

# Howard County Solar and Wind Zoning

This document provides a compilation of excerpts from the Howard County Code applicable to the siting of solar and wind projects. Specifically, the excerpts include definitions of solar and wind projects, zoning exclusions, use regulations, and setback and height regulations for solar and wind structures.

## Guidance for Viewing Excerpts

### SOLAR

#### Summary

- The Howard County Code refers to large-scale solar projects as "Solar Facility, Commercial" and defines them as 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.
  - Permitted use, subject to conditions, in the following zoning districts: RR (Rural Residential), RC (Rural Conservation), Rural Residential – Density Exchange Overlay (RR-DEO), and Rural Conservation (Density Exchange Overlay (RC-DEO)).
  - County Preservation Easements restrict the use of large-scale solar projects in the RR, RC, RR-DEO, and RC-DEO zoning districts.

#### Relevant Sections of the Howard County Code

- **Supplement 7. Zoning**
  - Definitions for "Solar Facility, Commercial" (Section 103.0).
  - Restricted use through County Preservation Easements (Section 106.1).
  - Conditional Use (Section 131.0).
- **Howard County Bill No. 41-2020**
  - Policy for commercial solar facilities (CSF) on ALPP easement property.

## SMALL SOLAR

### Summary

- The Howard County Code uses the term "Solar Collector, Accessory" to refer to small-scale or accessory solar projects, and defines them as a building-mounted or ground-mounted solar collector that 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.
  - Permitted as accessory use in the following zoning districts: Residential Village Housing (R-VH), Historic Office (HO), Historic Commercial (HC), Manufacturing Heavy (M-2), Residential Single Attached (R-SA-8), Residential Single Cluster (R-SC), Residential Single (R-12 and R-20), Business General (B-2), Planned Employment Center (PEC), Institutional (I), Business Local (B-1), Community Center Transition (CCT), Residential Senior Institutional (R-SI), Residential Apartment (R-A-15 and R-APT), Planned Office Research (POR), Business Rural (BR), Manufacturing Light (M-1), Solid Waste (SW), Planned Golf Course Community (PGCC), Residential Mobile Home (R-MH), Corridor Employment (CE), Corridor Activity Center (CAC), Planned Senior Community (PSC), Residential Environmental Development (R-ED), RR, RC, RR-DEO, RC-DEO, Traditional Neighborhood Center (TNC), and Transit Oriented Development (TOD).

### Relevant Sections of the Howard County Code

- **Supplement 7. Zoning**
  - Definitions for "Solar Collector" and "Solar Collector, Accessory" (Section 103.0).
  - Zoning districts where accessory use is permitted (Sections 104.0, 105.0, 107.0, 108.0, 109.0, 110.0, 111.0, 112.0, 112.1, 113.1, 113.2, 113.3, 114.1, 114.2, 114.3, 115.0, 116.0, 117.1, 117.4, 118.0, 119.0, 120.0, 122.0, 123.0, 124.0, 126.0, 127.1, 127.2, 127.5, 127.4, 127.6).
  - Restricted use through County Preservation Easements (Section 106.1).

## WIND

### Summary

- The Howard County Code does not have specific zoning districts designated for large-scale wind projects.

### Relevant Sections of the Howard County Code

- No document available for viewing.

## SMALL WIND

### Summary

- The Howard County Code has two categories of small-scale wind energy systems: "Small Wind Energy System, Freestanding Tower" and "Small Wind Energy System, Building Mounted." Both categories must have a rated nameplate capacity of less than 100 kW.
  - Small Wind Energy System, Freestanding Tower
    - Permitted as accessory use in the following zoning districts: Residential Historic Environmental District (R-H-ED), RR, RC, RR-DEO, RC-DEO, R-ED, R-20, R-12, R-SC, R-SA-8, R-A-15, R-APT, I, POR, PEC, BR, CCT, B-1, B-2, SC, M-1, M-2, PGCC, PSC, CE, TOD, CAC, and TNC.
  - Small Wind Energy System, Building Mounted
    - Permitted as accessory use in the following zoning districts: Residential Historic Environmental District (R-H-ED), RR, RC, RR-DEO, RC-DEO, R-ED, R-20, R-12, R-SC, R-SA-8, , R-A-15, R-APT, I, POR, PEC, BR, CCT, B-1, B-2, SC, M-1, M-2, PGCC, PSC, CE, TOD, CAC, and TNC.
  - County Preservation Easements restrict the use of both types in the RR, RC, RR-DEO, and RC-DEO zoning districts.

