

Cecil County Solar and Wind Zoning

This document provides a compilation of excerpts from the Cecil County Zoning Code applicable to the siting of solar and wind projects. Specifically, the excerpts include definitions of solar and wind projects, zoning exclusions, use regulations, and setback and height regulations for solar and wind structures.

Guidance for Viewing Excerpts

SOLAR

Summary

- The Cecil County Zoning Ordinance treats large-scale solar energy projects as “Power Generating Facilities.”
 - Permitted use in the Heavy Industrial (M2) zoning district.
 - Permitted use, by special exception, in the Light Industrial (M1) zoning district.
 - Permitted, by special exception and subject to conditions, in the Northern Agricultural-Residential (NAR) and Southern Agricultural-Residential (SAR) zoning districts.
 - A solar Power Generating Facility is permitted, by special exception and subject to conditions, in the Business General (BG) zoning district, provided that the minimum parcel size is 50 acres and the facility is screened from adjoining residential zones.

Relevant Sections of the Cecil County Code

- Link 1: Article IV: Permissible Uses: Table of Permissible Uses (Section 54.4 12.16.000). Article V: Specific Supplementary Use Regulations: Part XIII: Industrial Uses (Section 156 12.16.000). Link 2: Bill 2018-7

SMALL SOLAR

Summary

- The Cecil County Zoning Ordinance does not have specific zoning districts designated for small-scale/accessory solar projects.

Last Updated: March 2022

Relevant Sections of the Cecil County Code

- No document available for viewing.

WIND

Summary

- The Cecil County Zoning Ordinance treats large-scale wind energy projects as "Power Generating Facilities."
 - Permitted use in the Heavy Industrial (M2) zoning district.
 - Permitted use, by special exception, in the Light Industrial (M1) zoning district.
 - Permitted use, by special exception and subject to conditions, in the Northern Agricultural-Residential (NAR) and Southern Agricultural-Residential (SAR) zoning districts.

Relevant Sections of the Cecil County Code

- Article IV: Permissible Uses: Table of Permissible Uses (Section 54.4 12.16.000).
Article V: Specific Supplementary Use Regulations: Part XIII: Industrial Uses (Section 156 12.16.000).

SMALL WIND

Summary

- The Cecil County Zoning Ordinance does not have specific zoning districts designated for small-scale/accessory wind projects.

Relevant Sections of the Cecil County Code

- No document available for viewing.

Cecil County Zoning Ordinance

http://ccgov.org/uploads/PlanningAndZoning/General/ZoningOrdinance_2011.pdf (accessed 12/21/2015)

ARTICLE IV. PERMISSIBLE USES

Section 54. Permissible Uses Tables (p.80)

12.16.000 Power Generating Facilities (Section 156)

Power generating facilities are permitted in the M2 zone, require a special exception in the M1 zone, and require a special exception (with additional conditions) in the NAR and SAR zones.

ARTICLE V. SPECIFIC SUPPLEMENTARY USE REGULATIONS

PART VIII. UTILITIES

Section 114. Electric Power, Gas Transmission and Telecommunications Buildings and Structures (8.02.000)

Electric power, gas transmission and telecommunications buildings and structures, including substations, shall be permitted in all zones provided:

1. Public utility buildings, whenever practicable, shall have the exterior appearance of residential buildings when in a residential zone and shall have suitable landscaping, screen planting, and fencing.
2. Examples of electric power, gas transmission and telecommunication buildings and structures are buildings and structures for the occupancy, use, support, or housing of switching equipment, regulators, stationary transformers, and other such devices.

PART XII. INDUSTRIAL USES

Section 156. Power Generating Facilities (12.16.000)

Power generating facilities may be permitted as a Special Exception in the NAR and SAR zones provided that the power is generated solely from solar, wind or water power sources.

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2018-13

BILL NO. 2018-07

Title of Bill: Amendment – Zoning Ordinance – Solar Power Generating Facilities

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article V, Part XII, Section 156, Power Generating Facilities in order to permit solar power generating facilities in Business General zones as a special exception under certain conditions.

