

Section 13-350.1. Standards.

Special exception uses may be granted only if, in the opinion of the hearing authority:

(1) The use will not be detrimental to the public health, safety and welfare.

(2) The location, nature and height of buildings, walls and fences, the nature and extent of landscaping on the site, and the location, size, nature and intensity of all phases of the use and its access streets will be compatible with the appropriate and orderly development of the district in which it is located.

(3) The operations related to such use will not be more objectionable to nearby properties than operations in permitted uses (with regard to noise, fumes, vibration and light).

(4) **THE PROPOSED USE WILL NOT CONFLICT WITH EXISTING OR PROGRAMMED PUBLIC FACILITIES AND SERVICES, SCHOOLS AND ROADS.**

(5) Public utility service (electricity, sewerage, storm drainage and water), if available, will be adequate to service the proposed use, will have suitable access thereto, and the proposal will not overburden existing facilities ~~or pre-empt proposed~~ **AS PROPOSED IN THE MASTER PLAN OF WATER AND WASTEWATER FOR** development of the surrounding areas. In addition, on-site water supply, sewerage treatment, storm drainage disposal or power plant proposal will be adequate to service the proposed use.

(6) The proposed use shall have written recommendation and comments of the Anne Arundel County Health Department and the Department of Public Works.

(7) The applicant has presented sufficient evidence of public need for the use.

Section 13-350.2. Burden of Proof.

The applicant for a special exception shall have the burden of proof (including the burden of going forward with the evidence and the burden of persuasion) on all questions of fact.

Specific Standards**Other Special Exceptions****Section 13-352. Abbatoirs and Stockyards.**

(a) Abbatoirs and stockyards as commercial operations shall be permitted in W3 Industrial Districts subject to the provisions of Section 13-316.2 through 13-316.6 of this Subtitle.

(b) Abbatoirs as adjunct to Agricultural Uses and having a retail outlet shall be permitted in RA Residential Districts subject to the provisions of Section 13-311.3, 13-311.4 and 13-311.6 and selling only products raised on the premises.