

CB19-21



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

HOWARD COUNTY GENERAL PLAN COMMISSION

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.

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

[Signature]
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.

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

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-BD (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 upholstering, and similar services.
20. Government structures, facilities and uses, including public schools and colleges.
21. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided that all materials and supplies are enclosed in a building.
22. Hotels, motels, country inns and conference centers.
23. Laundry and dry cleaning establishments, except that pickup and delivery services shall not be provided.
24. Liquor stores.
25. Movie theaters, legitimate theaters and dinner theaters.
26. Museums and libraries.
27. Nonprofit clubs, lodges, community halls.
28. Offices, professional and business.

29. Personal service establishments.

30. Religious facilities, structures and land used primarily for religious activities.

31. ROOFTOP SOLAR COLLECTORS

3[[1]] 2. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry and similar items.

3[[2]] 3. Restaurants, carryout, including incidental delivery services.

3[[3]] 4. Restaurants, fast food.

3[[4]] 5. Restaurants, standard, and beverage establishments, including those selling beer, wine and liquor.

3[[5]] 6. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.

3[[6]] 7. Schools, commercial.

3[[7]] 8. Service agencies.

3[[8]] 9. Specialty stores.

[[39]] 40. Taxidermy.

4[[0]] 1. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformers units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

41. Volunteer fire departments.

C. Accessory Uses

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

2. Antennas accessory to a principal use on the lot.

3. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.

4. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 115.0: - POR (Planned Office Research) District

B. Uses Permitted as a Matter of Right

1. Adult live entertainment establishments, subject to the requirements of Section 128.0.H.

2. Age-restricted adult housing, including retail and personal services uses subject to the requirements of Subsection E.6.

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

4. Animal Hospitals, completely enclosed.

5. Athletic Facilities, Commercial.

6. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.

7. Bio-medical laboratories.
8. Blueprinting, printing, duplicating or engraving services.
9. Business machine sales, rental and service establishments.
10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Commercial communication antennas.
14. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
15. Concert halls.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convents and monasteries used for residential purposes.
18. Data processing and telecommunication center.
19. Day treatment or care facilities.
20. Executive golf training and recreation centers.
21. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
22. Flex space, provided the property is within 1800 feet by road of an interstate highway ramp, and provided that the light manufacturing uses are limited to those uses permitted in the PEC District.
23. Funeral homes and mortuaries.
24. Government structures, facilities and uses, including public schools and colleges.
25. Hospitals, intermediate care facilities and residential treatment centers.
26. Hotels, motels, conference centers and country inns.
27. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J.
28. Legitimate theaters and dinner theaters.
29. Museums and libraries.
30. Nonprofit clubs, lodges and community halls.
31. Nursing homes and residential care facilities.
32. Offices, professional and business.
33. Private parks, swimming pools, playgrounds, athletic fields, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

34. Radio and television broadcasting facilities and studios. Primary broadcasting transmitting antenna shall not be located on site.
35. Religious facilities, structures and land used primarily for religious activities.
36. Research and development establishments.
37. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.
38. Retail and personal service uses limited to the following, provided that (1) such uses shall be located within a building used primarily for offices or research and development establishments and shall occupy no more than 25% of the floor area of the building or (2) such uses are part of a development of at least 25 acres containing 100,000 square feet or more of office or research and development space and provided that such uses constitute no more than 10% of the floor area of the total development:
 - a. Adult book or video stores, subject to the requirements of Section 128.0.H.
 - b. Personal service establishments.
 - c. Retail stores, limited to food stores, drug and cosmetic stores, convenience stores and specialty stores.
 - d. Restaurants, carryout, including incidental delivery services.
 - e. Restaurants, fast food with no more than a single drive-through lane.
 - f. Laundry and/or dry cleaning.
39. Riding academies and stables.

40. ROOFTOP SOLAR COLLECTORS

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

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Section 128.0.E.
3. Light manufacturing, assembly, repair, servicing, and/or warehousing of electronic, communications, computer, medical, scientific, optical, photographic or technical instruments, equipment and components. Such uses must be accessory to research and

development laboratories and may not exceed 50% of the floor area of all buildings located on a lot.

4. Housing for hospital or intermediate care facility employees and domiciliary care facilities related to a hospital use.
5. Retail and service businesses which are located within and primarily serve the residents of a nursing home, residential care facility, or age-restricted adult housing, provided such businesses do not occupy more than 2% of the total floor area of the building or buildings within the development.
6. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, non-commercial recreation facilities.
7. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
8. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

1. Ambulatory health care facilities, including pharmacies incidental to these uses.
2. Athletic Facilities, Commercial.
3. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
4. Biomedical laboratories.
5. Blueprinting, printing, duplicating or engraving services.
6. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
7. Catering establishments and banquet facilities.
8. Child day care centers and nursery schools.
9. Commercial communication antennas.
10. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.
11. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
12. Data processing and telecommunication centers.
13. Day treatment or care facilities.
14. Executive golf training and recreation centers.
15. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.

16. Flex space, provided that light manufacturing uses are limited to uses permitted in this district.
17. Golf courses.
18. Government structures, facilities and uses, including public schools and colleges.
19. Hospitals.
20. Hotels, motels, country inns and conference centers.
21. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J.
22. Light Industrial Uses.
23. Museums, art galleries, and libraries.
24. Printing, lithography, bookbinding or publishing plants.
25. Radio and television broadcasting facilities and studios.
26. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only;
27. Riding academies and stables.
- 28. ROOFTOP SOLAR COLLECTORS**
- 2[[8]] 9. Schools, commercial.
- [[29]] 30. Schools, private academic, including colleges and universities.
- 3[[0]] 1. Service agencies.
- 3[[1]] 2. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 3[[2]] 3. Volunteer fire departments.
- 3[[3]] 4. The following commercial uses shall be allowed as a matter of right, provided that the lots on which these uses are located shall not occupy more than 4% of the gross acreage of the development project. In addition, these commercial uses may be located on a lot used primarily for business or professional offices, or for research and development establishments, provided that they occupy no more than 20% of the floor area of any building.
 - a. Adult book or video stores, subject to the requirements of Section 128.0.H.
 - b. Business machine sales, rental and service establishments;
 - c. Convenience stores;
 - d. Drug and cosmetic stores;
 - e. Laundry and dry cleaning establishments without delivery services;
 - f. Liquor stores;
 - g. Personal service establishments;
 - h. Restaurants, carryout, including incidental delivery services;
 - i. Specialty stores;

- j. The retail sale of products manufactured on the site or parts or accessories to products manufactured on the site.
- 3[[4]] 5. The following retail and personal uses permitted in the B-1 District shall be allowed on lots in a planned development containing a minimum of 500 dwelling units. The gross floor area of retail uses developed under this section shall not exceed 40,000 square feet. For the purpose of this section, a planned development shall include all property under a common master homeowners association.
- a. Animal hospitals, completely enclosed;
 - b. Antique shops, art galleries, craft shops;
 - c. Bakeries, provided all good baked on the premises shall be sold at retail from the premises;
 - d. Bicycle repair shops;
 - e. Carpet and floor covering stores;
 - f. Clothing and apparel stores with goods for sale or rent;
 - g. Convenience stores;
 - h. Drug and cosmetic stores;
 - i. Farmers markets and farm produce stands;
 - j. Food stores;
 - k. Laundry and dry cleaning establishments without delivery services;
 - l. Liquor stores;
 - m. Personal service establishments;
 - n. Pet grooming establishments;
 - o. Repair or electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items;
 - p. Restaurants, carryout, including incidental delivery services;
 - q. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4;
 - r. Service agencies;
 - s. Specialty stores.

C. Accessory Uses

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

5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 117.1: - BR (Business: Rural) District

C. Uses Permitted as a Matter of Right

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

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

23. Restaurant, standard, and beverage establishments including those serving beer, wine, and liquor provided the site has direct access to and frontage on a collector or arterial road designated in the General Plan.

24. Retail greenhouse, garden center or nursery.

25. ROOFTOP SOLAR COLLECTORS

2[[5]] 6. Sawmills.

2[[6]] 7. School bus storage.

2[[7]] 8. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.

2[[8]] 9. Underground pipelines; electric transmission and distribution lines and transformers; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

[[29]] 30. Volunteer fire departments.

3[[0]] 1. Welding service.

E. Accessory Uses

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

2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Section 128.0.e.

3. Retail sale of propane on the site of a principal retail business.

4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.

5. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 117.3: - OT (Office Transition) District

C. Uses Permitted as a Matter of Right

1. Animal hospitals, completely enclosed.

2. Antique shops, art galleries, craft shops.

3. Athletic facility, commercial, limited to: dance, martial arts, and yoga studios.

4. Bakeries.

5. Bicycle sales and repair.

6. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.

7. Child day care centers and nursery schools.

8. Clothing and apparel stores with goods for sale or rent.

9. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.4.
10. Day treatment and care facilities.
11. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
12. Government structures, facilities and uses, including public schools and colleges.
13. One square-foot of residential space is permitted for each square-foot of commercial space and must be located within the same structure.
14. Offices, professional and business.
15. Pet grooming establishments and day care, completely enclosed.
16. Personal service establishments, provided the floor area of such uses does not exceed 50% of the floor area of all non-residential uses on the approved OT site development plan.
17. Repair and sales of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.

18. ROOFTOP SOLAR COLLECTORS

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

D. Accessory Uses

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

1. ACCESSORY GROUND-MOUNT SOLAR COLLECTORS

SECTION 117.4: - CCT (Community Center Transition) District

B. Uses Permitted As a Matter Of Right

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

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

22. ROOFTOP SOLAR COLLECTORS

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

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail and service businesses which are located within and primarily serve the residents of a nursing home, residential care facility, or age-restricted adult housing, provided such businesses do not occupy more than 2% of the total floor area of the building or buildings within the development.

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

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

B. Uses Permitted as a Matter of Right

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

22. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
23. Food stores.
24. Funeral homes and mortuaries.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.
28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
29. Hotels, motels, country inns and conference centers on parcels at least 1.5 acres in area.
30. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
31. Lawn and garden sheds and equipment sales, maintenance and repair.
32. Liquor stores.
33. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
34. Motor vehicle parts or tire stores, without installation facilities.
35. Museums and libraries.
36. Nonprofit clubs, lodges, community halls.
37. Nursing homes and residential care facilities, in the Non-Planned Service Area for Water and Sewerage.
38. Offices, professional and business.
39. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
40. Personal service establishments.
41. Pet grooming establishments and daycare, completely enclosed.
42. Religious facilities, structures and land used primarily for religious activities.
43. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
44. Restaurants, carryout, including incidental delivery service.
45. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
46. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
47. **ROOFTOP SOLAR COLLECTORS**

4[[7]] 8. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.

4[[8]] 9. Schools, Commercial.

[[49]] 50. Schools, private academic, including colleges and universities.

5[[0]] 1. Service agencies.

5[[1]] 2. Specialty stores.

5[[2]] 3. Swimming pools, commercial or community.

5[[3]] 4. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.

5[[4]] 5. Volunteer fire departments.

C. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.0.H.
2. Ambulance services.
3. Ambulatory health care facilities.
4. Amusement facilities.
5. Animal hospitals, completely enclosed.
6. Antique shops, art galleries, craft shops.
7. Athletic Facilities, Commercial.
8. Auction facilities.
9. Bakeries.

10. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
11. Bicycle repair shops.
12. Blueprinting, printing, duplicating or engraving services.
13. Building cleaning, painting, roofing, exterminating and similar establishments, provided that all supplies and equipment are enclosed within a building.
14. Bulk retail stores.
15. Bus terminals.
16. Business machine sales, rental and service establishments.
17. Car wash facilities.
18. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
19. Carpet and floor covering stores.
20. Carpet and rug cleaning.
21. Catering establishments and banquet facilities.
22. Child day care centers and nursery schools.
23. Clothing and apparel stores with goods for sale or rent.
24. Commercial communication antennas.
25. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
26. Concert halls.
27. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
28. Convents and monasteries used for residential purposes.
29. Convenience stores.
30. Day treatment or care facilities.
31. Department stores, appliance stores.
32. Drug and cosmetic stores.
33. Fairgrounds.
34. Farmers markets and farm produce stands.
35. Farm supply stores.
36. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
37. Firewood sales.
38. Flea markets, indoor.

39. Food stores.
40. Funeral homes and mortuaries.
41. Furniture stores.
42. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
43. Government structures, facilities and uses, including public schools and colleges.
44. Hardware stores.
45. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements.
46. Hotels, motels, country inns and conference centers.
47. Kennels.
48. Laundry and/or dry cleaning establishments.
49. Lawn and garden sheds and equipment sales, maintenance and repair.
50. Liquor stores.
51. Livestock sales and auction markets.
52. Lumber yard for the retail sale of lumber and other building materials and supplies.
53. Mobile home and modular home sales and rentals, but not including occupancy.
54. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
55. Motor vehicle, construction equipment and farm equipment sales and rentals.
56. Motor vehicle inspections stations.
57. Motor vehicle parts or tire store, including installation facilities.
58. Movie theaters, legitimate theaters, dinner theaters.
59. Museums and libraries.
60. Nonprofit clubs, lodges, community halls.
61. Nursing homes and residential care facilities.
62. Offices, professional and business.
63. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
64. Personal service establishments.
65. Pet grooming establishments and daycare, completely enclosed.
66. Pizza delivery service and other services for off-site delivery of prepared food.
67. Recreation Facilities, Commercial.
68. Recreational vehicle, marine equipment and boat sales, maintenance and repair facilities.
69. Recycling collection facilities.

70. Religious facilities, structures and land used primarily for religious activities.
71. Rental centers which rent a variety of goods including equipment and tools.
72. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
73. Restaurants, carryout.
74. Restaurants, fast food.
75. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
76. Retail greenhouses, garden centers and nurseries.

77. ROOFTOP SOLAR COLLECTORS

- 7[[7]] 8. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- 7[[8]] 9. Schools, commercial.
- [[79]] 80. Schools, private academic, including colleges and universities.
- 8[[0]] 1. Service agencies.
- 8[[1]] 2. Specialty stores.
- 8[[2]] 3. Taxicab businesses, including facilities for dispatch and maintenance of related vehicles.
- 8[[3]] 4. Taxidermies.
- 8[[4]] 5. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 8[[5]] 6. Volunteer fire departments.
- 8[[6]] 7. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

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

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of Section 128.0.D.5.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.

6. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
7. Accessory **GROUND-MOUNT** Solar Collectors.
8. Accessory storage buildings and shipping containers, as accessory storage structures, subject to the requirements in Section 128.0.D.

SECTION 120.0: - SC (Shopping Center) District

B. Uses Permitted as a Matter of Right

1. Adult entertainment business (including adult book or video stores, movie theaters and live entertainment establishments), subject to the requirements of Section 128.0.H.
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold retail from the premises.
6. Banks, savings and loan association, investment companies, credit bureaus, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services, limited to 2,000 square feet of net floor area.
9. Business machine sales, rental and service establishments.
10. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.3.
11. Carpet and floor covering stores.
12. Catering establishments and banquet facilities.
13. Child day care centers and nursery schools.
14. Clothing and apparel stores with goods for sale or rent.
15. Commercial communication antennas.
16. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
17. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
18. Day treatment or care facilities.
19. Department stores, appliance stores.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a lot of less than 40,000 square feet, no fowl other than for the normal use of the family residing on the lot and no livestock are permitted.

23. Food stores.
24. Funeral homes.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Furniture stores.
27. Government structures, facilities and uses, including public schools and colleges.
28. Hardware stores.
29. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
30. Housing Commission Housing Developments, subject to the requirements of Section 128.0.K.
31. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
32. Lawn and garden equipment sales, maintenance and repair.
33. Liquor stores.
34. Motor vehicle maintenance, repair and painting facilities, including full body repairs and incidental sales of parts.
35. Motor vehicle parts or tire store, including installation facilities.
36. Movie theaters, legitimate theaters, dinner theaters.
37. Museums and libraries.
38. Nonprofit clubs, lodges, community halls.
39. Offices, professional and business.
40. One dwelling unit per business establishment within the same structure, provided the dwelling unit does not exceed 50 percent of the floor area of the structure.
41. Personal service establishments such as barber shops, beauty shops, opticians, photographers, tailors.
42. Pet grooming establishments and daycare, completely enclosed.
43. Pizza delivery services and other services for off-site delivery of prepared food.
44. Recycling collection facilities.
45. Religious activities, structures used primarily for.
46. Rental centers which rent a variety of goods including equipment and tools.
47. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
48. Restaurants, carryout.
49. Restaurants, fast food.

50. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
51. Retail greenhouses, garden centers and nurseries.
52. **ROOFTOP SOLAR COLLECTORS**
- 5[[2]] 3. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4.
- 5[[3]] 4. Service agencies.
- 5[[4]] 5. Specialty stores.
- 5[[5]] 6. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 5[[6]] 7. Volunteer fire departments.

C. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

1. Ambulance services.
2. Ambulatory health care facilities.
3. Athletic facilities, commercial.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions.
5. Biodiesel fuel manufacturing from vegetable-based oils.
6. Biomedical laboratories.
7. Blueprinting, printing, duplicating or engraving services.
8. Breweries that manufacture 22,500 barrels or less of fermented malt beverages per year.
9. Bus terminals.
10. Carpet and floor covering stores.
11. Car wash facilities.

12. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
13. Carpet and rug cleaning.
14. Catering establishments and banquet facilities.
15. Child day care centers and nursery schools.
16. Concert halls.
17. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
18. Contractor's office and outdoor or indoor storage facility, including carpentry, cleaning, construction, electrical, excavation, exterminating, heating/air conditioning, home improvement, landscaping, masonry, painting, paving, plumbing, roofing, septic system, snow removal, well drilling, and other contractors.
19. Data processing and telecommunication centers.
20. Day treatment or care facilities.
21. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
22. Flex-space.
23. Funeral homes and mortuaries.
24. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
25. Furniture stores.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hotels, motels, conference centers and country inns.
28. Kennels.
29. Laundry or dry cleaning establishments or plants.
30. Light Industrial Uses.
31. Material recovery facilities—source separated.
32. Mobile home and modular home sales and rentals, but not including occupancy.
33. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repair and incidental sale of parts.
34. Motor vehicle, construction equipment and farm equipment sales and rentals.
35. Motor vehicle inspections station.
36. Motor vehicle towing and storage facility.
37. Mulch manufacture.
38. Nonprofit clubs, lodges, community halls.
39. Offices, professional and business.

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

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

53. Retail, limited:

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

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

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

54. **ROOFTOP SOLAR COLLECTORS**

5[[4]] 5. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.

5[[5]] 6. Sawmills.

5[[6]] 7. School bus, boat and recreational vehicle storage facilities.

5[[7]] 8. Schools, commercial.

5[[8]] 9. Schools, private academic, including colleges and universities.

[[59]] 60. Self storage facilities.

6[[0]] 1. Sign making shops.

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

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

C. Accessory Uses

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

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

C. Accessory Uses

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

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

SECTION 124.0: - SW (Solid Waste) Overlay District

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

1. Material recovery facilities.
2. **ROOFTOP SOLAR COLLECTORS**
- [[2]] 3. Waste transfer stations.
- [[3]] 4. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.

D. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

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

1. The following uses shall be permitted as a matter of right in both the Residential Subdistrict and in the Multi-use Subdistrict.
 - a. One single-family detached unit per lot.
 - b. One zero lot line unit per lot.
 - c. Single-family attached dwelling units.
 - d. Apartment units.
 - e. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
 - f. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
 - g. Government buildings, facilities and uses, including public schools and colleges.
 - h. Private recreational facilities, such as parks, athletic fields, swimming pools, basketball courts and tennis courts, reserved for use by residents of a community and their guests. Such facilities shall be located within condominium developments or within communities with recorded covenants and liens which govern and provide financial support for operation of the facilities.
 - i. Golf courses and country clubs.
 - j. Riding academies and stables.
 - k. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
 - l. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
 - m. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other, similar public utility uses not requiring a Conditional Use.
 - n. Commercial communication antennas attached to structures, subject to the requirements of Section 128.0.E.
 - o. Commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E. This height limit does not apply to government communication towers, which are permitted as a matter of right under the provisions for "Government structures, facilities and uses."
 - p. Volunteer fire departments.

R. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

1. The following are permitted as accessory uses to residential uses in the PGCC District. More than one accessory use shall be permitted on a lot, provided that the combination of accessory uses remains secondary, incidental and subordinate to the principal use.
 - a. Any use normally and customarily incidental to any use permitted as a matter of right.
 - b. Accessory apartments, provided that:
 - (1) The area of the lot is at least 12,000 square feet.
 - (2) Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment.
 - (3) The accessory apartment shall have no more than two bedrooms.
 - c. The housing by a resident family of:
 - (1) Not more than four non-transient roomers or boarders; or
 - (2) Not more than eight mentally and/or physically disabled persons or persons 62 years of age or older, provided the use is registered, licensed or certified by the State of Maryland; or
 - (3) A combination of a and b above, provided that the total number of persons housed in addition to the resident family does not exceed eight.
 - d. Home occupations, subject to the requirements of Section 128.0.C.
 - e. Home care, provided that if home care is combined with housing of mentally or physically disabled persons or persons 62 years of age or older, as allowed by Subsection c.(2) above, the total number of persons receiving home care at any one time plus the number of persons being housed shall not exceed eight.
 - f. Parking:
 - (1) Off-street parking of no more than two commercial vehicles on lots of three or more acres and no more than one commercial vehicle on lots of less than three acres. Private off-street parking is restricted to vehicles used in connection with or in relation to a principal use permitted as a matter of right in the district.
 - (2) Off-street parking or storage of unregistered, inoperable, wrecked, dismantled or destroyed motor vehicles shall not be permitted, except as provided by Section 128.0.D.
 - g. Storage of recreational vehicles or boats, provided that on lots of 20,000 square feet or smaller, such storage shall be limited to the following:
 - (1) One recreational vehicle with a length of 30 feet or less; and
 - (2) One boat with a length of 20 feet or less.
 - h. Farm produce stand, not to exceed 300 square feet in floor area, for the retail sale of crops, produce, flowers, livestock and poultry products, etc, grown or produced on the lot or by the owner of the lot on which such structure is located. Appropriate on-site parking spaces shall be provided.
 - i. Snowball stands, subject to the requirements of Section 128.0.D.

