



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

TECHNICAL STAFF REPORT

Hearing Examiner Hearing of June 3, 2025

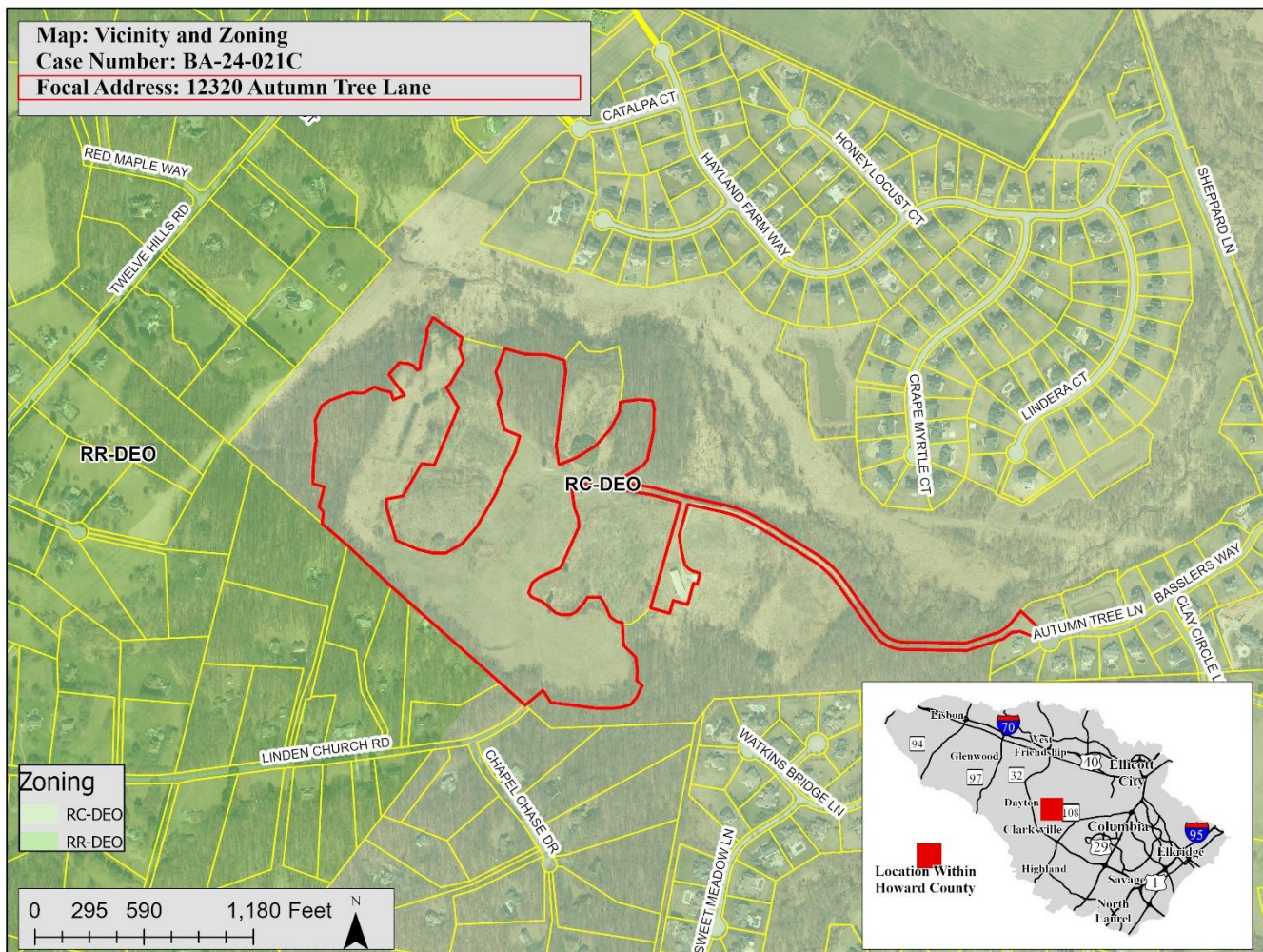
Case No./Petitioner: BA-24-021C – KDC Solar Walnut Creek LLC

Request: Conditional Use for a Commercial Ground-Mount Solar Collector Facility (Section 131.0.N.52)

Location: 12320 Autumn Tree Lane
Tax Map 28, Grid 11, Parcel 49, Lot PAR B
(the "Property")

