two-family dwellings.
- (8) Movie theaters, legitimate theaters, dinner theaters.

(9) ROOFTOP SOLAR COLLECTORS

(((9))) **10** Other uses, similar to those above, approved by the Zoning Board on the Preliminary Development Plan.

- d. Uses permitted only in the R-MH or M-2 District shall not be permitted in the MXD-3 or MXD-6 District.
- e. The Preliminary Development Criteria may specify that particular uses are permitted only if certain stated conditions or criteria are met. The Preliminary Development Criteria shall authorize the Planning Board to determine whether the required conditions or criteria are met following a public hearing, according to the procedures established in Section 127.0.G.

SECTION 127.1: - PSC (Planned Senior Community) District

E. Accessory Uses

- 1. Services and businesses that serve the residents of the PSC District, including recreational, educational, health, personal, professional and business services and retail stores.
- 2. Home occupations, subject to the requirements of Section 128.0.C.
- 3. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
- 4. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.2: - CE (Corridor Employment) District

B. Uses Permitted as a Matter of Right

- 1. Ambulatory health care facilities.
- 2. Animal hospitals, completely enclosed.
- 3. Athletic facilities, commercial.
- 4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions without drive-through lanes.
- 5. Biomedical laboratories.
- 6. Blueprinting, printing, duplicating or engraving services.
- 7. Breweries that manufacture 22,500 barrels or less of fermented malt beverages per year.

8. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
9. Catering establishments and banquet facilities.
10. Child day care centers and nursery schools.
11. Commercial communication antennas.
12. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and 128.0.E.3.
13. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
14. Data processing and telecommunication centers.
15. Day treatment or care facility.
16. Flex space.
17. Food and drink production, processing, packaging and distribution for dairy products, food products, bakery products, nonalcoholic beverages, spices, ice and meats, excluding slaughtering.
18. Furniture, appliance and business machine repair, furniture upholstery and similar services.
19. Government structures, facilities and uses, including public schools and colleges.
20. Hotels, motels, conference centers, and country inns.
21. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J
22. Laundry or dry cleaning establishments.
23. Light industrial uses.
24. Nonprofit clubs, lodges, community halls.
25. Offices, professional and business.
26. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.4.
27. Pet grooming establishments and day care, completely enclosed.
28. Photographic processing plants.
29. Printing, lithography, bookbinding or publishing.
30. Recreation facilities, commercial.
31. Religious facilities, structures and land used primarily for religious activities.
32. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
33. Research and development establishments.

34. Restaurants, carryout.
35. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.

36. ROOFTOP SOLAR COLLECTORS

- 3[[6]] 7. Schools, commercial
- 3[[7]] 8. Schools, private academic, including colleges and universities.
- 3[[8]] 9. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- [[39]] 40. Service agencies.
- 4[[0]] 1. Sign-making shops
- 4[[1]] 2. Transitional Mobile Home Parks which meet the requirements of Section 127.2.
- 4[[2]] 3. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 4[[3]] 4. Volunteer fire departments.

D. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Private parks, swimming pools, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.3: - CLI (Continuing Light Industrial) Overlay District

C. Uses Permitted as a Matter Of Right

The following uses are permitted as a matter of right in the CLI Overlay District:

1. Warehouse, manufacturing, assembly or processing uses permitted in the M-1 District and accessory uses thereto.
2. Uses allowed in the underlying district.
3. Furniture stores.

4. Retail, limited accessory:

For any manufacturing or warehouse use permitted in the M-1 District, accessory retail sales may be permitted, provided that:

- a. The products sold are either manufactured or distributed on the site;
- b. Not more than 30% of the floor space of the first floor of the main structure may be devoted to the retail sales of articles made or distributed on the premises; and
- c. Any service facilities are limited to the repair and/or service of products manufactured or distributed by the owner or lessee of the site.

Nothing herein shall be construed to permit the operation of general retail sales businesses.

