



Commissioners of St. Mary's County
February 15, 2022

Public Hearing

Ordinance to amend the Comprehensive
Zoning Ordinance for

Solar, Major and Solar, Minor Uses



CSMC formed the Solar Task Force in January 2020

Solar Task Force report to CSMC August 2021

Solar Task Force contracted with the Chesapeake Conservancy for an analysis of Optimal Solar Sites in St. Mary's County

Optimal Solar Siting report includes:



- feasible solar sites and
- areas where
 - zoning,
 - economic, or
 - environmental factors preclude solar energy development.



- Preferred locations for ground-mounted solar:
 - degraded or contaminated sites,
 - County-owned properties, and
 - rural lands [not on prime ag soils]



Sites to avoid:

- ecologically sensitive areas such as wetlands, and
- properties not compatible with the Navy mission.



Proposed ordinance adds two new uses to the Comprehensive Zoning Ordinance:

97.a. Solar, Major

98.a. Solar, Minor



97.a. Solar, Major. A Utility-scale solar energy generating system is a facility that:

- uses energy from the sun to produce electricity primarily for use off-site; and
- sells the electricity to the regional wholesale electricity market; and



97.a. Solar, Major.

- has a generating capacity of at least 2 megawatts – 1 MW of solar-power produced electricity can power 190 houses: 2 MW would be about 380 houses (Solar Energy Industries Association 2018)

and

- requires a Certificate of Public Convenience and Necessity from the Maryland Public Service Commission.



97.a. Solar, Major.

- Major site plan is required – concept site plan approval from the Planning Commission
- Developer must meet the decommissioning requirements of the Public Service Commission, including proof of a bond or other financial security, set by the PSC



97.a. Solar, Major.

- Buffer yards 15 feet wide are required consistent with buffer yards already in the CZO
- Flexibility to have understory trees instead of canopy trees
- Types of understory trees: Understory trees max. height 40 feet: Dogwood, Redbud, River Birch



97.a. Solar, Major

- Allow in all zones except AICUZ
- Setback and Height requirements per current CZO
- Navy review required:
 - Navy can request glint / glare analysis,
a heat retention analysis,
electromagnetic interference (EMI) analysis.
- State decommissioning requirements

97.a. Solar, Major Preferred Locations



- County owned lands and facilities
- Public school owned lands
- Voluntary Cleanup Program restoration sites
- Brownfield sites
- Parking lots or similar grayfields
- Industrial zones



97.b. Solar, Minor. Produces less than 2 megawatts, electricity is primarily used on site

- Site plan is required for nonresidential
- Minor site plan – the facility is accessory to an existing nonresidential use
- Most of the electricity is used on site



97.b. Solar, Minor.

- Buffer yards 15 feet wide are required consistent with buffer yards already in the CZO
- Flexibility to have understory trees instead of canopy trees
- Understory trees max. height 40 feet:
Dogwood, Redbud, River Birch



97.b. Solar, Minor

Commercial /
Industrial /
Institutional /
Accessory Uses

- Setback and Height requirements per current CZO
- No additional permits beyond those currently required for building and electrical inspections



Solar, Community is a type of Minor Solar facility that:

- Is connected to the electric distribution grid
- Has at least two subscribers, no maximum
- Subscribers must be in the same electric service territory as the facility
- Generating capacity cannot exceed 2 megawatts



Residential Accessory Use Solar:

- Installed at private residences.
- All or almost all of the power generated is used on-site.
- Solar panels typically installed on rooftops; pole mounts, ground mounts, or canopies can also be used.
- Permit only is required for accessory residential use.



- Staff sent the proposed ordinance to the Critical Area Commission
- There is a Critical Area law for Renewable Energy Generating Systems in the Critical Area
- Critical Area Commission staff also had minor text changes
- The proposed ordinance has been modified to include changes provided by Critical Area staff



- Solar Task Force appointed by CSMC included agriculture representative
- Farm Bureau has concerns with draft ordinance
- Farm Bureau has sent a first draft of recommendations included in BoardDocs



QUESTIONS?