- j. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L
 - k. Accessory **GROUND-MOUNT** Solar Collectors.
2. The following are permitted as accessory uses to nonresidential uses in the PGCC District:
- a. Any use normally and customarily incidental to any use permitted as a matter of right.
 - b. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.E.0.2 and 128.0.E.3.
 - c. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.0: - MXD (Mixed Use) Districts

C. Requirements for Mixed Use Development

4. Permitted Uses

- a. The use of land in a Mixed Use Development shall be limited to the permitted uses specified in the approved Preliminary Development Plan and Preliminary Development Criteria. The uses permitted by the Preliminary Development Plan shall be limited to the uses listed in this Subsection and shall comply with the restrictions given in Subsections 5 through 9 below. The permitted uses allowed by the Preliminary Development Plan may be limited to a portion of the uses listed below.
- b. For Mixed Use Developments larger than 75 acres, the permitted uses shall be drawn from the following list:
 - (1) Uses permitted as a matter of right in the POR, B-1 and M-1 Districts, excluding Housing Commission Housing Developments on non-residential land.
 - (2) One single-family detached dwelling unit per lot.
 - (3) One zero lot line dwelling unit per lot.
 - (4) Single-family attached dwelling units.
 - (5) Apartments.
 - (6) Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
 - (7) Two-family dwellings.
 - (8) Cemeteries and mausoleums.
 - (9) Country clubs and golf courses.
 - (10) Fast food restaurants.
 - (11) Motor Vehicle Fueling Facility, provided the use is indicated on the Preliminary Development Plan approved by the Zoning Board and criteria for the use are specified in the Preliminary Development Criteria approved by the

Zoning Board. A Site Development Plan for a Motor Vehicle Fueling Facility shall be subject to Planning Board approval in accordance with Section 127.0.G.

- (12) Movie theaters, legitimate theaters, dinner theaters.
- (13) Public utility uses, including substations and commercial communication towers.
- (14) **ROOFTOP SOLAR COLLECTORS**
 - (1[[4]] 5) Other uses, similar to those above, approved by the Zoning Board on the Preliminary Development Plan.
- c. For Mixed Use Developments of 75 acres or smaller, the permitted uses shall be drawn from the following list:
 - (1) Uses permitted as a matter of right in the POR and B-1 Districts, excluding Housing Commission Housing Developments on non-residential land.
 - (2) One single-family detached dwelling unit per lot.
 - (3) One zero lot line dwelling unit per lot.
 - (4) Single-family attached dwelling units.
 - (5) Apartments.
 - (6) Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
 - (7) Two-family dwellings.
 - (8) Movie theaters, legitimate theaters, dinner theaters.
 - (9) **ROOFTOP SOLAR COLLECTORS**
 - ([[9]] 10) Other uses, similar to those above, approved by the Zoning Board on the Preliminary Development Plan.
- d. Uses permitted only in the R-MH or M-2 District shall not be permitted in the MXD-3 or MXD-6 District.
- e. The Preliminary Development Criteria may specify that particular uses are permitted only if certain stated conditions or criteria are met. The Preliminary Development Criteria shall authorize the Planning Board to determine whether the required conditions or criteria are met following a public hearing, according to the procedures established in Section 127.0.G.

SECTION 127.1: - PSC (Planned Senior Community) District

E. Accessory Uses

- 1. Services and businesses that serve the residents of the PSC District, including recreational, educational, health, personal, professional and business services and retail stores.
- 2. Home occupations, subject to the requirements of Section 128.0.C.

3. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
4. Accessory **GROUND-MOUNT** Solar Collectors.

SECTION 127.2: - CE (Corridor Employment) District

B. Uses Permitted as a Matter of Right

1. Ambulatory health care facilities.
2. Animal hospitals, completely enclosed.
3. Athletic facilities, commercial.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions without drive-through lanes.
5. Biomedical laboratories.
6. Blueprinting, printing, duplicating or engraving services.
7. Breweries that manufacture 22,500 barrels or less of fermented malt beverages per year.
8. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
9. Catering establishments and banquet facilities.
10. Child day care centers and nursery schools.
11. Commercial communication antennas.
12. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and 128.0.E.3.
13. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
14. Data processing and telecommunication centers.
15. Day treatment or care facility.
16. Flex space.
17. Food and drink production, processing, packaging and distribution for dairy products, food products, bakery products, nonalcoholic beverages, spices, ice and meats, excluding slaughtering.
18. Furniture, appliance and business machine repair, furniture upholstery and similar services.
19. Government structures, facilities and uses, including public schools and colleges.
20. Hotels, motels, conference centers, and country inns.
21. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J
22. Laundry or dry cleaning establishments.

23. Light industrial uses.
24. Nonprofit clubs, lodges, community halls.
25. Offices, professional and business.
26. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.4.
27. Pet grooming establishments and day care, completely enclosed.
28. Photographic processing plants.
29. Printing, lithography, bookbinding or publishing.
30. Recreation facilities, commercial.
31. Religious facilities, structures and land used primarily for religious activities.
32. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
33. Research and development establishments.
34. Restaurants, carryout.
35. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.

36. ROOFTOP SOLAR COLLECTORS

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

D. Accessory Uses

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

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

C. Uses Permitted as a Matter Of Right

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

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

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

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

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

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

SECTION 127.4: - TOD (Transit Oriented Development) District

B. Uses Permitted as a Matter of Right

1. Ambulatory health care facilities, including pharmacies incidental to these uses.
2. Athletic facilities, commercial.
3. Biomedical laboratories.
4. Commercial communication antennas.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Data processing and telecommunication centers.
7. Dwellings, apartment.
8. Dwellings, single-family attached.
9. Flex space.
10. Government structures, facilities and uses, including public schools and colleges.
11. Horse racetrack facilities.

12. Hotels, motels, country inns and conference centers.
13. Industrial Uses, light, provided that: The property is at least 30 acres or greater and fronts on and has direct access to an arterial or collector highway; adjoins other properties developed with existing light industrial uses; the light industrial use is principally conducted within a building with a maximum building height of 50 feet; the proposed industrial development does not include a proposal for any dwelling units within the same project; and; the light industrial development is at the periphery of the TOD District, well separated from the MARC Station.
14. Offices, professional and business.
15. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.
16. Religious facilities, structures and land used primarily for religious activities.
17. Research and development establishments.
18. Restaurants, carryout, including incidental delivery services.
19. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.

20. ROOFTOP SOLAR COLLECTORS

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

D. Accessory Uses

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

SECTION 127.5: - CAC (Corridor Activity Center) District

B. Uses Permitted as a Matter of Right

1. Ambulatory health care facilities.
2. Animal hospitals, completely enclosed.
3. Antique shops, art galleries, craft shops.
4. Athletic facilities, commercial

5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions without a drive-through except that single lane drive-through service shall be permitted for one establishment within the project if the drive-through service area is not visible from Route 1.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.3.
10. Child day care centers and nursery schools.
11. Clothing and apparel stores with goods for sale or rent.
12. Commercial communication antennas.
13. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
14. Convenience stores.
15. Day treatment or care facilities.
16. Drug and cosmetic stores.
17. Dwellings, apartment and single-family attached, only within a Route 1 Corridor development project with at least 2 gross acres of CAC-zoned land or less than 2 gross acres if: (1) the subject property is contiguous along at least 75% of its perimeter to a CAC development that has received final approval of a Sketch Plan or Site Development Plan; (2) no additional CAC-zoned land directly adjoins the subject property; and (3) the development of the subject property shall be compatible with the land use, site planning and architectural character of the contiguous CAC development. If the project site is 2 gross acres or greater of CAC zoned land, then the project must include more than one residential unit type.
18. Farmers markets.
19. Flex Space.
20. Food stores.
21. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
22. Government structures, facilities and uses, including public schools and colleges.
23. Hardware stores.
24. Hotels, motels, country inns and conference centers.
25. Laundry and/or dry cleaning establishments.
26. Liquor stores.
27. Museums and libraries.

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

38. ROOFTOP SOLAR COLLECTORS

3[[8.]] 9 Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4.

[[39]] 40. Schools, commercial.

4[[0]] 1. Schools, private academic, including colleges and universities.

4[[1]] 2. Service agencies.

4[[2]] 3. Specialty stores.

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

44. Volunteer fire departments.

C. Accessory Uses

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

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

C. Uses Permitted as a Matter of Right

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

24. Hotels, motels, country inns and conference centers.
25. Laundry or dry cleaning establishments.
26. Liquor stores.
27. Museums and libraries.
28. Nonprofit clubs, lodges, community halls.
29. Offices, professional and business.
30. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.
31. Personal service establishments.
32. Pet grooming establishments and daycare, completely enclosed.
33. Recreation Facilities, Commercial including bowling centers, billiard or pool centers, children's party and play spaces, laser-tag facilities, computer gaming centers, golf driving ranges, miniature golf, water slides, paintball, and similar uses.
34. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
35. Restaurants, carryout, including incidental delivery service.
36. Restaurants, fast food, in a building without a drive-through.
37. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.

38. ROOFTOP SOLAR COLLECTORS

- 3[[8]] 9. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
- [[39]] 40. Schools, commercial.
- 4[[0]] 1. Schools, private academic, including colleges and universities.
- 4[[1]] 2. Service agencies.
- 4[[2]] 3. Specialty stores.
44. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar
45. Volunteer fire departments.

D. Accessory Uses

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

- 6. Snowball stands, subject to the requirements of Section 128.0.D.
- 7. Accessory **GROUND-MOUNT** Solar Collectors.

Sec. 128.0.A.12

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

a. Size restrictions

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

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

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

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

b. Restrictions for accessory structures

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

Sec. 131.0.N

Conditional Use	Zoning Districts																												
	R C	R R	R- E D	R- 20 12	R- S C	R- SA -8	R- H- E D	R- A - 15	R- AP T	R- M H	R- V SIH	CC T	TO D	CA C	TN C	PGC C	H O C	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	CC	TOD	CA	TNC	PG	CC	HO	HC	POR	PEC	BR	OT	B-1	B-2	SC	M-1	M-2	CEI
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.



HOWARD COUNTY OFFICE OF COMMUNITY SUSTAINABILITY
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-0700

www.howardcountymd.gov FAX 410-313-3390 TDD 410-313-2323

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 or Task Force Co-Chair, Dani Phillips, at Dphillips@howardcountymd.gov.

Names of Task Force Members

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

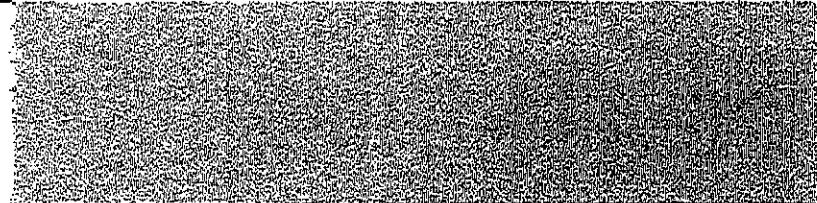
Type of System	Definition	Principal Use By Right	Accessory Use	Conditional Use	Zoning Districts	Allowable on Ag Pres Land
Solar Collector, Rooftop	A solar collector or commercial solar collector and all supporting electrical and structural components that is attached to the rooftop of an existing structure or integrated into the building 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
Solar Collector, Accessory Use Ground-Mount	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
Solar Collector, Accessory Use Ground-Mount (aggregated)	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
Solar Collector, Commercial Ground-Mount	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.			X	RC/RR plus consideration of others (policy decision)	Yes, with conditional use criteria
Solar Collector, Utility-Scale Ground-Mount	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			X	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)

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.



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.



HOWARD COUNTY OFFICE OF COMMUNITY SUSTAINABILITY
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-0700
www.howardcountymd.gov FAX 410-313-3390 TDD 410-313-2323

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 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 as 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

CB 14-21



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

January 21, 2021

TECHNICAL STAFF REPORT

Planning Board Meeting of February 4, 2021

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

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

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

I. BACKGROUND AND HISTORY OF EXISTING ZONING REGULATIONS

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

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

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

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

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

Agricultural Preservation Board Commercial Solar Facility Policy

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

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

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

Commercial Solar Facility Conditional Use Applications

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

Solar Task Force

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

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

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

II. DESCRIPTION OF PROPOSAL

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

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

Section 103.0

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

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

Roof Top Solar Collector

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

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

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

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

Accessory Ground-Mount Solar Collectors

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

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

Commercial Solar Collector

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

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

Commercial Ground-Mount Solar Collector

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

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

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

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

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

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

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

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

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

128.0.A.12

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

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

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

Section 131.0.N.52.

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

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

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

131.0.N.52.

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

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

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

Section 131.0.N.52.i.

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

Section 131.0.N.52.L.

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

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

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

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

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

III. EVALUATION OF PROPOSAL

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

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

Sec. 103.0

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

Rooftop Solar in All Zoning Districts

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

Sec. 128.0.A.12

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

Sec. 131.0.N.52.

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

Sec. 131.0.N.52.a

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

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

Section 131.0.N.52.i.

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

Section 131.0.N.52.J.

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

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

The proposed amendments:

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

Attachment F is a map depicting the impacted zoning districts.

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

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

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

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

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


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

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

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

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

Approved by:



Amy Gowan, Director Date 1/21/21

Exhibit A

Petitioner's Proposed Text

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

SECTION 103.0: - Definitions

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

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

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

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

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

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

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

SECTION 104.0: - RC (Rural Conservation) District

B. Uses Permitted as a Matter of Right

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

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

13. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

The following are permitted accessory uses in the RC District, except that only the uses listed in Section 106.1 shall be permitted on County Preservation Easements. More than one accessory use shall be permitted on a lot, provided that the combination of accessory uses remains secondary, incidental and subordinate to the principal use.

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

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

SECTION 105.0: - RR (Rural Residential) District

B. Uses Permitted as a Matter of Right

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

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

C. Accessory Uses

The following are permitted accessory uses in the RR District, except that only the uses listed in Section 106.1 shall be permitted on County preservation easements. More than one accessory use shall be permitted on a lot, provided that the combination of accessory uses remains secondary, incidental and subordinate to the principal use.

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

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

SECTION 106.1: - County Preservation Easements

B. Uses Permitted as a Matter of Right

1. ALPP Purchased Easements and ALPP Dedicated Easements

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

H. ROOFTOP SOLAR COLLECTORS

2. Other Dedicated Easements

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

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

I. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

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

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

(4) Welding

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

D. Conditional Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

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

The following Conditional Uses may be allowed:

- (1) Animal hospitals

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

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

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

B. Uses Permitted as a Matter of Right

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

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

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

C. Accessory Uses

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

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

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

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

B. Uses Permitted as a Matter of Right

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

C. Accessory Uses

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

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

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

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

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

B. Uses Permitted as a Matter of Right

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

14. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

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

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

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

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

B. Uses Permitted as a Matter of Right

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

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

C. Accessory Uses

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

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

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

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

B. Uses Permitted as a Matter of Right

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

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

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

C. Accessory Uses

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

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

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

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

B. Uses Permitted as a Matter of Right

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

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

C. Accessory Uses

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

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

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

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

B. Uses Permitted as a Matter of Right

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

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

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

14. **ROOFTOP SOLAR COLLECTORS**

C. **Accessory Uses**

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

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

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

B. Use Permitted as a Matter of Right

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

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

12. Volunteer fire departments.

13. **ROOFTOP SOLAR COLLECTORS**

C. **Accessory Uses**

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

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

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

B. Uses Permitted as a Matter of Right

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

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

11. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

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

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

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

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

B. Uses Permitted As a Matter Of Right

1. Age-Restricted Adult Housing.
2. Ambulatory health care facilities, including pharmacies incidental to these uses.
3. Athletic Facilities, Commercial.
4. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
5. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
6. Day treatment or care facilities.
7. Government structures, facilities and uses, including public schools and colleges.
8. Museums and libraries.
9. Non-profit clubs, lodges, community halls, and camps.
10. Nursing homes and residential care facilities.
11. Religious facilities, structures and land used primarily for religious activities.
12. **ROOFTOP SOLAR COLLECTORS**
- [[12]] 13. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- [[13]] 14. Volunteer fire departments.

C. Accessory Uses

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

SECTION 113.3: - I (Institutional) Overlay District

C. Uses Permitted as a Matter of Right

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

9. ROOFTOP SOLAR COLLECTORS

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

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

D. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

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

11. ROOFTOP SOLAR COLLECTORS

C. Accessory Uses

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

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

SECTION 114.2: - HO (Historic: Office) District

B. Uses Permitted as a Matter of Right

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

C. Accessory Uses

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

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

SECTION 114.3: - HC (Historic: Commercial) District

B. Uses Permitted as a Matter of Right

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

21. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided that all materials and supplies are enclosed in a building.
22. Hotels, motels, country inns and conference centers.
23. Laundry and dry cleaning establishments, except that pickup and delivery services shall not be provided.
24. Liquor stores.
25. Movie theaters, legitimate theaters and dinner theaters.
26. Museums and libraries.
27. Nonprofit clubs, lodges, community halls.
28. Offices, professional and business.
29. Personal service establishments.
30. Religious facilities, structures and land used primarily for religious activities.
31. **ROOFTOP SOLAR COLLECTORS**
 - 3[[1]] 2. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry and similar items.
 - 3[[2]] 3. Restaurants, carryout, including incidental delivery services.
 - 3[[3]] 4. Restaurants, fast food.
 - 3[[4]] 5. Restaurants, standard, and beverage establishments, including those selling beer, wine and liquor.
 - 3[[5]] 6. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
 - 3[[6]] 7. Schools, commercial.
 - 3[[7]] 8. Service agencies.
 - 3[[8]] 9. Specialty stores.
 - [[39]] 40. Taxidermy.
- 4[[0]] 1. Underground pipelines; underground electric transmission and distribution lines; underground telephone, telegraph and CATV lines; mobile transformers units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
41. Volunteer fire departments.

C. Accessory Uses

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

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

SECTION 115.0: - POR (Planned Office Research) District

B. Uses Permitted as a Matter of Right

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

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

40. ROOFTOP SOLAR COLLECTORS

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

C. Accessory Uses

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

SECTION 116.0: - PEC (Planned Employment Center) District

B. Uses Permitted as a Matter of Right

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

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

27. Riding academies and stables.
- 28. ROOFTOP SOLAR COLLECTORS**
- 2[[8]] 9. Schools, commercial.
- [[29]] 30. Schools, private academic, including colleges and universities.
- 3[[0]] 1. Service agencies.
- 3[[1]] 2. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
- 3[[2]] 3. Volunteer fire departments.
- 3[[3]] 4. The following commercial uses shall be allowed as a matter of right, provided that the lots on which these uses are located shall not occupy more than 4% of the gross acreage of the development project. In addition, these commercial uses may be located on a lot used primarily for business or professional offices, or for research and development establishments, provided that they occupy no more than 20% of the floor area of any building.
- a. Adult book or video stores, subject to the requirements of Section 128.0.H.
 - b. Business machine sales, rental and service establishments;
 - c. Convenience stores;
 - d. Drug and cosmetic stores;
 - e. Laundry and dry cleaning establishments without delivery services;
 - f. Liquor stores;
 - g. Personal service establishments;
 - h. Restaurants, carryout, including incidental delivery services;
 - i. Specialty stores;
 - j. The retail sale of products manufactured on the site or parts or accessories to products manufactured on the site.
- 3[[4]] 5. The following retail and personal uses permitted in the B-1 District shall be allowed on lots in a planned development containing a minimum of 500 dwelling units. The gross floor area of retail uses developed under this section shall not exceed 40,000 square feet. For the purpose of this section, a planned development shall include all property under a common master homeowners association.
- a. Animal hospitals, completely enclosed;
 - b. Antique shops, art galleries, craft shops;
 - c. Bakeries, provided all good baked on the premises shall be sold at retail from the premises;
 - d. Bicycle repair shops;

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

C. Accessory Uses

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

SECTION 117.1: - BR (Business: Rural) District

C. Uses Permitted as a Matter of Right

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

1. Animal hospital, completely enclosed.

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

25. ROOFTOP SOLAR COLLECTORS

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

E. Accessory Uses

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

SECTION 117.3: - OT (Office Transition) District

C. Uses Permitted as a Matter of Right

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

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

18. ROOFTOP SOLAR COLLECTORS

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

D. Accessory Uses

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

1. ACCESSORY GROUND-MOUNT SOLAR COLLECTORS

SECTION 117.4: - CCT (Community Center Transition) District

B. Uses Permitted As a Matter Of Right

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

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

22. ROOFTOP SOLAR COLLECTORS

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

C. Accessory Uses

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

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

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

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

B. Uses Permitted as a Matter of Right

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

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

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

C. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

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

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

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

77. ROOFTOP SOLAR COLLECTORS

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

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- 8[[4]] 5. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
 - 8[[5]] 6. Volunteer fire departments.
 - 8[[6]] 7. Wholesale sales, made from retail sales establishments and limited to products permitted to be sold at retail in this district, provided sales and storage incidental to the sales use are conducted wholly within an enclosed building and all loading and unloading of merchandise is conducted on private property.