### Relevant Sections of the Howard County Code

- **Supplement 7. Zoning**
  - Definitions for "Small Wind Energy Systems, Building Mounted" and "Small Wind Energy Systems, Freestanding Tower" (Section 103.0).
  - Zoning districts where accessory use is permitted for Small Wind Energy Systems, Building Mounted (Sections 104.0, 105.0, 107.0, 108.0, 109.0, 110.0, 111.0, 111.1, 112.0, 112.1, 113.3, 115.0, 116.0, 117.1, 117.2, 117.4,

Last Updated: April 2020

118.0, 119.0, 120.0, 122.0, 123.0, 126.0, 127.1, 127.2, 127.4, 127.5, 127.6).

- Zoning districts where accessory use is permitted for Small Wind Energy Systems, Freestanding Tower (Section 104.0).
- Restricted use through County Preservation Easements (Section 106.1).
- Supplementary Zoning District Regulations (Section 128.0. L.M.).
- Conditional Use (Section 131.0).

# Howard County Code

[https://www.municode.com/library/md/howard\\_county/codes/code\\_of\\_ordinances?searchRequest=%7B%22searchText%22:%22solar%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=HOCOCO\\_TIT20TACHFE\\_SUBTITLE\\_1REPRTAADCREN\\_PTIIISTTHHOCOTACR\\_S20.128AQUENCODE](https://www.municode.com/library/md/howard_county/codes/code_of_ordinances?searchRequest=%7B%22searchText%22:%22solar%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=HOCOCO_TIT20TACHFE_SUBTITLE_1REPRTAADCREN_PTIIISTTHHOCOTACR_S20.128AQUENCODE) (accessed 12/21/2015)

## 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

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.

### 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.

## Section 131.0: Conditional Zoning

### N. Conditional Uses and Permissible Zoning Districts

(Conditional) Zoning Districts (Solar Facility, Commercial)																														
RC	RR	R-ED	R-20	R-12	R-SC	R-SA-8	R-H-ED	R-A-15	R-APT	R-MH	R-SI	R-VH	CCT	TOD	CAC	TNC	PGCC	HO	HC	POR	PEC	BR	OT	B-1	B-2	SC	M-1	M-2	CE	I
✓	✓																													

The Hearing Authority may grant Conditional Uses in the specified districts in accordance with the following minimum criteria:

## *52. Solar Facility, Commercial*

A Conditional Use may be granted in the RC or RR District for a commercial solar facility, provided that:

1. The land on which the commercial solar facility is proposed may not be in the Agricultural Land Preservation Program and it may not be encumbered by any environmental preservation easements.
2. The maximum size of a solar facility shall be 75 acres notwithstanding the size of the parcel. The parcel on which the commercial solar facility is proposed must be a minimum of 10 acres in size.
3. All structures and uses must meet a minimum 50 foot setback from all property lines.
4. No structure or use may be more than 20 feet in height.
5. A 'Type D' landscaping buffer must be provided around the perimeter of the proposed commercial solar facility unless the Hearing Authority determines that an alternative buffer is sufficient.
6. All security fencing must be located between the landscaping buffer and the commercial solar facility.
7. The systems shall comply with all applicable local, state, and federal laws and provisions.
8. A commercial solar facility that is no longer used shall be removed from the site within one year of the date that the use ceases.
9. 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 solar facility. The applicant shall provide the Hearing Authority with details regarding maintenance and access for the site.
10. 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.
11. 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.
12. Tree removal shall be minimized and reforestation shall be done in accordance with Section 16.1026 of the Howard County Code.
13. 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.

