

County Council of Howard County, Maryland

2019 Legislative Session

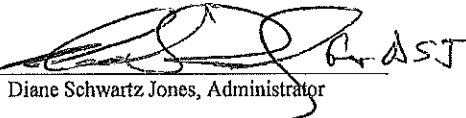
Legislative Day No. 12

Resolution No. 133 -2019

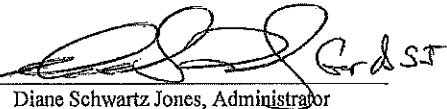
Introduced by: David Yungmann

A RESOLUTION ~~creating a Task Force~~ directing the Environmental Sustainability Board to facilitate a Commercial Solar Facilities Task Force to study commercial solar facilities ~~on agricultural land preservation parcels and related matters.~~

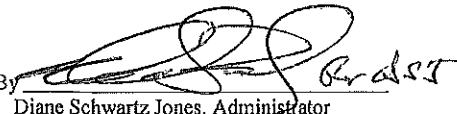
Introduced and read first time October 7, 2019.

By order  D.S.J.
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on October 21, 2019.

By order  D.S.J.
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted, Adopted with amendments, Failed, Withdrawn, by the County Council on November 4, 2019.

Certified By  D.S.J.
Diane Schwartz Jones, Administrator

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

1 **WHEREAS**, Council Bill 39-2012 established a Conditional Use for commercial
2 solar facilities in the RR and RC zoning districts, but specifically excluded the use on
3 parcels encumbered by environmental conservation or agricultural preservation
4 easements; and

5
6 **WHEREAS**, Council Bill 59-2016 expanded the commercial solar facility
7 Conditional Use to properties encumbered by agricultural preservation easements, and
8 exempted the use from the existing Conditional Use size limit of two (2%) percent of the
9 easement property area; and

10
11 **WHEREAS**, Howard County should balance its clean energy goals with the
12 conservation of prime farmland, forests, waterways, and wetlands; and

13
14 **WHEREAS**, the application procedures, approval processes, size, siting, and
15 other requirements for commercial solar facilities need a comprehensive review; and

16
17 ~~**WHEREAS**, Section 902 of the Howard County Charter authorizes the creation~~
18 ~~of temporary advisory boards of citizens to study policies and issues.~~

19 **WHEREAS**, Section 6.600(i)(8) of the Howard County Code provides that at the
20 directive of the County Executive, or by resolution of the County Council, the
21 Environmental Sustainability Board shall review and make recommendations on any
22 matter related to environmental protection, preservation, or sustainability in Howard
23 County.

24 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard
25 County, Maryland, this 4th day of November 2019 that there is the
26 Environmental Sustainability Board is charged with facilitating a “Commercial Solar
27 Facilities Task Force” to study commercial solar facility installations on agricultural
28 preservation parcels.

1
2 **AND BE IT FURTHER RESOLVED** that the Task Force consists of the
3 following members:

- 4 1. Two members of the Agricultural Land Preservation Board, selected by the
5 Board;
- 6 2. One representative from Maryland Clean Energy Advisory Council, selected by
7 the Council;
- 8 3. One representative from the Maryland-DC-Delaware-Virginia Solar Energy
9 Industries Association, selected by the Association;
- 10 4. Two representatives of the Howard County Farm Bureau, selected by the Bureau;
11 and
- 12 5. One representative from the Howard Soil Conservation District, selected by the
13 District;
- 14 6. One representative who represents residents who benefit from community solar,
15 selected by Maryland SUN (Solar United Neighbors);
- 16 7. Two representatives from the Environmental Sustainability Board, selected by the
17 Chair of the Board;
- 18 8. Two representatives from the Office of Community Sustainability, selected by the
19 Office Administrator; and
- 20 9. Two representative from the Department of Planning & Zoning, selected by the
21 Department Director.

22
23 **AND BE IT FURTHER RESOLVED** that the ~~Task Force~~ Environmental
24 Sustainability Board shall select the chairperson of the Task Force.

25
26 **AND BE IT FURTHER RESOLVED** that the Task Force shall hold meetings,
27 including at least one public hearing, and receive testimony as the Task Force considers
28 appropriate.

29
30 **AND BE IT FURTHER RESOLVED** that the Task Force shall investigate and
31 make recommendations about:

- 1 1. regulations governing the size, location, and siting of commercial solar facilities;
- 2 2. application procedures and approval processes for commercial solar facilities;
- 3 3. the role of the Agricultural Land Preservation Board in the commercial solar
- 4 facility policy and approval process;
- 5 4. conditional use parameters; ~~and~~
- 6 5. circumstances or exceptions when solar facilities may be installed on agricultural
- 7 preservation easements without a conditional use application;
- 8 6. methods and strategies for integrating commercial solar facilities and agricultural
- 9 practices and pollinator habitat;
- 10 7. potential incentives for ground mount, carport, and rooftop commercial
- 11 installations across the County; and
- 12 8. recommendations for updates to zoning regulations to encourage more high-
- 13 quality solar projects across the County.

14 **AND BE IT FURTHER RESOLVED** that the Task Force shall:

- 15 1. present its findings and recommendations to the County Council and the County
- 16 Executive on or before July 1, 2020;
- 17 2. supplement those findings and recommendations once the Governor's Task Force
- 18 on Renewable Energy and Siting (Executive Order 01.02.2019.09) has issued its
- 19 final report; and
- 20 3. terminate thereafter.

21

22 **AND BE IT FURTHER RESOLVED** that the County Solicitor, the Department

23 of Planning and Zoning (ALPP Administrator), the Office of Community Sustainability,

24 and the Howard County Economic Development Authority are requested to assign

25 appropriate staff to assist the Task Force in its work.