5. Material recovery facilities—source separated.
6. Recycling collection facilities.
7. **ROOFTOP SOLAR COLLECTORS**

SECTION 127.4: - TOD (Transit Oriented Development) District

B. Uses Permitted as a Matter of Right

1. Ambulatory health care facilities, including pharmacies incidental to these uses.
2. Athletic facilities, commercial.
3. Biomedical laboratories.
4. Commercial communication antennas.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Data processing and telecommunication centers.
7. Dwellings, apartment.
8. Dwellings, single-family attached.
9. Flex space.
10. Government structures, facilities and uses, including public schools and colleges.
11. Horse racetrack facilities.
12. Hotels, motels, country inns and conference centers.
13. Industrial Uses, light, provided that: The property is at least 30 acres or greater and fronts on and has direct access to an arterial or collector highway; adjoins other properties developed with existing light industrial uses; the light industrial use is principally conducted within a building with a maximum building height of 50 feet; the proposed industrial development does not include a proposal for any dwelling units within the same

project; and; the light industrial development is at the periphery of the TOD District, well separated from the MARC Station.

14. Offices, professional and business.
15. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.
16. Religious facilities, structures and land used primarily for religious activities.
17. Research and development establishments.
18. Restaurants, carryout, including incidental delivery services.
19. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.

20. ROOFTOP SOLAR COLLECTORS

- 2[[0]] 1. Schools, commercial.
- 2[[1]] 2. Schools, private academic, including colleges and universities.
- 2[[2]] 3. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 2[[3]] 4. Volunteer fire departments.
{Council Bill 1-2014(ZRA-147)Effective 4/7/2014}

D. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Private parks, swimming pools, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
3. Home occupations, subject to the requirements of Section 128.C.
4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.5: - CAC (Corridor Activity Center) District

B. Uses Permitted as a Matter of Right

1. Ambulatory health care facilities.
2. Animal hospitals, completely enclosed.
3. Antique shops, art galleries, craft shops.
4. Athletic facilities, commercial
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions without a drive-through except that single lane drive-through

service shall be permitted for one establishment within the project if the drive-through service area is not visible from Route 1.

7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.3.
10. Child day care centers and nursery schools.
11. Clothing and apparel stores with goods for sale or rent.
12. Commercial communication antennas.
13. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
14. Convenience stores.
15. Day treatment or care facilities.
16. Drug and cosmetic stores.
17. Dwellings, apartment and single-family attached, only within a Route 1 Corridor development project with at least 2 gross acres of CAC-zoned land or less than 2 gross acres if: (1) the subject property is contiguous along at least 75% of its perimeter to a CAC development that has received final approval of a Sketch Plan or Site Development Plan; (2) no additional CAC-zoned land directly adjoins the subject property; and (3) the development of the subject property shall be compatible with the land use, site planning and architectural character of the contiguous CAC development. If the project site is 2 gross acres or greater of CAC zoned land, then the project must include more than one residential unit type.
18. Farmers markets.
19. Flex Space.
20. Food stores.
21. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
22. Government structures, facilities and uses, including public schools and colleges.
23. Hardware stores.
24. Hotels, motels, country inns and conference centers.
25. Laundry and/or dry cleaning establishments.
26. Liquor stores.
27. Museums and libraries.
28. Nonprofit clubs, lodges, community halls.

29. Nursing homes and residential care facilities.
30. Offices, professional and business.
31. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.4.
32. Personal service establishments.
33. Pet grooming establishments and daycare, completely enclosed.
34. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
35. Restaurants, carryout, including incidental delivery service.
36. Restaurants, fast food without a drive-through.
37. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.

