





Community Solar Zoning Requirements: Anticipated Process to Review & Propose Revisions





Community Solar in Agricultural Zone 2023

Zoning Text Review 2023

Overview of Existing Carroll County Community Solar (CSEGS) Requirements

Carroll County Zoning Code §158.153 (E)

- **Definition:** Definition given in Maryland Annotated Code, Public Utilities Article, § 7-306.2 as of July 1, 2020.
- **Location:**
 - ⚙️ Principal permitted on remaining portions of five acres or greater in “A” Agricultural Zoning District.
 - ⚙️ 20-acre maximum for solar usage.
 - ⚙️ Only existing remaining portions with plats recorded as of July 1, 2020, are eligible.
- **Easement:** Requires permanent easement extinguishing any additional residential and non-agricultural development on remaining land of five acres or greater to be granted to County upon installation of solar facility.
- **Site Plan:** Requires Planning & Zoning Commission review and approval.
- **Environmental Resources:**
 - ⚙️ No clearing of forested areas.
 - ⚙️ Not located within or impede stream buffer, floodplain, or wetland.
- **Ag Co-Location:** Requires...
 - ⚙️ Maryland’s **Solar Generation Facilities Pollinator-Friendly Designation**, *and/or*
 - ⚙️ Planted, managed, and maintained for grazing of farm animals, apiaries (beekeeping), or crops.
 - ⚙️ Property owner responsible to control and suppress noxious weeds and invasive plants on site and prevent spread to surrounding farmland.
- **Landscaped Buffer:**
 - ⚙️ Required to provide year-round screening of the CSEGS from residential uses on contiguous properties and public rights-of-way.
 - ⚙️ May incorporate plantings and/or berms that blend in with the natural landscape.
 - ⚙️ May be placed within the setback.
 - ⚙️ Any perimeter fencing to be inside of landscaped buffer.
- **Bulk & Height Requirements:**
 - ⚙️ Minimum setback = 40 feet from property line and adjoining property lines for infrastructure and equipment.
 - ⚙️ Maximum height = 15 feet above existing grade.
- **Abandonment & Decommissioning:** Decommissioning plan required.
 - ⚙️ Solar panels not in use for 180 consecutive days must be decommissioned and removed.
 - ⚙️ Requires a public works agreement (PWA) with County and bond/guaranty to ensure proper decommissioning and funding for removal.



Community Solar in Agricultural Zone 2023 Zoning Text Review 2023

Issues Raised

Below are the issues described in Commissioner Vigliotti's statement (shown in bold) and endorsed by the rest of the Board, as well as a brief list of other issues identified by staff that may need to be addressed. The issues have been arranged in order that the issue appears in the Code (§158-153(E)), if it is a topic included in the existing requirements.

Issues Raised

☀️ **There is no section pertaining to definitions. §158-153(E)**

- ☀️ **Forested areas**
- ☀️ **Productive agricultural land**

To be discussed

☀️ **Section H talks about plant spread to surrounding farmland, but not surrounding property in general. All surrounding property, natural or maintained, must be protected. §158-153(E)(h)**

Current Code Requirement:

(h) Agricultural co-location... The property owner shall be responsible for controlling and suppressing all noxious weeds and invasive plants on the site and to prevent spread to surrounding farmland.

To be discussed

☀️ **Should we require agrivoltaics, the dual-use of a solar development, if occurring in agricultural land? That is to say, do we require that the land being utilized by solar must also have a simultaneous and active agricultural use, whether for shade-resistant crops, animal grazing, apiaries, or otherwise? After all, what is the use in preserving land for agriculture, if the land is not used for agriculture? Otherwise, it would be like arguing for the chartered course and integrity of a ship, then selling off pieces of the hull while at sea. §158-153(E)(h)**

Current Code Requirement:

(h) Agricultural co-location. The site must be designated and maintained as pollinator friendly under Maryland's Solar Generation Facilities Pollinator-Friendly Designation program, as defined by the Md. Code, Natural Resources Article, § 3-303.1, or any land on which the CSEGS is located that is not designated as pollinator friendly must be planted, managed, and maintained in a manner suitable for grazing of farm animals, apiaries, or crops, including the area under the panels.