## Section 106.1: County Preservation Easements

### C. Accessory Uses

#### 1. ALPP Purchased Easements and ALPP Dedicated Easements

u. Accessory Solar Collectors.

#### 2. Other Dedicated Easements

w. Accessory Solar Collectors.

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

## County Council of Howard County, Maryland

2010 Legislative Session

Legislative day # 8

BILL NO. 41-2010 (ZRA-129)

Introduced by: Calvin Ball, Councilmember

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

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

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

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

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

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

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

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

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

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

Ken Ulman  
Ken Ulman, County Executive

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



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

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

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

10 B. *The following sections be, and they are hereby, repealed and reenacted without change:*

11 *Subsection "A" "Purpose", of Section 104 "RC (Rural Conservation) District";*  
12 *Subsection "A" "Purpose", of Section 105 "RR (Rural Residential) District";*  
13 *Subsection "A" "Purpose", of Section 107 "R-ED (Rural Environmental Development)*  
14 *District"; Subsection "A" "Purpose", of Section 108 "R-20 (Residential: Single*  
15 *District"; Subsection "A" "Purpose", of Section 109 "R-12 (Residential: Single*  
16 *District"; Subsection "A" "Purpose", of Section 110 "R-SC (Residential: Single Cluster)*  
17 *District"; Subsection "A" "Purpose", of Section 111 "R-SA-8 (Residential: Single*  
18 *Attached) District"; Subsection "A" "Purpose", of Section 112 "R-A-15 (Residential:*  
19 *Apartments) District"; Subsection "A" "Purpose", of Section 113.3 "I (Institutional*  
20 *Overlay District"; Subsection "A" "Purpose", of Section 115 "POR (Planned Office*  
21 *Research) District"; Subsection "A" "Purpose", of Section 116 "PEC (Planned*  
22 *Employment Center) District"; Subsection "A" "Purpose", of Section 117.1 "BR*  
23 *(Business: Rural) District"; Subsection "A" "Purpose", of Section 117.2 "CC*  
24 *(Convenience Center) District"; Subsection "A" "Purpose", of Section 117.4 "CCT*  
25 *(Community Center Transition) District"; Subsection "A" "Purpose", of Section 118*  
26 *"B-1 (Business: Local) District"; Subsection "A" "Purpose", of Section 119 "B-2*  
27 *(Business: General) District"; Subsection "A" "Purpose", of Section 120 "SC (Shopping*  
28 *Center) District"; Subsection "A" "Purpose", of Section 122 "M-1 (Manufacturing:*  
29 *Light) District"; Subsection "A" "Purpose", of Section 123 "M-2 (Manufacturing:*  
30 *Heavy) District"; Subsection "A" "Purpose", of Section 126 "PGCC (Planned Golf*  
31 *Course Community) District"; Subsection "A" "Purpose", of Section 127.1 "PSC*

Amend  
P. 32.1 to 32.4

District”; Subsection “A” “Purpose”, of Section 127.2  
District”; Subsection “A” “Purpose”, of Section 127.4  
Development) District”; Subsection “A” “Purpose”, of Section  
City Center) District”; and Subsection “A” “Purpose”, of  
Local Neighborhood Center) Overlay District”; and  
and they are hereby, added: Subsection “M” “Small Wind  
Mounted”, and a new Subsection “N” “Small Wind Energy  
Systems” of Section 128 “Supplementary Zoning District  
Regulations”; and a new number 48 “Small Wind Energy Systems, Building Mounted”  
and new number 49 “Small Wind Energy Systems, Freestanding Tower”, of Subsection N  
“Conditional Uses and Permissible Zoning Districts”, of Section 131 “Conditional  
Uses”.