Property Size: 45.23 acres (Conditional Use Area: 12.30 acres)

Zoning RC-DEO (Rural Conservation)



I. CONDITIONAL USE PROPOSAL

The Petitioner is requesting approval for a commercial ground-mount solar collector facility consisting of a 10.19-acre operational area within a 12.30-acre fenced area. The facility will utilize a single axis tracking design that allows the solar panels to follow the path of the sun. This design reduces the impact of glare and maximizes electricity generation. The Petitioner proposes a ‘Type D’ or equivalent landscape buffer along the perimeter of the conditional use area and a seven-foot-tall security fence between the landscaping and the solar facility.

II. BACKGROUND INFORMATION

A. Site Description

The site is encumbered by an Environmental Preservation Easement, BGE easement, and consists of an existing sewage disposal area for the adjacent communities. The site rises from an elevation of 410 feet at the northern boundary to 510 feet along the southern boundary. The parcel is encumbered by multiple Forest Conservation Easement areas along with a stream buffer that traverses the eastern, northern and western portions of the Property.

B. Vicinal Properties

Direction	Zoning	Land Use
North	RC-DEO	Single-Family Residences
South	RC-DEO	Single-Family Residences
East	RC-DEO	Single-Family Residences
West	RR-DEO	Single-Family Residences

C. Roads

Autumn Tree Lane has two unmarked travel lanes within a 50-foot right-of-way. The speed limit is 25 miles per hour. Traffic count data is not available for this segment of Autumn Tree Lane.

D. Water and Sewer Service

The Property is located outside the Planned Service Area for Water and Sewer and is served by private water and sewer.

E. General Plan

The Property is designated as Rural Conservation on the Future Land Use Map of HoCo By Design.
Autumn Tree Lane is designated a Local Road.

F. Agency Comments

Agency comments are attached.

III. ZONING HISTORY

Case No.: BA-23-023C
Request: Conditional Use for a commercial ground-mount solar collector facility
Action: Dismissed

IV. EVALUATION AND CONCLUSIONS

A. Evaluation of the petition according to Section 131.0.B of the Zoning Regulations (general criteria for Conditional Uses):

1. *The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.*

The proposed use is in harmony with HoCo By Design Policy EP-4, which is to support and diversify the local job market to maximize opportunities to grow regional employment.

Implementing Action 3. states “Support new investment and job creation in emerging markets, especially those that reveal new opportunities for renewable energy and green technologies, including but not limited to solar arrays and canopies.”

2. *The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.*

The proposed 12.30-acre solar facility comprises only 27% of the 45.23-acre Property, which complies with the 75-acre maximum size limitation outlined in Section 131.0.N.52. Additionally, the facility complies with all required bulk regulations and conditional use criteria. Autumn Tree Lane is a local road and can accommodate the infrequent number of vehicles associated with the proposed use.

Therefore, the nature and intensity of the use, the size of the Property in relation to the use, and the location of the site, with respect to streets that provide access, are such that the overall intensity and scale of the use are appropriate.

3. *The use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:*

- a. *The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning district.*

The solar collectors will mitigate glare through anti-reflective coatings and single axis tracking. There is no evidence of atypical adverse effects such as noise, dust, fumes, odors, vibrations, increased lighting, hazards that would be greater at the subject site than elsewhere in the RC zoning district.

- b. *The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.*

All solar collectors, equipment, and fences comply with the 20-foot height limit and 50-foot setback requirements in Section 131.0.N.52. The solar collectors are 13 feet in height. The Petitioner is seeking relief from the 'Type D' perimeter landscaping requirement by utilizing existing vegetation and forest conservation easement areas. The petitioner asserts that the existing vegetation will mitigate visual impact of the solar panels on the adjacent properties.

Therefore, the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than generally elsewhere in the RC district.

- c. *The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.*

There is no parking requirement for a commercial ground-mount solar collector facility in the Regulations. However, the Petitioner is providing a 10-foot-wide access road with turn-around locations that can accommodate the infrequent maintenance vehicle trips associated with commercial solar facilities. The 'Type D' or equivalent landscape buffer will screen parking areas and driveways from the public rights-of-way and adjacent properties to the north, west, and east. The existing topography mitigates the visual impact of the parking area and driveway on the adjacent properties. No refuse areas are proposed.