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

C. Accessory Uses

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

SECTION 120.0: - SC (Shopping Center) District

B. Uses Permitted as a Matter of Right

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

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

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

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

C. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

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

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

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

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

53. Retail, limited:

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

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

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

54. **ROOFTOP SOLAR COLLECTORS**

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

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

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

C. Accessory Uses

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

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

C. Accessory Uses

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

SECTION 124.0: - SW (Solid Waste) Overlay District

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

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

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

D. Accessory Uses

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

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

B. Uses Permitted as a Matter of Right

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

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

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

C. Accessory Uses

- l. 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**
 - (~~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-ED	R-20	R-12	R-SC	R-SA-8	R-HE-D	R-A-15	R-APT	R-MH	R-SI	R-VH	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	CE
Solar COLLECTOR Facility, Commercial GROUND-MOUNT	✓	✓																			✓	✓			✓	✓		✓	✓	✓

Sec. 131.0.N.52

Solar COLLECTOR Facility, Commercial GROUND MOUNT

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

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

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

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

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

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

[[l]] K Scenic Views

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

A. A public park;

B. A national or state designated scenic byway;

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

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

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

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

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

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

D. The petition shall include a landscape plan.

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

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

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

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

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

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

~~[[4]]~~ **3) The petitioner shall make the Board's advisory review available at the presubmission community meeting.**

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

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

How The Text Would Appear If Adopted

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

Sec. 103.0 Definitions

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

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

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

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

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

a. Size restrictions

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

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

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

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

b. Restrictions for accessory structures

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

Sec. 131.0.N

Conditional Use	Zoning Districts																												
	RC	RR	RED	R-20	R-21	R-SC	R-SA-8	R-HE-D	R-A-15	R-APT	R-MH	R-VSH	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	CE
Solar collector facility, commercial ground-mount	✓	✓																		✓	✓			✓	✓		✓	✓	✓

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

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

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

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

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

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

k. Scenic Views

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

A. A public park;

B. A national or state designated scenic byway;

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

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

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

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

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

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

D. The petition shall include a landscape plan.

I. 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.

1
2
3 Board Discussion and Recommendation

4 In work session, the Planning Board addressed the components of ZRA-197 individually and voted
5 on each amendment.

6 **Section 103.0 - Definitions**

7 The Board indicated that the proposed definitions were clear and concise. Mr. McAliley motioned to approve
8 and Ms. Adler seconded. The motion passed 5 - 0.

9 **Multiple Sections - Allow rooftop commercial and accessory ground-mount solar collectors in all**
10 **zoning districts**

11 The Board supported allowing rooftop solar collectors in all zoning districts. The Board also supported
12 allowing accessory ground-mount solar collectors in all zoning districts; however, the Board expressed
13 concern about the visual impact on adjacent properties and roadways. Mr. McAliley motioned to approve with
14 the added requirement that accessory ground mount solar collectors be buffered or screened from adjacent
15 properties and roadways. Ms. Roberts seconded. The motion passed 5 - 0.

16 **Section 128.0.A.12 - Exempt accessory ground-mount solar collectors from the accessory structure lot**
17 **coverage requirement**

18 The Board supported exempting accessory ground mount solar collectors from the accessory structure lot
19 coverage requirement, so that they are not inadvertently prohibited by Sec. 128.0.A.12. Mr. McAliley
20 motioned to approve and Ms. Roberts seconded. The motion passed 5 - 0.

21 **Section 131.0.N.52 - Allow ground-mount commercial solar panels in B-1, B-2, CE, M-1, M-2, POR,**
22 **and PEC as a Conditional Use**

23 The Board concurred with DPZ's analysis of the existing zoning district purpose statements and surrounding
24 jurisdictions. Mr. McAliley motioned to approve and Ms. Roberts seconded. The motion passed 5 - 0.

25 **Section 131.0.N.52 - Eliminate the requirement for a glare study**

26 Mr. Coleman expressed concern about eliminating the glare study entirely, since there isn't a requirement to
27 utilize glare mitigating technology, such as single axis tracking panels. However, the other Board members
28 expressed that technological advancements reduce or eliminate glare that otherwise resulted from older fixed
29 panel technology and therefore it is not necessary to regulate glare. Mr. McAliley motioned to approve and
30 Mr. Engelke seconded. The motion passed 5 - 0.

31 **Section 131.0.N.52 - Limit the size of ground-mount commercial solar collector facilities on parcels that**
32 **are in the Agricultural Land Preservation Program to 16 acres or 34% of the parcel, whichever is less**

33 The Board discussed the most appropriate approach to limit the scale of commercial solar facilities on ALPP
34 properties. Two Board members supported inclusion of the Agricultural Preservation Board Commercial
35 Solar Facility approach to limit the size to 20% of the easement and to prohibit facilities that produce over 2
36 megawatts. However, the other Board members were unclear of the basis for 20% as compared to the
37 proposed 34%, which was based on ALPP eligibility requirements. Mr. McAliley motioned to approve and
38 Ms. Roberts seconded. The motion passed 3 - 2.

Section 131.0.N.52 - Add a preliminary and final review by the Agricultural Preservation Board

The Board concurred with the Solar Task Force's recommendation on the proposed Agricultural Preservation Board review process. Mr. McAliley motioned to approve and Mr. Engelke seconded. The motion passed 5 - 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 18 day of February, 2021, recommends that ZRA-197, as described above, be **APPROVED**.

HOWARD COUNTY PLANNING BOARD

DocuSigned by:
Edward T. Coleman
Ed Coleman, Chair

DocuSigned by:
Kevin McAliley
Kevin McAliley, Vice-chair

DocuSigned by:
Tudy Adler
Delphine Adler

DocuSigned by:
Phillips Engelke
Phillips Engelke

DocuSigned by:
Erica Roberts
Erica Roberts

ATTEST:

DocuSigned by:
Amy Gowan
Amy Gowan, Executive Secretary

**Office of the County Auditor
Auditor's Analysis**

Council Bill No. 17-2021 (ZRA 197)

Introduced: March 1, 2021

Auditors: Michael A. Martin and Owen Clark

Fiscal Impact:

The fiscal impact from this legislation cannot be determined as it is contingent on the decisions of individual property owners to invest in solar facilities.

Potential impact would be derived from:

- Personal property tax revenues collected on solar facility purchases to be used in certain zoning districts where such facilities were previously restricted or prohibited. The current County personal property tax rate is \$2.535 per \$100 of assessed value.
- Income taxes generated from lease revenues of County businesses and residents that lease portions of land to utility companies for the purpose of installing solar collectors.
- County permit fee revenues.
- Reductions in County real property taxes resulting from tax credits, which may include credits against the purchase of residential solar energy devices and the commercial high performance-building tax credit.

The Department of Planning and Zoning (DPZ) stated there will be no fiscal impact associated with the Agricultural Preservation Board's (APB) new two-step Conditional Use review process for solar facilities located on Agricultural Preservation parcels. Current County resources will be sufficient to support the additional work related to this process - the issuance and review of permits and plans for solar facilities are already being performed and any additional work can be fulfilled utilizing existing County resources.

Purpose:

The primary goal of this zoning amendment is to implement recommendations of the Solar Task Force in conjunction with DPZ's analysis and consistency with the Zoning Regulations.

Specifically, this legislation updates current solar definitions in Section 103.0 of Zoning Regulations. See **Attachment A** for DPZ's breakdown of these definition changes. In addition, the legislation makes changes by zoning district noted below and summarized in **Attachment B**:

- Allows rooftop commercial solar as a "Matter of Right";
- Allows and redefines "Accessory Use" for ground mount solar collectors; and

- Allows ground mount commercial solar facilities as a “Conditional Use” in B1, B2, CE, M1, M2, POR, and PEC districts.

Changes applicable to Agricultural Preservation Parcels include:

- Limiting the size of ground mount commercial solar facilities on parcels that are in the Agricultural Land Preservation Program (ALPP) to 16 acres or 34 percent of the parcel, whichever is less.
- Creating a two-step process, which adds a preliminary review by the APB and a Concept Review Plan in Section 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 petition.

The legislation further proposes:

- Not including the size of the accessory use ground mount solar collectors in the lot coverage requirement if it is less than 3 percent of the total lot (for single family detached dwelling residential lots).
- Elimination of the requirement for a glare study as required under Section 131.0.N.52.

Other Comments:

The Administration indicated in its testimony that there is no fiscal impact associated with this legislation. Upon inquiry from our Office, it stated that its analysis was based on direct and measurable impacts to the County. Therefore, it did not include the possibility of future County tax considerations or permit revenue in its fiscal analysis.

In accordance with Council Resolution 133-2019, the Commercial Solar Facilities (CSF) Task Force issued its findings following numerous meetings and studies on commercial solar facilities. The proposed legislation is DPZ’s implementation of those findings.

The Department of Planning and Zoning verified there are not currently any CSFs on ALPP properties. It also noted eight requests have been reviewed by the APB and are in different stages of the Conditional Use approval process. The new Conditional Use process proposed by this bill will have no impact on the County’s ability to review these applications nor will there be any fiscal impact to the County as a result of this new process.

The Auditor’s Office has inquired whether these ALPP properties will be subject to the new Concept Plan review proposed in this zoning regulation or if it will be subject to the current provisions under County Code.

Attachment A CB17-2021 Definition Changes

<u>Unit</u>	<u>Current Definition</u>	<u>Proposed Definition (CB17-2021)</u>	<u>Significant Impact</u>
Commercial Solar Collector	Not defined.	A solar collector connected directly to the electrical distribution or transmission system separately from any other electrical service on the property on which is hosted and where electrical power generated may be used on or off-site.	Not applicable.
Solar Collector, Rooftop	Solar Collector, Accessory: A building mounted or ground mounted solar collector which is an accessory use to a principal use and is used for the primary purpose of generating electrical power to be consumed primarily by the principal use. A ground mounted accessory solar collector may be located on a different lot than the principal use.	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.	All power generated from rooftop and building mounted solar collectors may be sent off-site.
Solar Collector, Accessory Use Ground-Mount	Solar Collector, Accessory: A building mounted or ground mounted solar collector which is an accessory use to a principal use and is used for the primary purpose of generating electrical power to be consumed primarily by the principal use. A ground mounted accessory solar collector may be located on a different lot than the principal use.	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.	Allows excess power generated by solar collectors to be used for net metering, which is a type of billing system in which surplus power is transferred onto the grid, allowing customers to offset future power use. Net metering is not specifically permitted by the current definition.
Solar Collector, Commercial Ground-Mount	Solar Facility, Commercial: A series of ground mounted solar collectors used to generate photovoltaic power, where less than 50% of the power generated is consumed by the principal use on the site.	A commercial solar collector and all supporting electrical and structural components that is mounted onto the ground or a canopy.	Expands principal use ground mounted commercial solar to commercial and industrial areas through Conditional Use process.

Attachment B CB17-2021 Zoning District Changes

District	Zoning Code Section	Matter of Right	Accessory Use	Conditional Use
		Rooftop	Ground-Mount, Accessory	Ground-Mount, Commercial
Rural Conservation (RC)	104.0	Added	Revised Definition	Revised Definition
Rural Residential (RR)	105.0	Added	Revised Definition	Revised Definition
County Preservation	106.1	Added	Revised Definition	Revised Definition*
Residential Environmental Development (R-ED)	107.0	Added	Revised Definition	NO
Residential-Single (R-20)	108.0	Added	Revised Definition	NO
Residential-Single (R-12)	109.0	Added	Revised Definition	NO
Residential-Single Cluster (R-SC)	110.0	Added	Revised Definition	NO
Residential-Single Attached (R-SA-8)	111.0	Added	Revised Definition	NO
Residential: Historic Environmental (R-H-ED)	111.1	Added	Added	NO
Residential-Apartments (R-A-15)	112.0	Added	Revised Definition	NO
Residential-Apartments (R-APT)	112.1	Added	Revised Definition	NO
Residential-Mobile Home (R-MH)	113.1	Added	Revised Definition	NO
Residential-Senior Institutional (R-SI)	113.2	Added	Revised Definition	NO
Institutional Overlay (I)	113.3	Added	Revised Definition	NO
Residential-Village Housing (R-VH)	114.1	Added	Revised Definition	NO
Historic Office (HO)	114.2	Added	Revised Definition	NO
Historic: Commercial (HC)	114.3	Added	Revised Definition	NO
Planned Office Research (POR)	115.0	Added	Revised Definition	Added
Planned Employment Center (PEC)	116.0	Added	Revised Definition	Added
Business Rural (BR)	117.1	Added	Revised Definition	NO
Office Transportation (OT)	117.3	Added	Added	NO
Community Center Transition (CCT)	117.4	Added	Revised Definition	NO
Business-Local (B-1)	118.0	Added	Revised Definition	Added
Business-General (B-2)	119.0	Added	Revised Definition	Added
Shopping Center (SC)	120.0	Added	Added	NO
Manufacturing: Light (M-1)	122.0	Added	Revised Definition	Added
Manufacturing: Heavy (M-2)	123.0	Added	Revised Definition	Added
Solid Waste (SW)	124.0	Added	Revised Definition	NO
Planned Golf Course Community (PGCC)	126.0	Added	Revised Definition	NO
Mixed Use (MXD)	127.0	Added	Revised Definition	NO
Planned Senior Community (PSC)	127.1	Added	Revised Definition	NO
Corridor Employment (CE)	127.2	Added	Revised Definition	Added
Continuing Light Industrial (CLI)	127.3	Added	Revised Definition	NO
Transit Oriented District (TOD)	127.4	Added	Revised Definition	NO
Corridor Activity Center (CAC)	127.5	Added	Revised Definition	NO
Traditional Neighborhood Center (TNC)	127.6	Added	Revised Definition	NO

* - Denotes proposal for solar facilities in Ag Pres Program to be limited to 16 acres or 34% of parcel (whichever is less).

CB-17

Sayers, Margery

From: Betsy Singer <betsysing@gmail.com>
Sent: Wednesday, April 28, 2021 5:47 PM
To: CouncilMail
Subject: CB-17 Solar Zoning

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members: Thanks to those of you who were able to meet with us. We know it's a very busy time. We feel passionately about solar energy and want all of you to know our position concerning CB-17. Generally, we believe that CB-17 strikes a balance regarding commercial solar facilities (CSF) on properties in the Agricultural Land Preservation Program (ALPP). Under existing law, ALPP properties that can support a CSF are already limited by the requirement to be near high power transmission lines. Of this subset of eligible properties, CB-17 would reduce the amount of land available for a CSF from 75 acres to 16 acres or 34%, whichever is less. We believe this is already a major concession. Having 66% of the property available for farming is in accordance with the current criteria to be able to enter into the ALPP program.

Amendment 1: Strongly oppose - This amendment would require large minimum setbacks along the property line. This could force the solar facility to be placed on farmable portions of the property. This amendment is solely for aesthetic concerns of adjacent property owners and restricts the rights of farm owners to decide the best use of their land.

Amendment 2: Support - This amendment would require the solar facility to be co-located with some "harmonious" agricultural use. We think this dual use can greatly improve soil health while strengthening rural communities and their economies, so we support this amendment. In his report "Exploring Farming and Solar Synergies," Dr. Arjun Makhijani at IEER finds that "joint agricultural and solar sector development can result in large benefits for both and for rural communities more generally."

Amendment 3: Strongly oppose - This amendment would prohibit solar facilities unless active farming is on site. The Agricultural Land Preservation Program doesn't require ongoing farming, so we oppose this more onerous requirement. Amendment 2, the requirement to co-locate a solar facility with agricultural use, is sufficient and in keeping with the intent and goals of the agricultural preservation program.

Amendment 4: Support - This amendment would stipulate that ground-mount solar collector installations in specified business districts be allowed as a matter of right. We support amendments that eliminate some of the permitting processes that solar arrays need for zoning approval.

Amendment 5: Oppose - This amendment, requiring that a glare study or certification be provided, is unnecessary. The technology and use of single-axis tracking eliminates the need for this extra certification process.

Amendments 6: Oppose - This amendment would reduce the amount of agricultural preservation land available for solar to 20% of the property, while allowing up to 34% under certain conditions. CB-17 already restricts the land available to 34% or 16 acres, whichever is less. Existing law allows solar on 75 acres, so CB-17 would already impose major restrictions on the subset of ALPP properties eligible for CSFs. An analysis of the properties acquired in the ALPP program since 2013 indicates that only 3 properties reach the 34% limit; the others were limited to 16 acres. Please see the spreadsheet here. In addition, on average, only 26% of the land would be available for solar on these ALPP properties under CB-17 as proposed, excluding the other eligibility criteria. Very few properties would reach the 34% limit.

Amendment 7: Strongly oppose - This amendment would limit the amount of agricultural preservation land available for solar to 20%. On average, because of other restrictions, even less than 20% of the land would actually be available. To help meet our climate goals, the county needs smart solar policies that aren't overly restrictive and burdensome.

For more insight at the state level, according to Richard Deutschmann from Indivisible Howard County:

"For a bit of perspective on the effects on our farmland, we offer the following numbers. If Maryland were to develop an astounding 5,000MW of solar in the coming decades (well beyond the current

carveout from the Clean Energy Jobs Act of 2019, and beyond most industry projections) and 3/4 of this were larger ground-mounted systems, this would take up approximately 15,000 acres across the state. The State of MD in 2019 estimated the amount of farmland in Maryland to be 2,000,000 acres. ***In other words, the highest forecasted amount of solar in the coming decades is likely to take up less than 3/4 of 1% of all farmland.*** This is hardly an attack on our rural communities, sustainable agriculture, or our ability to grow sufficient food in the state.”

Amendment 8: Oppose - This amendment would require solar collectors to be removed when no longer in service. This is unnecessary as it is already specified in Section 131.0: - Conditional Uses.

We understand the need to balance the preservation of farmland and the need to rapidly transition to clean energy. Climate change is a threat to farming. Allowing farmers a steady income from solar will help make farming more economically viable. We also understand that the county has funded the protection of farmland at considerable cost. We will compromise ourselves into devastating weather events fueled by climate change if we restrict too severely the land available for smart solar deployment. The cost for farmland protection will pale in comparison to the cost of climate change mitigation. Look no farther than Ellicott City.

Again, thank you for hearing our concerns. Please let me know if you are able to meet via Zoom.

Thank you, Betsy

Betsy Singer, Ho Co Climate Action

Liz Feighner - HoCo Climate Action & Green Team Chair, Emmanuel UMC

Ruth Alice White - HoCo Climate Action & Sierra Club of MD

Charlie Goedeke - HoCo Climate Action and Transition HoCo

Meagan Braganca - Our Revolution Howard County

Paul Baicich - Our Revolution Howard County

--

Betsy Singer

410-730-7740

443-812-2525 cell

Sayers, Margery

From: Gick, Ginnie
Sent: Friday, April 23, 2021 9:44 PM
To: Sayers, Margery
Subject: FW: Solar Power as a Source of County Wealth

From: CrI Zrvs <zervascarol@gmail.com>
Sent: Sunday, April 18, 2021 6:13 AM
To: Yungmann, David <dyungmann@howardcountymd.gov>; Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <oJones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <dJung@howardcountymd.gov>; Feldmark, Joshua <jofeldmark@howardcountymd.gov>; Mahoney, William <WMahoney@howardcountymd.gov>; Miller, Leah <lemiller@howardcountymd.gov>; Hoover, Matthew <mhoover@howardcountymd.gov>
Subject: Solar Power as a Source of County Wealth

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To Howard County Office of Community Sustainability and Howard County Councilmembers:

In light of the legislation now before you which deals with solar installations on private property, and the likelihood of much more solar development on the horizon, it seems that this is the point when COMPREHENSIVE PLANNING of the County's overall approach to solar power should happen.

I think almost everyone recognizes that this is a pivotal time for the County, when many kinds of change will be considered to produce a new, thriving County. Personally, I hope that narrow real estate considerations shall not dominate the decisionmaking as it has. In the instance of solar, I think it should be viewed as a potential asset to be carefully, widely, and smartly deployed across County-owned properties. In other words, some large sections of County-owned land and buildings can be viewed as sources of highly valuable assets to be strategically deployed for the benefit of the County as a whole, not as means of helping only one or two sectors of the economy, or as means of securing political advantage, or to achieve the appearance of reduced dependence on nonrenewable energy sources where no actual reduction has occurred.

Let me offer what is to me an inspiring example of excellent planning and public-private cooperation. It is a city which has based some of its "wealth" on comprehensive, strategically located solar collection and storage in a variety of forms and locations. A commitment to use of solar on a similar scale could become one important pillar in HoCo's economy, viewed not as a service to the planet but as part of the engine for the County's growth.

