

SPECIAL REPORT
to the
Carroll County Planning and Zoning Commission
August 16, 2022

Prepared by
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SUBJECT: S-21-0019 - Westminster Solar
LOCATION: East side of MD 97 (Littlestown Pike), north side of Old Bachmans Valley Road, Westminster, MD 21157, E.D. 7
OWNER: Westminster Solar LLC, 2003 Western Ave, Suite 225, Seattle, WA, 98121
DEVELOPER: OneEnergy Development, LLC, 2003 Western Ave, Suite 225, Seattle, WA, 98121
ZONING: Light Industrial (I-1)
ACREAGE: 6.98 Acres

❖ **Action Requested:**

The plan is before the Planning and Zoning Commission as a special report regarding a setback reduction per section 158.153(D)(3) of the Carroll County Code. **Action is required.**

❖ **Background:**

The subject property is a 6.98-acre Light-Industrial (I-1) zoned property located along the east side of Littlestown Pike (MD 97), northeast of the City of Westminster. The property is currently vacant, and the developer has submitted a site plan proposing to develop the site as a ground-mounted solar panel facility. Solar panels are proposed within the center of the site, enclosed within a chain-link fence and with driveway access to Old Bachmans Valley Road on the southwestern side of the property.

The site is being reviewed per Section 158.153(D) of the Zoning Code, which pertains to solar energy conversion facilities in the industrial zoning districts:

(D) **Solar energy generating systems, in industrial zones.**

(1) Solar energy conversion facilities shall be permitted in the I-2 and I-1 Districts whether roof-mounted or ground-mounted.

(2) **Size limits.**

(a) When roof-mounted, the physical size of the system shall be limited to the size of the roof.

(b) There shall be no size limit for ground-mounted systems.

(3) **Setbacks.**

(a) Setbacks shall be 200 feet from the boundaries of all adjoining residentially zoned properties, and 100 feet from the boundary lines of adjoining nonresidentially zoned properties.

(b) The Planning Commission may reduce required setback for any yard setback by up to 50% provided that supplemental landscaping, as may be determined by the Planning Commission, is provided.

Per Section (D)(3)(b) of the above referenced code, the developer has requested that the Planning and Zoning Commission consider their request to reduce the minimum setback distances from all property lines by 50%. The northern, western, and southern property lines are adjoined by industrially zoned properties (I-1 in the County, Industrial-Restricted in the City), and the eastern property line adjoins a Residential-40,000 zoned property. The proposed setback from the residentially zoned property is 100' versus the 200' standard, and the proposed setback from the non-residentially zoned properties is 50' versus the 100' standard.

In conjunction with this request, supplemental landscaping has been provided along all property lines. The developer is proposing Class C screening, which has the highest density of planting units when compared to other screening classes from the Landscape Manual. The 15' deep screening outlines the entire footprint of the site, with the only exception being two 20' wide gaps where the access drive and the electrical connection are located, near the southwestern corner of the site. There will be two areas along the southern property line which will supplement the proposed new plantings with existing trees and shrubs.

The landscaping is to be located outside of the fenced area and generally abutting the property lines of the site. However, the fence and landscaping are located further away from the western property line along Littlestown Pike (MD 97) to allow for planned future road widening. The State Highway Administration has required that no development features be located within the area impacted by the future expansion, which is reflected in the plan.

In addition to the landscaping screening against all property lines, a 0.3 acre forest conservation easement is proposed between the adjacent residential property to the east and the solar facility.

The concept review is in the technical review process and the plan will be back before the Planning and Zoning Commission for review and consideration of a concept plan.