

# 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 to study commercial solar facilities on agricultural land preservation parcels.

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Introduced and read first time \_\_\_\_\_, 2019.

By order \_\_\_\_\_  
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2019.

By order \_\_\_\_\_  
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted\_, Adopted with amendments\_, Failed\_, Withdrawn\_, by the County Council on \_\_\_\_\_, 2019.

Certified By \_\_\_\_\_  
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  
20           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard  
21 County, Maryland, this \_\_\_\_ day of \_\_\_\_\_ 2019 that there is a “Commercial  
22 Solar Facilities Task Force” to study commercial solar facility installations on  
23 agricultural preservation parcels.

24  
25           **AND BE IT FURTHER RESOLVED** that the Task Force consists of the  
26 following members:

- 27           1. Two members of the Agricultural Land Preservation Board, selected by the  
28           Board;

- 1       2. One representative from Maryland Clean Energy Advisory Council, selected by  
2       the Council;
- 3       3. One representative from the Maryland-DC-Delaware-Virginia Solar Energy  
4       Industries Association, selected by the Association;
- 5       4. Two representatives of the Howard County Farm Bureau, selected by the Bureau;  
6       and
- 7       5. One representative from the Howard Soil Conservation District, selected by the  
8       District.

9

10       **AND BE IT FURTHER RESOLVED** that the Task Force shall select the  
11 chairperson of the Task Force.

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13       **AND BE IT FURTHER RESOLVED** that the Task Force shall hold meetings,  
14 including at least one public hearing, and receive testimony as the Task Force considers  
15 appropriate.

16

17       **AND BE IT FURTHER RESOLVED** that the Task Force shall investigate and  
18 make recommendations about:

- 19       1. regulations governing the size, location, and siting of commercial solar facilities;
- 20       2. application procedures and approval processes for commercial solar facilities;
- 21       3. the role of the Agricultural Land Preservation Board in the commercial solar  
22       facility policy and approval process;
- 23       4. conditional use parameters; and
- 24       5. circumstances or exceptions when solar facilities may be installed on agricultural  
25       preservation easements without a conditional use application.

26

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

- 28       1. present its findings and recommendations to the County Council and the County  
29       Executive on or before July 1, 2020;

- 1        2. supplement those findings and recommendations once the Governor’s Task Force
- 2            on Renewable Energy and Siting (Executive Order 01.02.2019.09) has issued its
- 3            final report; and
- 4        3. terminate thereafter.

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

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

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

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