Respectfully offered,

Carol Zervas

<https://www.babcockranch.com/about-us/solar/>

Sayers, Margery

From: Jung, Deb
Sent: Monday, April 19, 2021 1:36 PM
To: Sayers, Margery
Subject: FW: Solar Power as a Source of County Wealth

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Cri Zrvs <zervascarol@gmail.com>
Sent: Sunday, April 18, 2021 6:13 AM
To: Yungmann, David <dyungmann@howardcountymd.gov>; Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <oJones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Feldmark, Joshua <jofeldmark@howardcountymd.gov>; Mahoney, William <WMahoney@howardcountymd.gov>; Miller, Leah <lemiller@howardcountymd.gov>; Hoover, Matthew <mhoover@howardcountymd.gov>
Subject: Solar Power as a Source of County Wealth

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To Howard County Office of Community Sustainability and Howard County Councilmembers:

In light of the legislation now before you which deals with solar installations on private property, and the likelihood of much more solar development on the horizon, it seems that this is the point when **COMPREHENSIVE PLANNING** of the County's overall approach to solar power should happen.

I think almost everyone recognizes that this is a pivotal time for the County, when many kinds of change will be considered to produce a new, thriving County. Personally, I hope that narrow real estate considerations shall not dominate the decisionmaking as it has. In the instance of solar, I think it should be viewed as a potential asset to be carefully, widely, and smartly deployed across County-owned properties. In other words, some large sections of County-owned land and buildings can be viewed as sources of highly valuable assets to be strategically deployed for the benefit of the County as a whole, not as means of helping only one or two sectors of the economy, or as means of securing political advantage, or to achieve the appearance of reduced dependence on nonrenewable energy sources where no actual reduction has occurred.

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pillar in HoCo's economy, viewed not as a service to the planet but as part of the engine for the County's growth.

Respectfully offered,

Carol Zervas

<https://www.babcockranch.com/about-us/solar/>

Sayers, Margery

From: mramsay21104@verizon.net
Sent: Saturday, April 17, 2021 2:18 PM
To: CouncilMail
Cc: dramsay21104@verizon.net
Subject: Objection to CB-17, solar expansion

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Councilmembers,

I spoke about this topic when you provided a public forum on March 15. Here is the transcript of my talk, plus some links to relevant information.

Hello, I'm mark Ramsay, of Adam David Way, Marriottsville, a registered professional engineer. I worked for Constellation Energy where I learned about the electrical grid and solar installations. I also worked 25 years in the chemical industry. I researched climate change for three weeks a year ago. While energy conservation measures work, alternate energy production methods pose a lot of unreported drawbacks.

Accessory solar collectors, I see no problem there.

What I want to show is that County Policy 4.12's good intention to reduce greenhouse gas won't be met by freeing 16-acre parcels for more solar farms.

The problem is China's coal-fired power plant plans. Reuters news states that China has more than the entire coal power plant capacity of the US on the drawing board. To offset this, the US would need to shutdown all its like generation plants and erect 125,000, yes 125,000, 16-acre solar farms in their place, and provide nighttime power some other way. Hundreds of coal power plants are underway in Asia. The bill's proposed 16-acre solar farms, therefore, won't mitigate The CO2 to come. And it takes two years of operation to make up for the energy required to manufacture the panels, energy that has to come from high-temperature burning coal.

Solar panels contain carcinogenic cadmium and lead. When panels reach their end of life, they are disposed. If they break during disposal, or in service, such as from ferocious winds, cadmium will leach into groundwater. California recognizes this as a serious problem and legislatively is getting active about it. I did not see in the bill this pollutant addressed.

Hostile foreign actors are buying US land. Please be aware of this risk and mitigate against it. Landowners may want to sell solar converted land, after signing power agreements, as it has no farming value left. Through well-disguised US subsidiaries, China bought 146,000 acres of farmland in 2013 in the mid-west. They bought 140,000 acres for solar and wind power in Texas. Howard County's western farmland in toto is attractive for purchase. We don't need hostile actors acting through proxies on our electrical grid, nor buying our land.

Solar panels in any large farms should be mandated to be manufactured in the US. There are over a dozen US manufacturers.

A book entitled The Rational Optimist, published in 2010, estimates that the earth will grow by 3 billion more people 30 years from now. Therefore, I think it is better to reserve our farmland for future crops rather than contribute next to nothing to the global environment with new solar farms.

Now, here is a link to the filmmaker Michael Moore video where he exposes the fraud of solar energy promises. He interview a knowledgeable engineer; something we need to have more in these discussions nowadays. Youtube has put it in private viewing mode, but you may find it here using a DuckDuckGo browser: [planet of the humans at DuckDuckGo](#)

And here is an article by Forbes: [If Solar Panels Are So Clean, Why Do They Produce So Much Toxic Waste? \(forbes.com\)](#)

Concluding, laying down solar panels may make some people feel good, but in reality it will do nothing for our climate.

Thank you,
Mark Ramsay

Sayers, Margery

From: Tom Bannister <tom.bannister@nvc-inc.net>
Sent: Wednesday, April 14, 2021 9:47 AM
To: CouncilMail; Thomas Bannister
Subject: Solar Farms

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To All,

What is up with all the new Solar Farms in Western Howard County?

Ten Oaks Road and Brighton Dam Road, 6600 Tenoaks Road, and now Carrs Mill Road.

Is anyone tracking these and why so many? What is the benefit to the County besides land lost for agriculture use and a ton of ugly solar panels that are useless in bad weather and there is no facility storing any energy for use during that bad weather.

What is the plan going forward to regulate where and when to allow these Solar Farms to be constructed?

Thank you,

Tom Bannister
14821 Michele Drive
Glenelg, MD 21737

Sayers, Margery

From: Douglas Creswell <dougtrcreswell@yahoo.com>
Sent: Tuesday, April 13, 2021 3:06 PM
To: CouncilMail
Subject: CB-63 and CB-17

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council members,

We are 30 year residents of safe, beautiful Howard County. Both CB-63 and CB—17 threaten to seriously diminish the way of life and values we sought when we moved here. CB-13 is strongly opposed by us, and many of our neighbors support that position. To roll out a welcome mat to those who have no regard for lawful controls now in place is unconscionable. The concept of sanctuary cities and counties deifies common sense and rational behavior in civil life. Those in authority in this county should strongly oppose this Bill. It is so bad, it should not even be given a place on the ballot.

Respectfully,

Douglas and Ruth Creswell
Mount Airy, Maryland, District 5

Sent from Mail for Windows 10

Sayers, Margery

From: Jung, Deb
Sent: Tuesday, April 13, 2021 2:39 PM
To: Sayers, Margery
Subject: FW: CB 17 - Solar on Agricultural Land- Oppose Amendments 3, 7 and 8

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Betsy Singer <betsysing@gmail.com>
Sent: Monday, April 5, 2021 12:59 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: CB 17 - Solar on Agricultural Land- Oppose Amendments 3, 7 and 8

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Deb: I hope you and your family are enjoying the beginning of spring and the hope that it inspires.

I am writing to you because I am concerned about certain amendments to the County's recent solar siting bill CB17 which is scheduled for a vote in the County Council tonight.

As a supporter of clean energy and our need as a community to shift from fossil fuels to solar and wind, I strongly support CB17 as a reasonable extension and clarification of Howard County's existing solar siting policy and hope you do, too.

However, of the Amendments proposed, I OPPOSE Amendment 3 that would require farming on the non-solar part of the property. I oppose Amendment 7 that flatly requires solar restriction to only 20% of the property. I OPPOSE Amendment 8 because of the extra expense as a requirement for installation.

I sincerely hope that CB 17 passes without Amendments 3, 7 and 8.

Thank you for considering my views in voting tonight on CB 17.

Sincerely, Betsy

Elizabeth Singer
6180 Devon Dr.
Columbia, MD 21044
410-730-7740
443-812-2525 cell

Sayers, Margery

From: Jung, Deb
Sent: Tuesday, April 13, 2021 2:37 PM
To: Sayers, Margery
Subject: FW: CB-17

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

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From: Carla Tevelow <perlpubl@gmail.com>
Sent: Monday, April 5, 2021 1:28 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: CB-17

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

(forgive me if i already sent this)

Dear Councilwoman Jung,

As a constituent of your district -4- i'm asking you to please oppose most of the amendments for CB-17. The bill as originally written is a reasonable clarification with minor improved changes to the County's existing solar siting program. If necessary, i can support amendments 2 and 6. I urge you to oppose all other amendments which unnecessarily weaken CB-17.

Thank you.

Peace,

Carla Tevelow
10205 Wincopin Circle
21044

Sayers, Margery

From: Jung, Deb
Sent: Tuesday, April 13, 2021 2:36 PM
To: Sayers, Margery
Subject: FW: CB17 - 2021 Zoning Changes for Solar Siting

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

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From: Richard D <rdeutschmann2@gmail.com>
Sent: Monday, April 5, 2021 3:58 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>
Cc: Ball, Calvin <cball@howardcountymd.gov>; Feldmark, Joshua <jofeldmark@howardcountymd.gov>
Subject: CB17 - 2021 Zoning Changes for Solar Siting

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Members of the Howard County Council,

On behalf of the 750 members of Indivisible Howard County, we oppose most of the proposed changes to the current zoning. In particular, while we can support Amendment 2 to encourage positive interaction of solar energy projects with harmonious agriculture such as pollinator habitat, and neutral on Amendment 6, ***we are opposed to all other proposed amendments to CB17.***

We don't have to tell you that climate change is a very real global emergency, whose effects are slowly playing out before us in the form of coastal inundation, drought, unprecedented fires, higher levels of hurricane and tornado activity. Answering the call will require us to rapidly move to non-fossil, non-carbon forms of electricity like solar, wind, and associated battery storage. Some counties across the state are putting unreasonable limits on solar energy siting for community and utility scale solar in the state, which will have a disastrous effect on our ability to make this transition.

For a bit of perspective on the effects on our farmland, we offer the following numbers. If Maryland were to develop an astounding 5,000MW of solar in the coming decades (well beyond the current carveout from the Clean Energy Jobs Act of 2019, and beyond most industry projections, and 3/4 of this were larger ground mounted systems, this would take up approximately 15,000 acres across the state. The State of MD in 2019 estimated the amount of farmland in Maryland to be 2,000,000 acres. ***In other words, the highest forecasted amount of solar in the coming decades is likely to take***

up less than 3/4 of 1% of all farmland. This is hardly an attack on our rural communities, sustainable agriculture, or our ability to grow sufficient food in the state.

What this will do is to allow us to transition away from most all of the coal and gas-fired electricity that currently makes up a majority of our generation, and for us to have a fighting chance at doing our part to combat global climate change. All, while bringing \$Billions in investment, thousands of good paying jobs, and saving us further \$Billions in resiliency costs such as protecting our thousands of miles of coastland.

We urge you to vote "No" on all amendments with the exception of #2 and possibly #6 as you consider these changes.

Thank you,

Richard Deutschmann, PE
9485 Hickory Limb
Columbia, MD 21045

Lead/Climate Action Team
Indivisible Howard County
M – (410)707-4368

Sayers, Margery

From: Jung, Deb
Sent: Tuesday, April 13, 2021 2:36 PM
To: Sayers, Margery
Subject: FW: Amendments to CB-17, ZRA-197

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Stuart Kohn <stukohn@verizon.net>
Sent: Monday, April 5, 2021 3:01 PM
To: Jung, Deb <djung@howardcountymd.gov>; Walsh, Elizabeth <ewalsh@howardcountymd.gov>
Subject: Fwd: Amendments to CB-17, ZRA-197

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Deb and Liz,

Good Afternoon.

I would like to reinforce the email below by Ted Mariani regarding CB17-2021 sent to Councilman Yungmann. Ted's email clearly depicts the importance to ensure that the protection and integrity of the Agriculture Program is always inherent.

We are simply hoping and depending on you for the right decision.

Thanks for your consideration.

Stu Kohn
HCCA President

Sent from my iPhone

Begin forwarded message:

From: Theodore Mariani <theodore.f.mariani@icloud.com>
Date: April 5, 2021 at 12:16:27 PM EDT

To: "Yungmann, David" <dyungmann@howardcountymd.gov>
Cc: Cathy Hudson <cmhudson@comcast.net>, Ann Jones <annholmesjones@yahoo.com>, Dan O'Leary <danielol12832h@gmail.com>, Stu Kohn <stukohn@verizon.net>
Subject: Re: Amendments to CB-17, ZRA-197

David

I have a problem with allowing more than 2MW on any Ag Pres site.

If a solar project that can exceed 2MW it falls under the jurisdiction of the PSC and the County loses control.

Furthermore it was the clear that the Howard County Solar Task Force as well as the APB endorsed the limitation of 2MW to ensure that AgPres land could never become a site for a utility scale CSF. Anything beyond a 2MW capacity is not Community Solar which is the correct scale for Solar on Ag Pres.

In addition to the 2 MW limit the 16 acre max should be retained or even tightened .

My recommendation in this regard is that the limit be 12 acres but could be increased to max of 16 upon showing that 2 MW cannot be achieved within the 12 acre limit.

Ted

Theodore F. Mariani's
16449 Ed Warfield Rd.
Woodbine, MD 21797

301-523-6190

On Apr 5, 2021, at 08:32, Yungmann, David <dyungmann@howardcountymd.gov> wrote:

Thanks Dan

David Yungmann
410-207-7777
www.HowardCountyMove.com

On Apr 5, 2021, at 7:47 AM, Dan O'Leary <danielol12832h@gmail.com> wrote:

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

David,

We appreciate your careful consideration of these matters that have occupied us for the last 5 years. We will be sending another

email today encouraging you and others to protect the other residential zones in the manner that you have represented RR and RC.

Best,
Dan O'Leary
Ted Mariani

On Mon, Apr 5, 2021 at 4:55 AM Yungmann, David
<dyungmann@howardcountymd.gov> wrote:

Thank you Dan. I believe we have the votes for the 20% cap. The administration's amendment was negotiated in order to protect the properties with a large percentage of non-productive, which is the actual concern of the folks on the ALB who promoted the 20%. I agree that the 20% is more predictable and easier to manage. Hopefully we will get that one tonight.

The consensus appears to be that, if someone get can more than 2 MW on the same size field someday, that's a good thing. I'd prefer to have another mechanism to control size and keep them out of the PSC. Well I'd really prefer to make it all go away!

David Yungmann

Howard County Council – District 5

(410) 313-2001

<https://cc.howardcountymd.gov/Districts/District-5>

From: Dan O'Leary <danielol12832h@gmail.com>
Sent: Friday, April 2, 2021 8:34 AM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Cc: Theodore Mariani <theodore.f.mariani@icloud.com>; Stu Kohn

<stukohn@verizon.net>

Subject: Amendments to CB-17, ZRA-197

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please accept the attached comments on proposed amendments to this measure. We are available to answer any questions you may have.

We hope you find it useful in your deliberations.

Ted Mariani, President

CCHWC

Stu Kohn, President

HCCA

Dan O'Leary, Chairman

| GHCA

Sayers, Margery

From: Jung, Deb
Sent: Tuesday, April 13, 2021 2:35 PM
To: Sayers, Margery
Subject: FW: CB-17 amendments comments to county council

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Linda Kangrga <lkangrga@gmail.com>
Sent: Monday, April 5, 2021 3:00 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: CB-17 amendments comments to county council

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Deb,

Thank you for all you do for Howard County. I hear you are voting today on a solar Bill. I ask that you vote against the add on bills that would restrict who can choose to benefit from a solar farm and where it can exist in our county. Howard is so behind on this that I already subscribe to a solar farm in Baltimore County and get the rest of my electric from wind power where is is purchased from states that have wind farms. I live in Longfellow in the woods and choose not to cut down trees to qualify for solar on my roof. There are many communities and Howard County farms that no longer "farm" that could benefit from a solar farm business on their property. The Senior development in Clarksville for one and friends of mine in West Friendship, but also there are acres in Columbia that could generate local electricity where farms no longer exist. Please consider these when you vote today.

Best wishes,
Linda Kangrga,
5163 Endymion Ln, Columbia, MD 21044
410-262-2254

<http://docs.google.com/document/u/0/d/1ZQw9VggjdeWTasq621uMG0RfvU82z0PMMgUR7yK4EOw/mobilebasic>

Sayers, Margery

From: Liz Feighner <liz.feighner@gmail.com>
Sent: Monday, April 5, 2021 5:10 PM
To: CouncilMail; Rigby, Christiana
Cc: Jones, Opel; Walsh, Elizabeth; Jung, Deb; Yungmann, David
Subject: CB17 - Opposition to amendments - Feighner
Attachments: CB17 - Opposition to restrictive amendments - Feighner.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Councilwoman Rigby,

As a concerned climate activist, I testified in favor of CB-17 at the public hearing on March 15. I am very concerned about most of the proposed amendments, which dramatically restrict what CB17 proposes. CB17 as currently written already drastically restricts solar facilities from current law and is a reasonable compromise in solar siting. While **I can support Amendment 2, and hold some opposition to Amendment 6, I am strongly opposed to all other proposed amendments** to CB17 and list my reasons in this letter.

I live near the "Milk Co-op" parcel that was used for farming and now will be a development of approximately 400 homes. I would have much preferred a solar farm instead of this development that will increase traffic and pollution with over-burdened roads and overburdened schools in this area. A quiet, unintrusive field of panels farming the sun would have been much preferred than adding more congestion and crowding with more polluting stormwater run-off.

First, I do **support amendment 2**, requiring the solar facility to be co-located with some "harmonious" agricultural use. Among the findings of the "Exploring Farming and Solar Synergies" report by Dr. Arjun Makhijani at IEER is that "joint agricultural and solar sector development can result in large benefits for both and for rural communities more generally." This synergy can greatly improve soil health while strengthening rural communities and their economies, so we support this amendment.

I **strongly oppose amendment 3**, which would prohibit solar facilities on the property unless active farming is on site. The Agricultural Land Preservation Program doesn't require ongoing farming, so we oppose this more onerous requirement. The requirement to co-locate a solar facility with agricultural use is sufficient and in keeping with the intent and goals of the agricultural preservation program.

I **strongly oppose amendment 7**, which would reduce the amount of the agricultural preservation land available for solar from 34% to 20%. The proposed bill already reduces the amount of land available for solar from 75 acres to 16 acres or 34%, whichever is less. To address concerns that 34% is too much, we could support amendment 6, which specifies 20% but allows up to 34% under certain conditions, but we prefer the bill as proposed with 34%.

I **strongly oppose amendment 1**, which would require minimum setbacks along the property line. This could force the solar facility to be placed on farmable portions of the property. A solar facility is quiet, doesn't produce strong odors and will not produce glare for adjacent properties. The property owner needs to be able to decide where and what type of farm operation is placed on the property without having to consider solely aesthetic concerns of adjacent property owners.

I understand the need to balance the preservation of farmland and the need to rapidly transition to clean energy. Climate change is a threat to farming. Allowing farmers to have a steady stream of income from solar will help make farming more economically viable. I also understand that the county has funded the protection of farmland at considerable cost. We will compromise ourselves into devastating weather events fueled by climate change if we restrict too severely the land available for smart solar deployment. The cost for farmland protection will pale in comparison to the cost of climate change mitigation. Look no farther than Ellicott City.

Sincerely,

Liz Feighner
10306 Champions Way
Laurel, MD 20723
District 3

"We do not inherit the Earth from our Ancestors; we borrow it from our children" ~ Native American Proverb

April 5, 2021

Re: CB17 – Opposition to restrictive amendments

Dear Councilwoman Rigby,

As a concerned climate activist, I testified in favor of CB-17 at the public hearing on March 15. I am very concerned about most of the proposed amendments, which dramatically restrict what CB17 proposes. CB17 as currently written already drastically restricts solar facilities from current law and is a reasonable compromise in solar siting. While **I can support Amendment 2, and hold some opposition to Amendment 6, I am strongly opposed to all other proposed amendments** to CB17 and list my reasons in this letter.

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I **strongly oppose amendment 7**, which would reduce the amount of the agricultural preservation land available for solar from 34% to 20%. The proposed bill already reduces the amount of land available for solar from 75 acres to 16 acres or 34%, whichever is less. To address concerns that 34% is too much, we could support amendment 6, which specifies 20% but allows up to 34% under certain conditions, but we prefer the bill as proposed with 34%.

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I understand the need to balance the preservation of farmland and the need to rapidly transition to clean energy. Climate change is a threat to farming. Allowing farmers to have a steady stream of income from solar will help make farming more economically viable. I also understand that the county has funded the protection of farmland at considerable cost. We will compromise ourselves into devastating weather events fueled by climate change if we restrict too severely the land available for smart solar deployment. The cost for farmland protection will pale in comparison to the cost of climate change mitigation. Look no farther than Ellicott City.

Sincerely,

Liz Feighner
10306 Champions Way
Laurel, MD 20723
District 3

Sayers, Margery

From: Dan O'Leary <danielol12832h@gmail.com>
Sent: Monday, April 5, 2021 4:42 PM
To: CouncilMail; Theodore Mariani
Subject: Solar Ground Mounts in Residential -- ZRA 197

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members:

Stu Kohn of HCCA has written to you:

"It is extremely important for you to consider concentrating on the impact of the distance that Ground Mounts could be placed from a neighbors resident as I expressed at the Work Session today. Please refer to pages 90-93 and you don't see zoning districts such as R12, 20, R-A-15, R-SA-8, etc. stating the criteria even though Ground Mounts would be permitted if CB17 were passed. These residential zoning districts where Ground Mounts would be permitted are stated in the Bill on page 25, line 6; page 22, line 20; page 34, line 22; and page 30 line 8 respectively. There needs to be clarity in this area. Quite frankly they shouldn't be permitted in these zoning districts. However if you see fit to include then we would like to see an amendment which states the minimum distance from property lines which they can be located from adjacent properties.

In addition another amendment should state there shall be no removal of trees on parkland (R20 or R-H-ED) for the purpose of erecting ground mounted solar collectors."