☀️ **Section I speaks of, but does not define, adequate fencing. And should the fencing itself also be screened depending on the kind of fencing that is utilized? §158-153(E)(i)**

To be discussed



☀ With respect to blocking one’s view of the solar development, how is this determined? Our County is not a flat county. I may not see a screened solar development standing next to it, but I certainly may see it from the next hill. §158-153(E)(i)

To be discussed

☀ Legitimate concerns which have been raised, including setbacks. §158-153(E)(j)

To be discussed

☀ Section K speaks of a different maximum height for solar developments in agricultural land than in other zoned areas, but does not explain the reasoning or further restrictions. If the intent as described is to screen a solar development, why make it more difficult to do so by increasing the height maximum? §158-153(E)(k)

Current Code Requirement:

(k) Height limits. Ground-mounted systems may not exceed a total height of 15 feet above existing grade. The Planning and Zoning Commission may approve an adjustment to the maximum height if deemed necessary for purposes of the proposed agricultural use, as defined in § 158.002. The proposed use and purpose must be submitted as part of the site plan. The Planning Commission may impose conditions on the use if the maximum height is modified.

The maximum height was set to allow enough space underneath for grazing livestock / agrivoltaics.

To be discussed

☀ Section M speaks of removal of foundations of solar panels, but says nothing about needing to remove any subterranean, or underground components of a development. §158-153(E)(m)

Current Code Requirement:

(m) Abandonment and decommissioning. A decommissioning plan for ground-mounted systems will be submitted to ensure that the owner or operator properly removes all associated equipment and facilities, including above- and below-ground, upon the end of project life or after the useful life...

Section (m) requires the decommissioning plan to include removal of all associated equipment and facilities, including above- and below-ground, upon the end of project life or after the useful life.

☀ How does the County actually determine what an inactive solar development is? How are the 180 days of inactivity actually measured or determined? Importantly, there is nothing in this amendment which requires funds being escrowed for the decommissioning of sites decades from now. §158-153(E)(m)

Current Code Requirement:

(m) Abandonment and decommissioning... The county also will require the owner or operator to enter into a public works agreement with the county to ensure proper decommissioning. The public works agreement shall include provision of a satisfactory bond or guaranty to the County Commissioners to ensure compliance with this chapter and the provision of related public improvements, adequate landscaping, screening, site access, or other treatment as required by this chapter. The public works agreement shall be prepared by the County Attorney, and the bond or guaranty shall be satisfactory to the County Commissioners.

The County requires a solar developer to enter a public works agreement (PWA) and provide a bond to ensure the solar facility is properly removed according to the plan. The bond would be returned if the



solar company meets these requirements. If not, the bond will be used to pay for implementation of the decommissioning plan. The PWA and bond would take care of removal if the company ceases to exist.

☀ When a site is decommissioned, where does everything go? To the County landfill? If so, who pays for this? §158-153(E)(m)

Current Code Requirement:

(m) Abandonment and decommissioning. A decommissioning plan for ground-mounted systems will be submitted to ensure that the owner or operator properly removes all associated equipment and facilities, including above- and below-ground, upon the end of project life or after the useful life. The owner or operator shall decommission the solar panels in the event they are not in use for 180 consecutive days. The decommissioning plan shall include provisions for the removal of all structures and foundations and their proper disposal, the removal of all electrical transmission components, the restoration of soil and vegetation, and a soundly based plan ensuring financial resources will be available to fully decommission the site. The county also will require the owner or operator to enter into a public works agreement with the county to ensure proper decommissioning. The public works agreement shall include provision of a satisfactory bond or guaranty to the County Commissioners to ensure compliance with this chapter and the provision of related public improvements, adequate landscaping, screening, site access, or other treatment as required by this chapter. The public works agreement shall be prepared by the County Attorney, and the bond or guaranty shall be satisfactory to the County Commissioners.