38. ROOFTOP SOLAR COLLECTORS

- 3[[8.]] 9 Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4.
- [[39]] 40. Schools, commercial.
- 4[[0]] 1. Schools, private academic, including colleges and universities.
- 4[[1]] 2. Service agencies.
- 4[[2]] 3. Specialty stores.
- 4[[3]] 4. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
44. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Home occupations, subject to the requirements of Section 128.0.C.
3. Private parks, swimming pools, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
4. Retail sale of propane on the site of a principal retail business.
5. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
6. Snowball stands, subject to the requirements of Section 128.D.5.
7. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.6: - TNC (Traditional Neighborhood Center) Overlay District

C. Uses Permitted as a Matter of Right

1. Age-restricted adult housing, if the additional requirements for age-restricted adult housing set forth in the POR District are met.
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Athletic facilities, commercial.
6. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
7. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions, without a drive-through, except that one lane drive-through service shall be permitted on sites within a Route 40 corridor development project encompassing at least 20 gross acres of land in the TNC District provided that there shall be no portion of drive-through service visible from a public road and the drive-through service shall be appropriately buffered from adjoining residential property.
8. Bicycle repair shops.
9. Blueprinting, printing, duplicating or engraving services limited to 5,000 square feet of net floor area.
10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
11. Child day care centers and nursery schools.
12. Clothing and apparel stores with goods for sale or rent.
13. Commercial communication antennas.
14. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
15. Convenience stores.
16. Day treatment or care facilities.
17. Drug and cosmetic stores, without a drive-through, except that one lane drive-through service shall be permitted on sites within a Route 40 corridor development project encompassing at least 20 gross acres of land in the TNC District provided that there shall be no portion of drive-through service visible from a public road and the drive-through service shall be appropriately buffered from adjoining residential property.
18. Dwellings, apartment and single-family attached, only within a Route 40 corridor development project with at least 2 gross acres of TNC-zoned land.
19. Farmers markets.
20. Food stores.

21. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
22. Government structures, facilities and uses, including public schools and colleges.
23. Hardware stores.
24. Hotels, motels, country inns and conference centers.
25. Laundry or dry cleaning establishments.
26. Liquor stores.
27. Museums and libraries.
28. Nonprofit clubs, lodges, community halls.
29. Offices, professional and business.
30. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.
31. Personal service establishments.
32. Pet grooming establishments and daycare, completely enclosed.
33. Recreation Facilities, Commercial including bowling centers, billiard or pool centers, children's party and play spaces, laser-tag facilities, computer gaming centers, golf driving ranges, miniature golf, water slides, paintball, and similar uses.
34. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
35. Restaurants, carryout, including incidental delivery service.
36. Restaurants, fast food, in a building without a drive-through.
37. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
- 38. ROOFTOP SOLAR COLLECTORS**
- 3[[8]] **9.** Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- [[39]] **40.** Schools, commercial.
- 4[[0]] **1.** Schools, private academic, including colleges and universities.
- 4[[1]] **2.** Service agencies.
- 4[[2]] **3.** Specialty stores.
44. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar
45. Volunteer fire departments.

D. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.

2. Home occupations, subject to the requirements of Section 128.0.C.
3. Private parks, swimming pools, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
4. Retail sale of propane on the site of a principal retail business.
5. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
6. Snowball stands, subject to the requirements of Section 128.0.D.
7. Accessory **GROUND-MOUNT** Solar Collectors.

Sec. 128.0.A.12

Regulations for detached accessory structures on residentially zoned lots developed with single-family detached dwellings

a. Size restrictions

(1) The maximum cumulative lot coverage permitted for all of the accessory structures located on any given residential lot developed with a single-family detached dwelling is:

- (a) 600 square feet for a lot in the planned public water and sewer service area.
- (b) 1,200 square feet for a lot in the RC or RR district which is 2 acres or less
- (c) 2,200 square feet for a lot in the RC or RR district which is greater than 2 acres.

(2) The cumulative lot coverage restrictions cited above shall apply to all accessory structures on any residentially zoned lot developed with a single-family detached dwelling, excepting only legitimate farm buildings located on properties meeting the definition of "farm", shipping containers used as accessory storage structures, and swimming pools. Farm structures, shipping containers used as accessory storage structures, and swimming pools are not subject to size restrictions; however, they must be subordinate and incidental to the principal use.