## Howard County Zoning Regulations

### SECTION 103: Definitions

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

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

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

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

4   **A. Purpose**  
5

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

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

23   **C. Accessory Uses**

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

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

1           17.    SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER ON PROPERTIES 5 ACRES  
2                   OR GREATER, SUBJECT TO THE REQUIREMENTS OF SECTION 128.N.  
3

4   **G. Conditional Uses**  
5

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

9           37.    SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER ON PROPERTIES LESS  
10                   THAN 5 ACRES.  
11  
12

13                                   **SECTION 105: RR (Rural Residential) District**  
14

15   **A. Purpose**  
16

17   The Rural Residential District is established to allow low density residential development within  
18   a rural environment. The Rural Residential District is intended for an area of the County which is  
19   already largely committed to low density residential subdivisions. Within the RR District,  
20   agriculture is permitted as well as residential development in both cluster and non-cluster forms.  
21   Cluster development is permitted in order to protect environmental and landscape resources and  
22   to preserve agricultural land.  
23

24   **C. Accessory Uses**  
25

26   The following are permitted accessory uses in the RR District. More than one accessory use shall  
27   be permitted on a lot, provided that the combination of accessory uses remains secondary,  
28   incidental and subordinate to the principal use.  
29

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

1 **G. Conditional Uses**

2

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

6

7 37. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

8

9

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

11

12 **A. Purpose**

13

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

22

23 **C. Accessory Uses**

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

27

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

31

1 I. Conditional Uses

2

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

6

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

9

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

12

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

14

15 A. Purpose

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

20

21 C. Accessory Uses

22

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

26

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

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

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**A. Purpose**

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

**C. Accessory Uses**

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

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

**H. Conditional Uses**

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

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

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

**A. Purpose**



1 The R-SC District is established to provide the opportunity for clustering of single family  
2 detached and attached dwellings to promote sensitive use for the land as well as to provide  
3 compatibility with other residential districts.  
4

5 **C. Accessory Uses**  
6

7 The following are permitted accessory uses in the R-SC District. More than one accessory use  
8 shall be permitted on a lot, provided that the combination of accessory uses remains secondary,  
9 incidental and subordinate to the principal use.  
10

- 11 10. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY  
12 DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE  
13 REQUIREMENTS OF SECTION 128.M.  
14

15 **F. Conditional Uses**  
16

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

- 21 16. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY  
22 ATTACHED DWELLINGS ONLY.  
23  
24

25 **SECTION 111: R-SA-8 (Residential: Single Attached) District**  
26

27 **A. Purpose**  
28

29 The R-SA-8 District is established to provide clustered attached dwelling units. It is the intent of  
30 this district that the attached dwellings be compatible with adjacent residential zones.  
31

1 **C. Accessory Uses**

2  
3 The following are permitted accessory uses in the R-SA-8 District. More than one accessory use  
4 shall be permitted on a lot, provided that the combination of accessory uses remains secondary,  
5 incidental and subordinate to the principal use.

- 6  
7 10. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY  
8 DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO THE  
9 REQUIREMENTS OF SECTION 128.M.

10  
11 **F. Conditional Uses**

12  
13 The following are conditional uses in the R-SA-8 District, subject to the detailed requirements  
14 for conditional uses given in Section 131. If there is a conflict between this Section and Section  
15 131, Section 131 shall prevail.

- 16  
17 15. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE FAMILY  
18 ATTACHED DWELLINGS AND APARTMENTS.

19  
20  
21 **SECTION 112: R-A-15 (Residential: Apartments) District**

22  
23 **A. Purpose**

24  
25 The R-A-15 District is established to provide the opportunity for high density apartments and  
26 single-family attached dwelling units.

27  
28 **C. Accessory Uses**

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

5 **G. Conditional Uses**  
6

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

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

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

17 **A. Purpose**  
18

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

26 **D. Accessory Uses**  
27

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

31 **F. Conditional Uses**

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

- 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

**SECTION 115: POR (Planned Office Research) District**

**A. Purpose**

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

**C. Accessory Uses**

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

**F. Conditional Uses**

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

- 4. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

**SECTION 116: PEC (Planned Employment Center) District**

1 **A. Purpose**

2

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

8 It is further the purpose of this district to:

9

10 1. Provide for orderly development of large-scale, comprehensively planned employment  
11 centers;

12

13 2. Provide for open areas to act as buffers between incompatible uses and as design  
14 elements which will achieve the physical and aesthetic integration of the uses and  
15 activities within each development; and

16

17 3. Provide a landscaped, campus-like setting for employment in which the various uses  
18 relate compatibly with one another according to a comprehensive plan of development  
19 for an entire district.