The decommissioning plan is prepared by and implemented by the solar company that owns/installs the panels. This includes all costs for removal and remediation. The County requires a solar developer to enter a public works agreement and provide a bond to ensure the solar facility is properly removed according to the plan. The bond would be returned if the solar company meets these requirements. If not, the bond will be used to pay for implementation of the decommissioning plan.

☀ Does the tax rate on solar land change due to the obvious change in land use despite the land being agriculturally zoned?

Property taxes are based on the actual use of a property (not zoning). If a commercial use occupies an agricultural property, that portion of the property will be assessed based on that use. The assessments and uses are determined by the State Department of Assessments and Taxation.

☀ There is nothing in here about the specific potential renewal process of a solar development, the years permitted per lease, the number of times a lease may be renewed, or even whether it all has to go back to Planning and Zoning.

This is a private agreement between the property owner and the solar company. The County is not and cannot be party to the agreement/contract. This requirement is not applied to any other commercial or industrial uses in any zones.

☀ There is nothing about the total number of solar developments permissible in the County. The Farm Bureau has advised that 19,000 acres of land are potentially affected by the amendment.

There are roughly 185,000 acres currently zoned Agricultural ("Ag"). The original estimate of acreage of properties potentially eligible for community solar in the Ag zone were remaining portions greater than 5 acres in size, which totaled between ~22,000 to 23,000 acres. Of that acreage, roughly 16,000 acres have already used their residential development rights. They are more likely to pursue the community solar opportunity, as those with remaining residential development rights are less likely to want to lose those



rights with the required conservation easement. The ~16,000 acres that have used their residential development rights will not all be found suitable for a community solar facility.

To be discussed

☀️ There is nothing about the density of solar panels in a development.

A requirement for density of panels was not included to help facilitate variety and flexibility in agrivoltaic use. Some of the more specialty or “hands-on” crops often seen under solar panels are more successful if the panels are spread enough to allow more sun to reach the plants. Spreading them out does not change the 2 MW cap on energy generation from the facility. This can be addressed through the site plan review and approval process if needed. The Planning Commission has authority to impose additional conditions/requirements on the site plan.

To be discussed

☀️ There is nothing about the allowable distance between solar developments themselves as a matter of proximity.

To be discussed

☀️ While other sections contain recourse for nuisance to neighbors, this amendment does not.

Carroll County does not currently have a nuisance ordinance. The County has a Noise ordinance, which would not address other types of potential nuisances. Any other issues are beyond what the County covers.

The Zoning Code does not have a definition for “nuisance” and does not specifically contain any recourse for nuisances as a zoning violation. A neighbor may, however, take civil action against another property owner.

☀️ There is nothing in this amendment, or elsewhere in the solar sections, which speaks about construction process standards (such as mitigating grading-runoff, etc.)

A case where EPA fined solar developers was because they did not follow proper stormwater management or grading/sediment control practices. The issue happens at all types of construction sites and would happen regardless of the fact it was a solar facility.

This type of construction would be no different than any other type of construction site. The County has inspectors and enforces strict local, State, and Federal requirements for stormwater (Chapter 151) and erosion and sediment control (Chapter 152). Solar facilities are required to meet the requirements of these chapters.

After receiving the necessary approvals from the PSC and the utility company, proposed community solar facilities are required to submit to the Carroll County Bureau of Development Review a site development plan for review and approval by the Carroll County Planning and Zoning Commission. Prior to Planning Commission review, the Development Review staff reviews each project to assure compliance with all Federal, State, and local laws, which includes, among others, stormwater management and grading & sediment control.



☀ There is nothing about the kind or quality of the solar panel materials that must be used (being free from PFAS, cadmium, lead, hydrochloric acid, etc.). Having heard from someone who actually deals with water for a living during the public hearing, these are very serious considerations.

To be discussed

☀ And given environmental concerns, shouldn't developers contribute to a County-monitored fund in perpetuity to mitigate any future potential environmental issues? Just this past year, four solar developers were fined by the EPA for polluting waterways with runoff. There is nothing in this amendment which ensures accountability or responsibility. How many technologies and practices, once considered safe, have since been demonstrated to be otherwise?