(3) ACCESSORY GROUND MOUNT SOLAR COLLECTORS SHALL NOT COUNT TOWARD THE LOT COVERAGE REQUIREMENT PROVIDED THEY DO NOT COVER MORE THAN 3% OF THE LOT.

b. Restrictions for accessory structures

Full baths, full kitchens, residential habitation and commercial uses are not permitted in accessory structures

Sec. 131.0.N

Conditional Use	Zoning Districts																													
	RC	RR	RE	R-20	R-12	RS	R-SA-8	R-HE-15	R-A-15	R-APT	R-MH	R-SI	R-VH	CC	TD	CA	TN	PGC	HO	HC	POR	PEC	BC	OT	B-1	B-2	CS	M-1	M-2	CE
Solar COLLECTOR Facility, Commercial GROUND-MOUNT	✓	✓																			✓	✓			✓	✓		✓	✓	✓

Sec. 131.0.N.52

Solar COLLECTOR Facility, Commercial GROUND MOUNT

A Conditional Use may be granted in the **B-1, B-2, CE, M-1, M-2, PEC, POR, RC, RR** Districts for a commercial **GROUND MOUNT** solar **COLLECTOR** facility, provided that:

- a. The maximum size of a solar facility shall be 75 acres notwithstanding the size of the parcel **HOWEVER, ON PARCELS WHICH ARE IN THE AGRICULTURAL LAND PRESERVATION PROGRAM, THE MAXIMUM SIZE SHALL BE 16 ACRES OR 34% OF THE PROPERTY, WHICHEVER IS LESS.** The parcel on which the commercial **GROUND-MOUNT** solar **COLLECTOR** facility is proposed must be a minimum of 10 acres in size.
- b. All structures and uses must meet a minimum 50-foot setback from all property lines.
- c. No structure or use may be more than 20 feet in height.
- d. A 'Type D' landscaping buffer must be provided around the perimeter of the proposed commercial **GROUND-MOUNT** solar **COLLECTOR** facility unless the Hearing Authority determines that an alternative buffer is sufficient.
- e. All security fencing must be located between the landscaping buffer and the commercial **GROUND-MOUNT** solar **COLLECTOR** facility.
- f. The systems shall comply with all applicable local, state, and federal laws and provisions.
- g. A commercial **GROUND-MOUNT** solar **COLLECTOR** facility that is no longer used shall be removed from the site within one year of the date that the use ceases.
- h. The premises shall be maintained at all times in a clean and orderly condition, including the care or replacement of plant materials required in the landscaping plan. The responsibility for compliance with this provision shall be with all parties having a lease or ownership interest in the commercial **GROUND-**

MOUNT solar **COLLECTOR** facility. The applicant shall provide the Hearing Authority with details regarding maintenance and access for the site.

[[i. A solar collector or combination of solar collectors shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. The petitioner shall include a glare study with the Conditional Use petition.]]

[[j]] **I.** The applicant shall agree to register all solar collectors with the Department of Fire and Rescue Services. The registration shall include a map of the solar facility noting the location of the solar collectors and the panel disconnect.

[[k]] **J.** Tree removal shall be minimized and reforestation shall be done in accordance with Section 16.1026 of the Howard County Code.

[[l.]] **K** Scenic Views

(1) The applicant shall demonstrate that the solar facility does not harm the scenic characteristics of the view of or from:

A. A public park;

B. A national or state designated scenic byway;

C. A road listed in the Scenic Roads Inventory adopted under Section 16.1403 of the Howard County Code; or

D. A historic structure as defined in Section 16.601 of the Howard County Code.

(2) Visual Impact Analysis Required to Demonstrate Minimal Impact to or from Scenic Views

A. The Conditional Use petition shall include a visual impact analysis mapping all viewshed impacts and any proposed mitigation. This analysis shall include mapped visual impact assessments of all important or critical viewpoints or elevations from which the solar facility can be seen from a fixed vantage point. For purposes of this subsection, A viewshed is a topographically defined area including all critical observation points from which the solar facility is viewed.