20

21 **C. Accessory Uses**

22

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

25

26 **F. Conditional Uses**

27

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

31

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

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

6    **A. Purpose**  
7

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

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

19   **E. Accessory Uses**  
20

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

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

27    **A. Purpose**  
28

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

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

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

9  
10 **D. Accessory Uses**

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

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

17  
18 **A. Purpose**

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

24  
25 **C. Accessory Uses**

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

29  
30 **F. Conditional Uses**

31

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

- 4  
5 2. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.  
6  
7

8 **SECTION 118: B-1 (Business: Local) District**  
9

10 **A. Purpose**  
11

12 The B-1 District is established to provide areas of local business that can directly serve the  
13 general public.  
14

15 **C. Accessory Uses**  
16

- 17 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE  
18 REQUIREMENTS OF SECTION 128.M.  
19  
20

21 **SECTION 119: B-2 (Business: General) District**  
22

23 **A. Purpose**  
24

25 The B-2 District is established to provide for commercial sales and services that directly serve  
26 the general public.  
27

28 **C. Accessory Uses**  
29

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



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

4 **A. Purpose**

5  
6 The SC District is established to permit local retail and office use areas. The Shopping Center  
7 District permits the opportunity for one stop shopping for a neighborhood and community.  
8

9 **C. Accessory Uses**

- 10  
11 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE  
12 REQUIREMENTS OF SECTION 128.M.  
13

14 **F. Conditional Uses**

15  
16 The following are conditional uses in the SC district, subject to the detailed requirements for  
17 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,  
18 Section 131 shall prevail.  
19

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

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

25 **A. Purpose**

26  
27 The M-1 District is established to permit a mix of manufacturing, warehousing and business uses  
28 with provisions for limited retail sales.  
29

30 **C. Accessory Uses**

- 1  
2 5. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE  
3 REQUIREMENTS OF SECTION 128.M.  
4

5 **E. Conditional Uses**  
6

7 The following are conditional uses in the M-1 district, subject to the detailed requirements for  
8 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,  
9 Section 131 shall prevail.  
10

- 11 11. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.  
12  
13

14 **SECTION 123: M-2 (Manufacturing: Heavy) District**  
15

16 **A. Purpose**  
17

18 The M-2 District is established to permit a mix of manufacturing, warehousing, industrial and  
19 business uses with provisions for limited retail sales.  
20

21 **C. Accessory Uses**  
22

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

26 **E. Conditional Uses**  
27

28 The following are conditional uses in the M-2 District, subject to the detailed requirements for  
29 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,  
30 Section 131 shall prevail.  
31

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

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

6     **A. Purpose**  
7

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

14    **C. Accessory Uses**  
15

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

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

23    **I. Conditional Uses**  
24

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

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

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

2  
3 **A. Purpose**

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

13  
14 **E. Accessory Uses**

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

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

21 **A. Purpose**

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

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

6 **D. Accessory Uses**

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

10

11 **H. Conditional Uses**

12

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

- 16
- 17 2. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

18

19

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

21

22 **A. Purpose**

23

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

1  
2 Many parcels in the TOD district were developed before this district was created. it is not the  
3 intent of these requirements to disallow the continued use of sites developed prior to the TOD  
4 district. The intent of this district will be achieved by bringing sites into compliance with these  
5 requirements and the standards of the Route 1 Manual as uses are redeveloped or expanded.  
6

7 **D. Accessory Uses**

- 8  
9 5. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE  
10 REQUIREMENTS OF SECTION 128.M.  
11