- d. *The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.*

The existing ingress/egress to the Property from Autumn Tree Lane was approved during the construction of the existing development SP-06-007, approved May 31, 2006 and no changes are being proposed to this area. The Property does not share a driveway with other residential uses.

- e. *The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.*

The environmentally sensitive areas in the vicinity are stream and wetland buffers approximately 100 feet to the northwest of the Conditional Use area. Therefore, the proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

- f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.*

The closest historic site in the vicinity (HO-018) is located 0.71 mile to the east of the Property and is screened by existing structures, distance, topography, and vegetation. Therefore, the proposed use will not have greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

- B. Evaluation of the petition according to Section 131.0.N.52 (Specific Criteria for Conditional Use for a Solar Collector Facility, Commercial Ground Mount):

A Conditional Use may be granted in the RC, RR District for a commercial ground-mount solar collector facility, provided that:

- a. The parcel on which the commercial ground-mount solar collector is proposed must be a minimum of 10 acres in size. The maximum size of a solar facility shall be 75 acres notwithstanding the size of the parcel. However, on parcels which are in the Agricultural Land Preservation Program, the maximum size shall be 16 acres or 20% of the Property, whichever is less.*

However, a ground-mount solar collector facility on an Agricultural Preservation Parcel can be increased to a maximum of 34% of the parcel by the Hearing Authority if the Hearing Authority finds that the use shall not interfere with farming operations or limit future farming production. The Hearing Authority shall consider the following:

- (1) A. At least 60% of the acreage outside of the ground-mount solar collector facility area is viable for a farm operation, inclusive of farm buildings needed for the farm operation; and
B. The remaining soils capability are more than 50% USDA Classes I-III and more than 66% USDA Classes I-IV or;*
- (2) The additional acreage above the allowable 20% for the CSF is unsuitable for farming.*

The parcel is not an Agricultural Land Preservation Program parcel. The parcel is 45.23 acres, and the operational area of the proposed solar collector facility is 12.3 acres.

- b. All structures and uses must meet a minimum of 50-foot setback from all property lines.*

All solar collectors and equipment comply with the required 50-foot setback from all external property lines.

- c. No structure or use may be more than 20 feet in height.*

The tallest structures are the solar collectors, which are 13 feet in height.

- d. A 'Type D' landscaping buffer must be provided around the perimeter of the proposed commercial ground-mount solar collector facility unless the Hearing Authority determines that an alternative buffer is sufficient.*

The Petitioner is seeking credit for existing vegetation on the east and south portions of the Property. Existing trees/vegetation may be used to provide a perimeter buffer, but it must be at a width of 30 feet in accordance with the Landscape Manual. The Department of Planning and Zoning will inspect the existing vegetation with the submission of the Environmental Concept Plan and Site Development Plan and may require the applicant to provide supplemental planting if the existing vegetation is determined to be inadequate to provide the required screening.

- e. *All security fencing must be located between the landscaping buffer and the commercial ground-mount solar collector facility.*

A seven-foot-tall chain link security fence is provided between the landscape buffer and the commercial ground mount solar collector facility.

- f. *The systems shall comply with all applicable local, state, and federal laws and provisions.*

The Petitioner agrees to comply with this criterion.

- g. *A commercial ground-mount solar collector facility that is no longer used shall be removed from the site within 6 months of the date that the use ceases. The Properly Owner shall secure this obligation by maintaining a bond, escrow, or other form of security, in an amount equal to the estimated future cost of removal, that is acceptable to the Director of Finance.*

The Petitioner agrees to comply with this criterion.

- h. *The premises shall be maintained at all times in a clean and orderly condition, including the care or replacement of plant materials required in the landscaping plan. The responsibility for compliance with this provision shall be with all parties having a lease or ownership interest in the commercial ground-mount solar collector facility. The applicant shall provide the Hearing Authority with details regarding maintenance and access for the site.*

The Petitioner agrees to comply with this criterion.

- i. *The applicant shall agree to register all solar collectors with the Department of Fire and Rescue Services. The registration shall include a map of the solar facility noting the location of the solar collectors and the panel disconnect.*

The Petitioner agrees to comply with this criterion.

- j. *Tree removal shall be minimized and reforestation shall be done in accordance with Section 16.1206 of the Howard County Code.*

The Petitioner agrees to comply with this criterion.