B. If the visual impact assessment as mapped particularly interferes with and compromises critical observation points within the viewshed that warrant viewshed protection, the petitioner shall mitigate the view through additional landscaping or other forms of mitigation, including reconfiguration of the solar panels, or as may be required by the Hearing Authority.

C. Fencing along road frontage or the perimeters of the commercial **GROUND-MOUNT** solar **COLLECTOR** facility site where the fencing would be visible shall be constructed of a material and design consistent with the character of the roadway or area.

D. The petition shall include a landscape plan.

[[m]] **L.** The Howard County Agricultural [[Land]] Preservation Board shall review any Conditional Use petition which proposes to build a new commercial **GROUND-MOUNT** solar **COLLECTOR** facility on

parcels which are in the Agricultural Land Preservation Program prior to approval by the Hearing Authority, **USING A TWO-STEP REVIEW PROCESS**, in the following manner:

(1) Prior to scheduling and convening a presubmission community meeting pursuant to Howard County Zoning Regulations Section 131.0.f.1, the petitioner shall submit a proposed **CONCEPT PLAN** [[Conditional Use Plan]] for a commercial **GROUND-MOUNT** solar **COLLECTOR** facility on a parcel or parcels in the Agricultural Land Preservation Program to the Howard County Agricultural [[Land]] Preservation Board for advisory review as to whether the siting of the commercial **GROUND-MOUNT** solar **COLLECTOR** facility on the parcel or parcels supports the primary agricultural purpose of the easement property or is an ancillary business which supports the economic viability of the farm.

(((2))) **A) PRELIMINARY REVIEW- THE AGRICULTURAL PRESERVATION BOARD SHALL CONDUCT A PRELIMINARY REVIEW OF A CONCEPT PLAN TO REVIEW THE PLACEMENT OF THE PROPOSED FACILITY AND THE REMAINING SOIL CAPABILITY.** The materials submitted for **THE PRELIMINARY** review shall include, at a minimum, **A LETTER SIGNED BY THE PROPERTY OWNER REQUESTING THE COMMERCIAL GROUND-MOUNT SOLAR COLLECTOR FACILITY, A CONCEPT PLAN DEPICTING PROPOSED LOCATIONS FOR THE FACILITY AND A SOIL CLASSIFICATION ANALYSIS, CONSISTENT WITH THE PROVISIONS OF THE AGRICULTURAL PRESERVATION BOARD'S COMMERCIAL SOLAR FACILITIES POLICY. THE CONCEPT PLAN SHOULD SHOW AT LEAST TWO POTENTIAL PLACEMENTS OF THE CSF ON THE PROPERTY TO ALLOW THE APB AN OPPORTUNITY TO ADVISE ON THE BEST PLACEMENT OF THE SOLAR FACILITY TO MINIMIZE NEGATIVE IMPACTS ON THE FARMING OPERATION.**

(((3))) **B) FINAL REVIEW- THE MATERIALS SUBMITTED FOR FINAL REVIEW SHALL INCLUDE, AT A MINIMUM,** a copy of the Agricultural Land Preservation Program easement, a copy of the Howard County Soil Conservation and Water Quality Plan, and a copy of the proposed **FINAL CONCEPT PLAN** [[Conditional Use Plan]].

(2) The Board's advisory review shall be in writing.

(((4))) 3) The petitioner shall make the Board's advisory review available at the presubmission community meeting.

(((5))) 4) The Department of Planning and Zoning's Technical Staff Report on the petition shall include an evaluation of and a recommendation on the Board's advisory review of the petition and shall include as attachments the Board's advisory review and a copy of the Agricultural Preservation Easement.

[n] **M.** Subject to Section 106 of these regulations, the property on which an approved commercial **GROUND-MOUNT** solar **COLLECTOR** facility is located is eligible to be a sending parcel provided that one density right is retained for the conditional use until the commercial **GROUND-MOUNT** solar **COLLECTOR** facility is removed.