We strongly support his position. Ground mounts should not be permitted at all in some of these districts, and might be permitted in others if adequate restrictions were imposed. We are not the first to object to this

poorly-conceived omission which protects RR and RC owners on much larger lots. Why on larger properties are residents provided 100-foot setbacks and 200-foot distance from houses? This is truly nonsensical.

IF -- a big IF -- ground mounts are permitted, each district should be studied individually, and the following suggested MINIMUM restrictions applied:

- Provide a 25-foot setback from side and rear yard property lines.*
- The maximum height of collectors should be 8-feet above grade.*
- An 8-foot opaque fence should be required on the solar side of the property line providing a screen for the adjoining property.*

Please note that residential solar can be placed on roofs and ground mounts are unnecessary in most cases.

Also note that Mr. Kohn and HCCA object to ground mounts under any conditions on small residential lots. We feel obliged to propose the minimum restrictions.

Sincerely,

Ted Mariani, President
CCHWC

Dan O'Leary, Chairman

GHCA

Sayers, Margery

From: HoCo Climate Action <hococlimateaction@gmail.com>
Sent: Monday, April 5, 2021 2:26 PM
To: CouncilMail; Walsh, Elizabeth; Jones, Opel; Rigby, Christiana; Jung, Deb; Yungmann, David
Cc: Liz Feighner; Ruth Alice White; Charlie Goedeke; Betsy Singer; Shari glenn; Elisabeth Hoffman
Subject: CB17 - HoCo Climate Action opposition to restrictive amendments
Attachments: CB17 - HoCo Climate Action opposition to restrictive amendments.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council,

HoCo Climate Action testified in favor of CB-17 at the public hearing on March 15. We are very concerned about some of the proposed amendments, which drastically restrict what is currently allowed in law.

First, we **support amendment 2**, requiring the solar facility to be co-located with some "harmonious" agricultural use. Among the findings of the "[Exploring Farming and Solar Synergies](#)" report by Dr. Arjun Makhijani at [IEER](#) is that "joint agricultural and solar sector development can result in large benefits for both and for rural communities more generally." This synergy can greatly improve soil health while strengthening rural communities and their economies, so we support this amendment.

We **strongly oppose amendment 3**, which would prohibit solar facilities on the property unless active farming is on site. The Agricultural Land Preservation Program doesn't require ongoing farming, so we oppose this more onerous requirement. The requirement to co-locate a solar facility with agricultural use is sufficient and in keeping with the intent and goals of the agricultural preservation program.

We **strongly oppose amendment 7**, which would reduce the amount of the agricultural preservation land available for solar from 34% to 20%. The proposed bill already reduces the amount of land available for solar from 75 acres to 16 acres or 34%, whichever is less. To address concerns that 34% is too much, we could support amendment 6, which specifies 20% but allows up to 34% under certain conditions, but we prefer the bill as proposed with 34%.

We **strongly oppose amendment 1**, which would require minimum setbacks along the property line. This could force the solar facility to be placed on farmable portions of the property. A solar facility is quiet, doesn't produce strong odors and will not produce glare for adjacent properties. The property owner needs to be able to decide where and what type of farm operation is placed on the property without having to consider solely aesthetic concerns of adjacent property owners.

We understand the need to balance the preservation of farmland and the need to rapidly transition to clean energy. Climate change is a threat to farming. Allowing farmers a steady stream of income from solar will help make farming more economically viable. We also understand that the county has funded the protection of farmland at considerable cost. We will compromise ourselves into devastating weather events fueled by climate change if we restrict too severely the land available for smart solar deployment. The cost for farmland protection will pale in comparison to the cost of climate change mitigation. Look no farther than Ellicott City.

Sincerely,

HoCo Climate Action Steering and Advocacy Team www.hococlimateaction.org hococlimateaction@gmail.com

April 5, 2021

Re: CB17 – HoCo Climate Action opposition to restrictive amendments

Dear Howard County Council,

HoCo Climate Action testified in favor of CB-17 at the public hearing on March 15. We are very concerned about some of the proposed amendments, which drastically restrict what is currently allowed in law.

First, we **support amendment 2**, requiring the solar facility to be co-located with some “harmonious” agricultural use. Among the findings of the “Exploring Farming and Solar Synergies” report by Dr. Arjun Makhijani at IEER is that “joint agricultural and solar sector development can result in large benefits for both and for rural communities more generally.” This synergy can greatly improve soil health while strengthening rural communities and their economies, so we support this amendment.

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We **strongly oppose amendment 1**, which would require minimum setbacks along the property line. This could force the solar facility to be placed on farmable portions of the property. A solar facility is quiet, doesn't produce strong odors and will not produce glare for adjacent properties. The property owner needs to be able to decide where and what type of farm operation is placed on the property without having to consider solely aesthetic concerns of adjacent property owners.

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Sincerely,

HoCo Climate Action
Steering and Advocacy Team
www.hococlimateaction.org
hococlimateaction@gmail.com

Sayers, Margery

From: Dan O'Leary <danielol12832h@gmail.com>
Sent: Friday, April 2, 2021 8:34 AM
To: CouncilMail
Cc: Theodore Mariani; Stu Kohn
Subject: Amendments to CB-17, ZRA-197
Attachments: Written Test. HCC amnedments to CB17 A.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please accept the attached comments on proposed amendments to this measure. We are available to answer any questions you may have.

We hope you find it useful in your deliberations.

Ted Mariani, President
CCHWC

Stu Kohn, President
HCCA

Dan O'Leary, Chairman
GHCA

To: Members of the County Council
Howard County, MD

April 1, 2021

Re: Amendments to CB 17-2021, ZRA 197

Dear Council Members:

We suggest that the Council amend amendment #6 as follows:

(Note: Red strike-through = deletions; red underline = insertions)

1 On page 90, in line 21, after "a." insert "THE PARCEL ON WHICH THE COMMERCIAL GROUND-1
2 MOUNT SOLAR COLLECTOR FACILITY IS PROPOSED MUST BE A MINIMUM OF 10 ACRES IN SIZE."

4 On page 90, in line 23 strike "34%" and substitute "20%".

6 On page 90, in line 24, strike "The parcel on which the commercial GROUND-MOUNT solar
7 facility is proposed must be" and substitute:

8 "HOWEVER, A GROUND MOUNT SOLAR COLLECTOR FACILITY ON AN AGRICULTURAL
9 PRESERVATION PARCEL CAN BE INCREASED TO A MAXIMUM OF 34% OF THE PARCEL BY THE
10 HEARING AUTHORITY IF THE HEARING AUTHORITY FINDS THAT THE USE SHALL NOT INTERFERE
11 WITH FARMING OPERATIONS OR LIMIT FUTURE FARMING PRODUCTION. THE HEARING
12 AUTHORITY

12 SHALL CONSIDER THE FOLLOWING:

13 (1) A. AT LEAST 60% OF THE ACREAGE OUTSIDE OF THE GROUND MOUNT SOLAR
14 COLLECTOR FACILITY AREA IS VIABLE FOR A FARM OPERATION, INCLUSIVE OF FARM
15 BUILDINGS NEEDED FOR THE FARM OPERATION; AND

16 B. THE REMAINING SOILS CAPABILITY ARE MORE THAN 50% USDA CLASSES I-III AND
17 MORE THAN 66% USDA CLASSES I-IV OR;

18 (2) THE ADDITIONAL ACREAGE ABOVE THE ALLOWABLE 20% FOR THE CSE IS UNSUITABLE
19 FOR FARMING."

21 On page 91, in line 1, strike "a minimum of 10 acres in size"

23 On page 91, in line 9, insert after " The systems shall comply with all applicable
local, state, and federal laws and provisions" and in no instance shall the capacity of
the entire installation exceed two Megawatts of capacity.

We suggest these changes for the following reasons:

- 1. Inclusion of the exceptions to allow an increase up to 34% would be an effective denial of the due process rights of the ordinary citizen.** It is an accepted fact by all that the conditional use process already overwhelmingly favors the applicant. The technical criteria for increase would rely solely on the expertise and testimony of the civil engineer. Even an exceptionally knowledgeable citizen would be unable to challenge the engineer in the eyes of the Hearing Authority who rely very heavily on such expertise and testimony. And, the standard of proof is by the preponderance of the evidence. Inclusion of this exception is an outright grant to expand the installation to 34%. **Keep it simple: 20% period. AND,**
- 2. Restrict any CSF on Ag Pres land to less than 2 Megawatts** of installed capacity. This is consistent with standard for “**Community Solar**” which reflects the Ag Board and HC Solar Task Force position that no Ag Pres farm should host a Utility scale CSF. The County must have this regulation in place to ensure that operators do not circumvent the State PSC review by installing multiple 2-MW meters -- e.g., the Triple Creek CSF recently approved by HC has 3 meters each rated at 2-MW for a total power capacity of 6MW on 27 acres, which clearly is a manipulation of the law!

Sincerely,

Theodore F Mariani, FAIA, PE, MCRP
President

Concerned Citizens of Western Howard County
16449 Ed Warfield Rd.
Woodbine, MD 21797

Dan O'Leary, Chairman

Greater Highland Crossroads Association
12832 Highland Rd
Highland MD 20777

Stu Kohn, President
Howard County Citizens Association

Sayers, Margery

From: Carolyn Parsa <carolyn.parsa@mdsierra.org>
Sent: Monday, March 22, 2021 12:57 PM
To: Ball, Calvin; Rigby, Christiana; Yungmann, David; Jung, Deb; Walsh, Elizabeth; Jones, Opel; CouncilMail
Subject: Written Testimony for CB17-2021
Attachments: HoCo Sierra Club Testimony CB17-2021 3.22.2021.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

County Council Members,

Please find the attached testimony from the Howard County Sierra Club in favor of CB17-2021.

Thank you.

--

Carolyn Parsa
Sierra Club Howard County Chair

March 22, 2021



RE: CB17-2021

POSITION: Support with Considerations for Amendments

Howard County Council Members:

The Sierra Club supports the expansion of solar installations and the recommendations of the Howard County Solar Task Force as written in their July 24, 2020 report:

- Updated definitions of solar installations
- Rooftop solar allowed in all zones
- Elimination of the glare study
- Adding preliminary and final review by the Agricultural Land Preservation Board (ALPB)
- Defining the size limit of ground mount commercial solar on Agricultural Land Preservation lots in a way that approximates the original law.

However, we have a few points to make with consideration for solar siting of commercial ground mount solar installations. While CB17 would not allow commercial ground mount in all zones, it does add it to certain zones in addition to what is currently allowed. Our concern would be how the siting is decided on the commercial ground mount installations.

The Task Force did thorough research into siting of commercial ground mount solar on farmland and their recommendations are thoughtful. Hopefully the added transparency included with the preliminary review by the Agricultural Land Preservation Board (ALPB) will help to address community concerns. Additionally, a lot of consideration was given to recommend the location of the solar panels as well as the ideas for combined use of solar panels and farming operations.

However, the Task Force does not make detailed recommendations on the siting of commercial ground mount solar other than for farms. They did mention support for

installations on brownfields, mine lands and landfill sites. These seem to be logical locations for ground mount solar. The siting of solar on forest, wetland or other natural areas is not addressed and we feel there need to be protections put into place to prevent developers from removing trees to install solar panels. If there are such protections already in place, then we don't need to be concerned about this issue, however, if not, we strongly suggest that this be addressed in the bill.

We would like to see special consideration for solar use in park land so that trees in these areas are not removed for solar panels, but if for accessory use, that rooftop, canopy over parking, or if ground mount, then a mandatory pollinator meadow be installed along with the solar panels.

Our other concern is the changing of zoning laws when we are in the process of updating the General Plan and then subsequently undergoing a complete zoning rewrite. We would like to know if this change to the zoning requirements would be reconsidered during the zoning re-write. And how would this bill affect park land, open space and green space also with consideration of the rewrite?

Generally we support the expansion of solar energy in Howard County as it is compatible with PlanHoward 2030 general plan which encourages the use of renewable & sustainable energy to reduce greenhouse gas emissions. Additionally, as County Executive Dr. Calvin Ball set forth a series of commitments in February of 2019 along with signing onto to the "We Are Still In" declaration the County is committed to clean energy. We applaud this commitment to climate action and passing this bill would allow us to continue to act on these commitments.

We have less than a decade to make the changes we need to avoid the worst effects of climate change, therefore it is critical that we act to remove unnecessary hurdles to solar installations. At the same time, we must protect our forests and natural places. We look forward to any amendments that would help this bill achieve both goals.

Carolyn Parsa
Chair, Howard County Sierra Club

CB 17-2021

Sayers, Margery

From: Cathy Hudson <cmhudson@comcast.net>
Sent: Monday, March 22, 2021 9:59 AM
To: CouncilMail; Gowan, Amy; Feldmark, Joshua
Subject: follow up to the work session

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I appreciate being invited to the council's work session last week. What I was going to say as the time ended was that a lot of the task force and council's energy was being focused on how to create balance on ag preserved land. What I wanted to point out was that in order to lessen the pressure to place solar facilities on ag preserved land that other options needed to be opened up in the county. This bill begins to do that, but I think more needs to be done. (either with this bill or future bills)

For example, why limit commercial facilities to just industrial/business land in the east-they don't have students to fill the schools and they don't produce traffic for the roads. Why shouldn't larger landowners in the east be allowed to have an option other than developing their property? If land owners in the west can have solar facilities, why can't landowners in the east be allowed to. (and this includes faith based properties). Also, why are we requiring commercial solar facilities to go through the conditional use process on industrial sites in the east? I can't think of a nicer (quieter/cleaner) neighbor and we shouldn't put up this barrier.

Thank you,
Cathy Hudson



Sayers, Margery

From: Stu Kohn <stukohn@verizon.net>
Sent: Wednesday, March 17, 2021 3:07 PM
To: CouncilMail
Cc: stukohn@verizon.net
Subject: Proposed Amendments to CB17-2021
Attachments: HCCA - Testimony CB17-2021 Solar on Agricultural Preservation.docx

Follow Up Flag: Follow up
Flag Status: Completed

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I appreciate the invitation as a guest at today's Work Session regarding the discussion on CB17-2021. I would like to take this opportunity to emphasize the importance of our HCCA Testimony (see attachment) and that stated at the Work Session. It is extremely important for you to consider concentrating on the impact of the distance that Ground Mounts could be placed from a neighbors resident as I expressed at the Work Session today. Please refer to pages 90-93 and you don't see zoning districts such as R12, 20, R-A-15, R-SA-8, etc. stating the criteria even though Ground Mounts would be permitted if CB17 were passed. These residential zoning districts where Ground Mounts would be permitted are stated in the Bill on page 25, line 6; page 22, line 20; page 34, line 22; and page 30 line 8 respectively. There needs to be clarity in this area. Quite frankly they shouldn't be permitted in these zoning districts. However if you see fit to include then we would like to see an amendment which states the minimum distance from property lines which they can be located from adjacent properties.

In addition another amendment state there shall be no removal of trees on parkland (R20 or R-H-ED) for the purpose of erecting ground mounted solar collectors.

We want to reiterate our strong recommendation of an amendment which is imperative for all your constituents paying taxes. It should state that any property owner who has entered into a contract for an Agricultural Preservation Easement and applies for permission for a CSF within 30 days of final approval of an application for the CSF on the preserved land shall reimburse the County the amount paid to the property owner for the acreage of the preservation easement to be utilized by the CSF.

Thank you for your consideration.

Stu Kohn
HCCA President



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 15 March 2021

Subject: CB17-2021 HCCA Testimony Regarding Solar

We, the Howard County Citizens Association, HCCA fully endorse the compelling testimony of both Ted Mariani, President of the Concerned Citizens of Western Howard and Dan O'Leary, Board Chairman of the Greater Highland Crossroads Association regarding CB17-2021.

On the Department of Planning and Zoning's website the policy of the Agricultural Land Preservation Program Howard County, Maryland Commercial Solar Facilities (CSF) clearly states, "The Agricultural Preservation Board will apply the following standards of review to the CSF Conditional Use Petition criteria in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 20% of the Property's size, whichever is less, and the petitioner must provide proof that the CSF use is ancillary to their farming operation." So the question becomes why the change to 34 percent?

Please refer to Page 4, lines 6 thru 11 relating to Ground Mounts. We would like to see an amendment which states the minimum distance such can be displayed from adjacent properties.

We strongly recommend a second amendment to this Bill which is imperative for all your constituents paying taxes. It should state that any property owner who has entered into a contract for an Agricultural Preservation Easement and applies for permission for a CSF within 30 days of final approval of an application for the CSF on the preserved land shall reimburse the County the amount paid to the property owner for the acreage of the preservation easement to be utilized by the CSF.

Theodore Roosevelt stated, "Here is your country. Cherish these natural wonders, cherish the natural resources, cherish the history and romance as a sacred heritage, for your children and your children's children. Do not let selfish men or greedy interests skin your country of its beauty, its riches or its romance." If you substitute the word "county" for "country" is this Howard County regarding solar on designated Agricultural Preservation property? Agricultural Preservation should really mean something to all. We should honor this program with pride.

Stu Kohn
HCCA President

Sayers, Margery

From: Stuart Kohn <stukohn@verizon.net>
Sent: Monday, March 15, 2021 1:23 PM
To: howard-citizen@googlegroups.com; CouncilMail
Subject: Fwd: [HOWARD-CITIZEN] Serious oversights in CB 17-2021
Attachments: Written Test. HCC 210315 DOL TM Final.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dan et al,

The Howard County Citizens Association, HCCA has been very involved with both of Dan O’Leary and Ted Mariani’s respective Associations, the Greater Highland Crossroads Association which I am a Board member and the Concerned Citizens of Western Howard County. We are in complete agreement with the position of both entities regarding commercial solar on designated Agricultural Preservation property.

Stu Kohn
HCCA President

Sent from my iPhone

Begin forwarded message:

From: "Dan O'Leary" <danielol12832h@gmail.com>
Date: March 15, 2021 at 12:30:52 PM EDT
To: howard-citizen@googlegroups.com
Subject: Re: [HOWARD-CITIZEN] Serious oversights in CB 17-2021
Reply-To: howard-citizen@googlegroups.com

Susan,

Thanks for posting this. I am sure there are other sections of this measure that produce the unintended consequences that we all have been fighting to avoid for years. See my Ted's and my issues below.

Nick:

you pose a false dichotomy. Farmers in the west cannot sell to developers to develop subdivisions on Agricultural Preservation parcels; nor can parcels not-in-preservation be developed because "large subdivisions" (more than 4 lots) are prohibited.

We support Community Solar in certain circumstances but only as ANCILLARY to the farm use.

A shorter version of our testimony follows. The full version is attached:

To: Members of the County Council
Howard County, MD

March 14, 2021

Re: CB 17-2021, ZRA 197

We must preface our remarks by stating that we are in strong support of extending the siting of **Community Solar** projects across all areas and zoning districts in the County to achieve the goal of sustainable energy. Up to this point however, the Ag Pres farms in the Rural West have been the choice target for Commercial Solar Facility (CSF) development, often resulting in projects where the CSF overwhelms the Agricultural purpose of the Program. This will continue to be the case unless the Council adopts regulations that provide a balanced approach. If it is deemed necessary to have a modest level of Community Solar development on Ag Pres land, such development must be subject to reasonable restrictions.

The Issue of Commercial Solar on Ag Pres has been controversial and been debated since the latter part of 2015. As such, we must provide some background and context.

The General Plan is in conflict with itself

All applicants claim that their proposal is in harmony with Section 4.12 of the General Plan which states broad goals that would embrace almost any renewable energy project:

However, a thorough reading of 4.12 reveals no explicit support for installing commercial solar on Ag Pres parcels

While the General Plan does promote renewable energy to a degree, it also specifically and emphatically states its objective to preserve farmland through the Agricultural Land Preservation Program (ALPP), not just from development, but for purposes of farming. See General Plan at pp. 27-30."

Therefore, occupying purportedly preserved farms with commercial solar facilities is contrary to the notion that the land is being preserved for farming purposes.

The efforts of the Solar Task Force and the Ag Pres Board (APP) are being ignored and overruled.

The Solar Task Force and the APB spent considerable time and energy attempting to reconcile these competing and conflicting interests. They established standards that would ensure that solar installation would be ANCILLARY to the farm use.

The ZRA proposed by the Administration essentially overrules the APB which attempted to follow the Task Force recommendations. If this ZRA is adopted, it will destroy the delicate balance achieved and adopted by the APB.

The Minutes of the APB 11/23/2000 are on public record.

Not only was the limitation set at 20%/16 acres, but the 34% limit was specifically rejected by the Board.

Now the carefully reasoned APB criteria is threatened by proposed regulations that conflict with this criteria.

This change to APB criteria is offered despite the fact that applications have been submitted under the current criteria, thus proving the viability of commercial solar development within the criteria now in place.

Therefore, there is no need for this long-sought resolution of appropriate APB criteria to be undermined by adopting a regulation with different standards.

The Council should also note that Montgomery County recently approved a limited use of commercial solar on sites in its Agricultural Reserve zone. The limitations are:

- It must be a conditional use
- It must be sited on the poorest soil classifications which comprise about 30% of the farmland. Thus, preserving the tillable land.

The 2-Megawatt issue needs clarification

The State, through the PSC, regulates the siting of CSFs of "2-MW or more." Howard County is thus free to regulate, without PSC intervention, CSFs of less than 2-MW.

