



PETITION TO AMEND THE ZONING REGULATIONS OF HOWARD COUNTY

DPZ Office Use Only: Case No. ZRA-197 Date Filed: 1-19-21

1. Zoning Regulation Amendment Request

I (we), the undersigned, hereby petition the County Council of Howard County 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.

2. Petitioner's Name Amy Gowan, Director, Howard County Department of Planning and Zoning
Address 3430 Courthouse Drive, Ellicott City, MD 21043
Phone No. (W) 410-313-2350 (H) N/A
Email Address agowan@howardcountymd.gov

3. Counsel for Petitioner David Moore, Principal Attorney, Howard County Office of Law
Counsel's Address 3430 Courthouse Drive, Ellicott City, MD 21043
Counsel's Phone No. 410-313-2100
Email Address dmoore@howardcountymd.gov

4. Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed.
The amendments will implement the Solar Task Force recommendations related to the Howard County Zoning Regulations. The Solar Task Force recommendations are attached to this petition.

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County.

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

POLICY 4.12 - "Develop an energy plan that prepares for different future energy scenarios, examines options for various kinds of future energy sustainability, promotes conservation and renewable resources, and sets targets to reduce greenhouse gases." This policy has an Implementing Action D which calls to "Implement the County's 2010 Climate Action Plan (referenced in Chapters 1,3, and 12), which relates to future energy technology, such as wind, solar, geothermal, and other renewable sources,"and Implementing Action G that "Explore evolving energy markets, plus options for enabling "smart grid" technologies, which reveal new opportunities to create, store, consume, and invest energy commodities and related assets."

POLICY 5.3 – “Promote future energy and green industries.” Implementing Action b. Management. Explore evolving energy markets, plus options for enabling developing technologies, which reveal new opportunities to create, store, consume, and invest in energy commodities and related assets.

6. The Legislative Intent of the Zoning Regulations in Section 100.A. expresses that the Zoning Regulations have the purpose of “...preserving and promoting the health, safety and welfare of the community.” Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.A.

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.

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s).

Addressed in Section 6.

8. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? Yes.

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

The amendments include allowing rooftop solar collectors in all zoning districts, ground mount commercial solar collectors in PEC, B-1, B-2, M-1, M-2, CE, and POR, and 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.

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition.

The Solar Task Force recommendations are attached to this petition.

10. You must provide the full proposed text of the amendment(s) as a separate document entitled "Petitioner's Proposed Text" that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[ Double Bold Brackets]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

**After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the "Petitioner's Proposed Text" to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.**

11. The Petitioner agrees to furnish additional information as may be required by the Department of

Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.

- 12. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

Amy Gowan, Director of Planning and Zoning  
Petitioner's name (Printed or typed)

DocuSigned by: Amy Gowan 1/15/2021  
Petitioner's Signature Date

Counsel for Petitioner's Signature

[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

**FEE**

The Petitioner agrees to pay all fees as follows:

Filing fee .....\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00\*

The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.

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For DPZ office use only:

Hearing Fee \$ \_\_\_\_\_

Receipt No. \_\_\_\_\_

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: [www.howardcountymd.gov](http://www.howardcountymd.gov)

**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 upholstering, 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.

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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 upholstering 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																														
	R C	R R	R- E D	R- 20	R- 12	R- S C	R- SA -8	R- H- E D	R- A - 15	R- AP T	R- M H	R- - SIH	R- V H	CC T	TO D	CA C	TN C	PGC C	H O	H C	PO R	PE C	B R	O T	B -1	B -2	S C	M -1	M -2	C E	I
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

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	R-ED	R-20	R-12	R-SC	R-SA-8	R-H-ED	R-A-15	R-APT	R-MH	R-SI	R-VH	CCT	TOD	CACT	TNC	PGC	CHO	HCP	POR	PEC	BR	OT	B-1	B-2	SC	M-1	M-2	CE	II
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.



