



MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Alice Kennedy, Housing Commissioner

Date: October 11, 2022

Re: City Council Resolution 22-0106R Investigational Hearing - Solar Farming

The Department of Housing and Community Development (DHCD) has reviewed City Council Resolution 22-0106R for the purpose of inviting representatives from WeSolar, the Department of Public Works, the Department of Housing and Community Development, the Department of Recreation and Parks, the Department of Planning's Office of Sustainability, the Department of General Services, the Comptroller, the City Administrator, the State Public Service Commission, and the Baltimore Gas and Electric Company to brief the City Council on commercial and residential solar farming and to assess how solar farming can benefit the citizens of Baltimore City.

Solar energy falls within the Building, Fire and related Codes of Baltimore City (BFRC)(2020 Edition) which includes the International Energy Conservation Code (IEC)(2018 Edition) the International Green Construction Code (IGC)(2018 Edition) and the International Fire Code (IFC)(2018 Edition), among other codes that make up the code family. The IEC applies to all matters governing the design and construction of buildings for energy efficiency. The IGC applies to construction requirements intended to reduce the negative impacts and increase the positive impacts of the built environment on the natural environment and building occupants. The IFC applies to matters affecting or relating to prevention of structures, processes, and premises from the hazard of fire and explosion. DHCD administers and enforces these codes which require that all repairs, additions, or alterations be done in accordance with the BFRC and the provisions within the IEC, IGC and IFC for solar energy devices.

"Solar farms" are not currently included in the BFRC however, 14-306 of the City's Zoning Code outlines requirements for "Community-based alternative energy systems" which require participating lots that share a solar, wind, or geothermal alternative energy system receive permission to install equipment along all properties. This community-based renewable energy system is only allowed if agreed to by the owners of each participating lot, and the agreement is recorded as a "community-based renewable energy easement" on each survey plat, including provisions for all property owners to access all equipment to maintain the system. The easement must be submitted to the City.

On lots owned by homeowners' associations the City's Zoning Code requires a management plan to be submitted to the City. The submissions of easements, agreements, and management

Brandon M. Scott, Mayor | Alice Kennedy, Housing Commissioner

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plans submitted to the City are for informational purposes only. The City does not enforce these easements, agreements, or management plans.

The City's Zoning Code requires all applicable standards subject to the standards for the type of individual renewable energy system. Ground-mounted systems must meet the yard requirements of the applicable district. Height restrictions and screening requirements must meet the standards of: (i) § 15-517 {"Alternative energy systems: Solar"} of the code for solar alternative energy systems; and (ii) § 15-518 {"Alternative energy systems: Wind"} of the code for wind alternative energy systems.

DHCD is pleased to participate in a discussion about commercial and residential solar systems and how they can benefit the citizens of Baltimore City. DHCD's development division may be able to assist in the process of identifying appropriate locations of sufficient size to support large solar arrays or other energy producing facilities.

DHCD supports the use of solar energy which lowers energy costs for residents and benefits the environment. Increased use of renewable energy systems promotes **high paying** green construction jobs and supports healthy and sustainable neighborhoods throughout the city.

DHCD has **no objection** to City Council Resolution 22-0106R.

AK/sm

cc: Ms. Themelis, Nina, *Mayor's Office of Government Relations*