We suggest that Council amend as follows:

1. **Restrict any CSF on Ag Pres land to less than 2 Megawatts** of installed capacity. This is consistent with the standard for “**Community Solar**” which reflects the Ag Board and HC Solar Task Force position that no Ag Pres farm should host a Utility scale CSF. The County must have this regulation in place to ensure that operators do not circumvent the State PSC review by installing multiple 2-MW meters -- e.g., the Triple Creek CSF recently approved by HC has 3 meters each rated at 2-MW for a total power capacity of 6MW on 27 acres, which clearly is a manipulation of the law!

2. **Limit the total area for CSFs to 20% of the tillable land** on the preserved farm. Tillable land would be defined as land that is suitable for crop farming and would exclude, for example, stream valleys, floodplains, steep slopes, forest reserves, environmental easements, etc. This accepts the 20% Ag Board factor but also applies it to the actual farmable land. This recognizes, as in the case of Montgomery County, the need to preserve the productive farmland. While we recognize that the APB was trying to provide flexibility by increasing the maximum size for a CSF from 10 acres to 16 acres; this adjustment to accommodate a 2-MW facility was based on out-dated technology and not necessary. Recently submitted and approved CSF projects have shown that 2-MW can be produced on 9 to 10 acres. Allowing 16 acres is excessive and, absent the 2-MW limitation, with advances in technology it could lead to projects in the 4-MW range which is double the standard for “**Community Solar.**”

3. **Limit the size of the CSF to 10.5 acres.** This updates the requirement for a 2-MW facility to reflect current technology and allows some flexibility for unusual site conditions.

In closing we commend the APB for its efforts to strike a well-reasoned balance between the goal of “sustainable energy” and the maintenance of Howard County’s outstanding Ag Pres Program. The modest adjustments to the APB criteria referenced herein should only enhance the intent of the Board.

Sincerely,

Dan O'Leary, Chairman

Greater Highland Crossroads Association
12832 Highland Rd
Highland MD 20777

Theodore F Mariani, FAIA, PE, MCRP

President

Concerned Citizens of Western Howard County
16449 Ed Warfield Rd.
Woodbine, MD 21797

On Sat, Mar 13, 2021 at 11:23 PM Nick Nichols <beertrekker@hotmail.com> wrote:
I agree with keeping open space but nothing is more ugly than a coal or gas power plant. They're disgusting and cancerous.
Solar panel farms keep coal and gas plants from being built and shut them down. It is the greater good... losing some open space to solar panels is not a bad thing.
It's the best thing for farmers who rather sell their land to a solar panel company then a developer to build houses. It's simple as that...we've got to have victories here and there and not get bent out of shape about cutting down a few trees or plowing a few fields of corn to put solar panels up. It's the right direction for our country.

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From: howard-citizen@googlegroups.com <howard-citizen@googlegroups.com> on behalf of Hiruy Hadgu <hadguhiruy@gmail.com>
Sent: Saturday, March 13, 2021 9:23:55 PM
To: howard-citizen@googlegroups.com <howard-citizen@googlegroups.com>
Subject: Re: [HOWARD-CITIZEN] Serious oversights in CB 17-2021

Mrs. Garber,

Your observation is spot on. The politicians are so eager to burnish their "environmentalism" credentials that they would destroy greenfield and cutdown trees to show it.

They'd also be willing to upend and distort the market by creating distrust in our institutions through these zoning amendments.

This is not about climate change. The experts predict to gain 1 megawatt of electricity from 8 acres of land. This doesn't even take into account the capacity factor of these panels?

Why use greenfield, why not install them on government and business office roof tops instead? Why use heavily subsidized land?

Hiruy.

On Sat, Mar 13, 2021 at 8:49 PM 'MAK-BLK circle' via Howard-Citizen <howard-citizen@googlegroups.com> wrote:

Susan, you're right that living in this area has become a daily what now about everything and anything that's a detriment to peace, quiet and some common sense quality of life fyor all not just a few.

If you're keeping tabs for me it's the wooded area versus the ground ugly solar panels.

We know our politicians are on this list and maybe they'll pay attention but I doubt it.

Drove over to Sun Nurseries today and saw a few new development signs.

Now that eastern Howard County is clogged up with over building and traffic the developers are moving out to western Howard County.

Maria Alvarez

On Saturday, March 13, 2021 'Susan Garber' via Howard-Citizen <howard-citizen@googlegroups.com> wrote:

Why must HoCo residents always be on the defensive, always keeping an eye out for the next piece of legislation that will negatively affect what they hold near and dear??? Frankly it is exhausting!

Council Bill 17-2021 is the product of yet another Zoning Regulation Amendment (ZRA) brought forward in the midst of what is supposed to be the thoughtful comprehensive development of a new General Plan. CB 17 is a 91 page series of changes regarding the regulation of solar panels throughout the county.

The use of alternative energy sources such as solar is an important component of reducing our carbon footprint to combat climate change. But in the enthusiasm to do so, surely we must not CREATE problems by the mindless over application of what some consider THE solution.

Here are some problems stemming from the bill's granting 'by right' permission to erect solar panels –both roof mounted and ground mounted—pretty much everywhere.

What's wrong with the 'everywhere' approach?? Some examples:

- 1.) Roof mounted and ground mounted solar collectors will now be permitted "as a matter of right" in the R-H-E-D zone (Residential, Historic Environmental District. R-H-E-D exists in only one location—the former Savage Mill Remainder parcel which was just purchased 12/30/20 as park land. Surely the Savage community

hasn't worked for almost 8 years to save this fully forested parcel so Rec & Parks could remove the trees and "plant" ground mounted solar collectors to light up a ball field!!! That's a perfectly absurd thought, but if it is in our regulations, then it can happen. This must not be allowed to become a new regulation.

2.) But the problem is MUCH greater than the fate of this <5 acre addition to Savage Park. CB 17 permits as a matter of right roof mounted and ground mounted solar collectors in the R-20 zone. R-20 is one of the less dense residential zones common in Savage, Ellicott City and parts of Columbia, often referred to as the two-houses-per-acre zone. On the surface, this single family house zone seems much better suited to the addition of ground mounted solar collectors than, for example a town house lot. BUT WAIT. One of the particularly quirky features of the Ho Co zoning regulations and maps (of which few are aware) is the following situation. There is no such thing as an open space or park zone in HoCo. EVERY PARK (except for that new piece of R-H-E-D in Savage) has the underlying zoning designation of R-20—yes, even Patapsco Park. Therefore, no treed land would be safe from replacement by ground mounted solar collectors.

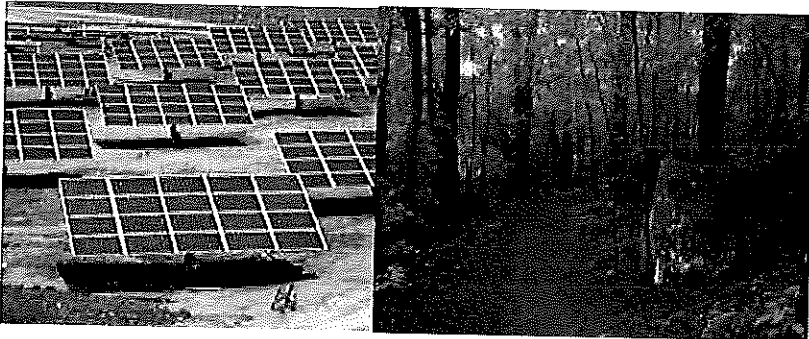
It's hard to imagine even the most gung-ho Friend of Solar would tolerate such a thing. One need only create two columns and begin listing the benefits of trees vs. Ground Mounted Solar Collectors (GMSCs) to quickly determine that trees win hands down. (If you need help reaching that conclusion, let me know and I'll happily assist.)

So what do we do?? Write the entire County Council councilmail@howardcountymd.gov (District 3 residents should also write directly to crigby@howardcountymd.gov), cc: County Executive Ball cball@howardcountymd.gov and Director of Planning and Zoning agowin@howardcountymd.gov to express that:

- CB 17-2021 is not ready for prime time, i.e. needs serious and careful revision before a vote

- Trees in parks should never be removed for the purpose of planting GMSPs and should therefore be an exception to the permission of Solar in the R-20 or R-H-E-D zones
- To take care of the issues with Park land being zoned R-20 or R-H-E-D, it would be better to finally establish an Open Space Zone for the preservation of Rec & Parks properties and better to eliminate entirely the R-H-E-D zone, both of which changes were recommended by the Clarion Assessment of our Zoning Regulations.

Please note that I have only focused on the provisions with greatest impact on the most people due to impact on parks. There are MANY additional objectionable provisions of CB-17. You can see the full bill at <https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=12685>



Which parkland do you prefer?

Susan Garber

--

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To: Members of the County Council
Howard County, MD

March 14, 2021

Re: CB 17-2021, ZRA 197

We must preface our remarks by stating that we are in strong support of extending the siting of **Community Solar** projects across all areas and zoning districts in the County to achieve the goal of sustainable energy. Up to this point however, the Ag Pres farms in the Rural West have been the choice target for CSF development, often resulting in projects where the CSF overwhelms the Agricultural purpose of the Program. This will continue to be the case unless the Council adopts regulations that provide a balanced approach. If it is deemed necessary to have a modest level of Community Solar development on Ag Pres land, such development must be subject to reasonable restrictions.

The Issue of Commercial Solar on Ag Pres has been controversial and been debated since the latter part of 2015. As such, we must provide some background and context.

The General Plan is in conflict with itself

We, Dan O'Leary and Ted Mariani, have participated in virtually all conditional use proceedings before the Hearing Authority seeking commercial solar on Ag Pres farms. All applicants claim that their proposal is in harmony with Section 4.12 of the General Plan which states broad goals that would embrace almost any renewable energy project:

"POLICY 4.12 – Develop an energy plan that prepares 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."

However, a thorough reading of 4.12 reveals no explicit support for installing commercial solar on Ag Pres parcels

Therefore, while the General Plan does promote renewable energy to a degree, it also specifically and emphatically states its objective to preserve farmland through the Agricultural Land Preservation Program (ALPP), not just from development, but for purposes of farming. See General Plan at pp. 27-30.

p. 28: " Howard County's efforts to preserve farmland in the Rural West through the.... (ALPP) have been successful but are nearing completion. There is little land left.... The focus going forward should be on stewardship of

the land under easement and on helping the agricultural community to both confront challenges and embrace opportunities....{Emphasis added}

There are 256 properties encumbered by a perpetual agricultural easement. Once a farm is protected, the owner must obtain Agricultural Land Preservation Board approval to use the property in a way that falls outside the normal scope of agricultural activities"

Therefore, occupying purportedly preserved farms with commercial solar facilities is contrary to the notion that the land is being preserved for farming purposes.

The efforts of the Solar Task Force and the Ag Pres Board (APP) are being ignored and overruled.

The Solar Task Force and the APB spent considerable time and energy attempting to reconcile these competing and conflicting interests. They established standards that would ensure that solar installation would be ANCILLARY to the farm use. In order to be more accommodating to solar development, the Ag Board made two compromises from their criteria that imposed a 10-acre and 10% site area limitation. The Board adopted a revised criteria that expanded the 10% site limit to 20% and expanded the maximum solar area from 10 acres to 16 acres. The Board also embraced the HC Solar Task Force recommendation of a 2-megawatt limitation on solar development on Ag Pres sites. The 2-megawatt limitation on generating capacity is consistent with the goal of providing "Community Solar" throughout the County, while concentrating utility-scale CSFs on sites that are not committed to the preservation of Howard County's agricultural heritage.

The reason the APB rejected the proposed 34% area coverage was made clear when a project (Broadwater) submitted under the 34% allowance resulted in more than 50% of an Ag Pres site being consumed by the proposed CSF.

The ZRA proposed by the Administration essentially overrules the APB which attempted to follow the Task Force recommendations. If this ZRA is adopted, it will destroy the delicate balance achieved and adopted by the APB.

The Minutes of the APB 11/23/2000 are on public record.

Not only was the limitation set at 20%/16 acres, but the 34% limit was specifically rejected by the Board. The minutes state:

" Mr. Brown motioned in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 34% of the property size, whichever is less, and the petitioner must provide

substantive proof that the CSF use is ancillary to the farming operation. No board member seconded the motion. The motion failed.

Ms. Jones motioned in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 20% of the property's size, whichever is less, and the petitioner must provide substantive proof that the CSF use is ancillary to their farming operation. The motion was seconded by Ms. Hudson. All members in attendance approved the change to the policy. The motion passed."

"The Board discussed the maximum allowance of two megawatts and all that were in attendance felt comfortable with that. They discussed the acreage allowance and determining if the CSF is ancillary to the farm"

Now the carefully reasoned APB criteria is threatened by proposed regulations that conflict with this criteria.

This change to APB criteria is offered despite the fact that applications have been submitted under the current criteria, thus proving the viability of commercial solar development within the criteria now in place.

Therefore, there is no need for this long-sought resolution of appropriate APB criteria to be undermined by adopting a regulation with different standards.

The Council should also note that Montgomery County recently approved a limited use of commercial solar on sites in its Agricultural Reserve zone. The limitations are:

- It must be a conditional use
- It must be sited on the poorest soil classifications which comprise about 30% of the farmland, thereby preserving the arable, productive farmland. This provides an added dimension for your consideration and will be addressed in our closing recommendations.

The 2-Megawatt issue needs clarification

The State, through the PSC, regulates the siting of CSFs of "2-MW or more." Howard County is thus free to regulate, without PSC intervention, CSFs of less than 2-MW.

When we appeared before the **Planning Board**, two members voted to amend it to conform with the latest standards of the APB. If we had more time to testify, we might have prevailed .

We suggest that Council amend as follows:

1. Restrict any CSF on Ag Pres land to less than 2 Megawatts of installed capacity. This is consistent with standard for "Community Solar" which reflects the Ag Board and HC Solar Task Force position that no Ag Pres

farm should host a Utility scale CSF. The County must have this regulation in place to ensure that operators do not circumvent the State PSC review by installing multiple 2-MW meters -- e.g., the Triple Creek CSF recently approved by HC has 3 meters each rated at 2-MW for a total power capacity of 6MW on 27 acres, which clearly is a manipulation of the law!

2. **Limit the total area for CSFs to 20% of the tillable land** on the preserved farm. Tillable land would be defined as land that is suitable for crop farming and would exclude, for example, stream valleys, floodplains, steep slopes, forest reserves, environmental easements, etc. This accepts the 20% Ag Board factor but also applies it to the actual farmable land. This recognizes, as in the case of Montgomery County, the need to preserve the productive farmland. While we recognize that the APB was trying to provide flexibility by increasing the maximum size for a CSF from 10 acres to 16 acres; this adjustment to accommodate a 2-MW facility was based on out-dated technology and not necessary. Recently submitted and approved CSF projects have shown that 2-MW can be produced on 9 to 10 acres. Allowing 16 acres is excessive and, absent the 2-MW limitation, with advances in technology it could lead to projects in the 4-MW range which is double the standard for “Community Solar.”
3. **Limit the size of the CSF to 10.5 acres.** This updates the requirement for a 2-MW facility to reflect current technology and allows some flexibility for unusual site conditions.

In closing we commend the APB for its efforts to strike a well-reasoned balance between the goal of “sustainable energy” and the maintenance of Howard County’s outstanding Ag Pres Program. The modest adjustments to the APB criteria referenced herein should only enhance the intent of the Board.

Sincerely,

Dan O'Leary, Chairman

Greater Highland Crossroads Association
12832 Highland Rd
Highland MD 20777

Theodore F Mariani, FAIA, PE, MCRP
President

Concerned Citizens of Western Howard County
16449 Ed Warfield Rd.
Woodbine, MD 21797

March 14, 2021

Ms. Liz Walsh, Chair Howard County Council
3430 Court House Drive
Ellicott City, MD 21043

RE: CB17-2021 – Howard County Agricultural Preservation Board Comments

Dear Chairperson Walsh,

The Howard County Agricultural Preservation Board has been grappling with the best approach to accommodate solar installations on permanently preserved agricultural land for several years now. The Board is sensitive to and supports placing solar Community Solar Facilities (CSF) on agricultural land, provided that the CSF is clearly ancillary to the farming operation.

At the Board's regularly scheduled meeting on February 22, 2021 the board unanimously voted to request that CB17-2021 be amended to include:

- A requirement that an agricultural practice or pollinator habitat be required within the area devoted to the CSF;
- Language limiting the CSF to two megawatts; and
- A reiteration that the CSF must be ancillary to the farming operation.

Thank you for your consideration of these proposed amendments.

Sincerely,

Ann H. Jones. Vice-Chair
Howard County Agricultural Preservation Board

CC. Council persons Jones, Jung, Rigby and Yungmann
County Executive Calvin Ball



Sayers, Margery

From: Hans and Marie Raven <hansandmarie.raven@verizon.net>
Sent: Monday, March 15, 2021 11:37 AM
To: CouncilMail; Ball, Calvin; agowin@howardcountymd.gov
Subject: oppose CB17-2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Executive Ball, Council Members, and Director of Department of Planning & Zoning,

I am writing to express my opposition to CB 17-2021 as it is currently worded. I absolutely support the incentives and promotion for solar energy, but note that the bill's current wording coupled with current zoning definitions and policy allow massive loopholes where the spirit and intent of this legislation could be absolutely undermined.

I am a resident of District 3 and very familiar with the creation and history of the R-H-ED zone. Given its current uniqueness in the county, and all that the residents have done to preserve this land for open space use, I would not like to see any parts of the zone become available for a solar farm. That would NOT be in keeping with the intent of the creation of this district, which was so preserve the historic and environmental sensitivity of the area. Given the lack of designated open space zoning, theoretically any of our county's parks could be deforested and turned into solar farms under this bill's current wording. This action would completely negate the desire to avoid carbon production and eliminate the important carbon sequestration of currently wooded areas.

I would be thrilled to support this bill AFTER zoning regulations which would eliminate current parklands being zoned R-20 or R-H-ED are in place. At a minimum specific language which specifies that deforestation for the purpose of establishing ground mounted solar collectors is expressively prohibited needs to be added to the current bill.

Please rework this bill to prevent ridiculous loopholes in current language from overriding positive intentions.

With thanks,
Marie

Hans and Marie Raven
Laurel, MD
301-317-8010 (home)

Sayers, Margery

From: Keith Ohlinger <kohlinger05@verizon.net>
Sent: Monday, March 15, 2021 9:35 AM
To: CouncilMail
Cc: kohlinger05@verizon.net
Subject: CB-17 2021 Testimony Keith Ohlinger Opposed but recommend amendments.

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council:

I hope this email finds everyone safe and healthy. Thankfully everyone is still healthy here. We are in the midst of calving season, I will send some photos soon.

I am writing in opposition to CB-17 as it is currently presented, but I am offering recommendations to correct the issues. I sat in on a meeting Dr. Ball had with a small group of farmers at the Howard Soil Conservation District prior to introducing the original solar bill. We were not opposed to solar power, however there was concern that it had to be appropriate for the circumstances. Many of the discussions focused on leaving the bill broad enough to allow a variety of wonderful practices that could integrate solar with the continued primary use of farming. Unfortunately, the projects that came after did not integrate any of these wonderful practices. They put up fences and told everyone to keep out. This led to anger in the community and the Agricultural Preservation Board took the appropriate stance to limit what could be done to what is appropriate on preserved agricultural land. We were then painted in later testimony as anti-progress and anti-solar, which is not true.

In the first place, solar power has no connection to agriculture. Some have suggested that everything in agriculture comes from sunlight and solar deals with sunlight so it is the same. This is nonsense, solar panels are not living things, you can't eat solar panels, you don't grow solar panels, they are not agriculture. The electricity can and is used on farms, but at best it should be treated as energy extraction. This is similar to a farm having an oil well or natural gas well on the property and using that resource to offset energy costs for the farm. This is in line with MALPF protocol. However, MALPF does not allow for industrial/commercial oil or natural gas production on its easements. The Maryland Farm Bureau also opposes industrial/commercial solar in its policies. These policies are voted on each year by its delegates at the yearly Maryland Farm Bureau Convention.

I served on the Howard County Solar Taskforce and all recommendations were made by consent of the members by the July 1, 2020 deadline imposed by the County Council. When these recommendations threatened the County's solar goals we had an extra meeting so the County could push its solar agenda onto the Taskforce, and again all members voted to keep the recommendations as they were when presented by the July 1 deadline for the Taskforce. The Agricultural Preservation Board kept in line with the intent of the Taskforce's recommendations. We felt that 2 MW was in keeping with the intent of the Agricultural Land Preservation Program.

I would recommend:

- 1) Restrict any Commercial Solar Facility to 2 MW of installed capacity. This is consistent with the Agricultural Preservation Board and Howard County Solar Taskforce positions.
- 2) Limit the area for Commercial Solar Facility to 20% of the tillable land on the preserved farm. This accepts the 20% Agricultural Preservation Board factor but applies it to the actual farmable, tillable land.
- 3) Maximum size of Commercial Solar Facility cannot exceed 10.5 acres. This updates the requirement for a 2 MW facility to reflect current technology.
- 4) Add the language that the Agricultural Preservation Board recommended:

“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.”

All of these recommendations are entirely consistent with the purpose and intent of the preservation program and should be required.

The question of “Is the County is actually subsidizing solar through the Agricultural Land Preservation Program” is yes. This land was preserved for agriculture, not solar. Farmers are willing to help, however, if everyone else put solar on their own properties there would be no need to put all this solar on our properties. Solar should be treated like any other non-farming enterprises such as barber shops and hair salons, it should be given the highest scrutiny and strictly limited in its scope. One proposal I have heard is that the land under solar should be taken out of the Preservation program and the owner repay the County the money originally paid. The thought being that this increased cost would deter the solar companies. While on its surface this may seem like a good idea, if the current acreage in the bill were to go forward, it is highly plausible that an owner could put solar panels on now and then in 25 years remove the panels and develop houses on the prime acreage that is no longer in the Preservation Program. What a sweet retirement idea! And what a terrible idea for the Preservation Program!