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## **Howard County Solar Task Force – Cover Letter**

July 24, 2020

On October 7, 2019 the County Council of Howard County, Maryland passed Resolution No. 133-2019 to create a Task Force to study commercial solar facilities on agricultural land preservation parcels. Members of this Task Force include two representatives from the Howard County Agricultural Land Preservation Board, one representative from the Maryland Clean Energy Advisory Council, one representative from the Maryland-DC-Delaware-Virginia Solar Energy Task Force, two representatives from the Howard County Farm Bureau, one representative from the Howard County Soil Conservation District, one representative from Maryland Solar United Neighbors, two representatives from the Environmental Sustainability Board, two representatives from the Howard County Office of Community Sustainability and two representatives from the Howard County Department of Planning and Zoning.

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.

In regard to the recommendations being submitted past the July 1, 2020 deadline, the co-chairs of the Task Force determined that in the interest of having a complete and thorough recommendation document to submit, as well as detailed supplemental documentation, an additional meeting was needed. The first available date for the additional meeting that accommodated the majority of the members was July 14, 2020.

The following documents constitute the final submission package:

1. Names of Task Force Members
2. Solar Task Force Recommendations: Responses to the questions originally posed to the Task Force by the Council
3. Solar Task Force Definition Recommendations: The Task Force's recommended updates to the current solar definitions in Howard County's Zoning Regulations
4. Solar Task Force Resource Guide: Additional resources which were discussed by the Task Force but not directly included in the above documentation

Meeting agendas, meeting minutes, and written public testimonies can be found on the Environmental Sustainability Board webpage: <http://www.howardcountymd.gov/Departments/County-Administration/Community-Sustainability/Environmental-Sustainability>.

For questions about the documents, please contact the Task Force Chair, James Zoller, at [Jzoller@howardcountymd.gov](mailto:Jzoller@howardcountymd.gov) or Task Force Co-Chair, Dani Phillips, at [Dphillips@howardcountymd.gov](mailto:Dphillips@howardcountymd.gov).

Names of Task Force Members

<b><i>Agricultural Land Preservation Board</i></b>
Jamie Brown
Cathy Hudson
<b><i>Maryland Clean Energy Advisory Council</i></b>
Kevin Lucas
<b><i>MD-DC-DE-VA Solar Energy Industries Association</i></b>
Franny Yuhas
<b><i>Howard County Farm Bureau</i></b>
Daniel Jacobs
Keith Ohlinger
Howie Feaga (Alternate)
<b><i>Howard County Soil Conservation District</i></b>
John Dove
<b><i>Maryland Sun (Solar United Neighbors)</i></b>
Corey Ramsden
<b><i>Environmental Sustainability Board</i></b>
Kelly Hensing
Amber Butler
<b><i>Howard County Office of Community Sustainability</i></b>
James Zoller (Chair)
Leah Miller (Vice Chair from 1/23-4/21/20)
Dani Phillips (Vice Chair from 4/21-7/14/20)
<b><i>Howard County Department of Planning and Zoning</i></b>
Amy Gowan
Mary Kendall
Joy Levy



## **Howard County Solar Task Force Recommendations**

### **1) Regulations governing the size, location, and siting of commercial solar facilities.**

See associated definition recommendations for further information pertaining to definitions, size limitations, locations, and siting of commercial solar facilities. Siting considerations for commercial solar facilities may also be dependent upon additional policy decisions, which were not part of the Task Force's purview. It is not the Task Force's intent to exclude brownfield, mine lands, and landfill sites from commercial solar development. The Task Force supports incentivizing development on such locations in the County.

### **2) Application procedures and approval processes for commercial solar facilities.**

The Task Force recommends the following modifications to the application procedures for commercial solar projects in order to streamline the process, remove unnecessary steps, and improve the overall process:

- a) Eliminate the requirement for a glare study except when required by state or federal mandate.
  - o According to the Howard County Department of Planning and Zoning, none of the proposed solar projects have been turned down due to glare issues. Solar panels are inherently designed to absorb sunlight and not reflect sunlight, therefore eliminating the need for a glare study. This would need to be addressed in Howard County's Zoning regulations, Conditional Use Criteria – Sec. 131.0.N.52.
- b) Add an Agricultural Land Preservation Board (ALPB or 'Board') preliminary conditional use review for Commercial Solar Facilities.
  - o Currently, an application for conditional use for commercial solar is submitted to the Agricultural Land Preservation Program to be reviewed by the ALPB. 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.
  - o The recommendation would be to have a preliminary review prior to the submission of the Conditional Use Application (similar to a pre-submission hearing), which would require all of the items listed above less the Conditional Use Plan. The Conditional Use Plan requires extensive engineering for the placement of the commercial solar panels. By requiring this preliminary review, the Board will be able to make suggestions on placement of the solar facility before costly engineering is done by the applicant. This will create a beneficial dialog between the Board, landowner, and solar developer to ensure the best placement for the solar project.

### **3) The role of the Agricultural Land Preservation Board in the commercial solar facility policy and approval process.**

The Task Force recognizes the importance of agricultural land, and its preservation, as well as solar energy as a clean energy source for Howard County. The Task Force believes agricultural land and commercial solar can coexist in a mutually beneficial relationship. It is recommended that the ALPB should continue to provide input to the discretionary permit (CUP) approval process of commercial solar on Agricultural Preservation Land and should have the ability to create their own policy for Commercial Solar on those properties. The ALPB is comprised of farmers, agricultural experts, and leaders in the community that have intimate knowledge of farming in Howard County and can assist in creating a balance between agricultural land and solar energy.

The Task Force recommends the following to assist the Board in reviewing and updating, as necessary, the current Commercial Solar Facility Policy for Howard County Agricultural Preservation Properties:

- The policy must be realistic (not so restrictive that it eliminates most potential projects) and allow for the Commercial Solar Facility to be beneficial to both the farmer/property owner and solar company.
  - Community Solar projects are more likely to be economically feasible when their generating capacity is close to the 2-Megawatt (MW) program maximum size as defined in COMAR.
  - Community solar installations are a good means of supplementing farm income in order to keep farms financially viable by using a portion of their land to obtain year-round and dependable income.
- The policy suggests placement of Solar Facilities to the less desirable farmland of the property as much as possible and takes into consideration the current and future farming practices planned for the property.
  - Where possible, at least two potential placements on the property should be proposed to the ALPB, to allow the board to select the best placement of solar facility to minimize a negative impact on the farming operation.
- The policy recognizes that each property is unique and has different characteristics that dictate the placement and size of a Solar Facility.
- The policy recognizes there are three types of ground-mounted commercial solar facilities with differing requirements.
  - Solar Collector, Accessory Use (is no larger than the maximum system size according to state net metering regulations). This includes Municipality and Non-Profit Commercial Solar using Aggregated Net Metering (as defined in COMAR);
  - Solar Collector, Commercial (is no more than the maximum system size according to state net metering regulations). This includes: Community Solar facilities (as defined in COMAR); and
  - Solar Collector, Utility-Scale (larger than the maximum system size according to state net metering regulations).
- The policy supports the intent of the Agricultural Preservation Easement.
- The Task Force recommends that the ALPB take into account both quantitative and qualitative aspects of the potential solar project. Not only should the data-driven

analyses be reviewed (i.e. soil analysis, business plan, percentage of property), but the Board should have the flexibility to utilize their expertise when making recommendations. This aligns with the Preliminary Review recommendation from Question 2.

#### 4) **Conditional use parameters.**

The Task Force recommends keeping in place most of the current conditional use parameters for commercial **ground-mount** solar collectors, keeping in mind that the Task Force recommends allowing **rooftop** solar collectors in all zones as an accessory use *without conditional use parameters*.

Recommended changes to the Conditional Use Parameters:

- Remove the requirement of a glare study [Howard County Zoning Code Section 131.0, 52 (i)]
- As noted in the response to Question 2, add a preliminary meeting (similar to a pre-submission hearing) with the ALPB to discuss locations and the feasibility of the solar installation project **prior to establishing a conditional use plan** [Howard County Zoning Code Section 131.0, 52 (m)(1)]. This recommendation is also discussed in further detail in the Task Force's response to Question 3.
- Add a requirement for one of the agricultural practices/pollinator habitats to be included in the solar project on ag pres land as listed in the response to Question 6. For projects on non-ag pres land, these practices should be encouraged.