Current Code Requirement:

(m) Abandonment and decommissioning... The decommissioning plan shall include provisions for the removal of all structures and foundations and their proper disposal, the removal of all electrical transmission components, the restoration of soil and vegetation, and a soundly based plan ensuring financial resources will be available to fully decommission the site. The county also will require the owner or operator to enter into a public works agreement with the county to ensure proper decommissioning. The public works agreement shall include provision of a satisfactory bond or guaranty to the County Commissioners to ensure compliance with this chapter and the provision of related public improvements, adequate landscaping, screening, site access, or other treatment as required by this chapter...

The authority to create such a fund would most likely need to be authorized by the General Assembly, and the fund would need to use the funds.

The public works agreement (PWA) and associated bond requirement in Section (m) addresses this issue, but it could be expanded to be more specific and include costs for remediation and/or removing unsafe or hazardous conditions, if needed, before decommissioning.

The County does not require this type of fund for any other type of commercial or industrial development.

☀ Should we require regular testing of solar developments for contamination?

This type of testing would be unprecedented for local governments to enact. Typically, this type of requirement is mandated from EPA.

☀ There is nothing in here about a standard or uniform emergency shutoff configuration easily identifiable and usable by First Responders.

All site plans are reviewed and approved by emergency services. If this type of "feature" is necessary, the technical agency will require it during the site plan review process.

First responders are trained to respond to solar facility fires and emergencies.



☀️ Should we require certain conditions which protect property owners from developers and their activities? What if prices or the nature of farming changes, and a landowner wants to end their contract early? Do we require this as an option in the contract-making process?

This is a private agreement between the property owner and the solar company. The County is not and cannot be party to the agreement/contract. This requirement is not applied to any other commercial or industrial uses in any zones.

☀️ Legitimate concerns which have been raised, including soil class types.

To be discussed

☀️ Other Issues Raised | To Be Discussed

☀️ Monthly maintenance (e.g. grass cutting, brush-clearing, inspections, etc) is a standard operating procedure for every solar array site. How will Carroll County enforce rules?

These activities should be addressed in the private contract / lease agreement between the property owner and the solar company. Enforcement of the contract / lease agreement provisions would be via civil action between the parties.

Based on current policy, investigation of potential zoning code violations of any sort is complaint driven. Any maintenance items that are also required in the code would, therefore, only be enforced if a complaint was made. Zoning violations may lead to enforcement action. If investigation leads to a zoning violation for non-adherence to the site plan, this could lead to legal action by the County.

☀️ Language of landscaped buffer requirement needs to be more specific.

To be discussed

☀️ Requirements associated with removal of topsoil need to be more specific. §158-153(E)(f)

To be discussed

☀️ State may eliminate prohibition on facilities on some adjacent properties.

To be discussed



Community Solar in Agricultural Zone – Zoning Text Review 2023

Topics for Work Group Discussion

- ⚙️ **Meeting 1 → April 11, 2023:**
 - Overview
 - Meeting format & content
 - Work Group Task
 - Process & timeline
 - Background
 - Review of Issues Raised
 - Agenda → Applicability
- ⚙️ **Meeting 2 → April 19, 2023:** Agenda → Specific Criteria; Other
- ⚙️ **Meeting 3 → April 25, 2023:** Outstanding issues, clarifications, BCC feedback (if already received)

The topics listed below are a compilation of the points directed by the Board for review, discussion, and feedback. The Possible Options listed are just a list of options that could be discussed as a starting point. There may be other options to consider. The feedback provided on Applicability may impact the options that could be discussed for Specific Criteria.



