







# Community Solar in Agricultural Zone 2023 - Work Group

## Topics for Work Group Discussion

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 4 Discussion Topics - May 1, 2023

<b>SPECIFIC CRITERIA</b>	<b>FOR DISCUSSION / CONSIDERATION</b>	<b>POSSIBLE OPTIONS</b>
<b>Decommissioning</b>	<ol style="list-style-type: none"><li>1. Determining when inactive or abandoned</li><li>2. Disposal of panels &amp; other equipment</li><li>3. Contents / issues to be included in decommissioning plan</li><li>4. Who prepares the plan</li><li>5. Amount of time to complete decommissioning and removal / restoration</li><li>6. Restoration level and what it includes</li><li>7. Who is involved</li><li>8. Updates needed as market &amp; costs change</li></ol>	<ol style="list-style-type: none"><li>1. <input type="checkbox"/> Require decommissioned panels to be reused and/or recycled</li><li>2. <input type="checkbox"/> Prohibit disposal in landfill</li></ol>
<b>Solar Panel Materials</b>	<ol style="list-style-type: none"><li>1.</li></ol>	<ol style="list-style-type: none"><li>1. <input type="checkbox"/></li></ol>

<b>OTHER</b>	<b>ISSUE   CONCERN</b>	<b>NOTES</b>
<b>Environmental Impact</b>	<ol style="list-style-type: none"><li>1. Recourse for impact</li><li>2. Environmental fund</li></ol>	



## Community Solar Zoning Text Review 2023: Topics for Work Group Discussion

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	3. Regular testing	
<b>Definitions</b>	1. CSEGS 2. Agrivoltaics	Maryland Annotated Code, Public Utilities Article, § 7-306.2
<b>Construction Process Standards</b>	1. Development review process 2. Environmental codes 3. Building codes	
<b>Fire/First Responders</b>	1. Already receive training	
<b>Contract Renewal</b>	1. Addressed with site plan approval?	
<b>Lighting</b>	Discuss/Consider: 1. Times of operation 2. Motion sensor 3. Site plan process	
<b>Signage</b>	1. Emergency contact posted	



# Community Solar in Agricultural Zone - Zoning Text Review 2023

## Work Group Feedback by Applicability Topic – Options Discussed

For each topic, the options discussed *thus far* are listed. Topics not yet discussed are still blank. Topics that *have* been discussed may be discussed further and options added or changed.

<b>APPLICABILITY</b>	<b>OPTIONS DISCUSSED</b> (in no particular order)
<b>Eligible Areas in Ag Zone</b>	<ol style="list-style-type: none"> <li>1. Allowed in Ag Zone               <ol style="list-style-type: none"> <li>a. Any area that meets all criteria and restrictions</li> <li>b. Any area in Ag Zone that meets all criteria and restrictions minus Remaining Portions</li> </ol> </li> <li>2. Not allowed in Ag Zone</li> <li>3. Make Conditional Use rather than Principal Permitted</li> <li>4. Minimum parcel size for all eligible parcels               <ol style="list-style-type: none"> <li>a. Minimum parcel size for Remaining Portions (as subset of all eligible parcels)</li> <li>b. 100 acres</li> <li>c. 50 acres</li> </ol> </li> </ol>
<p><i>Note: These options were discussed, but this topic of minimum parcel size was tabled until some of the other individual applicability criteria are discussed that might help focus options for Eligible Areas.</i></p>	
<b>Productive soils</b>	<ol style="list-style-type: none"> <li>1. Avoid Class 1 and 2 soils</li> <li>2. Individual property basis – least productive</li> <li>3. Not a criterium</li> </ol>
<p><i>Note:</i></p>	
<b>Proximity to other zoning districts</b>	<ol style="list-style-type: none"> <li>1. No limitation based on proximity to other zoning districts.</li> </ol>
<p><i>Note: Proximity to other uses addressed through separation requirements under Specific Criteria.</i></p>	
<b>Proximity to environmental features</b>	<ol style="list-style-type: none"> <li>1. Consistent with existing environmental codes</li> </ol>
<p><i>Note: This topic was discussed, but the work group agreed that additional restrictions were not warranted given existing environmental codes and associated setbacks.</i></p>	
<b>Maximum Area of Parcel for Solar &amp; Associated Facilities</b>	<ol style="list-style-type: none"> <li>1. Maximum 20 acres, including               <ol style="list-style-type: none"> <li>a. panels and all associated infrastructure/facilities</li> </ol> </li> </ol>