#### 5) **Circumstances or exceptions when solar facilities may be installed on agricultural preservation easements without a conditional use application.**

Solar collectors to produce energy *solely* for the use of a farm in Howard County may be placed on existing roofs of farm buildings and ground-mounted installations **without** a conditional use application, referred to in the definitions matrix as "Solar Collector, Rooftop", "Solar Collector, Accessory Use Ground-Mount", and "Solar Collector, Accessory Use Ground-Mount (aggregated)".

#### 6) **Methods and strategies for integrating commercial solar facilities and agricultural practices and pollinator habitat.**

On Agricultural Preservation Land, one of the following should be required by applicant to meet the intentions of the ALPB policy:

- Pollinator or native grass habitats;
- Livestock grazing, such as sheep;
- Agrivoltaics (i.e. crop production under or directly adjacent to an installation, edible landscape barriers, tree crops);
- Or other suitable alternative, as proposed by the applicant.

#### 7) **Potential incentives for ground mount, carport, parking canopies, and rooftop commercial installations across the County.**

Property tax incentives/credits (real property tax) are one of the options that can be implemented by the County, although in the current climate of COVID-19 and budget limitations, these types of

incentives may not be feasible in the near-term. Personal property tax exemptions or incentives may be more feasible and should be evaluated, specifically incentivizing rooftop installations. Other incentives that the Task Force has considered and recommends are a) streamlining the application and permitting processes and b) allowing commercial solar installations in more zones within the County, especially for rooftop installations.

The Task Force recommends County government evaluate the feasibility of County property/land for solar projects. The Task Force recommends the same of Howard County Public Schools, Howard County Libraries, and community colleges within the County.

Further research is recommended into the concept of establishing a Solar Preservation program (funded by a portion of Transfer Taxes).

#### **8) Recommendations for updates to zoning regulations to encourage more high-quality solar projects across the County.**

See associated definition recommendations for further information pertaining to definitions and updates to zoning regulations to encourage more high-quality solar projects across the County.

Highlights:

- a. Recommend updating the definitions to have more clarity:
  - i. between different scales for ground-mount (personal use for property vs. commercial & community-scale vs. utility scale)
  - ii. between ground-mount vs rooftop solar
- b. Allow rooftop solar to be installed if more than 50% of the power is used offsite
- c. Expand the zoning district regulations to allow for commercial and accessory use rooftop solar/parking canopies in all zoning districts
- d. Expand the zoning district regulations to allow for ground-mount solar in more zoning districts such as Business Rural (BR), Corridor Activity Center (CEC), Manufacturing (M) or Institution (I). Explore allowing ground-mount solar in all zoning districts (including residential) in the East with consideration for what is the best land use policy in those districts.

#### **Additional Recommendations**

Note: These recommendations are not included in prior responses and were not specifically posed as Questions to the Task Force but were considered and discussed by the Task Force.

- The Howard County Landscape Manual should be reviewed and updated, to allow other alternatives in addition to those presented in the response to Question 6.



**Solar Task Force Definition Recommendations**

<b>Type of System</b>	<b>Definition</b>	<b>Principal Use By Right</b>	<b>Accessory Use</b>	<b>Conditional Use</b>	<b>Zoning Districts</b>	<b>Allowable on Ag Pres Land</b>
<b>Solar Collector, Rooftop</b>	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 envelope, where the solar panels themselves act as a building material or structural element. Examples include rooftop net-metering, rooftop aggregated net-metering, and commercial rooftop including community solar.		X		All	Yes
<b>Solar Collector, Accessory Use Ground-Mount</b>	A solar collector and all supporting electrical and structural components that is mounted onto the ground or is a canopy and is used for the purpose of generating electrical power to be consumed primarily by the principal use. Examples include ground-mounted net-metering.		X		All	Yes
<b>Solar Collector, Accessory Use Ground-Mount (aggregated)</b>	A solar collector and all supporting electrical and structural components that is mounted onto the ground or is a canopy and is used for the 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, including systems eligible for net meter aggregation by state net metering regulations. Examples include ground-mounted aggregated net-metering.		X		All	Yes
<b>Solar Collector, Commercial Ground-Mount</b>	A commercial solar collector and all supporting electrical and structural components that is mounted onto the ground or is a canopy and is no more than the maximum system size according to state net metering regulations. Examples include community solar (virtual net metering) and small-scale power purchase agreements (PPAs) located off-site from customer.				RC/RR plus consideration of others (policy decision)	Yes, with conditional use criteria
<b>Solar Collector, Utility-Scale Ground-Mount</b>	A commercial solar collector and all supporting electrical and structural components that is mounted onto the ground or is a canopy and is more than the maximum system size according to				RC/RR plus consideration of	No