Meeting #1 Discussion Topics

APPLICABILITY

INITIAL POSSIBLE OPTIONS FOR DISCUSSION

Eligible Areas in Ag Zone	<ul style="list-style-type: none"> 1. <input type="checkbox"/> Remaining portions only 2. <input type="checkbox"/> Any area in Ag Zone that meets all criteria and restrictions 3. <input type="checkbox"/> Minimum and/or maximum parcel size 4. <input type="checkbox"/> Not allowed in Ag Zone 5. <input type="checkbox"/>
Productive soils	<ul style="list-style-type: none"> 1. <input type="checkbox"/> Non-productive soils only 2. <input type="checkbox"/> Avoid certain class(es) of soils 3. <input type="checkbox"/> Not a criterium 4. <input type="checkbox"/>
Proximity to other zoning districts or uses	<ul style="list-style-type: none"> 1. <input type="checkbox"/> Zoning district or use 2. <input type="checkbox"/> Setback or cluster 3. <input type="checkbox"/> Adjacency requirement 4. <input type="checkbox"/>
Proximity to environmental features	<ul style="list-style-type: none"> 1. <input type="checkbox"/>
Maximum area of solar facility	<ul style="list-style-type: none"> 1. <input type="checkbox"/> 20-acre max for solar panels and related features and facilities 2. <input type="checkbox"/> Only enough area to accommodate industry average (5 MW/AC) + landscape buffer & associated infrastructure 3. <input type="checkbox"/>
Total Solar Facilities Countywide	<ul style="list-style-type: none"> 1. <input type="checkbox"/> Cap on number of acres countywide 2. <input type="checkbox"/> Cap on % of acres – total, in Ag zone, other 3. <input type="checkbox"/> Cap on MW countywide 4. <input type="checkbox"/>
Proximity of Solar Facility to Other Solar Facilities	<ul style="list-style-type: none"> 1. <input type="checkbox"/> Setbacks 2. <input type="checkbox"/> Adjacency restrictions 3. <input type="checkbox"/>
Conservation Easement	<ul style="list-style-type: none"> 1. <input type="checkbox"/> Require 2. <input type="checkbox"/> Do not require 3. <input type="checkbox"/> If required, where? <ul style="list-style-type: none"> a. Entire parcel b. Portion of parcel not developed for solar c. Area with solar use



Community Solar Energy Generating Systems Carroll County Zoning Code, §158.153 (E)

(E) Community solar energy generating systems (CSEGS), in agricultural zones. CSEGS in agricultural zones are permitted to use ANEM subject to the requirements of COMAR 20.50.10.07 and the Md. Code, Public Utilities Article, § 7-306(4).

(1) CSEGS shall be permitted in the A District, subject to the following requirements, conditions, and limitations, and subject to site plan review and approval by the Planning Commission:

(a) The primary use of the property shall continue to be agricultural in nature and any commercial aspects of this use shall not be used solely to warrant or justify the assignment of future land use designations or rezoning petitions.

(b) A CSEGS shall be located only on an existing remaining portion of five acres or greater in size as of July 1, 2020. There shall be no variance to this provision.

(c) A CSEGS and all associated infrastructure shall be limited to a maximum of 20 acres on any remaining portion. There shall be no variance to this provision.

(d) Upon installation of the CSEGS, a permanent easement shall be granted to the county on the portion of the remaining portion not set aside for solar development, where the acreage of land not set aside for solar development is five acres or greater.

(e) Site plan approval by the Planning and Zoning Commission is required. If a proposed CSEGS less than two megawatts can accommodate expansion of the CSEGS in the future, subject to division (E)(1)(c) of this section, an area of the remaining portion may be designated for future expansion. The area set aside for expansion must be shown on the site plan. The combined, total capacity of the CSEGS shall not exceed two megawatts.

(f) No topsoil or productive agricultural land, consistent with § 150.02(C)(1)(b)1., shall be removed from the site for installation of the facility. All soils retained should be reused in the landscaping plan for the site.

(g) Environmental resources. No forested areas, as defined in § 150.20, shall be removed from the site for installation of the facility. No portion of the facility shall be located within or impede upon a stream buffer, floodplain, or wetland. There shall be no variance to this provision.

(h) Agricultural co-location. The site must be designated and maintained as pollinator friendly under Maryland's Solar Generation Facilities Pollinator-Friendly Designation program, as defined by the Md. Code, Natural Resources Article, § 3-303.1, or any land on which the CSEGS is located that is not designated as pollinator friendly must be planted, managed, and maintained in a manner suitable for grazing of farm animals, apiaries, or crops. The property owner shall be responsible for controlling and suppressing all noxious weeds and invasive plants on the site and to prevent spread to surrounding farmland.