How The Text Would Appear If Adopted

***Addition of Rooftop Solar Collector and Accessory Solar Collector in each zoning district not shown due to length of document.**

Sec. 103.0 Definitions

Solar collector, accessory ground-mount: A solar collector and all supporting electrical and structural components that is attached to the ground or a canopy on a property that contains a principal use or an adjacent lot; where electrical power generated is used by the principal use and excess electrical power generated may be used for net metering, including net meter aggregation, according to state net metering regulations.

Solar collector, commercial: A solar collector connected directly to the electrical distribution or transmission system separately from any other electrical service on the property on which it is hosted and where electrical power generated may be used on or off-site.

Solar collector facility, commercial ground-mount: Commercial solar collectors and all supporting electrical and structural components that are attached to the ground or a canopy.

Solar collector, rooftop: a solar collector or commercial solar collector and all supporting electrical and structural components that is attached to the rooftop of an existing structure or integrated into the building, where the solar panels themselves act as a building material or structural element.

Sec. 128.0.A.12 Regulations for detached accessory structures on residentially zoned lots developed with single-family detached dwellings

a. Size restrictions

(1) The maximum cumulative lot coverage permitted for all of the accessory structures located on any given residential lot developed with a single-family detached dwelling is:

- (a) 600 square feet for a lot in the planned public water and sewer service area.
- (b) 1,200 square feet for a lot in the RC or RR district which is 2 acres or less
- (c) 2,200 square feet for a lot in the RC or RR district which is greater than 2 acres.

(2) The cumulative lot coverage restrictions cited above shall apply to all accessory structures on any residentially zoned lot developed with a single-family detached dwelling, excepting only legitimate farm buildings located on properties meeting the definition of "farm", shipping containers used as accessory storage structures, and swimming pools. Farm structures, shipping containers used as accessory storage structures, and swimming pools are not subject to size restrictions; however, they must be subordinate and incidental to the principal use.

(3) Accessory ground-mounted solar collectors shall not count toward the lot coverage requirement provided they do not cover more than 3% of the lot.

b. Restrictions for accessory structures

Full baths, full kitchens, residential habitation and commercial uses are not permitted in accessory structures

Sec. 131.0.N

Conditional Use	Zoning Districts																													
	RC	RR	RED	R-20	R-12	R-SC	R-SA-8	R-HED	R-A-15	R-APT	R-MH	R-VSH	CC	TD	CA	TN	PGC	HO	HC	POR	PEC	BR	OT	B-1	B-2	SC	M-1	M-2	CE	
Solar collector facility, commercial ground-mount	✓	✓																		✓	✓				✓	✓		✓	✓	✓

Sec. 131.0.N.52 Solar collector facility, commercial ground mount

A conditional use may be granted in the B-1, B-2, CE, M-1, M-2, PEC, POR, RC, RR districts for a commercial ground mount solar collector facility, provided that:

- a. The maximum size of a solar facility shall be 75 acres notwithstanding the size of the parcel however, on parcels which are in the agricultural land preservation program, the maximum size shall be 16 acres or 34% of the property, whichever is less. The parcel on which the commercial ground mount solar collector facility is proposed must be a minimum of 10 acres in size.
- b. All structures and uses must meet a minimum 50-foot setback from all property lines.
- c. No structure or use may be more than 20 feet in height.
- d. A 'Type D' landscaping buffer must be provided around the perimeter of the proposed commercial ground mount solar collector facility unless the hearing authority determines that an alternative buffer is sufficient.
- e. All security fencing must be located between the landscaping buffer and the commercial ground-mount solar collector facility.
- f. The systems shall comply with all applicable local, state, and federal laws and provisions.
- g. A commercial ground mount solar collector facility that is no longer used shall be removed from the site within one year of the date that the use ceases.
- h. The premises shall be maintained at all times in a clean and orderly condition, including the care or replacement of plant materials required in the landscaping plan. The responsibility for compliance with

this provision shall be with all parties having a lease or ownership interest in the commercial ground mount solar collector facility. The applicant shall provide the hearing authority with details regarding maintenance and access for the site.