state net metering regulations. Examples include large-scale merchant facilities tied to the grid and large-scale PPAs located off-site from customer.

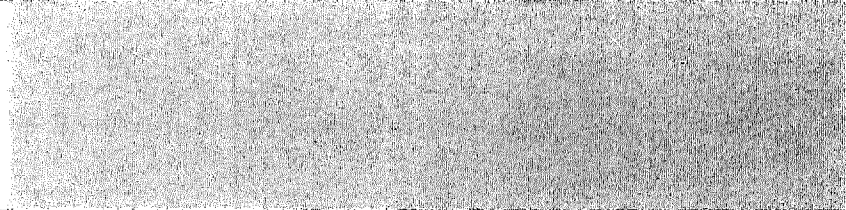
others (policy decision)

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**Commercial Solar Collector**

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 whose generated electrical power is not primarily consumed by the principal use. **Note:** This is purely a definition to assist with clarifying the other definitions.

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For Reference:

**Principal Use**

The main use of a lot or the structure used for the main function of a lot, as opposed to an accessory use or structure. Structures which are attached to the principal structure, either directly or by a breezeway not to exceed 15 feet in length, shall be considered part of the principal structure.

**Accessory Use**

A use or structure which is customarily incidental to the principal use or structure, serving no other use or structure, and which is subordinate in area, intensity and purpose to the principal use or structure. An accessory use or accessory structure shall be located on the same lot or parcel as the principal use or structure, except where it is otherwise allowed in these Zoning Regulations.



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## **Howard County Solar Task Force Additional Resources**

The following sections are background information and references the Howard County Solar Task Force considered on key topic areas when making recommendations.

### **Agricultural Preservation Easements**

<https://www.howardcountymd.gov/Departments/Planning-and-Zoning/Conservation-and-Preservation/Agriculture>

<https://livegreenhoward.com/food-ag/ag-preservation-easements/>

<https://mda.maryland.gov/malpf/pages/default.aspx>

### **Tax Implications**

See associated document – Howard County Department of Planning and Zoning “Commercial Solar Facilities Policy-REVISED”

### **Ground-Mount Project Scales and Land Use Averages**

- Ground-mount commercial solar facilities typically use ~5 to 10 acres per Megawatt (MW)
- Community solar projects (as defined in COMAR) have a maximum size of 2 MW
- The maximum size project for a facility that is directly offsetting energy loads of one (“net metering”) or more (“aggregated net metering”) electric meters owned by the same entity is 2 MW
- Only projects above 2 MW need Public Service Commission approval through the Certificate of Public Convenience and Necessity (CPCN) process

### **Interconnection Line Capacity Considerations for Project Siting**

The density of commercial solar installations is inherently limited by the electricity grid and its capacity to handle electrical power introduced into the grid from distributed locations. Once a project is approved for a particular location on a distribution circuit, the number of other projects that can be added to that line is limited by the capacity of the line.

Here’s an example of the impacts of this fact, provided by Stefano Ratti of Chaberton Energy to the Solar Task Force: “A typical 13 kV distribution line (which is the most common type) generally maxes out at 3 MW (equivalent to 12-18 acres). What it means is that, once you have injected ~3 MW on a distribution line (often referred to as “circuit”), no more solar energy (or any other type of energy for that matter) can be injected on that line. The line has a thermal limit that cannot be exceeded (too much energy would “fry” the line).” “Each line is several miles long, which means that, once a project has “occupied” a line (such project being anyway <12-18 acres), no other solar development can occur for miles around it (or until the next circuit). There are a few bigger (34 kV) lines, which can take generally up to 10 MW (equivalent to 40-60 acres), but those are far and few in between in the agricultural area (in BG&E territory, I know there are two on Rt 144, one on Rt 32, one on Folly Quarter Rd., and I would guess perhaps a couple of others).”

