

SOLAR ENERGY GENERATING STATION CHECKLIST

Renewable Energy Certainty Act (HB 1036)

This checklist is to be completed for all solar project plans under 5 megawatts (MW) and must be submitted concurrently with the Environmental Concept Plan AND the initial plan. The checklist will ensure all applicable projects are in accordance with certain standards as legislated in HB 1036 - Renewable Energy Certainty Act, effective July 1, 2025, which made changes to the Land Use Article by providing jurisdictions with a universal criterion and setting certain standards for solar generating stations.

LEGEND: ☐ Information Provided ☐ N/A Not Applicable ☒ Information Not Provided Justification Attached

SUBMISSION REQUIREMENTS – Upload to the PDox Exhibits Folder

Owner's Authorization

Professional Review Statement

PROCESSING STANDARDS FOR 1 MW < 5 MW

- Identify the MW capacity of the generating station at the inverter. If there are multiple generating stations, identify the MW capacity of each station at the inverter.
- Identify percent the parcel is covered by the solar energy generating station.
- Identify whether the site is an agrivoltaic solar site.

Setback and Fencing requirements

- Minimum 150-foot buffer between the solar energy generating station (solar panels and above ground structures) and the nearest residential dwelling.
- Minimum 100-foot buffer between the solar energy generating station and all property lines.
- Non-barbed wire fencing less than 20 feet in height and no less than 50 feet away from the edge of any public right-of-way must be on the interior of a required landscape buffer. If chain link fencing is proposed, only black or green vinyl wire mesh permitted.
 - Barbed wire fence may be used around critical components such as substation and switch gear.

Landscaping and Visual Screening requirements

- Landscape buffer* or vegetative screening* that provides four-season visual screening of the solar energy generating station provided between any fencing and the public view and includes multilayered, staggered rows of overstory and understory trees and shrubs that:
 - Are a mixture of evergreen and deciduous vegetation;
 - Are predominantly native to the region;
 - Are more than 4 feet in height at planting;
 - Are designed to provide screening or buffering within 5 years of planting;
 - Conform to the plant size specifications established by the American Standard for Nursery Stock and;
 - Are specified in a landscaping plan prepared by a qualified professional landscape architect.
- Vegetative screening no more than 35 feet wide provided along all property lines and along locations of the exterior boundary for the solar energy generating station where existing wooded vegetation of 50 feet or more in width does not exist.
 - OR: An alternative location may be permitted if DPZ determines it has been adequately demonstrated that the proposed alternative location within the boundary of the solar generating station would maximize visual screening.

*May not require the use of a berm.

Environmental and Construction requirements

- Solar energy generating station and any accessory structures associated with the station must have an average height of no more than 15 feet.
- Vegetation that meets Howard County's Landscape Manual and have a 90% survival threshold for the life of the solar energy generating station provided to maintain soil integrity.

Preservation Area requirements

- Mitigation provided for visual impact of the solar energy generating station if the station is to be located on any of the following preservation areas or areas where any of the following are implemented:
 - Agricultural Land Preservation Program (ALPP).
 - Maryland Agricultural Land Preservation Foundation (MALPF).
 - County preserved land.
 - Rural legacy areas.
 - County and state parks.
 - Historic structures, Historic Sites Inventory, or sites eligible for the National Register of Historic Places.
- Provide visual impact survey including sight line profiles and photographs of impacts.
- Prior to submission of the SDP, a Presubmission Community Meeting is required. Concurrent with this meeting, this plan should be submitted to the Agricultural Preservation Board. (<https://www.howardcountymd.gov/boards-commissions/agricultural-preservation-board>)

REQUIRED GENERAL NOTES

Grading will be minimized to the greatest extent possible.

Topsoil will not be removed from the parcel unless for temporary stockpiling for grading purposes.

In accordance with HB 1036, the owner of this solar energy generating station shall enter into a decommissioning agreement prior to SDP signature approval with the Public Service Commission on a form that the commission provides; shall post a surety bond with the commission for no more than 125% of the estimated future cost of decommissioning the solar energy generating station and its related infrastructure, less any salvage value; and shall execute a securitization bond true-up every 5 years.

Landscaping bond will be posted with the SDP for the first 5 years of the life of the solar energy generating station equal to 100% of the total landscaping cost. This bond shall not be tied to any other security.

Landscaping will be installed as early in the construction process as practicable and before the activation of the proposed solar energy generating station.

Vegetative screening will not be trimmed to stunt upward or outward growth or to otherwise limit the effectiveness of the visual screen.

Mowing and other unnecessary landscaping will be limited to the maximum extent possible.

Herbicides will not be used unless to control invasive species in compliance with the Department of Agriculture's weed control program.

Landscaping or vegetative buffer will be preserved to the maximum extent practicable and supplemented with new plantings where necessary.

Landscaping or vegetative buffer will be maintained with a 90% survival threshold for the life of the solar energy generating station through a maintenance agreement that includes a watering plan.

Except as required by law or for safety or emergency, the solar energy generating station will not emit visible light during dusk to dawn operations.

Notice of each solar station to emergency response services, including a map of the system and location of any solar collection or isolator switch, will be provided upon plan approval.