i. The applicant shall agree to register all solar collectors with the Department of Fire and Rescue Services. The registration shall include a map of the commercial ground mount solar collector facility noting the location of the solar collectors and the panel disconnect.

j. Tree removal shall be minimized and reforestation shall be done in accordance with Section 16.1026 of the Howard County Code.

k. Scenic Views

(1) The applicant shall demonstrate that the solar facility does not harm the scenic characteristics of the view of or from:

A. A public park;

B. A national or state designated scenic byway;

C. A road listed in the Scenic Roads Inventory adopted under Section 16.1403 of the Howard County Code; or

D. A historic structure as defined in Section 16.601 of the Howard County Code.

(2) Visual Impact Analysis Required to Demonstrate Minimal Impact to or from Scenic Views

A. The Conditional Use petition shall include a visual impact analysis mapping all viewshed impacts and any proposed mitigation. This analysis shall include mapped visual impact assessments of all important or critical viewpoints or elevations from which the solar facility can be seen from a fixed vantage point. For purposes of this subsection, A viewshed is a topographically defined area including all critical observation points from which the solar facility is viewed.

B. If the visual impact assessment as mapped particularly interferes with and compromises critical observation points within the viewshed that warrant viewshed protection, the petitioner shall mitigate the view through additional landscaping or other forms of mitigation, including reconfiguration of the solar panels, or as may be required by the Hearing Authority.

C. Fencing along road frontage or the perimeters of the commercial ground mount solar collector facility site where the fencing would be visible shall be constructed of a material and design consistent with the character of the roadway or area.

D. The petition shall include a landscape plan.

l. The Howard County Agricultural Preservation Board shall review any Conditional Use petition which proposes to build a new commercial ground mount solar collector facility on parcels which are in the Agricultural Land Preservation Program prior to approval by the Hearing Authority, using a two-step review process, in the following manner:

(1) Prior to scheduling and convening a presubmission community meeting pursuant to Howard County Zoning Regulations Section 131.0.f.1, the petitioner shall submit a proposed concept plan for a commercial ground mount solar collector facility on a parcel or parcels in the Agricultural Land Preservation Program to the Howard County Agricultural Preservation Board for advisory review as to whether the siting of the commercial ground mount solar collector facility on the parcel or parcels supports the primary agricultural purpose of the easement property or is an ancillary business which supports the economic viability of the farm.

(a) Preliminary Review- the Agricultural Preservation Board shall conduct a preliminary review of a concept plan to review the placement of the proposed facility and the remaining soil capability. The materials submitted for the preliminary review shall include, at a minimum, a letter signed by the property owner requesting the commercial ground-mount solar collector facility, a concept plan depicting proposed locations for the facility and a soil classification analysis, consistent with the provisions of the agricultural preservation board's commercial solar facilities policy. The concept plan should show at least two potential placements of the facility on the property to allow the Agricultural Preservation Board an opportunity to advise on the best placement of the solar facility to minimize negative impacts on the farming operation.

(b) Final Review- the materials submitted for final review shall include, at a minimum, a copy of the Agricultural Land Preservation Program easement, a copy of the Howard County Soil Conservation and Water Quality Plan, and a copy of the proposed final concept plan.

(2) The Board's advisory review shall be in writing.

(3) The petitioner shall make the Board's advisory review available at the presubmission community meeting.

(4) The Department of Planning and Zoning's Technical Staff Report on the petition shall include an evaluation of and a recommendation on the Board's advisory review of the petition and shall include as attachments the Board's advisory review and a copy of the Agricultural Preservation Easement.

m. Subject to Section 106 of these regulations, the property on which an approved commercial ground mount solar collector facility is located is eligible to be a sending parcel provided that one density right is retained for the conditional use until the commercial ground mount solar collector facility is removed.