## Health and Safety Impacts

### Sound/Noise

According to a State of Massachusetts report, “Ground-mounted solar PV array inverters and transformers make a humming noise during daytime, when the array generates electricity. At 50 to 150 feet from the boundary of the arrays, any sound from the inverters is inaudible.” The report further notes “Most typically, the source of noise associated with ground-mounted solar PV comes from inverters and transformers. There also may be some minimal noise from switching gear associated with power substations. The crackling or hissing sound caused by high-voltage transmission lines (the “Corona Effect”) is not a concern in the case of solar PV, which uses lower voltage lines.”

For specific Howard County and State of Maryland noise regulations see: [http://howardcounty-md.elaws.us/code/coor\\_title8\\_subtitle9\\_sec8.900](http://howardcounty-md.elaws.us/code/coor_title8_subtitle9_sec8.900) and <http://mdrules.elaws.us/comar/26.02.03.02>

The table below represents the maximum allowable noise levels specified in State regulations.

Zoning Designation			
	Industrial	Commercial	Residential
Day	75	67	65
Night	75	62	55

Day: 7am - 10pm

Night: 10pm - 7am

### Electric and Magnetic Fields (EMF)

Concerns of electromagnetic radiation are sometimes voiced in opposition to solar array facilities. While all electronic equipment has electric and magnetic fields associated with their operation, there is no indication that solar facilities present any significant concern. According to a State of Massachusetts report: “Electric and magnetic fields are a normal part of life in the modern world. PV arrays generate EMF in the same extremely low frequency (ELF) range as electrical appliances and wiring found in most homes and buildings. The average daily background exposure to magnetic fields is estimated to be around one mG (milligauss – the unit used to measure magnetic field strength), but can vary considerably depending on a person’s exposure to EMF from household electrical devices and wiring. The lowest exposure level that has been potentially associated with a health effect is three mG. Measurements at three commercial PV arrays in Massachusetts demonstrated that their contributions to off-site EMF exposures were low (less than 0.5 mG at the site boundary), which is consistent with the drop off of EMF strength based on distance from the source.”

As reference, EMFs are measured in milliGauss (mG). The Environmental Protection Agency recommends that you limit your exposure to **0.5 mG to 2.5 mG**. When you are three feet away from a microwave, you are exposed to up to 25 mG. More information can be found here: <https://www.safespaceprotection.com/emf-health-risks/emf-health-effects/emfs-in-the-home/>

## **Environmental/Pollution Impacts**

### **Chemicals Leaching into the Soil**

A concern that is often raised about ground-mounted solar installations is that some chemical toxins can leach into the soil underneath the panels. Most panels consist of a rigid aluminum frame silicon, tempered glass, an inert substrate under the silicon and a series of thin metal connectors between the silicon cells. Small amounts of lead may be used in electrical connections but increasingly those connections are made by silver compounds which are superior conductors of electricity. Some models which are much less commonly used, especially in non-utility scale projects, could use hazardous materials such as cadmium telluride (CdTe), copper indium diselenide (CIS), and gallium arsenide (GaAs). However, as is noted by a report from the [State of Massachusetts](#), all *“solar panels materials, including the chemicals noted above, are contained in a solid matrix, insoluble and non-volatile at ambient conditions, and enclosed. Therefore, releases to the ground from leaching, to the air from volatilization during use, or from panel breakage, are not a concern.”* The report also notes that *“Release of any toxic materials from solid state inverters is also unlikely provided appropriate electrical and installation requirements are followed.”*