12 **H. Conditional Uses**

13  
14 The following are conditional uses in the TOD District, subject to the detailed requirements for  
15 conditional uses given in Section 131. If there is a conflict between this Section and Section 131,  
16 Section 131 shall prevail.  
17

- 18 2. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.  
19  
20

21 **SECTION 127.5 CAC (Corridor Activity Center) District**

22  
23 **A. Purpose**

24  
25 This district is intended to provide for the development of pedestrian-oriented, urban activity  
26 centers with a mix of retail, service, office and residential uses. These centers should be located  
27 near to Route 1 and close to residential communities that will benefit from a pedestrian-oriented  
28 local business area. The requirements of this district, in conjunction with the Route 1 Manual and  
29 the public improvements recommended by the Route 1 Corridor Revitalization Study, will result  
30 in development that will strengthen nearby communities, provide for safe and convenient  
31 pedestrian travel, and improve the streetscape of Route 1 and intersecting roads.

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

7  
8 **C. Accessory Uses**

9  
10 6. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, SUBJECT TO THE  
11 REQUIREMENTS OF SECTION 128.M.

12  
13 **I. Conditional Uses**

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

18  
19 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

20  
21  
22 **SECTION 127.6: TNC (TRADITIONAL NEIGHBORHOOD CENTER)**  
23 **OVERLAY DISTRICT**

24  
25 **A. PURPOSE**

26  
27 This district is intended to provide for the development of pedestrian-oriented, urban activity  
28 centers with a mix of retail, service, office and residential uses. These centers should be located  
29 near Route 40 and close to residential communities that will benefit from a pedestrian-oriented  
30 local business area. The requirements of this district, in conjunction with the Route 40 Manual  
31 and the public improvements recommended by the Route 40 Enhancement Study, will result in

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

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

10  
11 **D. Accessory Uses**

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

15  
16 **H. Conditional Uses**

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

- 21  
22 3. SMALL WIND ENERGY SYSTEM, FREESTANDING TOWER.

23  
24  
25 **SECTION 128: Supplementary Zoning District Regulations**

26  
27 **A. Supplementary Bulk Regulations**

- 28  
29 3. Exceptions to Height Requirements



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

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

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

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

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

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

3  
4 THE FOLLOWING REQUIREMENTS APPLY TO SMALL WIND ENERGY SYSTEMS, FREESTANDING  
5 TOWER, LOCATED IN THE RC DISTRICT AS AN ACCESSORY USE PROVIDED:  
6

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

- 1
- 2 8. THE BLADE OF ANY WIND TURBINE SHALL, AT ITS LOWEST POINT, HAVE A GROUND
- 3 CLEARANCE OF NO LESS THAN 15 FEET, AS MEASURED AT THE LOWEST POINT OF THE ARC OF
- 4 THE BLADES.
- 5
- 6 9. NO OTHER EQUIPMENT UNRELATED TO THE OPERATION OF THE SYSTEM SHALL BE
- 7 ATTACHED TO THE STRUCTURE.
- 8
- 9 10. NO EXTERIOR LIGHTING IS PERMITTED, UNLESS REQUIRED BY THE FEDERAL AVIATION
- 10 ADMINISTRATION.
- 11
- 12 11. THE SYSTEM SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS
- 13 AND PROVISIONS.
- 14
- 15 12. A SYSTEM THAT IS NO LONGER USED SHALL BE REMOVED FROM THE SITE WITHIN ONE YEAR
- 16 OF THE DATE THAT THE USE CEASES.
- 17
- 18 13. NO VARIANCES OR ADMINISTRATIVE ADJUSTMENTS SHALL BE GRANTED TO ANY OF THE
- 19 PROVISIONS.
- 20
- 21

22 **SECTION 131: Conditional Uses** *Start*

23

24 **A. Statement of Legislative Intent**

25

26 Conditional uses are authorized in specified zoning districts based on the presumption that they

27 are generally appropriate and compatible in the specified districts. However, particular uses in

28 particular locations may have characteristics or impacts that are not typical. Conditional uses are

29 not permitted automatically, but are subject to the regulations of this section and the conditions

30 imposed by the Board of Appeals upon approval of the proposed development.

