



# Carroll County Environmental Advisory Council

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## *Report to Board of County Commissioners:* **SOLAR ENERGY – RECOMMENDATIONS** **FOR ZONING CODE CHANGES** **September 11, 2013**

### Purpose:

On February 7, 2013, the Board tasked the EAC with studying location and financing information related to solar panels/farms. The information was meant to provide background information to staff who has been directed to develop an ordinance to indicate where they can go. The EAC was to complete the following tasks in three steps. The EAC will provide the Board with their findings and recommendations on Step 1 before moving on to Step 2.

Step 1: The EAC will review research provided by staff related to best practices for siting solar arrays constructed for the primary purpose of generating electricity to sell back to the grid or as an incidental and accessory to non-residential uses, especially commercial and industrial. The focus of the review and discussions will be on siting criteria for these specific uses. Specific issues raised by staff also will be discussed. The focus will not be residential uses.

Step 2: Research will include grants that might be available to property owners for siting solar panels on their property.

Step 3: The EAC will evaluate options for property owners to obtain credits from utility companies and State and Federal agencies.

Findings on standards and best practices for siting commercial solar operations and recommendations to the Board for those that should be incorporated to the draft ordinance will be provided to the Board with a draft ordinance or code changes prepared by staff. The EAC will evaluate the potential for conflict between this use and the perception that may arise with the non-traditional aspect of agriculture and provide the Board with its opinion as part of its final product to the Board.

Findings and recommendations were to be forwarded to the Board by staff, to accompany a draft ordinance prepared by staff. This report addresses Step 1 above.



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### **Solar Energy Subcommittee:**

The subcommittee consisted of the following members of the Environmental Advisory Council:

- Kimberly Petry
- Chris Spaur

Staff that were assigned to assist the committee:

- Jay Voight, Zoning Administrator
- Clay Black, Bureau Chief, Bureau of Development Review

The subcommittee met three times between March 2013 and May 2013, each meeting following the regular monthly EAC meeting.

- The first meeting was held on March 20, 2013, the subcommittee was briefed by County staff on how the County currently handles solar panels, where they are allowed, and in which zoning districts they are currently allowed. The subcommittee was also briefed on a field visit that was conducted by Commissioner Frazier and various County staff to two existing facilities – one in Thurmont at Mount St. Mary’s College and the one at Snyder’s of Hanover. The subcommittee requested County staff to do research on other jurisdictions’ codes and definitions and report back to the subcommittee for discussion at the next meeting.
- The second meeting was held on April 17, 2013, a presentation was given by George Brown of Total Construction Services, Inc. and Daniel Wallace of BithEnergy. They briefed the subcommittee on an ongoing solar energy facility they have in Howard County at the Nixon Farm, and the process they went through to get approval for their project. The subcommittee reviewed various codes and definitions that covered solar energy facilities in other jurisdictions and discussed how we could possibly handle solar facilities in Carroll County.
- The third meeting was held on May 15, 2013, the subcommittee discussed what should be included in our zoning ordinance. The subcommittee provided the suggestions below.

### **Summary of Findings:**

The subcommittee recommended that any proposed code changes should consider the following recommendations.

- For this purpose, these facilities should be referred to as “solar energy facilities” rather than “solar farms.” The purpose would be to help clarify that the reference is to commercial uses, not agriculture uses.
- A solar energy facility should be considered a principal permitted use in the IR and IG zoning districts, as the committee felt that it would be an appropriate use to permit outright in these districts.
- A solar energy facility should be a conditional use in all other zoning districts, with setbacks as outlined in Article III, §223.16 of the Zoning Ordinance.
- In the BNR and BG zoning districts, solar energy facilities should be allowed as a principal permitted use if they are mounted on the roof of any building. This would encourage the use of roofs on existing large buildings, rather than using existing undeveloped commercial and industrial land. Yet it would promote the use of solar energy facilities on existing rooftops.

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- The subcommittee discussed various definitions that the staff presented from their research on various jurisdictions from throughout the state and other jurisdictions in various states, and based on that discussion request that staff create definitions for solar energy facilities.

At the August 21st meeting of the Environmental Advisory Council the subcommittee and county staff presented to the Council a briefing on the proposed definitions and code changes that were developed by staff from the subcommittees work for their review and discussion. After a discussion was held the EAC voted to endorse the subcommittees recommendations and felt that that these code changes would provide an increase in the tax base, promote job creation during the construction phase, and have a low impact on the land and in the community after initial construction. One of the many advantages of developing solar energy facilities is that, once the facilities useful life is reached, it would be easier to remove the facility and reuse the land for renewed development.

The proposed draft code changes are included with this report for your review.

**Next Steps:**

If the Commissioners desire to move forward with the attached staff-drafted ordinances, the proposed ordinances would be presented to the Planning and Zoning Commission in September for their review and comments. The Planning and Zoning Commission would recommend the proposed draft code changes to the Board of Commissioners. County staff would brief the Commissioners on the proposed ordinance changes and request a public hearing. Once the public hearing is held the Commissioners would subsequently deliberate and vote on the proposed changes.