### **Run-off/Impervious Surfaces**

The State of MD has very strict rules regarding stormwater management to prevent/mitigate runoff. The Maryland Department of the Environment (MDE) Stormwater Design Guidance – Solar Panel Installations can be found [here](#). This guidance addresses installations Average Slope  $\leq 5\%$ , Average Slope  $\geq 5\%$  but  $\leq 10\%$ . Detail for all situations including those areas with slopes greater than 10% can be found in the *“2000 Maryland Stormwater Design Manual.”*

### **Glare and Glare Studies**

According to a [State of Massachusetts report](#), *“solar panels are designed to absorb solar energy and convert it into electricity. Most are designed with anti-reflective glass front surfaces to capture and retain as much of the solar spectrum as possible. Solar module glass has less reflectivity than water or window glass. Typical panels are designed to reflect only about 2 percent of incoming sunlight. Reflected light from solar panels will have a significantly lower intensity than glare from direct sunlight.”*

Fixed-tilt systems are typically oriented south with an upward tilt of 20-30 degrees. Any sunlight that is not absorbed by the panels will bounce off at the same angle that it hit the panel. For most hours, this means the reflections will be directed up into the sky and away from any people or buildings near the ground.

Tracking systems are designed to follow the sun through the day. For these systems, the panels are typically oriented on north-south trackers and turn to match the elevation of the sun (that is, when the sun is overhead, the panels are pointing straight up, and when the sun is halfway up, the panels are pointed at a 45 degree angle with respect to the horizon). Any reflected light will be directed back to the same elevation as the sun.

### **Current State of Grazing as a Co-Location Benefit**

Grazing under and around commercial solar installations is still a relatively new but growing part of the solar industry. As an indication of the growth of this practice in the industry, the [American Solar Grazing Association](#) was established recently and supports the expansion of this agricultural co-location benefit to solar. Grazing service providers are compensated to keep the vegetation on the solar array site at a manageable height to avoid shading the panels and to keep vegetation intact to avoid erosion and run off. Some key facts about this practice:

- Service providers can be either the land host or a 3rd party contracted by the solar facility owner.
- The most common animal used is sheep which do not eat wiring or climb on equipment unlike goats which are not a good option for solar grazing services.
- Panel height is not an issue as sheep are able to make their way in and out of relatively low and tight spaces.

### **Current State of Native & Pollinator-Friendly Habitat as Co-Location Benefits**

Native grasses and pollinator friendly habitats are increasingly being included in ground-mounted commercial solar facilities. The state of Maryland and other states in the region have adopted scorecards to allow commercial solar facilities to qualify and stay certified with a state designation. The addition of these plantings provides a number of co-location benefits on commercial solar installation sites. Among them:

- Long-term cost savings for the facility owner in operations and maintenance due to a reduced need for mowing and landscaping service.
- Pollinator habitat provides opportunities for apiaries to be sited close by and utilized by either the land host or a 3rd party an additional income source.
- Well-established plantings can reduce erosion and water runoff from the site.

Resource: <https://fresh-energy.org/beeslovesolar/>

Additional Resource: <https://dnr.maryland.gov/pprp/Pages/pollinator.aspx>

### **Current State of Agrivoltaics as a Co-Location Benefit**

The practice of co-locating crops under and around solar arrays is still uncommon but interest and supporting research is growing with small-scale projects taking place in a number of areas across the country and worldwide. The NC Clean Energy Technology Center at the NC State University published a recent whitepaper entitled "Balancing Agricultural Productivity with Ground-Based Solar Photovoltaic (PV) Development." This paper discusses some of the considerations that agricultural land owners should take into account when investigating whether PV development is appropriate for their land, and covers the following topics:

- Understanding the Context of Solar Development and Agriculture
  - Developing Renewable Energy
  - Landowner Land Use Choice
  - Solar Facility Construction
  - Duration of Solar Use
- Weighing the Impact of PV Development on Agriculture
  - Solar PV Land Use
  - Impact on Agricultural Productivity

### **Other Resources Utilized by Task Force**

Governor's Task Force on Renewable Energy Development and Siting Interim Report:  
<https://governor.maryland.gov/energy-task-force/>

Maryland Farm Bureau Policy

Maryland Agricultural Land Preservation Foundation Policy

Howard County Agricultural Preservation Board Solar Policy Guidelines