(i) Landscaped buffer. The CSEGS shall include a landscaped buffer to screen the CSEGS from residential uses on contiguous properties and public rights-of-way. A detailed landscaping plan shall be submitted with the site plan, which includes the type of plantings, location, and spacing to result in year-round screening from the time of installation. Part or all of the plantings shall consist



Solar Energy Generating Systems Carroll County Zoning Code, §158.153

of a compact hedgerow and/or native vegetation and/or earth berms. First preference is given to the use of existing or created topography and/or vegetation to reduce visual impacts. The landscaped buffer may be placed within the setback. Any perimeter fencing should be on the side of the landscaping buffer with the solar panels.

(j) Bulk requirements. The entire CSEGS must be set back a minimum of 40 feet from the property line along an adjoining street or from adjoining property lines. There shall be no variance to this provision.

(k) Height limits. Ground-mounted systems may not exceed a total height of 15 feet above existing grade. The Planning and Zoning Commission may approve an adjustment to the maximum height if deemed necessary for purposes of the proposed agricultural use, as defined in § 158.002. The proposed use and purpose must be submitted as part of the site plan. The Planning Commission may impose conditions on the use if the maximum height is modified.

(l) Project infrastructure and utility lines. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.

(m) Abandonment and decommissioning. A decommissioning plan for ground-mounted systems will be submitted to ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after the useful life. The owner or operator shall decommission the solar panels in the event they are not in use for 180 consecutive days. The decommissioning plan shall include provisions for the removal of all structures and foundations and their proper disposal, the removal of all electrical transmission components, the restoration of soil and vegetation, and a soundly based plan ensuring financial resources will be available to fully decommission the site. The county also will require the owner or operator to enter into a public works agreement with the county to ensure proper decommissioning. The public works agreement shall include provision of a satisfactory bond or guaranty to the County Commissioners to ensure compliance with this chapter and the provision of related public improvements, adequate landscaping, screening, site access, or other treatment as required by this chapter. The public works agreement shall be prepared by the County Attorney, and the bond or guaranty shall be satisfactory to the County Commissioners.

(n) The Planning Commission shall not approve a CSGES that involves the taking of property under eminent domain.

(Ord. 2021-04, passed 5-15-2021) Penalty, see § 158.999

§ 158.071.01 AGRICULTURAL DISTRICTS: REGULATION OF PRINCIPAL USES.

(A) **Table of Principal Land Uses.** In the table below, the following applies:

- (1) The letter "P" indicates that the use is permitted in the district indicated.
- (2) The letter "C" indicates that the use is allowed following conditional use authorization by the BZA in accordance with § 158.133.
- (3) The letter "X" indicates that the use is prohibited.
- (4) The letters "NA" indicate the use is not applicable to the district.
- (5) Any use not listed is prohibited unless the BZA determines that the use is similar in impact, nature, function, and duration to an allowed use listed in the table of uses, and which would not be otherwise detrimental to the public health, safety, or general welfare of the community, unless otherwise specifically prohibited.
- (6) The particular and specific control the general.
- (7) In case of any difference of meaning or implication between the text and any caption, the text controls.
- (8) In case of any difference of meaning or implication between the text and any language in the definition of the use or the purpose and intent of the zoning district, the text controls.
- (9) Words used in the singular include the plural (and vice versa).
- (10) Words or phrases not specifically defined in this chapter shall be construed according to the common and generally recognized usage of the language. Technical words and phrases, and others that have acquired a specific meaning in the law, shall be construed according to that meaning.
- (11) An administrative adjustment or variance may not be granted to permit a use in a district where the use is prohibited or to eliminate the requirement that a conditional use approval be granted for a use.
- (12) The additional regulations listed in the table below may not include all additional regulations that apply to the use, such as the requirement for site plan review under Chapter 155.
- (13) Nonagricultural uses in the Agricultural District may be subject to the restrictions on development on remaining portions as set forth in Chapter 155.

