

1 **AMY GOWAN** * **BEFORE THE**
2 **PETITIONER** * **PLANNING BOARD OF**
3 **ZRA-197** * **HOWARD COUNTY, MARYLAND**

4 * * * * *

5 **MOTION:** *To recommend approval of the petition and to require accessory ground*
6 *mount solar collectors to be screened from adjacent residential properties*
7 *and the right-of-way.*

8 **ACTION:** *See Board Recommendation section for individual motions and votes.*

9 * * * * *

10 On February 4, 2021, the Planning Board of Howard County, Maryland, considered the petition of
11 Department of Planning and Zoning (DPZ) Director Amy Gowan to amend multiple sections of the Howard
12 County Zoning Regulations (HCZR) to implement recommendations from the Solar Task Force based on
13 DPZ’s analysis and consistency with the HCZR. The ZRA proposes the following amendments:

- 14 1. Update the current solar definitions in Section 103.0.
- 15 2. Allow rooftop commercial and accessory ground-mount solar collectors in all zoning
16 districts.
- 17 3. Exempt accessory ground-mount solar collectors from the accessory structure lot coverage
18 requirement in Sec. 128.0.A.12 provided they do not cover more than 3% of the lot.
- 19 4. Allow ground-mount commercial solar facilities in B-1, B-2, CE, M-1, M-2, POR, and PEC
20 as a conditional use.
- 21 5. Eliminate the requirement for a glare study in Sec. 131.0.N.52.
- 22 6. Limit the size of ground-mount commercial solar facilities on parcels that are in the
23 Agricultural Land Preservation Program to 16 acres or 34% of the parcel, whichever is less.
- 24 7. Add a preliminary and final review by the Agricultural Preservation Board in Sec. 131.0.N.52
25 for ground-mount commercial solar facilities.

26 The Planning Board considered the petition, DPZ Technical Staff Report, and public testimony.
27 Additionally, a representative from the Office of Community Sustainability provided expert testimony
28 regarding renewable energy as it relates to the Petition.

29 Testimony

30 Two members of the public testified on this matter and expressed concern about the allowed size of
31 commercial solar facilities on properties in Agricultural Land Preservation Program (ALPP). They asserted
32 that commercial solar facilities that produce more than 2 megawatts are not ancillary to farming and should be
33 prohibited on ALPP properties. Additionally, they suggested that commercial solar facilities should not
34 occupy more than 20% of an ALPP easement, which they explained is consistent with the Agricultural
35 Preservation Board Commercial Solar Facility Policy.

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3 Board Discussion and Recommendation

4 In work session, the Planning Board addressed the components of ZRA-197 individually and voted
5 on each amendment.

6 **Section 103.0 - Definitions**

7 The Board indicated that the proposed definitions were clear and concise. Mr. McAliley motioned to approve
8 and Ms. Adler seconded. The motion passed 5 - 0.

9 **Multiple Sections - Allow rooftop commercial and accessory ground-mount solar collectors in all**
10 **zoning districts**

11 The Board supported allowing rooftop solar collectors in all zoning districts. The Board also supported
12 allowing accessory ground-mount solar collectors in all zoning districts; however, the Board expressed
13 concern about the visual impact on adjacent properties and roadways. Mr. McAliley motioned to approve with
14 the added requirement that accessory ground mount solar collectors be buffered or screened from adjacent
15 properties and roadways. Ms. Roberts seconded. The motion passed 5 - 0.

16 **Section 128.0.A.12 - Exempt accessory ground-mount solar collectors from the accessory structure lot**
17 **coverage requirement**

18 The Board supported exempting accessory ground mount solar collectors from the accessory structure lot
19 coverage requirement, so that they are not inadvertently prohibited by Sec. 128.0.A.12. Mr. McAliley
20 motioned to approve and Ms. Roberts seconded. The motion passed 5 - 0.

21 **Section 131.0.N.52 - Allow ground-mount commercial solar panels in B-1, B-2, CE, M-1, M-2, POR,**
22 **and PEC as a Conditional Use**

23 The Board concurred with DPZ's analysis of the existing zoning district purpose statements and surrounding
24 jurisdictions. Mr. McAliley motioned to approve and Ms. Roberts seconded. The motion passed 5 - 0.

25 **Section 131.0.N.52 - Eliminate the requirement for a glare study**

26 Mr. Coleman expressed concern about eliminating the glare study entirely, since there isn't a requirement to
27 utilize glare mitigating technology, such as single axis tracking panels. However, the other Board members
28 expressed that technological advancements reduce or eliminate glare that otherwise resulted from older fixed
29 panel technology and therefore it is not necessary to regulate glare. Mr. McAliley motioned to approve and
30 Mr. Engelke seconded. The motion passed 5 - 0.

31 **Section 131.0.N.52 - Limit the size of ground-mount commercial solar collector facilities on parcels that**
32 **are in the Agricultural Land Preservation Program to 16 acres or 34% of the parcel, whichever is less**

33 The Board discussed the most appropriate approach to limit the scale of commercial solar facilities on ALPP
34 properties. Two Board members supported inclusion of the Agricultural Preservation Board Commercial
35 Solar Facility approach to limit the size to 20% of the easement and to prohibit facilities that produce over 2
36 megawatts. However, the other Board members were unclear of the basis for 20% as compared to the
37 proposed 34%, which was based on ALPP eligibility requirements. Mr. McAliley motioned to approve and
38 Ms. Roberts seconded. The motion passed 3 - 2.

1 **Section 131.0.N.52 - Add a preliminary and final review by the Agricultural Preservation Board**

2 The Board concurred with the Solar Task Force’s recommendation on the proposed Agricultural Preservation
3 Board review process. Mr. McAliley motioned to approve and Mr. Engelke seconded. The motion passed 5 -
4 0.

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6 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 18 day of
7 February _____, 2021 recommends that ZRA-197, as described above, be **APPROVED**.

8
9 HOWARD COUNTY PLANNING BOARD

10 DocuSigned by:

Edward T. Coleman

11 Ed Coleman, Chair

12 DocuSigned by:

Kevin McAliley

13 Kevin McAliley, Vice-chair

14 DocuSigned by:

Tandy Adler

15 Delphine Adler

16 DocuSigned by:

Phillips Engelke

17 Phillips Engelke

18 DocuSigned by:

Erica Roberts

19 Erica Roberts

20
21 **ATTEST:**

22 DocuSigned by:

Amy Gowan

23 Amy Gowan, Executive Secretary

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