31

1 N. Conditional Uses and Permissible Zoning Districts

2

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

5

6 <sup>50</sup>48. SMALL WIND ENERGY SYSTEMS, BUILDING MOUNTED

7

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

11

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

14

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

16

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

19

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

21

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

24

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

27

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

29

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

31

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

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

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

9  
10 12. NO EXTERIOR LIGHTING IS PERMITTED.

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

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

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

20  
21 5) 19. SMALL WIND ENERGY SYSTEMS, FREESTANDING TOWER

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

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

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

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

- 3
- 4 3. THE MINIMUM LOT SIZE SHALL BE AT LEAST 2 ACRES, EXCEPT IN THE R-ED DISTRICT  
5 WHERE THE MINIMUM LOT SIZE SHALL BE 5 ACRES.
- 6
- 7 4. THE SYSTEM SHALL NOT BE LOCATED WITHIN THE FRONT YARD BETWEEN THE PRINCIPAL  
8 STRUCTURE AND THE FRONT PROPERTY LINE.
- 9
- 0 5. THE MINIMUM SETBACK FOR A SYSTEM SHALL EQUAL ITS TOTAL HEIGHT, PLUS 10  
1 PERCENT FROM ANY PROPERTY LINE.
- 2
- 3 6. THE SYSTEMS SHALL NOT EXCEED 60 DBA, AS MEASURED AT ALL LOT LINES. THE LEVEL,  
4 HOWEVER, MAY BE EXCEEDED DURING SHORT-TERM EVENTS SUCH AS UTILITY OUTAGES  
5 AND/OR SEVERE WIND STORMS.
- 6
- 7 7. TEMPORARY METEOROLOGICAL TOWERS, SOLELY FOR THE MEASUREMENT OF WIND, ARE  
8 PERMITTED FOR A PERIOD NOT TO EXCEED 90 DAYS, PROVIDED THEY MEET THE HEIGHT AND  
19 SETBACK REQUIREMENTS OF THIS SECTION AND ACHIEVE A TEMPORARY USE PERMIT IN  
20 ACCORDANCE WITH SECTION 132. NO EXTENSIONS OF THE TEMPORARY USE PERMIT SHALL  
21 BE GRANTED.
- 22
- 23 8. THE BLADE OF ANY WIND TURBINE SHALL, AT ITS LOWEST POINT, HAVE A GROUND  
24 CLEARANCE OF NO LESS THAN 15 FEET, AS MEASURED AT THE LOWEST POINT OF THE ARC OF  
25 THE BLADES.
- 26
- 27 9. NO OTHER EQUIPMENT UNRELATED TO THE OPERATION OF THE SYSTEM SHALL BE  
28 ATTACHED TO THE STRUCTURE.
- 29
- 30 10. NO EXTERIOR LIGHTING IS PERMITTED, UNLESS REQUIRED BY THE FEDERAL AVIATION  
31 ADMINISTRATION.

1  
2 11. THE SYSTEM SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS  
3 AND PROVISIONS.

4  
5 12. A SYSTEM THAT IS NO LONGER USED SHALL BE REMOVED FROM THE SITE WITHIN ONE YEAR  
6 OF THE DATE THAT USE CEASES.  
7

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

10  
11 *Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland that*  
12 *the Director of the Department of Planning and Zoning is authorized to publish this Act, to*  
13 *correct obvious errors in section references, numbers and references to existing law,*  
14 *capitalization, spelling, grammar, headings and similar matters and to publish a table of*  
15 *contents.*

16  
17 *Section 34. And be it further enacted by the County Council of Howard County, Maryland, that*  
18 *the provisions of this act shall become effective 61 days after enactment.*  
19  
20



BY THE COUNCIL

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

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

BY THE COUNCIL

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

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

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

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

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

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

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

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

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

Stephen M. LeGendre, Administrator to the County Council