



FOR PLANNING COMMISSION USE ONLY  
 Rezoning No. B3-21-004  
 Date Filed: \_\_\_\_\_

WASHINGTON COUNTY PLANNING COMMISSION  
 ORDINANCE TEXT AMENDMENT APPLICATION

Washington County Planning Commission

Applicant  
 100 W. Washington St., Suite 2600,  
 Hagerstown MD 21740

Address  
 Jill Baker

Primary Contact

Address

- Property Owner       Contract Purchaser  
 Attorney             Consultant  
 Other: \_\_\_\_\_

240-313-2430

Phone Number

jbaker@washco-md.net

E-mail Address

- Adequate Public Facilities Ordinance       Water and Sewer Plan  
 Forest Conservation Ordinance             Zoning Ordinance  
 Subdivision Ordinance                       Other \_\_\_\_\_  
 Solid Waste Plan

Section No. 4.26

Please provide the proposed text on a separate sheet of paper as follows: strike-through should be used for deletions [~~deletions~~], unchanged wording in regular type, and new wording should be underlined [new wording].

  
 Applicant's Signature

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires on \_\_\_\_\_  
 Notary Public

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Application Form                                       Proposed Text Changes  
 Fee Worksheet                                         30 copies of complete Application  
 Application Fee



DEPARTMENT OF PLANNING & ZONING  
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

April 2021

RZ-21-004

## APPLICATION FOR TEXT AMENDMENT WASHINGTON COUNTY ZONING ORDINANCE

### STAFF REPORT AND ANALYSIS

**Proposal:** Application is being made to amend Section 4.26 (Solar Energy Generating Systems) of the Washington County's zoning ordinance to deter placement of solar arrays on productive agricultural land in rural areas.

**Staff Report:** In June 2009, Washington County took its first steps in allowing for alternative and renewable energy sources such as wind and solar energy by amending and including Sections 4.24 and 4.25 to the Zoning Ordinance to allow for generating systems for on-site residential and commercial usage. The primary purpose of these amendments was to provide commercial and residential property owners the ability to establish alternative energy generating systems specifically for consumption on the installation site of the generating system.

In 2011 the County expanded its position on the renewable energy movement but including a new section of the Zoning Ordinance (Section 4.26) that recognized the advancements in renewable energy systems, specifically those associated with utility scale solar energy generating systems (SEGS). These new regulations focused on the location and appearance of these new uses by promoting them in urbanized areas and limiting them in rural areas. Limitation focused on deterring these types of uses from being located within existing land preservation program areas such as Rural Legacy and Priority Preservation Areas (PPAs). It was also decided to only allow SEGS through a special exception process in the rural zoning districts.

Since 2011 there have been numerous requests to install these types of uses within the rural areas of the County. As planned, no SEGS have been located within the County designated PPAs or Rural Legacy areas. However, as interest continues to increase in locating these types of uses in Washington County, concerns have arisen over the amount of agricultural land being taken out of production and converted into acres of solar arrays. Concern is growing that farms with high quality soil categories (Class 1 and 2 soils per the National Resource Conservation Service Soil Survey) that are located outside of designated land preservation areas are being converted at rate that will negatively impact the agricultural economy in the County.

To reverse these trends of losing productive agricultural land, amendments are proposed by the Planning Commission to deter new SEGS from locating in areas where there are identified Class 1 and/or Class 2 soils. The amendment is proposed as follows:

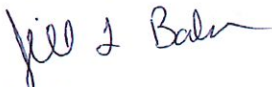
**Section 4.26 Solar Energy Generating Systems**

*[Paragraph 2]*

SEGS shall be permitted as a land use as specified in Sections 3.3 and 21.42 of this ordinance. However, SEGS shall be prohibited as a use in defined Priority Preservation Areas, Rural Legacy Areas, and Antietam Overlay Areas. In addition, the developer of a SEGS shall, to the degree practicable, avoid disturbing Class 1 & 2 prime agricultural soils outside of designated growth areas.

**Staff Recommendation:** Staff recommends approval of the proposed amendments.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jill Baker". The signature is written in a cursive style.

Jill Baker  
Director