

Amendment No. 4 to Bill No. 1524

Proposed by: Mr. Pack
Introduced by: Mr. Callahan, Mr. Leshner, Mr. Pack
Date: September 27, 2022

A BILL TO AMEND CHAPER 190 OF THE TALBOT COUNTY CODE (ZONING, SUBDIVISION AND LAND DEVELOPMENT) REGARDING SOLAR ENERGY SYSTEMS

KEY	
Boldface	Heading or defined term
<u>Underlining</u>	Added to law by Bill
Strikethrough	Deleted from law by Bill
<u><u>Double Underlining</u></u>	Added by amendment
<u><u>Double Strikethrough</u></u>	Deleted by amendment
* * *	Existing Bill unaffected

Proposed Amendments: The amendments proposed to the text of the Bill are as follows:

* * *

§ 190-32.4. Solar energy systems.

* * *

D. Large-scale SES. The following requirements apply to large-scale SES:

1. Location.

a. Large-scale SES are prohibited in the RC Zoning District.

b. A parcel of agricultural land upon which a large scale SES engineered and designed to produce more than two megawatts (2 MW) of power is proposed to be sited shall be

evaluated on the Talbot County Maryland Agricultural Land Preservation Foundation (“MALPF”) evaluation criteria. The Stewardship Practices in Section B.3 thereof shall be excluded from the final score. If the parcel’s final score exceeds 240, the large scale SES shall not be sited on the parcel, notwithstanding any other provision of this chapter to the contrary. This subsection (b) shall not apply to any large scale SES that was the subject of a Department of Planning and Zoning staff pre-application meeting prior to June 1, 2022 and that does not exceed 375 acres enclosed by a fence or developed with photovoltaic panels.

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Purpose: This new language is intended to add a condition on the siting of large scale solar energy systems (“SES”) by prohibiting the siting of large scale SES on a parcel of agricultural land if the parcel’s score under the Talbot County MALPF evaluation criteria exceeds 240, exclusive of the Stewardship Practices in Section B.3 thereunder. This new siting threshold will not apply to large scale SES for which the initial County engagement or review occurred during a staff pre-application meeting held prior to June 1, 2022.

Amendment not substantive: The amendments proposed herein are non-substantive, as they do not enlarge or narrow the scope of Resolution No. 331 as introduced to such an extent that Bill No. 1524, if adopted with the foregoing amendments, could be said to be misleading in a substantial manner. Furthermore, such amendments do not defeat the original purpose of Bill No. 1524 as introduced. *See Ajamian v. Montgomery County*, 99 Md. App. 665, 684-685 (1994).