- k. *Scenic Views*

(1) The applicant shall demonstrate that the solar facility does not harm the scenic characteristics of the view of or from:

A. A public park;

- B. A national or state designated scenic byway;*
- C. A road listed in the Scenic Roads Inventory adopted under Section 16.1403 of the Howard County Code; or*
- D. A historic structure as defined in Section 16.601 of the Howard County Code.*
- (2) Visual Impact Analysis Required to Demonstrate Minimal Impact to or from Scenic Views*
 - A. The Conditional Use petition shall include a visual impact analysis mapping all viewshed impacts and any proposed mitigation. This analysis shall include mapped visual impact assessments of all important or critical viewpoints or elevations from which the solar facility can be seen from a fixed vantage point. For purposes of this subsection, A viewshed is a topographically defined area including all critical observation points from which the solar facility is viewed.*
 - B. If the visual impact assessment as mapped particularly interferes with and compromises critical observation points within the viewshed that warrant viewshed protection, the petitioner shall mitigate the view through additional landscaping or other forms of mitigation, including reconfiguration of the solar panels, or as may be required by the Hearing Authority.*
 - C. Fencing along road frontage or the perimeters of the commercial ground-mount solar collector facility site where the fencing would be visible shall be constructed of a material and design consistent with the character of the roadway or area.*
 - D. The petition shall include a landscape plan.*

Autumn Tree Lane is not listed on the Scenic Roads Inventory. The solar facility is not visible from any national or state designated scenic byway or a public park. The nearest historic structure, HO-018 Walnut Grove, is located southeast of the Property. The closest solar collector is 0.8 miles from the Walnut Grove structure. The Petitioner has demonstrated that the view of the solar facility is screened by existing vegetation and topography. The Petitioner is seeking credit to the 'Type D' landscaping requirement with existing vegetative buffers that will screen the solar collector facility from the historic structure. Therefore, the solar facility is unlikely to harm the scenic characteristics of these areas.

1. *The Howard County Agricultural Preservation Board shall review any Conditional Use petition which proposes to build a new commercial ground-mount solar collector facility on parcels which are in the Agricultural Land Preservation Program prior to approval by the Hearing Authority, using a two-step review process, in the following manner*
 1. *Prior to scheduling and convening a presubmission community meeting pursuant to Howard County Zoning Regulations Section 131.0.f.1, the petitioner shall submit a proposed concept plan for a commercial ground-mount solar collector facility on a parcel or parcels in the Agricultural Land Preservation Program to the Howard County Agricultural Preservation Board for advisory review as to whether the siting of the commercial ground-mount solar collector facility on the parcel or parcels supports the primary agricultural purpose of the easement property or is an ancillary business which supports the economic viability of the farm.*
 - A. Preliminary review: The Agricultural Preservation Board shall conduct a preliminary review of a concept plan to review the placement of the proposed facility and the remaining soil capability. The materials submitted for the preliminary review shall include, at a minimum, a letter signed by the property*

owner requesting the commercial ground-mount solar collector facility, a concept plan depicting proposed locations for the facility and a soil classification analysis, consistent with the provisions of the Agricultural Preservation Board's commercial Solar Facilities Policy. The Concept Plan should show at least two potential placements of the CSF on the property to allow the APB an opportunity to advise on the best placement of the solar facility to minimize negative impacts on the farming operation.

- B. Final Review: The materials submitted for final review shall include, at a minimum, a copy of the Agricultural Land Preservation Program easement, a copy of the Howard County Soil Conservation and Water Quality Plan, and a copy of the proposed final concept plan.*
- 2. The Board's advisory review shall be in writing.*
- 3. The petitioner shall make the Board's advisory review available at the presubmission community meeting.*
- 4. The Department of Planning and Zoning's Technical Staff Report on the petition shall include an evaluation of and a recommendation on the Board's advisory review of the petition and shall include as attachments the Board's advisory review and a copy of the Agricultural Preservation Easement.*

The Property is not in the Agricultural Land Preservation Program; therefore, this criterion does not apply.

- m. Subject to Section 106 of these regulations, the property on which an approved commercial ground-mount solar collector facility is located is eligible to be a sending parcel provided that one density right is retained for the conditional use until the commercial ground-mount solar collector facility is removed.*

The Property is not a density sending parcel; therefore, this criterion does not apply.