Introduced by: Council President on behalf of the County Executive

Introduced and ordered posted on: July 17, 2018

Public hearing scheduled on: August 21, 2018 at: 7:00 p.m.

Scheduled for consideration: September 4, 2018

By: James Massey
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by July 17, 2018 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on August 8, 2018 and August 15, 2018, a public hearing was held on August 21, 2018 and concluded on August 21, 2018.

By: James Massey
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

Amendment – Zoning Ordinance –Power Generating Facilities

1 **WHEREAS**, pursuant to Annotated Code of Maryland, Division 1, Title 4, Subtitle 1, Section
2 4-101(a)(1), Land Use Article, it is the policy of the State that orderly development and use of land and
3 structures requires comprehensive regulation through the implementation of planning and zoning
4 controls; and

5 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-102, Land Use Article, a legislative
6 body may regulate to promote the health, safety, and general welfare of the community; and

7 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-103, Land Use Article, a legislative
8 body may impose any additional conditions or limitations that the legislative body considers appropriate
9 to improve or protect the general character and design of the land and improvements being zoned or
10 rezoned; and

11 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-202, Land Use Article, the
12 legislative body shall adopt zoning regulations in accordance with the plan, with reasonable
13 consideration for the character of the district or zone and its uses and with a view to conserve the value
14 of property and encourage orderly development and the most appropriate use of land; and

15 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(a), Land Use Article, a
16 legislative body shall provide for the manner in which its zoning regulations and the boundaries of
17 districts and zones shall be established, enforced and amended; and

18 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(b)(1), Land Use Article, a
19 legislative body shall hold at least one public hearing on a proposed zoning regulation or boundary at
20 which parties of interest and citizens have an opportunity to be heard; and

21 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(b)(2), Land Use Article,
22 the legislative body shall publish notice of the time and place of the public hearing, together with a
23 summary of the proposed zoning regulations or boundary, in at least one newspaper of general
24 circulation in the local jurisdiction once each week for 2 successive weeks; and

25 **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
26 **MARYLAND**, that the proposed amendment to Article V, Part XII, Section 156, Power Generating Facilities
27 of the Cecil County Zoning Ordinance is hereby adopted as follows:

28 **Section 156 Power Generating Facilities (12.16.000)**

Amendment – Zoning Ordinance –Power Generating Facilities

29 Power generating facilities may be permitted as a Special Exception in the NAR and SAR zones provided that
30 the power is generated solely from solar, wind or water power sources. **SOLAR POWER GENERATING**
31 **FACILITIES MAY BE PERMITTED AS A SPECIAL EXCEPTION IN THE BG ZONE PROVIDED THE FOLLOWING**
32 **CONDITIONS ARE MET:**

- 33 1. THE MINIMUM PARCEL SIZE IS FIFTY (50) ACRES.
- 34 2. THE SOLAR POWER GENERATING FACILITY IS SCREENED FROM ADJOINING
35 RESIDENTIAL ZONES.

36 **AND BE IT FURTHER ENACTED** that this Act shall take effect 60 calendar days from the date it
37 becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.


BY: Council Manager

BILL NO: 2018-07

Title of Bill: Amendment – Zoning Ordinance – Solar Power Generating Facilities

is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James Massey
Council Manager

Jayce Sawlskey
Council President

Date: September 4, 2018

Date: September 4, 2018

BY THE COUNCIL

Read the third time.

Passed – LSD 2018-16

Failed of Passage – LSD _____

BY: James Massey
Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this

5th day of September, 2018 at 1:00 am/pm.
(within 10 business days from adoption §306)

BY: James Massey
Council Manager



BY THE EXECUTIVE:
Alan S. McElroy
Cecil County Executive

APPROVED Date: 9-6-18

VETOED Date: _____
(within 10 business days from presentation §306)

BY THE COUNCIL

Bill No. 2018-07 having been approved by the Executive and returned to the Council becomes law on September 6, 2018 with an effective date of November 5, 2018

BY: James Massey
Council Manager