Thank you for all that you do and thank you for considering my testimony. Please stay safe out there!

Keith Ohlinger
Porch View Farm LLC
Cell # 240-893-1718

Sayers, Margery

From: John Jacobs <jacobs.jf@gmail.com>
Sent: Monday, March 15, 2021 9:07 AM
To: CouncilMail; Ball, Calvin; agowin@howardcountymd.gov
Subject: Council Bill 17-2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Greetings all,

While I fully support a transition away from fossil fuels to renewable energy in Howard County, in particular solar power, I am dismayed to learn about some of the environmental consequences to be found in CB17. I think this bill needs revision to protect the land in our county from development, including solar development. There is ample real estate in the county that has already been developed (such as rooftops or parking lots) that provides space for solar investment, without loss of valuable and irreplaceable "open" space such as woods, forests, agricultural land, or parks. Trees in parks should never be removed for the purpose of planting GMSPs and should therefore be an exception to the permission of Solar in the R-20 or R-H-E-D zones. To take care of the issues with Park land being zoned R-20 or R-H-E-D, it would be better to finally establish an Open Space Zone for the preservation of Rec & Parks properties and the elimination entirely of the R-H-E-D zone, both of which were recommended by the Clarion Assessment of our Zoning Regulations. Rooftop based arrays or covered parking lots with their own solar rooftops are a far preferable solution.

Thank you for your time.

John Jacobs



Sayers, Margery

From: Kaitlyn Stewart <kaitlynrogestewart@gmail.com>
Sent: Sunday, March 14, 2021 8:49 PM
To: CouncilMail
Cc: Ball, Calvin; agowin@howardcountymd.gov
Subject: CB 17-2021 is not ready for a vote

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

CB 17-2021, expanding options for solar panels in Howard County, has a laudable intent. However, in our haste to make sure sustainable energy can be expanded, we must not ignore the reality on the ground. As it stands, the bill does not limit solar panel installation to open land or buildings. Theoretically, parks and trees could be cut down to make room for solar panels.

This possibility must not remain! While the county should have a right to install solar panels in otherwise empty lots, and property owners should have a right to install solar panels anywhere on their own (or their corporately owned) land, no entity should have the right to injure public parks in any way.

CB 17-2021 needs a provision ensuring that no trees on public land will ever be cut down to provide space for solar panels--indeed, no trees on public land should be cut down except for reasons of safety for the community or health for the wooded land itself. Similarly, open grassed parkland should not be covered in solar panels.

Good places for solar panels include the roofs of existing buildings and land that has been paved but is going unused. Our parks should never be removed to make way for energy, no matter how sustainable it is.

Thank you for your time.

Kaitlyn Stewart
9059 Baltimore Street, Savage, MD 20763

Sayers, Margery

From: Gayle Killen <killchar@gmail.com>
Sent: Sunday, March 14, 2021 12:09 PM
To: CouncilMail
Subject: [SUSPECTED SPAM] CB17-2021 related to solar collectors and land use

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Greetings Council Members,

Thank you for considering ways to decrease limitations that prevent the adoption of solar energy generation. While we consider the many roadblocks that have prevented solar production to date, let's please also consider the importance of trees. The removal of trees in order to generate solar production is a regrettable example of backwards progress.

The legislative measures being considered in CB17-2021 can also ensure that we protect our existing forests and even individual trees that may be at risk by solar demands. For this reason I write to you to ask that you please find a way to not only protect vegetation within the scope of the Agricultural Land Preservation Program - but that you also look for ways to be stalwart protectors for all existing trees that remain in Howard County.

Thank you for your consideration of our future and for all the hard work you do in service,
Gayle Killen
8572 Main Street Historic Ellicott City, MD 21043

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Every great advance in natural knowledge has involved the absolute rejection of authority.
~Thomas H. Huxley



Sayers, Margery

From: Dan O'Leary <danielol12832h@gmail.com>
Sent: Sunday, March 14, 2021 6:27 PM
To: CouncilMail; Theodore Mariani; Stu Kohn
Subject: CB-17, ZRA-197
Attachments: Written Test. HCC 210315 DOL TM Final.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please accept the attached letter as a written version of our testimony on this measure. We look forward to commenting on it and answering any questions you may have.

We hope you find it useful in your deliberations.

Ted Mariani
CCHWC
Dan O'Leary
GHCA

To: Members of the County Council
Howard County, MD

March 14, 2021

Re: CB 17-2021, ZRA 197

We must preface our remarks by stating that we are in strong support of extending the siting of **Community Solar** projects across all areas and zoning districts in the County to achieve the goal of sustainable energy. Up to this point however, the Ag Pres farms in the Rural West have been the choice target for CSF development, often resulting in projects where the CSF overwhelms the Agricultural purpose of the Program. This will continue to be the case unless the Council adopts regulations that provide a balanced approach. If it is deemed necessary to have a modest level of Community Solar development on Ag Pres land, such development must be subject to reasonable restrictions.

The Issue of Commercial Solar on Ag Pres has been controversial and been debated since the latter part of 2015. As such, we must provide some background and context.

The General Plan is in conflict with itself

We, Dan O'Leary and Ted Mariani, have participated in virtually all conditional use proceedings before the Hearing Authority seeking commercial solar on Ag Pres farms. All applicants claim that their proposal is in harmony with Section 4.12 of the General Plan which states broad goals that would embrace almost any renewable energy project:

"POLICY 4.12 – Develop an energy plan that prepares 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."

However, a thorough reading of 4.12 reveals no explicit support for installing commercial solar on Ag Pres parcels

Therefore, while the General Plan does promote renewable energy to a degree, it also specifically and emphatically states its objective to preserve farmland through the Agricultural Land Preservation Program (ALPP), not just from development, but for purposes of farming. See General Plan at pp. 27-30.

p. 28: " Howard County's efforts to preserve farmland in the Rural West through the.... (ALPP) have been successful but are nearing completion. There is little land left.... The focus going forward should be on stewardship of

the land under easement and on helping the agricultural community to both confront challenges and embrace opportunities....{Emphasis added}

There are 256 properties encumbered by a perpetual agricultural easement. Once a farm is protected, the owner must obtain Agricultural Land Preservation Board approval to use the property in a way that falls outside the normal scope of agricultural activities"

Therefore, occupying purportedly preserved farms with commercial solar facilities is contrary to the notion that the land is being preserved for farming purposes.

The efforts of the Solar Task Force and the Ag Pres Board (APP) are being ignored and overruled.

The Solar Task Force and the APB spent considerable time and energy attempting to reconcile these competing and conflicting interests. They established standards that would ensure that solar installation would be ANCILLARY to the farm use. In order to be more accommodating to solar development, the Ag Board made two compromises from their criteria that imposed a 10-acre and 10% site area limitation. The Board adopted a revised criteria that expanded the 10% site limit to 20% and expanded the maximum solar area from 10 acres to 16 acres. The Board also embraced the HC Solar Task Force recommendation of a 2-megawatt limitation on solar development on Ag Pres sites. The 2-megawatt limitation on generating capacity is consistent with the goal of providing "Community Solar" throughout the County, while concentrating utility-scale CSFs on sites that are not committed to the preservation of Howard County's agricultural heritage.

The reason the APB rejected the proposed 34% area coverage was made clear when a project (Broadwater) submitted under the 34% allowance resulted in more than 50% of an Ag Pres site being consumed by the proposed CSF.

The ZRA proposed by the Administration essentially overrules the APB which attempted to follow the Task Force recommendations. If this ZRA is adopted, it will destroy the delicate balance achieved and adopted by the APB.

The Minutes of the APB 11/23/2000 are on public record.

Not only was the limitation set at 20%/16 acres, but the 34% limit was specifically rejected by the Board. The minutes state:

" Mr. Brown motioned in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 34% of the property size, whichever is less, and the petitioner must provide

substantive proof that the CSF use is ancillary to the farming operation. No board member seconded the motion. The motion failed. Ms. Jones motioned in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 20% of the property's size, whichever is less, and the petitioner must provide substantive proof that the CSF use is ancillary to their farming operation. The motion was seconded by Ms. Hudson. All members in attendance approved the change to the policy. The motion passed."

"The Board discussed the maximum allowance of two megawatts and all that were in attendance felt comfortable with that. They discussed the acreage allowance and determining if the CSF is ancillary to the farm"

Now the carefully reasoned APB criteria is threatened by proposed regulations that conflict with this criteria.

This change to APB criteria is offered despite the fact that applications have been submitted under the current criteria, thus proving the viability of commercial solar development within the criteria now in place.

Therefore, there is no need for this long-sought resolution of appropriate APB criteria to be undermined by adopting a regulation with different standards.

The Council should also note that Montgomery County recently approved a limited use of commercial solar on sites in its Agricultural Reserve zone. The limitations are:

- It must be a conditional use
- It must be sited on the poorest soil classifications which comprise about 30% of the farmland, thereby preserving the arable, productive farmland. This provides an added dimension for your consideration and will be addressed in our closing recommendations.

The 2-Megawatt issue needs clarification

The State, through the PSC, regulates the siting of CSFs of "2-MW or more." Howard County is thus free to regulate, without PSC intervention, CSFs of less than 2-MW.

When we appeared before the **Planning Board**, two members voted to amend it to conform with the latest standards of the APB. If we had more time to testify, we might have prevailed .

We suggest that Council amend as follows:

1. **Restrict any CSF on Ag Pres land to less than 2 Megawatts** of installed capacity. This is consistent with standard for "Community Solar" which reflects the Ag Board and HC Solar Task Force position that no Ag Pres

farm should host a Utility scale CSF. The County must have this regulation in place to ensure that operators do not circumvent the State PSC review by installing multiple 2-MW meters -- e.g., the Triple Creek CSF recently approved by HC has 3 meters each rated at 2-MW for a total power capacity of 6MW on 27 acres, which clearly is a manipulation of the law!

2. **Limit the total area for CSFs to 20% of the tillable land** on the preserved farm. Tillable land would be defined as land that is suitable for crop farming and would exclude, for example, stream valleys, floodplains, steep slopes, forest reserves, environmental easements, etc. This accepts the 20% Ag Board factor but also applies it to the actual farmable land. This recognizes, as in the case of Montgomery County, the need to preserve the productive farmland. While we recognize that the APB was trying to provide flexibility by increasing the maximum size for a CSF from 10 acres to 16 acres; this adjustment to accommodate a 2-MW facility was based on out-dated technology and not necessary. Recently submitted and approved CSF projects have shown that 2-MW can be produced on 9 to 10 acres. Allowing 16 acres is excessive and, absent the 2-MW limitation, with advances in technology it could lead to projects in the 4-MW range which is double the standard for “**Community Solar.**”
3. **Limit the size of the CSF to 10.5 acres.** This updates the requirement for a 2-MW facility to reflect current technology and allows some flexibility for unusual site conditions.

In closing we commend the APB for its efforts to strike a well-reasoned balance between the goal of “sustainable energy” and the maintenance of Howard County’s outstanding Ag Pres Program. The modest adjustments to the APB criteria referenced herein should only enhance the intent of the Board.

Sincerely,

Dan O'Leary, Chairman

Greater Highland Crossroads Association
12832 Highland Rd
Highland MD 20777

Theodore F Mariani, FAIA, PE, MCRP
President

Concerned Citizens of Western Howard County
16449 Ed Warfield Rd.
Woodbine, MD 21797

Sayers, Margery

From: Liz Feighner <liz.feighner@gmail.com>
Sent: Sunday, March 14, 2021 6:15 PM
To: CouncilMail
Cc: Walsh, Elizabeth; Jones, Opel; Rigby, Christiana; Jung, Deb; Yungmann, David
Subject: CB-17 - Favorable Support
Attachments: CB17-2021 testimony.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Greetings,

Please accept this testimony in support for CB-17 - Zoning Regulation Amendment (ZRA) 197.

Regards,

Liz Feighner
County District 3
Laurel, MD 20723

"We do not inherit the Earth from our Ancestors; we borrow it from our children" ~ Native American Proverb



March 15, 2021
RE: CB17-2021
POSITION: Support

My name is Liz Feighner and I'm a 28-year resident from Council District 3. I strongly urge the council members support CB17-2021, Zoning Regulation Amendment (ZRA) 197. This bill's objectives are to adopt the recommendations of July 24, 2020 report by the Howard County Solar Task Force.

Allowing rooftop commercial and accessory ground-mount solar collectors in all zoning districts and other amendments are in harmony with the PlanHoward 2030 policies that encourage the use of renewable energy. We need to quickly and efficiently move off of fossil fuels to avoid the worst impacts of the climate crisis and this bill will help pave the way to ensure effective proper siting of solar projects.

I understand there are those that believe these amendments pose a threat to the agriculture industry and the rural character of the community. However, the maximum size of commercial ground-mount solar collector facilities on properties in the Agricultural Land Preservation Program will be decreased from 75 acres to 16 acres and will help ensure that the properties remain viable for farming and lessen the impact on the rural character of the community.

For those concerned about the loss of farm land and food production, I highly recommend watching the excellent webinar, [EXPLORING FARMING AND SOLAR SYNERGIES: An Analysis Using Maryland Data](#). Please [read the report](#) by Dr. Arjun Makhijani of [Institute for Energy and Environmental Research](#).

Some of Dr. Makhijani's findings include:

- Whole farm profits ~doubled with solar on a fraction of land
- Solar profits are resilient
- Steady solar profits enable farming investment

And "With the right policies, incentives, and requirements, dual use solar can":

- Improve soil health + provide other ecosystem services;
- Diversify food production;
- Strength rural communities and their economies;
- Provide opportunities for economic justice.

Also, on a personal note, I live near the "Milk Co-op" parcel that was used for farming and now will be a development of approximately 400 homes. I would have much preferred a solar farm instead of this development that will increase traffic and pollution with over-burdened roads and overburdened schools in this area. A quiet, unintrusive field of panels farming the sun would have been much preferred than adding more congestion and crowding with more polluting stormwater run-off.

We are in a climate crisis and we need to act now to reduce our fossil fuel usage if we want to protect farmers from increasing and devastating weather events.

Please support CB17.

Sincerely,

Liz Feighner
Howard County District 3
Laurel, MD

TESTIMONY AGAINST CB17

My testimony against CB17 is not against all aspects of the bill. I think there can be no argument against permitting farmers to use a portion of their land for a use which will allow them to operate more profitably. I object to use of the land by commercial enterprises which: 1) have no personal connection to the land; 2) have only a commercial interest in it; 3) are not obliged to give anything back to the land or the local population. One could argue that such entitles "give back" in the form of taxes, but I submit that they take away much more than they contribute.

Solar energy is a much needed component of our future energy supply. No doubt about it. But, on the ground, it is undeniably ugly and a distraction from much of what is beautiful around it. It is difficult in these days, given the very commercial bent that seems to have overtaken our world, to speak of beauty as a necessity. So, commercially speaking, beauty is what brings tourists to Howard County and may well be why "city folk" are interested in traveling to farming areas to buy local produce.

Natural beauty is more. It's our way of seeing God's creations. To value the natural world, people need to have some personal experience of its value to **them**. The effects of nature's miracle can't just be learned about or seen in photographs. If it is necessary – and I think it is – for people to experience the wonder of our world, they have to know it first hand. It has to touch them. We, as people, can't afford to let that opportunity to be moved by the land to slip from the land and into the pockets of business.

If anything is to rob more of western Howard County's beauty, let it be to keep farmers afloat, i.e., life interests not business interests.

Thank you.

Carol Zervas for herself



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Charles M. Goedeke, have been duly authorized by
(name of individual)

HoCo Climate Action to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)
CB17-2021

County Council regarding _____ to express the organization's
(bill or resolution number)

support for opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Charles M. Goedeke

Signature: Charles M. Goedeke

Date: 3/15/2021

Organization: HoCo Climate Action

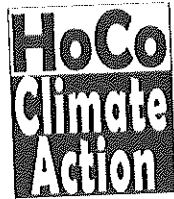
Organization Address: 10306 Champions Way, Laurel, MD 20723

Number of Members: 1,450

Name of Chair/President: N/A

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

March 15, 2021



HoCoClimateAction.org
Howard County, Maryland

RE: CB17-2021

POSITION: Support

Howard County Council Members:

HoCo Climate Action, a 350.org local chapter and a grassroots organization representing more than 1,450 subscribers, and a member of the Howard County Climate Collaboration, strongly supports CB17-2021, Zoning Regulation Amendment (ZRA) 197. We see this bill as a very strong statement of Howard County's commitment to fighting climate change, pollution, and the environmental degradation that has resulted from our global addiction to fossil fuels, and one that would serve as a model for other jurisdictions.

The members of HoCo Climate Action have been educating ourselves and others in Howard County about the climate crisis for more than 13 years. We have supported climate change legislation at the county, state and federal level with varying degrees of success during this time, often in collaboration with larger coalitions of county and statewide partners, regrettably with mixed success. This measure gives us hope.

In particular, we believe that encouraging widespread development and use of resources like solar energy is essential to the goal of greenhouse gas reduction. The well-considered recommendations of the Commercial Solar Facilities Task Force will go far in removing needless roadblocks to this goal, without threatening the charm of Howard County. We appreciate that the study recognizes that most reasonable solar installations are "relatively unobtrusive uses that do not produce adverse impacts such as traffic, noise, odors, etc."

We also greatly appreciate the modest restrictions proposed for installations on ALPP properties, preserving the character of these irreplaceable resources, while offering the owners a reasonable and reliable income source.

And we recognize that installation and maintenance of solar systems would be an opportunity for local businesses, and generator of job opportunities, in a troubled economy where many are struggling.

For these reasons, and more, we strongly support CB17, and urge the Council to give it their unanimous support.

Submitted by Charles Goedeke, Laurel MD

Steering and Advocacy Committee

HoCo Climate Action

HoCoClimateAction@gmail.com

www.HoCoClimateAction.org

Sayers, Margery

From: chellerg@verizon.net
Sent: Monday, March 15, 2021 6:05 PM
To: CouncilMail
Subject: Council Bill 17-2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please support this bill. There is so much needed to permit transition to more renewable energy sources. Recent fires, floods, and other weather events underscore this need to move away from burning carbon.

Rochelle Ginsburg, Thunder Hill

Sent from AOL Mobile Mail



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Dan O'Leary, have been duly authorized by
(name of individual)

Greater Highland Crossroads Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 17-2021, ZRA 197 to express the organization's
(bill or resolution number)

support for / opposition to request to amend this legislation.
(Please circle one.)

Printed Name: Dan O'Leary

Signature: Daniel R O'Leary

Date: March 12, 2021

Organization: Greater Highland Crossroads Association

Organization Address: Highland Maryland

Highland Maryland

Number of Members: 50-75 average dues-paying

Name of Chair/President: Dan O'Leary

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 2 hours prior to the start of the Public Hearing.





**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Stu Kohn, have been duly authorized by
(name of individual)

Howard County Citizens Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB17-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Stu Kohn

Signature: _____

Date: 12 March 2021

Organization: Howard County Citizens Association

Organization Address: P.O. Box 89 Ellicott City, MD 21041

P.O. Box 89 Ellicott City, MD 21041

Number of Members: 500

Name of Chair/President: Stu Kohn

*This form can be submitted electronically via email to
councilmail@howardcountymd.gov no later than 2 hours prior to the start of the
Public Hearing.*





HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, THEODORE F. MARIANI, have been duly authorized by
(name of individual)

CONCERNED CITIZENS OF WESTERN HOWARD COUNTY to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB-17 to express the organization's
(bill or resolution number)

support for / opposition to (request to amend) this legislation.
(Please circle one.)

Printed Name: THEODORE F. MARIANI

Signature: *Theodore F. Mariani*

Date: 12 MARCH 2021

Organization: CONCERNED CITIZENS OF WESTERN HOWARD COUNTY

Organization Address: 16449 ED WAINFIELD

WOODBINE MD 21797

Number of Members: 52* (Ave of PMS 5 YRS)

Name of Chair/President: THEODORE F. MARIANI PRES

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.





**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Susan Garber, have been duly authorized by
(name of individual)

the Savage Community Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 17-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Susan Garber

Signature: _____

Date: 3/14/21

Organization: Savage Community Association

Organization Address: Savage 20763

Savage 20763

Number of Members: 550

Name of Chair/President: Susan Garber

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

Sayers, Margery

From: Cathy Hudson <cmhudson@comcast.net>
Sent: Wednesday, March 17, 2021 7:44 AM
To: CouncilMail; Gowan, Amy
Subject: CB17

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please support and legislate the Ag Pres Board's guidelines. They were reformulated after the board saw many very bad proposals go on through the process (especially with the 34% of the property guideline) and the board has spent many hours trying to come up with realistic guidelines that allow for limited solar.

The board has had to deal with the fact that the solar placements are going on Ag Pres Land because that is the cheapest land for them to obtain, and that they are not going on the marginal spaces of the farm, but that they are being sited on the flattest and best soils of the property (cheapest place for the solar company). Realize too that if the farm has a lot of woods/flood plain, that allowing the removal of 34% of it for a solar facility removes the majority of the tillable/grazable land. Most of these proposals were also seconded by the Solar Task Force (remember the STF only dealt with issues that the council asked it, they didn't necessarily do a total review of the issues) The following are the board's guidelines:

1. In determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 20% of the property's size, whichever is less, and the petitioner must provide substantive proof that the CSF use is ancillary to their farming operation.