- n. For ground-mount solar collector facilities on agriculture preservation parcels, the area used for the ground-mount solar collectors must also be used for pollinator or native grass habitats, grazing for livestock such as sheep, crop production under or directly adjacent to the installation such as edible landscape barriers or tree crops, or other agricultural or ecologically enhancing alternative that the applicant proposes and the hearing authority finds to be harmonious with the purposes of the Agricultural Land Preservation Program.*

The Property is not an Agriculture Preservation Parcel; therefore, this criterion does not apply. However, the Petitioner proposes to include pollinator friendly habitats within the area used for the commercial ground mount solar collector facility.

- o. Regulations for Solar Collector Facility, Commercial Ground-Mount*

A solar collector or combination of solar collectors shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. The petitioner or applicant shall provide to the Department of Planning and Zoning a glare study or other certification or assurance acceptable to the Department that the solar collectors are designed, manufactured, and will be installed:


Case No.: BA-24-021C

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Petitioner: KDC Solar Walnut Creek LLC

- A. *To eliminate glare;*
- B. *To ensure that glare will not be reflected onto nearby buildings or roadways; or*
- C. *With anti-reflective coatings or light-trapping technologies.*

The Petitioner provided documents that substantiates the facility will utilize single axis tracking design, which allows the panels to move with the sun and be synchronized to reduce glare on surrounding properties. The solar collectors will have an anti-reflective coating to mitigate the glare on surrounding properties.

Approved by:  5/6/2025

Lynda Eisenberg, AICP, Director Date



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Conditional Use

Date: August 29, 2024
Use Category: Commercial Solar
File No.: BA-24-021C
Petitioner: KDC Solar Walnut Creek, LLC
Property Address: 12320 Autumn Tree Lane, Clarksville, MD 21029
Map No: 28
Parcel: 49

CONDITIONAL USE CRITERIA REVIEW BY AGENCY										
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD	
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x									
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x									
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x	
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x				
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x							
Design Advisory Panel review	x									

Comments Due: September 12, 2024

COMMENTS: DILP- No Comments

9/3/24 James Hobson

SIGNATURE



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Ellicott City, Maryland 21043

410-313-2350

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Agency Comment Form

Conditional Use

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CONDITIONAL USE CRITERIA REVIEW BY AGENCY									
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
ertification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
ne nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
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ne proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
ne proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
esign Advisory Panel review	x								

omments Due: September 12, 2024

OMMENTS:

/e have no comments.

Howard County Dept. of Recreation and Parks

September 3, 2024

Paul Walsky

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Conditional Use

Date: September 5, 2024
Use Category: Commercial Solar
File No.: BA-24-021C
Petitioner: KDC Solar Walnut Creek, LLC
Property Address: 12320 Autumn Tree Lane, Clarksville, MD 21029
Map No: 28
Parcel: 49

CONDITIONAL USE CRITERIA REVIEW BY AGENCY									
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: September 12, 2024

COMMENTS:

1. Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.
 - a. If the Conditional Use Petition is approved, the applicant will be required to obtain approval of a Site Development Plan from the Department of Planning and Zoning prior to issuance of building permits for the proposal commercial solar facility. Following a preliminary review of the plan exhibit, the development has the potential to comply with technical requirements in subsequent plan stages. The project will be reviewed for access requirements, parking, landscaping, etc. in subsequent plan stages. The Walnut Creek subdivision has satisfied the forest conservation requirements for this parcel.
 - b. Access to the parcel is provided by a pipestem which transitions into utilizing a public access & utility easement for community shared sewerage disposal system which is overlayed onto an existing BG&E underground easement. The applicant should determine if the access is permitted to serve the solar facility. In addition, consideration should be taken if fencing is proposed around the solar facility which would impede access for the shared septic use and/or the BGE underground easement.

