

Howard County Solar Task Force Kick-Off Meeting – 1/23/2020

Minutes and Action Items

Attendees

Members: Jamie Brown; Cathy Hudson; Kevin Lucas; Franny Yuhas; Daniel Jacobs; Keith Ohlinger; Amber Butler; Leah Miller; James Zoller; Amy Gowan; Cory Ramsden (Representing Glen Brand)

Other County staff: Patrick Boddicker; Joshua Feldmark

Absent: Kelly Hensing, Joy Levy, John Dove

Purpose

The purpose of this Solar Task Force is to make recommendations to help Howard County balance priorities of preserving agricultural land, supporting farmers, reducing greenhouse gas emissions, and encouraging renewable energy development. The Solar Task Force was asked to make recommendations about eight specific topic areas (shown in the Information Needs section below and in Council Resolution 133-2019

<https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=12360>).

Meeting Format and Schedule

Future meetings of the Solar Task Force will include a 30-minute presentation, 30 minutes of questions, and one hour of discussion. The meetings are public, but the Task Force will only hear public testimony at a special meeting to be scheduled in the evening in late March/early April. Recommendations will be decided by consensus.

The Solar Task Force will meet on Tuesdays from 8:30am-10:30am at the George Howard Building on the following dates: 2/4; 2/18; 3/3; 3/17; 3/31; 4/7; 4/21; 5/5; 5/19; 6/2; 6/16; 6/30.

The Task Force will present its findings and recommendations to the County Council and the County Executive on or before July 1, 2020.

Information Needs for Upcoming Meetings

1. Regulations governing the size, location, and siting of commercial solar facilities.
 - How many acres are available on farms in Howard County that are not under agricultural preservation and/or how many sites are available that are large enough to be considered viable for commercial solar facilities?
 - Commercial solar facilities are only allowed in RC and RR zones. Should it be allowed in other zoning areas?

- Where is solar practical in Howard County based on the grid?
- What jurisdiction does the County have to regulate solar siting vs. state jurisdiction?
- What impediments are there to placing commercial solar projects on rooftops or above parking?
- Clarify what we mean by a commercial solar facility. [Note: More than 2 MW needs to be permitted with a CPCN – the MD Public Service Commission has jurisdiction.]
- How many acres are needed per MW of solar?
- DPZ can provide information on where each type of solar project is allowed in the zoning code and why.
- Should there be a prioritization of land within agricultural preservation to local solar on land that is not being actively farmed rather than on areas that are currently active crop land.
- Need a better understanding of the state’s renewable portfolio standard and how that impacts solar development.

2. Application Procedures and approval processes for commercial solar facilities.

- What are the current procedures for the County and the Agricultural Land Preservation Board for solar on agricultural land?
- What are the procedures for solar on non-agricultural land?
- Are there ways the approval process can be streamlined (some farms have waited up to 5 years for a decision).
- What are procedures and approval processes in other jurisdictions?
- Provide presentations from a solar company and a land owner who went through the process and hear their thoughts on what went well or could be improved.
- Is there something the County can do to help farmers and landowners stay protected through the contracting process with solar companies? Sample contracts, what to look for, etc.?
- What bonding requirements do Howard County and other jurisdictions have? [note: the lease rate will be lower with more restrictions]

3. The role of the Agricultural Land Preservation Board in the commercial solar facility policy and approval process.

- A presentation is needed on the ALPB’s former and current guidelines for commercial solar facilities and the history behind them.
- The ALPB is looking for information and recommendations to improve their guidelines to allow commercial solar where beneficial and appropriate, while also protecting farmers and prime farmland.
- This Solar Task Force will make recommendations. However, there are no requirements that these recommendations be followed.
- Solar industry would like clarification on the role of the ALPB recommendation in the process and whether to apply through ALPB if a project doesn’t meet their current guidelines, as going through the application process is costly.

4. Conditional use parameters.

- Address concerns about whether farmers or landowners would lose their agricultural assessment because commercial solar is on the property. This would mean taxes would go up for the landowner. Landowners may need to check with their tax attorneys about the tax implications.
- Zoning code does allow for some commercial activity on agricultural preservation land. Solar can go beyond the 2% limit allowed for other types of commercial activity.
- Having solar shouldn't affect the County agricultural easement. County Council passed legislation allowing solar on agricultural preservation land knowing that those properties have easements.
- State agricultural preservation land is not allowed to have commercial solar facilities.
- If a farm is using more than 50% of the solar generated on the property, it is not considered commercial use and does not require a conditional use permit. The solar can be mounted on the building or on the ground.

5. Circumstances or exceptions when solar facilities may be installed on agricultural preservation easements without a conditional use application.

- Should exemptions be limited to solar for private use rather than a commercial facility?

6. Methods and strategies for integrating commercial solar facilities and agricultural practices and pollinator habitat.

- Solar industry has done some work and there are case studies about how to co-locate agricultural practices and solar.
- There are technical questions for solar companies about what is possible/acceptable to allow agricultural practices under solar.

7. Potential incentives for ground mount, carport, and rooftop commercial installations across the County.

- Can we find out how many rooftops are available that are large enough for commercial solar, understanding that roof age and structural conditions also are big factors.
- Solar Energy Industries Association says nationwide average is only 25% of single family houses are suitably aligned for solar.

8. Recommendations for updates to zoning regulations to encourage more high-quality solar projects across the County.

- What would the incentive be? Tax incentives may be challenging in the current budget climate. Development density incentives are not currently in demand. But there may be other options.

- Need to define “high quality solar project”.

Action Items

- Leah Miller will provide information to the group on the state solar task force interim report and meetings. <https://governor.maryland.gov/energy-task-force/>
- James Zoller and Leah Miller will propose topics/speakers for future meetings.
- Franny Yuhas will provide information on how high the low point of the panels can go and still be financially viable as well as what agricultural practices would be acceptable under solar panels.
- Kevin Lucas to provide case studies and information on how to co-locate agricultural practices and solar.
- Kevin Lucas to provide examples and case studies of procedures and approval processes for commercial solar facilities in other jurisdictions.