2. Limit the maximum size of CSF on ALPP properties to 2MW

3. 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.

(the STF further noted that for projects on non-ag pres land, these practices should be encouraged.)

One other factor that hasn't been raised, but that you might want to consider is to ensure that these regulations only apply to horizontal based systems and not to vertical systems. While still in experimental phases, new technologies such as 3D solar towers (a Tower Panel Deployment System that is a 65' vertical telescoping solar mounting system), or concentrated solar power or other such vertical systems could be found useful in the future and I believe would need to be looked at separately as they come on line as to how they should be regulated (ie maybe a glare study would be good for those systems). They should not be allowed to come in under these regulations.

Thank you for looking closely at this legislation.
Cathy Hudson



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 15 March 2021

Subject: CB17-2021 HCCA Testimony Regarding Solar

We, the Howard County Citizens Association, HCCA fully endorse the compelling testimony of both Ted Mariani, President of the Concerned Citizens of Western Howard and Dan O'Leary, Board Chairman of the Greater Highland Crossroads Association regarding CB17-2021.

On the Department of Planning and Zoning's website the policy of the Agricultural Land Preservation Program Howard County, Maryland Commercial Solar Facilities (CSF) clearly states, "The Agricultural Preservation Board will apply the following standards of review to the CSF Conditional Use Petition criteria in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 20% of the Property's size, whichever is less, and the petitioner must provide proof that the CSF use is ancillary to their farming operation." So the question becomes why the change to 34 percent?

Please refer to Page 4, lines 6 thru 11 relating to Ground Mounts. We would like to see an amendment which states the minimum distance such can be displayed from adjacent properties.

We strongly recommend a second amendment to this Bill which is imperative for all your constituents paying taxes. It should state that any property owner who has entered into a contract for an Agricultural Preservation Easement and applies for permission for a CSF within 30 days of final approval of an application for the CSF on the preserved land shall reimburse the County the amount paid to the property owner for the acreage of the preservation easement to be utilized by the CSF.

Theodore Roosevelt stated, "Here is your country. Cherish these natural wonders, cherish the natural resources, cherish the history and romance as a sacred heritage, for your children and your children's children. Do not let selfish men or greedy interests skin your country of its beauty, its riches or its romance." If you substitute the word "county" for "country" is this Howard County regarding solar on designated Agricultural Preservation property? Agricultural Preservation should really mean something to all. We should honor this program with pride.

Stu Kohn
HCCA President

Sayers, Margery

From: Rigby, Christiana
Sent: Wednesday, March 17, 2021 9:36 AM
To: Stu Kohn; CouncilMail
Cc: stukohn@verizon.net
Subject: Re: Howard County Citizens Association (HCCA) Legislative Testimony on 15 March 2021

Hi Stu,
Thank you for reaching out and following up with written testimony.

I can say that from my perspective the public hearing is the opportunity for the public to be heard and I am trying to be very intentional about the space that I take up. So if I am speaking during a public hearing then I'm delaying and prolonging the time that a member of the public has to wait to get to speak and have their say. We have had folks leave because the process is too burdensome to their time and I want to respect that.

It certainly does not come from a place of disinterest, but a place of respect. While I am only speaking for myself in this email, I have had conversations with other council members and I know that they too wish to reduce barriers to public participation (time, recognizing that for many residents, it can be intimidating especially as their first time).

I hope this helps to clarify! Happy to speak over the phone if you'd prefer.

Christiana

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From: Stu Kohn <stukohn@verizon.net>
Sent: Tuesday, March 16, 2021 8:52:26 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Cc: stukohn@verizon.net <stukohn@verizon.net>
Subject: Howard County Citizens Association (HCCA) Legislative Testimony on 15 March 2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please accept the attached HCCA testimonies presented to you at the Public Legislative Hearings on Monday, 15 March 2021. This also includes CB17-2021 which was sent to you the night of the hearing.

We are very concerned that at the hearing there was no communication between you and those constituents who testified as you did not ask any questions of them during their testimony. The only exception was when Councilman Yungmann had an inquiry and when he was about to have a follow up question was silenced by the Chairperson Walsh. We believe the legislative process needs to be revised. We feel as though by you not asking questions that the public is unfortunately being placated. The Council should use these hearings as a means to obtain as much information as possible to ensure the end result of such Bills and Resolutions are well thought to the fullest. A suggestion to accomplish this would simply be to lightened the number of Bills and Resolutions which are heard on a given evening especially if some of them have a lot of interest. If you would like to discuss ideas for improvement we would be more than happy to discuss.

Stu Kohn
HCCA President



roy keeny <keeney.roy@gmail.com>

(no subject)

1 message

SHARON KEENY <SHARON.KEENY@inf.com>
To: roy keeny <keeney.roy@gmail.com>

Tue, Mar 16, 2021 at 10:30 AM

Sharon Keeny
14026 Howard Road
Dayton, MD 21036

March 15, 2021

I am not against solar panels; I am against solar panels on ag preservation, especially how it relates to residential property.

Solar is BIG business. Solar companies are vying for land in Howard County, pressing landowners on a regular basis to give up acreage in favor of this new tenant under the guise of 'green'. Commercial solar on ag property doesn't benefit adjoining residents; it doesn't benefit the farming operation; it benefits the grid and the farmer now landlord. Solar companies are making a killing. They are the epitome of WALL STREET.

Cluster zoning in the west has benefited the county in many ways, the residents who purchased lots to adjoin FARMLAND FOREVER will certainly feel betrayed. FARMLAND FOREVER was a choice; landowners voluntarily entered the program and were paid handsomely to forgo any commercial or industrial use. If those properties transferred over the years, the next purchaser signed a declaration agreeing to that promise. The Deed restrictions are explicit that NO commercial or industrial activities are permitted; in exchange tax assessments significantly reduced.

The Ag board has made advisory comments to allow 20% of the total, or 16 maximum acres, whichever is less; and a maximum allowance of 2 megawatts as appropriate. I encourage the counsel to follow strictly the recommendation of the ag board and not expand or relax those guidelines and to ensure there is a branch of government responsible for over-sight. Will DPZ have the funding to enforce fines and penalties when the rules aren't followed?

As a Realtor, I will remind that the Jurisdictional Addendum notifying residential purchasers that farmers have a RIGHT TO FARM is clear. Reading the actual preservation easements, there is no way that one could expect to see any commercial use. In fact, the easement language is quite explicit about prohibiting commercial uses. There are probably hundreds of homes that abut ag property expecting the promise of FARMLAND FOREVER. Your obligation is to also protect MAIN STREET. The residents of Howard County need your over-sight.

10. NOTICE TO BUYER - RIGHT TO FARM DISCLOSURE. Pursuant to the Howard County Zoning Regulations, you are hereby notified that farming is allowed in most zoning districts in Howard County and has been designated as the preferred land use within the RC (Rural Conservation) zoning district. Properties in the RC and RR (Rural Residential) zoning districts that are subject to an agricultural land preservation easement, whether held by the State of Maryland or Howard County, are required to be kept available for farming in perpetuity, and are assumed to be in agricultural use. Agriculture is also considered a valued land use on any property that has an Agricultural Use Assessment as determined by the State Department of Assessments and Taxation.

Residents and other occupants of property near land in agricultural areas should be prepared to accept the effects of usual and customary agricultural operations, facilities and practices, including noise, odors, dust, smoke, insects, operation of machinery, storage and disposal of manure, unusual hours of operation, and other agricultural activities.

For further information, contact the Howard Soil Conservation District or the Howard County Department of Planning and Zoning.

11. NOTICE TO BUYER/PROSPECTIVE LANDLORD - HOWARD COUNTY LANDLORD-TENANT COUNTY COUNCIL BILL (CB-20).

Howard County Council Bill CB-20 took effect on August 12, 2018. CB-20 empowers the Howard County Office of Consumer Protection to enforce the provisions of the new landlord and tenant law. CB-20 specifies landlord obligations, lease termination clauses and required and prohibited provisions regarding rental applications and lease agreements. The full text of CB-20 can be found, read and downloaded on Office of Consumer Protection's website at www.howardcountymd.gov/landlordtenant.

12. NOTICE TO BUYER - HOWARD COUNTY W TRANSFER TAX EXEMPTION AND RATE REDUCTION W LAW ENFORCEMENT OFFICERS; FIRE AND RESCUE SERVICES MEMBERS AND CERTIFICATED PROFESSIONAL TEACHER.

Pursuant to HB1604/HB 223/ Howard County Code 20.300, Howard County Law Enforcement Officers; Fire and Rescue Services Members and Certificated Professional Teachers may be eligible to be exempt from or receive reduced Howard County transfer taxes when purchasing residential real property located in Howard County and intended for use as a principal residence.

For more information, please contact the Howard County Department of Human Resources/Board of Education.

Buyer Date

Seller Date

Buyer Date

Seller Date

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Devin Keeny

14041 Howard Road Dayton MD 21036

Testimony read on 3/15/2021.

Good evening and thank you to the board for the opportunity to speak tonight. I want to start by saying that I am not against solar or green energy of the kind. I am, however, concerned about the setback proposed and handling of stormwater management as a result.

While my situation is unique and personal to me, I believe these two topics are of the utmost importance for consideration when determining legislation for all. The solar companies and leasing landowners both stand to benefit from their arrangement, but who is protecting the rights of neighboring residents?

My home is very much downhill from the proposed solar site that was just announced in a pre-submission public hearing on March 9. My house was built and completed in 2020. Howard County mandated that strict and proper storm water management codes were met to ensure runoff from my roof was filtered before reaching my neighbors and ultimately the reservoir and bay. I had to install two massively large dry wells, to which every downspout on my house runs through the ground and connects to.... at considerable extra costs to me and my wife....\$15,000. Is my roof more dangerous than the contamination from the panels and products used in the building of a commercial solar field? Do we know if every proposed site will be required to take this into consideration and be held to the same standard of oversight?

As for setbacks - 50 feet, while it may seem sufficient on a topography map being viewed in an office, it does not paint the true picture as to how close to our properties, and to our homes it really is - It is an infringement to our peaceful enjoyment and everyday life and in addition to storm water management concerns I ask the board to consider a minimum setback of 300 feet for commercial solar fields on ag land from all surrounding residential properties.

I urge the board to consider proper setbacks and storm water management for a project like this and to ensure every step is taken to protect my groundwater, my neighbors, and the environment.



roy keeny <keeney.roy@gmail.com>

TAMMIE'S TESTIMONY

1 message

SHARON KEENY <SHARON.KEENY@Inf.com>
To: roy keeny <keeney.roy@gmail.com>

Tue, Mar 16, 2021 at 9:47 AM

Tammie Bartee
13975 Howard Road
Dayton, MD 21036

March 15, 2021

Solar farming on ag property is a new concept for Howard County that has crept up when it was least expected. Given that the deed language of these ag preserved properties specifically state no commercial or industrial uses, the ag board should be able to make the rules on land that was preserved transfer tax income. There are basic restrictions that need to be considered in this unique situation that is unlike any traditional rules on the books. There is concrete evidence that the environment, the wildlife, the eco systems of the small creeks and streams which flow to the bay and to the Triadelphia Reservoir should be strictly monitored by Maryland State if Howard County can't do it. There is much to learn.

Living next to a proposed solar on ag property site, I am horrified that a suburban set back of 50 ft has been established as acceptable in rural Western Howard County. Farmland is vast and there is NO reason that this new use should be jammed up against any single residential property. Properties that join the farm so closely will be negatively impacted by glare. They are sited by the health department based on their septic and well locations which are just a small example of situations that do not apply elsewhere.

Therefore, in addition to the basic ag recommended parameters, more oversight is need throughout the process to monitor environmental impact in an area served by septic and well, the acceptable level of the disruption to wildlife, especially the bird population. Most importantly, there is no consideration to the ridiculous set back of 50 ft from a nearby residential property. Imagine 10+ acres of solar panels 50 ft from your property line. On behalf of the entire rural west, when FARMLAND FOREVER turns acreage into commercial solar panels, there should be a minimum of a 300 ft set back from the closest wall of any residential dwelling to the closest solar panel. We need you to protect the existing taxpayers of our county, and our critical agriculture industry, not to subsidize the solar industry at their expense.

Sayers, Margery

From: Crl Zrvs <zervascarol@gmail.com>
Sent: Monday, March 15, 2021 11:39 PM
To: CouncilMail
Subject: Edited Testimony on CB-17-2021
Attachments: Edited Testimony CB-17.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

EDITED TESTIMONY AGAINST CB17

My testimony against CB17 is not against all aspects of the bill. I think there can be no argument against permitting farmers to use a portion of their land for a use which will allow them to operate more profitably. I object to use of the land by commercial enterprises which: 1) have no personal connection to the land; 2) have only a commercial interest in it; 3) are not obliged to give anything back to the land or the local population. One could argue that such entitles "give back" in the form of taxes, but I submit that they take away much more than they contribute.

Solar energy is a much needed component of our future energy supply. No doubt about it. But, on the ground, it is undeniably ugly and a distraction from much of what is beautiful around it. It is difficult in these days, given the very commercial bent that seems to have overtaken our world, to speak of beauty as a necessity. So, commercially speaking, beauty is what brings tourists to Howard County and may well be why "city folk" are interested in traveling to farming areas to buy local produce.

Natural beauty is more. It's our way of seeing God's creations, and it's our way of getting out of ourselves and recognizing that there's something greater than we are. To value the natural world, people need to have some personal experience of its value to **them**. Given the influence of our material, commercial world, people have forgotten how much they are affected by having natural beauty in their lives. When tragedy threatens to overcome us, we find a beach to walk on or a vista to overwhelm our grief, but in everyday life, we forget.

The effects of nature's miracle can't just be learned about or seen in photographs. If it is necessary – and I think it is – for people to experience the wonder of our world, they have to be touched by it. We, as people, can't afford to let that opportunity to be moved by the land to slip from the land and into the pockets of business. We need to feed the experience of unspoiled life if we expect people to sacrifice some of the comfort and convenience it will require to restore health to the planet. We can't afford to harm or mar the places in our county where beauty can still reach people.

As "inappropriate" as I know the statement to be -- I think Howard County is as popular a home as it is because some parts of it still have the power to nourish the soul (and it doesn't have a beach).

Thank you.

Carol Zervas for herself

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Thank you.

Carol Zervas for herself



Sayers, Margery

From: Stu Kohn <stukohn@verizon.net>
Sent: Monday, March 15, 2021 9:58 PM
To: CouncilMail
Subject: HCCA -- Testimony on CB17-2021
Attachments: HCCA - Testimony CB17-2021 Solar on Agricultural Preservation.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please see the attachment. HCCA is AGAINST this Bill unless our recommended amendments are adopted.

Stu Kohn
HCCA President



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 15 March 2021

Subject: CB17-2021 HCCA Testimony Regarding Solar

We, the Howard County Citizens Association, HCCA fully endorse the compelling testimony of both Ted Mariani, President of the Concerned Citizens of Western Howard and Dan O'Leary, Board Chairman of the Greater Highland Crossroads Association regarding CB17-2021.

On the Department of Planning and Zoning's website the policy of the Agricultural Land Preservation Program Howard County, Maryland Commercial Solar Facilities (CSF) clearly states, "The Agricultural Preservation Board will apply the following standards of review to the CSF Conditional Use Petition criteria in determining if the CSF is ancillary to the primary farming operation, the commercial solar operational area must be a maximum of 16 acres or 20% of the Property's size, whichever is less, and the petitioner must provide proof that the CSF use is ancillary to their farming operation." So the question becomes why the change to 34 percent?

Please refer to Page 4, lines 6 thru 11 relating to Ground Mounts. We would like to see an amendment which states the minimum distance such can be displayed from adjacent properties.

We strongly recommend a second amendment to this Bill which is imperative for all your constituents paying taxes. It should state that any property owner who has entered into a contract for an Agricultural Preservation Easement and applies for permission for a CSF within 30 days of final approval of an application for the CSF on the preserved land shall reimburse the County the amount paid to the property owner for the acreage of the preservation easement to be utilized by the CSF.

Theodore Roosevelt stated, "Here is your country. Cherish these natural wonders, cherish the natural resources, cherish the history and romance as a sacred heritage, for your children and your children's children. Do not let selfish men or greedy interests skin your country of its beauty, its riches or its romance." If you substitute the word "county" for "country" is this Howard County regarding solar on designated Agricultural Preservation property? Agricultural Preservation should really mean something to all. We should honor this program with pride.

Stu Kohn
HCCA President

Sayers, Margery

From: Barbara Christensen <blchristensen7@gmail.com>
Sent: Monday, March 15, 2021 7:07 PM
To: CouncilMail
Subject: Council Bill 17=2021, Solar Zoning

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members'

Please support this very important bill that will help protect the environment of both current and future generations of Howard County residents. I am a grandmother of 8 grandchildren and I have lived in Columbia for almost 50 years, and I want them to have the same quality of life Howard County has been famous for. This is not a partisan issue.

Thank yo for your consideration,

Barbara Christensen
7434 Sweet Clover
Columbia, Md. 21045

Sayers, Margery

From: Judy Coleman <kat4meist@verizon.net>
Sent: Monday, March 15, 2021 6:33 PM
To: CouncilWebEx
Subject: Testimony - Howard County Council's Legislative Public Hearing

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Howard County Council's Legislative Public Hearing

Monday, March 15, 2021
Judy Coleman's Testimony

Addressing: CB17-2021
BRAG, LLC Farm
Petition for a Solar Panel Field on Howard Rd.

There is a 50 acre parcel of Agricultural Preservation Land, BRAG, LLC Farm, off of Howard Rd., where the owners want to have built a Commercial Solar Panel Field of approximately 10 acres of the land. Question: Is it against the current regulations of Agricultural Preservation Land and

to build a

**Commercial Solar Panel
Field on this type
of land?**

We are not so much against the building of a Commercial Solar Panel Field, as we are against the "location" of this Field of Solar Panels. Their plan is to put the Panels about **50 feet from the property lines of four homes.** These home owners would now be seeing **pine trees** that will be planted, **a 7 foot tall chain link fence** that will be built beyond the trees, plus **the Solar Panels** beyond the fence, which **will still be visable for a long period after tree planting and slow growth.**

The once beautiful farmland views from these homes would be blocked by the pine tress, chain link fencing, and the 10 acres of Solar Panels. Needless to say, the property value of these four homes would be considerably lessened, besides the fact that their view would be drastically changed.

With 50 acres to choose a 10 acre location for the solar panel field, we are asking **that the owners of the land along with the Solar Panel Company please, "change the planned location of the Solar Panel Field to acreage away from these and any and all other homes."**

Sayers, Margery

From: Stu Kohn <stukohn@verizon.net>
Sent: Wednesday, March 17, 2021 3:07 PM
To: CouncilMail
Cc: stukohn@verizon.net
Subject: Proposed Amendments to CB17-2021
Attachments: HCCA - Testimony CB17-2021 Solar on Agricultural Preservation.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I appreciate the invitation as a guest at today's Work Session regarding the discussion on CB17-2021. I would like to take this opportunity to emphasize the importance of our HCCA Testimony (see attachment) and that stated at the Work Session. It is extremely important for you to consider concentrating on the impact of the distance that Ground Mounts could be placed from a neighbors resident as I expressed at the Work Session today. Please refer to pages 90-93 and you don't see zoning districts such as R12, 20, R-A-15, R-SA-8, etc. stating the criteria even though Ground Mounts would be permitted if CB17 were passed. These residential zoning districts where Ground Mounts would be permitted are stated in the Bill on page 25, line 6; page 22, line 20; page 34, line 22; and page 30 line 8 respectively. There needs to be clarity in this area. Quite frankly they shouldn't be permitted in these zoning districts. However if you see fit to include then we would like to see an amendment which states the minimum distance from property lines which they can be located from adjacent properties.

In addition another amendment state there shall be no removal of trees on parkland (R20 or R-H-ED) for the purpose of erecting ground mounted solar collectors.

We want to reiterate our strong recommendation of an amendment which is imperative for all your constituents paying taxes. It should state that any property owner who has entered into a contract for an Agricultural Preservation Easement and applies for permission for a CSF within 30 days of final approval of an application for the CSF on the preserved land shall reimburse the County the amount paid to the property owner for the acreage of the preservation easement to be utilized by the CSF.

Thank you for your consideration.

Stu Kohn
HCCA President



HCCA

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Stu Kohn
HCCA President

CB 17-2021

Sayers, Margery

From: no-reply@howardcountymd.gov
Sent: Monday, March 1, 2021 4:07 PM
To: kat4meist@verizon.net
Subject: Council - Solar Bill CB-17 (ZRA 197)

First Name: Judith
Last Name: Coleman
Email: kat4meist@verizon.net
Street Address: 14049 Howard Rd., MD
City: Dayton
Subject: Solar Bill CB-17 (ZRA 197)

Message: We know a commercial solar panel field of maybe 10 to 16 acres is planning to be put to the west of Rural Rhythm Lane on the Bauer property (13825 Howard Rd., Dayton, MD 21036) recently purchased from Orndorph. The planned solar field backs on 4 homes (Titheringtons/Bartees/Krietmanns/Keenys). What things like tall evergreen trees, a closed wooden fence, or other natural protection to avoid the solar panel view will be provided for them to shield these homeowners from a reduction in their property value? Please inform me of what could be done for these folks.