

a 286-acre site on a reclaimed surface coal mine in Allegany County; a 286-acre site on agricultural land in Dorchester County; a 255-acre site on agricultural land in Harford County; a 250-acre site on Farmland of Statewide Importance in Kent County; a 70-acre site on agricultural land in Washington County; and a 25-acre site on agricultural land in Wicomico County.

What Are the Counties Doing?

Most zoning cases are decided at the county level, and several counties have involved themselves in land use issues over solar siting. There are two very recent examples of county activity of particular interest to horse people.

- Howard County: On March 15, 2021, the Howard County Council held a hearing on a zoning amendment that would reduce the size of commercial solar installations on agricultural preservation properties from 75 acres to 16 acres, or 34% of the site, whichever is less.
- Montgomery County: On February 23, 2021, the Montgomery County Council adopted a zoning amendment to increase the amount of solar energy that can be generated on farms but to prohibit panels from being sited on prime agricultural soil. The amendment also specifies that no more than 1800 acres of land in the Agricultural Reserve can be used for solar arrays.

It bears noting that regardless of where individual counties come out on solar farms on agricultural land, the State Public Services Commis-

sion (PSC) has the final say on where solar installations that generate more than 2,000 kilowatts can be sited. In 2019, the Maryland Court of Appeals ruled in Washington County v. Perennial Solar, LLC, that the PSC's authority over energy generation implicitly pre-empts any individual county's effort to control the placement of arrays within its borders. The case grew out of a dispute in Washington County over a 42,000-panel installation that neighbors complained would obstruct their views. The opinion begins, memorably, with a quote from the Beatles – "Here comes the sun, and I say, It's alright."

Are you a policy wonk; politics junkie; or just interested in learning more about how your government works and how you can make a difference? Join us on the MHC PAC Board! Minimal time commitment (fewer than 10 hours a year). Help us decide how to wield our financial clout in Annapolis. Interested? Contact us at info@mdhorsecouncil.org.