LAND USE CATEGORY		
<i>Subcategory</i>		
Description	AGRICULTURAL	ADDITIONAL REGULATIONS
AGRICULTURAL		
Agriculture	P	158.002, 158.035, 158.040 for any greenhouse heating plant or any building or feeding pens in which farm animals are kept
Agricultural research laboratory	C	158.167
Agritourism	P	158.002
Farm alcohol producer	C	158.002, 158.168
Farm for the raising of animals for experimental purposes	C	158.040
Feed or grain sales, may include storage	C	

§ 158.071.01 AGRICULTURAL DISTRICTS USES TABLE

LAND USE CATEGORY		
Subcategory		
Description	AGRICULTURAL	ADDITIONAL REGULATIONS
Flour or grain milling, drying, storage	C	
Livestock sales yard and building	C	158.040, 158.162
Shop for the service, repair, or sale exclusively of farm machinery and equipment	C	158.040
COMMUNICATIONS		
Communications tower	C	158.002, 158.039, 158.054
COMMERCIAL		
Retail/service		
Butcher shop	C	158.002, 158.040
Garden supply center	C	158.002
Liquid or dry fertilizer sales	C	
Funeral and Interment		
Cemetery, mausoleum, or memorial garden	C	158.002
Lodging		
Bed and breakfast	C	158.002, 158.163
Office/Health Care		
Veterinary facility	P	158.002, 158.040
Recreational/Entertainment		
Commercial camping area	C	158.002, 158.171
Wildlife preserve	P	
Golf course	C	158.002, 158.169, 158.040
Outdoor recreational area	C	158.002
Outdoor trap, skeet, rifle, or archery ranges, including gun clubs	C	158.040
Stable, commercial	P	158.040
RESIDENTIAL		
Household Living		
Single-family dwelling	P	158.002
Two-family dwelling	P	158.002
Group Living		
Assisted-living facility, < 8 residents	P	158.002
Assisted-living facility, >8 residents	C	158.002
Nursing home	C	158.002

§ 158.071.01 AGRICULTURAL DISTRICTS USES TABLE

LAND USE CATEGORY <i>Subcategory</i> Description	AGRICULTURAL	ADDITIONAL REGULATIONS
INSTITUTIONAL/COMMUNITY SERVICE		
Day care center/nursery school	C	158.002
Private school	C	
Religious establishment	C	158.002
INDUSTRIAL		
<i>Manufacturing/Production</i>		
Commercial wood processing	C	158.002, 158.166
Food processing and packing of agricultural products	P	158.002
Research laboratories conducting bioscience research	C	158.172
Slaughterhouse	C	158.002, 158.040
Winery	C	158.040
<i>Warehouse/Storage/Distribution</i>		
Contractors' equipment storage	C	158.002, 158.040, 158.173
Liquid or dry fertilizer storage	C	
Storage lot for commercial vehicles, not to include truck or motor freight terminals	C	158.170
<i>Waste-Related</i>		
Rubble landfills	C	158.165
<i>Transportation/Utilities</i>		
Airfield	C	158.002, 158.040
Airport	C	158.002, 158.040
Community Energy Solar Generating System	P	158.002, 158.153
Utility equipment building, yard, above-ground station or substation, or telephone exchange	C	158.039
Utility equipment, all others	P	158.039
<i>Miscellaneous</i>		
Banquet/Event Facilities	C	158.002, 158.040
Commercial kennel, more than ten dogs	C	158.002, 158.040, 158.174
Commercial kennel, ten or fewer dogs	C	158.002, 158.040, 158.174
Conveyor system	P	158.002, 158.039
Extractive-type industries	C	158.002, 158.096

§ 158.071.01 AGRICULTURAL DISTRICTS USES TABLE

LAND USE CATEGORY		
Subcategory		
Description	AGRICULTURAL	ADDITIONAL REGULATIONS
Fairgrounds, racetracks or courses	C	158.040, 158.160
Mineral resource recovery operations, with a MRO designation	P	158.002, 158.096
Retreat facility	C	158.002, 158.164
Water supply works, flood control or watershed protection works, fish and game hatcheries	P	
PUBLIC		
Public facility	P	158.049

(Ord. 2022-20, passed 11-3-2022)