## **HOUSE BILL 1692**

L6, C5, M4 8lr3787 CF SB 760

By: Delegate West

Introduced and read first time: February 15, 2018 Assigned to: Rules and Executive Nominations

## A BILL ENTITLED

1	AN ACT concerning			
2 3	Land Use – Solar Electric Generating Facility Siting – Prohibition on Contiguous Parcels of Agricultural Land			
4 5	FOR the purpose of prohibiting the siting of a solar electric generating facility on contiguo parcels of certain agricultural land; applying the prohibition to charter counties as			
6	Baltimore City; and generally relating to the siting of solar facilities.			
7	BY adding to			
8	Article – Land Use			
9	Section 1–401(b)(9); 1–601 to be under the new subtitle "Subtitle 6. Miscellaneous			
10	and 10–103(b)(10)			
11	Annotated Code of Maryland			
12	(2012 Volume and 2017 Supplement)			
13	BY repealing and reenacting, with amendments,			
14	Article – Land Use			
15	Section 1-401(b)(9) through (23) and 10-103(b)(10) through (19)			
16	Annotated Code of Maryland			
17	(2012 Volume and 2017 Supplement)			
18	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND			
19	That the Laws of Maryland read as follows:			
20	Article – Land Use			
21	1–401.			
22	(b) The following provisions of this division apply to a charter county:			
23	(9) § 1–601 (SOLAR ELECTRIC GENERATING FACILITY SITING):			

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 [(9)] **(10)** § 4–104(b) (Limitations – Bicycle parking); 2 § 4–208 (Exceptions – Maryland Accessibility Code); [(10)] **(11)** 3 [(11)] **(12)** § 4–210 (Permits and variances – Solar panels); § 5–102(d) (Subdivision regulations – Burial sites); 4 [(12)] **(13)** 5 [(13)] **(14)** § 5–104 (Major subdivision – Review); 6 [(14)] **(15)** Title 7, Subtitle 1 (Development Mechanisms); 7 [(15)] **(16)** Title 7, Subtitle 2 (Transfer of Development Rights); 8 except in Montgomery County or Prince George's County, Title 7, Subtitle 3 (Development Rights and Responsibilities Agreements); 9 10 [(17)] (18) Title 7, Subtitle 4 (Inclusionary Zoning): 11 [(18)] **(19)** § 8–401 (Conversion of overhead facilities); 12 for Baltimore County only, Title 9, Subtitle 3 (Single-County [(19)] **(20)** 13 Provisions – Baltimore County); 14 [(20)] (21) for Frederick County only, Title 9, Subtitle 10 (Single-County 15 Provisions – Frederick County); 16 [(21)] (22) for Howard County only, Title 9, Subtitle 13 (Single-County 17 Provisions – Howard County); 18 [(22)] (23) for Talbot County only, Title 9, Subtitle 18 (Single-County 19 Provisions – Talbot County); and 20 [(23)] **(24)** Title 11, Subtitle 2 (Civil Penalty). 21SUBTITLE 6. MISCELLANEOUS.
- 22 **1-601.**
- A SOLAR ELECTRIC GENERATING FACILITY MAY NOT BE SITED ON CONTIGUOUS PARCELS OF PRODUCTIVE AGRICULTURAL LAND THAT HAVE DIFFERENT OWNERS.
- 26 10–103.

1	(b)	The following provisions of this division apply to Baltimore City:		
2		(10) § 1–6	01 (SOLAR ELECTRIC GENERATING FACILITY SITING);	
3		[(10)] <b>(11)</b>	§ 4–104(b) (Limitations – Bicycle parking);	
4		[(11)] <b>(12)</b>	§ 4–205 (Administrative adjustments);	
5		[(12)] <b>(13)</b>	§ 4–207 (Exceptions – Maryland Accessibility Code);	
6		[(13)] <b>(14)</b>	§ 4–210 (Permits and variances – Solar panels);	
7		[(14)] <b>(15)</b>	§ 5–201(d) (Subdivision regulations – Burial sites);	
8		[(15)] <b>(16)</b>	Title 7, Subtitle 1 (Development Mechanisms);	
9		[(16)] <b>(17)</b>	Title 7, Subtitle 2 (Transfer of Development Rights);	
10 11	Agreements		Title 7, Subtitle 3 (Development Rights and Responsibilities	
12		[(18)] <b>(19)</b>	Title 7, Subtitle 4 (Inclusionary Zoning); and	
13		[(19)] <b>(20)</b>	Title 11, Subtitle 2 (Civil Penalty).	
14	SECT	ION 2. ANI	BE IT FURTHER ENACTED, That this Act shall take effect	

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October 1, 2018.