

3. Access to the site must be from a collector or arterial road and not from a local road or street in a residential subdivision. Adequate off-street parking must be provided.
4. All state permits and licenses required to operate the clinic have been obtained prior to applying for the occupancy permit.
5. A description of the medical services proposed to be rendered by the clinic shall be provided with the application for any occupancy permit.

**Section 162. Solar, Community Based (12.16.100)**

A community based solar power generation facility may be permitted as a Special Exception in the NAR, SAR, and M1 zones and shall be permitted in the M2 zones provided:

1. A Major Site Plan shall be approved by the Department of Land Use & Development Services.
2. Solar facilities shall be located at least three hundred (300) feet from the edge of pavement or road right of way, whichever is greater, and one hundred (100) feet from all other property lines.
3. Solar facilities shall be located three hundred (300) feet from dwellings on adjoining properties.
4. Panels shall not exceed fifteen (15) feet in height.
5. A Bufferyard meeting the Bufferyard E standard shall be required around the solar facility.
6. The only signage permitted shall be no larger than six (6) square feet, which shall identify the solar facility operator, the contact phone numbers. Signage shall be posted at each entrance and exit of the property at no less than two locations.
7. Designs for hookup to the power grid, transformers, and inverters should be in proximity to utility pole and located near the center of facility to minimize noise.
8. Community based solar facilities shall have a generating capacity that does not exceed two megawatts (2MW), as measured by the alternating current rating of the system's inverter.
9. Decommissioning Plan required:
  - a. The applicant, operator, and landowner shall submit, and have approved, a plan for decommissioning and removal of non-functioning systems and to restore the site to its previous condition.

- b. A solar facility is presumed to be discontinued or abandoned if no electricity is generated by such solar facility for a period of twelve (12) continuous months.
- c. The owner and/or operator agree to allow entry to remove an abandoned , discontinued, or decommissioned community based or utility solar facility.

#### 10. Bonding & Financial Surety

- a. The Decommissioning Plan shall be accompanied by a cost estimate prepared by a licensed professional engineer, preferably with solar development experience, for the implementation of the Decommissioning Plan. The Department of Land Use and Development Services may request an update to this cost estimate yearly.
- b. Upon approval of the plan and cost estimate, the developer or owner shall enter into an agreement with the County to implement the Decommissioning Plan as required. The agreement shall be in a form and substance as approved by the Department of Land Use and Development Services and shall be accompanied by a performance bond or other approved surety executed by the owner or developer in the amount of two hundred (200) percent of the cost estimate. The surety shall:
  - i. Assure that the removal of non-functioning systems and restoration of the site is completed in accordance with the approved Decommissioning Plan;
  - ii. Be payable to Cecil County;
  - iii. Be issued by a financial institution authorized to do business in Maryland;
  - iv. Executed prior to Major Site Plan approval; and
  - v. May not be canceled by the surety, bank, or other issuing entity unless both of the following conditions are satisfied:
    - 1. The Department of Land Use and Development Services and the obligee are notified in writing by registered mail of the intent to cancel not less than ninety (90) days prior to the cancellation; and
    - 2. At least forty-five (45) days prior to the cancellation date indicated in the notice, the obligee files a commitment for a surety, bank, or other issuing entity to provide a substitute security which will be effective on the cancellation date indicated in the notice.
  - vi. Any surety, bank, or other issuing entity that cancels the financial security without meeting the requirements of the previous section shall be subject to penalties as outlined in Article XIX of this Ordinance.

- c. Community based or utility solar facilities should be reassessed for taxation purposes every three years.
- 11. Solar facilities shall be enclosed by a security fence that is located between the landscape buffer and the facility. The fence must be a minimum height of 6 feet and suitable to prevent unauthorized access.
  - a. The fence shall be constructed to meet any applicable State or Federal regulations and address the physical security of power system facilities.
  - b. Fencing shall be designed and installed to allow for the passage of small wildlife.
  - c. The fence shall not be used to display any signage except, as required by law.
- 12. The conservation of agriculture is very important to maintain a more rural lifestyle, and the preservation of scenic views as a quality of life issue.
- 13. Additional requirements in the NAR & SAR zones:
  - a. The minimum parcel size shall be 50 acres. Two (2) or more contiguous parcels may be used In cases where the parcels are in same ownership under one deed.
  - b. Solar facilities, including but not limited to solar panels, fenced area, access drives, power conversion, etc., shall not encompass more than 25% of the site.
  - c. Soil Requirements
    - i. All Community Based and Utility solar facilities shall not be permitted on class one soils in order to prevent the loss of prime agricultural soils.
    - ii. The landowner or operator shall provide yearly certified soil test results prior to construction of the solar facility and by December 31 every year thereafter to the Division of Planning & Zoning at the expense of the operator or landowner. It will be presumed that the solar facility is discontinued or abandoned if the tests results are not submitted.
    - iii. Prior to the release of any bonding and financial surety, a certification must be submitted verifying that soil conditions have been returned to their pre-construction condition.