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APPLICABILITY	OPTIONS DISCUSSED (in no particular order)
	b. panels and associated infrastructure but not landscape buffer 2. Maximum acreage but no MW cap 3. Maximum lot coverage of 75% with 2 MW cap
<i>Note:</i>	
<b>Total Solar Facilities Countywide</b>	1. Cap of .1% of Agricultural Zone for CSEGS 2. 1,000 AC cap on CSEGS development countywide 3. No cap
<i>Note: Work Group discussed but most felt suitability of sites will greatly limit those actually developed.</i>	
<b>Proximity of Solar Facility to Other Solar Facilities</b>	1. Separation/distance requirements 2. Adjacency restrictions
<i>Note:</i>	

SPECIFIC CRITERIA	FOR DISCUSSION / CONSIDERATION	POSSIBLE OPTIONS
<b>Definitions</b>	1. CSEGS – same as State definition 2. CSEGS – State definition but capped at 2 MW	
<i>Note: Terms to be identified that need to be defined after requirements set.</i>		
<b>Conservation Easement</b>	1. Require for area not in solar use 2. Require for entire parcel, but applied to solar area once decommissioned and removed 3. Minimum acreage for easement 4. Maximum of % of parcel	
<i>Note:</i>		
<b>Agrivoltaics</b>	1. Consistent with State definition (HB 909) + add Pollinator-Friendly Solar Designation	
<i>Note:</i>		
<b>Landscaping &amp; Screening</b>	1. Require berm in landscaping 2. No berm allowed 3. 70-80% opacity of landscape materials 4. Tree height 2 feet higher than fence height 5. Mostly evergreens but include shrubs outside of trees 6. 20-foot minimum width where adjacent to residential use and/or public right-of-way 7. Inspect every 6 months 8. Random inspections with annual certification all conditions are in compliance 9. Can be placed outside of setback (between property line and setback)	



SPECIFIC CRITERIA FOR DISCUSSION / CONSIDERATION		POSSIBLE OPTIONS
<i>Note:</i>		
<b>Fencing</b> (safety, security, trespass, vandalism)	<ol style="list-style-type: none"> <li>1. Height consistent with industry standard; electrical code</li> <li>2. Opaque to assist with visual screening</li> </ol>	
<i>Note: Height of fence already addressed by electrical code.</i>		
<b>Setbacks &amp; Separation</b>	<ol style="list-style-type: none"> <li>1. Separation of 1,000 ft from existing residential uses</li> <li>2. Separation of 400 ft from existing residential uses</li> <li>3. Setback of 100 ft from property lines</li> </ol>	
<i>Note:</i>		
<b>Height</b>	<ol style="list-style-type: none"> <li>1. Minimum height to ensure agrivoltaic requirements incorporated</li> <li>2. Not higher than landscape buffer can screen</li> </ol>	
<i>Note:</i>		
<b>Decommissioning</b>	<ol style="list-style-type: none"> <li>1. Specify decommissioning plan required as part of legal package</li> <li>2. Record decommissioning plan to be recorded in Land Records</li> <li>3. Decommissioning to begin after 4 months of not generating energy</li> </ol>	
<i>Note: Further discussion needed.</i>		
<b>Glare</b>	<ol style="list-style-type: none"> <li>1. Require anti-glare materials</li> </ol>	
<i>Note: Newer solar panels already anti-glare.</i>		
<b>Solar Panel Materials</b>		
<i>Note: To be discussed.</i>		
<b>Maintenance</b>	<ol style="list-style-type: none"> <li>1. Address through complaint process re: site plan compliance; County pursues property owner</li> <li>2. Property owner responsible to enforcing private contract with solar company</li> </ol>	
<i>Note:</i>		
<b>Noxious Weeds</b>	<ol style="list-style-type: none"> <li>1. Address through complaint process re: site plan compliance; County pursues property owner</li> <li>2. Property owner responsible to enforcing private contract with solar company</li> <li>3. Consistent with State law</li> </ol>	
<i>Note:</i>		



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OTHER	ISSUE   CONCERN	NOTES
<b>Grandfather Projects Already Submitted for Review</b>	<ol style="list-style-type: none"><li>1. No grandfathering</li><li>2. Grandfather with requirements in place when submitted</li><li>3. Grandfather but subject to new requirements</li></ol>	
<i>Note:</i>		
<b>Environmental Impact</b>		
<i>Note:</i>		
<b>Definitions</b>	Maryland Annotated Code, Public Utilities Article, § 7-306.2	
<i>Note:</i>		
<b>Construction Process Standards</b>		
<i>Note:</i>		
<b>Fire/First Responders</b>		
<i>Note:</i>		
<b>Contract Renewal</b>		
<i>Note:</i>		
<b>Tax Rate (question)</b>		
<i>Note: Question discussed and explained.</i>		
<b>Lighting</b>		
<i>Note:</i>		
<b>Signage</b>		
<i>Note:</i>		