2. The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures.
 - a. Landscape requirements will be reviewed and evaluated at the SDP stage.
 - b. A "Type D" landscaping buffer must be provided around the perimeter of the proposed commercial ground mount solar facility unless the Hearing Authority determines that an alternative buffer is sufficient.
 - c. Credit for the existing forest conservation easement is proposed in lieu of the Type D landscaping buffer. The Hearing Examiner must determine if this proposal is an adequate alternative to the landscaping requirements.
 - d. Landscaping is not permitted within the existing BGE easement area.
3. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.
 - a. There is no parking requirement for a commercial ground-mount solar collector facility in the Zoning Regulations.
 - b. The parking and generator appear to be located near the DPW septic facility.
4. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere (streams, wetlands, floodplain, forest conservation, etc.).
 - a. There do not appear to be environmental impacts to the site; however, an Environmental Concept Plan for the site must be approved prior to the site development plan to identify any impacts to streams, wetlands, and their buffers, floodplain, and steep slopes on site which are protected from disturbance per the Subdivision and Land Development Regulations.
 - b. Forest Conservation has been satisfied under the Walnut Creek subdivision.
 - c. The recorded subdivision shows environmental features on the parcel proposed for the solar facility; however, the CU plan does not show impacts to these areas. Impacts to these areas are discouraged and will be further evaluated at the ECP and SDP stage of the project.
 - d. Storm water management and suitable drainage requirements will be reviewed at both the ECP and SDP stage.
5. Design Advisory Plan Review.
 - a. This site is not located within a DAP review area.
6. Additional comments.
 - a. The applicant should clarify General Note No. 14.F. by explaining Section 16.1026 as this is not a recognized section in the Code.

Brenda Luber
Division of Land Development

DS




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3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

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Agency Comment Form

Conditional Use

Date: August 29, 2024
Use Category: Commercial Solar
File No.: BA-24-021C
Petitioner: KDC Solar Walnut Creek, LLC
Property Address: 12320 Autumn Tree Lane, Clarksville, MD 21029
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Parcel: 49

CONDITIONAL USE CRITERIA REVIEW BY AGENCY

GENERAL CRITERIA

	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: September 12, 2024

COMMENTS: This project proposal appears to negatively impact the existing public shared sewage treatment zone on this parcel. I did not see any supplemental sheet showing the existing septic system relative to where the ground mounted solar panels are being proposed. Must meet a minimum 10' setback from all parts of the septic system for this subdivision. Since this property has a large, shared septic system shared by the entire subdivision; Health recommends trying to maintain a 20-foot setback from all the proposed ground-mounted solar panels. Health cannot approve this building amendment as is. From Health's perspective, we view the project as currently being incomplete and proposed locations may need to change to meet setbacks.

Zack Silvest

SIGNATURE



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Ellicott City, Maryland 21043

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Conditional Use

Date: August 29, 2024
Use Category: Commercial Solar
File No.: BA-24-021C
Petitioner: KDC Solar Walnut Creek, LLC
Property Address: 12320 Autumn Tree Lane, Clarksville, MD 21029
Map No: 28
Parcel: 49

CONDITIONAL USE CRITERIA REVIEW BY AGENCY										
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD	
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	
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The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x	
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x				
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x							
Design Advisory Panel review	x									

Comments Due: September 12, 2024

COMMENTS: Fire apparatus access roads (FARs) shall be provided so that any portion of the facility is located not more than 150 feet from a FAR. The FAR shall have an improved surface approved by the AHJ and an unobstructed width of 16 feet. A turn-around for fire apparatus, meeting the specifications of the Howard County Design Manual, shall be provided. When conditions allow, the AHJ may approved a reduced width of no less than 12 feet where additional pull-offs and an adequate turn-around are provided. A Knox Box or Knox padlock shall be provided for Fire Department access through gates.

Robert Ferguson
Battalion Chief
Office of the Fire Marshal



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GENERAL CRITERIA

	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: September 12, 2024

COMMENTS: RCD has no comments.

Margaret stella Melikian 9.9.2024

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Conditional Use

Date: August 29, 2024
Use Category: Commercial Solar
File No.: BA-24-021C
Petitioner: KDC Solar Walnut Creek, LLC
Property Address: 12320 Autumn Tree Lane, Clarksville, MD 21029
Map No: 28
Parcel: 49

CONDITIONAL USE CRITERIA REVIEW BY AGENCY

GENERAL CRITERIA

	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: September 12, 2024

COMMENTS: Notification/permission will be required from all property owners and easement holders affected by the Access. Stormwater management will be required by structural practices due to existing slopes. Access shall be provided for emergency vehicles shall be required between solar fields. Additional space along the solar field perimeters should be provided for the stone firebreak. This will reduce solar panel areas. Access is from the end of a public road with a cul-de-sac, sight distance should not be an issue for this use.

Chad Edmondson (DED)

SIGNATURE