

The Committee of 100
on the Federal City



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April 1, 2019

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 4th Street, N.W. Suite 200-S
Washington, D.C. 20001

Re: Case No. 19-04 Zoning Regulation Text Amendment for Community Solar Facilities

Dear Chairman Hood:

We are writing in opposition to the Office of Planning's proposed zoning text amendments in Case No. 19-04. The proposed amendments would permit Community Solar Facilities as a matter-of-right in nearly all zones. This may be appropriate in some instances, but the OP's proposal is so expansively drafted that it would permit extremely large Community Solar Facilities without any Board of Zoning Adjustment review or public input.

The Committee of 100 on the Federal City will offer additional testimony on this proposal at tonight's Zoning Commission hearing. A summary of our views is as follows:

- Zoning requirements for "basic utility" uses have been on the books for many years. In residential zones, "facilities for renewable energy generation" must be approved by Special Exception by the Board of Zoning Adjustment.
- The BZA Special Exception review process offers an essential opportunity for adjacent property owners to air concerns and for the BZA to mitigate those concerns. The BZA Special Exception review process is not an onerous process; it has served the city well for many years.
- At least two applications for BZA Special Exception approval of ground solar array facilities (e.g., Case No. 19927, Case No. 19971) are now pending. These should proceed through the normal course.
- The Office of Planning's proposal to exempt Community Solar Facilities from BZA review is ill-considered and risks undermining public support for community solar. Under OP's proposal, acres and acres of huge (e.g., 40 feet-high) solar panels could be erected almost anywhere without any opportunity for review or public input. Expediency and reduced costs are no excuse for circumventing due process.
- If a true "Solar for All" emergency exists, it should be accommodated with very narrow regulatory action. Otherwise, the existing BZA Special Exception review of facilities for renewable energy generation should continue to apply. If there are problems with the BZA approach, the Office of Planning should develop a zoning alternative that properly

accounts for the interests of all affected parties, not just ones who desire expediency and reduced costs for their projects.

- If additional zoning relief is desired, the Office of Planning should consider an approach where zoning relief is only offered in exchange for superior benefits that wouldn't otherwise accrue. For example, crediting the monetary value of electricity generated by a Community Solar Facilities only to low-income residents or requiring greater environmental sustainability like a natural groundcover for aesthetic value and stormwater management or as a pollinator meadow.

Sincerely,

Caroline Petti
Zoning Subcommittee
Committee of 100 on the Federal City